



Waukesha County Environmental Action League
Protecting Waukesha County's Natural Resources since 1978
E-newsletter April 2018

"You will not solve global climate change by hitting the delete button" -Tom Brokaw

Carroll University schedules screening of documentary *Trashed*
Charlene Lemoine

WEAL has sponsored several screenings of the documentary film *Trashed*. Co-hosts have included the Friends of Retzer Nature Center, the Environmental Studies Class at Waukesha South High School and Plowshare Fair Trade Marketplace & Education for Peace. *Trashed* takes award-winning actor Jeremy Irons across the globe as he investigates impacts to the land, air and sea from materials routinely thrown away as trash. Although the consequences portrayed in the film are

ECO at Carroll University will co-host a screening of *Trashed* Thursday April 19th, 6:30 pm at Dorothy Goff Frisch Recital Hall. (Main floor of Shattuck Music Center.)

considerable, it also offers sustainable solutions that will prevent pollution, preserve resources and create jobs.

If you haven't seen *Trashed*, or would like to see it again, the Environmentally Conscious Organization (**ECO**) at Carroll

University will co-host a screening on Thursday, April 19th at 6:30 PM at the Dorothy Goff Frisch Recital Hall (main floor of Shattuck Music Center) 218 N. East Avenue, Waukesha.

Discussion/ Q&A will follow the screening.

Compost Crusader invited to discussion of *Trashed* film
Charlene Lemoine

WEAL invited Melissa Tashjian, president of Compost Crusader, to join the discussion after the screening with Plowshare. Tashjian's company (CC) provides curbside collection for organic materials, including food scraps. CC hauls organics from businesses, schools, restaurants and residential households in Milwaukee and Shorewood. In Milwaukee, 500 residences participate in an Organics Pilot Program that recently has been extended for a second year. All organic material collected by CC is delivered to Blue Ribbon Organics in Caledonia where it is composted and then available for purchase.

In her shared comments, Tashjian stated that EPA estimates that Food scraps account for approximately 20% of municipal solid waste going to landfills and contribute significantly to the generation of methane.

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WEAL donates Zero Waste book to local libraries

Charlene Lemoine

As a follow-up resource to the film, *Trashed*, WEAL donated *The Zero Waste Solution; Untrashing the Planet One Community at a Time*, by Paul Connett, PhD, to the Waukesha Public Library and New Berlin Public Library. Connett is a leading authority on Zero Waste and appears throughout the film.

Orchard Ridge landfill agreement differs from DNR feasibility report

Charlene Lemoine

When WEAL learned Waste Management of Wisconsin (WMWI) was planning another expansion at the Orchard Ridge Landfill in Menomonee Falls, WEAL reviewed minutes from the Siting Committee, which for this

WEAL learned that Waste Management of Wisconsin (WMWI) was planning another expansion at Orchard Ridge Landfill in Menomonee Falls.

expansion consists of representatives from the Village of Menomonee Falls and Waukesha County. Although a number of meetings were conducted in closed session, there were several instances when a plan to exhume the Boundary Road to create additional horizontal and

vertical capacity was mentioned. It appeared the contents of the Superfund Site would be excavated and disposed of within the expansion.

WEAL's research discovered several articles mentioning a plan to exhume Boundary Road as well as a presentation given to the Menomonee Village Board by WMWI depicting the entire Boundary Road Superfund Site being included in the East Expansion.

History of Boundary Road Superfund Site

The Boundary Road Superfund Site (also known as the Lauer I Sanitary Landfill) is a closed, 58-acre landfill in Menomonee Falls. According to the EPA website, the landfill accepted municipal and industrial waste from the mid-1950s until 1973 when it closed. In 1984, the site was added to the National Priorities List (NPL) otherwise known as the Superfund program.



Soil and leachate from Boundary Road remain contaminated with benzene, cyanide, toluene and zinc. Monitoring of leachate, landfill gas and groundwater is ongoing and WMWI collects the contaminated leachate for treatment.

The Wisconsin DNR and the US EPA conduct joint Five-Year site inspections. WEAL has reviewed the last two reports, and by all accounts, the site has been meeting all closure and monitoring requirements.

WEAL Questions DNR

WEAL contacted the DNR prior to the release of the Feasibility Report for public comment with questions about the Boundary Road Superfund Site. The DNR stated the Superfund Site was not part of the proposed expansion appearing in the Feasibility Report and that no plans to exhume Boundary Road had been submitted to the DNR.

Orchard Ridge Landfill eastern expansion agreement

WEAL obtained a copy of the Orchard Ridge Landfill Eastern Expansion Agreement (local agreement) between WMWI, the Village of Menomonee Falls and Waukesha County. WEAL was

shocked to find the agreement included a map showing a contiguous expansion that included Boundary Road.

The local agreement, which was finalized prior to the DNR releasing the Feasibility Report for public comment, includes waivers from the Village and County and extends a previous WMWI “property protection” agreement to purchase homes from nearby residents. The agreement with residents prohibits homeowners from requesting an informational hearing, a contested case hearing or take any action that would interfere with permitting.

Since six or more residents have to demonstrate being affected by an expansion to request a hearing under Chapter 289 (Wisconsin Waste Facility Siting Statute), signing the “property protection” agreement essentially gives up that opportunity. In return for not “taking any action” WMWI agrees to purchase the resident’s home. Since “property protection” agreements do not generally transfer to new owners, the chances of selling a home next to a landfill are not ideal, to say the least, giving residents little choice but to sign the agreement if they ever decide to move.



WEAL's comments on feasibility report include Boundary Road

The plan detailed within the Feasibility Report consists of 44.8 acres of non-contiguous capacity to the present landfill and does not mention any plan to exhume the Boundary Road Superfund Site.

Under Chapter 289 the DNR does not have any authority to be involved in the local siting process. However, WEAL felt it was important to include the Boundary Road Superfund Site in our comments to create a record regarding the disparity between the expansion plan cited in the local agreement and the plan the DNR received and evaluated from WMWI for the Feasibility Report.

The DNR has assured WEAL (in writing) that there has been no correspondence between the DNR and WMWI, or the DNR and the EPA on any plans to exhume the Boundary Road Superfund site at this time. The DNR has also verified WMWI will have to submit additional plans to exhume the Superfund Site and this will require an Initial Site Review and a NEW Feasibility Report with a public comment period. WEAL appreciates the DNR response, but residents living near the site appear to be bound by the “property protection” agreement and will most likely not be able to “take any action” on a future Feasibility Report since the local agreement already includes the Superfund Site.

The comments WEAL submitted on the Feasibility Report for the Orchard Ridge East Expansion were the only comments the DNR received. (Note: WEAL’s comments were also the only comments received by the DNR on the previous Orchard Ridge Expansion)

WEAL Comments on specific issues within the feasibility report

WEAL submitted comments to the DNR on specific issues of concern within Orchard Ridge East Expansion Feasibility Report. WEAL’s comments included private well exemptions, sub base grade

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and water table issues, waste characterization, leachate treatment, air quality, wetlands, evaluation of need and exemptions for leachate collection pipes lengths.

WEAL also addressed the section on Alternatives to Waste Disposal and asked the DNR to bring back a planning document entitled: *Moving Toward Zero Waste* which appeared on the DNR website a number of years ago. Additionally, WEAL asked the DNR to support keeping all organic materials out of landfills. With successful pilot programs for curbside collection of food scraps in Madison and Milwaukee, there is a demonstrated interest in promoting large scale composting to utilize a resource (compost), reduce methane generated at landfills and reduce the amount of materials disposed of in landfills.

WEAL's history of commenting on landfills in Waukesha County

WEAL has been submitting comments on landfill expansions at WMWI's Orchard Ridge Landfill and Advanced Disposal's Emerald Park Landfill in Muskego for more than two decades. WEAL was also a party in a contested case hearing representing our members living near Emerald Park in the late 1990s. The Feasibility Reports WEAL has reviewed over the years have always been compatible with plans evaluated in local agreements.

Next Steps

Since WEAL has never heard of a local agreement including an expansion plan that is not consistent with the plan submitted to the DNR, WEAL will be contacting the Wisconsin Waste Facility Siting Board (WWFSB). WEAL will be asking the WWFSB if the inclusion of the

Boundary Road Superfund Site in the local agreement is precedent setting; or if waste companies are routinely receiving pre-approvals for future expansions in local agreements.

WEAL will continue dialogue with the DNR and will be requesting a copy of the Initial Site Review, if and when WMWI submits a plan for exhuming the Boundary Road Superfund Site. WEAL will also be contacting the US EPA, Region 5, regarding issues related to exhuming a Superfund Site that is meeting post-closure requirements.

WEAL launches ZERO WASTE initiative

Laurie Longtine

What is Zero Waste?

From floating islands of plastic in the oceans, to leaking landfills and super sites to miniscule particles made airborne from incineration, our planet seems to be choking in waste of all kinds—generated by us humans. It's obvious to even a casual observer that we have a serious problem, but the question is what will we, what can we do about it?

One place to start is the definition. The Zero Waste International Alliance (<http://zwia.org/>) definition of Zero Waste is the only peer-reviewed and internationally accepted definition of ZW, which WEAL formally adopted in 2013.

"Zero Waste is a goal that is ethical, economical, efficient and visionary, to guide people in changing their lifestyles and practices to emulate sustainable natural cycles, where all discarded materials are designed to become resources for others to use."

Zero Waste means designing and managing products and processes to systematically avoid and eliminate the volume and toxicity of waste and

Implementing Zero Waste will eliminate all discharges to land, water or air that are a threat to planetary, human, animal or plant health.

materials, conserve and recover all resources, and not burn or bury them.

Implementing Zero Waste will eliminate all discharges to land, water or air that are a threat to planetary, human, animal or plant health."

Now, what will we do?

WEAL and other county partners are planning the launch of a Zero Waste campaign to educate, motivate and activate Waukesha County residents to

**Rethink*

**Reduce*

**Reuse*

**Repair*

**Repurpose*

**Recycle*

**Residuals management*

If you have ideas and energy about this

issue, and would like to

volunteer, please call

Charlene at 262.574.7578 or

Laurie at 262.542.7929. The

Zero Waste project is still in

the planning stages, so now is

a great time to take action.



Racine's request for Foxconn water diversion chips away at Great Lakes Compact

Laurie Longtine

Why does WEAL have an interest in the city of Racine's proposed water diversion for Foxconn, in another Wisconsin county and community?

1. For nearly 20 years, WEAL, along with our state partners in the Compact Implementation Coalition (CIC) and regional partner organizations, has been deeply involved in issues related to the city of Waukesha's application for a Lake Michigan diversion and, before then, the passage of a strong Great Lakes Compact,

its implementation, and precedent-setting potential.

2. One of the most contentious issues of Waukesha's application was the extended water service area, really, several areas in all four directions of the city of Waukesha that weren't part of the city, weren't part of the Water Utility's customer base, didn't need water, hadn't asked for water and lacked community connection to the city of Waukesha. These outlier areas also lacked any infrastructure, especially for supplying and returning water from and to a common source. From the beginning, Waukesha's many applications all included the expanded water service area. Some suspect it was glued on to incentivize growth; others think its purpose was to justify a greater amount of water for Waukesha's request.

Whatever the reason, once Waukesha's application reached the regional level of review by the Regional Body and the Great Lakes Council of Governors, the response was a resounding NO. They went further to add conditions that dialed back boundaries of areas in the Town of Waukesha that had already been given the opportunity to apply for city water, but had not yet done so. As WisDNR evaluates the city of Racine's application, how the area proposed to be served by the city of Racine—an area well outside the Great Lakes basin, lacking contiguity with city boundaries, lacking infrastructure, lacking community connections, lacking the threshold requirement of need for potable water and lacking residential inhabitants—isn't exactly the same as the city of Waukesha's expanded water service area that caused its rejection by the Regional Body and Great Lakes Council in 2015?

If WisDNR approves this application under these dubious circumstances, how will other

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applications with expanded water service areas be treated in the future? Does the city of Waukesha have legal recourse for returning to the Regional Body / Great Lakes Council later with a request for an increased amount of water or another expanded water service area?

All along, the course of Waukesha's application,

from 2007 through 2015, WEAL and state and regional partners continued to raise the concern of Waukesha's precedent-setting impact on the Great Lakes Compact. We feared that anything less than a letter-tight and spirit-respectful application would have great potential to harm the Compact and weaken its protections, especially in the exceptions to the Compact's ban on diversions. We were concerned that any chipping away of the protections would be but the first. Our concerns were mostly ignored or pooh-poohed. The Water Utility and its diversion proponents included the question of precedents in presentations to the public during the rounds of WisDNR and Regional Review public hearings, stating: "That could NEVER happen." Not three years later, here we are in precedent-setting territory again. Racine's application not only chips away at the Compact's ban on diversions and other protections of the Compact, but also creates new categories of straddling areas (a manufacturing zone and non-residential area) leading Wisconsin DNR to determine—somehow—that Foxconn isn't worthy of a regional review.

WEAL and other organizations have stated these concerns and more:

- Racine's application ignores the Great Lakes Compact requirement that diversions must be for a public water supply. It defines 'public' as primarily residential,
- Foxconn plans to return only 60% of the water it diverts back to Lake Michigan, a shockingly low number,
- Foxconn refuses to reveal the contaminants in its discharge water, but the manufacturing process it uses is known to contain mercury, chromium, cadmium, zinc and copper. Foxconn says the water it discharges to Racine water treatment plant will be pre-treated, but to what degree can these heavy metals be removed or mitigated?
- Racine's application also ignores the Compact requirement for a community to be without a supply of potable water.

For more information:

WEAL website: www.WEAL.org

CIC website: www.protectourgreatlakes.org

Read letters of comment to WisDNR:

[WEAL comments to DNR](#)

[CIC comments to DNR](#)

[D Gennrich comments to DNR](#)

WEAL Board adopts proactive projects

Angela Reifenberg

During the Fall of 2017, the WEAL Board of Directors noticed that two of our big projects from recent years were entering new phases. The City of Waukesha's permit application for Great Lake's water was approved, yet WEAL

continues to work with The Compact Implementation Coalition so that the permit will be enforced as stringently as possible. And the Waukesha West Bypass is now under construction, although our legal fight is not over and we continue to pursue possible design changes on the south end especially through the Pebble Creek wetland area.

Given those changes, we adopted new projects; projects that were proactive, and projects that could make a difference here in Waukesha County. After discussion, brainstorming, and voting, we adopted our list of projects and are excited to share it with our members:

Priority #1: Zero Waste

Priority #2: Wetland Protection

Priority #3: Invasive Species Control

The WEAL Board has already started partnering with other local organizations to generate interest and momentum for Zero Waste. For wetland protection, we wrote to state legislators regarding the weakening of wetland regulations and now we are actively seeking additional ways to get involved in wetland protection and invasive species control.

If you have ideas, would like to learn more, or get involved in any of our new initiatives please visit our website, watch your e-mail, or come to a board meeting.

Global warming here at home What's next and how you can help

Nancy Gloe

Polling data has shown that some Americans believe that global warming is happening but that it won't affect them or their children.

It is true that Waukesha County will be less affected than other regions of the country and the world. To be sure, life in some communities at or near sea level or

has been undergoing dramatic changes. Poor land use practices such as wetland destruction, overgrazing, over-population/over-development are, of course, exacerbating these changes. Rest assured, however, that Waukesha County will not be immune from the effects of global warming.

The following information is drawn from the Wisconsin Initiative on Climate Change Impacts ("WICCI") 2011 report, "Wisconsin's Changing Climate." The report looks at expected changes for the year 2050. You can download the report at: <https://www.wicci.wisc.edu/publications.php>

Climate change affects water resources, natural habitats, agriculture, coastal regions, society and the built environment. Our understanding of the full extent of climate change impacts on human health, on a state and local scale, is in its infancy. According to our state's best climate scientists--using the most recent computer models--Wisconsin's warming trend will not only continue, but the rate of warming will increase considerably by 2050. Although future precipitation patterns are more difficult to discern, Wisconsin climatologists believe the state is likely to continue its trend toward more precipitation overall. Expected changes include:

- Heat waves will become more frequent and climate conditions will boost air pollutants such as smog and particulate matter. In the Chicago area, for example, occurrences of ground-level ozone exceeding current air quality standards are expected to increase

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from the present average of about two days per summer to about 17 days per summer by the end of the century. Similarly, ground-level ozone problems from Milwaukee can

...ground-level ozone problems from Milwaukee can be expected to extend to eastern Waukesha County. Ozone can have serious health impacts such as damage to lung tissue. It also worsens conditions such as asthma and chronic lung disease...

be expected to extend to eastern Waukesha County. Ozone can have serious health impacts such as damage to lung tissue. It also worsens conditions such as asthma and chronic lung disease and it is particularly risky for children because they often spend considerable amounts of time in outdoor activities where they are likely to inhale

air pollutants and to breathe them more deeply into their lungs.

✚ Particulate pollution aggravates asthma and increases respiratory and heart disease. Unlike smog, which is worse in hot months because of its dependence on sunlight and high temperatures, particle pollution can reach unsafe concentrations at any time of year. Milwaukee, Racine and Waukesha counties currently do not meet National Ambient Air Quality Standards for fine particle pollution. Pollen production is increasing as well. All of these air pollutants worsen asthma and other respiratory diseases. These diseases already cost a substantial amount of lost time to work and school and increase hospitalization.

✚ Wetter conditions will also increase mosquito and tick activity leading to greater risk of zoonotic disease.

✚ By 2050 statewide annual average temperatures are likely to warm by 6-7 degrees. Temperature increases are projected to be greatest in winter, with earlier springs, beyond current conditions. Nighttime temperatures are expected to increase more than daytime temperatures.

In summer, southern Wisconsin could see three or more weeks of temperatures over 90 degrees. Peak temperatures will reach 110-112°F.

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Similarly, the number of winter nights below zero degrees is projected to decrease significantly.

✚ Both the frequency and magnitude of heavy rainfall events has been increasing in Wisconsin. Large storm events are more likely in spring and fall. Statewide, the amount of precipitation that falls as rain, rather than snow, is projected to increase significantly and freezing rain is more likely to occur. This trend is already well underway in Southeast Wisconsin.

When heavy rainfall or groundwater infiltration exceed the capacity of wastewater treatment systems, waterborne diseases multiply because human pathogens, and their communicable diseases, are introduced into the environment. In many places, current infrastructure

is not equipped to handle the projected increases in frequency of heavy storms and subsequent runoff. This raises new threats to our drinking and wastewater systems and puts more stress on the durability of our roads and buildings. It also increases the risk of flooding to businesses and homes.

Unfortunately, we have seen very little initiative on the part of some local governments to begin preparing for these changes in order to avoid or lessen many of these consequences.

- ✚ The cost of repairing damaged storm water systems, sewage treatment plants, bridges and roads could be a considerable expense to the city and taxpayers.

- ✚ Rising air temperatures, shifting precipitation patterns and increases

A shift to more rainfall in winter and spring will increase runoff when the ground is frozen or plant cover is reduced or absent, which means sediment and nutrient loading to lakes and streams will also increase.

in heavy rain events will lead to a variety of secondary effects on our natural and built environments. A shift to more rainfall in winter and spring will increase runoff when the ground is frozen or plant cover is reduced or absent, which means sediment and nutrient loading to lakes and streams will also increase. This,

combined with projected heavy seasonal rainfalls, will likely increase pollutant inputs to lakes and wetlands, leading to more blue-green algae blooms in lakes (a health risk to humans and pets) and loss of diversity in wetlands. There will

also be less soil moisture, which will impact amphibians.

- ✚ The warming climate will benefit species such as grey squirrels, white tailed deer, European starlings and Canada geese. There will be more nuisance wildlife and fewer desirable species.

In summary, climate change related hazards will increasingly damage property, disrupt business operations, interrupt services, cause an increase in human illness and disease, cause polluted runoff to lakes and streams, alter natural habitats and cause species loss.

Many resources are available to help us adapt to these changes and add resilience to our natural and built environment.

Adaptation, however, is not a substitute for mitigation, which aims to reduce the rate at which greenhouse gasses enter the atmosphere. There are many things we can do. We draw your attention to the work of these three groups in particular.

California-based **Citizen's Climate Lobby** (CCL) is working toward "Carbon Fee and Dividend" legislation which, if passed, would largely transition our society off fossil fuels within two decades:

<https://citizensclimatelobby.org/>

Project Drawdown not only seeks to slow the rate of change but it seeks to actually reverse these changes in a variety of ways: <http://www.drawdown.org/>
350.org also seeks to lessen our dependence on the fossil fuel industry and move us toward clean, renewable energy: <https://350.org/>

So what are we waiting for? Let's break out of our Waukesha County "bubble" and fight global warming in order to preserve, as CCL would put it, a "livable world"



Climate change related hazards

- ✓ More frequent heat waves
- ✓ Prominent particulate pollution
- ✓ Increasing pollen production
- ✓ Increased mosquito and tick activity due to wet conditions
- ✓ Increased average temperatures of 6-7° by 2050
- ✓ Frequent heavy rainfall events
- ✓ Increased storm damage repair shifting precipitation patterns: more rainfall in winter, increase of runoff in spring which will likely increase pollutant inputs to lakes and wetlands
- ✓ More nuisance wildlife and fewer desirable species



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Climate change is no longer some far-off problem; it is happening here, it is happening now. *Barack Obama*

Some things you can do to impact climate change

- ✓ Let policy makers know you are concerned about global warming. Call them about your concerns and their seeming lack of concern.
- ✓ If all Americans reduced their emissions by 20%, we could shutter 200 of the nation's 600 coal plants



- ✓ When you buy your next car, look for one with the best fuel economy in its class
- ✓ Use power strips which curb phantom loads and save a surprising amount of electricity---as much as \$130 annually
- ✓ Upgrade your refrigerator and air conditioner. Look for Energy Star label for all new appliances.

- ✓ Get an electricity monitor. Identify where energy hogs are in your home.
- ✓ Wash clothes in cold water—clothes get just as clean
- ✓ Change light bulbs to LEDs



- ✓ Buy less stuff---reduce, re-use, and recycle.

“Global warming is not a future threat—it’s the present reality, a menace not to our grandchildren but to our present civilization. In a rational world this is what every presidential debate would focus on”. *Bill McKibben*