



MARATHON COUNTY SOLID WASTE MANAGEMENT BOARD AGENDA

Date & Time of Meeting: Monday, May 13th, 2024, at 2:00 pm

Meeting Location: Large Conference Room, 210 River Drive, Wausau, WI 54403, or Webex

Marathon County Mission Statement: *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)*

Mission Statement: *To provide the residents, businesses, and organizations of the region with a cost effective, comprehensive integrated waste management system. The system consists of programming, education and consulting services on waste reduction, recycling, composting and hazardous waste management, along with landfill disposal, with landfill-gas-to-energy production.*

Members: Thomas Seubert – Chair, Jean Maszk - Vice-Chair, Tim Sondelski, Kerry Brimmer, Brad Lenz, Jason Wilhelm, Harlyn Woodward, Al Christiansen, Allen Drabek

Persons wishing to attend the meeting by Webex/phone may call into the **telephone conference ten (10) minutes prior to the start time indicated above using the following number:**

Phone Number: +1-408-418-9388

Access Code/Meeting Number: 2495 718 4126


Please Note: If you are prompted to provide an “Attendee Identification Number” enter the # sign. No other number is required to participate in the telephone conference.

When you enter the telephone conference, **PLEASE PUT YOUR PHONE ON MUTE!**

1. **Call Meeting to Order**
2. **Public Comment-**
3. **Approval of the Minutes of the April 8th, 2024, Meeting**
4. **Educational Presentations / Outcome Monitoring Reports and Possible Action:**
 - A. Solid Waste Overview and New Committee Members (slides attached)
 - B. Viridi RNG Updates and Town of Ringle Public Hearing Follow-up
 1. Zoning Change at ERC and County Board Level
 - C. Secure Load Enforcement (attached)
 - D. PFAs Designated as Hazardous Substances (attached)
5. **Policy Issues Discussion and Committee Determination to the County Board for its Consideration and Possible Action:**
6. **Next Regular Meeting Time, Location, Agenda Items and Reports to the County Board–**
Committee Members are asked to bring ideas for future discussion; next meeting June 10th, 2024.
7. **Announcements / Requests**

8. Adjournment

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 one business day before the meeting.

SIGNED /s/ 

Presiding Officer or Designee

EMAILED TO:
News Dept. at Daily Herald, TPP Printing, Marshfield News,
Midwest Radio Group, Record Review
Date: 05/08/2024 _____
Time: 2:00pm _____
By: bns _____
Date/Time/By: _____

NOTICE POSTED AT COURTHOUSE:
Date: _____
Time: _____ a.m. / p.m.
By: _____

Marathon County Solid Waste Management Board 2020-2025 Strategic Goals

1. Maximize economic opportunities from landfill operations.
2. Engage Marathon County residents and businesses to divert solid waste into productive use such as but not limited to hazardous household, food, and construction and demolition.
3. Make recycling easy and understandable.
4. Shift the paradigm to alternative uses for waste.
5. Influence state policy in order to make the highest and best uses of waste resources.



**MARATHON COUNTY
SOLID WASTE MANAGEMENT BOARD
APRIL 8TH, 2024 MINUTES**

<u>Attendance:</u>	<u>Present</u>	<u>Not Present</u>
Thomas Seubert - Chair	X	
Jean Maszk – Vice Chair	X	
Kerry Brimmer	X	
Brad Lenz		X
Allen Drabek	X	
David Baker	X	
Dennis Gonnering	X	
Ashley Lange		X
Al Christiansen	X	

Also present: Dave Hagenbucher- (SWD) Eric Olson (SW Operations Manager) Brittanie Schulz, Shad Harvey, Christian Kong – Conservation, Planning, and Zoning (CPZ)

1. Call Meeting to Order

The agenda being properly signed and posted, and the presence of a quorum, the meeting was called to order at 2:00pm by Chair Seubert in the Large Conference Room, 210 River Drive, Wausau, WI 54403

2. Public Comment - NONE

3. Approval of the Minutes of the February 12th, 2024, Meeting

ACTION: MOTION / SECOND BY MASZK/DRABEK TO APPROVE THE FEBRUARY 12TH, 2024, MINUTES. MOTION CARRIED BY VOICE VOTE, NO DISSENT.

4. Educational Presentations / Outcome Monitoring Reports and Possible Action

- A. Viridi RNG Update- on a stand still due to a legal matter, Hagenbucher stated he's uninformed currently and is hoping to have a resolution in the next couple of weeks.
- B. Owner Financial Responsibility Change-Act 107- Hagenbucher was able to see the signing of the Act at the capital in Madison, WI. Act is attached in the packet. The Act would allow Marathon County to use the Net Worth test to establish Owner Financial Responsibility with their landfills – a WDNR requirement that currently restricts funds.
- C. Village of Weston Food Waste Reductions Pilot Program- Grant to better manage food waste. Location collection could be on Ryan Street, Weston. This would be to help reduce food waste and offer a more sustainable alternative than landfilling. A letter also went to over a dozen municipalities.
- D. Area B Closure- Received bids back, 25 acres open, 4 acres is ash fill, other 21 acres is uneven slopes which need to be regraded before closing. Riverview was low bid on earth work. CAAWS was low bid on geosynthetics. Tetra Tech performing engineering. This is approved in the budget.
- E. Landfill Compactor Update- Compactor 4 is up and running, it now has a couple hundred hours on it, Hagenbucher talked about the warranty and when that will kick in, concerned about the warranty and how long we have until warranty runs out. Discussion on rebuilding an older compactor that is already owned by Marathon County – this would save nearly \$700,000 and set up operations for efficiency and reliability with the machine they use every day.

5. Policy Issues Discussion and Committee Determination to the County Board for its Consideration and Possible Action –

- A. Landfill Compactor Procurement- Action: Motion/ second by Drebek/Maszk to approve re-build of the Bomag 1172 compactor. Motion carried by voice vote, no dissent.

6. **Next Regular Meeting Time, Location, Agenda Items and Reports to the County Board**

Committee Members are asked to bring ideas for future discussion; next regular meeting May 13th, 2024. The location and time are to be determined.

7. **Announcements / Requests**

8. **Adjournment**

ACTION: MOTION / SECOND BY GONNERING/BRIMMER TO ADJOURN THE MEETING AT 2:55PM. MOTION CARRIED BY VOICE VOTE, NO DISSENT.

Respectfully submitted,
David Hagenbucher
Director- Solid Waste Department
DH:BS April 8th, 2024

Marathon County Solid Waste



***The “What do I do with...?” People
Your Community Resource***

David J. Hagenbucher

Solid Waste Director

Marathon County Solid Waste

172900 East Highway 29

Ringle, Wisconsin





Have you thought about your waste today?

What happens when we throw something away?

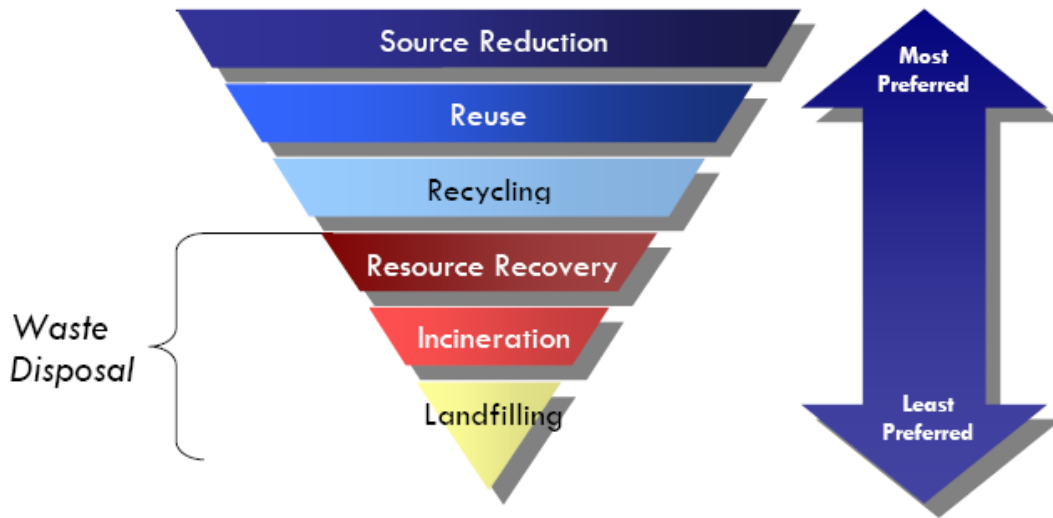
And WHERE is away exactly?



Solid Waste Department Ringle, WI

Bluebird Ridge Landfill WDNR #4228





**Each person
generates
1700lbs/year**



Without a system, we have this...

It becomes a necessity for human health and the environment



Why are we here?

► To provide the residents, businesses and organizations of the region with a cost-effective, comprehensive integrated waste management system while protecting human health and the environment.



Our Goals

1. Maximize economic opportunities from landfill operations

- **Building relationships with municipalities and area businesses:**
 - **Curbside, Papermills, Linetec, WPS, WE Energies, Crystal, Wausau Mall**



► *Our Goals*

- 2. Make recycling easy and understandable – education
- 3. Engage Marathon County residents and businesses to divert waste into productive use
- 4. Shift the paradigm to alternative uses



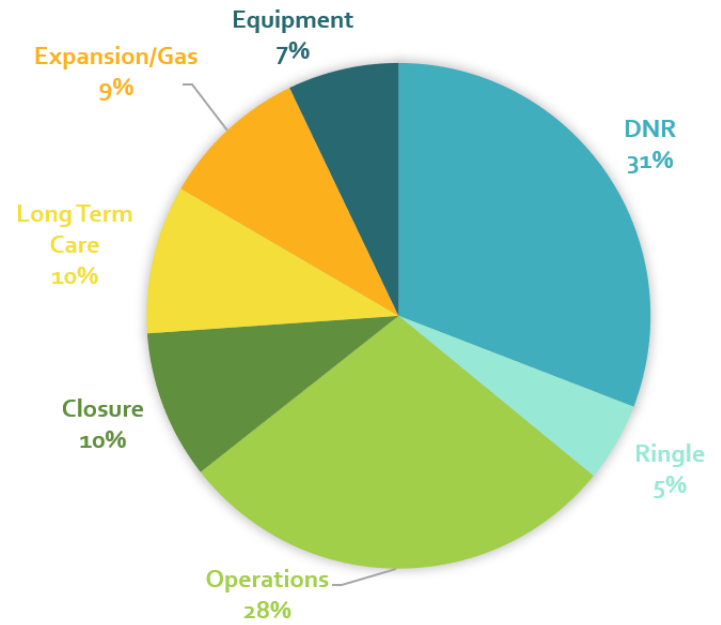
5. Influence state policy in order to make the highest and best uses of waste resources

- **Lithium-Ion batteries becoming an issue**



Enterprise Business

Zero funding from tax dollars – completely run off landfill tipping fees



Revenue Breakdown

Organizational Structure for Policy and Decision Making

- 1. Solid waste board - Chapter 59.70(2) the board of a county establishing a solid waste management system may create a solid waste management board to operate the system**
- 2. Environmental Resources Committee**
- 3. Marathon County Board Of Supervisors**

Examples – FTE Requests, Siting agreement, Contracts, Major Projects involving multiple departments

Working Together

- Health Department
- Conservation Planning and Zoning
- Highway Department
- Parks Department
- WI Department of Natural Resources
- Sheriff's Department
- Emergency Management
- General Public

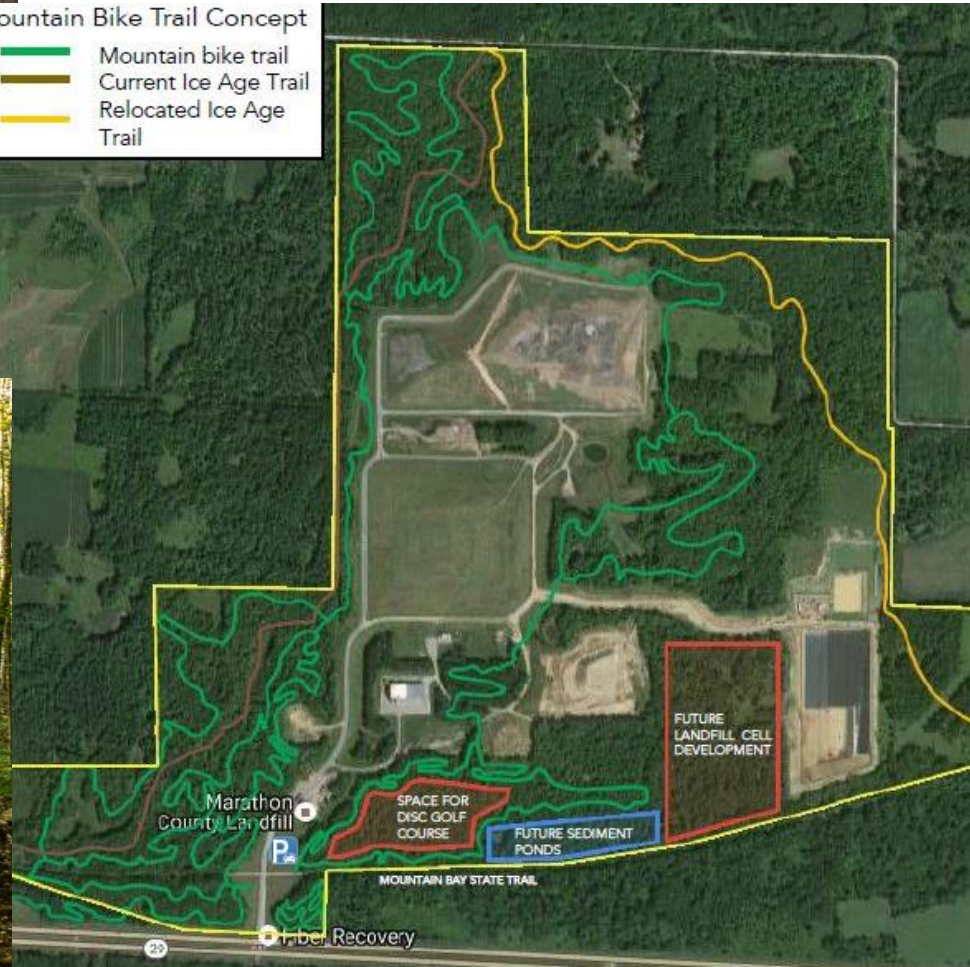


More than a Landfill!



Mountain Bike Trail Concept

- Mountain bike trail
- Current Ice Age Trail
- Relocated Ice Age Trail



LOOKING AHEAD TO 2024

- **Area B Landfill Final Closure** - The department will work to finish filling any remaining capacity in the Area B landfill. Area B still contains some usable capacity, and any remaining space will be utilized for disposal to the extent possible. In 2024, a final cap will be placed on 17 acres of the Area B landfill. The Department currently spends nearly \$500,000 per year on leachate treatment on this landfill alone – closure of 17 acres is projected to reduce leachate generation by 70-80% percent and allow a savings of nearly \$400,000 per year. This project will be funded through the Area B closure fund at a cost of \$5.5 million.
- **Leachate Management & Disposal**- Leachate is the wastewater that is collected at the bottom of a landfill. This wastewater must be hauled off site and treated before discharge into local waterways. In 2019, the Department's nearly 40-year relationship with Domtar Papermill for the disposal of leachate ended. As a result, leachate disposal has become the department's most expensive item to the overall budget. Over the past 3 years, the team has worked to manage these costs and save nearly \$500,000 in just 2022 alone. Work will continue on capping, surface management, slope stability, and channeling stormwater away from the landfill areas – efforts that have yielded very positive results thus far. In 2024, the Department will work with local treatment plants to establish new relationships to reduce the need for long distance transportation for disposal. Success in these efforts will significantly reduce the overall cost of leachate management.
- **Ringle Committee Relations** – In 2022, the Department signed a new agreement with the Town of Ringle for a new 30-acre landfill expansion that will take the Department into 2040. This new agreement also put in place a landfill monitoring committee that will oversee landfill operations and provide support and guidance for managing nuisance conditions. The committee will meet monthly to focus on relationship building and evaluating opportunities for mutual benefit.
- **Equipment Procurement** - The primary work at the landfill is done with a refuse compactor. For nearly 10 years, the team continued to extend the life of the three older compactors by rebuilding them rather than buying new (which ranges from \$1 million to \$1.5 million). Annually, the older compactors are rebuilt and repaired, but are reaching the end of their usable life. In 2024, the Department will need to procure a newer compactor or face a significant reduction in compaction. The Department will evaluate a certified rebuild program with full warranty versus purchasing brand new. This CIP project will be funded through Solid Waste reserves.
- **Gas Royalty Distribution** – In 2024, Marathon County will look to utilize the gas royalty payments in a way to benefit the community – the users of the landfill. The team has modified the 2024 budget in a way to offer financial support back to the general fund. While this change comes with some challenges, it provides a unique way to support Marathon County's residents and reduce the need to increase taxes. In 2024, approximately \$200,000 from the Gas Royalty payments from our energy partner will be distributed back to the General Fund. This expense will also serve as a baseline for administrative services that are being provided to Solid Waste such as HR, Finance, IT, and legal services.
- **Fee Increases** - Tipping fees will increase in 2024 to better manage the increasing costs of fuel and construction. To adjust, disposal fees will be increasing from \$56 per ton to \$58 per ton, but maintaining a competitive pricing structure within the central Wisconsin area. Contract rates for customers who have accounts with the department will be increased by 3.2% following CPI increases. Municipal customers will only see an increase of 2% to help better manage their costs relative to tax dollars. Other increases include recycling fees for appliances, electronics, and tires; and other materials like yard waste, concrete, and shingles.

5 YEAR FORECASTED PROJECTS (if you want a project considered please put on this list)

Program Year	Project	Description of Project	Estimated Cost
2024	Area B Closure	Installation of cap on 24 acres of landfill	\$5,280,491
2024	Gas Wells	Installation of vertical and horizontal gas wells and liquids pumping equipment.	\$300,000
2024	Refuse Compactor	Procurement of landfill refuse compactor (refurbished unit preferred over brand new)	\$1,000,000
2025	Phase 6 liner	Construction of 11.12 acres of landfill liner	\$6,000,000
2025	Gas well installation	Install vertical wells and connect via expanded header system	\$300,000
2025	Wastewater Treatment	Onsite wastewater treatment facility to remove or destroy PFAs compounds.	\$5,000,000
2025	Landfill Dozer	Procurement of landfill bulldozer for site operations	\$500,000
2026	BRRDF Phase B Closure	Closure of Phase B on Bluebird Ridge – 8.78 Acres	\$2,500,000
2027	Gas Well Installation	Install vertical and horizontal gas wells and expand header	\$300,000
2028	Phase 7 liner	Construction of 11.15 acres of landfill liner	\$7,000,000
2028	Refuse Compactor	Procurement of landfill refuse compactor (refurbished unit preferred over brand new)	\$1,000,000
2028	Gas well Installation	Install vertical wells. Header system. Pumping equipment.	\$300,000



Renewable Natural Gas

- 20 Year Agreement with Viridi Energy – LFG to RNG to Pipeline
 - Purchased shares from Fiber Recovery
- Short term Sub-Lease
 - Vespene Energy on site with Data Center
- Solid Waste to deliver quality landfill gas
- Royalty helping County general fund
- Timeline – 2024 startup

Remaining Capacity





WHY DO WE DO THIS?

A resource for the local community – providing cost effective and convenient disposal options supporting municipalities and businesses

Community Partners

- Keeping costs manageable for curbside pickup
- Continued Relationships for RUs of Recycling
- Continued support for local business disposal needs
- Continued support of Regional Solid Waste Agreement with Shawano and Portage County
- Market competition with private sector for tonnage



Environmental Education



Key Takeaways

- Renewable Natural Gas (RNG)
 - Gas Royalty sharing
- Significant Capital Expenses
 - Expansions and Closures
 - Equipment Procurement
- Future Considerations
 - Leachate Treatment Options
 - Internal engineering work
- Top 3 Operational Expenses
 - Leachate Management
 - Diesel Fuel
 - Planning and Engineering



Contact us! We are your community resource!

David Hagenbucher

715-551-5864

David.Hagenbucher@co.marathon.wi.us



marathoncountysolidwaste.org



Find us on Facebook!



Marathon County Solid Waste Management Board Strategic Plan Summary 2020-2025



Table of Contents

Resolution	1
Acknowledgments	2
Mission Statement	3
Vision Statement	3
Strategic Planning Process	4
Strategic Goal 1	5
Strategic Goal 2	5
Strategic Goal 3	5
Strategic Goal 4	6
Strategic Goal 5	6
Contact Information	7

Resolution

ACKNOWLEDGMENTS

Solid Waste Management Board Members

Roger Zimmerman – Board Chair, Citizen member

Jean Maszk – Board Vice-Chair, County Supervisor

Alan Christensen – County Supervisor

Brad Lenz – Citizen member

Kerry Brimmer – Citizen member

Jim Bove – County Supervisor

Maynard Tremelling – County Supervisor

Myron Podjaski – Citizen member, Town of Ringle

Thomas Seubert – County Supervisor

Staff

Meleesa Johnson, Director Marathon County Solid Waste Department

Brenda Iczkowski, Administrative Coordinator-CPZ

MISSION STATEMENT

To provide the residents, businesses and organizations of the region with a cost-effective, comprehensive integrated waste management system. The system consists of programming, education and consulting services on waste reduction, recycling, composting and hazardous waste management, along with landfill disposal, with landfill-gas-to-energy production.

VISION STATEMENT

We are the integrated waste management system of choice, fostering economic development, while protecting the environment and public health.

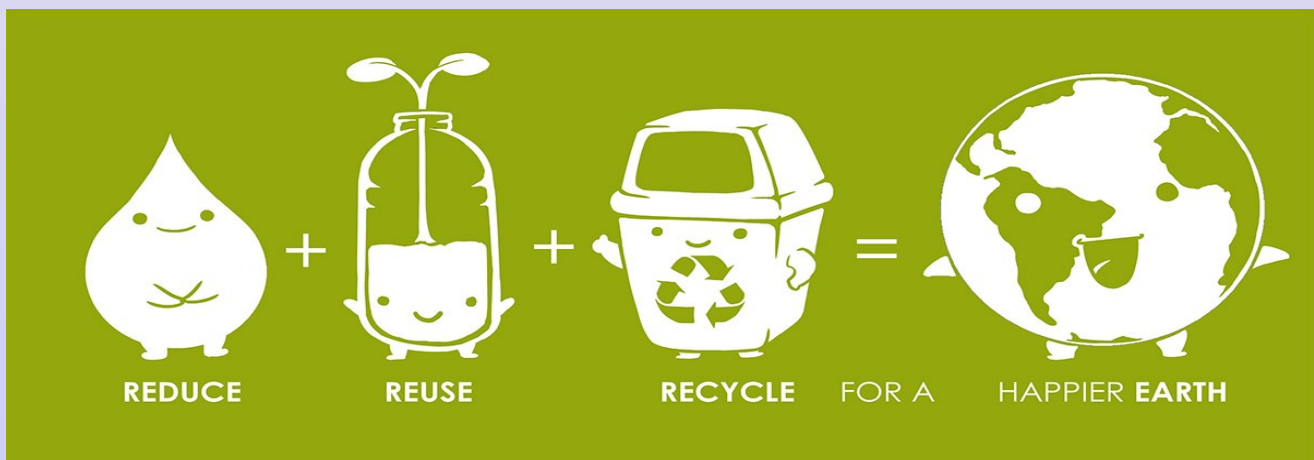
What does the Marathon County Solid Waste Management Board **DO** to ensure success?

We **manage** financial resources efficiently and effectively.

We **empower** residents to manage waste to their benefit.

We **advance** recycling efforts.

We **enable** alternative uses for waste.



STRATEGIC PLANNING PROCESS:

In April 2013, the Solid Waste Management Board began the work of building its first strategic plan. That plan would set the direction and work plan of the Solid Waste Department for the three to five years following adoption of the plan. It took over ten months of work and great collaborative efforts between the Board, department staff and other stakeholders, to evaluate the strengths, problems, opportunities, and threats of not only the department, but the entire waste industry, to complete the Plan. Ultimately, the Plan served as the overarching framework, along with the County's Strategic Plan, for everything from daily operations of the Solid Waste Department to the creation of new programs and partnerships that would help both the department and the county achieve its goals. In early 2019, the Board started the process all over in order to evaluate and update the next Strategic Plan. That Plan sets the direction for the next five years and is designed to make the Marathon County Solid Waste Department the "integrated waste management system of choice, fostering economic development while protecting human health and the environment" and in helping Marathon County be the "healthiest, safest, most prosperous count in the State."



STRATEGIC GOAL 1

Maximize economic opportunities from landfill operations

Objective 1: Incubate businesses that maximize resource recovery

Objective 2: Maintain and build positive relationships with current and future customers

STRATEGIC GOAL 2

Engage Marathon County residents and businesses to divert solid waste into productive use such as but not limited to hazardous household, food, and construction and demolition

Objective 1: Collaborate with schools and community to learn about solid waste options

Objective 2: Engage the agricultural community in managing solid waste

Objective 3: Enlist the media to raise awareness in the community

STRATEGIC GOAL 3

Making recycling easy and understandable

Objective 1: Collaborate with community partners to reward recycling

Objective 2: Advocate for policies which encourage recycling

Objective 3: Create educational opportunities that support recycling

STRATEGIC GOAL 4

Shift the paradigm to alternative uses for waste

Objective 1: Maximize the efficiency of the landfill

Objective 2: Facilitate productive uses of wasted food

Objective 3: Assess current construction and demolition waste resources

Objective 4: Reward construction and demolition recycling and reuse

STRATEGIC GOAL 5

Influence state policy in order to make the highest and best uses of waste resources

Objective 1: Strengthen relationship with legislators and educate them about recycling and responsible units

Objective 2: Clarify understanding of current laws for the county, municipalities and businesses

Objective 3: Provide leadership in Marathon County in developing policies

Objective 4: Develop recommendations based on case studies of success from other states

Objective 5: Collaborate with community partners and organizations to influence business recycling

Objective 6: Provide leadership to Marathon County, municipalities and businesses to enforce current laws and standards on recycling



To access the strategic plan, please go to

www.co.marathon.wi.us or www.marathonsolidwaste.org

Marathon County Solid Waste Department

172900 State Highway 29

Ringle, WI 54471

Phone: 715-446-3101

Toll Free: 877-270-3989

Fax: 715-446-2906

Chad D. Billeb
Sheriff



William B. Millhausen
Chief Deputy

Marathon County Sheriff's Office

500 Forest Street, Wausau, WI 54403

Non-Emergency Phone: 715.261.1200 • www.MarathonCountySheriff.org

May 06, 2024

Dear Haulers,

I hope this letter finds you well. I am writing to you to address a pressing issue that concerns all of us: the proliferation of litter and trash along our highways.

One of the primary contributors to highway litter is improperly secured loads during transportation. As waste haulers, you play a pivotal role in ensuring that loads are securely fastened and contained, preventing any debris from escaping and littering the roadsides. Unfortunately, instances of loose debris falling from trucks are not only unsightly but also pose serious safety hazards to motorists and pedestrians alike.

Therefore, I urge you and your team to prioritize load security as a fundamental aspect of your operations. Here are some key practices to consider implementing:

Use Adequate Containment: Utilize sturdy and reliable containers, bins, or covers to enclose waste materials during transportation. Make sure these containers are securely fastened and capable of withstanding the rigors of the journey.

Double-Check Before Departure: Before hitting the road, conduct thorough checks to ensure that all loads are properly secured. This includes inspecting fastenings, closures, and any potential weak points that may compromise load containment. Additionally, after dropping off your load at the landfill, please inspect your containers to ensure all waste has been deposited or can be secured before leaving the landfill property.

Train and Educate Staff: Equip your employees with the necessary training and guidance on proper load securing techniques. Emphasize the importance of their role in preventing litter and maintaining a clean environment.

Regular Maintenance and Inspections: Regularly inspect and maintain your vehicles, containers, and securing mechanisms to ensure they remain in optimal condition. Address any issues promptly to prevent the risk of load spillage.

By adhering to these practices, we can significantly reduce the incidence of litter along our highways and contribute to a safer environment for everyone. Additionally, as a county we can also help reduce unnecessary expense to our taxpayers. Between April 1, 2024, and April 27, 2024, Marathon County spent \$87,556 picking up trash from our state highways alone. The most significant issues are along the corridors that lead to the landfill in Ringle. This is not only costly but also poses significant risk to our highway workers who are on our roadways and in our ditches picking up this trash.



I have asked our deputies to increase enforcement efforts along our highways to ensure all haulers of materials are adequately securing their loads during transport. Wis. Stat. § 348.10(2) requires, "No person shall operate a vehicle on a highway unless such vehicle is so constructed and loaded as to prevent its contents from dropping, shifting, leaking or otherwise escaping therefrom." It would be my preference that we minimize enforcement, this can be achieved through the efforts of your staff to adequately secure trash and other materials.

Thank you for your attention to this matter, and I appreciate your cooperation in ensuring that waste hauling operations are conducted with the utmost consideration for highway safety.

Best regards,



Chad D. Billeb
Marathon County Sheriff



Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances

Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances Basic Information

Legal Authorities

- [42 U.S.C §9602](#)

Docket Numbers

- [EPA-HQ-OLEM-2019-0341](#)

Effective Date

- July 8, 2024

On this page:

- [Rule Summary](#)
- [Rule History](#)
- [Additional Resources](#)

Rule Summary

EPA is taking action to designate two of the most widely used per- and polyfluoroalkyl substances (PFAS) — perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), including their salts and structural isomers — as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as Superfund.

CERCLA designation will help protect public health and the environment from potentially harmful exposure to these chemicals and will provide tools to hold polluters accountable. Designation enables cost recovery and enforcement authorities to address PFOA and PFOS releases, which ensures that the polluters pay for investigations and cleanup.

Designation will enable EPA (and other agencies with delegated CERCLA authority) to address more sites, take earlier action, and expedite eventual cleanup. It will also improve transparency around releases of these harmful chemicals.

The rule requires entities to immediately report releases of PFOA and PFOS that meet or exceed the reportable quantity to the National Response Center, state or

Tribal emergency response commission, and the local or Tribal emergency planning committee (local emergency responders). Entities do not need to report past releases of PFOA or PFOS following the requirements of CERCLA section 103 and 111(g) or EPCRA section 304 if they are not continuing as of the effective date of the rule.

Other provisions require federal entities that transfer or sell their property to notify about the storage, release, or disposal of PFOA or PFOS on the property and include a covenant (commitment in the deed) warranting that it has cleaned up any resulting contamination or will do so in the future, if necessary, as required under CERCLA 120(h). Section 306 of CERCLA requires Department of Transportation to list and regulate these substances as hazardous materials under the Hazardous Materials Transportation Act.

CERCLA is designed to address and prioritize sites that present risk to human health and the environment and serves those communities that are most vulnerable to potential adverse health risks from exposure to contamination.

- [Designation of Perfluorooctanoic Acid \(PFOA\) and Perfluorooctanesulfonic Acid \(PFOS\) as CERCLA Hazardous Substances; Final Rule](#)

Subject: USEPA finalized hazard substance designation for PFOA and PFOS

Today, EPA released the final rule designating perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as Superfund.

EPA will publish the Final Rule in the *Federal Register* shortly. The rule will be effective 60 days after the rule is published in the Federal Register. Until then, the [prepublication version](#) of the rule is available and can be accessed on [EPA's CERCLA PFAS page](#).

In addition to the final rule, EPA is issuing a separate [CERCLA enforcement discretion policy](#). In it, EPA explains that it does not intend to pursue otherwise potentially responsible parties where equitable factors do not support seeking response actions or costs under CERCLA, including, but not limited to, the following entities:

- (1) Community water systems and publicly owned treatment works (POTWs);
- (2) Municipal separate storm sewer systems (MS4s);
- (3) Publicly owned/operated municipal solid waste landfills;
- (4) Publicly owned airports and local fire departments; and
- (5) Farms where biosolids are applied to the land.

“EPA may extend enforcement discretion under this Policy to additional parties.” “EPA will exercise its enforcement discretion to not pursue additional entities for PFAS response actions or costs under CERCLA, informed by the totality of the following factors:

- (1) Whether the entity is a state, local, or Tribal government, or works on behalf of or conducts a service that otherwise would be performed by a state, local, or Tribal government.*
- (2) Whether the entity performs a public service role in:*
 - 1. Providing safe drinking water;*
 - 2. Handling of municipal solid waste;*
 - *Treating or managing stormwater or wastewater;*
 - *Disposing of, arranging for the disposal of, or reactivating pollution control residuals (e.g., municipal biosolids and activated carbon filters);*
 - *Ensuring beneficial application of products from the wastewater treatment process as a fertilizer substitute or soil conditioner;³⁰ or*
 - *Performing emergency fire suppression services.*
 - 3. Whether the entity manufactured PFAS or used PFAS as part of an industrial process.*
 - 4. Whether, and to what degree, the entity is actively involved in the use, storage, treatment, transport, or disposal of PFAS.”*