

Exhibit 1

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

PLAN MODIFICATION TO REDUCE GROUNDWATER AND GAS PROBE
MONITORING REQUIREMENTS
AT THE
DANE COUNTY TRUAX LANDFILL (#3306)
FID 113183620

FINDINGS OF FACT

The Department of Natural Resources ("Department") finds that:

1. Dane County ("County") owns the Truax Landfill, a closed solid waste disposal facility located in the NE ¼ of Section 31, T8N, R10E, City of Madison, Dane County, Wisconsin.
2. In 1972, the Department issued the City of Madison License #0306 for the Truax Landfill. In 1973, ownership of the landfill was transferred from the City of Madison to Dane County.
3. The facility is a non-approved facility under s. 289.01(24), Stats. Prior to 1990, the Department had not approved any plans for the landfill. In 1990, the Department assigned license number #3306 to the landfill and a facility identification number (FID #113183620).
4. The Department received a "*Plan Modification Request to Reduce Groundwater and Gas Probe Monitoring Requirements*" on August 20, 2007. The Plan Modification review fee was received September 10, 2007.
5. The Department received an "*Addendum to the [August 20, 2007] Plan Modification Request to Reduce Groundwater and Gas Probe Monitoring Requirements*" on October 9, 2007.
6. In drafting this plan modification request, the Department considered the following documents and information:
 - a) A report entitled "Year 2004 Annual O&M Progress Report Truax Landfill (License #3306), submitted by RMT, Inc. and dated January 20, 2005.
 - b) A February 5, 2002 submittal from RMT, Inc. entitled "Addendum to Plan Modification for Environmental Monitoring Dane County Truax Landfill (Lic. #03306)."
 - c) A January 30, 2002 submittal from RMT, Inc. entitled "Evaluation of Information on 3 abandoned Kaufmann Wells (113, 128, 140) at Truax Landfill."
 - d) A report entitled Environmental Monitoring Plan Modification; Dane County Truax Landfill: June, 2001, submitted by RMT, Inc. on behalf of Dane County, and received by the Department on July 6, 2001.
 - e) A report entitled "Dane County Truax Landfill Groundwater Monitoring for Pesticides", submitted by RMT, Inc. and dated August 9, 2000.
 - f) A conditional plan approval, dated November 18, 1999, for environmental monitoring for the Dane County Truax landfill #3306, sent by the Department to Mr. Mike Kirchner,

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Dane County Regional Airport.

- g) An April 29, 1999 conditional plan approval, sent by the Department to Mr. Mike Kirchner, Dane County Regional Airport, approving Construction Documentation for the Final Cover and Gas Extraction System for the Truax Landfill Lic. #3306
 - h) A November 26, 1997 grant of exemption issued by the Department to Mr. Thomas B. Sanford of Affiliated Commercial Companies, and to Mr. Mike Kirchner of Dane County, for construction of a portion of a golf course on the Dane County Truax landfill.
 - i) A June 2, 1993 report entitled "Truax Landfill Environmental Contamination Assessment Report" with subsequent addenda, submitted by Dames & Moore on behalf of Dane County and the City of Madison.
 - j) The Department's approval, correspondence, and plan files for the Dane County Truax landfill (Lic. #03306, FID #1133183620).
 - k) Groundwater quality and landfill gas monitoring information in Department files and the Groundwater Environmental Monitoring System (GEMS) database for the Dane County Truax landfill (Lic. #03306, FID #1133183620).
5. The Department considers the following facts to be significant in drafting this plan modification approval:
- a) The Truax landfill does not have an engineered liner or leachate collection system, and contains approximately 1,000,000 cubic yards of municipal solid waste.
 - b) In 1999, an improved landfill cap was completed on the landfill and improvements made to the landfill grades. The cap consists of a two-foot clay barrier layer and a two-foot rooting zone.
 - c) In the March 1994 Environmental Contamination Assessment (ECA) report, Dames & Moore, Inc. documented exceedances of chapter NR 140, Wis. Adm. Code enforcement and preventive action limits at monitoring wells near the Truax landfill. Analytical results for samples collected at the landfill between January 1, 1994, and November 2001, indicate that groundwater continues to exceed ch. NR 140, Wis. Adm. Code Preventive Action Limits at many on-site monitoring wells.
 - d) City of Madison Municipal Well UW-7 is located approximately ½ mile from the Truax landfill.
 - e) Part of the Bridges Golf Course has been constructed on top of the Truax landfill above the rooting zone and barrier layers of the landfill cap. The June 2001, Environmental Monitoring Plan Modification request prepared by RMT, Inc., lists the fertilizers and pesticides used on the Bridges Golf Course in years 2000 and 2001.
6. Based on information submitted by RMT, MW-113 was destroyed during landfill cap construction, and MW-128 and MW-140 were destroyed during construction of the golf course. It is the Department's belief that monitoring wells MW-113, MW-128, and MW-140 have not been properly abandoned.
7. The approval conditions listed below supersede all previous approval conditions of previous plan modification approvals for groundwater and gas probe monitoring the landfill.

8. The conditional plan approval set forth below is needed to continue to evaluate the impact of the Truax landfill on local groundwater, soil and air quality, and to assure compliance with the applicable portions and standards of chs. NR 500-538, 140 and 141, Wis. Adm. Code.

CONCLUSIONS OF LAW

The Department concludes that:

1. The Department has authority under s. 289.31(7), Stats. to impose monitoring requirements for a nonapproved facility, as defined under s. 289.01(24), Stats.
2. The Department has authority under ch. 289, Stats. to modify a plan approval if the modification would not inhibit compliance with applicable portions of NR 500-538, Wis. Adm. Code.
3. The Department has authority under ch. 289, Stats. to approve a plan of operation modification with special conditions if the conditions are needed to ensure compliance with chs. NR 500-538, Wis. Adm. Code.
4. The conditions of approval set forth below are needed to assure compliance with s. NR 140, Wis. Adm. Code, and applicable portions of NR 500-538, Wis. Adm. Code.
5. In accordance with the foregoing, the Department has authority under ch. 289, Stats. to issue the following conditional approval modifying a plan approval.

CONDITIONAL PLAN APPROVAL

The Department hereby approves the long-term monitoring plan for the Dane County Truax Landfill, subject to the following conditions and the applicable requirements of chapters NR 500-538, and chapters NR 140 and 141, Wis. Adm. Code:

~~Groundwater monitoring~~

~~1. Dane County shall monitor groundwater as detailed in Table 1, attached.~~

~~2. Dane County shall submit the data described in Table 1 to the Department as required in s. NR 500.26, including both hard copy and electronic copy of the data in a format suitable for incorporation into the Groundwater Environmental Monitoring System (GEMS).~~

~~3. Dane County shall properly abandon wells MW-6, MW-8, MW-9, and TG-1 per the requirements of NR141.25.~~

Monitoring of Gas Systems

4. Dane County shall monitor landfill gas, the gas extraction system, and gas condensate as detailed in Tables 2 and 3, attached.
5. Dane County shall submit the data described in Table 2 to the Department in hard copy along with the quarterly maintenance log for the blower/flare system, in addition to the electronic reporting required in Table 2. If the Department approves a written request, this additional hard

copy reporting can be stopped.

The Department reserves the right to require the submittal of additional information and to modify this approval at any time, if in the Department's opinion, modifications are necessary. Unless specifically noted, the conditions of this approval do not supersede or replace any previous conditions of approval for this facility.

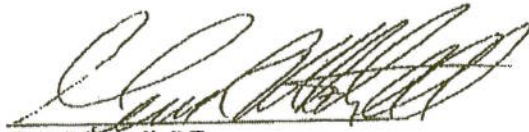
NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

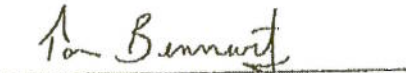
For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

Dated: OCT 15 2007

DEPARTMENT OF NATURAL RESOURCES
For the Secretary



Gene Mitchell, P.E.
Waste and Materials Management Team Supervisor
South Central Region



Tom Bennwitz, P.E.
Waste and Materials Management Engineer
South Central Region



James Kralick, P.G.
Waste and Materials Management Hydrogeologist
South Central Region

Attachments: Table 1: Groundwater Monitoring Schedule for Landfill Lic. #3306
Table 2: Gas Monitoring Schedule for Landfill Lic. #3306
Table 3: Gas Condensate Monitoring for Landfill Lic. #3306

TABLE 2: GAS MONITORING SCHEDULE FOR LICENSE #3306

Dane County Truax Landfill

October 15, 2007

Sampling Point (DNR ID)	Frequency	Parameters
Gas Probes: GP-1SR (502) GP-1D (503) GP-2S (505) GP-2D (507) GP-3S (509) GP-3D (511) GP-10 (523) GP-12 (527) GP-17 (537) GP-18 (539) GP-19W (541) GP-19E North (543) GP-19E South (551) GP-30 (555)	Once Monthly (reported electronically semi-annually March, September)	85547 Methane Gas, volume percent 85550 Oxygen Gas, volume percent 46389 Soil Gas Pressure
Gas Extraction Wells: (vertical system) N-1 (641) N-2 (643) N-3 (645) W-1 (611) W-2 (613) W-3 (617) W-4 (619) W-5 (621) W-6 (623) W-7 (627) W-8 (629) W-9 (631) W-10 (633) W-11 (635) W-12 (637) W-13 (639) W-14 (615) W-15 (625) S-1 (651) S-2 (653) S-3 (655) S-4 (657)	Monthly (reported electronically semi-annually March, September)	85547 Methane Gas, volume percent 85550 Oxygen Gas, volume percent 46385 Well-side pressure (inches water) 46388 Gas Temperature (Deg F) 46386 Flow rate (ft ³ /min) 46387 Valve setting (% open)

TABLE 2: GAS MONITORING SCHEDULE FOR LICENSE #3306

Dane County Truax Landfill

October 15, 2007

Gas Probes: GP-4 (513) GP-5 (515) GP-7 (519) GP-8R (522) GP-11 (525) GP-13 (529) GP-14 (531) GP-15 (533) GP-16 (535) GP-20 East (547) GP-20 West (549) GP-21 East (551) GP-21 West (553)	Gas Probes are to be left in place, but monitoring is suspended until further notice.	
Gas Extraction Valves (horizontal system): TR-1 (700) TR-2 (702) TR-3 (704) TR-4 (706) TR-5 (708) TR-6 (710) TR-8 (712) TR-9 (714) TR-10 (716) TR-11 (718) TR-12 (720) TR-13 (722)	Monthly (reported electronically semi-annually March, September)	85547 Methane Gas, volume percent 85550 Oxygen Gas, volume percent 46385 Well-side Pressure (inches water) 46387 Valve setting (% open)
Blower Inlets: Vertical system inlet (760) Horizontal system inlet (762)	Twice Monthly (reported electronically semi-annually March, September)	46385 Pressure (inches water) 46386 Flow rate (ft ³ /min)
Blower Outlet: Blower outlet (764)	Twice monthly: (reported electronically semi-annually March, September)	85547 Methane Gas, volume percent 85550 Oxygen Gas, volume percent 46385 Pressure (inches water) 46386 Flow rate (ft ³ /min)
Site Conditions: ID Number (900)	Recorded at each gas monitoring event (reported electronically semi-annually March, September)	00025 Barometric pressure 00011 Temperature, Air 46381 Pressure trend, barometric Ground conditions, report annually in the Operations and Maintenance report

TABLE 3: GAS CONDENSATE MONITORING FOR LICENSE #3306

Dane County Truax Landfill

October 15, 2007

Sampling Point (DNR ID)	Frequency	Parameters
Gas Condensate: Lift station (770)	Annually (September)	00310 BOD ₅ 00094 Field Conductivity @25 ° C 00400 Field pH 00410 Total Alkalinity 01027 Total Cadmium 00940 Chloride 01032 Total Chromium 00340 COD, Unfiltered 00951 Total Fluoride 00900 Total Hardness 74010 Total Iron 01051 Total Lead 01055 Total Manganese 71900 Total Mercury 00610 Total Ammonia Nitrogen 00625 Total Kjeldahl Nitrogen 00929 Total Sodium 00945 Total Sulfate 00150 Total Suspended Solids VOCs (EPA Method 8260B) Base Neutral/Acid Extractable compounds (EPA Method 8270)
	Monthly (Report annually)	Report gas condensate liquid level and operational status of the wet well lift station in the annual Operations and Maintenance report.