Sediment Update Brownfield Study Group September 15, 2017

Sediment Fact Sheet

- Application of NR 700 Rules to the Remediation of Contaminated Sediments
 Legal authority
 - Legal responsibility
 - What is sediment and contaminated sediment
 - Ordinary High Water Mark
 - When is a site a "site" under NR 700
 - Fees
 - Notification of Discharge NR 706
 - Assessment and investigation NR 347 and NR 716

Sediment Fact Sheet (continued)

- Remedial Action Options Report Remedy Selection NR 722
- Remedial Actions Sediment Cover vs. Engineering Control
 - Engineering controls:
 - Continuing obligations at sediment sites with engineering controls for contaminated sediment
 - Maintenance plan
 - Financial responsibility requirements
 - Notification letters
 - Database requirements

Sediment Fact Sheet (continued)

- Materials management
- Case Closure
 - Notice to off-site owners NR 725
- Off-site Liability Exemption
- Continuing Obligations Wis. Stats. 292.12
 - Clarification of who (responsible party, riparian owner, etc..) has to follow requirements and comply with prohibitions on interference
- Post Closure Modifications
- Voluntary Party Liability Exemption

Program Coordination

- Key Issues and Goals:
 - To develop an approach to ensure communication and coordination among DNR programs involved in decisions affecting sediment projects
 - Management acceptance/support for cross-program coordination
 - Support from Field Integration Leaders (FILs)
 - Point person or project lead (will vary depending on process)
 - Identify programmatic authority, processes, permits, etc. *early in the process*
 - Well defined project/scope
 - Look for opportunities to incorporate other program requirements
 - Understanding of timelines
 - Clarify permits required and look for opportunities to coordinate scheduling

Program Coordination (continued)

- Review status of projects/sites at key milestones
 - Project Scoping (NR 347)/Investigation (NR 716)
 - Feasibility study
 - Design
 - Remedial action (e.g. Chapter 30)
 - Materials management (e.g. LHGE, NR 718)
- Models
 - WPRI, Complex Business Projects (March 2017)
- Work Products
 - Matrix of program authority, roles & responsibilities
 - Identify program contacts on regional basis

Structural Impediments

If, during design/implementation of a remedial action a structural impediment interferes with completing a thorough clean up, then the residual contamination considered to be left inaccessible by the impediment must be documented, and continuing obligations imposed, including documentation on BRRTS and RR Sites Map.

Structural Impediments (continued)

- Example structural impediments include:
 - utility lines (i.e. gas, sewer, fiber optic and other cables),
 - abutments, culverts, pilings and piers associated with bridges, railways, roadways and seawalls (bulkheads),
 - sensitive archaeological/historical sites, and
 - engineering controls installed for one site may be a structural impediment for another site/project.

Sediment Covers and Engineering Controls

- Definitions (Act 204)
 - Sediment cover layer of uncontaminated sand or similar material that is deposited on top of contaminated sediment
 - Engineering control an object or action designed and implemented to contain contamination or to minimize the spread of contamination, including a cap, soil cover, or in-place stabilization, but not including a sediment cover

Sediment Covers and Engineering

Controls (continued)

- Developed a comparison table
- Drafting a guidance document that will outline:
 - Functions
 - Design criteria
 - Thickness
 - Placement techniques
 - Verification
 - Short and long term monitoring
 - Maintenance
 - Documentation and notification requirements

Management of Dredge Material

- Upland disposal and management of dredged material, including sediment
- Applicability of NR 718.15

Tracking of Sediment Sites

- BRRTS has added "Sediment" to the list of Impact options
 - In the process of populating data
- Water Reg & Zoning is in the process of hiring a GIS Specialist to address tracking issues
- Ordinary High Water Mark Decisions
 - Continues to be a priority for Water Management Specialists and the Management Team

Training - Sediment Related

Internal Webinars

- July 19, 2017
- October 18, 2017
- External Webinar
 - November 1, 2017
- Developed of Sediment Core Training Module for DNR staff
- September 27, 2017 Contaminated Sediments External Advisory Group (CSEAG) meeting

Staffing Changes – Sediment Related

- Identify a new Team Sponsor for the Integrated Sediments Team (IST)
- Hire a Team Leader for the IST
- Hire a Remediation & Redevelopment Program Environmental Toxicologist