

EXTERNAL ADVISORY GROUP

Remediation and Redevelopment Program



Meeting Notes

Remediation and Redevelopment External Advisory Group

Thursday, Jan. 25, 2024 | 1:00 – 4:00 p.m.
State Natural Resources Building | Room G-09
101 S. Webster St. | Madison, WI

Action items/assignments for next meeting

- **ALL:** Seeking external chairperson for the EJ subgroup; the EJ chair will be supported by knowledgeable DNR staff. Email Jodie.Thistle@wisconsin.gov to express interest or for more information.
- **ALL:** Persons seeking to join Vapor Intrusion (VI) subgroup ad-hoc committee discussions scheduled for Feb. 7 & 8, 2024, (virtual) may contact Jennifer.Borski@wisconsin.gov.
- **ALL:** Persons seeking to join volunteers working on NR 700 EAG Subgroup issue papers may contact MollyE.Schmidt@wisconsin.gov.
- **ALL:** Persons seeking to join volunteers working on Funding Sustainability EAG Subgroup issue papers may contact Michael.Prager@wisconsin.gov.
- **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

Roll Call

EAG Members

- Jodie Thistle, DNR *PRESENT*
- Judy Fassbender, DNR *ABSENT*
- Sharlene TeBeest, WI DOT *PRESENT*
- Roy Irving, WI DHS *PRESENT*
- Sarah Gruza, U.S. EPA *PRESENT (Zoom)*
- Jason Scott, WEDC *PRESENT (Zoom)*
- Dave Misky, Redevelopment Authority of the City of Milwaukee *PRESENT (Zoom)*
- Debora Sielski, Washington County Public Agency Center Community Development Department *ABSENT*
- Chris Valcheff, True North Consultants *PRESENT*
- Donna Volk, Ramboll *PRESENT (Zoom)*
- Brain Bartoszek, WEC Energy Group *PRESENT (Zoom)*
- Sheldon Johnson, Northwest Regional Planning Commission *ABSENT*
- Noah Saperstein, Red Cliff Band of Lake Superior Chippewa *PRESENT (Zoom)*
- Ned Witte, Godfrey & Kahn *PRESENT (Zoom)*
- Lynn Morgan, WM *ABSENT*
- Carrie Webb *PRESENT (Zoom)*
- Bill Nelson, Godfrey & Kahn, S.C. *PRESENT*
- Chris Bonniwell, TetraTech *PRESENT*
- Mark Rutkowski, Shannon & Wilson *PRESENT*

Guests

In-Person

- Chad Rogness, Lifetime Radon Solutions
- Ryan Blundon, Lifetime Radon Solutions
- Michael Prager, DNR
- Jennifer Borski, DNR
- Molly Schmidt, DNR
- Ben Vondra, DNR
- Craig Sparks, DNR

Online

- Lanette Altenbach, AECOM Technical Services
- Alex Amundson, WEC Energy Group
- Lisa Ashenbrenner Hunt, DNR
- Brian Berner, MPS
- Margaret Brunette, DNR

- Jeremiah Johnson, Geosyntec
- Nathan Kloczko, DHS
- Gena Larson, DNR
- Andrea Lorenz, Foth
- Jason Lowery, DNR
- Glen Luke, WEC Energy Group
- Joe Martinez, DNR
- Kurt McClung, SET Environmental
- Connor Mulcahy, DNR
- Pam Mylotta, DNR
- Susan Petrofske, Ramboll
- Ryan Plath, ERM
- Phil Purpero, CW Purpero
- Jeff Ramey, TRC
- Randy Ristow, Pace Analytical Services

EXTERNAL ADVISORY GROUP

Remediation and Redevelopment Program



- Michelle Castile
- Roxanne Chronert, DNR
- Tom Coogan, DNR
- Michelle Cook, City of Racine
- Josh Davenport, KPRG Associates
- Donald Gallo, Donald Gallo Law
- Bernadette Greenwood, WSP
- Scott Harrington, Vandewalle & Associates
- Curtis Hedman, DHS
- Ryan Honeck, MHD
- Rob Hoverman, DNR
- Jodi Jensen WTBA
- Adam Roder, Geosyntec Consultants
- Chris Saari, DNR
- Cheryl Schoening
- Jennifer Shelton, GEI Consultants
- David Sipple, Ayres Associates
- Patrick Stevens, WI Paper Council
- Matt Thompson, DNR
- Krystal Velasco, DHS
- Sachary Vruwink, League of WI Municipalities
- Jim Walden, DNR
- Leah Ziemba, Michael Best & Friedrich LLP

Logistics and Upcoming Meetings

Comment: upcoming meetings are only in Milwaukee/Madison.

DNR Updates

- Issues & Trends – Jan. 31 @ noon
- Rulemaking
- Vapor intrusion – no updates, agenda repair
- DNR guidance
- EAG charter updates

Subgroup Updates

45 minutes

- Environmental Justice Subgroup. Seeking external chairperson for the EJ subgroup to continue work; the EJ chair will be supported by knowledgeable DNR staff. Email Jodie.Thistle@wisconsin.gov to express interest or for more information.
- Funding Sustainability Subgroup. The subgroup identified and prioritized funding gaps. Several funding gaps will be the subject of upcoming issue paper development.
 - The chair asked for input on the top priorities for which funding gaps are top priorities to add to the input received at the subgroup meeting using online poll. Comment: why are the DERF funding problems not ranked higher?
 - Goals for the group include focusing on issue paper development, working with other EAG subgroups collaboratively, and reaching out for partnership and support. EAG members can help by volunteering for issue paper development with subgroup members and staff.
 - Persons seeking to join volunteers working on Funding Sustainability EAG Subgroup issue papers may contact Michael.Prager@wisconsin.gov.
 - Potential for legislation relating to “innocent landowners.” Comment: it would be good for the EAG members to stay abreast of pending legislation.
- NR 700 Subgroup. Issue papers are in development for upcoming rulemaking topics: DNR services fees and site investigations and conceptual site models. The issue paper topics are selected to help DNR staff develop scope statements for future rulemaking; however, the issue papers are broad and address policy development for a range of outcomes including legislative proposals, guidance development, communication approaches, internal process improvements, and rulemaking.
 - Outlines of issue papers are available in the meeting materials for today’s meeting. After gathering input, the outlines will be developed into full issue papers ahead of the next NR 700 Subgroup meeting and presented to the EAG at the next EAG meeting.

EXTERNAL ADVISORY GROUP

Remediation and Redevelopment Program



- Presentation: *Solutions for Funding Sustainability* (Fees) – Molly Schmidt, Discussion about the advantages and disadvantages of the funding options that were presented. Discussion of the economic impact statement process and how there is opportunity for public to provide input. Comment: Recommend formal notification and opportunity for tribes to provide input on the EIS, including benefits of a rule.
- Presentation: *Conceptual Site Models and Site Investigations* – Jodie Thistle. Discussion about requirements to define the degree and extent of contamination and how the RP needs to go beyond the property line.
 - Persons seeking to join the volunteers working on NR 700 EAG Subgroup issue papers may contact MollyE.Schmidt@wisconsin.gov.
- Vapor Intrusion
 - The VI Subgroup revised its draft work plan and set foundations and priorities.
 - Going forward, the group will focus on two topics, beginning with ad hoc committee discussion:
 - Training & Outreach for Local Governments.
 - First meeting: Feb. 7, 2024 @ 11 a.m.
 - Mitigation Contractor Certification.
 - First meeting: Feb. 8, 2024 @ noon
 - Meetings will be held virtually. Persons seeking to join VI Subgroup ad-hoc committee discussions may contact Jennifer.Borski@wisconsin.gov.
- Other technical discussions included a DNR pilot for assigning vapor continuing obligations at interim actions, the requirement for a remedy to reduce mass and concentration when a vapor risk screening level is exceeded, the need to prioritize TCE/PCE due to acute risk, and the role of pressure field extension testing during mitigation design and commissioning. Risk-based expedited fees were also discussed.

Support of RR/NR 700 (Bill Nelson)

- Presentation and explanation of the RR program's regulatory scheme and its benefits to the regulated community are not always communicated clearly or effectively by media and news organizations. Lack of understanding of how the Wisconsin regulatory scheme differs from other states and the advantages of the WI model. One function of the EAG can be to support the program in bridging these gaps in understanding. If the RR program has interest, the EAG could explore assisting with this type of outreach through developing tools with staff. RR staff will get input on this from the RR management team.

Action Items

- VI Subgroup Workplan: the subgroup has developed a workplan (included in meeting materials) and seeks approval from the EAG. Shar Te Beest moved to approve the workplan, Chris Valcheff seconded, and the EAG voted in full to approve the motion.
- EJ Subgroup: Seeking external chairperson for the EJ subgroup; the EJ chair will be supported by knowledgeable DNR staff. Email Jodie.Thistle@wisconsin.gov to express interest or for more information.
- FYI on Term Expirations in June (DNR action item): Established terms allow opportunities for engagement from members of the public that seek involvement. Subgroup chair appointments and terms were made on a staggered basis to assure that turnover would occur gradually. Consecutive terms are possible and members of the public that are interested in participation should contact Jodie Thistle (Jodie.Thistle@wisconsin.gov).

Assignments

Adjourn