



May 6, 2015

FID # 405075000
Brown County
SW / Approval

Dean Haen
Brown County Port and Solid Waste Dept
2561 South Broadway
Green Bay, WI 54304

Subject: Construction Documentation Approval for the Closure of Renard Island Confined Disposal Facility, United States Army Corps of Engineers and Brown County Port and Solid Waste Department, Brown County, Wisconsin (License No. 4522)

Dear Mr. Haen:

We have reviewed and approved the construction documentation report for the closure of Renard Island Confined Disposal Facility. Please include the attached approval in the written operating record for the facility as specified in s. NR 506.17, Wisconsin Administrative Code.

The construction report provided description and applicable documentation for clearing and grubbing; grading and filling; dredge pipe removal; weir abandonment; and erosion and dust control. Peters Concrete was the contractor who performed all clearing, earthwork, and material placement. The United States Army Corps of Engineers (Corps) verified activities through daily reports and survey checks. Work began on October 28, 2013 and ended on March 13, 2014. The perimeter swale was excavated on the inside edge of the perimeter berm around the entire island. The dredge pipe on the western side of the island was removed and a cap was welded into place to cover the remaining opening. The weir openings on the eastern side of the island were welded into place to cover the remaining opening and properly abandon the weirs. Sediment material approved for capping was placed to an approximate depth of 2.5-feet in January and February of 2014. Vegetation developed naturally from the seedbank within the sediment cap and was fully established by May 2014. Construction was completed and documented in compliance with the approved closure plan, associated plan modification approvals, and ch. NR 500 through 538, Wis. Adm. Code.

Sally Hronek is the waste management engineer assigned to this facility. Please feel free to contact her by telephone at 920-662-5493 or email: Sally.Hronek@wi.gov if you have questions regarding this approval.

Sincerely,

A handwritten signature in black ink that reads 'Valerie Joosten'.

Valerie Joosten, P.E.
Waste & Materials Management Program Supervisor
Northeast Region

cc: Mark Walters – Brown County Port & Resource Recovery Department (e-mail: walter_ma@co.brown.wi.us)
Jon Imbrunone - Technical Services Branch Detroit District U.S. Army Corps of Engineers (e-mail: Jon.T.Imbrunone@usace.army.mil)

**BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**CONSTRUCTION DOCUMENTATION FOR THE CLOSURE
OF THE
RENARD ISLAND CONFINED DISPOSAL FACILITY
BROWN COUNTY, WISCONSIN, LICENSE NO. 4522**

FINDINGS OF FACT

The Department finds that:

1. Public Law 91-611 (1970) authorized the United States Army Corps of Engineers (Corps) to construct, operate, and maintain Confined Disposal Facilities (CDFs) in Great Lakes harbors where dredged materials were judged to be polluted.
2. The State of Wisconsin, under Section 1, Chapter 15, Laws of 1977, conveyed a legislative lakebed grant to Brown County enabling Brown County to be a local sponsor for a CDF in the Green Bay harbor under the authority of Public Law 91-611 (1970). In its role as local sponsor, pursuant to the "Agreement Between the United States of America and Brown County, State of Wisconsin for Local Cooperation for a Confined Spoil Disposal Facility in the Waters of Green Bay at Green Bay Harbor, Wisconsin" dated November 16, 1977, Brown County made the lakebed grant area available to the Corps to construct the CDF which is known as Renard Island.
3. Under the Agreement stated in item 2 above, the Corps was responsible for all aspects of the construction, operation and closure of the Renard Island Confined Disposal Facility (Renard Island), including channel access to the island for dredging contractors, placement and operation of equipment on the island, testing and placement of Navigational Channel material, storm water management, dust control, grading, and related obligations until closure was completed and ownership of Renard Island was transferred to Brown County. The legislative lakebed grant required that, after closing Renard Island, the land be held and used by the County for public boat slips, basins, docks, wharves, structures, wildlife refuges, recreation, or park purposes.
4. Renard Island was constructed in 1978 by the Corps for disposal of dredged material from the Navigational Channel that extends from the lower Fox River into the bay of Green Bay. Renard Island encompasses approximately 55 acres and contains approximately 2,700,000 cubic yards of sediments that were dredged from a period of approximately 1980 through 1995.
5. On June 5, 2008, the Department issued a conditional closure plan approval to Brown County and the Corps for the Renard Island Confined Disposal Facility.
6. On August 1, 2011, the Department issued a letter granting modification to Brown County for the Renard Island closure plan. The Department approved changes to sediment material approved for capping.
7. On July 12, 2013, the Department issued a conditional approval modification to Brown County and Corps for the Renard Island closure plan. The Department granted a closure deadline extension to June 2015 and approved changes to closure and construction procedures.
8. On April 3, 2015, Brown County submitted construction documentation titled, "Renard Island Capping and Closure Report". The Department received the construction documentation on April 6, 2015.

9. The correct inspection fee of \$1,650 and review fee of \$1,100.00 was received by the Department on April 27, 2015. Three construction inspections were conducted by the Department on January 17th, February 6th, and March 18th in 2014.
10. Additional documents considered in connection with the review of the construction documentation report include the following:
 - a. The Department's file pertaining to Renard Island Confined Disposal Facility.

CONCLUSIONS OF LAW

1. The Department has authority under s. 289.31(3), Stats., and ch. NR 516, Wis. Adm. Code, to require that the owner of a solid waste disposal facility demonstrate that the facility has been constructed in substantial compliance with the conditional plan approval.
2. In accordance with the foregoing, the Department has authority under ch. 289, Stats., to issue the following construction documentation approval.

CONSTRUCTION DOCUMENTATION APPROVAL

The Department hereby approves the construction documentation report for the closure of Renard Island Confined Disposal Facility, subject to previous conditions of approval for this facility and chs. NR 500 through 538, Wis. Adm. Code.

This approval is based on the information available to the Department as of the date of approval. If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity. Likewise, the Department accepts proposals to modify approvals, as provided for in state statutes and administrative codes.

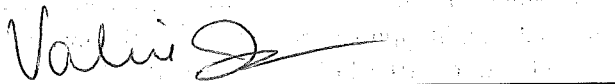
NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., 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. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

Dated: May 6, 2015

DEPARTMENT OF NATURAL RESOURCES
For the Secretary



Valerie Joosten, P.E.
Waste & Materials Management Program Supervisor
Northeast Region



Sally Hronek
Waste & Materials Management Engineer
Northeast Region