

Contaminated Materials Management External Advisory Group (CMMEAG) February 8, 2016 Meeting Minutes

External Participants:

Erika Biemann (phone), DJ Burns, Karen Dettmer, Jennifer Hagen, Brian Hennings, Stephanie Hinz, Chris Jaekels (phone), Randy Johnson, Kristin Kurzka, Paul Mathewson, Lynn Morgan, Laurie Parsons, Kari Rabideau, Jim Rose, Jeanne Tarvin, , Ray Tierney, Mark Thimke, Ken Yass

Department of Natural Resources (DNR) Participants:

Margaret Brunette, John Budzinski, Jerry DeMers, Darsi Foss, Kristin DuFresne, Judy Fassbender, Steve Galarneau, Mike Halsted, Gena Larson, John Morris, John Robinson, and Jim Zellmer

Updates

NR 538 is starting the update process. That will proceed parallel to this group's work. DNR staff will keep this group updated, as needed.

Discussion

Clean Soil White Paper –

- An overview was provided of modifications made after internal review process. Main changes being a) Arsenic levels must be below direct contact levels, and b) Lead levels must be below groundwater RCLs. Additional comments were heard from the group. This document continues to evolve and be refined. DNR is working internally to develop accepted Method Detection Limits (MDLs) with input from state certified labs. The document will go through a formal internal review as a white paper. Then 21-day public comment period. When final it will function as guidance. Worth noting, the point was made during the meeting that reporting obligations are independent of clean-up rules.

NR 718 –

- Overview of the code was provided. Followed by discussion for clarification.
- Conclusion, more effort should be made on the utility issue. The bulk of material that moves under 718 is not utility related. Consideration will be made for separating the utility issue from the 718 discussion. The utility concerns are strongly tied to 706 Reporting requirements.

Options for Placement of Solid Waste Materials White Paper –

- Revisions discussed, mainly simplification of diagrams/example scenarios.
- The question of upper boundaries was discussed. No distinct upper boundaries are provided in the document. It is up to the requestor to provide justification (rationale that action is protective) for activities proposed.
- The question of community/neighbor notification was discussed. What if placement might limit future development, should a community be notified? DNR is looking at ways to track receiving sites that have reclamation plans approved by local governments. DNR will consider ways to make sure the receiving property owner is aware of all the implications of accepting the material.

RR/Waste Integration Team

- Priorities of this new internal team were presented;
 - LHE/718 coordination
 - Historic Fill Exemption (a.k.a. “building on an abandoned landfill”)
 - Tracking
 - No Action Required determination process
 - NR538 code revision
- The group meets once per quarter, with conference calls monthly

Next Meeting Date

The DNR will send out an email to notify members of the next meeting date. No workgroup meetings will be scheduled. Group members indicated no location preference.

Adjourn

The meeting adjourned at 3:15 p.m.