

**March 23, 2021 Water and Waste Advisory Board Comments
Chapter 3**

Section 2

2(a)(iii)(B) and (C)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn noted the passages were worded in a confusing manner and that it was unclear how the 10 tons differentiation would affect the applicability of the Chapter.

Department Response: As discussed at the meeting, WDEQ/WQD has clarified the applicability of the Chapter by removing the paragraph at 2(a)(iii)(C) and by removing the reference to the statute so that the Chapter plainly states it applies to commercial waste treatment storage and disposal facilities.

2(b)(viii)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn noted that the phrase “and regulations” is included in the paragraph but has been stricken elsewhere in the Chapter.

Department Response: As discussed at the meeting, WDEQ/WQD has removed “and regulations” from the phrase.

Section 4

4(b)(ii)

Brian Deurloo, Water and Waste Advisory Board: Mr. Deurloo recommended streamlining the passage.

Department Response: As discussed at the meeting, WDEQ/WQD has revised the passage to “An application will be denied if the Division determines it ~~determination that an application is incomplete is a permit denial.~~”

4(b)(ii)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn noted the phrase “of these regulations” is included in the paragraph but has been stricken elsewhere in the Chapter.

Department Response: WDEQ/WQD revised the passage for consistency with the construction of passages in Section 4 to the following: “of these regulations of this Chapter and as specified in applicable Water Quality Rules.”

4(d)(iv)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn recommended clarifying the passage.

Department Response: As discussed at the meeting, WDEQ/WQD has revised the passage to “The Director shall not issue, ~~a permit to operate, or~~ renew, or transfer a permit to operate,…”

4(d)(v)(B)(1.)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn identified a spacing error.

Department Response: As discussed at the meeting, WDEQ/WQD has corrected the error.

Section 5

5(d)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn recommended that WDEQ/WQD remove a redundant “shall.”

Department Response: As discussed at the meeting, WDEQ/WQD has removed the extra “shall.”

Section 7

7(c)(i)-(iii)

Brian Deurloo, Water and Waste Advisory Board: Mr. Deurloo identified formatting issues in the paragraphs.

Department Response: As discussed at the meeting, WDEQ/WQD has corrected the formatting in the section.

7(c)(iv)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn recommended that WDEQ/WQD streamline the passage by removing “plan.”

Department Response: As discussed at the meeting, WDEQ/WQD has removed “plan” from the passage.

Section 11

11(a)(iv)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn noted the section number is missing from the passage.

Department Response: As discussed at the meeting, WDEQ/WQD has corrected the passage to reference Section 15.

Section 13

13(b)

Lorie Cahn, Water and Waste Advisory Board: Ms. Cahn recommended that WDEQ/WQD streamline the passage by removing “or” from “or revocation.”

Department Response: As discussed at the meeting, WDEQ/WQD has removed “or” from the passage.