



Wisconsin

Brownfields Study Group

1998 – 2018

FRIDAY, SEPTEMBER 28, 2018

DANE COUNTY – UW EXTENSION

WIFI NETWORK: DANEGUEST

PASSWORD: NO PASSWORD

Act 70



Integrated Brownfields,
VPLE, and Air Permits
Initiative

RR Program Budget

- ▶ RR program budget updates
 - ▶ \$2.3M in cash per year
 - ▶ \$5.2M in environmental repair bonding
 - ▶ \$4.1M in sediment bonding
- ▶ 112.5 authorized staff
- ▶ Approximately 30% of staff are federally funded
- ▶ 9 number of funded vacancies
- ▶ 5.6 unfunded vacancies
- ▶ Average PM workload: 70 open sites + approximately 20% additional workload in “other assistance”

RR Hiring Updates

- ▶ Recruitment and Hiring:
 - ▶ Business services coordinator in Madison
 - ▶ Vapor Intrusion Team Leader
 - ▶ Sediment Team Leader
 - ▶ 2 hydrogeologists in NER
 - ▶ 1 environmental program associate SER
 - ▶ 3 sediment engineers – NER, NOR and SER
 - ▶ Policy coordinator – Madison

RR Accomplishments

- ▶ Open Sites 5878
- ▶ RP letters sent = 247
- ▶ Case closures = 373
- ▶ New VPLE applicants = 5
- ▶ VPLE COCs = 16
- ▶ Redevelopment assistance = 136
- ▶ Acres available for reuse = 1377
- ▶ Green Team meetings = 61
- ▶ EPA, WNDR, and MPCA Federal Grant Training
- ▶ LGU Conference – May
- ▶ Additional federal brownfields funds

- ▶ Files or Images Downloaded from BRRS on the Web = 116,482

BSG Recommendations

Innocent Purchaser
Committee

RR Program Updates

- ▶ Clean Soil – Darsi Foss
- ▶ NR 712 – Darsi Foss
 - ▶ Fact sheet on NR 712 ready for release
 - ▶ Finalizing internal guidance and tracking
 - ▶ Finalizing training for staff

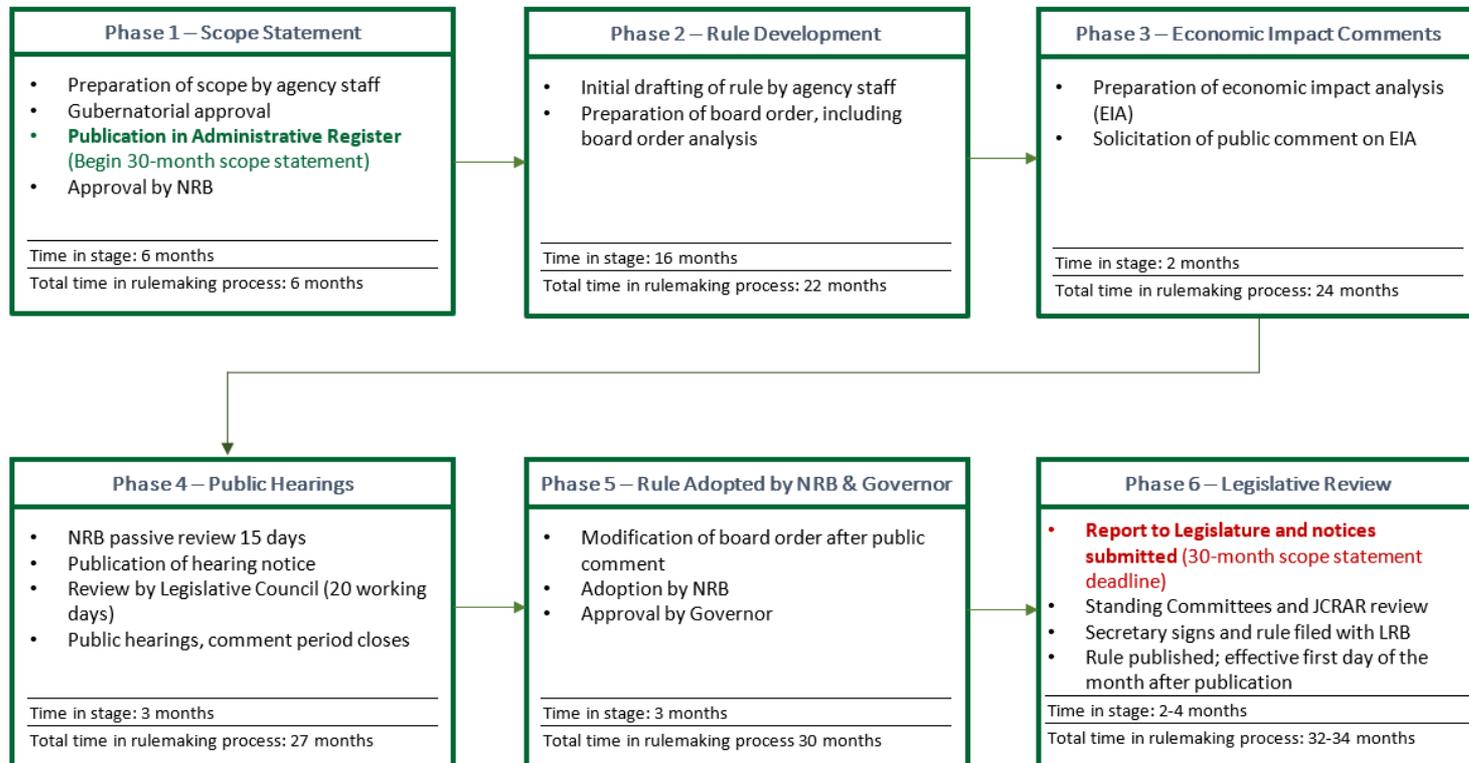
RR Program Updates

- ▶ Case Closure Reconsideration – Steve Ales

RR Program Updates

- ▶ DNR Rules Process – Molly Schmidt
 - ▶ Content
 - ▶ Scope statements
 - ▶ Process
 - ▶ Advisory input

RR Program Updates



NR 140

Next steps in NR 140 Process – Darsi Foss

- ▶ Ch. 160 – Overview of Groundwater Law
- ▶ enacted in 1984 to minimize the concentration of polluting substances in groundwater through the use of numerical standards
- ▶ Each regulatory agency must identify substances already detected in groundwater or having a reasonable probability of entering groundwater and submit a list to DNR
- ▶ Any person may petition an agency to add or delete a substance from the list
- ▶ Substances are determined to be either of public health concern or public welfare

NR 140



- ▶ Within specified timelines, DNR must categorize and rank the substances and transmit a list of public health concern substances to DHS
- ▶ DHS follows a specified process and timelines to review and recommend health based numerical standards
 - ▶ Enforcement Standard (ES or red light)
 - ▶ Preventative Action Limit (PAL or yellow light)
- ▶ Once standards are established, each agency is responsible for ensuring compliance within its own areas of authority
- ▶ Chapter NR 140 contains the range of responses required by an agency when a PAL or ES is exceeded

NR 140

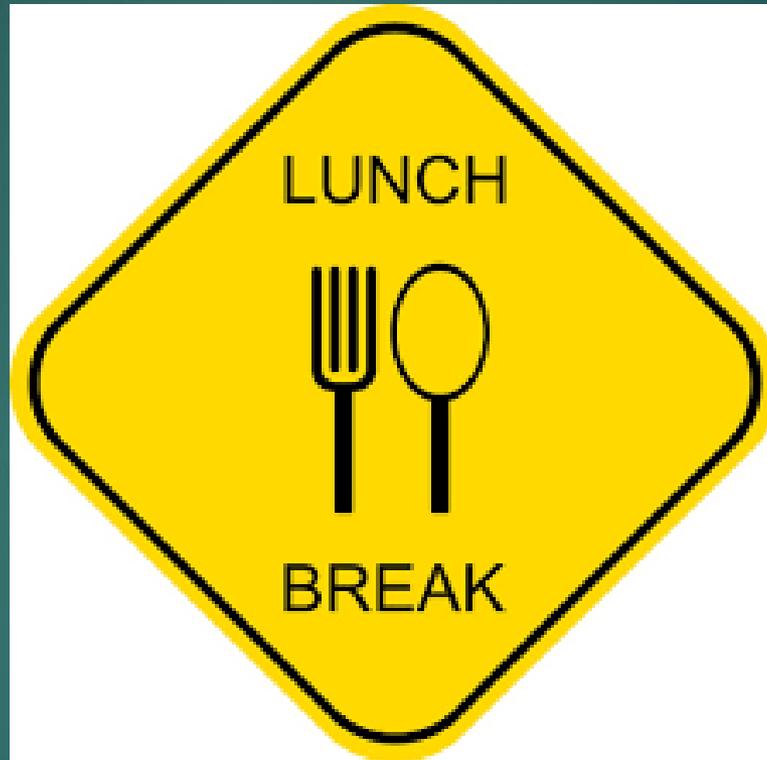


DNR transmitted a list of substances (Cycle 10) to DHS on March 2, 2018.

- ▶ There are 27 substances proposed for NR 140 numerical groundwater standards:
 - ▶ 11 updates to existing standards and
 - ▶ 16 new standards.
- ▶ DNR received a petition on August 16, 2018 to add additional PFAS compounds to the list under Chapter 160
- ▶ Next Steps:
 - ▶ Waiting for DHS to complete their review on March 2018 request
 - ▶ If DNR elects to amend NR 140, need Statement of Scope approved by the DNR Secretary, Governor, Legislature and NRB
 - ▶ Follow rulemaking steps



VPLE Review Subcommittee





Minnesota Pollution Control Agency

Natural Resources Damage Claim for PFAS

GARY KRUEGER



EPA Update

JOHN GROSSHANS



PFAS: Impact on VPLE

GENERAL DISCUSSION

Standing Items



- ▶ WMC Update
- ▶ WEDC Update
- ▶ BSG membership and structure update
- ▶ 2015 BSG report and recommendations
- ▶ Next regular meeting
- ▶ Confirmation of assignments