



**Remediation & Redevelopment  
External Advisory Group Meeting**

July 25, 2024



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1



## **Agenda**

- Roll Call**
- Logistics**
- DNR Updates**
- Subgroup Updates**
- Action Items & Updates**
- Assignments**



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2

## Roll Call: Members and Subgroup Chairs

<b>Naren Prasad</b> WEC Energy Group – Business Services	<b>Judy Fassbender</b> DNR	<b>Sarah Gruza</b> U.S. EPA	<b>Curtis Hedman</b> Wisconsin Department of Health Services	<b>Sheldon Johnson</b> Northwest Regional Planning Commission
<b>Dave Misky</b> Redevelopment Authority of the City of Milwaukee	<b>Julie Ketchum</b> Waste Management	<b>Jodie Thistle</b> DNR	<b>Jason Scott</b> Wisconsin Economic Development Corporation	<b>Sharlene TeBeest</b> Wisconsin Department of Transportation
<b>Chris Valcheff</b> True North Consultants	<b>Andrew Mott</b> Ramboll	<b>Ned Witte</b> Godfrey & Kahn	<b>Bill Nelson</b> Godfrey & Kahn NR 700 Subgroup Chair	<b>Mark Rutkowski</b> Shannon & Wilson Funding Sustainability Subgroup Chair
	<b>Ed Buc</b> Terracon Vapor Intrusion Subgroup Chair		<b>Carrie Webb</b> DNR Contaminated Sediments Subgroup Chair	

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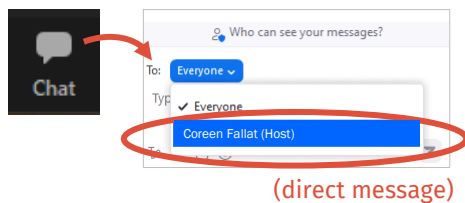
3

## Zoom Meeting Logistics

*All attendees are muted*

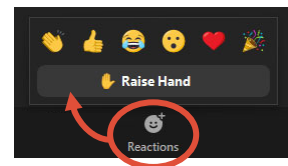
### Written Comments/Questions

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



### Verbal Comments/Questions

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



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4



## DNR Updates

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5

## Rulemaking



Molly Schmidt, DNR

- Rulemaking began following approval of scope statements at the Jan. 24 NRB meeting
- RR-14-23: Definitions, notifications, fees, agreements, reports and procedures for interim action and remedial action **continuing obligations**; and
- RR-15-23: Definitions, land use classifications, procedures for identifying environmental standards for soil and **soil cleanup standards**.

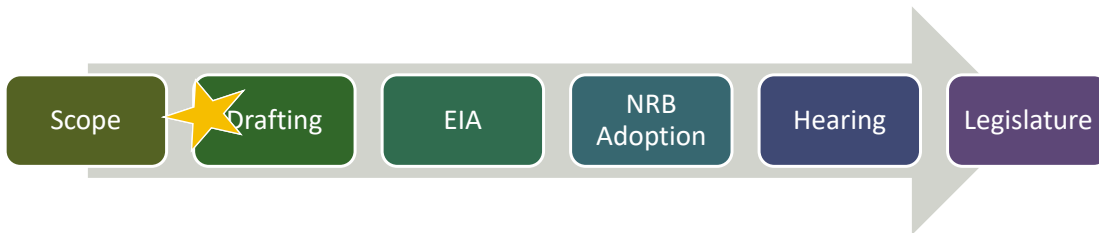
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6

## Rule Drafting

### Rule drafting ~ 10 months

- Rule drafting started Feb. 2024
- RR Program advised by Rule Advisory Committee (appointed by DNR Secretary)



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7

## Rule Advisory Committee



Next meeting – September 20, 2024



Open to the public



In person (@GEF 2 in downtown Madison) or via zoom

RAC Meeting Information/Registration & NR 700 Listserv Signup:

[dnr.wisconsin.gov/topic/Brownfields/RuleChanges.html](https://dnr.wisconsin.gov/topic/Brownfields/RuleChanges.html)

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8

## Remediation and Redevelopment Sites Map

- *What is the RR Sites Map?*  
Shows locations of Remediation and Redevelopment activities on an interactive map
- *Why is it needed?*
  - Public database required by state law
  - Maintain eligibility for U.S. EPA funding

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9

## Current and Future Updates



New platform and enhancements (old platform retires Aug. 1)



Revised user guide and information on the web



Ability to view internal-only layers that require a login

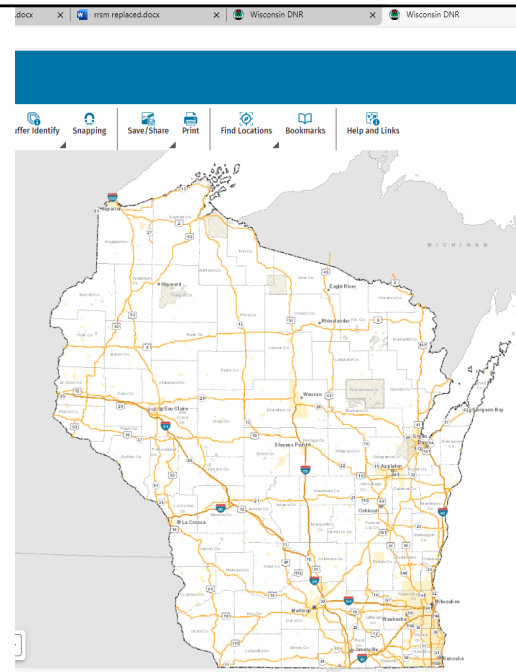
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10

## RR Sites Map Tour

Geoffrey House, DNR

- Accessing help and other links
- Single search tool
- Identify tool and click to identify
- Legend and layer list combination
- Right-click menu
- Add annotations to the map and save/re-load them



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11


## Feedback and Recommendations Welcome!



[DNRRRBRTSFEEDBACK@WISCONSIN.GOV](mailto:DNRRRBRTSFEEDBACK@WISCONSIN.GOV)


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12




## NR 700 Reporting


Roxanne Chronert, DNR



Open cases report progress 2x per year (Wis. Admin. Code § NR 700.11) in January and July



Responsible party and/or consultant receive reminder email and link to reporting form




Report summarizes activities and progress for prior 6 months

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13

## NR700 Reporting - How it Works

- DNR sends email for each site
- RP receives unique ID number



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Wisconsin state law requires responsible parties submit site progress reports semi-annually until final case closure is granted by the Department of Natural Resources. You are receiving this email as you are listed as a contact for the site shown below or you submitted a progress report for a previous reporting period. If you are the responsible party and have a consultant working on this site, they should complete this report for you. If you do not have a consultant, you are required to complete this report:


BRRTS No.: 02-12-548102  
 Activity Name: GATEWAY PROJECT NORTH HALF  
 Address: N MARQUETTE RD & E HAYDEN ST, PRAIRIE DU CHIEN  
 Activity Start Date: 09/27/2006  
 Reporting Period: 1/1/2024 - 6/30/2024  
 Report Due Date: 02/28/2024

Please complete the reporting requirement by the due date for the site listed above by clicking this link: <https://uatapps.dnr.wi.gov/rnr700reportingform/submit-form?rid=240254810202279>

Information on this cleanup may be viewed through the public web-based system BRRTS on the WEB (BOTW) via this link: <https://apps.dnr.wi.gov/botw/GetActivityDetail.do?dsn=548102>

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14



### NR 700 REPORT FORM

Wisconsin Administrative Code (Wis. Admin. Code) § NR 700.11(1)(a) requires responsible parties (RPs) to submit semi-annual site progress reports to the Wisconsin Department of Natural Resources (DNR) until case closure is granted by the DNR. The reports summarize the completed work and additional work planned to adequately complete the response action at the site or facility. Consultants may submit these reports on behalf of RPs. For more information, see the guidance for NR 700 semi-annual reporting.

Wisconsin state law requires responsible parties submit site progress reports semi-annually until final case closure is granted by the Department of Natural Resources.

Report ID	Reporting Round *	Reporting Period	Report Due Date	BRRTS Number
240758756340299	21	1/1/2024 - 6/30/2024	7/30/2024	02-41-58754
Activity Name		Site Address		DNR Project Manager Name
MILLWEST PRECISION MACHINING INC		2737 S 31ST ST, MILWAUKEE		MACKENZIE REYNOLDS

Please select the current status of this Activity \*

If a report has been submitted during this reporting period, indicate the type and date of the report. If no activity occurred during this reporting period, please describe the reasons for no progress below.

Previous 6 Months Narrative \*

Select your role in the Activity \*

Submitter Name \*

Submitter Phone \*

Submitter Email \*


## NR700 Reporting - Completing Form

- NR700 reports due within 30 days
- Completed by RP or consultant

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15

## NR700 Reporting - Confirmation Email



To: [john.sager@wisconsin.gov](mailto:john.sager@wisconsin.gov)

Cc: [john.sager@wisconsin.gov](mailto:john.sager@wisconsin.gov)

Subject: DNR NR 700 Semi-annual Report Submittal Confirmation

Thank you for submitting an NR 700 Semi-annual Site Progress report for the noted Activity. The DNR Project Manager has been notified of your report submittal. The contents of your report are included for your records:

Report ID: 2407034579739361

BRRTS No.: 02-16-000484

Activity Name: KOPPERS

Address: 3185 S CTH A, SUPERIOR

Reporting Period: 1/1/2024 - 6/30/2024

Submitted On: 07/23/2024 08:07

Submitter Role: Consultant

Status: Remediation: RAOR Report Preparation

Comments:

The following is a list of submittals for the 7/1/2023 through 12/31/2023 reporting period:

06/24/2024: First Semi-Annual 2024 RCRA Groundwater Monitoring Results.

06/28/2024: Comments on WDNR April 12, 2024 Response to Beazer February 15, 2024 Comments on Draft Conditional Approval; Renewal of Long-Term Care License No. 03157.

In addition to the above submittals, Beazer continued to work with USEPA Great Lakes National Program Office and WDNR on the Great Lakes Legacy Act Focused Feasibility Study project during this reporting period, including submittal of a Data Gap Investigation Work Plan on May 7; submittal of a Data Gap Investigation Quality Assurance Project Plan on May 10; submittal of a Hydrologic and Hydraulic Modeling Tech Memo on May 17; initiating field implementation of the 2024 DGI Work Plan; and participating in conference calls with WDNR on January 5, February 2, April 2, May 17, and June 21.

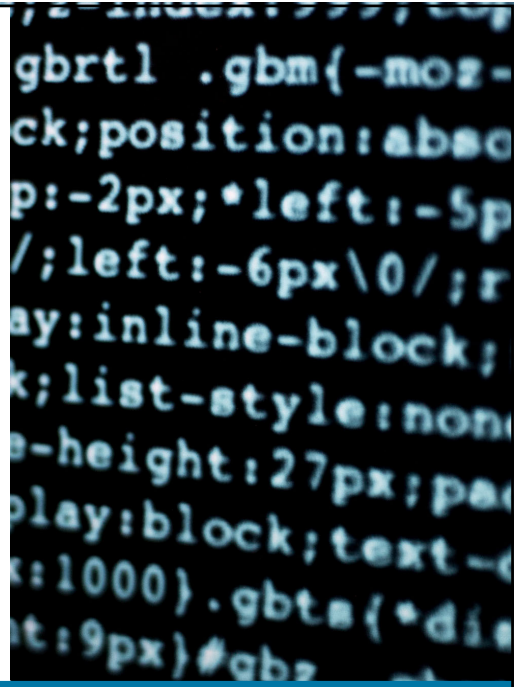
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16



# NR700 Reporting - Platform Change

- NR 700 application rewritten to new technology
- Seamlessly deployed July 1, 2024



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17

# NR700 Reporting - Data Uploaded to BRRTS

- Email sent to DNR Project Manager
- Information uploaded directly to BRRTS & BOTW

Facility ID	PECCA No.	EPA ID	Start Date	End Date
816009810			1990-03-09	UNKNOWN

Date	Code	Name	File	Comment
2024-07-23	195	Semi-Annual PECCA Cost Recertification (NR700) Requirement.MSI	[Icon]	Period: 1/1/2024 - 6/30/2024
2024-07-23	195	Semi-Annual PECCA Cost Recertification (NR700) Requirement.MSI	[Icon]	Period: 1/1/2024 - 6/30/2024

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18



## NR700 Reporting - DNR Review & Response

- DNR staff “triage” NR700 Reports
- Sites with no NR700 Report submitted are flagged
- Consistently have 89% of open sites submit NR700 Reports
- [RR-082](#)

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19

## Subgroup Updates



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20



## Funding Sustainability Subgroup

Mark Rutkowski, Shannon & Wilson

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21

## Vapor Contamination, Mitigation and Stewardship Cleanup Fund

RR EAG  
Funding  
Sustainability  
Subgroup

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Subgroup Request: EAG Approval of or Input on Issue Paper

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22

## Vapor Intrusion Background

- PCE and TCE are chemicals that may contaminate subsurface media such as soil and groundwater.
- Health issues may arise from exposure to PCE and TCE.
- Exposure to PCE and TCE can happen indoors when off-gassing from contaminated soil or groundwater enters a building, or the building foundation contacts contamination.
- The ability for vapors from contaminated soil and groundwater to migrate and enter buildings is known as the vapor intrusion pathway.
- The vapor intrusion pathway is a potential cause of exposure to chemicals in indoor spaces.

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23

## Current State

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RP responsibility to address vapor intrusion at source, rights of way and affected off site properties

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Redevelopment & Brownfield Sites address vapor intrusion concerns

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Properties not on developers or municipal radar susceptible to vapor intrusion

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DNR has very limited funds from state and EPA to address sites with vapor intrusion

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Funding does not exist for most sites with vapor intrusion where there is no viable responsible party

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Concerns about long-term stewardship

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24

## Purpose of Cleanup Fund

- Source identification (soil, groundwater, and vapor investigations)
- Protection of building occupants
- Vapor mitigation operation, monitoring, and maintenance costs
- Long-term stewardship to maintain and monitor mitigation system
- Source cleanup and reduction

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25

## Potential Funding Sources

- Revitalize Wisconsin
- Capture gas tax revenue used on former PECFA program
- Lottery credits or funding
- Movement of fees for environmental programs from general fund back to WDNR
- Stand-alone program funded through legislative process
- Acquisition, cleanup, and resale of old-dog sites
- Vapor mitigation system inspection fees
- Create environmental bonding authority exclusively for environmental repair sites
- Environmental surcharges for development at non-brownfield sites
- Prime real estate development fee

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26

## Environmental Justice Evaluation

- Many sites with unaddressed vapor concerns are in disadvantaged or underserved communities.
- The cleanup fund would support remediation and mitigation system operation and maintenance at all sites - not just those desirable for redevelopment.
- Fees collected as part of a prime real estate development surcharge could benefit underserved communities.

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27

## Resources Needed

- 2024 Assemble Bill 1055
  - Proposed elimination of existing DERF
  - Revitalize Wisconsin Program
  - Funding mechanisms for remediation and maintenance at previously closed sites
- Subgroup recommends seeking legislative support for cleanup fund

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28

## Future Action Items

RR EAG  
Funding  
Sustainability  
Subgroup

- Funding gaps identified
  - Vapor intrusion
  - **Emergency water for private wells (Next issue paper)**
- Prepare issue paper that:
  - Addresses community health concerns
  - Ensures use of foundational terms/strategies
  - Is protective of human health and the environment

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29

## NR 700 Subgroup

Bill Nelson  
Godfrey & Kahn, S.C.



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30

# NR 700 Subgroup Standing Items



## Open invite for policy initiatives

- General policy discussions
- Potential future rulemaking topics (issue paper ideas)
- Legislative proposals

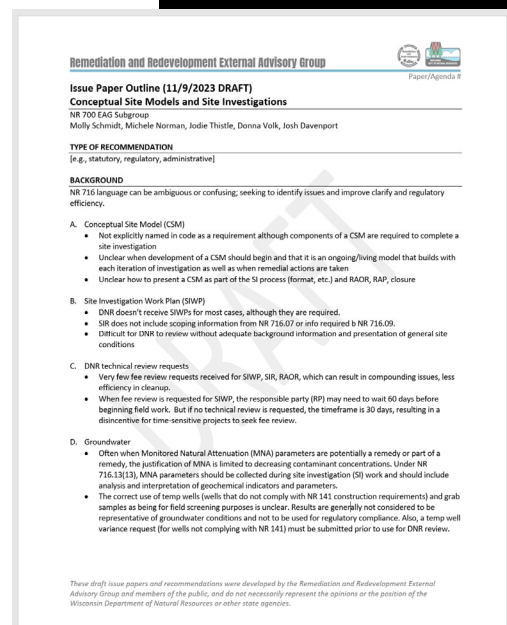


## Call for discussion items

- Examples, case studies
- Best practices discussion
- Local rules, laws or restrictions that may impact remedial actions

# Issue Papers

- RR Program Fees & Funding Sustainability
- Site Investigations & Conceptual Site Models












## RR Program Fees & Funding Sustainability

1. Increasing current ch. NR 749 fees
2. Increasing the number of documents that must be submitted with fee for review
3. Charging a premium for expedited reviews
4. Restructure fees from flat rate to hourly rate
5. Developing a long-term stewardship fee
6. Developing a delegated environmental professional program to decrease staff workload
7. Smaller menu - streamlining the structure of ch. NR 749 fees

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33

## Conceptual Site Models & Site Investigations

-  Conceptual Site Model
-  Site Investigation Workplan Scoping
-  DNR Technical Review Requests
-  Groundwater
-  Lab Data Interpretation
-  Visual Aids
-  Iterative Site Investigations & Comprehensive Site Investigation Reports

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34

## Issue Paper - Next Steps

NR 700 Subgroup working to finalize papers for EAG review

EAG review/adoption opportunities: Oct 2024 and Jan 2025

Final input needed to assist scope statement drafting by April 1, 2025

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35



## Vapor Intrusion Subgroup

Ed Buc  
Terracon

Subgroup met: May 29, 2024

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36

# Mitigation Contractor Certification



Welcome Amanda Koch  
Dept. of Health Services (DHS)



Ad hoc committee meeting  
July 17

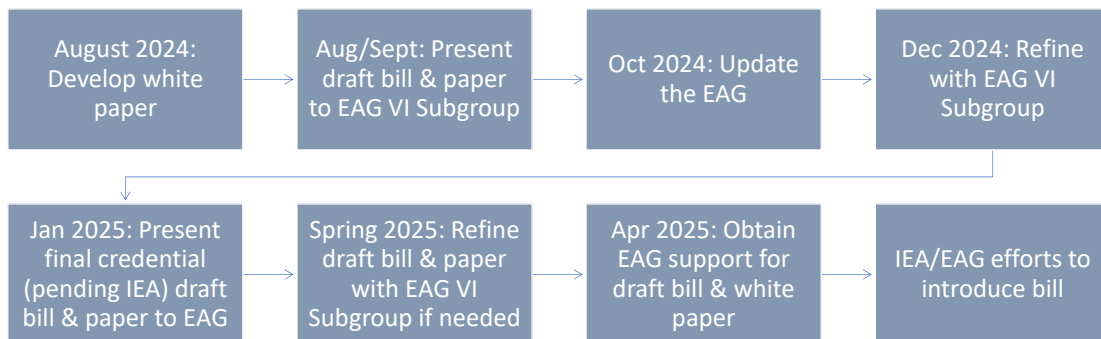


Draft bill for credentials  
Indoor Environments Association (IEA)

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37

## Next steps: Ad hoc committee



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38



## Local Government Outreach Ad Hoc Committee

- Welcome Christine Westrich, Milwaukee Health Department.
- Replacement representative to be selected in Fall 2024
- Fall 2024: Committee Meeting

More community participants welcome!

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39

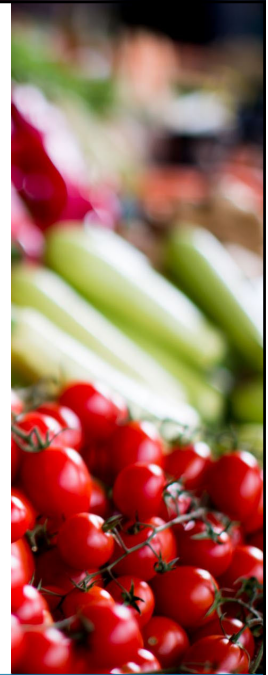
## Next Steps and Assignments

- Continue Ad Hoc Committees**
  - Local Government Outreach & Education
  - Mitigation Contractor Certification
- Schedule Subgroup Meeting**
  - Discussion of updates from Ad Hoc Committees

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40

## Action Items & Updates



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41

## Annual Action Planning

*“Annually, the RR EAG will conduct a comprehensive review of technical and policy issues and identify a road map for work items for RR EAG efforts. Identified work items should include expected deliverables, staff resources, the need for subgroups, and timeframes as applicable.”*

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42

## Upcoming Meetings - Proposed Dates

### RR EAG

- October 11, 2024
- January 23, 2025
- April 23, 2025
- July 16, 2025

### Subgroups

- September 13 or 19, 2024
- December 5, 2024
- February 11, 2025
- May 15, 2025

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43

## Assignments

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44

# CONNECT WITH US

Thank You!

**DNR RR Program Contacts:**  
[dnr.wi.gov/topic/Brownfields/Contact.html](http://dnr.wi.gov/topic/Brownfields/Contact.html)



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OFF THE RECORD"