

“... based on soil and groundwater conditions observed, this site is not a favorable site for a landfill.”

by **Dave Featherly**

The words used above came from a three page letter from DEQ Senior Environmental Analyst, Solid and Hazardous Waste Division, R. Mark Armstrong.

Armstrong's reference was to a previous communication from "A Limited Subsurface Assessment Report" from city consultant Terracon, regarding the Belvoir Ranch site as a potential landfill location.

That Report, dated May 23, 2003, went on to state that "the Belvoir Ranch ranked highest on the list of sites that were volunteered for sale."

What actually happened was that the Landfill Advisory Committee (LAC) had eliminated the Belvoir Ranch as a potential new landfill site but it magically reappeared once the city learned Jerry McMorris wanted to sell the 17,000 ranch.

The Belvoir had been eliminated because of critical wildlife habitat concerns. But, after a visit with the Wyoming Game and Fish folks, it must have been decided that mule deer kind of like heavy truck traffic and blowing garbage. It was - at that point, months into the siting process - that the Belvoir Ranch became the No. 1 choice for a new landfill. Suddenly. Inexplicably.

It is odd that a No. 1 choice would surface solely on the basis of a willing seller - after the LAC had dismissed "willing seller" as a criteria for siting. It was determined that, with the city having the right to condemn and take land for a new dump, a willing seller was unnecessary.

The benefit of a willing seller, of course, is that it would shorten the time to purchase, design and access a landfill. Litigation would prolong the process. So, the city took the easier way out and purchased 17,000 acres of gravel land and TCE-laden water twenty miles from town.

As the siting process evolves, the city will make more and more decisions (forced often by financial considerations or restrictions, other times by DEQ or other regulatory requirements) that are harmful to Cheyenne and Laramie County residents.

As LAC member Doug Samuelson said at the final LAC meeting, before supposed

dissolution of the group, "we need to start over." His position was that the committee had accomplished nothing and was further disturbed by the position of LAC chair Bob Clary that no final report would be issued on the three years of "work" conducted by the committee whose members were originally appointed by Leo Pando.

The location the LAC would have chosen for a new landfill location (without city interference) will never be known. Once told by the city that the site would be on the Belvoir Ranch, the search ended.

The insiders were in such a rush to place the dump on the Belvoir that one of the two chosen sites they introduced to the public was right on top of natural gas pipelines. Only after the error was pointed out by the Cheyenne Herald did they move the second choice off the pipeline. Very, very quietly, it might be noted.

The Belvoir Ranch was bought for no real reason. It is obvious that was the case.

"Because of the poor suitability of the location, from a hydrologic and geologic standpoint, site investigation and monitoring activities will need to be conducted in an iterative fashion as information is gained about the site, the design of the engineered containment, the leachate conveyance and the surface water control systems at the landfill."

(Note: The definition of iterative is: *adj.* marked by tedious repetition [syn: reiterative, repetitious, repetitive])

The Board of Public Utilities used money they could not spare for a need they did not have. As these pages have often reminded residents, there has never been - and is now - no water shortage for Cheyenne water users or any BOPU customer.

And, the cost to deliver to customers any water pumped from under the Belvoir is likely to be prohibitive. Not to mention that the water is almost certainly going to be contaminated with TCE. The mayor and others may believe that TCE is the chemical contaminant of choice but TCE is a suspected carcinogen and no one - repeat, no one - should deliberately place that deadly chemical into the public drinking water supply.

The date referenced in the words of the above headline was May 23, 2003. DEQ advised the city of Cheyenne that a landfill on the Belvoir would be problematic but the city went ahead and purchased the land in July anyway. No one knows to this

Department of Environmental Quality letter to the City of Cheyenne, City Engineer's Office, dated February 11, 2005.

day how much - or whether - groundwater can be accessed by a newcomer with junior water rights in that area.

Now the city is focusing on water from the Casper Formation, which is deep under the Belvoir and at the most distant point as far as piping into the city.

The probable reason for publicly stating that investigation into water at that source has now surfaced, is likely the DEQ's position(s) about a landfill upgradient of the public drinking water supply.

While water availability from the Casper Formation is half way to China, at least it is upgradient from the desired landfill site.

The trade-off will be whether drilling wells up to 2000 feet into the ground to pump from the Casper Formation will offset the possibility of not being able to gain a permit to place another landfill upgradient from the city's source of water.

The Solid and Hazardous Waste Division of DEQ certainly minces no words about the Belvoir being a poor choice for a new landfill. The mention of "hydrologic and geologic" standpoint(s) barely touches the surface in terms of it being a poor choice.

The city has now admitted that the cost to site a landfill on granite was unexpected. And, those costs are still unidentifiable. Once a specific location is identified, neighbors can better assess how they might be affected and litigation could add to the costs. If Perry Dray charges \$300,000 per battle, the city will need to add that amount to their cost estimates.

Also, as the process moves forward, the DEQ can, and probably will, continue to demand more and more compliance, which adds more and more cost.

The city has ruined its credibility with DEQ and residents will now pay for that loss.

The letter referenced in this story also states: **"The department is in general agreement with the proposed scope of the Draft Work Plan for the initial phase of the subsurface investigation, with several modifications or points of clarifications, as noted below:"**

Following that "general agreement" statement are two full pages of demands, objections, questions, etc. - in tiny six-point type. You are reading nine-point type.

There will be no free ride for the scoundrels at Cheyenne city hall. They have betrayed the trust of too many to get any concessions. Mr. Armstrong makes reference to "ecological and cultural resources," and suggests the city address some of those concerns before proceeding "with the subsurface investigation."

The letter treats the city engineer like a child. He is told what kind of logs must be kept. He is told to retain "all cores in core boxes and make them available for inspection." He is told where to read on a DEQ website what screen and sand pack must be used. He is repeatedly told what is lacking with the Draft Plan and what must be provided as they move along.

"However, the Draft Work Plan does not contain the scope and analyses required to fully address the issues..." It is going to be a grueling and expensive process. Will a permit ever be issued?



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