

SUBGROUP: Environmental Justice

Remediation and Redevelopment External Advisory Group



Meeting Notes

Remediation and Redevelopment External Advisory Group – Environmental Justice

Thursday, Sept. 7, 2023 | 4-5:30 p.m.

State Natural Resources Building (GEF 2) | Room G-27 | 101 S. Webster St. Madison, WI

Action items/assignments for next meeting

- **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 Jody.Irland@wisconsin.gov

Introductions

In-person attendees

- Young Kim, Subgroup Chairperson, Groundwork Milwaukee
- Nathan Kloczko, DHS
- Roy Irving, DHS
- Alyssa Sellwood, DNR
- Michael Prager, DNR
- Jodie Thistle, DNR
- Jody Irland, DNR

Zoom attendees

- Cristina Carvajal, Wisconsin EcoLatinos
- Jenna Soyer, DNR
- Mark Rutkowski, Shannon & Wilson, Inc
- Sarah Gruza, U.S. Environmental Protection Agency
- Jason Scott, Wisconsin Economic Development Corporation (WEDC)
- Jenny Coughlin, Alliant Energy
- Lisa Ashenbrenner Hunt, DNR
- Jason Lowery, DNR
- Noah Saperstein, Red Cliff Environmental Department of the Red Cliff Band
- Tom Kilian, Citizens for a Clean Wausau

Review Takeaways from Last Meeting

- [Meeting notes and materials from June 7, 2023, meeting](#)

Welcome to Young Kim, Environmental Justice Subgroup Chairperson!

- Post-industrial waterscapes in Milwaukee: resident engagement using flood vulnerability maps presentation and discussion
 - Climate inequity can be traced back to the Great Depression, when ‘red lining’ was formalized as a method for grading areas of municipalities to qualify for federal home loans. This practice was founded in a fear of immigrants and black or brown people of color—often grading those neighborhoods as ‘hazardous’--and perpetuated inequality in urban neighborhoods.
 - Maps display data to communicate spatial patterns related to climate for historical red lined areas in Milwaukee
 - The percent of impervious surfaces is very high and the percent of tree canopy is very low which results in heat issues for these communities.
 - Flooding potential highest in historically red lined and yellow lined communities
 - Ongoing question: How will contamination at Brownfields be mobilized during flooding?

EJ Subgroup Work Plan Approach

- Two-way communication and support

SUBGROUP: Environmental Justice

Remediation and Redevelopment External Advisory Group



- NR714 example and discussion
 - NR 714 includes requirements for notification and public participation at RR cleanup sites.
 - There are limits to the authority behind the code. Discussion included the following ideas:
 - Create a resource or recommended notification best practices for responsible parties (RP) who may be nervous about a negative perception or angry neighbors
 - Look into creating multi-agency partnerships to support best notification practices
 - Lack of language requirements for notifications

(Tabled for next meeting) Updates on Assessment Grants

- Example process and discussion

Next meeting date

- Remediation and Redevelopment External Advisory Group (EAG) – Oct. 12, 2023
- RR EAG Subgroup Series – Dec. 5, 2023

Adjourn

ENVIRONMENTAL JUSTICE SUBGROUP



**Remediation and
Redevelopment External
Advisory Group (RR EAG)**
Sept. 7, 2023
4 - 5:30 p.m.

State Natural Resources
Building (GEF 2) | Room G-27
101 S. Webster St.
Madison, WI

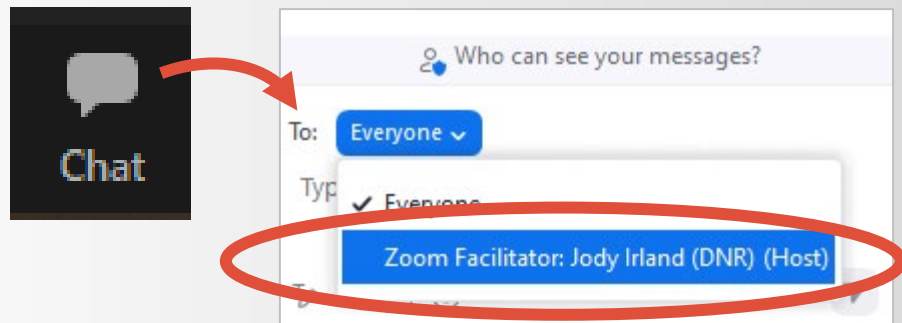


ZOOM MEETING LOGISTICS

All attendees are muted

Written Comments/Questions

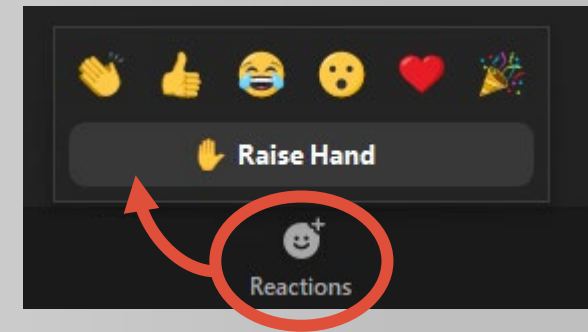
- Use **chat** and select Zoom facilitator in the “To” dropdown
- Remarks will be read out loud by facilitator



(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 under “meetings”

- Introductions
- Review Takeaways from Last Meeting
- Welcome to Young Kim, Environmental Justice (EJ) Subgroup Chairperson
- EJ Subgroup Work Plan Approach
- Updates on Assessment Grants
- Next Steps and Assignments
- Adjourn

FUTURE MEETING DATES

Sign up
to receive notifications for RR EAG
and subgroups
dnr.wi.gov/topic/brownfields/rreag

RR EAG - October 12, 2023

- 9 a.m. – noon

Subgroup Series – Dec. 5, 2023

- 10 a.m. – 5:30 p.m.
- Milwaukee DNR Service Center

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
- What is your least favorite household chore?



REVIEW TAKEAWAYS FROM LAST MEETING

- Review and reflect on a year of work
- Case Study: Old North Milwaukee

Past
Reflect.

What factors led to or did not prevent this situation from happening?

Current
Identify.

Are current policies or procedures creating new issues?

Future
Prevent.

What policies or procedures need to be created to prevent this from happening again?

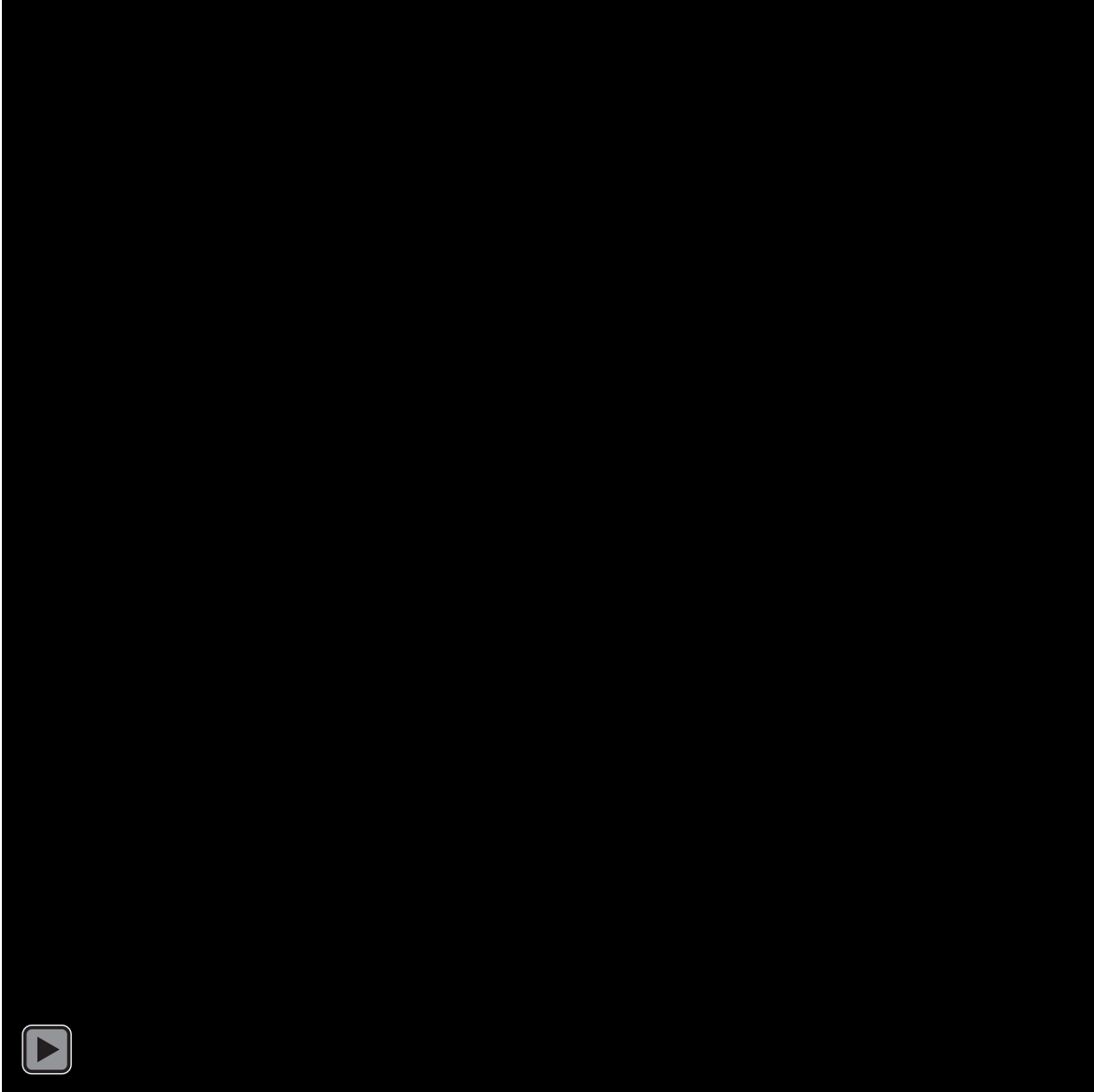
REVIEW TAKEAWAYS FROM LAST MEETING

Case Study: Old North Milwaukee – Discussion topics

- Helpful to understand the historical context that led to modern day inequities
- Multiagency collaborations vs. siloed support
- Notification & participation needs vs. realities of code/authority
- Mechanisms for compensating community members to participate
- Continue to develop best practices to build relationships and trust, connections



https://climate.nasa.gov/climate_resources/300/video-climate-spiral-1880-2022/



Official Mission Statement:

The mission of Groundwork Milwaukee is to bring about the sustained regeneration, improvement and management of the physical environment by developing community-based partnerships that empower people, businesses and organizations to promote environmental, economic and social well-being.

Unofficial Mission Statement:

The mission of Groundwork Milwaukee is to empower the people and communities within Milwaukee to build environmentally just neighborhoods and systems.





Milwaukee Grows Garden Network



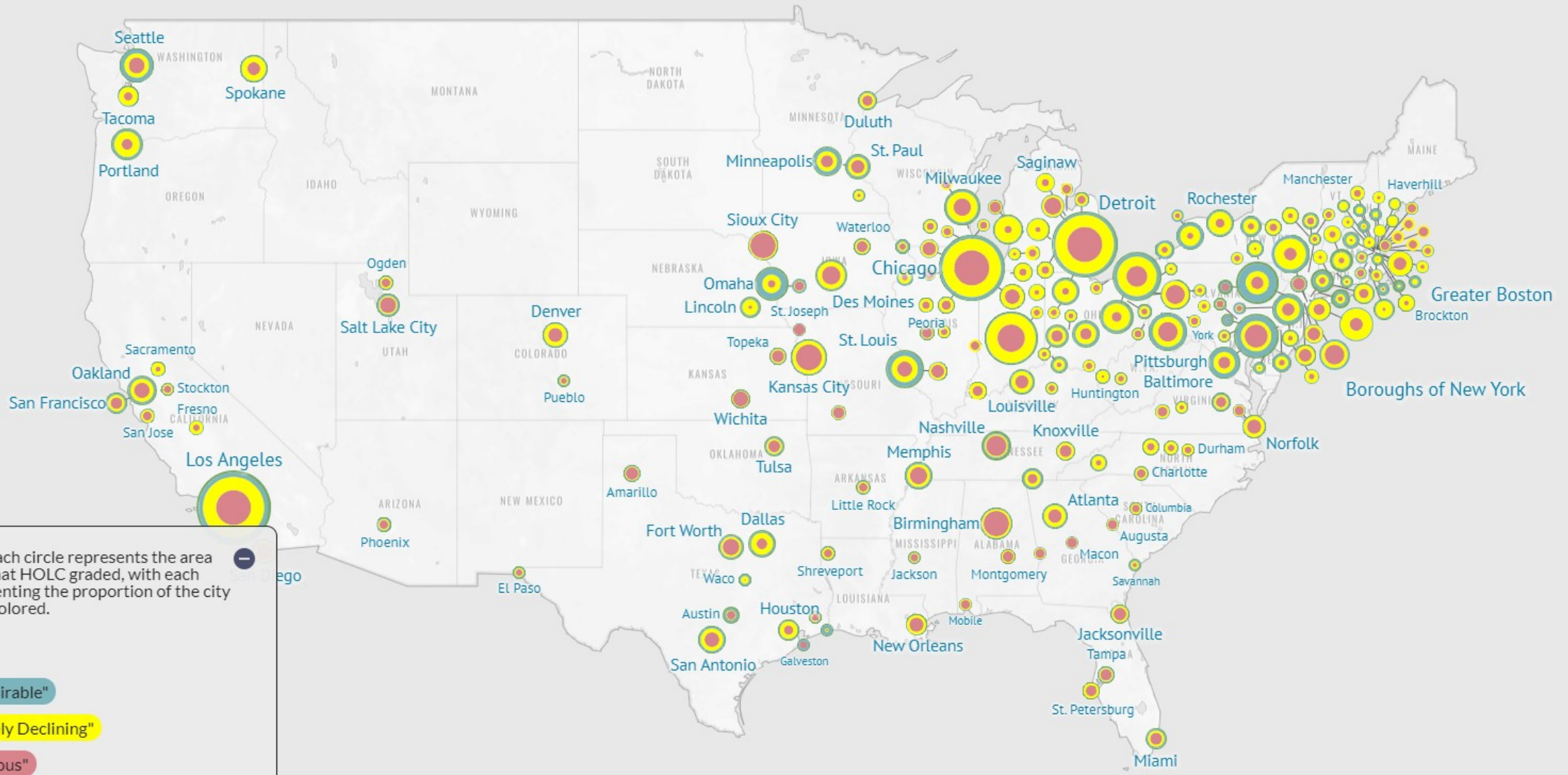
Ground Corps

18 - 30 year olds

Prioritize People
Who Live in our
Primary Service Area

Green Infrastructure
& Landscape
Maintenance/
Construction

Double Bottom Line
Social Enterprise



The size of each circle represents the area in that city that HOLC graded, with each color representing the proportion of the city graded and colored.

A "Best"



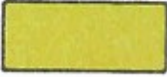

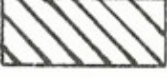


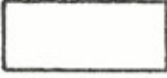
B "Still Desirable"

C "Definitely Declining"

D "Hazardous"

RESIDENTIAL SECURITY MAP

LEGEND

-  A FIRST GRADE
-  B SECOND GRADE
-  C THIRD GRADE
-  D FOURTH GRADE
-  SPARSELY BUILT UP
(COLOR INDICATES GRADE)
-  INDUSTRIAL
-  COMMERCIAL (IMPORTANT RETAIL AND WHOLESALE AREAS)
-  UNDEVELOPED OR FARMLAND
(NO PROBABLE CHANGE WITHIN 5 YEARS)

PREPARED BY

DIVISION OF RESEARCH AND STATISTICS

WITH THE CO-OPERATION OF THE

APPRAISAL DEPARTMENT

HOME OWNERS' LOAN CORPORATION

APRIL 15, 1938

Milwaukee Co., WI



Areas by Grade

Area	Grade
8%	A "Best"
19%	B "Still Desirable"
49%	C "Definitely Declining"
24%	D "Hazardous"

Demographics

587,472	Total Population (1940)
14.3%	Foreign-born white

Area Descriptions

click to select

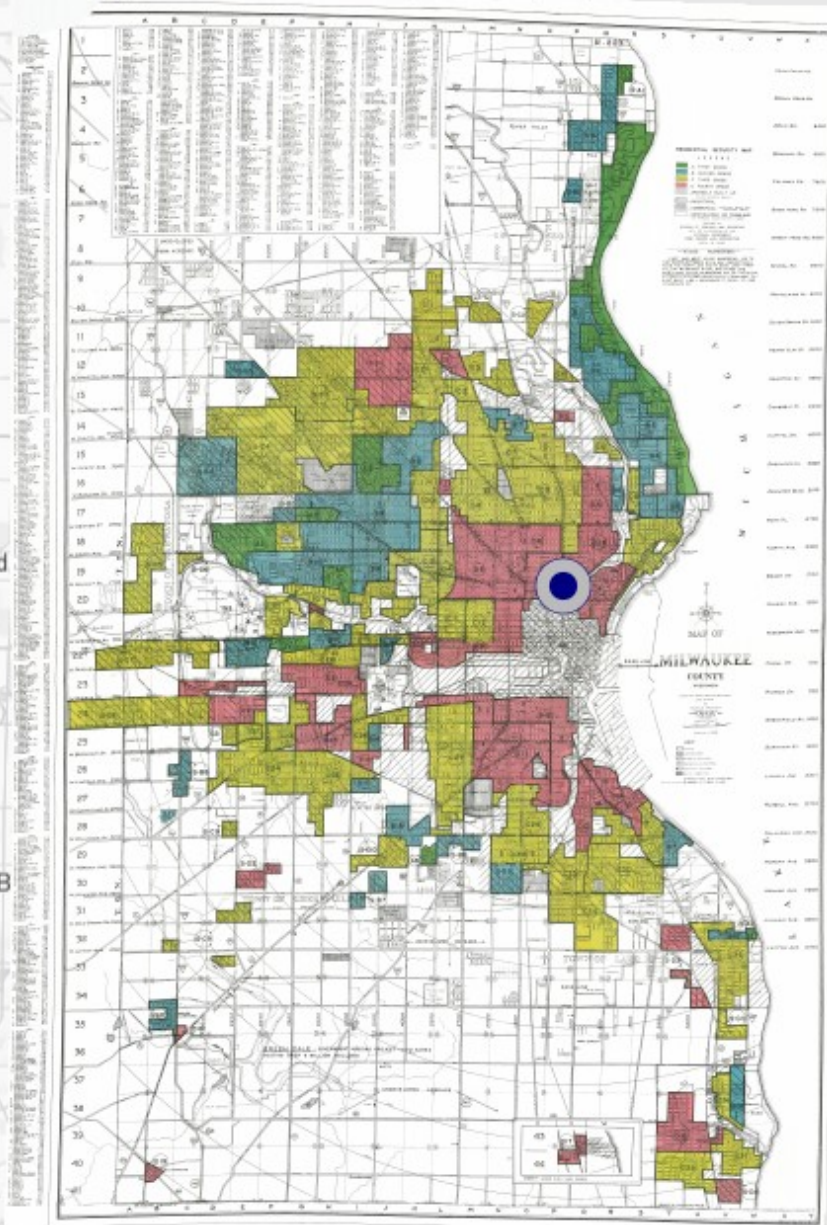
Brookfield

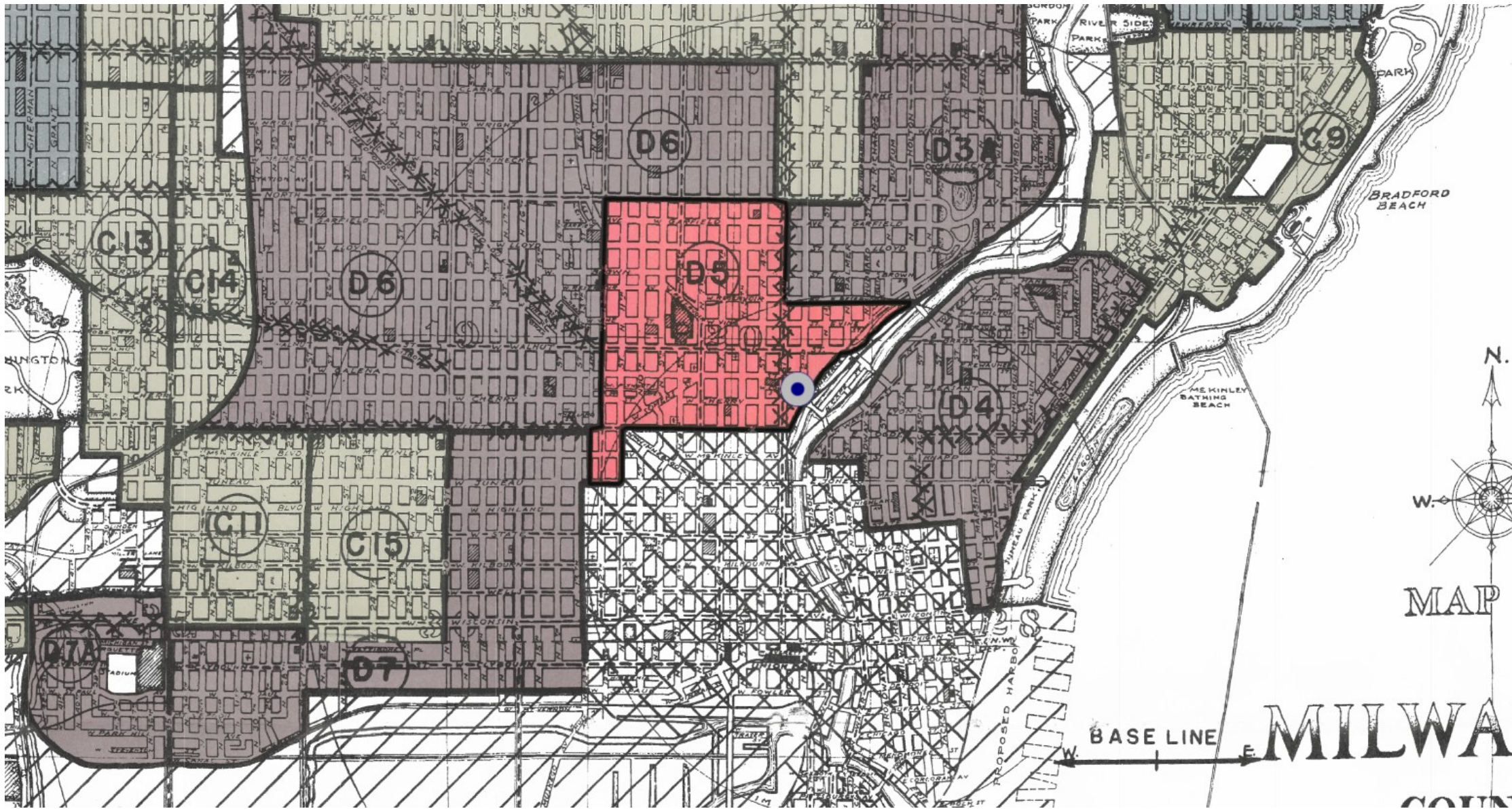
town of
Brookfield

New B

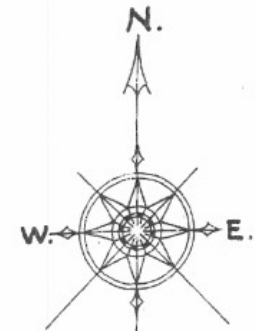
Muskego

Milwaukee





M



MAP OF

MILWAUKEE

COUNTY

AREA DESCRIPTION - SECURITY MAP OF MILWAUKEE AREA

1. AREA CHARACTERISTICS:

- a. Description of Terrain. Level with a pitch north.
- b. Favorable Influences. All utilities — schools — transportation
- c. Detrimental Influences. Negro and slum area — condemnation proceedings going on.
- d. Percentage of land improved 90 %; e. Trend of desirability next 10-15 yrs. Down

2. INHABITANTS: Laborers and

- a. Occupation Water-do-wells; b. Estimated annual family income \$ -
- c. Foreign-born families 25 %; Russian Jews predominating; d. Negro Yes 65 %
- e. Infiltration of Russian Jews; f. Relief families Many
- g. Population is increasing Yes; decreasing -; static -

3. BUILDINGS:

	PREDOMINATING 60 %	OTHER TYPE 30 %	OTHER TYPE 10 %
a. Type	Singles, 4 rm & up	1 - 4 units	Apts. - 6-15 units
b. Construction	Frame	Frame	Brick
c. Average Age	35-45 Years	30-35 Years	30 Years
d. Repair	Poor	Fair	Fair
e. Occupancy	97 %	97 %	97 %
f. Home ownership	10 %	10 %	5 %
g. Constructed past yr.	None	None	None
i. 1929 Price range	\$3000-6100 100%	\$4000-8000 100%	\$15,000-25,000 100%
i. 1936 Price range	\$1800-4300 74% 60-	\$1500-6100 80% 80-	\$8500-20,000 43% 80-
j. 37-38 Price range	\$1800-4300 74% 60-	\$1500-6100 80% 80-	\$8500-20,000 43% 80-
k. Sales demand	None	None	None
l. Activity	None	None	None
m. 1929 Rent range	\$20 - 45 100%	\$25 - 45 100%	\$ - 100%
n. 1936 Rent range	\$15 - 35 75% 75-	\$15 - 35 87% 80-	\$ - 43% 80-
o. 37-38 Rent range	\$15 - 35 75% 75-	\$15 - 35 87% 80-	\$ - 43% 80-
p. Rental demand	\$20 - 30	\$20 - 30	\$25 - 40
q. Activity	Good	Good	-

4. AVAILABILITY OF MORTGAGE FUNDS: a. Home purchase None; b. Home building None

5. CLARIFYING REMARKS: This is the Negro and slum area of Milwaukee. It is old and very ragged. Besides the colored people, a large number of lower type Jews are moving into the section. This section housed Milwaukee's wealthiest families seventy years ago.

AREA DESCRIPTION - SECURITY MAP OF MILWAUKEE AREA

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2. INHABITANTS: Laborers and
- a. Occupation Water-do-wells; b. Estimated annual family income \$ -
- c. Foreign-born families 25 %; Russian Jews predominating; d. Negro Yes 65 %
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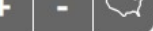
5. CLARIFYING REMARKS: This is the Negro and slum area of Milwaukee. It is old and very ragged. Besides the colored people, a large number of lower type Jews are moving into the section. This section housed Milwaukee's wealthiest families seventy years ago.

Show Full

Show Scan

map options

Search for city



5. Clarifying Remarks

This is the Negro and slum area of Milwaukee. It is old and very ragged. Besides the colored people, a large number of lower type Jews are moving into the section. This section housed Milwaukee's wealthiest families seventy years ago.

2. Inhabitants

e. Infiltration of Russian Jews

c. Foreign-born families 25%; Russian Jews predominating

d. Negro Yes%; 65predominating

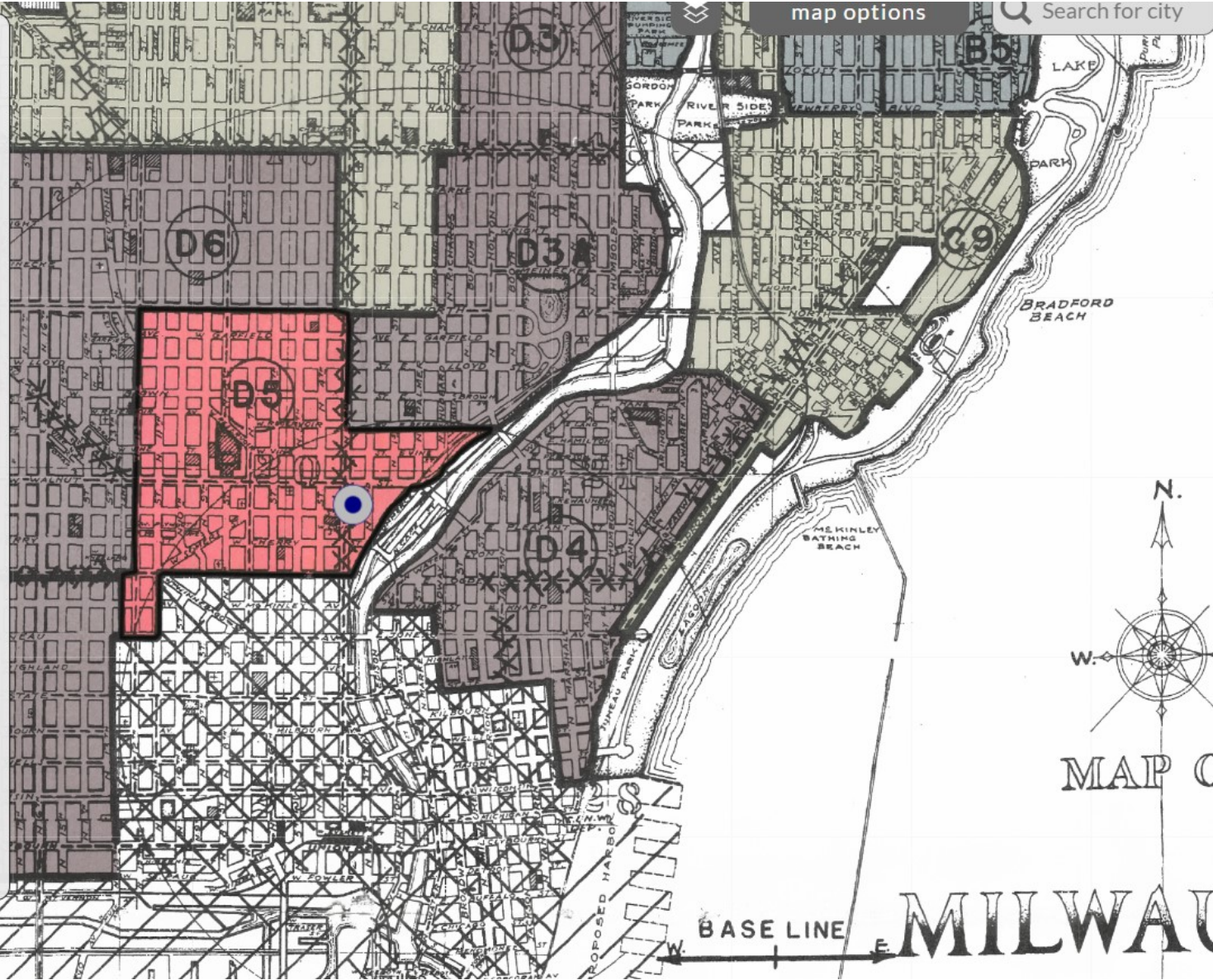
f. Relief families Many

a. Occupation Laborers and Ne'er-do-wells

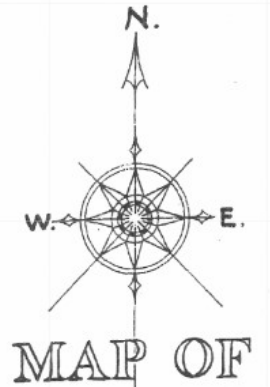
b. Estimated Annual Family Income -

1. Area Characteristics

a. Description of Terrain Level with a pitch north.



M



BASE LINE

MILWAUKEE

5. Clarifying Remarks

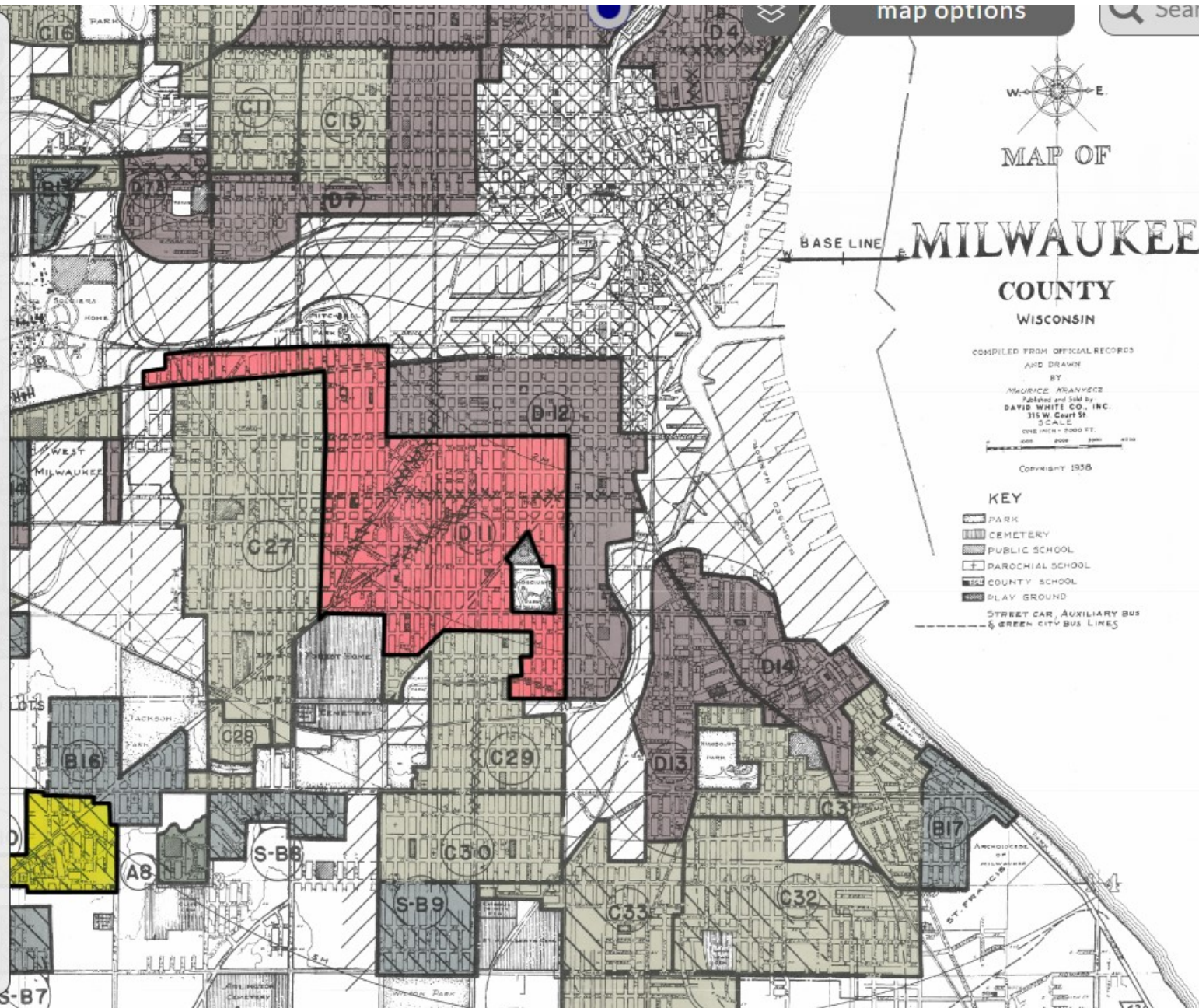
This is Milwaukee's heaviest Polish concentration. Throughout the area there are many so-called "Polish Flats" wherein basements have been converted into one and two and sometimes three small apartments. Around Kosciuszko Park there are some good single and two-family houses. That portion north of Lincoln Avenue between Sixth and Sixteenth is the older part of the area. Mitchell Street has the largest business section in the southern part of Milwaukee. Many of the institutions are either owned or managed by Polish or cater to Polish trade. Mexicans are encroaching in the northeast.

2. Inhabitants

e. Infiltration of Mexicans

c. Foreign-born families 40%; Polish predominating

d. Negro 0%; *empty* predominating



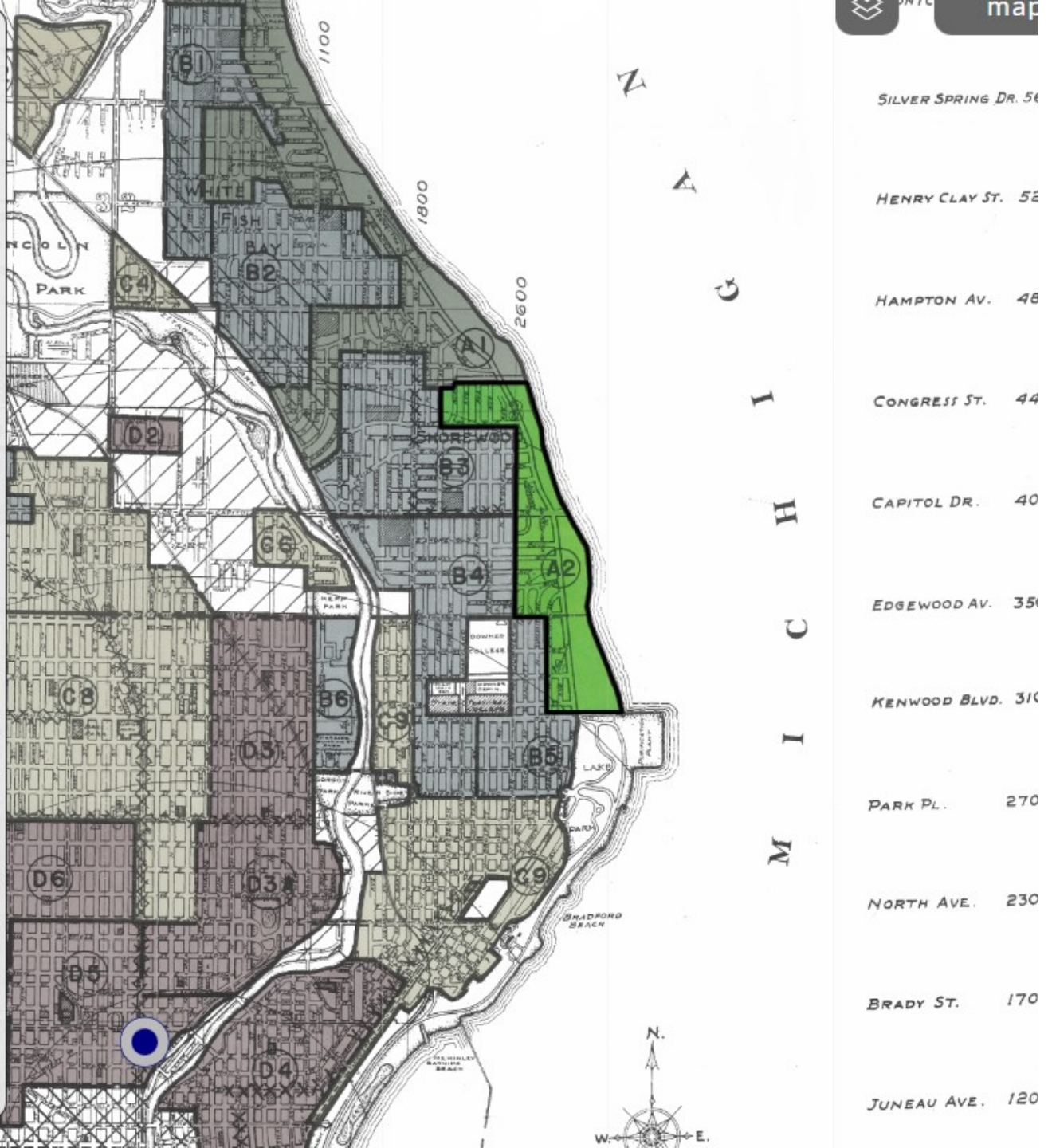
5. Clarifying Remarks

This area embraces the southern part of Milwaukee's "gold coast" and probably it has reached its peak. The southern portion from Edgewood to Kenwood is the west side of Lake Drive due to traffic conditions and shortness of lots. The people who own homes here maintain the homes, lawns and shrubs in excellent condition. Property is strongly held and sales few.

2. Inhabitants

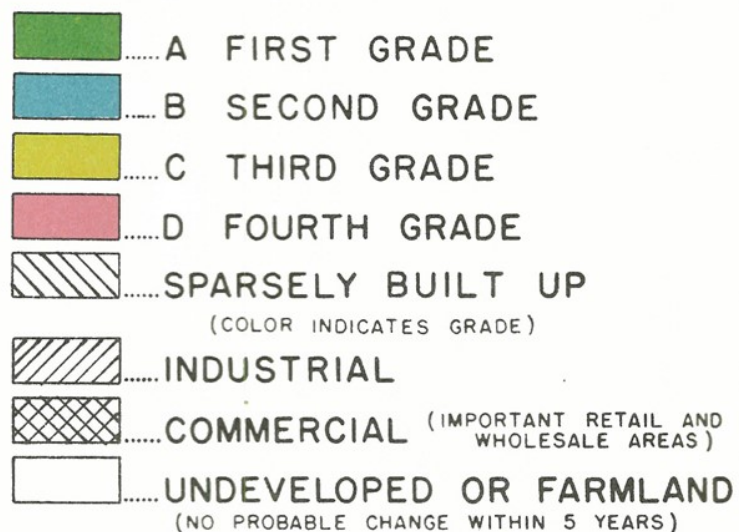
- e. Infiltration of above
- c. Foreign-born families *empty*%; Few predominating
- d. Negro None%; *empty* predominating
- f. Relief families Few, if any
- a. Occupation Business & professional
- b. Estimated Annual Family Income 12 - 25,000

1. Area Characteristics



RESIDENTIAL SECURITY MAP

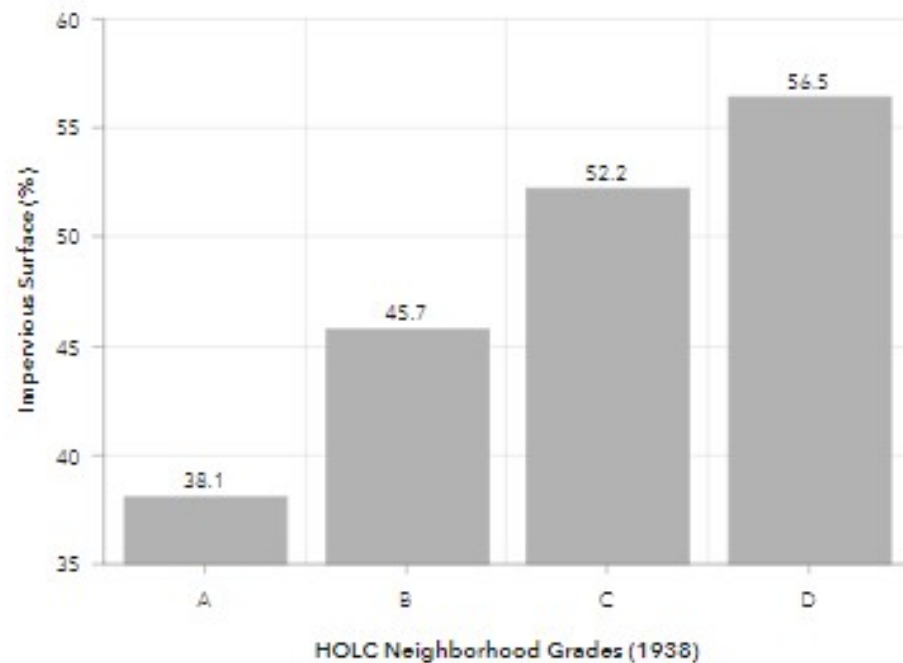
LEGEND



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APPRAISAL DEPARTMENT
HOME OWNERS' LOAN CORPORATION
APRIL 15, 1938

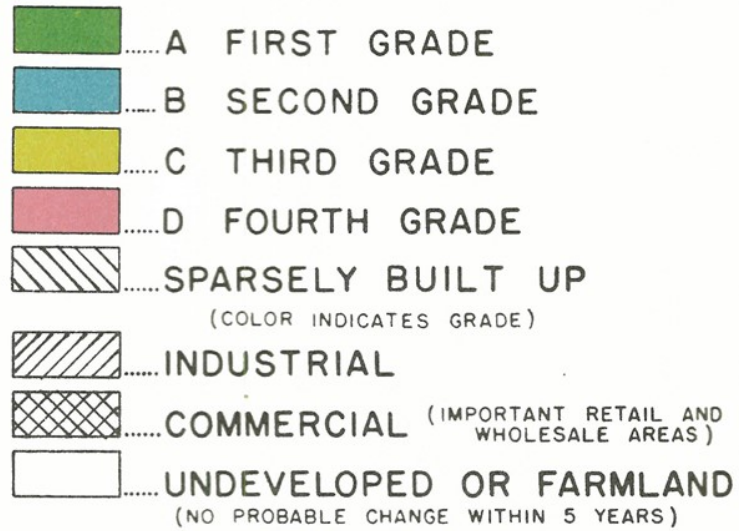


Mean Impervious Surface (%) (NLCD 2016)



RESIDENTIAL SECURITY MAP

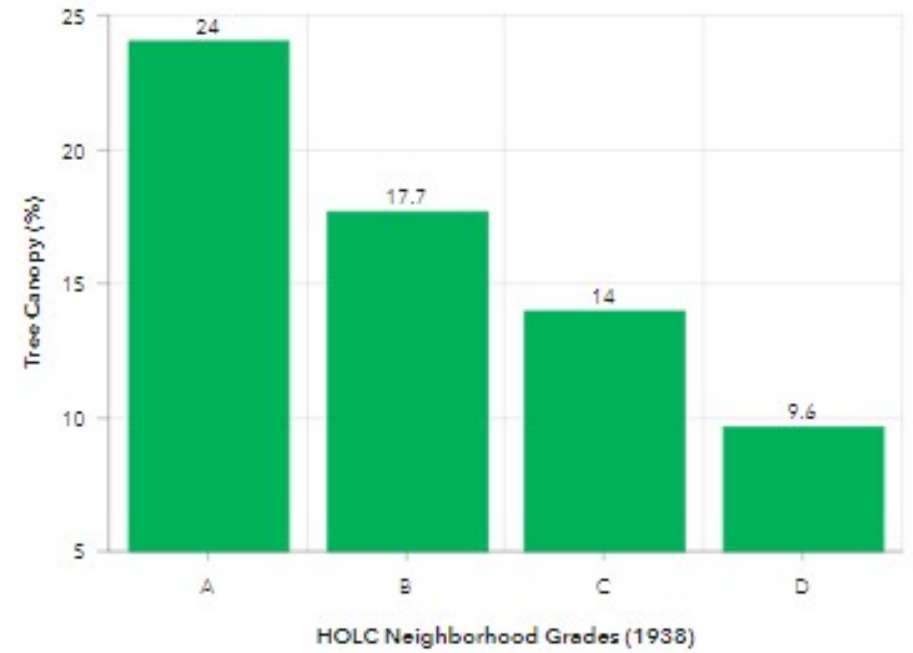
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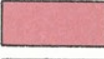
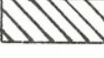


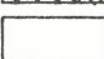


Mean Tree Canopy (%) (NLCD 2016)



RESIDENTIAL SECURITY MAP

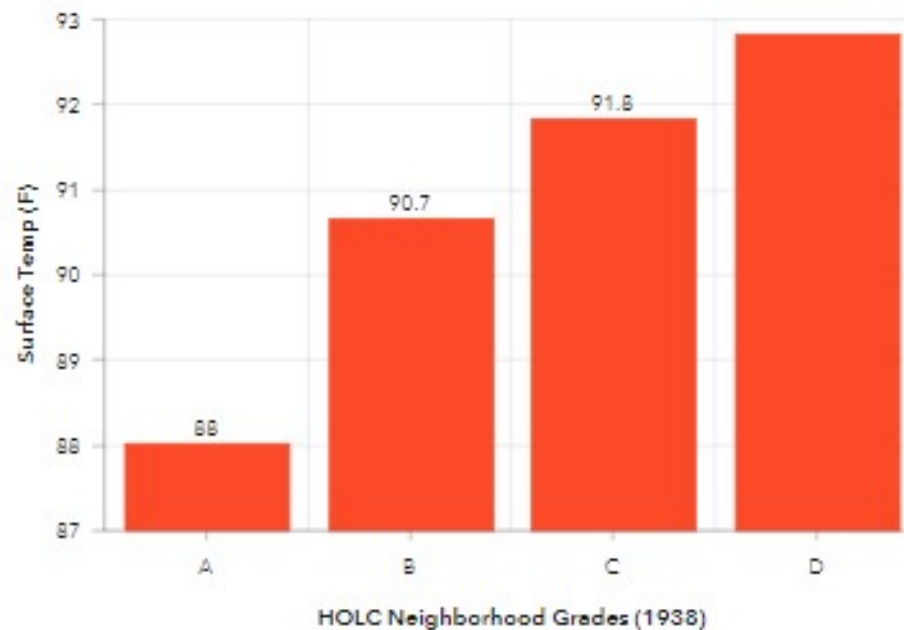
LEGEND

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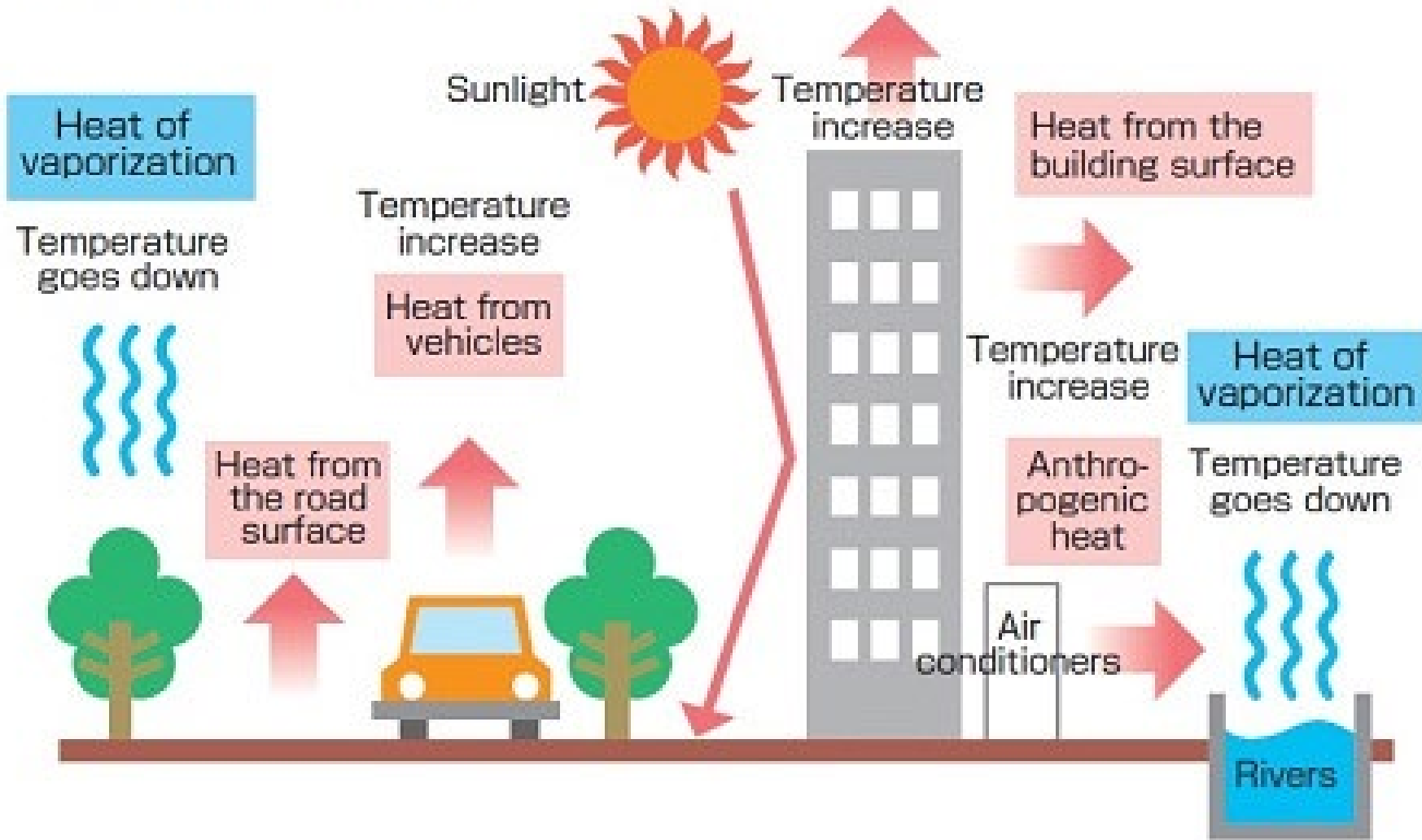
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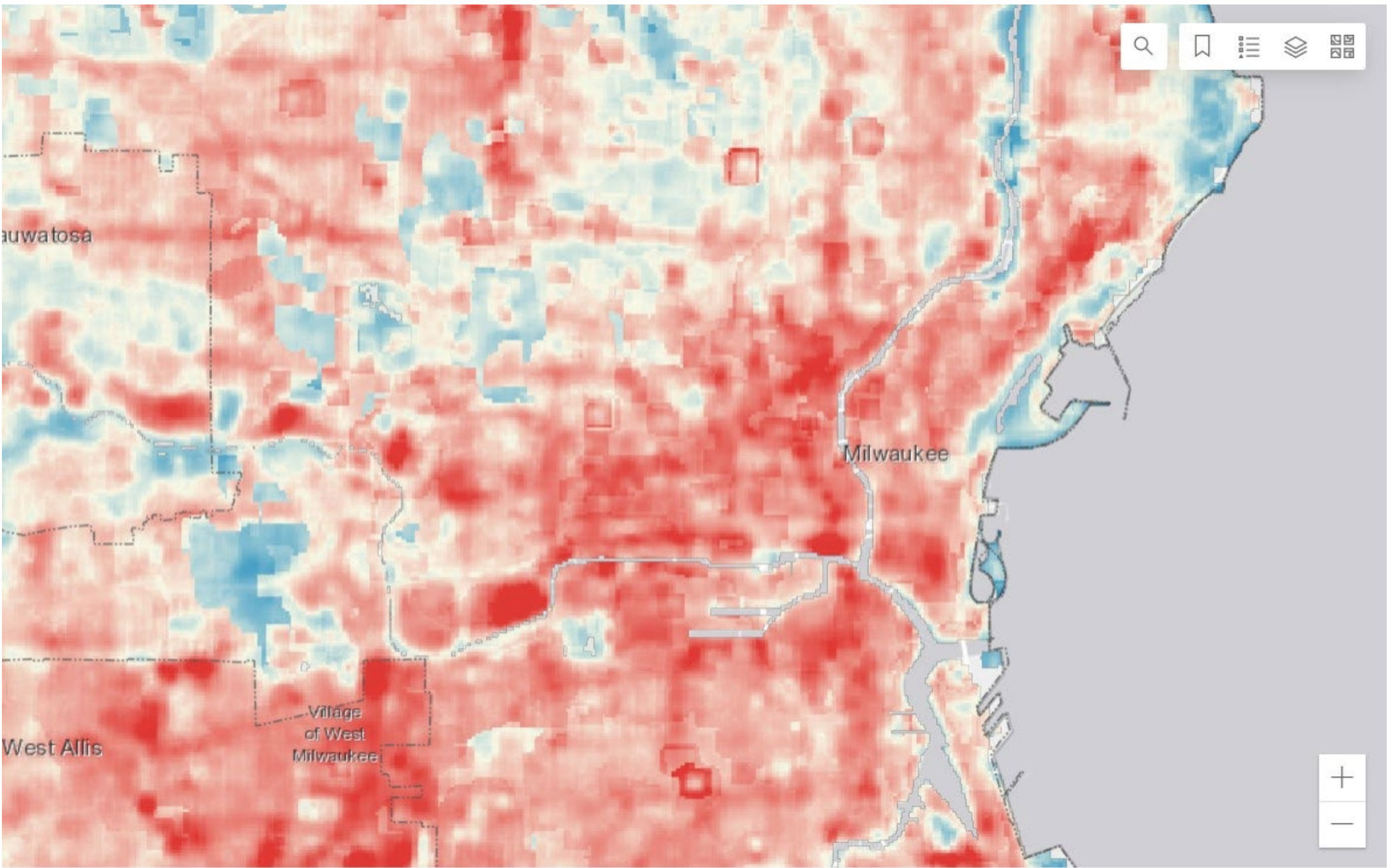


Mean Surface Temperature (F) (LANDSAT 8, 2015-2020, June-Aug., <20% Cloud Cover)



● How the Heat Island Phenomenon occurs





auwatosa

Milwaukee

West Allis

Village
of West
Milwaukee

Search, bookmark, list, layers, and grid icons.

Zoom in (+) and zoom out (-) controls.

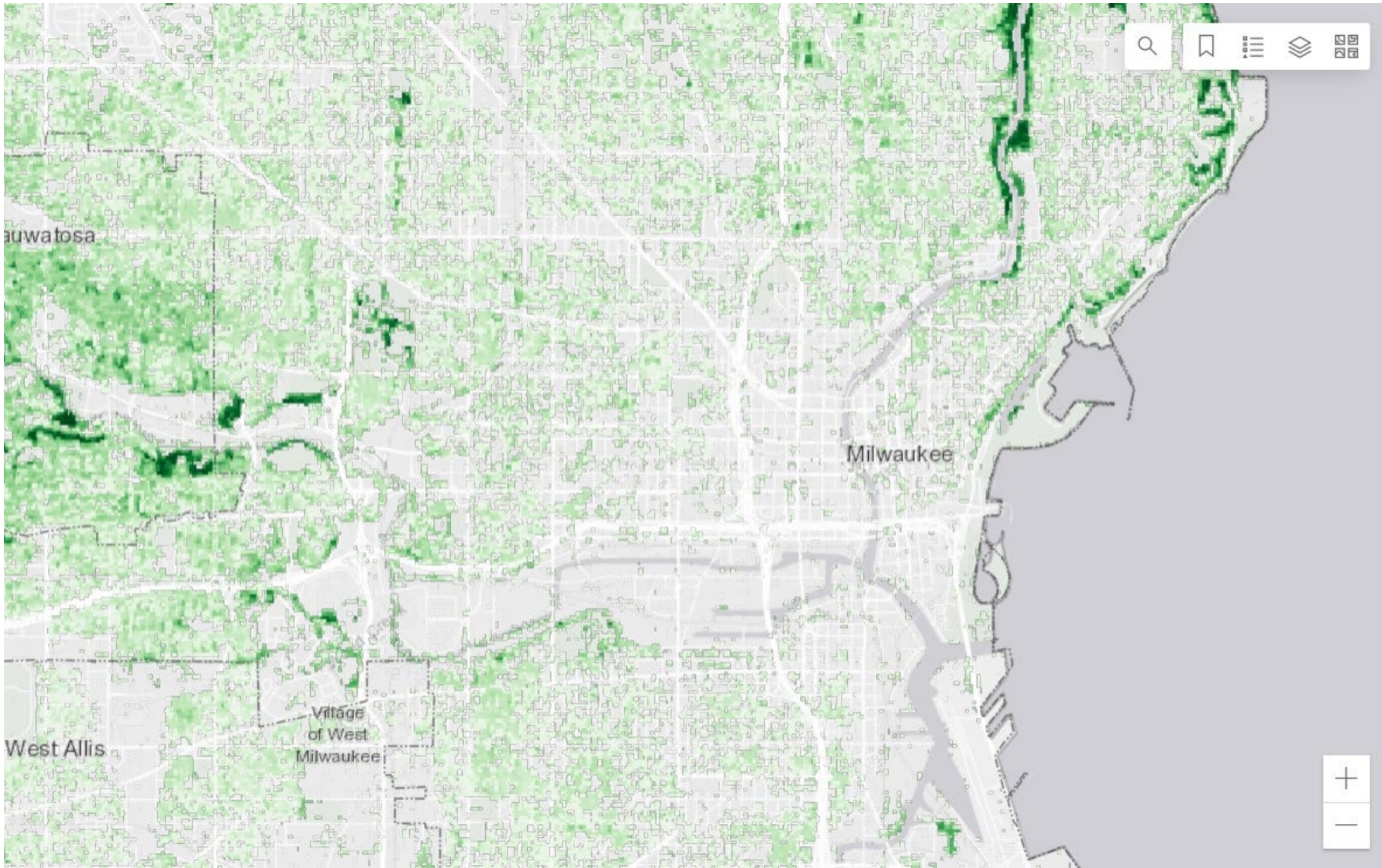


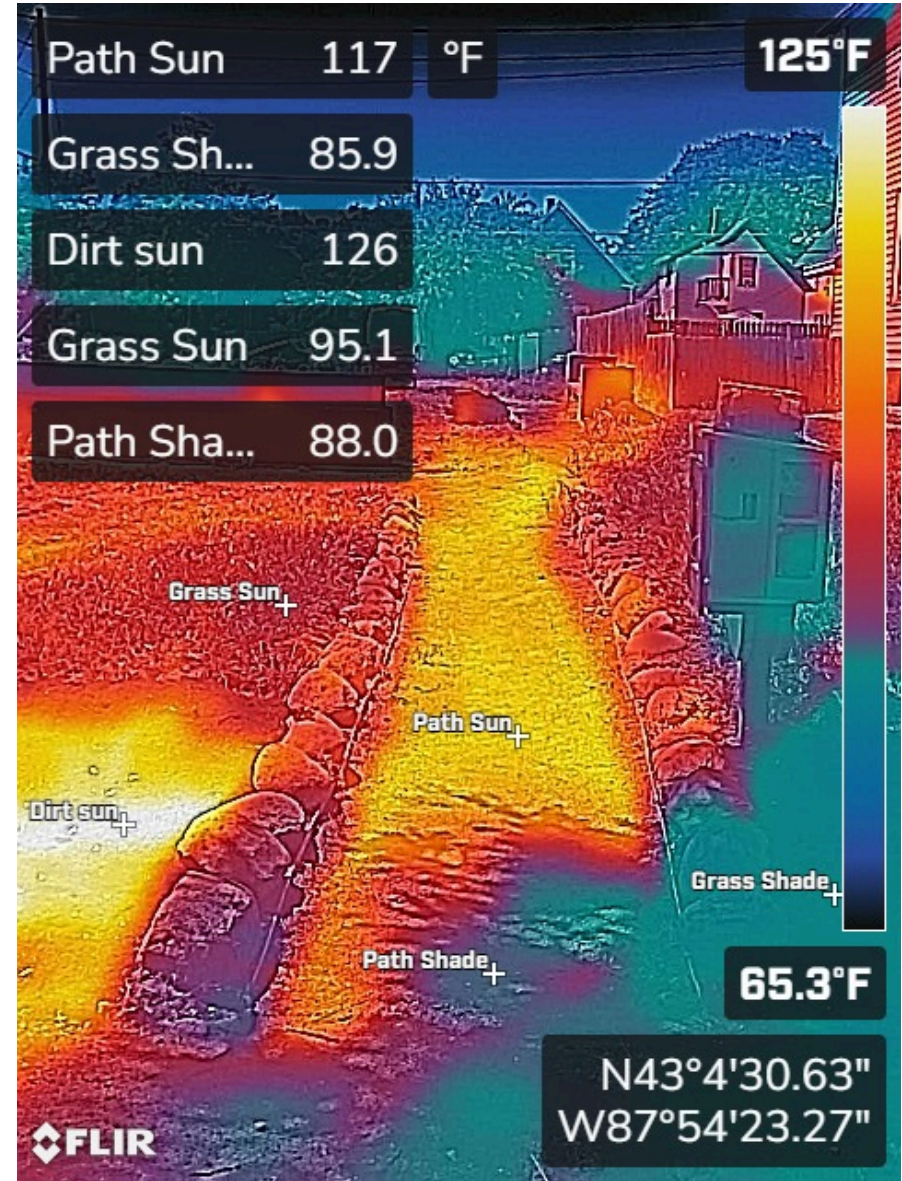
Wauwatosa

Milwaukee

West Allis

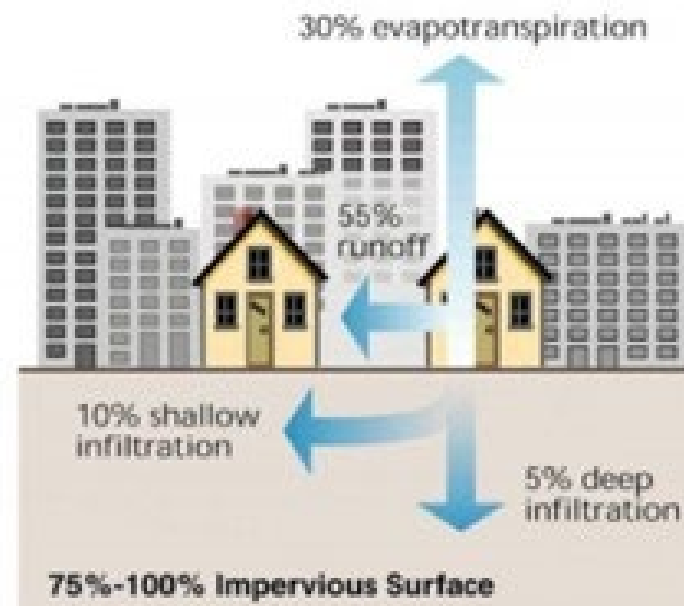
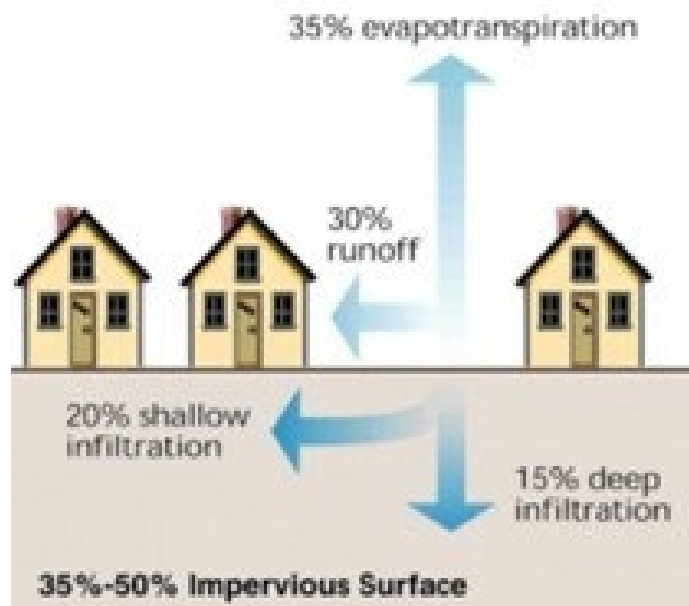
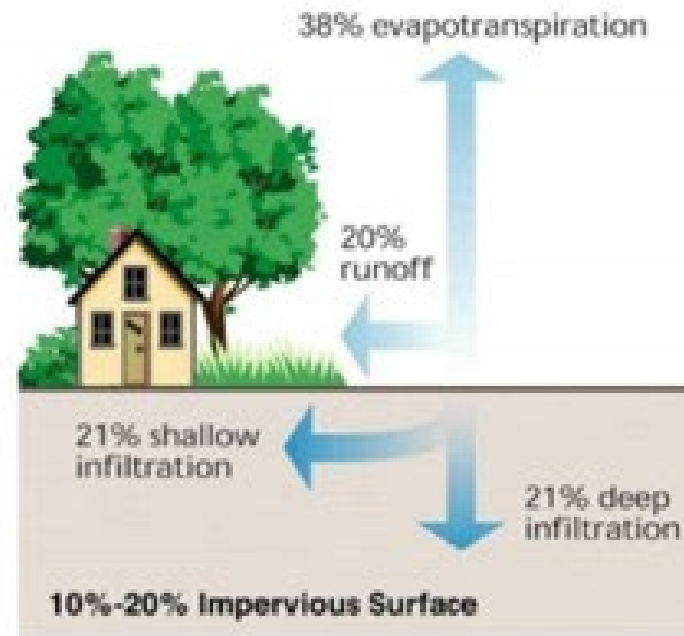
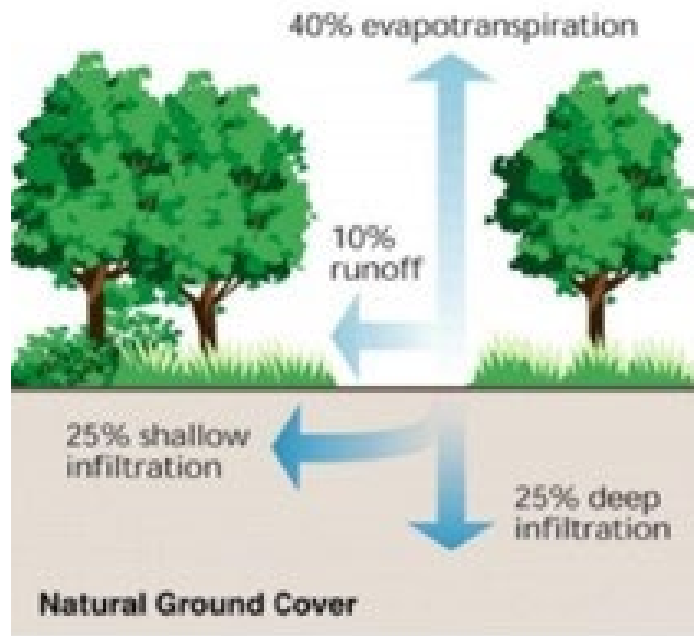
Village of West Milwaukee

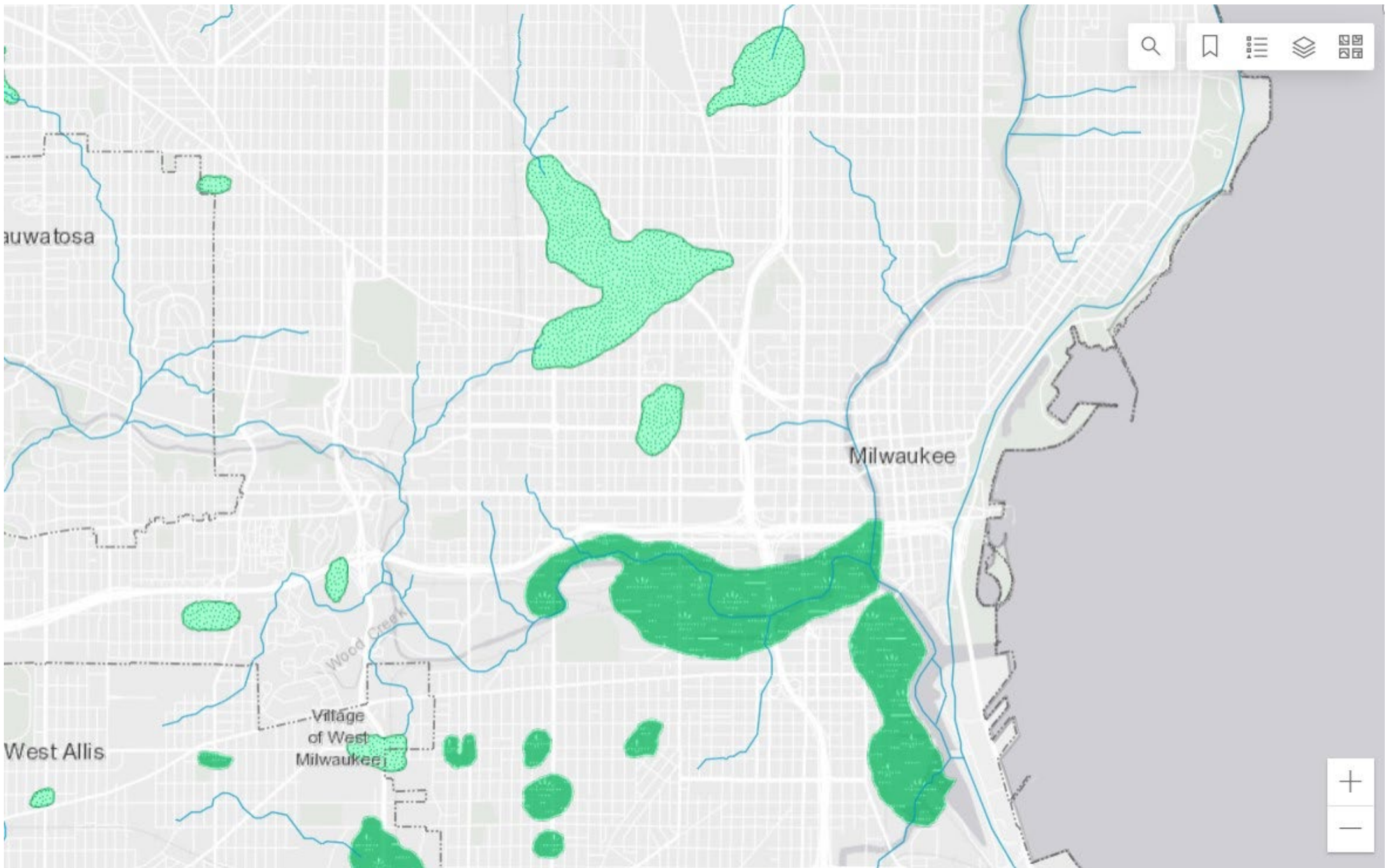




“Promising Harambee” - 3123 North Buffum Street









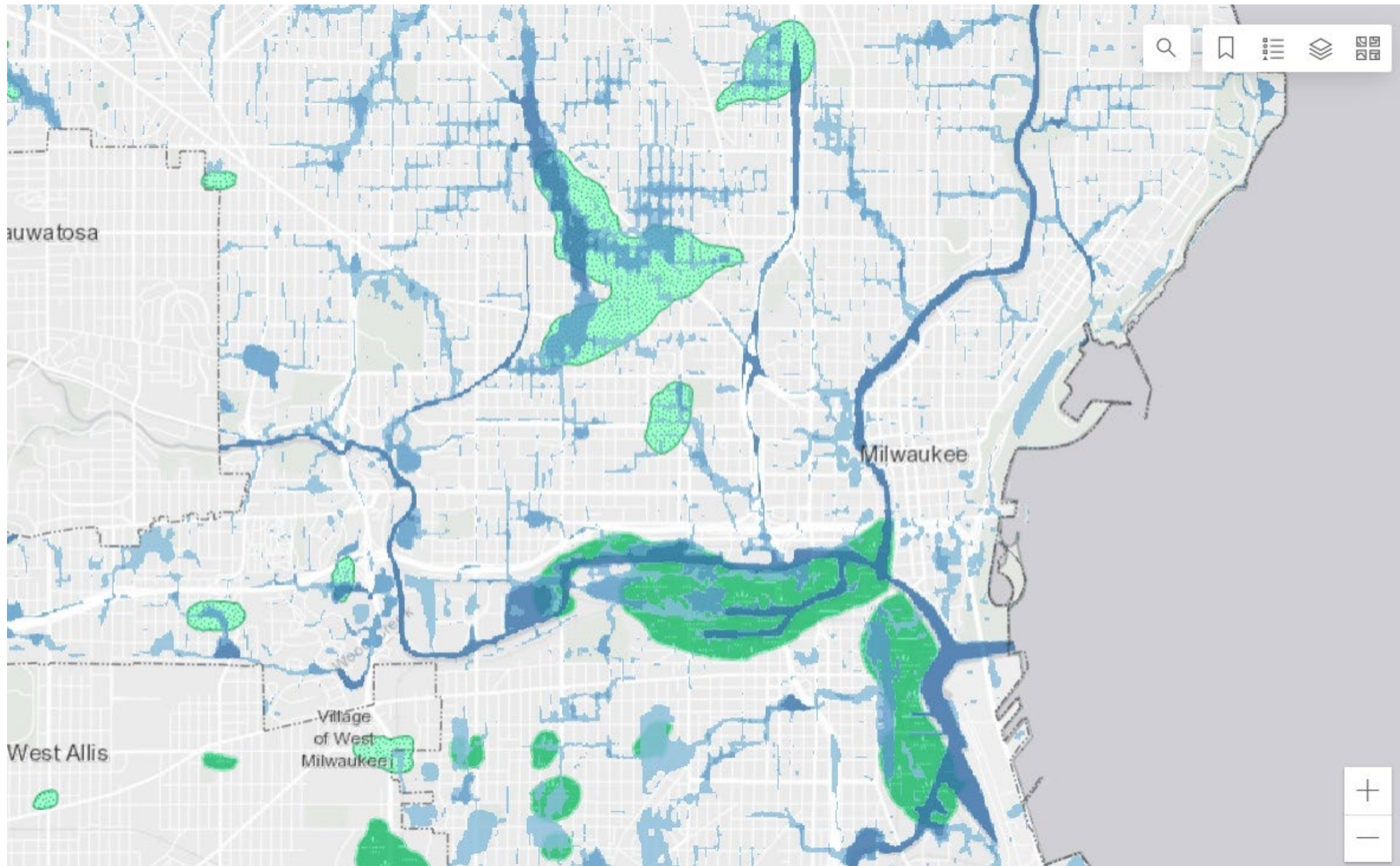
Wauwatosa

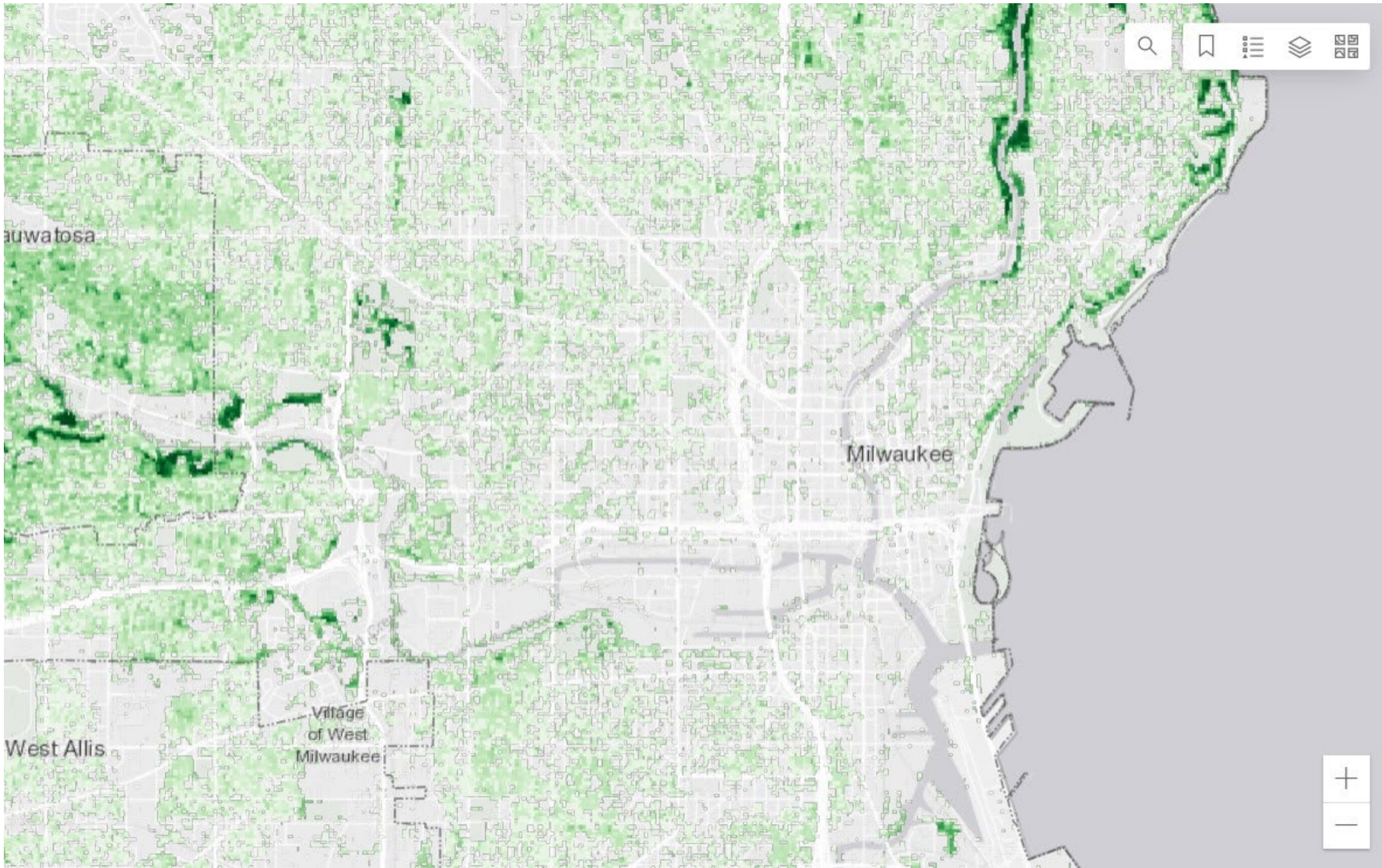
Milwaukee

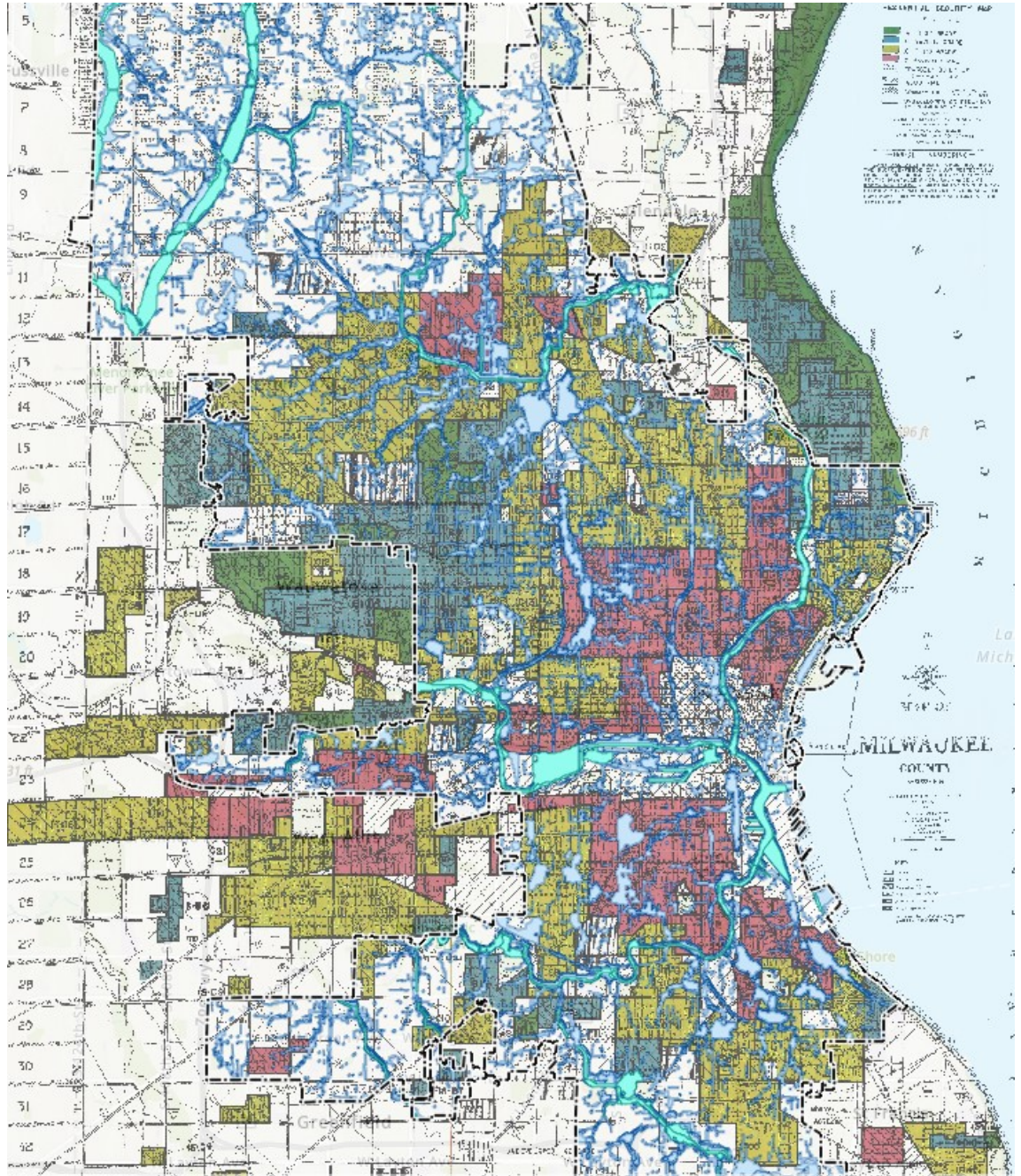
Wauwatosa
Village of West Milwaukee

West Allis

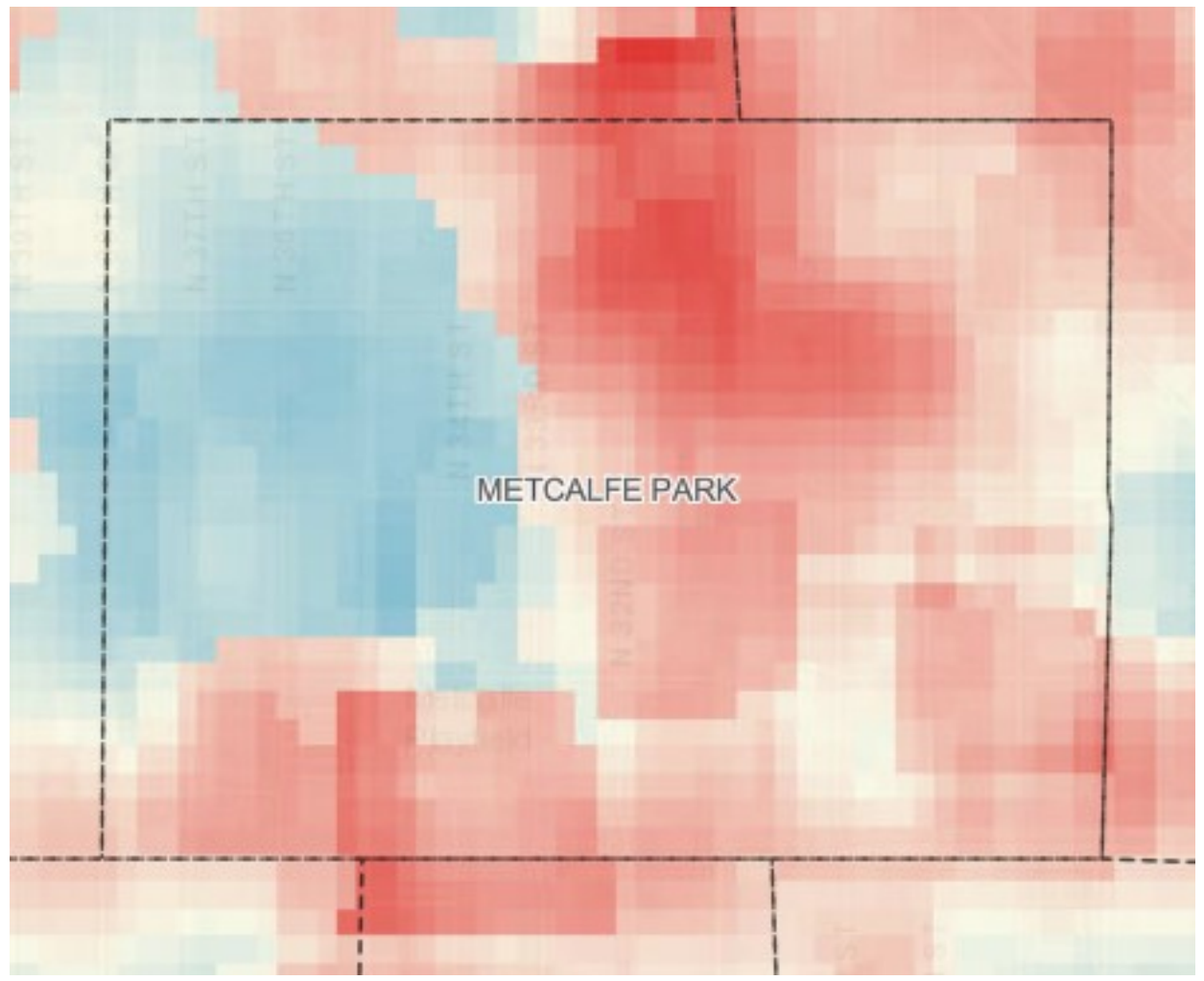




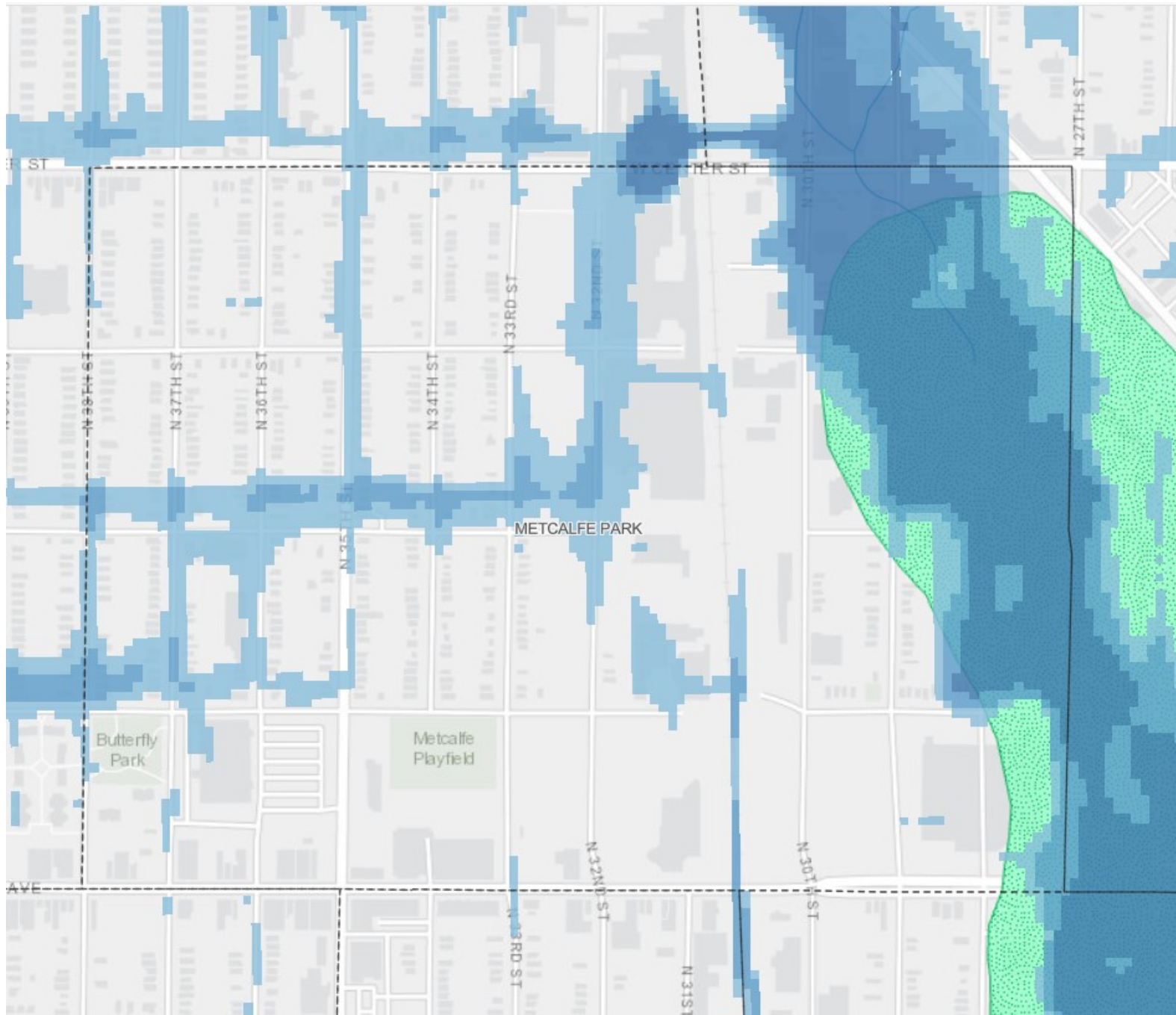


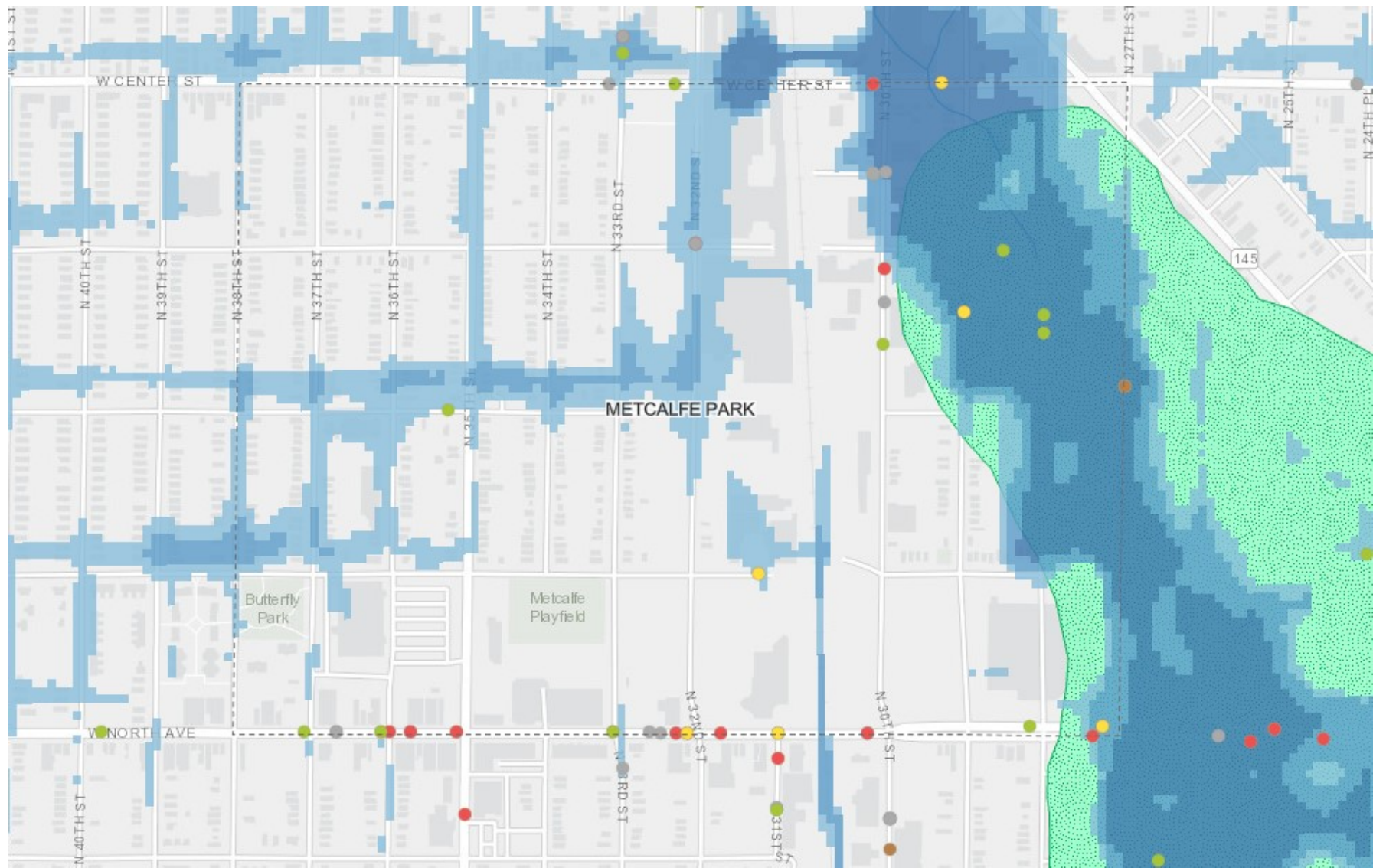














Thank you!



EJ SUBGROUP WORK PLAN APPROACH

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.

EJ SUBGROUP WORK PLAN APPROACH

**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 WORK PLAN APPROACH

Example – NR 714: Required public participation and notification activities for response actions

- e.g., Public participation notification requirements for responsible parties (NR 714.07)
 - No timing requirement
 - No specific deliverable requirement
 - NR 725 only requires notification just prior to closure
 - NR 716.14 only requires sample notification to certain parties
- Could bring ideas and proposed solutions like this to subgroups

WHAT IS YOUR PRIORITY?

Case Study: Old North Milwaukee – Discussion topics

- Helpful to understand the historical context that led to modern day inequities
- Multiagency collaborations vs. siloed support
- Notification & participation needs vs. realities of code/authority
- Mechanisms for compensating community members to participate
- Continue to develop best practices to build relationships and trust, connections



UPDATES ON ASSESSMENT GRANTS

UPDATES ON ASSESSMENT GRANTS

Identified Need

- Providing proactive outreach to disadvantaged and underserved communities about DNR funding opportunities
- Develop a systematic approach to identify and prioritize disadvantaged and underserved communities in Wisconsin
- Increase the number of communities that engage with the DNR



UPDATES ON ASSESSMENT GRANTS

Example –

Vacant to Vibrant, Land Renewal (V2V) outreach effort, created by the EPA R9 Brownfields Office and the Center for Creative Land Recycling (CCLR)

1. Data driven
2. Branded and approachable
3. Multi-agency partnerships
4. Structured contact with communities



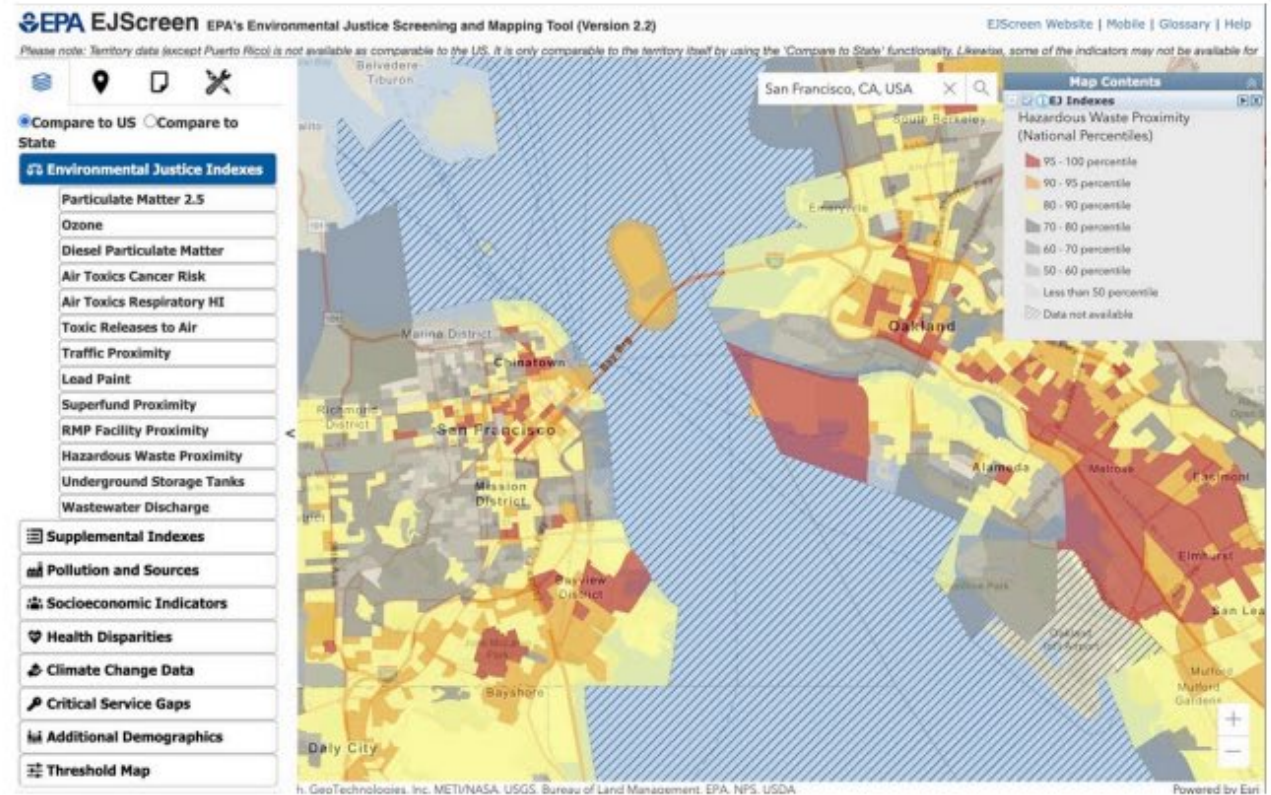
Find Communities: Collect Contact Data

Contact collection criteria:

- EJ screen
- Histories of engagement with CCLR and EPA

Track contacts:

- Internal collaboration using Salesforce and SharePoint



Meet with Communities

- **Build relationships**
- **Find solutions**
- **Track progress**

Vacant to Vibrant Outreach Call Form

1. PRE-CALL METRICS

Call Date

Please input date (M/d/yyyy)



2. Name(s) of contact(s) on call

Enter your answer

7. BEGINNING OF CALL

Intro: "Hello! I am __ from the U.S. Environmental Protection Agency Brownfields Team, and our program provides funding and assistance to support community revitalization. Under the federal Bipartisan Infrastructure Law we have a historic influx of funds to focus on historically underserved communities, and we would like to connect with communities we have not yet worked with."

"First, I would like to hear about your community's assets and the work you do."

Listen as the person is responding. Try to find one question that leads them to expand on their community and program.

Take notes below (optional):

Enter your answer



VACANT TO
VIBRANT



LAND
RENEWAL



CENTER FOR CREATIVE
LAND RECYCLING

UPDATES ON ASSESSMENT GRANTS

If you were a community with blighted sites...

Where would you look for funding?

Who is the person/group who would take action?

What would you need to know?





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"

Chapter NR 714

PUBLIC PARTICIPATION AND NOTIFICATION

NR 714.01 Purpose.
 NR 714.02 Applicability.
 NR 714.03 Definitions.

NR 714.05 Responsibilities of the department.
 NR 714.07 Public participation and notification requirements for responsible parties.

Note: Chapter NR 714 was repealed and recreated, Register October 2013 No. 694, eff. 11–1–13.

NR 714.01 Purpose. The purpose of this chapter is to identify the required public participation and notification activities for response actions undertaken pursuant to chs. NR 700 to 754. Nothing in this chapter shall be construed to prevent the department or responsible parties from providing additional means for public participation and notification consistent with the provisions of this chapter. This chapter is adopted pursuant to ss. 227.11 (2) and 289.06 (1), Stats., and ch. 292, Stats.

History: CR 12–023; cr. Register October 2013 No. 694, eff. 11–1–13.

NR 714.02 Applicability. This chapter applies to response actions taken under the authority of ch. 292, Stats.

Note: Persons who wish to conduct response actions that will meet the requirements of CERCLA and the National Contingency Plan (NCP) may request that the department enter into a contract with them pursuant to s. 292.31, Stats. However, a CERCLA–quality response action will likely require compliance with additional requirements beyond those contained in chs. NR 700 to 728 in order to satisfy CERCLA and the NCP.

History: CR 12–023; cr. Register October 2013 No. 694, eff. 11–1–13.

NR 714.03 Definitions. In this chapter:

(1) “Public meeting” means a meeting held for general informational purposes and that is not required by statute.

(2) “Continuing obligations” are property–specific responsibilities of a property owner that are established either before or after the state approves an environmental cleanup, and that apply to the property regardless of changes of ownership. Continuing obligations include but are not limited to environmental limitations or conditions established in the state’s closure approval letter.

History: CR 12–023; cr. Register October 2013 No. 694, eff. 11–1–13.

NR 714.05 Responsibilities of the department. The department shall conduct all of the following public participation and notification activities:

(1) DEPARTMENT DATABASE. The department shall maintain a public database of contaminated sites that are known to the department, in accordance with s. 292.31 (1) (a), Stats. This database may include sites or facilities that have residual contamination, and shall include information about any continuing obligations to maintain structural or institutional safeguards in regard to the residual contamination, in accordance with ss. 292.12 (3) and 292.57, Stats.

Note: The department database may be accessed at the following web site: <http://dnr.wi.gov/topic/Brownfields/rssm.html>.

(2) PROPOSED DEPARTMENT–FUNDED REMEDIAL ACTIONS. (a) For sites or facilities where a department–funded remedial action is proposed pursuant to s. 292.11 or 292.31, Stats., or both, the department shall publish a public notice as a class 1 notice under ch. 985, Stats., upon selection of a proposed remedial action in accordance with ch. NR 708 or 722. The availability of the department’s proposed remedial action for public review shall be included in the public notice, including the identification of a department contact person, and his or her phone number and mailing address.

(b) The department shall be responsible for conducting or directing appropriate public participation and notification activities

for sites or facilities where a response action is funded wholly or in part by the department and conducted pursuant to s. 292.11 or 292.31, Stats., and where the department is overseeing response actions conducted wholly or in part by responsible parties under a contract signed pursuant to s. 292.31, Stats.

(3) PUBLIC RECORDS. The department shall make available to the public for inspection upon request, in compliance with ss. NR 2.19 and 2.195, site or facility–specific information and decisions concerning response actions.

Note: The public may request a time to view department files regarding the investigation and remediation of contaminated property by contacting the regional environmental program associate. The list of environmental program associates may be accessed at <http://dnr.wi.gov/topic/Brownfields/Contact.html>.

(4) PUBLIC MEETINGS. The department may hold a public meeting to consider comments on any proposed investigation of contamination or any other proposed response action if there is sufficient public interest, or for any other reason.

(5) REQUESTS FOR SITE OR FACILITY SPECIFIC RESPONSES. Interested persons may request, in writing, that the department keep them informed of approvals or rejections of the response actions being taken at a site or facility. The department shall maintain a list of persons interested in a specific site or facility and provide them with copies of any department approvals or rejections for all of the following documents:

- (a) Site investigation workplans.
- (b) Site investigation reports.
- (c) Remedial action options reports.
- (d) Requests for case closure.

(6) SUPERFUND. The department shall conduct appropriate public participation activities consistent with 40 CFR part 300, at sites or facilities on the national priorities list, unless U.S. EPA is conducting the public participation activities. The public participation activities shall include the posting of signs at the site or facility in accordance with s. NR 714.07 (4), either by the U.S. EPA, department or the potentially responsible parties.

History: CR 12–023; cr. Register October 2013 No. 694, eff. 11–1–13.

NR 714.07 Public participation and notification requirements for responsible parties. (1) EVALUATION OF NEED FOR PUBLIC PARTICIPATION AND NOTIFICATION. In order to promote effective and meaningful public participation and notification, responsible parties shall conduct all necessary public participation and notification activities, unless otherwise directed by the department. Responsible parties shall evaluate the need for and the level of public participation and notification, based on the following criteria:

(a) *Threats.* Known or potential threats to public health, safety, or welfare or the environment that may be reduced by providing information to the public.

(b) *Public concern.* Level of public concern about a specific site, facility, or discharge or the number or status of sites, facilities, or discharges which require a response action within a particular geographic area.

(c) *Additional information needed.* The need to contact the public in order to gather information about the response action, including immediate or interim actions.

(d) *Other.* Any other factors which may be relevant to a specific site, facility, or discharge or to a group of sites, facilities, or discharges.

(2) **CONTENT OF PUBLIC NOTIFICATION.** If responsible parties or the department determine that public notification is necessary at a site or facility, responsible parties shall include, and the department may direct the responsible parties to include specific language regarding the following information as part of the public notification:

(a) *Description.* A description of the contamination, including the type, volume, and characteristics of the contamination.

(b) *Mitigation.* Response actions that are planned or underway to contain, reduce, or eliminate the threat of the contamination.

(c) *Contacts.* Phone number and address of persons to contact for more information.

(d) *Other.* Other information designated by the department.

(3) **METHODS OF PUBLIC NOTIFICATION.** Notice shall be provided to the public by means designed to reach those members of the public directly or indirectly affected by the discharge of a hazardous substance and the implementation and operation of any proposed or actual remedial action. The department may direct the responsible party to undertake any of the following public participation activities, and may require departmental approval of materials prepared by the responsible party in order to conduct these activities. The department may also undertake any of these activities, including personal contacts by department staff. Notice to the public may be provided by any of the following methods:

(a) Public notice in local newspapers.

(b) Block advertisements, including posters in areas frequented by the public.

(c) Distributing leaflets door-to-door in the vicinity of the site or facility.

(d) Letters to individual households or personal contacts by responsible parties or their representatives.

(e) Contacting appropriate government officials, including law enforcement, emergency response, and health officials to inform them of the circumstances and the response actions that are underway to contain, reduce, or eliminate the threat of the contamination.

(f) Contacting media by preparing radio, newspaper, or television announcements, including public service announcements.

(g) Contacting any interested individuals who have asked to be kept informed of site or facility activities at various points in the process, including any other site-specific information itemized by the requestor that is available from the responsible party, including sample results, emergency or interim actions, disposal of wastes removed from the site, requests for case closure, or enforcement actions.

(h) Holding advertised public informational meetings designed to provide the public an opportunity to ask questions and receive answers from the responsible party, the department, or both.

(i) Establishing a clearinghouse, toll-free telephone number or internet location where the public may obtain more information about the site or facility and the proposed or actual remedial

actions, as well as submit comments and receive responses regarding activities that may generate noise, dust, odors, traffic, or similar local concerns.

(j) Using any other appropriate mechanisms to contact and inform the public, including the opportunity to submit public comments on proposed remedial activities and to receive written responses.

(4) **POSTING OF SIGNS.** (a) Unless otherwise directed by the department, responsible parties shall post one or more department-issued signs in the following manner, when any of the following conditions are found at a site or facility:

1. At the edge of the excavated contaminated soil being stored on the site or facility.

2. The specific locations within the facility or site where contaminated media present a direct contact threat to humans.

3. At the entry locations of buildings or structures contaminated with hazardous substances or environmental pollution that pose or may pose a threat to public health, safety, or welfare.

4. At the entry locations of a building or structure which will be the subject of one of the response actions for the site or facility.

Note: This provision describes situations where the response action involves demolition of the building or structure to access the subsurface contamination, but where the building materials themselves are not necessarily contaminated.

5. At another location within a site or facility where the department believes unacceptable human exposure to contaminants exists.

(b) The responsible parties shall add to the department-issued sign required in par. (a) all necessary information, including:

1. Name, address, and phone number of the owner or operator of the site or facility or responsible parties.

2. Types of hazardous substances or environmental pollution on the property.

3. Department-issued identification number for the site or facility.

4. For signs posted at contaminated soil piles, the anticipated month, day, and year of removal of the soil pile.

5. Any other information the department may request.

(c) Responsible parties shall place the signs at locations on the site or facility in accordance with par. (a), so that they shall be visible to the general public, unless the department specifies the location of the sign or signs. At least one sign shall be placed at the edge of contaminated soil storage piles.

(d) Unless otherwise directed by the department, signs required under this subsection shall be maintained and legible for the duration of the response action until final case closure is received in accordance with ch. NR 726, or until no further action is required by the department in accordance with s. NR 708.09.

Note: In addition to the requirements of this chapter, responsible parties are also required to satisfy the public notification requirements in other chapters, including chs. NR 716, 722, and 725. These requirements include providing information to owners and occupants of property affected by contamination for which the responsible party is conducting environmental response actions. This includes (1) notification of sampling results, and (2) notification that the responsible party will request approval of a remedial action where residual contamination will remain on the property. The department is required to provide notification of the conditions of the final case closure approval to all affected parties.

History: CR 12-023; cr. Register October 2013 No. 694, eff. 11-1-13.