

Summary of Governor's Council for
the Dry Cleaner Environmental Response Fund Program
March 12, 2001
Lapham Peak State Park

Members Present: Jim Cherwinka, Wausau Chemical; Steve Plater, Platco, Inc; Jeanne Tarvin, STS
Others Present: Joe Phillips, WFI; Don Gallo, Reinhart, ; Dennis Schmitt, ; Richard Klinke, Klinke Cleaners; Robin Schmidt, WDNR; Jeff Soellner, WDNR

1. Jeff Soellner and Robin Schmidt provided information to the council on program status, including application status, fund status, processing improvements and eligibility issues. The group discussed the issue of DNR fund authorization and the spending authority that currently exists for the program vs the spending authority that will exist starting July 1, 2001. The Council expressed concern that due to the number of claims anticipated in the next year and the fact that we will need to pay \$300,000 for closed facilities that were assessed a higher deductible under the current statute, we will need to make a request for additional spending authority. **The Council recommended that DNR raise this issue with discussions with the Legislative Fiscal Bureau staff at upcoming meetings. The Council also recommended that DNR look at the current status of sites and to encourage applicants to submit applications as soon as possible. That would allow DNR to process the applications prior to July 1, and spend the available money from this years authorization, putting less of a demand on the funds authorized for the next biennium.** There was concern expressed on the part of the Council that many of the sites may be in a Region that has a long review time, and that may pose a problem for the this effort. Robin agreed to put together a brief write-up for the Impressions magazine that is published by the WFI.
2. Robin and Jeff summarized discussions between the DNR and DOR relating to licensing information and the sharing of records between the agencies. The communications between the agencies should be improved based on commitments the staff made at streamlining the process. This streamlining includes developing a standard form for requesting information from DOR, so they know what to expect in our requests. In addition, we will ask for federal Tax ID numbers on our notification forms so the DOR staff can use that to more efficiently find information. The Council is still concerned that DOR will not release information to the industry, however, they realize the position that DOR is taking on that issue. DOR also introduced Tim Witcher who is the new analyst assigned to the drycleaner program. Tim will be added to the DNR drycleaner team distribution list so he is aware of agency issues relating to this program.
3. The Council discussed the FY 02 – 03 biennial budget as released by Gov. McCallum. A number of statutory changes that were requested by the DNR were included in that budget, and a few items were not. In discussions with Rep. Kaufert, he has requested that if there are additional changes to the statute, that they be forwarded in this budget cycle, and not in a later budget. He would like to support the industry and has in the last two budgets, but also needs to put his efforts in other areas, as well. Robin will discuss with Joe and Don other budget items that the industry supports that were not included in the Governor's budget. Robin indicated that she would discuss with her managers the appropriate support that the agency could provide given this stage of the budget process. **The Council supported the provisions that are currently contained in the budget. The Council also supports including several provisions that were in the agency's budget request, but not in the Governor's budget. The provisions include clarification language regarding past owners and operators, allowing eligibility for releases that were caused by a service provider or product supplier if they occurred prior to 10/14/97, and a new provision to allow for an interim appeal process before initiating the full Chapter 227 appeal process.**
4. Robin distributed the site data tracking sheets that were developed for tracking site specific technical data. These sheets should be useful in looking at overall program management issues, including costs and time for completing the required remediation phases. There are a number of new sites that we still have limited data on since the site investigations are not completed.

5. Robin and Jeff discussed the upcoming workload associated with this program. Two major work activities will be initiated in early fall, 2001. First, the DNR is required to conduct a program review by January 1, 2001. In addition, the Council is required to conduct a program review at least every 5 years. **The Council agreed that we should work together to have one report submitted to meet both these needs.** Robin and Jeff will draft a report in late summer/early fall, and the Council will reconvene in September to review the report and finalize recommendations.

The second major activity will be initiating rule revisions based on the statutory changes that are anticipated when the biennial budget is signed, likely late summer/early fall. This will involve the formation of an advisory group including industry reps (Council members?), consultants, environmental groups, and various agency personnel (DNR, DOR, others?). This process is likely to be a 12 – 18 month effort, including public hearings and Natural Resource Board adoption at the conclusion of the process.

6. The meeting concluded at 2:20 p.m.