ATTACHMENTS

III

4.8

Res. No. 144 - 15 - 16. By Alderperson Belanger. February 1, 2016.

A RESOLUTION authorizing advertising for bids for the resurfacing of N. 6th Street (Niagara Avenue to Superior Avenue), S. 17th Street (Maryland Avenue to Union Avenue), and Saemann Avenue (N. 21st Street to Calumet Drive).

RESOLVED: That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of Section 62.13(3), Wisconsin Stats, for the resurfacing of N. 6th Street (Niagara Avenue to Superior Avenue), S. 17th Street (Maryland Avenue to Union Avenue), and Saemann Avenue (N. 21st Street to Calumet Drive) according to the plans and specifications prepared by the City Engineer, and submit a resume of bids received and accepted to the Common Council for further consideration.

Pub Wks

John B

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

III

4.9

Res. No. 145 - 15 - 16. By Alderperson Belanger. February 1, 2016.

A RESOLUTION authorizing executing a Naming Rights Agreement regarding the three softball fields located at Wildwood Softball Complex.

RESOLVED: That the Mayor is hereby authorized and directed to execute the attached Naming Rights Agreement with Wisconsin Bank and Trust.

John Bel

Pub. Wks.

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

NAMING RIGHTS AGREEMENT

THIS NAMING RIGHTS AGREEMENT, hereinafter referred to as the "Agreement," is made by and between the City of Sheboygan and Wisconsin Bank and Trust.

RECITALS

1. The Sheboygan Softball Association ("SSA"), with the permission of the City of Sheboygan, entered into a five (5) year agreement on May 20, 2011 with Community Bank and Trust for the naming rights of the three softball fields located at Wildwood Softball Complex, 2213 New Jersey Avenue, Sheboygan, Wisconsin 53081.

2. Pursuant to said agreement, the fields were named "Community Bank and Trust Softball Fields," from 2011 through the 2015 season.

3. The City of Sheboygan found it necessary to terminate the contract with the SSA to operate the Wildwood Softball Complex on February 21, 2014, but entered into an agreement with Community Bank and Trust to uphold the original terms of the naming rights agreement with Community Bank and Trust.

4. The prior agreement provided Community Bank and Trust with an option to renew this agreement for an additional five (5) years.

5. During 2015, Wisconsin Bank and Trust merged with Community Bank and Trust, and the combined entity, known as Wisconsin Bank and Trust, desires to renew this agreement under its new name.

AGREEMENT

Wisconsin Bank and Trust hereby agrees to make annual naming rights payments of $5,000 per year directly to the City of Sheboygan for five (5) years, beginning with 2016. The terms of the payments shall remain the same as provided in the 2011 agreement. These payments will be used by the City of Sheboygan to maintain and upgrade the softball fields and other park amenities.

The City of Sheboygan understands that the agreement will include appropriate signage at the Wildwood Softball Complex, banners on the fields, and ads in the online schedule each year, similar to what was provided in the previous years of the agreement.

CITY OF SHEBOYGAN

By: _____
Michael J. Vandersteen
Mayor

Date: _____

WISCONSIN BANK AND TRUST

By: _____

Date: _____

II

3.5

R. O. No. 275 - 15 - 16. By CITY CLERK. February 1, 2016.

Submitting a communication from Roger Lahm regarding his concerns with the poorly marked circle at 6th and Superior Ave. and is requesting that reflectors be placed on the pole and circle.

Pub. Wks.

City Clerk

Roger Lahm
ART+DESIGN

1-18-16

SHEBOYGAN'S TRAFFIC HAZARD

Dear Mr. David Bibel,

As a resident of North 2nd St. & driving East on Superior Ave every day, I can not believe how the, public works dept. leaves the, "6th & Superior," circle, so — Poorly Marked. I have seen circles all over the country & this is the most poorly marked circle I have ever seen.

- Enclosed are a couple of suggestions I am offering & do hope the 4th accident with a pole can be prevented.

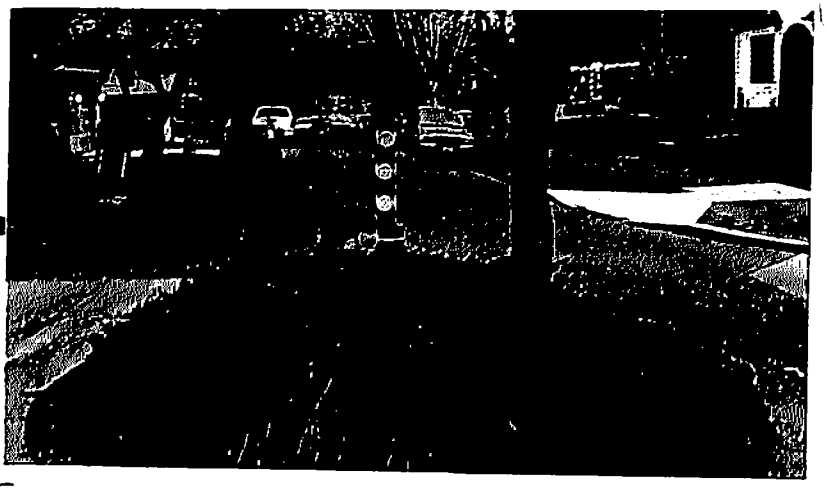
Sincerely,
Roger

C.C. Mike Vandersteen
C.C. Sheb. Police Traffic Dept.

1111 NORTH SEVENTH STREET • SHEBOYGAN WI 53081 • (920) 458-9033

TRAFFIC ISLAND
— SEATTLE WA —

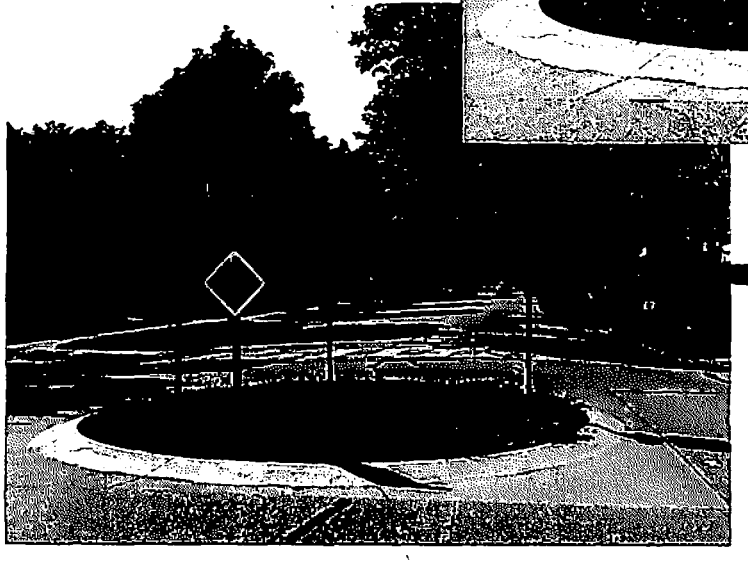
REAL REFLECTORS ON POLES & CIRCLE

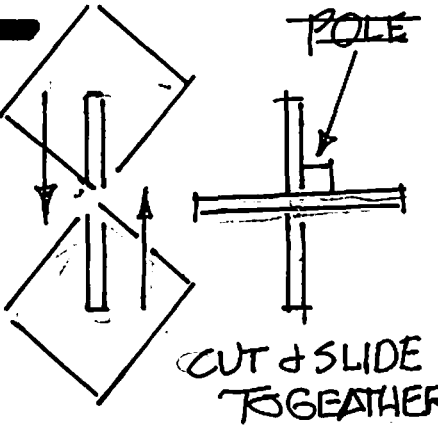


REAL REFLECTORS

SHEBOYGAN'S TRAFFIC HAZARD

TRAFFIC ISLAND
- SHEBOYGAN WI.
6TH & SUPERIOR





REFLECTORS
$1.50 @ RETAIL AT "TRILLINGS"

CUT & SLIDE TOGEATHER

ROGER LAHM
458-9033

YELLOW TAPE?
—EVER HEAR OF REFLECTORS?—

II

3.9

R. O. No. 276 - 15 - 16. By CITY CLERK. February 1, 2016.

Submitting a communication from the State of Wisconsin Department of Natural Resources, the subject being the Distribution of Documents for the Public Comment Period of the Kohler Company, Twin Oaks Landfill Proposed Vertical Expansion Feasibility Report in the Village of Kohler, Sheboygan County, Wisconsin.

City Clerk

Pub Wks.

II

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
810 W. Maple Street
Spooner WI 54801

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

WISCONSIN DEPT. OF NATURAL RESOURCES

January 21, 2016

Susan Richards, Clerk
City of Sheboygan
828 Center Ave., Suite 100
Sheboygan, WI 53081

FID#: 268244130
Sheboygan County
SW/CORR

JAN 25 '16 AM 11:45

SUBJECT: Distribution of Documents for the Public Comment Period of the Kohler Company, Twin Oaks Landfill Proposed Vertical Expansion Feasibility Report in the village of Kohler, Sheboygan County, Wisconsin - (License # 1508)

Dear Ms. Richards:

Enclosed please find a copy of a "NOTICE OF FEASIBILITY REPORT AND PRELIMINARY ENVIRONMENTAL IMPACT DECISIONS" (public notice) for the proposed Kohler Company Twin Oaks Vertical Expansion, a copy of the feasibility report completeness determination letter and a copy of the project summary) from the Department of Natural Resources.

In accordance with s. 289.25 (3), Wis. Stats., the Department of Natural Resources is required to distribute copies of the public notice to each affected municipality and the libraries for each affected municipality, so the public can view them. In addition, Kohler Company is required to distribute copies of their feasibility report, addenda and all related additional submittals to each affected municipality and to the public libraries of each affected municipality where people may view the documents during the public comment period.

This municipality has been identified as an affected municipality or as a municipality that may have an interest and therefore the documents you should receive from Kohler Company will include the following:

- Feasibility Report – Revised, Proposed Vertical Landfill Expansion, Kohler Co. Landfill. The report dated November 16, 2015, was prepared by GHD Services Inc., on behalf of Kohler Company and was received by the Department on November 17, 2015.

Please place this document once received and the documents enclosed with this letter at a location for the public to review. We anticipate posting the enclosed public notice on our web site and publishing it in the *Sheboygan Press* on or about January 26, 2016, for a 30-day public comment period.

The attached public notice, a copy of the feasibility report, completeness determination letter and a copy of the project summary from the Department of Natural Resources will be posted on the Department's internet web site at: http://dnr.wi.gov/topic/Waste/Comment.html on or around January 26, 2016, for a 30 day public comment period.

If you have any questions, please contact me at (715) 635-4046. Thank you for your cooperation and assistance in this matter.

Sincerely,

John Morris, Professional Soil Scientist
Hydrogeologist
Waste and Materials Management Program

enc. Notice of Feasibility Report and Preliminary Environmental Impact Decision
Feasibility Report Completeness Determination Letter
Project summary

c: SER File
Dale Hoffman, Kohler Co. (email)

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF FEASIBILITY REPORT AND PRELIMINARY ENVIRONMENTAL IMPACT DECISIONS

NOTICE IS HEREBY GIVEN, pursuant to sections 289.24 and 289.25, Wis. Stats., that the Department of Natural Resources (WDNR) has determined that the feasibility report submitted by Kohler Company's (Kohler Co.) environmental consultant (GHD), and the environmental analysis process for the proposed Feasibility Report for the Kohler Co. Twin Oaks Landfill, License #1508 are complete. The proposed solid waste disposal facility is for a vertical expansion of the existing solid waste disposal facility which is located in the NE ¼ of the SE ¼ of Section 29, T15N, R23E Village of Kohler, Sheboygan County, Wisconsin.

The proposal would reconfigure the currently approved final grades to provide a 15 acre vertical overlay on the current Twin Oaks Landfill footprint. The additional waste capacity of the expansion would be 500,000 cubic yards and add approximately 15 years of site life. The approved maximum height of the landfill expansion would be 710 feet above mean sea level, which is less than the approved height of the existing landfill.

A solid waste feasibility determination is an equivalent analysis action under s. NR 150.20 (2) (a), Wis. Adm. Code. Pursuant to sections 289.25(3) and 1.11, Wis. Stats., written comments by any person concerning the proposed solid waste disposal facility are invited. All written comments shall be submitted within 30 days after the date of publication of this notice to John Morris, Hydrogeologist, Wisconsin Department of Natural Resources, 810 West Maple Street, Spooner, WI, 54801.

A public hearing concerning the feasibility report may be requested in writing by any county, village, city or town, the applicant, or any 6 or more persons. The request shall indicate the interests of the municipality or persons who file the request and state the reasons why the hearing was requested. The hearing shall be conducted as an informational hearing utilizing the procedures in s. NR 2.135, Wis. Adm. Code unless the request filed indicates pursuant to section 289.27(1), Wis. Stats., that the hearing is to be treated as a contested case, as provided under section 227.42, Wis. Stats., and that:

1. A substantial interest of the person requesting the treatment of the hearing as a contested case is injured in fact or threatened with injury by the Department's action or inaction on the matter;

2. The injury to the person requesting the treatment of the hearing as a contested case is different in kind or degree from injury to the general public caused by the Department's action or inaction on the matter; and

3. There is a dispute of material fact.

All hearing requests shall be filed with the Department within 30 days after the Department web site posting date of this notice, either by delivery to the Office of the Secretary of the Department at 101 South Webster Street, Madison, WI 53703 or by mailing to the Secretary, Department of Natural Resources by certified mail at the following address: P.O. Box 7921, Madison, WI 53707.

Copies of the complete feasibility report and the project summary are available for public review at the following locations:

The Department of Natural Resources
Bureau of Waste Management
101 S. Webster St., P.O. Box 7921
Madison, WI 53707

The Department of Natural Resources
Plymouth Service Center
1155 Pilgrim Rd.,
Plymouth, WI 53073

City of Sheboygan
Attn: Susan Richards, Clerk
828 Center Ave., Suite 100
Sheboygan, WI 53081

Sheboygan County
Attn: Jon Dolson, Clerk
508 New York Ave.
Sheboygan, WI 53081-4126

Town of Sheboygan
Attn: Daniel Hein, Chairman
1512 N. 40th Street
Sheboygan, WI 53081

Village of Kohler
Attn: Cindi Gamb, Clerk
319 Highland Drive
Kohler, WI 53044

Mead Public Library
City of Sheboygan
710 N. 8th Street
Sheboygan, WI 53081

Kohler Public Library
333 Upper Road
Kohler, WI 53044

The Department will also post an electronic copy of the text of the feasibility report on its internet web site at http://dnr.wi.gov/topic/Waste/Comment.html

Dated at Milwaukee, Wisconsin this 15th day of January 2016.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary,

John Budzinski for
Cynthia Moore
Waste and Materials Management Program Supervisor
Southeast Region

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
810 W. Maple Street
Spooner WI 54801

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

January 15, 2016

Mr. Dale Hoffmann, EHS Specialist
Kohler Company
444 Highland Dr.
Kohler, WI 53044

FID # 460015380
Sheboygan County
SW/CORR

Subject: Feasibility Report Completeness Determination for the Proposed Kohler Company (Kohler) Twin Oaks Landfill, Vertical Expansion, License #1508, Sheboygan County, Wisconsin.

Dear Mr. Hoffmann,

We have reviewed the reports and associated plan sheets entitled "Feasibility Report, Proposed Vertical Landfill Expansion", dated August 7, 2015, and received by the DNR on August 10, 2015; and "Feasibility Report – Revised, Proposed Vertical Landfill Expansion," dated November 16, 2015, and received by the DNR on November 17, 2015.

Based on our review, we have determined that the feasibility report is complete. This is not an approval of the solid waste disposal facility you are proposing, but does confirm that the minimum information required by Chapter NR 512, Wis. Adm. Code, and s. 289.24 (3), Wis. Stats. has been provided.

You should know that additional information may be required if a more detailed review or public comments received indicate that a determination of site feasibility cannot be made without additional information.

The Department will issue a public notice in the Sheboygan Press (Sheboygan County) and on the Department's internet site at http://dnr.wi.gov/topic/Waste/Comment.html to invite public comments for a period of 30 days on the content and completeness of the feasibility report. The public comment period will begin when the public notice is posted on the internet site. The Department will also post this letter and the enclosed project summary as well as the text of the feasibility report, on its internet site during the public comment period.

A solid waste feasibility determination is an equivalent environmental analysis action under s. NR 150.20(2)(a)7, Wis. Adm. Code. Therefore a separate environmental impact analysis has not been completed.

Please note that upon receipt of this determination, ss. 289.24(4) and 289.32, Wis. Stats., require that the applicant immediately distribute copies of the feasibility report, addenda and any additional information submitted as part of the feasibility report to the clerk of each affected municipality and to the main public library in each affected municipality (Mead Public Library – Sheboygan WI, and Kohler Public Library – Kohler WI). Electronic portions of the feasibility report, such as the appendices submitted on CD, need to be printed and submitted in paper form to the DNR file (c.o. Jerry DeMers) and the libraries and municipalities. If all of the required documents have already been distributed, this does not need to be done again.

If you have any questions concerning this determination please contact John Morris at (715) 635-4046.

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes and administrative codes establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. You have 30 days after the decision is mailed or otherwise served by the Department to file your petition with the appropriate circuit court and serve the petition on the Department. The petition shall name the Department of Natural Resources as the respondent.

Sincerely,

John Budzinski for

Cynthia Moore,
Waste and Materials Management Program Supervisor
Southeast Region

c: John Morris - WDNR, Spooner (email)
Jerry DeMers - WDNR, Milwaukee (email)
Brad Wolbert - WDNR Madison (email)
Bob Grefe - WDNR Madison (email)
Joe Lourigan - WDNR Madison (email)
John Budzinski - WDNR, Milwaukee (email)
Brian Hayes - WFSB, 5005 University Ave., Suite 201, Madison, WI 53705-5400
Ron Frehner - GHD, 1801 Old Highway 8 Northwest, Suite 114, St. Paul, MN 55112
Susan Richards - Clerk, City of Sheboygan, 828 Center Ave., Suite 100, Sheboygan, WI 53081
Jon Dolson – Clerk, Sheboygan County, 508 New York Ave., Sheboygan, WI 53081-4126
Daniel Hein - Chairman, Town of Sheboygan, 1512 N. 40th Street, Sheboygan, WI 53081
Cindi Gamb - Clerk, Village of Kohler, 319 Highland Drive, Kohler, WI 53044
Mead Public Library, City of Sheboygan, 710 N. 8th Street, Sheboygan, WI 53081
Kohler Public Library, 333 Upper Road, Kohler, WI 53044
Pablo Valentine - EPA Region V, Chicago (email)
Tom Wentland - WDNR, RR Program (email)

PROJECT SUMMARY

KOHLER COMPANY (KOHLER Co.), TWIN OAKS LANDFILL VERTICAL EXPANSION

Proposed Facility: This proposed project consists of a vertical expansion of the existing Kohler Company Twin Oaks Landfill, Lic#1508.

Authorized Contacts:

Dale Hoffmann, EHS Specialist
Kohler Company
444 Highland Drive, Mail Stop 009
Kohler, WI 53044

Ron Frehner, (Environmental Consultant)
GHD
1801 Old Highway 8 Northwest, Suite 114
St. Paul, MN 55112

Licensee/Property Owner: Kohler Company

Site Location, Acreage, Capacity, Site Life and Access:

The Kohler Co. Twin Oaks Landfill is located in the NE ¼ of the SE ¼ of Section 29, T15N, R23E, Village of Kohler, Sheboygan County, Wisconsin.

The proposed vertical expansion (vertical expansion) would reconfigure the currently approved final grades to provide a lined vertical overlay on 15 acres of the existing 53 acre landfill footprint. The additional waste capacity of the expansion would be 500,000 cubic yards and provide approximately 15 years of site life. The approved maximum height of the proposed expansion final grade would be 710 feet above mean sea level, which is less than the height approved for the current landfill of 714 feet above mean sea level.

Waste to be disposed in the vertical expansion would be delivered to the site via the existing waste hauling route from the Kohler Co. manufacturing facility to the landfill. The landfill entrance is located on the north end of the property. No seasonal road weight restrictions apply to the roads on the route.

The operation hours for the vertical expansion would remain the same as the current hours for the existing landfill. Generally wastes are brought to the landfill during daylight hours; however waste may be brought 24 hours a day to serve the three work shifts per day at the manufacturing facility.

Primary Service Area:

The vertical expansion would continue to accept only select Kohler Co. wastes. Wastes from municipalities or other private parties would not be accepted.

Waste Types:

The vertical expansion would accept select industrial waste (non-hazardous), approved special waste (construction & demolition (C&D), contaminated soil (C-Soil), asbestos, etc.). A breakdown of current waste acceptance is:

- Foundry wastes - 81% of total anticipated waste (dust collector waste 67%, slag, scrap cores, refractory brick, power sweeper dust, and spent system sand – 14%)
- Pottery wastes – 5% of total anticipated waste (dust collector, clay and mold wastes)
- Central Wastewater Pretreatment Facility – 6% of total anticipated waste (filter cake)

- Other waste – 8% of anticipated waste (enamel frit, enamel powder, groundcoat, refractory brick, floor sweepings and small amounts of excavated soils containing the above wastes)

Kohler Co. placed approximately 21,000 tons (15,500 cubic yards) of waste into its landfill in 2013. The waste volumes are fairly consistent on a month to month basis and they do not have seasonal fluctuations. Daily covering of waste would not be required as the waste is not putrescible or expected to result in windblown nuisances.

Land Use, Zoning and Surrounding Area:

Present land use within one mile of the vertical expansion consist primarily of agricultural, commercial, farm & open space conservation, industrial, planned use development and residential. Landowners within 1200 feet of the proposed vertical expansion are Kohler Co., Sheboygan County (highway, park and extension), State of Wisconsin (DOT), and the Union Pacific Railroad.

The area to be used for the vertical expansion is within the Twin Oaks Landfill. The Twin Oaks Landfill is bordered on the north by County Road PP, on the west and south by County Road A, and the east by the Sheboygan River. The Kohler Co. manufacturing facility is north of County Road PP, and the Sheboygan River is west and south of County Road A, and wooded land and Interstate Highway 43 are east of the Sheboygan River (respectively). Interstate highway 43 is approximately 470 feet from the vertical expansion. Kohler Co. has requested an exemption allowing the landfill within 1,000 feet from an Interstate Highway. Trees provide full screening of the landfill from Interstate Highway 43 during summer and partial screening during winter. A berm and trees would be planted to improve visual screening of the landfill from County Road PP.

Kohler Co. property located west of the existing landfill is used for storage of industrial wastes beneficially used under the ch. NR 538 Beneficial Use of Industrial Byproducts Program.

Surface Waters and Wetlands:

Changes or alterations to aquatic resources were not proposed. Aquatic resources are not expected to be affected by the proposed expansion. No lakes, ponds, or flowages are within 1,000 feet of the vertical expansion.. The Sheboygan River is approximately 210 feet from the vertical expansion at its closed point (east side). Kohler Co. has requested an exemption to allow the vertical expansion within 300 feet of a navigable river.

The site is not within a floodplain and is therefore in conformance with NR 504.04 (3)(c), Wis. Adm. Code. The approximate Federal Emergency Management Agency (FEMA) floodplain boundary is shown on Figure 4.1 of the feasibility report.

A wetland has been identified on the northeast side of the landfill between the area of the vertical expansion and the Sheboygan River. The vertical expansion would be constructed on areas of previous waste disposal and areas outside the wetland boundary, thus direct wetland impacts are not expected.

Superfund Project:

The Kohler Co. landfill has been used as a landfill since the 1950s, primarily for the disposal of foundry and manufacturing wastes produced by Kohler's manufacturing facilities. Between 1950 and the mid-1970s, at least four pits were constructed for the disposal of hydraulic oils, solvents, paint wastes, enamel powder, lint from brass polishing, and plating sludges. EPA proposed the site to the National Priorities List (NPL) in September 1983 and finalized the site on the NPL in September 1984 (EPA ID# WID006073225).

Previous disposal practices resulted in groundwater contamination with various volatile organic compounds (VOCs), heavy metals, phenols, and polycyclic aromatic hydrocarbons (PAHs). Runoff water and sediments

contain heavy metals, phenols, and PAHs. Leachate samples from previously disposed waste contain VOCs and heavy metals. Waste samples from the landfill contain VOCs, phenols, PAHs, polychlorinated biphenyls (PCBs), and heavy metals.

In 1985, the Kohler Co. signed an administrative order on consent (AOC) and began investigating contamination at the site under the supervision of EPA and WDNR. EPA selected a remedy for the Source Control Unit of the site on March 30, 1992. The source control remedy called for closing the currently operating landfill in phases, installing a multilayer soil cap over the landfill, issuing zoning and access restrictions, and collecting contaminated leachate onsite through a perimeter drain. Design of the selected remedy began in mid-1992 and was completed in November 1995. Construction of the source control remedy began concurrently with the construction of the Ground Water Management Unit remedy in May 1997. The cap construction over a portion of the fill area was completed in fall 1997, with the rest of the cap completed in 1998.

The Kohler Co. also conducted a feasibility study (FS) of potential groundwater remedies for the Groundwater Management Unit. A final remedy, including the collection of groundwater and leachate within an approximately 2,500-foot-long perimeter interception drain along the southern and eastern margins of the landfill, was approved by EPA and WDNR in June 1996. Contaminated groundwater and leachate, collected by the perimeter drain, is being pumped to the City of Sheboygan's publically-owned treatment works for treatment and eventual discharge. The perimeter drain system is intercepting over 95 percent of the horizontal flux of groundwater in the upper aquifer, resulting in the collection and treatment of 14,400 gallons of contaminated liquid per day. Construction of this system is complete. EPA has transferred the project lead to the WDNR.

In a letter dated December 10, 2015, the EPA concurred with the proposed vertical expansion provided the WDNR approves the landfill permit application. The vertical expansion is not expected to change the Superfund remedy that was selected in the 1996 record of decision.

Geology and Soils:

Onsite soils were described through previous subsurface investigations. The geology of the site consists of unconsolidated clayey soils of glacial origin and recent alluvial sediments. The five major soil units at the Site/Landfill are: Upper Unit, Middle Unit, Lower Unit, Alluvium, and Fill.

The unconsolidated soils are underlain by Silurian dolostone bedrock. The top of the dolostone was encountered at an elevation ranging from 560 to 580 ft. above mean sea level, which corresponds to depths ranging from 20 feet to 80 feet below the surface of the pre-fill native ground. There are no bedrock exposures in the area; however, bedrock in eastern Wisconsin typically dips very gently to the east. Previous site investigations have reported that the buried bedrock surface contains horizontal and vertical fractures. Weathering was evident at some well locations, but was not a prominent feature across the site.

Previous investigators divided the clayey glacial sediments into three units. The uppermost geologic unit consists of unsorted clay, sand, and silt with an occasional layer of well sorted sand. The upper unit ranges from 0 to 45 feet thick with an average thickness of 25 feet. The middle clay unit consists predominantly of clay and silt with occasional gravelly clay or sandy clay lenses. Sand lenses were not present in the middle clay unit. This unit ranged from 0 to 55 feet thick with an average thickness of 20 feet. The lower clay unit is a diamicton characterized by poorly sorted clay, silt, sand, and dolostone gravel. This unit ranged from 4 to 37 feet thick with an average thickness of 15 feet. Along the Sheboygan River channel and flood plain the upper and middle clay units may have been partially or completely eroded away.

Alluvial sediments next to the river are characterized by sand and silty sand with occasional lenses of clay. The thickness of the alluvium ranges from approximately 10 to 15 feet.

According to the Natural Resources Conservation Service's Web Soil Survey Maps the predominant soil types near and surrounding the Site are Kewaunee silt loam, Bellevue fine sandy loam, and Boyer loamy sand.

Groundwater:

The groundwater flow direction in the upper and lower till units is generally to the east towards the Sheboygan River. The groundwater flow direction in the shallow and deep bedrock is generally to the northeast. The vertical expansion is not expected to change infiltration quantities. No existing water supply wells were found within 1200 feet of the proposed expansion.

The following is an excerpt from the Superfund project Third Five-Year Review dated September 2012.

Groundwater monitoring has been conducted at the Kohler Company Landfill since the early 1980s. Available data indicated that contamination was present in significant quantities in both the shallow and deep aquifers beneath the site. The shallow (alluvial sediments) and deep (fractured Silurian-aged dolomite) aquifers are separated by a laterally discontinuous stratum of varved lacustrine clay.

Since activation of the perimeter drain system in late 1997, many contaminant concentrations have decreased dramatically while some have actually increased over time. This indicates that the groundwater system's response to the perimeter drain is complex. In spite of this, certain patterns in the results can be discerned which give clues to contaminant behavior. The easiest way to evaluate this data is by breaking up the different contaminant responses by hydrostratigraphic unit.

The uppermost alluvial unit is monitored by two downgradient wells, 22-U and 21-U. Data generated from these two wells since the installation of the perimeter drain system indicates a marked improvement in water quality within the upper alluvial unit. Concentrations of trichloroethylene (TCE) have steadily declined. Concentrations for TCE's degradation product cis-1,2-dichloroethylene (cis-1,2-DCE) have steadily declined except for a short-term spike during 2010. Records from 2011 show the decline returned to its previous rate. Chloride levels have decreased, including a significant decrease from 2005 to 2006 and again from 2009 to 2011. Specific conductivity levels have dropped significantly in both wells. The improvement in the water quality of the upper unit can be tied to the effectiveness of the perimeter drain system at intercepting and containing leachate discharging from the landfill.

The confined unit located just below the varved lacustrine clays, sometimes referred to as the "lower till unit," is being monitored by two piezometers (21-L and 22-L) nested with alluvial wells. The groundwater quality results from these wells reveal an entirely different response to the remedial action. Unlike the shallower wells, TCE has not been detected in either well. However, levels of the TCE daughter products cis-1,2-DCE and vinyl chloride have increased since the installation of the remedial system. Vinyl chloride levels in well 21-L have shown a steady upward trend from 1998 to 2008 with a decreasing trend from 2008 to 2011. Vinyl chloride levels in well 22-L have exhibited an upward trend over the entire time period since the completion of the remedial action. The results for cis-1,2-DCE in both wells 21-L and 22-L have exhibited the same pattern. Although it may seem counterintuitive, these increases in contaminant concentrations are indications that the perimeter drain system is functioning as designed. Furthermore, this is evidence that natural attenuation is occurring due to the fact that daughter product concentrations increase while parent product concentrations decrease. By lowering the groundwater table through pumping, the drain system is drawing in deeper flow pathways that normally would be discharging to the Sheboygan River.

The previous five-year review reported that wells 14-R and 14-SR, both screened in the shallow bedrock unit, had increasing concentrations of vinyl chloride and cis-1,2-DCE but their progenitor, TCE, has not been detected in either well. The most reasonable interpretation of these results is that there exists a substantial source of dense nonaqueous phase liquid (DNAPL) in the form of TCE deep within the bedrock aquifer. As the TCE undergoes reductive dechlorination, its daughter products are released into the deeper flow regimes. Prior to installation of

the perimeter drain system, these contaminants would follow the flow to discharge into the Sheboygan River. The drain system has altered the hydrologic flow regime and is now intercepting an increasing amount of deeper, more contaminated, groundwater. Sampling results since the last five-year review indicate the concentrations of vinyl chloride and cis-1,2-DCE have been steadily decreasing. This could be interpreted as meaning that the TCE source is being reduced and generating less breakdown products.

The remedial system is operating as designed and is intercepting contaminated groundwater from both the shallow and deep aquifers beneath the site. If groundwater quality trends continue, the upper, shallow unit may achieve compliance with the cleanup goals within the next 5-10 years. Due to uncertainties regarding the degree and extent of the DNAPL source in the deeper aquifer, it is difficult to determine when the deeper wells might achieve the cleanup standards. The drain system is expected to operate for at least 30 years. There is also no evidence that the contaminant plume has migrated beyond the Sheboygan River.

Kohler Co. has requested exemptions to groundwater standards for several parameters at several wells. In accordance with ch. NR 140, Wis. Adm. Code, Groundwater standard exemptions are required to site or expand a landfill in an area with known groundwater standard exceedances.

Alternate Geotechnical investigation:

The DNR accepted Kohler Company's proposed alternative geotechnical investigation (AGI) on July 30, 2015. The AGI proposed using information obtained during previous geotechnical investigations at the site, including but not limited to soil borings, monitoring wells, groundwater analyses, to supplement and meet the geotechnical investigation requirements in ch. NR 512, Wis. Adm. Code, to determine the feasibility of a landfill to expand.

Proposed Design and Operations:

The vertical expansion would reconfigure the currently approved final grades to provide a 15 acre vertical overlay on the current landfill footprint. The additional waste capacity of the expansion would be 500,000 cubic yards. The approved maximum height of the landfill would not increase. The landfill would be constructed, filled and closed in three phases of approximately 4, 5, and 6 acres respectively; and have an expected site life of 15 years.

The soil overlying the existing two foot thick clay cap would be removed; an additional three feet of landfill quality clay would be applied in lifts and compacted forming a 5 foot thick clay layer which would be a liner for the expansion and cap for the previously disposed waste. The 5 foot thick clay layer would be overlain by a 1 foot leachate drainage layer, overlain by filter fabric overlain by a 1 foot thick layer of buffer soil. Cover soils to be removed would be salvaged, stockpiled, and used for portions of the proposed expansion final cover.

The final cover system would be a 2 foot thick clay barrier soil overlain by filter fabric overlain by 1 foot of drainage layer soil, overlain by 1 ½ foot rooting zone soil, topped with ½ foot of topsoil. The topsoil would be seeded, and mulched; measures would be implemented to prevent erosion. The vertical expansion would have a final grade of 710 feet above meal sea level, which is lower than the peak of the existing landfill.

Kohler Co. proposes to build a leachate storage pond north of the landfill. The pond would have a composite liner constructed with a 1 foot thick layer of bentonite/foundry sand overlain by a geocomposite liner overlain by a 4 foot thick layer of clay/bentonite/foundry sand. The pond would have an approximate 1.68 million gallon capacity, including 2 feet of freeboard and 1 foot of sediment, and is designed to hold 4 days of leachate modeled using a worst case scenario.

Surface water management features include stormwater ponds, and waterways. Kohler Co. would build a stormwater control pond to the west of the existing landfill where topsoil is currently piled.

Operation of the landfill would continue in much the same manner as currently done for the existing landfill. Waste trucks would continue to travel from the Kohler Co. manufacturing facility south across County Road PP onto County Road A to the landfill entrance. Kohler Co. would try to reach final grades on the perimeter of the landfill and then fill inward, allowing placement of final cover over areas that have reached waste grades to reduce leachate generation.

Visual impacts are expected to be minimal, due to natural screening around the site and the addition of screening berms and vegetation. The landfill would be constructed, filled, and closed in three phases of approximately 4, 5, and 6 acres in size; minimizing the amount of landfill open at any one time.

The final use for the landfill is green space; however, access would remain limited to protect the external landfill structures such as monitoring wells.

Environmental Monitoring:

During operation of the landfill and after closure, environmental monitoring would be performed on a periodic basis. The environmental monitoring is proposed for leachate quality and quantity, leachate head elevations, stormwater control structure condition and effectiveness, and groundwater elevation and quality. The monitoring would follow the requirements specified in ch. NR 507, Wis. Adm. Code.

Fault Areas, Seismic Impact Zones and Unstable Areas:

The proposed site meets the s. NR 504.04 (3) (g), (h) & (i), Wis. Adm. Code, requirements regarding fault areas, seismic impact zones and unstable areas. There is no evidence in the area of any fault which has shown movement in Holocene time. The site is located in an area of low seismic risk. The data provided to the Department indicates that there is no evidence of karst like features in the immediate area.

Needs Analysis:

The feasibility report and appendices include a needs analysis as required under s. NR 512.17, Wis. Adm. Code. The needs analysis evaluates the existing landfill capacity compared the estimated volume of waste that will be generated by the Kohler Co. The Department will evaluate the needs analysis as part of its review and incorporate the needs determination in feasibility determination.

Kohler Co. states it has approximately one year of waste capacity left in the landfill. Waste quantities generated appear to support the need for the proposed vertical expansion and that the expansion would not exceed a 15 year site life, as required by statue.

Authorities/Approvals:

In order for Kohler Co. to begin operating the proposed landfill expansion, Kohler Co. would need the following approvals and authorizations:

- Favorable Feasibility Determination under ch. NR 512, Wis. Adm. Code
- Plan of Operation Approval under ch. NR 514, Wis. Adm. Code
- Construction Documentation Approval under ch. NR 516, Wis. Adm. Code

Emissions and Discharges:

Industrial waste to be disposed in the proposed vertical expansion would contain little to no organics thus biological breakdown of the minimal organic fraction of the waste in the landfill are not expected to generate significant landfill gas.

Kohler Co. has indicated a maximum leachate generation rate of 3.8 million gallons per year, when cells two and three are both open. Kohler Co. is in the process of negotiating with the City of Sheboygan publicly owned treatment works to accept the leachate from the proposed vertical expansion

Biological Impacts:

The area proposed for the vertical expansion was previously used for waste disposal activities. A vertical landfill expansion is considered a no/low impact activity and is included in the endangered resources broad incidental take permit/authorization as activity 1-A15, June 5, 2015 revision. As such it allows for the incidental taking (mortality) of state threatened or endangered animals and plants during no/low impact activities.

Land Use Impacts:

The land adjacent to the landfill is primarily agricultural, commercial, industrial, residential, and farm and open space conservation, and planned use development. The vertical expansion is not expected to have an effect on surrounding land use in the immediate area. Development of the expansion would not require displacement of residents, public land withdrawal, or condemnations. The levels of noise, odor, dust, and windblown debris are also not expected to increase above current levels from existing operations.

Socioeconomic Impacts:

The expansion is not expected to result in any significant adverse social and economic impacts. The expansion would not result in significant changes in the waste filling operations. Impacts on adjacent neighbors would be similar to those of the existing landfill. The landfill provides employment opportunities for a limited number of local residents and contractors, and increased local business associated with the purchase of required goods and services.

Increases in traffic, noise levels, and congestion are not expected. Road conditions are not expected to change with the expansion and noise impacts from the expansion would be minimal and similar to those that occur from the existing landfill.

If the landfill expansion did not occur, the Kohler Co. would need to haul its waste to another landfill. The closest alternative disposal locations are approximately 40 miles away which would increase disposal costs for Kohler Co., increase traffic along the haul waste route, and use unplanned space in the alternative landfill increasing the need for it to expand.

There may be equipment and truck noise, dust and some odors during construction and operation of the facility. However, the area is not densely populated. In addition, operational activity would occur as presently conducted which generally occurs during daylight hours with evening hours on an as needed basis. As such, the relative noise level owing to the expansion is expected to be similar to that from the existing operations. Waste odors should not be associated with the landfill. Dust can be minimized by frequent watering during dry times.

Archeological/Historical Impacts:

Waste disposal is not expected to impact archeological or historical areas. As this would be a vertical landfill expansion the waste disposal area has already undergone construction activities and been used for waste disposal. Adjacent areas used for activities such as stormwater management and leachate storage have the potential to be in an area of an uncatalogued historic campsite/village (SB-0165); however, before Kohler Co. would be approved to expand the landfill a field archeological survey would be conducted to locate, assess, and determine any requirements necessary to limit impacts to identified archeological or historical special resources.

Alternatives to Landfilling:

Waste reduction, reuse and recycling are alternatives to land disposal, and these activities have already reduced the volume of Kohler Co. waste that requires disposal at the landfill.

If the proposed expansion is not developed, the waste that is currently disposed of at the existing landfill would have to be disposed of at another existing or new facility. The increased hauling distance and diminished competition and capacity could result in rising costs for waste disposal in the service area. Given the need for landfill capacity for Kohler Co., the impacts of the proposed facility would be moved to a different location, not eliminated entirely, and the impacts might be greater to the environment at another location.

Summary of Issue Identification Activities:

Copies of the complete Feasibility Report and the Addenda have been sent to the affected municipalities (City of Sheboygan, Sheboygan County, Town of Sheboygan, and Village of Kohler) and to the following public libraries: Mead Public Library, 710 N 8th Street, Sheboygan, WI 53081 and the Kohler Public Library, 333 Upper Road Kohler, WI 53044. The text of the feasibility report is available on the DNR internet site: http://dnr.wi.gov/topic/Waste/Comment.html a copy is also available at the Wisconsin Department of Natural Resources Plymouth Service Center at 1155 Pilgrim Rd., Plymouth, WI 53073 (920) 892-8756.

A 30-day public comment period will begin once the DNR posts the public notice on its internet site. This comment period will afford the public the opportunity to request an informational or contested case hearing in the matter of this proposal. Upon the completion of any hearing or within 90 days of the issuance of this completeness determination, the Department will then issue a feasibility determination and a Wisconsin Environmental Policy Act (WEPA) compliance determination under s. NR 150.35, Wis. Adm. Code. Should a favorable feasibility determination be made, Kohler Co. may submit a plan of operation report containing the proposed engineering details, specifications and operational procedures for the project. Upon the Department's approval of a plan of operation report, construction of the facility may commence. Site construction documentation and Department inspections would occur throughout various phases of construction. A license to operate the facility as an industrial solid waste landfill would be issued following the Department's approval of the site construction documentation report and proof of financial assurance. Kohler Co. will also be required to obtain all other applicable federal, state and local permits or approvals for construction and operation of the landfill.

John Morris — 1-15-2016

Evaluator:
John Morris, Professional Soil Scientist
Hydrogeologist

Date

John Budzynski for — 1-15-2016

Cynthia Moore
Waste & Materials Management Program Supervisor
Southeast Region

Date