

# SUBGROUP: NR 700

Remediation and Redevelopment External Advisory Group



## NOTES

### Remediation and Redevelopment External Advisory Group – NR 700

Wednesday, May 29, 2024 | noon-1:30 p.m.  
State Natural Resources Building (GEF 2) | Room G09  
101 S. Webster St., Madison, WI

#### Action items/assignments for next meeting

- **ALL:** Ongoing invitation to introduce policy initiatives for discussion in the NR 700 EAG Subgroup.
- **ALL:** Call for discussion items featuring DNR staff experts, and/or case studies, best practices, interactions with other laws such as local zoning and restrictions.
- **ALL:** Request to all attendees to review the issue paper on conceptual site models and site investigations ahead of next meeting.
- **DNR:** Bring a revised issue paper on fees that reflects group recommendations to the next NR 700 EAG Subgroup meeting.
- **ALL:** Subscribe to the [RR EAG listserv](#) to receive information about future meeting dates, agendas, resources, and other EAG-relevant items. Zoom attendees are automatically added to the listserv; if you would like to opt out, please email [Coreenr.Fallat@wisconsin.gov](mailto:Coreenr.Fallat@wisconsin.gov).

#### Introductions

##### In-person:

- Bill Nelson, Godfrey & Kahn
- Mark Rutkowski, Shannon & Wilson, Inc.
- Shar Te Beest, DOT
- Coreen Fallat, DNR
- Michael Prager, DNR
- Ben Vondra, DNR
- Ryan Blundon, Lifetime Radon Solutions
- Alyssa Sellwood, DNR
- Roxanne Chronert, DNR
- Judy Fassbender, DNR
- Jennifer Borski, DNR
- Molly Schmidt, DNR

##### Zoom:

- Margaret Brunette, DNR
- Heidi Woelfel, GZA GeoEnvironmental
- Glenn Luke, WEC Energy Group
- Renata Bunger
- Jeremiah Johnson, Geosyntec
- Andrew Mott, Ramboll
- Toni Schoen, the Sigma Group
- Carrie Webb, DNR
- Michelle Castile
- Frank Dombrowski, WEC Energy Group
- Jason Lowery, DNR

#### DNR Updates

- Rulemaking

#### Issue Paper Discussion – Fees

- DNR staff provided background information on RR program fees. The group discussed the different options for approaching the issue of funding sustainability in the draft *RR Program Fees and Funding Sustainability* issue paper.
- The group recommended tabling certain items within the paper (items 4, 5, and 6).

# SUBGROUP: NR 700

## Remediation and Redevelopment External Advisory Group



- Next steps: DNR staff will revise the paper to reflect subgroup recommendations ahead of the next subgroup meeting. The group plans to bring a revised paper to the full EAG at the October EAG meeting.

### *Issue Paper Discussion – Site Investigations and Conceptual Site Models*

- The group discussed the draft *Conceptual Site Models and Site Investigations* issue paper, noting that the paper lists proposals that focus on different issues within a larger subject matter (rather than multiple options for addressing a single issue).
- The group discussed environmental justice considerations for both papers.
- Next steps: The group moved the consideration the draft *Conceptual Site Models and Site Investigations* issue paper to the next NR 700 EAG Subgroup meeting and encouraged attendees review the paper in advance of the meeting. The group plans to bring a revised paper to the full EAG at the October EAG meeting.

### *Next meeting date*

- Remediation and Redevelopment External Advisory Group (EAG) – July 25, 2024

### *Adjourn*



## NR 700 Subgroup

REMEDICATION & REDEVELOPMENT  
EXTERNAL ADVISORY GROUP  
Thursday, May 29, 2024

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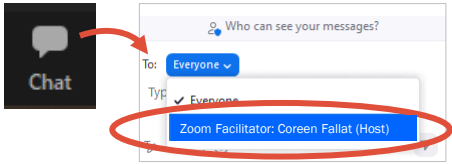
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## Zoom Meeting Logistics

*All attendees are muted*

### Written Comments/Questions

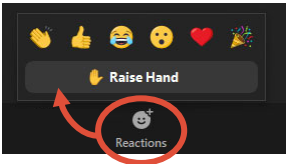
- Use **chat** and select Zoom facilitator in the “To” dropdown
- Remarks will be read out loud by facilitator



(direct message)

### Verbal Comments/Questions

- Raise hand** to request a turn to talk (\* 9 on phone)
- Please unmute when your name is called (\*6 on phone)



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# Introductions



hello!

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## Agenda

- Review Takeaways
- DNR Updates
- Issue Paper Discussion – Fees
- Issue Paper Discussion – Site Investigations and Conceptual Site Models
- Next Steps and Assignments
- Adjourn

Find agenda and meeting materials at [dnr.wisconsin.gov/topic/brownfields/rreag](https://dnr.wisconsin.gov/topic/brownfields/rreag) under “meetings”

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## Last Meeting Takeaways



### Open invite for policy initiatives

- General policy discussions
- Potential future rulemaking topics (issue paper ideas)
- Legislative proposals



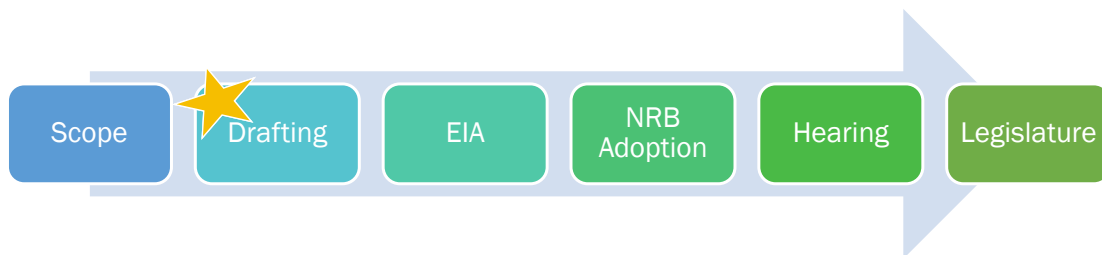
### Call for discussion items

- Examples, case studies
- Best practices discussion
- Local rules, laws or restrictions that may impact remedial actions

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## DNR Updates

- 2024 Rulemaking
  - RR-14-23 - Continuing obligations
  - RR-15-23 - Soil standards



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## DNR Updates

- 2024 RR Program Rule Advisory Committee
  - Meetings are open to public, join in-person or by Zoom
  - Next meeting date: May 30, 2024, 9 a.m., Continuing Obligations (RR-14-23)

### RAC Meeting Information/Registration

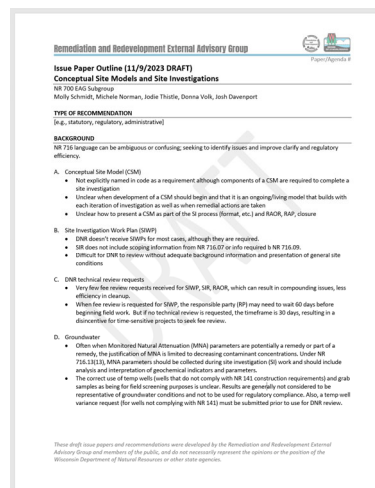
[dnr.wisconsin.gov/topic/Brownfields/RuleChanges.html](http://dnr.wisconsin.gov/topic/Brownfields/RuleChanges.html)

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## Issue Papers

- DNR Assistance Fees
- Site Investigations & Conceptual Site Models



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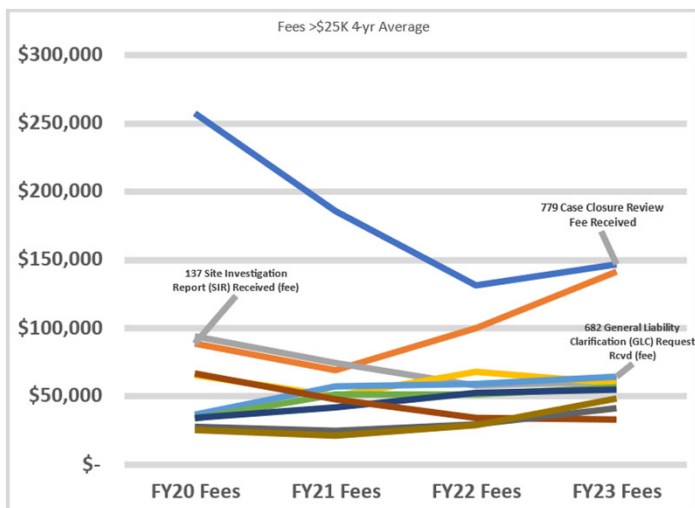
## RR Program Fees & Funding Sustainability

1. Increasing current ch. NR 749 Fees
2. Increasing the number of documents that must be submitted with fee for review
3. Charging a premium for expedited reviews
4. Restructure fees from flat rate to hourly rate
5. Developing a Long-Term Stewardship Fee
6. Developing a Delegated Environmental Professional Program to decrease staff workload
7. Smaller menu - streamlining the structure of ch. NR 749 fees

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## DNR Data: Fees Report

- Four-year report (FY20-FY23)
  - Avg. total ch. NR 749 fees per year \$787,680
  - Closure fees and site investigation report review fees are greatest revenue
  - Avg. closure fees per year \$180,000
  - Avg. site investigation report fees per year \$99,820
  - Closure fees downward trend

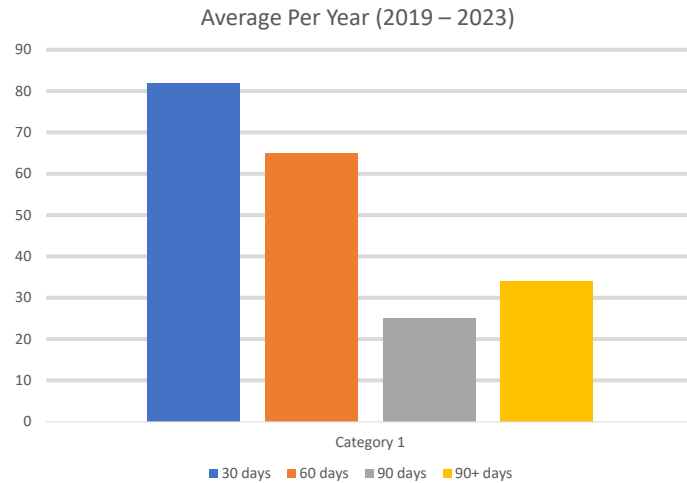


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## DNR Data – Submittal Metrics

- Summary

- 206 received
- 201 total reviewed
- 82 at thirty days
- 65 at sixty days
- 25 at ninety days
- 34 at ninety plus days



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## DNR Data: Submittal Challenges

- High number of SI and closure submittals not approved
- Challenges:
  - Need for expertise (e.g., VI)
  - One fee, many iterations
  - Poor quality submittals
  - Use of submittal “pauses”

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## DNR Data: Example Time Estimates

### Staff Member A

- SIR Work Plan: 2 - 4 hours
- SIR Report: 4 - 8+ hours
- RAOR: 4 - 6 hours
- RAP: 4 - 6 hours
- Closure: 8 - 16 hours

### Staff Member B

- SIR Work Plan: 1 - 2 hours
- SIR Report: 8 - 16 hours
- Closure: 12 - 24 hours
- Historic Fill Applications: 2 - 4 hours
- Post Closure Modification Request: 2 - 4 hours

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## DNR Data: Common Fee Mistakes & Questions



Database fee confusion



People not understanding database fees that are submitted with post-closure modifications



Not understanding fees when submitting multiple reports that are combined



Fees for interim actions



Complexity of materials management plans and soil management fees is confusing (see Form 4400-315)

on-site vs off-site  
database fees  
multiple reports

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## Conceptual Site Models & Site Investigations

- A. Conceptual Site Model
- B. Site Investigation Workplan Scoping
- C. DNR Technical Review Requests
- D. Groundwater
- E. Lab Data Interpretation
- F. Visual Aids
- G. Iterative Site Investigations & Comprehensive Site Investigation Reports

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## Issue Papers: Environmental Justice Discussion

- WDNR Environmental Justice Definition (*Working Draft*)
  - The Wisconsin Department of Natural Resources (WDNR) has a developing environmental justice mission, which includes the following goals:
    - We reach people where they live, work, play, and learn.
    - Everyone in Wisconsin has equitable access to clean water, clean air, the natural world, and recreational activities to contribute to their health and well-being.
    - Local communities are a key source for solutions, and we build relationships to work with them as partners to develop and implement those solutions.
- Discussion questions:
  - What are the existing inequities?
  - Where do they stem from?
  - How could they be resolved?
  - Who may benefit from a policy change?
  - Who may be harmed by a policy change?

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## Issue Paper – Next Steps?

- Finals needed to assist scope statement drafting by April 1, 2025
- EAG review/adoption opportunities:
  - July 2024 EAG meeting
  - October 2024 EAG meeting
  - January 2025 EAG meeting

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## Next Steps and Assignments

- Next steps
- Assignments



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## Future Meeting Dates

Sign up  
to receive notifications for RR EAG  
and subgroups  
[dnr.wi.gov/topic/brownfields/rreag](https://dnr.wi.gov/topic/brownfields/rreag)

### RR EAG – July 25, 2024

- 9 a.m. – noon
- Milwaukee DNR Service Center

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## CONNECT WITH US

Thank you!

DNR RR Program Contacts:  
[dnr.wi.gov/topic/Brownfields/Contact.html](https://dnr.wi.gov/topic/Brownfields/Contact.html)



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"WILD WISCONSIN:  
OFF THE RECORD"

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