

SUBGROUP: Environmental Justice

Remediation and Redevelopment External Advisory Group



Meeting Minutes

Remediation and Redevelopment External Advisory Group – Environmental Justice

Tues. Dec. 5, 2023 | 4-5:30 p.m. | Milwaukee Water Commons | Adams Garden Park
1836 W. Fond Du Lac Ave. | Milwaukee, WI 53205

Action items/assignments for next meeting

- **DNR:** Put together ad hoc group opportunity to create a draft checklist to present to the EJ subgroup.
- **ALL:** Subscribe to the [RR EAG listserv](#) to receive information about future meeting dates, agendas, resources, and other EAG-relevant items. Zoom attendees are automatically added to the listserv; if you would like to opt out, please email Jodie.Thistle@wisconsin.gov.

Introductions

In-person attendees

- Young Kim, Subgroup Chairperson, Groundwork Milwaukee
- Cory Katzban, The Sigma Group
- Alyssa Sellwood, DNR
- Michael Prager, DNR
- Jodie Thistle, DNR
- Jody Irland, DNR
- Jennifer Borski, DNR
- Rob Hoverman, DNR
- Mark Rutkowski, Shannon & Wilson, Inc
- Molly Schmidt, DNR

Zoom attendees

- Mark Monaco
- Ashley Wagner, Cedar Corporation
- Roy Irving, Department of Health Services (DHS)
- Gregory Small, Minnesota Pollution Control Agency
- Candi Quandt, DNR
- Sarah Gruza, U.S. Environmental Protection Agency
- Krystal Velasco, DHS
- Donald Gallo, Donald Gallo Law
- Noah Saperstein, Red Cliff Environmental Department of the Red Cliff Band
- Heather Herr, GEI Consultants
- Gena Larson, DNR
- Nathan Kloczko, DHS

Review Takeaways from Last Meeting

- Meeting notes and materials from [Sept. 7 2023 meeting](#)
- Update from Chairperson Young Kim: Recently resigned as Exec. Director of Groundworks Milwaukee. Not yet determined if he will continue as chair of the EAG EJ Subgroup

NR 714 Project Work (small group case studies)

#1 Urban Gas Station

- Affected parties: Gas station owner and workers (Direct); Utility work/Department of Transportation (Indirect)
- When to notify: At time of property transaction or change in property conditions. If there was a health risk discovered.
- Type of notification: Letter to directly affected individuals.

#2 Urban Manufacturing Facility

SUBGROUP: Environmental Justice

Remediation and Redevelopment External Advisory Group



- Affected parties: Current and future facility owner, User/renter/workers in facility and neighboring impacted property owners (Direct); Municipality and surrounding neighborhoods (indirect).
- When to notify: As frequently as the neighbors would like may be more than a responsible party (RP) wants. Once there is an idea of what is happening. At milestones in the process. At time that the investigation moves off the facility property.
- How to notify: City mailer/postcard. Community meeting. Periodic mailing in affected area. Certified mail (not needed in all situations). Door to door. Newspaper can be useful (local). Door hanger. Talk with local community representatives to learn what works best for community. Use local trusted advisors to help relay message or letter from city or neighborhood association rather than letter from the state or the RP.
- Who: City, neighborhood associations, impacted properties and surrounding neighbors.

#3 Rural Salvage Yard:

- Affected Parties: Residents with impacted wells. Public users if lead impacts are in area of public use. Workers and families -take home lead (direct). Municipality and neighbors with private wells near contaminant plume (indirect).
- When: As determined by the community. Urgency driven on site specific factors.
- How: Engage community leadership to learn what works best for a community. Door to door, notice in communal areas, mailer, door hangers.
- Who: Local health departments, local leaders those directly affected (could be entire community depending on size and how area is used).

Discussion on Recommended Tools:

- DHS Factsheets for certain contaminants or situations (drinking water, vapor, soil)
- Laymen Term Factsheet (from local or state health or DNR) – what does this mean for me and my family.
 - Look at ITRC public engagement resource for examples
- Work with local elected representative to learn how to connect with community.
- DNR checklist for RPs with prompts to help tailor to situation.
 - Did you do ?
 - Is the investigation moving off-site?
 - How likely are direct impacts to neighbors?
 - Who is local trusted leader? Did you engage to inform? Did you engage to get recommendations?
 - Did you consider other languages?

Next meeting date

- Remediation and Redevelopment External Advisory Group (EAG) – Jan. 25, 2024
- RR EAG Subgroup Series – Feb. 28, 2023

Adjourn

SUBGROUP: Environmental Justice

Remediation and Redevelopment External Advisory Group



Instructions: Please discuss the questions attached for the case study assigned to your group. Record your answers and email to Jodie.Thistle@wisconsin.gov. Select one person to share a summary of your answers out loud at today's meeting.

Case Study #1: Urban gas station

A corner gas station began operating in the 1950s at a busy corner in downtown Green Bay. The surrounding area consists of commercial retail businesses with residential occupancies on the upper floors. In the late 1980s, the original tanks were replaced. During replacement, soil contamination was discovered. Soil and groundwater were tested. The plume was found to be limited to the gas station property. The cleanup proposed removal of the highest areas of soil contamination. However, some soil contamination is proposed to remain at the site and be covered with an asphalt cap to prevent further groundwater impacts. The groundwater has low-level contamination below enforcement standards. The property is still used as a gas station. The owner recently submitted a request for case closure to the DNR.

Case Study #2: Urban Manufacturing Facility

A small engine manufacturing facility operated from 1960-2010 on a 5-acre property in Madison that is surrounded by residential properties. A site investigation began in the 1990's, following removal of an old underground storage tank of fuel oil. In 1998, during the site investigation, another contaminant, trichloroethene (TCE) was detected in soil and groundwater at locations where the solvent had been used and stored at the facility. The site investigation determined that the fuel oil contamination was limited to a small area on the property; however, the TCE contamination was much more significant. The groundwater contaminant plume of TCE was found to extend for 1-mile off the property beneath the residential properties. All the homes are on city water, and there is no contamination to the City's water supply. In 2008, testing found TCE vapors in several homes closest to the facility. The vapors were coming off the shallow groundwater plume below the homes, and the concentrations were a risk to health. Mitigation of the vapor risk was required and systems to control vapors must continue to operate on these homes indefinitely. Remediation of the groundwater and soil was completed to the extent practicable; however, contamination remains in soil below the building and in the groundwater. The site was granted closure in 2010 and the manufacturing facility stopped operations shortly thereafter. The property is currently rented out for commercial storage, but is on the market for sale.

Case Study #3: Rural salvage yard

A long-time owner of a salvage yard located on the edge of a small town in central Wisconsin was looking to sell the property and conducted a site assessment to prepare the property for sale. High concentrations of lead were detected in soils on the property and a solvent, perchloroethene (PCE), was detected in groundwater. The initial testing determined that the lead impacts were mostly confined to the soil on the property, but there were high concentrations of lead in surface soils in an area outside the fence line of the salvage yard that is accessible to the public. The PCE groundwater plume extends off-site and is moving in the direction of residential home that within a half mile of the salvage yard and are on private wells. The owner is evaluating any immediate actions and will conduct additional sampling to understand the full extent of contamination in the groundwater.

This draft document was developed by the Remediation and Redevelopment External Advisory Group and members of the public, and do not necessarily represent the opinions or the position of the Wisconsin Department of Natural Resources or other state agencies.

SUBGROUP: Environmental Justice

Remediation and Redevelopment External Advisory Group



Who are the affected parties?

Direct	In-direct

At which point(s) would notification from a responsible party (entity that caused contamination) be most beneficial to affected parties? Why?

Basic milestones for cleanup			
Site discovery	Site investigation	Remedial action (cleanup) plan review by DNR	Site closure request. (Closure of a site is not required in WI)

Other:

Is there a specific site factors or characteristics that should trigger notification at a certain point?
(Example: size of site, risk such as exposure pathways, soil issues, drinking water issues, vapor issues, indirect effects of cleanup activities)

This draft document was developed by the Remediation and Redevelopment External Advisory Group and members of the public, and do not necessarily represent the opinions or the position of the Wisconsin Department of Natural Resources or other state agencies.

SUBGROUP: Environmental Justice

Remediation and Redevelopment External Advisory Group



Which notification type of notification(s) should be used in this case study? Why?

- Certified letter to individual(s) directly affected
- Email from DNR listserv
- Direct verbal communication (door-to-door)
- Poster in communal area
- Newspaper legal ad
- Community meeting
- Web page
- Area-wide mailing

Other:

Who should the responsible party notify in this case study?

- Site owner, if not responsible party
- Occupants or people who live in the building
- Parents of children in the building if a daycare or school setting
- Directly adjacent neighbors
- Foot traffic to the building (shoppers, delivery drivers)
- Workers in the building
- Greater community (suggested radius?)

Other:

This draft document was developed by the Remediation and Redevelopment External Advisory Group and members of the public, and do not necessarily represent the opinions or the position of the Wisconsin Department of Natural Resources or other state agencies.

ENVIRONMENTAL JUSTICE SUBGROUP

Remediation and Redevelopment External Advisory Group (RR EAG)

Dec. 5, 2023

4 - 5:30 p.m.

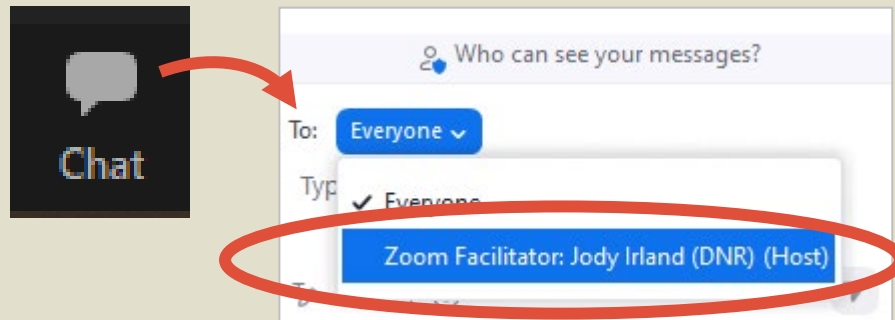
Milwaukee Water Commons
Adams Garden Park
1836 W. Fond Du Lac Ave.
Milwaukee, WI 53205



Zoom Logistics

Written Comments/Questions

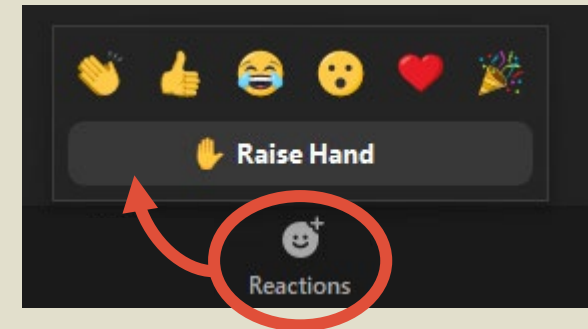
- Use **chat** and select Zoom facilitator in the “To” dropdown
- Remarks will be read out loud by facilitator



(direct message)

Verbal Comments/Questions

- **Raise hand** to request a turn to talk (* 9 on phone)
- Please unmute when your name is called (*6 on phone)



Agenda



Find agenda and meeting materials at
dnr.wisconsin.gov/topic/brownfields/rreag

Introductions

- Agenda repair
- Meeting logistics
- Future meeting dates

Review Takeaways from Last Meeting

NR 714 Project Work

- NR 714 project objective: Develop outreach best practice recommendations for during a cleanup
 - Introduce current mechanisms and practices
 - Outline short-term and long-term options
- Small group case study discussion
- Whole group discussion
 - Which are the most impactful outreach tools with the lightest lift for responsible parties?

Next Steps and Assignments

Future Meeting Dates

RR EAG - January 25, 2024

1 – 4 p.m.

Subgroup Series – Feb. 28

10 a.m. – 5:30 p.m.

Madison GEF 2

RR EAG - April 11, 2024

1 – 4 p.m.

Subgroup Series – May 29

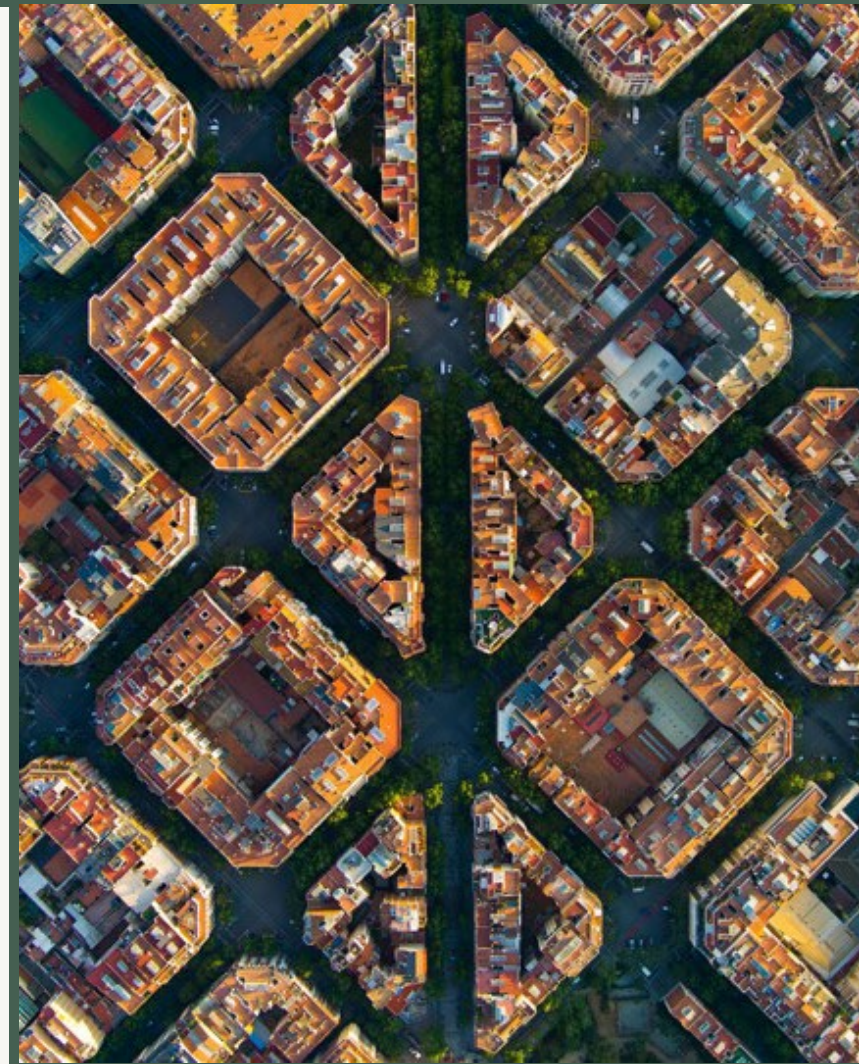
10 a.m. – 5:30 p.m.

Madison GEF 2

RR EAG - July 25, 2024 (tentative)

Introductions

- Name and affiliation
- How do you take care of yourself during this time of year?



Review Takeaways from Last Meeting

Summary

- Welcome Young!
- Introduced the mission of Groundwork Milwaukee
- Metcalf Park Case Study: Reviewed how historical actions created current inequities and create future EJ concerns
- Introduced two-way communication framework and provided a notification example

Deliverables and Milestones

Provide recommendations to other RR EAG Subgroups about how to cultivate meaningful community involvement in work planning, decision-making, and deliverable development

Provide resources/frameworks/expectations for other RR EAG subgroups to routinely evaluate, consider, and address EJ issues within their work plans.

Review Takeaways from Last Meeting

EJ Subgroup

EAG & RR Program:

Use the EJ subgroup as a sounding board on how to best integrate EJ practices within work products; ask questions or for recommendations

EJ Subgroup:

Bring EJ resources, exercises or ideas to EAG, other subgroups and RR Program for consideration in work plans

EAG & RR Program

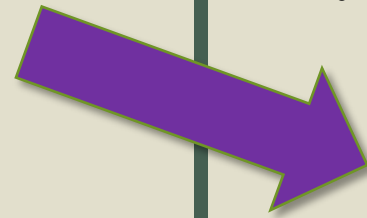
EJ SUBGROUP PRIORITIES

Ongoing

- Understanding the historical context that led to modern day inequities
- Continuing to develop best practices to build relationships and trust, connections

Project Areas

- Multiagency collaborations vs. siloed support
- Notification & participation needs vs. realities of code/authority
- Mechanisms for compensating community members to participate





NR 714 Notifications

Goal: Develop outreach best practice recommendations throughout a cleanup

Current Mechanisms and Practices

NR 714.07: Required public participation and notification activities for response actions for **responsible parties**

- Timing not specified
- Deliverable not specified
- NR 725 requires notification to certain directly affected parties just prior to closure
- NR 716.14 requires sample notification to certain parties

Working
toward



Identifying short-term needs:

Best practices recommendations to work within current regulatory authority

Discussing long-term options: TBD

NR 714 CASE STUDY

- Identify a note taker
- Review site
- Use **handout** to guide discussion
- Identify someone to share out with large group

Please email document and notes to Jodie.Thistle@wisconsin.gov

Who are the affected parties?

Direct	In-direct

At which point(s) would notification from a responsible party (entity that caused contamination) be most beneficial to affected parties? Why?

Basic milestones for cleanup			
Site discovery	Site investigation	Remedial action (cleanup) plan review by DNR	Site closure request. (Closure of a site is not required in WI)

Other:

Is there a specific site factors or characteristics that should trigger notification at a certain point?
(Example: size of site, risk such as exposure pathways, soil issues, drinking water issues, vapor issues, indirect effects of cleanup activities)

Which notification type of notification(s) should be used in this case study? Why?

- Certified letter to individual(s) directly affected
- Newspaper legal ad
- Email from DNR listserv
- Community meeting
- Direct verbal communication (door-to-door)
- Web page
- Poster in communal area
- Area-wide mailing

Other:

Who should the responsible party notify in this case study?

- Site owner, if not responsible party
- Occupants or people who live in the building
- Parents of children in the building if a daycare or school setting
- Directly adjacent neighbors
- Foot traffic to the building (shoppers, delivery drivers)
- Workers in the building
- Greater community (suggested radius?)

Other:

Recommended Tools

To encourage the most impactful communication by responsible parties (with the most realistic lift), what is the best tool that we can create using the data we have collected?

NEXT STEPS AND ASSIGNMENTS



CONNECT WITH US

Thank You!

DNR RR Program Contacts:

dnr.wi.gov/topic/Brownfields/Contact.html



/WIDNR



@WIDNR



@WI_DNR



/WIDNRTV



"WILD WISCONSIN:
OFF THE RECORD"