



*DELIVERED VIA CERTIFIED U.S. MAIL*

March 29, 2021

Secretary  
Department of Natural Resources  
P.O. Box 7921  
Madison WI 53707-7921

RE: DNR's Completeness Determination & Preliminary EIS Decision for the Feasibility Report for the Proposed Orchard Ridge Expansion.

To the Wisconsin Department of Natural Resources:

Pursuant to Wis. Stat. § 227.26, the six undersigned environmental and conservation organizations submit this request for an informational hearing regarding the Wisconsin Department of Natural Resources' (DNR) Completeness Determination and Preliminary Environmental Impact Statement (EIS) Decision for the Feasibility Report for the Proposed Orchard Ridge Eastern Expansion.

We are interested in this activity because it (1) results in an expansion of what is already the largest landfill within Wisconsin; and (2) requires the exhumation of the Boundary Road Landfill, a Superfund site with considerable historical contamination that is currently undergoing remediation. Significant adverse impacts to the environment and public health of the surrounding community may result, which each of the undersigned organizations have an interest in preventing. Several of the undersigned organizations submitted written comments to DNR that based on these concerns an EIS should be prepared to fully understand the potential impacts of the activity.

A hearing is being requested because the interests identified above go directly to DNR's feasibility determination for this activity. A hearing is also being requested because DNR has only prepared an environmental analysis and determined that the preparation of an EIS is not required, contrary to the interests of several of the undersigned organizations who previously submitted written comments. Finally, a hearing would allow the representatives from the undersigned organizations and members of the public to "make oral statements, offer evidence or ask questions concerning" and be available to answer any clarifying questions if the hearing officer so permits.<sup>1</sup>

This request is timely submitted and satisfies all the requirements for requesting an informational hearing set forth in Wis. Stat. § 289.26(1). DNR is therefore required to "conduct the informational hearing within 60 days after the expiration of the 30-day" period by which to request a public informational hearing.<sup>2</sup> Since DNR has requested additional information about the proposed expansion to complete its feasibility determination despite determining that the feasibility report is complete, the undersigned organizations ask that DNR utilize the full 60 days to provide an opportunity for that information to be submitted and analyzed by the public before the informational hearing. Due to the ongoing COVID-19 pandemic, the undersigned organizations respectfully request that DNR hold the public information hearing in a virtual, publicly accessible format.

Sincerely,

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<sup>1</sup> Wis. Admin. Code NR § 2.135.

<sup>2</sup> Wis. Stat. § 289.26(2)(a), (4).