



# RR REPORT

## Important Updates from the DNR Remediation and Redevelopment Program

March 21, 2016

### Update to the PECFA U&C Standardized Invoice

The Remediation and Redevelopment Program has published the [Usual & Customary \(U&C\) Standardized Invoice #19](#) and specifications which includes the following cost modifications:

- All U&C unit rates have been increased by 5 percent.
- TASK 24 - activity reference code LSE15 (Limited Soil Excavation) has been increased by \$13.00, from a rate of \$47.00 to a rate \$60.00.
- TASK 05 – activity reference code CR05 (primary closure request) has been increased by \$230.50, from a rate of \$2,469.50 to a rate of \$2,700.00.

The last time the U&C was adjusted was in 2010. The increases are to off-set cost increases seen by consultants performing PECFA work.

The U&C reimbursement schedule is for common tasks associated with the investigation and cleanup of eligible petroleum contamination sites. For more information visit the [PECFA webpage](#).

### Update your Version of Ch. 292: Changes to the Spill and Voluntary Party Liability Exemption Laws Relating to Sediment Cleanups

On March 1, 2016, Governor Scott Walker signed 2015 Wisconsin Act 204. This Act modifies requirements for contaminated sediment remediation projects in Wisconsin. Three key changes are:

- New post-closure continuing obligations for residual sediment contamination.
- New sediment cleanup project conditions for participation in the state's Voluntary Party Liability Exemption (VPLE) program.
- New or revised statutory definitions of words and terms such as: sediment; contaminated sediment; sediment cover; and engineering control.

The continuing obligation changes clarify duties of riparian owners and responsible parties related to residual sediment contamination. They also describe new requirements for maintenance and monitoring of engineering controls.

New VPLE requirements include:

- The voluntary party must conduct a complete environmental investigation on the upland property and in the sediment. The party must demonstrate that they have restored the environment to the extent practicable.
- The voluntary party must obtain insurance or another form of financial assurance approved by DNR.

Under the act, VPLE is **not** available to sediment cleanup projects that rely on engineering controls to address residual contamination.

Although Act 204 was effective March 2, DNR is still evaluating the implications of the law and is working on developing guidance and rules for implementation. Updates will be provided in future editions of RR Report. In the meantime, questions can be directed to Michael Prager, at [michael.prager@wisconsin.gov](mailto:michael.prager@wisconsin.gov), or (608) 261-4927.

### **EPA's RE-Powering Electronic Decision Tree Tool**

EPA's RE-Powering America's Land Initiative has recently made available an [Electronic Decision Tree tool](#) to help communities, local governments, site owners and other stakeholders explore the feasibility of solar or wind energy on formerly contaminated properties and underutilized sites.

The decision tree tool is intended to engage non-experts in renewable energy to screen potentially contaminated or underutilized sites or landfills for whether they are good candidates for solar photovoltaic or wind projects. It is built so that experienced professionals can quickly navigate through the decision tree, and less experienced stakeholders can access additional information as they make their way through the questions.

For more information visit <http://www.epa.gov/re-powering/re-powerings-electronic-decision-tree>.

### **EPA Releases Online Mapping Tool to Help Protect Drinking Water Sources**

This robust, online mapping tool provides the public, water system operators, state programs, and federal agencies with critical information to help them safeguard the sources of America's drinking water.

DWMAPS – the Drinking Water Mapping Application to Protect Source Waters – allows users to learn about their watershed and understand more about their water supplier. DWMAPS also lets users see if sources of their drinking water are polluted and if there are possible sources of pollution that could affect their community's water supply. DWMAPS can even guide users to ways they can get involved in protecting drinking water sources in their community.

For more information and to access the map visit <http://www.epa.gov/sourcewaterprotection/dwmaps>.

### **Media Spotlight on BSG Members**

Long time Brownfields Study Group members John Stibal and Scott Wilson have been recently highlighted in Wisconsin trade publications.

The [BizTimes in Milwaukee did a piece on Stibal](#) and his efforts on redevelopment work in West Allis while the [Daily Reporter profiled Scott Wilson](#) (note: registration required).

The RR Program works with some of the finest environmental professionals in the business every day and across the state. We're fortunate to also work with them on the [Brownfields Study Group](#), an external advisory group that's been helping create the vision for land recycling and cleanup work in the state for more than 20 years.

## RR Program Staff Updates

**Dennis Legler, PECFA Claim Specialist** – Dennis is putting his retirement on pause to assist with processing the increased volume of PECFA claims that have been submitted as part of the eventual ending of the PECFA program. Dennis spent 23 years in the PECFA program, including 13 years as the Claim Review Section Chief. During that time he was actively involved in the development of the current NR 747 Administrative Code. Dennis retired from state service in August 2015.

**Samantha Francar, RR Program Assistant** – Samantha is assisting the Program Director and Program Management Team with various tasks in addition to performing the program's Financial Specialist duties. Sam is joining us from the DNR Secretary's office where she was an executive staff assistant for the Department Leadership Team for more than a year. Before coming to DNR, Sam worked for a variety of government entities including the Green Bay Metropolitan Sewerage District and the city of Green Bay doing administrative work for special projects. Sam has her bachelor's degree in Environmental Policy and Planning from the UW– Green Bay.

## Upcoming ITRC Training

March 24 - [Mining Waste Treatment Technology Selection](#)

March 31 - [Biochemical Reactors for Mining-Influenced Water](#)

April 12 - [ISM Part 1: Soil Sampling and Decision Making Using Incremental Sampling Methodology](#)

April 14 - [ISM Part 2: Soil Sampling and Decision Making Using Incremental Sampling Methodology](#)

April 28 - [Geophysical Classification for Munitions Response](#)