



US Army Corps
of Engineers
St Paul District

Public Notice

ISSUED: August 11, 2015

EXPIRES: September 10, 2015

APPLICANT: **Expera Specialty
Solutions LLC**

REFER TO: **2014-03279-NTD**

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge dredged and fill material in 3.65 acres of wetlands adjacent to the Fox River to expand an existing landfill in the City of Kaukauna currently used to dispose of low-hazard industrial wastes generated at the Thilmany paper mill in the City of Kaukauna and the Nicolet paper mill in the City of De Pere.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: **Expera Specialty Solutions LLC
600 Thilmany Road
Kaukauna, Wisconsin 54130**

AGENT: **GEI Consultants, Inc
3159 Voyager Drive
Green Bay, Wisconsin**

PROJECT LOCATION: The project site is located in the southwest quadrant of the intersection between Haas Road and CTH Z in the SE¼ NW¼ Sec. 30, T. 21N., R. 19E. and the NE¼ NW¼ Sec. 30, T. 21N., R. 19E., Outagamie County, Wisconsin. The approximate coordinates are Latitude: 44.26789, Longitude: -88.24487. The proposed work is shown on the attached drawings labeled 2014-03279-NTD, Page 1 of 2 through 2 of 2.

DESCRIPTION OF PROJECT: The applicant proposes to expand an existing landfill located in the City of Kaukauna to dispose of low-hazard industrial wastes from the Thilmany paper mill in the City of Kaukauna and the Nicolet paper mill in the City of De Pere. The total project area is approximately 70 acres. The landfill footprint would be 39.2 acres and would provide a waste fill volume of 4.16 million cubic yards and an operation time period spanning 25 to 35 years. The remaining area would be used as space for soil stockpiling, stormwater control features, and other infrastructure installments required to operate the landfill facility

QUANTITY, TYPE, AND AREA OF FILL: Discharges of dredged and fill material would occur throughout 2.92 acres of farmed wetland, 0.4 acre of wet-meadow wetland, and 0.33 acre of shrub carr wetland during expansion of the proposed landfill. The proposed project would result in the permanent loss of approximately 3.65 acres of jurisdictional wetland located within the project area.

AFFECTED AREA: The landfill expansion would occur on a 216-acre property owned by Expera. The western half of the property consists of four closed landfill phases and one operating landfill phase. The proposed expansion would take place in the eastern portion of the property which is approximately 70 acres. Approximately 60 acres is currently used as agricultural cropland with the

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remaining 10 acres being used as a road material recycling and wood storage facility by the City of Kaukauna. The existing ground elevations throughout the site generally range from 700 to 720 feet. Soils on the site consist of Manawa silty clay loam and Winneconne silty clay loam.

SOURCE OF FILL MATERIAL: The majority of the work proposed is excavation. Fill material would consist of low-hazard industrial wastes including waste water treatment sludge, fly ash, cinders, lime mud, grits, dregs, and special wastes. Native material would also be stockpiled and redistributed on-site during the construction process and throughout the life of the landfill.

SURROUNDING LAND USE: Lands used for agricultural purposes are situated to the north, northeast, and south of the project area. A golf course is located southeast of the project area and the Kaukauna Sportsmen's Club is positioned to the northwest. Four closed landfill phases and one operating landfill phase owned by Expera are located southwest of the project area.

DESCRIPTION OF DREDGING OR EXCAVATION: Excavation necessary to construct the 39.2 acre landfill would generate approximately 1,866,610 cubic yards of material. Excavation would be performed to increase the amount of waste material that the proposed landfill could accommodate.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Fuel, hydraulic fluid, lubricants, coolant, and other fluids commonly used by construction equipment would be expected to be present for construction of the project. Fill at the proposed landfill expansion would include low-hazard industrial wastes such as sludge, fly ash, cinders, lime mud, grits, dregs, and special wastes.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Stormwater runoff on the new landfill site would be managed during construction activities by installing silt fence around the disturbed area and soil stockpile areas, and through the use of equipment tracking pads, temporary sediment traps, temporary and permanent seeding, and other erosion control best management practices. Expera also proposes to identify and flag any on-site wetlands that would not be impacted by construction to prevent encroachment by construction equipment. A stormwater management plan would also be developed and implemented for the facility.

MITIGATION: As compensation for the loss of 3.32 acres of wet meadow wetland and 0.33 acre of shrub carr wetland, Expera proposes to purchase wetland mitigation bank credits, if available, or advance in-lieu fee credits from the Wisconsin Wetland Conservation Trust (WWCT) at a replacement ratio agreed upon by Expera, WDNR, and the Corps.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

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Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 211 N. Broadway, Suite 221, Green Bay, WI 54303.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Nick Domer at the Green Bay office of the Corps, telephone number (651) 290 - 5855.

To receive Public Notices by e-mail, go to: http://mvp-extstp/list_server/ and add your information in the New Registration Box.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Outagamie County is within the known or historic range of the following Federally-listed species:

<u>Species</u>	<u>Habitat</u>
Snuffbox (E)	Small to medium-sized creeks and some larger rivers, in areas with swift currents.
Northern long-eared bat (T)	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. We have made an initial determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act and/or Section(s) 9 & 10 of the Rivers and Harbors Act. The Corps may prepare an approved or preliminary jurisdictional determination prior to making a permit decision. Approved jurisdictional determinations are posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

6. STATE SECTION 401 WATER QUALITY CERTIFICATION.

This Public Notice has been sent to the Wisconsin Department of Natural Resources and is considered by the District Engineer to constitute valid notification to that agency for water quality certification. A permit will not be granted until the Wisconsin Department of Natural Resources has issued Section 401 certification.

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7. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

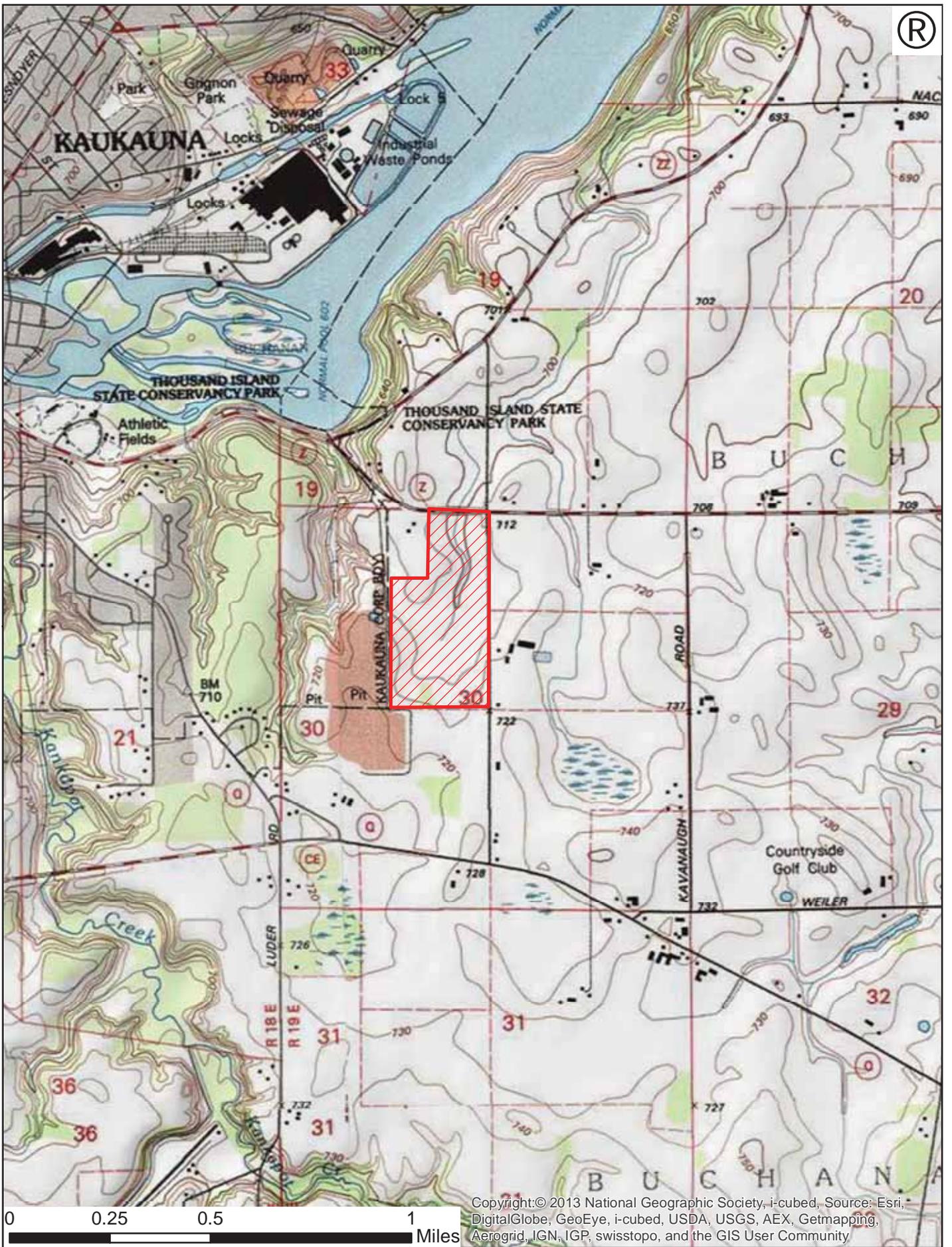
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Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Todd M. Vesperman
Chief, SE Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.



Red Hills Landfill Expansion Site Property
Kaukauna, WI

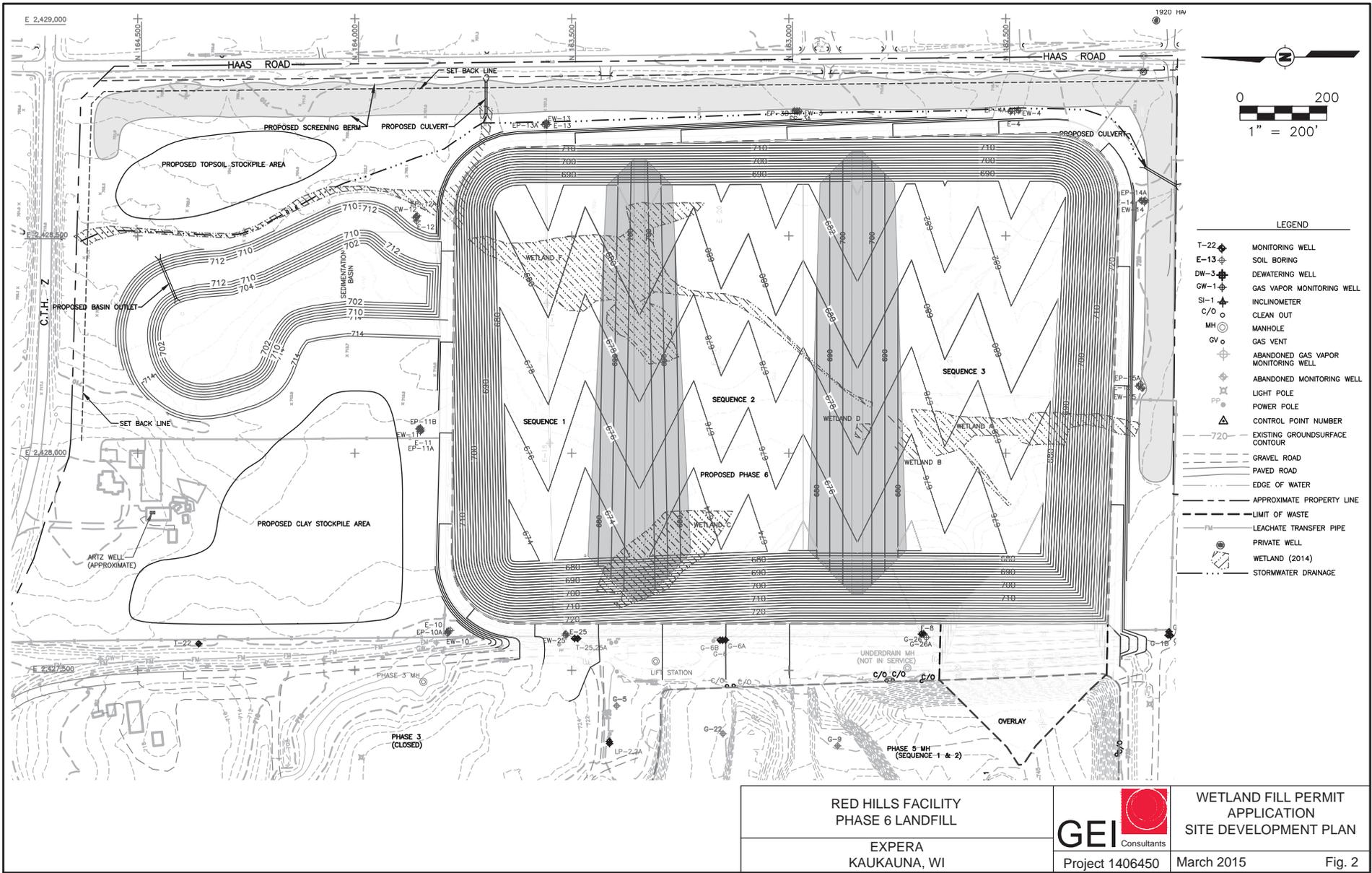
Expera Specialty Solutions



Site Location

8-20-2014

FIGURE 1



RED HILLS FACILITY
 PHASE 6 LANDFILL

EXPERA
 KAUKAUNA, WI



WETLAND FILL PERMIT
 APPLICATION
 SITE DEVELOPMENT PLAN

Project 1406450 March 2015 Fig. 2

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