

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

FILED SEP 23 2011

Jim Ruby, Executive Secretary Environmental Quality Council

IN THE MATTER OF THE OBJECTION TO THE PROPOSED RENEWAL PERMIT, SAND DRAW LANDFILL, SHWD FILE #10-195

Docket No. 11-5602

PETITIONER, FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT'S DESIGNATION OF EXPERT WITNESSES

COME NOW Petitioner, Fremont County Solid Waste Disposal District, by and through its undersigned counsel, and pursuant to the Council's Order of Schedule of September 9, 2011, hereby names the following expert witnesses who may testify in this matter:

- 1. Ken Schreuder, P.E., P.G Trihydro Corporation 350 Garfield Street Lander, WY 82520 (307) 332-5280

Mr. Schreuder is a Professional Engineer and a professional Geologist. He works for Trihydro Corporation in its Lander, Wyoming office. He is also a former employee of the Wyoming Department of Environmental Quality. A Copy of his resume is attached hereto as Exhibit A. Trihydro was contracted by Petitioner to prepare and submit the renewal permit on the Sand Draw Landfill and Mr. Schreuder is the lead engineer and geologist on the permit renewal application. It is anticipated that Mr. Schreuder will testify as to his education, training and experience and qualification in the solid waste field. Mr. Schreuder will also testify as to the various closure dates imposed by the DEQ and the prior

requirement to place a liner over the existing landfill area for vertical expansion. It is also anticipated that Mr. Schreuder will testify as to the application for the permit renewal that he prepared, the data that he relied upon, and also the estimated closure date that he arrived at and the basis for the same. Mr. Schreuder will also testify as to the closure date proposed by the Wyoming Department of Environmental Quality in the proposed permit and the effect that it will have on the permit plan. Mr. Schreuder will also testify as to the proposed vertical expansion of the landfill and the effect thereon on the groundwater quality underlying the landfill. Mr. Schreuder will also render his opinion as to what, if any, effect a vertical expansion of the current landfill area of the Sand Draw Landfill will have on the groundwater quality. Mr. Schreuder will also testify as to statutory and regulatory provisions relied upon by the Department of Environmental Quality and the application of those statutory and regulatory provisions to the Sand Draw Landfill renewal application. Mr. Schreuder will also testify as to scientific data that was used in the permit renewal application that is proposed as being omitted by the Department of Environmental Quality. A copy of the application has been submitted to the Wyoming Department of Environmental Quality.

Mr. Schreuder has not testified in any case, either at trial or in deposition, during the last 4 years. Mr. Schreuder has not yet provided his fee for testimony, deposition or trial, and the same will be provided upon receipt.

2. Donald L. Siegel, Ph.D  
Department of Earth Sciences  
317 Heroy Geology Laboratory  
Syracuse University  
Syracuse, New York 13244  
(315) 443-3607

Dr. Siegel has a doctorate in Hydrogeology and is a professor at the University of Syracuse. A copy of his resume is attached hereto as Exhibit B. He has also done consulting work for the Petitioner with regards to the Sand Draw Landfill. Dr. Siegel has also co-authored a paper on the Sand Draw Landfill and the water formations that lie below it and the likelihood of contamination of the same from landfill operations. It is anticipated that Dr. Siegel will testify as to his education, training and experience and qualification in the field of Hydrogeology. It is also anticipated that Dr. Siegel will testify as to his research on the Sand Draw Landfill and his findings with regards to the geology of the landfill and the type and nature of water below the landfill. He will also testify as to the data that he relied upon and will testify as to the proposed vertical expansion of the current landfill area and the effect thereof on the alteration of the groundwater quality underlying the landfill. Dr. Siegel will also render his opinion as to what, if any, effect a vertical expansion of the current landfill area of the Sand Draw Landfill will have on the groundwater quality. A copy of Dr. Siegel's article "Compartmentalization of Ground Water In An Intermountain Basin: Implications on Performance Based Landfill Design and Monitoring in the Arid American West" is attached hereto as Exhibit C.



Dr. Siegel has not testified in any case, either at trial or in deposition, during the last 4 years. Dr. Siegel's fee for testimony, deposition or trial, is at the rate of \$350.00 per hour.

3. James Fink  
Hydrogeophysics  
2302 North Forves Boulevard  
Tuscon, AZ 85745  
(520) 647-3315

Mr. Fink is a principal in the Hydrogeophysics company. A copy of Mr. Fink's resume is attached hereto as Exhibit D. In 2007 and 2008 Hydrogeophysics was hired as a consultant to perform a High Resolution Resistivity survey at the Sand Draw Landfill. The purpose of the survey was to determine the geology and water conditions of the sub-terrain below the Sand Draw Landfill. It is anticipated that Mr. Fink will testify as to his education, training and experience and qualification in the field of Hydrogeophysics field and the training and experience of Hydrogeophysics, Inc. He will also testify as to the survey that his company did, the data relied upon and produced by the survey and the findings of his survey. He will testify as to the geology and water conditions underlying the Sand Draw Landfill. He will also testify as to the report filed by his company following the survey and will testify as to the conclusions and results of the survey. Mr. Fink will also render his opinion as to what, if any, effect a vertical expansion of the current landfill area of the Sand Draw Landfill

will have on the groundwater quality. A copy of the report of Hydrogeophysics is attached hereto as Exhibit E.

Mr. Fink has not testified in any case, either at trial or in deposition, during the last 4 years. Mr. Fink has not yet provided a fee for testimony, deposition or trial, and the same will be provided upon receipt.

4. Howard Johnson, P.E.  
Inberg-Miller Engineers  
124 E. Main  
Riverton, WY 82501  
(307) 856-8136

Mr. Johnson is a registered professional engineer and registered professional Land Surveyor who has done engineering work for the Fremont County Solid Waste Disposal District since it was created in 1979. A copy of Mr. Johnson's resume is attached hereto as Exhibit F. Mr. Johnson has done extensive work on the Sand Draw Site, including work in the development and planning of the Sand Draw Landfill, the location of the current disposal area and work on the proposed vertical expansion of the current landfill area. It is anticipated that Mr. Johnson will testify as to his education, training, experience and qualification. It is also anticipated that Mr. Johnson will testify as to the history of the Sand Draw Landfill. He will also testify as to underground water condition of the site, as revealed by his prior drilling activities on the site, and the effect thereon by the Landfill and the effect that vertical expansion would have on the site.

Mr. Johnson has not testified in any case, either at trial or in deposition, during the last 4 years. Mr. Johnson's fee for testimony, deposition or trial, is at the rate of \$280.00 per hour, plus expenses.

DATED this 22<sup>nd</sup> day of September, 2011.

Fremont County Solid Waste  
Disposal District, Petitioner



Rick L. Sollars, WSB # 5-2394  
Attorney for Petitioner  
Western Law Associates, P.C.  
277 Lincoln Street  
Lander, WY 82520  
(307) 332-4331

### CERTIFICATE OF SERVICE

I certify that on the 22<sup>nd</sup> day of September, 2011, a true and correct copy of the foregoing Petitioner's Designation of Expert Witnesses was served upon Respondent and counsel by depositing the same in the United States mail, postage prepaid, addressed to:

Jeremiah I. Williams  
Wyoming Attorney General's Office  
132 Capitol Building  
Cheyenne, WY 82002



Rick L. Sollars