

Chapter No. 800 - Land Conservation

Ordinance No. 800 Landspreading

Ordinance No. 801 Animal Waste Storage

Ordinance No. 802 Nonmetallic Mining Reclamation

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WOOD COUNTY ORDINANCE # 800
LANDSPREADING ORDINANCE

Chapter 800 .01 Definitions.

- A. Deed notation - filing in the Register of Deeds Office a notification of landspreading on the tract index.
- B. Commercial entities - those businesses that sell or transport for payment petroleum products.
- C. Landspreading - the application of petroleum contaminated soil to agricultural land.

Chapter 800 .02 Standards.

Wood County adopts the standards of landspreading enacted in NR718 and any future amendments, modification, or changes thereto.

Chapter 800 .03 Prohibiting Unlawful Landspreading.

No person shall deposit or allow to be deposited on lands located in Wood County, soil which was removed from property located outside of this county which is contaminated with petroleum products, including but not limited to gasoline, diesel fuel, No. 1 or No. 2 fuel oil, kerosine, aviation gasoline, or jet fuel. This restriction does not apply to land fills properly licensed for the disposal or remediation of petroleum contaminated soils.

Chapter 800 .04 Limitations on Local Landspreading.

- A. No commercial entity owning or leasing real or personal property in Wood County shall deposit or allow to be deposited on lands located in Wood County, soil that is contaminated with petroleum products, as described above.
- B. No person shall deposit or allow to be deposited any petroleum contaminated soil originating in Wood County on land located in Wood County until a landspreading plan has been approved by the Wood County Land Conservation Department (hereinafter referred to as LCD) and proof of deed notation has been submitted to the LCD.

Chapter 800 .05 Landspreading Plans

Landspreading plans shall be prepared at the plan applicant's expense by a professional engineer licensed by the State of Wisconsin with the plans approved by the LCD for each site prior to any landspreading. All plans submitted to the LCD shall include a \$25. review fee and shall, in addition to the requirements provided below, verify compliance with all applicable federal, state, and local regulations. The proposed landspreading plan shall include the following information.

A. Waste characterization.

1. A detailed description and analysis of the petroleum contaminated soil proposed to be land spread.
2. The volume of soil, type of petroleum contamination and the soil source.

B. Landspreading Site Characteristics.

1. Maps on the landspreading site including copies of the plat maps, USGS topographic maps, wetland and floodplain maps, county soil survey maps with the proposed area delineated on each map.
2. The current land use of the landspreading site and adjacent properties.
3. The landspreading site slope, depth to water table and bed rock, and detailed soils descriptions.
4. The location of residences and private and public water supplies.
5. A statement agreeing to provide to the LCD a copy of the closure report that is filed with the DNR at the conclusion of the landspreading project, pursuant to NR 718.

C. Landspreading Site Operation.

1. The proposed spreading dates and spreading thickness. Landspreading in Wood County will only be allowed between May 1 and September 30.
2. The proposed methods of spreading, incorporation, and follow-up tillage, as appropriate.
3. The type of crop or vegetation to be planted on the landspreading site after spreading.

4. Signage to be required when determined appropriate as a stipulation of plan approval.

Chapter 800 .06 Violations and Penalties.

Any person violating this ordinance shall cease and removed any contaminated soil placed in violation of this ordinance. Also, any person who violates, neglects, refuses to comply, or resists the enforcement of any of the provisions of this chapter, after the effective date, shall be subject to a forfeiture of up to \$2,500. plus costs of prosecution and restitution which includes costs of reclamation and remediation if done by others, for each violation. A violation includes failure to comply with any standard of this chapter or with any condition or qualification attached to the approved plan. Each day a violation exists shall be a separate offense.

This ordinance shall become effective upon passage and publication and supersedes any ordinance or part thereof in conflict therewith.