

Welcome



Sediment External Advisory Group Meeting

Waukesha,
May 1, 2015



Introductions



- Members of the EAC
- State agency staff
- Guests



Background



- Background on issues
- Purpose of group
- Brownfields Study Group Report
- Today's goals



Review Draft Charter



- Approve?
- Edits?



Issue Overview



1. Roles & Responsibilities



1. Clarify the roles and responsibilities of the Water, Remediation and Redevelopment, and Waste and Materials Management programs at environmental cleanups, developments and dredging projects.



2. Applicability



Clarify the applicability of the Spill Law and ch. NR 700, Wis. Admin Code, rule series to sediment cleanups



3. Clarify Sediment Mgmt



Provide clear guidance on how and when sediment is managed under between chs. NR 700, NR 347, NR 500 and NR 105, Wis. Admin. Code.
(continued)



3. Continued



- a. What numeric and performance standards apply to dredged materials being managed after they are removed? (Likely dealt with in coordination with the DNR's "Contaminated Materials Management" advisory group)
- b. What standards apply to contaminated sediments being managed in place?
- c. What types of remedies are allowed at sediment sites.



4. Resolve Resource Mgmt



Provide guidance and a process for constructively resolving resource management conflicts pertaining to sediment projects (e.g. when is a soft edge to be used vs. a hard containment structure).



5. Definition of sediment



Clarify definitions of what is “sediment” and what is “soil”, and resolve any uncertainties as to how that impacts dredging and cleanup projects.



6. Upland Cleanups



- Develop a clear process for upland redevelopment when a sediment remediation is involved. For example:
 - Clarify whether the Department can/should approve the upland cleanup before sediment is cleaned up.
 - In the case where sediment contamination can't be clearly attributable to an upland source, should upland closure be delayed if the Department will not separate the upland from the sediment?



7. Sediment standards



- A. Develop sediment cleanup standards to provide certainty and consistency.
- B. Support Department efforts to develop polynuclear aromatic hydrocarbon (PAH) standards for sediment cleanups.



8. Tracking Sediment Cleanups



- Address the issue of DNR tracking the cleanup of contaminated sediment sites.
- Should all sediment cleanup sites be tracked in the Bureau of Remediation and Redevelop tracking system (BRRTS)?
- Provide guidance on what is a “sediment site” and how that would be defined spatially and tracked in a database.



9. Post-cleanup Safeguards



- What safeguards are in place to ensure that sediment cleanups once in place maintain a level of protectiveness over time?
- What protections will be in place after the sediment cleanup is complete to ensure that future actions (e.g., dredging, pier placement) will not damage the remedy and cause a new discharge?

(continued)



9. Post-cleanup Safeguards



- Who is responsible for a sediment cleanup if an engineering control is employed? Is the riparian owner responsible even if they are not the responsible party doing the cleanup?
- What is the engineering control at a sediment site “fails” in the future? Who is responsible for remedying the problem?



10. Caps and Lake Bed Leases



Request that Department and Board of Commissioners of Public Lands (BCPL) clarify limitations on leasing authority for submerged lands in public trust waters (i.e. Can BCPL issue a lease for a contaminated sediment cap?)



11. Riparian Issues



Provide guidance to the public on how Wisconsin property laws regarding riparian ownership and control impact sediment investigations, access issues, cleanups and continuing obligations.



12. Sampling



Request that the Department provide guidance to address soil/groundwater vs. sediment sampling in wetlands and smaller aquatic environments.



Feedback on Topics



- Complete list of issues?
- Feed back on priorities?



Next Steps?



- Meeting schedule?
- Deliverables for next meeting?
- Any sub-groups in interim?



Adjourn



- Safe travels
- Next meeting date
- Use of BF Study Group web site

