

**Contaminated Materials External Advisory Group**  
**Meeting Summary - May 1, 2015, 9AM**

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**DNR Staff in Attendance:** Jim Zellmer, John Morris (phone), Margaret Brunette, Nancy Ryan, Gena Larson, Darsi Foss, Judy Fassbender, Kristin DuFresne, Christine Haag, Marsha Burzynski, Mike Thompson, Jerry Demers, John Budzinski

**External Advisory Group Members in Attendance:** Bob Monnat, Paul Matthewson, Steve Laszewski (phone), Mark Thimke, Karen Dettmer, Jim Rose, Randy Johnson, Bob Bingen, Lynn Morgan, Jay Warzinski, Stephanie Hinz, Frank Dombrowski, Tom Chapman, Ken Wein, Steve Hiniker, Dean Haen, Laurie Parsons, Wayne Wiertzema, Ryan Wozniak, Shar TeBeest, Stefanie Hinz

**External Advisory Group Members Invited but Absent:** Eric Bott, Jason Serck, Scott Konkle

**Guests in Attendance:** DJ Burns (Drake), Dave Misky (RACM), Rick Friesela (Friess), Chris Valcheff (TrueNorth), Mafizul Ismana(sp? - Sigma), Scott Kleinhans (sp? - Advanced Disposal)

**Welcome and Overview**

Goals of the meeting were established as,

- Develop a common understand of the issues
- Add to/modify the list of issues provided, ensure issues are accurately and broadly represented
- Prioritize issues
- Set up sub-group meetings
- Schedule next full group meeting

Purpose of the group was established to be,

- Articulate the issues
- Represent all viewpoints, whether supporting or dissenting
- Resolve short-term issues in a few months (this construction season)
- Continue to work toward longer term goals

**Draft Charter** was distributed for discussion. No changes were brought forward.

**Issue Discussion** -- A presentation was given to provide background on existing regulatory structure, followed by a discussion of the Draft Issue Summary Paper.

Existing issues –

- Regulatory clarity where agency roles and responsibilities overlap (RR/WMM, NR700/NR347/NR500)
- Definition of “clean fill”

- Determining protective levels for soil contamination if soil remains on the property
- Determining protective levels, location options, and other liability considerations if contaminated soil is moved to a new location off-property.
- Determining straightforward sampling requirements for those requesting exemptions from existing requirements in NR500/NR538/NR718.

#### Other issues brought forward

- Reporting requirements – who is responsible?
- PAH background levels
- Liability issues when numeric table values in standards change over time to become more restrictive
- Financial assurance for long-term liability
- Response sites v. non-response sites, when is sampling required?
- Real estate transaction issues, mis-information common
- Transportation tracking and liability

#### **Priorities**

##### Short term –

1. Tracking issues - What kind of information can be entered into the current RR Sites Map GIS tracking system? How can we facilitate this data transfer? What should be tracked?
2. Response action site – Requirements for moving soil on the same response action site
3. Issues related to moving contaminated material to another site
  - a. Streamlining approval process to make pre-planning easier
  - b. Levels, volumes and controls considered to be protective
  - c. Long term obligations at receiving site
  - d. Financial assurance or insurance
4. Create a separate sub-group utilities, cities, DOT. – Trenching issues.

##### Longer term –

1. Definition of “clean.”
2. Process for cost-effective, big-picture solutions for brownfields.
3. Process for smaller projects/sites that fall between mega projects and utility trenches.

#### **Next Steps:**

1. DNR will send follow-up email to gauge interest in particular issues prior to forming sub-groups
2. Doodle poll will be sent for June or July meetings dates
3. Report back to BSG for September meeting

The meeting adjourned at 12PM.