

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Air, Waste, Remediation & Redevelopment Division

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ANNUAL

REPORT

FY2013

Air, Waste, Remediation & Redevelopment Division Goals

Protect Human Health and the Environment

Provide Excellent Customer Service

Promote Economic Vitality

Support Conservation of Resources and Utilization of Clean and
Renewable Energy

From the Administrator

From responding to emergency spills to handling new laws and emerging issues, we continue to strive for the best customer service in the agency.

On behalf of the dedicated staff of the Air, Waste, Remediation & Redevelopment (AWaRe) Division, I am pleased to present this Annual Report for Fiscal Year 2013. This year, in support of the Division's goals, we've employed four major "themes" to present the AWaRe Division's accomplishments and successes: customer service activities; integration efforts; new laws and regulations; and emerging/future issues.

As you read through this report, I invite you to note the many improvements our programs have made to serving our customers, as well as to performing our work more efficiently through better processes and greater integration of effort. This report also presents data on how well the Division met important performance metrics. I am very proud of the many accomplishments achieved by our Division staff in FY2013!

The AWaRe Division's four major goals are to protect human health and the environment, provide excellent customer service, promote economic vitality, and to support conservation of resources and utilization of clean and renewable energy. Below are several highlights of the Division's FY2013 successes and accomplishments:

- We used lessons from responding to the petroleum pipeline spill near Jackson, Wisconsin to enhance our ability to quickly implement site-specific communication plans for future responses.
- We implemented the many requirements of the new ferrous mining law, from rules to approvals.
- Overall air quality in Wisconsin continues to improve, building on a 20-year trend in the state. Both PM2.5 and ozone levels across Wisconsin are decreasing.
- We significantly reduced the time it takes to authorize an individual construction permit to less than 60 days.
- We achieved a 60-day response on fee-based cleanup submittals 89% of the time.
- We completed major revisions to the NR 700 rule series that apply to the investigation and cleanup of contaminated property.
- We achieved better integration of work across programs in contaminated sediment and GIS resources.

I'd also like to highlight a few of the AWaRe Division's efforts to streamline processes and improve customer service. The Waste & Materials Management Program completed an effort to streamline complaint response related to solid and hazardous waste. The Remediation & Redevelopment Program conducted a two-part Lean Six Sigma project to streamline and improve its case closure process for contaminated properties. The Air Management Program completed work to improve the air permit application process for construction and operation permits.

Going forward, FY2014 presents several challenges and opportunities for the Division. We will:

- Focus on improving and streamlining the air permitting processes to assure consistency and efficiency, and to enhance customer service, while continuing to protect Wisconsin's air quality.
- Implement customer service surveys to obtain feedback, which will help us identify needs for improvement.
- Expand the Division's integration efforts in the areas of industrial sand mining and vapor intrusion from contaminated soils.

I look forward to working with all of you as we implement these opportunities and achieve the Division's goals!



Pat Stevens, Administrator
AWaRe Division

Facts FY2013

In FY2013 we **issued 92 air construction permits**, an important component to a recovering state economy.

On average, air construction **permits were issued in 58 days** from receipt of a complete application, a 10% improvement from FY 2012.

Wisconsin has continued to take measures to clean the air, notably with emissions of **nitrogen oxides and volatile organic compounds reduced by 52% and 63%**, respectively between 2002 and 2011.

In FY2013 we completed **cleanups at more than 588 contaminated sites** and responded to 626 hazardous substance spills.

In FY2013 we satisfied more than 160 requests for redevelopment assistance and helped prepare **more than 2,793 acres for redevelopment**. To date, the state has closed out approximately 21,769 former contaminated properties.

“Responsible units” **recycled 600,000 tons of solid waste** in calendar year 2012.

Recycling processing facilities **recycled 750,000 tons of solid waste** in calendar year 2012.

In Wisconsin, 163,126 tons of hazardous wastes are generated annually. **61,176 tons of these hazardous wastes are recycled**.

E-Cycle Wisconsin **collected approximately 100 million pounds of electronics** in its first three years.

FY2013 Highlights

Responding to Our Customers in an Emergency – Jackson Spill Response

In July 2012, a pipeline leak resulted in a spill of approximately 55,000 gallons of petroleum into the soil near Jackson, Wisconsin. DNR not only **oversaw the clean-up effort**, but kept the affected property owners apprised of cleanup efforts.



The Remediation & Redevelopment Program:

- Set up a [“Jackson” webpage](#)
- Established a toll-free hotline
- Hosted two public meetings, and
- Created an email distribution list using GovDelivery to issue nearly 20 unique messages to subscribers.

DNR continues to oversee ongoing cleanup efforts, and the AWaRe Division remains committed to keeping residents and property owners informed of the latest developments.

E-Cycling Success in Wisconsin



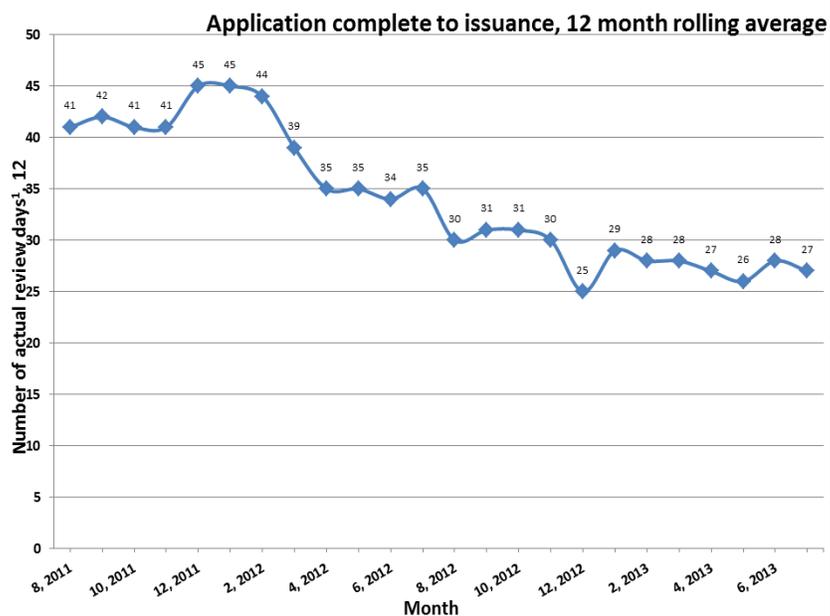
Wisconsin’s E-Cycling program ranks among the most successful in the nation, with more than six pounds of electronics per person per year returned for recycling. During its first three years, E-Cycle Wisconsin collected approximately **100 million pounds of electronics**, most of which were recycled in the upper Midwest.

The DNR submitted its first annual report on Wisconsin’s electronics recycling law to the State Legislature and Governor Walker in December 2012. The report summarized successful efforts to implement the 2009 law, which included an electronics disposal ban and the manufacturer-funded E-Cycle Wisconsin electronics recycling program.

Faster Air Construction Permit Processing

The Air Management Program has significantly reduced the time it takes to authorize an individual construction permit. The monthly rolling average time for authorizations has been reduced to **less than 60 days** from averages of almost 85 days two years ago.

(Both figures include a 30-day mandatory comment period.)



While construction permits are critical for environmental protection, they also are important for economic development because they provide companies with the ability to react quickly to market changes. While the monthly rolling average time for authorizations has been reduced by nearly 30 percent, the high quality of construction permits has been maintained.

Construction Permit Authorizations

(Registration, General and Traditional Construction Permits – FY2013)

Timeframe (Days) from Complete Application to Authorization	Number of Permits Authorized In FY2013	Percent of Permits Authorized In FY2013
15 or less	60	33.3% ¹
16-49	73	40.6% ²
50-100	29	16.1% ²
101 or more	18	10.0% ²
Totals	180	100.0%

¹ These authorizations are given with general or registration permits.

² The issuance timeframe for the traditional construction permits includes a mandatory 30-day public notice period.

Vapor Intrusion from Contaminated Soils a New Challenge

The Remediation & Redevelopment Program focused significant effort over the last several years on identifying and mitigating vapor intrusion risks at contaminated properties in Wisconsin. Vapor intrusion is the gaseous movement of volatile organic chemicals (VOCs) from contaminated soil and groundwater into buildings, which may present exposure risks to building residents.

In FY2013, the Program worked on:

- Enhancing outreach to the public – drafting template letters and fact sheets to serve as the core of a communication “tool box” for citizens, consultants, responsible parties (RPs) and DNR staff.
- Revising administrative rules – updating administrative rules to clarify RP requirements for vapor intrusion investigation, remediation and mitigation.
- Providing vapor intrusion-related training for environmental consultants and DNR staff.
- Improving information technology tracking systems for closure of vapor intrusion sites.



Concrete Recycling at Badger Army Saves Taxpayer Dollars



Aerial view of the Badger Army Ammunition Plant in Sauk County before deconstruction

Deconstruction of the Badger Army Ammunition Plant in Sauk County accelerated in 2013, and the old buildings and processing areas have all but disappeared. The remaining heavily reinforced concrete infrastructure is rapidly being processed through a cooperative agreement involving the U.S. Army, the DNR and the Department of Transportation. As part of the upcoming Highway 12 road project scheduled for 2015, an anticipated 180,000 tons of concrete from the Badger facility will be recycled.

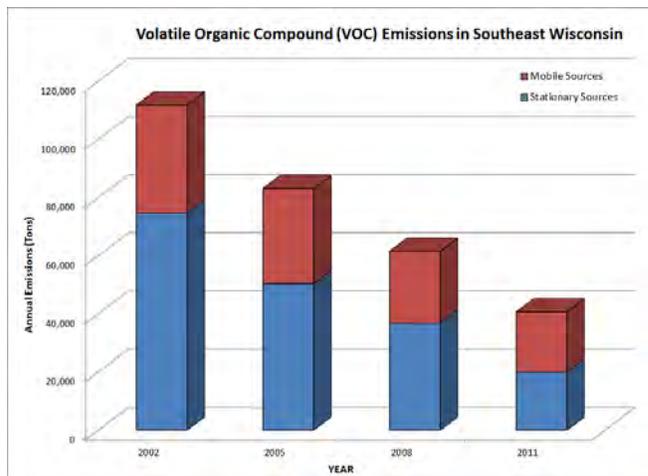
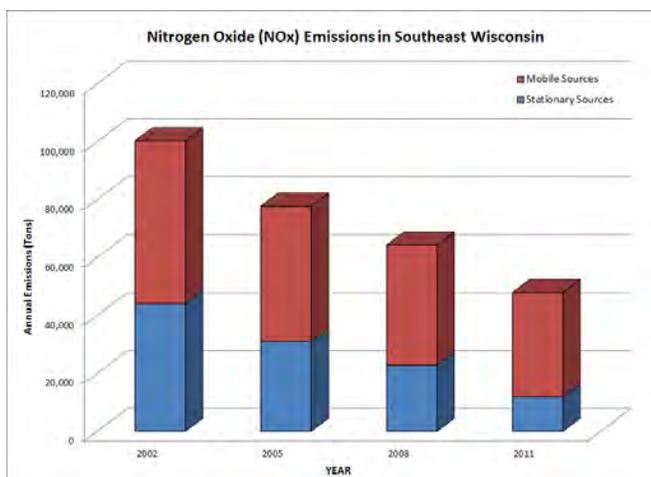
The beneficial reuse of concrete results in significant savings to taxpayers because the concrete replaces virgin aggregate that would have to be purchased and then hauled from greater distances. Removal and recycling of the concrete is a critical step in allowing transformation of the Badger Army property into what will be called the “Sauk Prairie Recreation Area.”

Major Air Quality Improvements

Wisconsin has more counties meeting National Ambient Air Quality Standards (NAAQS) than it has since 1978, even as we are monitoring for more pollutants and standards have become more stringent. With air quality regulations and voluntary actions taken by Wisconsin businesses and citizens, air quality in our state is improving.

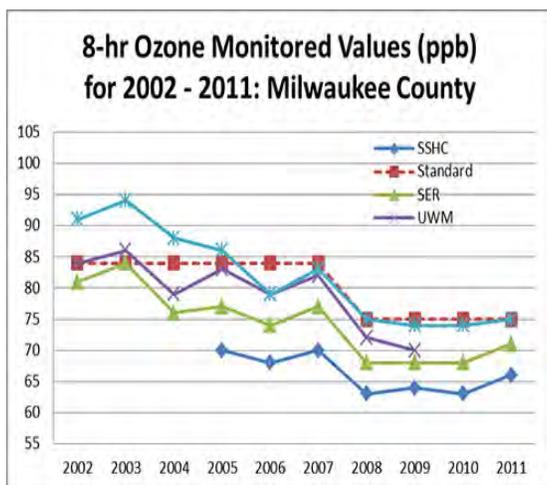
Emissions for several key air pollutants have decreased in southeast Wisconsin. Between 2002 and 2011:

- Annual NOx emissions were reduced by 52% (52,359 tons).
- Annual VOC emissions were reduced by just over 63% (71,179 tons).



Wisconsin reduced the number of ozone nonattainment areas to one county and a partial county (Sheboygan and the eastern half of Kenosha). While there are three counties currently classified as nonattainment for the fine particle standard (Milwaukee, Racine and Waukesha), all three have measured attainment of the standard since 2010 and are expected to be reclassified to attainment by EPA in the next year.

Air Quality Mapping and Monitoring Show Positive Trends



Monitoring Trends

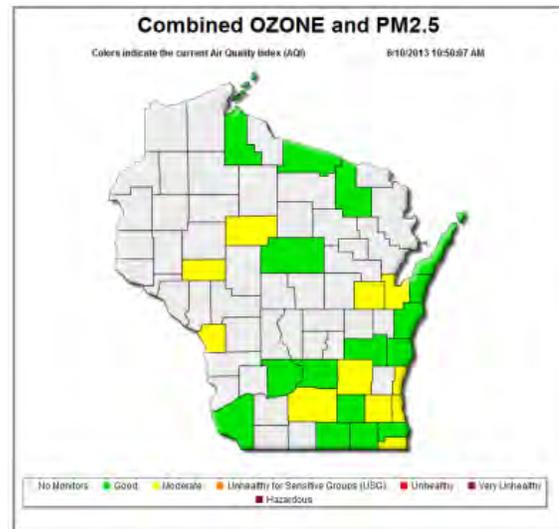
The Department operates a statewide network of 26 ozone monitoring sites and 18 fine particle (PM2.5) monitoring sites to measure ambient air quality. In addition, the DNR monitoring network measures sulfur dioxide, nitrogen oxide and carbon monoxide.

The April 2013 Air Quality Trends Report demonstrated that the overall air quality in Wisconsin continues to improve, building on a 20-year trend in the state. Both PM2.5 and ozone levels across Wisconsin are decreasing.

Air Quality Mapping

The Air Management Program launched a new online “DNR AQ Mapping” tool in FY2013. The tool:

- Allows users to access monitoring data at any time of the day or night.
- Has a new look and feel that is clean and user-friendly.
- Includes a new graphing feature that allows users to plot data from the previous midnight to the current hour. For example, the mapping tool includes charts that show the air quality trends for ozone and fine particles (PM2.5) in each county with a monitor. (*Shaded on the map, right.*)
- When a user selects a shaded county from the map, the air quality trends charts for that county will appear on the web page. (*See example chart, above.*)



For more information on the Air Quality Trends Report, visit the Air Quality Trends webpage: <http://dnr.wi.gov/topic/AirQuality/Trends.asp>.

Phytoremediation Effort Expanded at Ward Paper Landfill in Merrill

The Waste & Materials Management Program approved expansion of the phytoremediation project at the Ward Paper landfill in Merrill, Wisconsin. Phytoremediation is the use of plants to treat contaminated soils, water or air. This plan used leachate as an irrigation source for the existing poplar plantation that was planted on the landfill cap in 2004, and expanded in 2012.

The poplar trees take up large quantities of leachate through their root systems and transpire it through their leaves, reducing the total amount of leachate. This results in a reduction in costs of hauling the leachate from the landfill to the wastewater treatment plant. Other environmental benefits of this treatment system include:

- Approximately a 3-ton reduction in carbon emissions from the trucking and treatment of leachate.
- With irrigation, the trees will grow faster, resulting in an annual sequestration of an additional 7 tons of carbon dioxide equivalents in tree dry matter and soil humus.
- Managed rotationally, poplar plantation harvesting recovers a valuable resource.



Phytoremediation project at the Ward Paper landfill in Merrill, Wisconsin

Plastics Recycling On the Rise

The Wisconsin Plastics Recycling Study, a DNR-commissioned study completed in Fall 2012, concluded that recycling more of the plastics that currently end up in landfills could create jobs and generate other substantial economic rewards for Wisconsin. Currently, Wisconsin's plastics industry is ranked 8th nationally in plastics industry employment, providing jobs for some 40,000 people, with a direct payroll of \$1.6 billion. Increasing plastics recycling in the state will open the door for greater economic and job development, particularly through expansion of existing business and the creation of new businesses.



Used plastics have real monetary value to processors and manufacturers in the state. The study estimates some \$64 million in recyclable plastic materials is landfilled each year in Wisconsin.

Spurred by the results of the study, the Waste & Materials Management Program is participating in several follow up activities to promote plastics recycling, including:

- A Memorandum of Understanding with two national business groups – the American Chemistry Council's Flexible Film Recycling Group and the Sustainable Packaging Coalition's GreenBlue Foundation – to increase access to and awareness of recycling options; and
- Support for three Council on Recycling workgroups that are developing recommendations for recovering and recycling plastic film and bags, rigid plastics and high-value plastic bottles.

DNR also partnered with the Wisconsin Manufacturing Extension Partnership to survey more than 4,000 businesses in Wisconsin and create a comprehensive map of plastics film recycling options in the state.

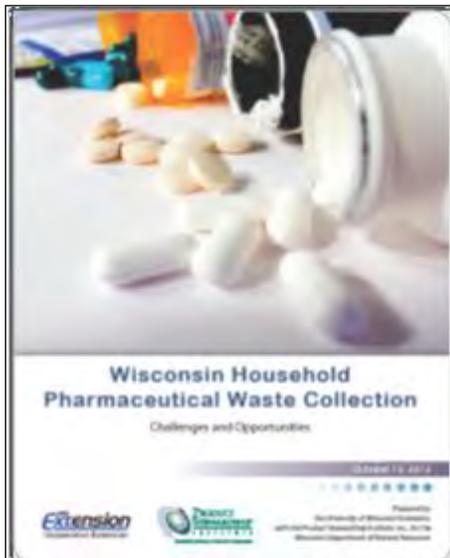
View the Wisconsin Plastics Recycling Study online at:

<http://www.moorerecycling.com/Wisconsin%20Plastics%20Recycling%20Study%20Executive%20Summary>

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DNR Household Pharmaceutical Waste Study

The Waste & Materials Management Program commissioned a study in 2012 to answer basic questions about how much pharmaceutical waste is being generated and how it is being managed.



The Wisconsin Household Pharmaceutical Waste Collection study estimates that 118.8 million prescriptions and over-the-counter medications – approximately 13.1 million pounds – were dispensed and sold in Wisconsin in 2010. Of these, about one-third, or 4.4 million pounds, went unused, and only 2 percent of the unused drugs were collected for safe disposal.

The study examined current collection programs to identify challenges and opportunities for pharmaceutical destruction, program funding and outreach. It provides a basis for dialogue on how best to manage Wisconsin's household pharmaceutical waste in the future. By addressing the challenges, Wisconsin can create an effective and sustainable pharmaceutical collection system that will reduce impacts both on its environment and its communities.

The Wisconsin Household Pharmaceutical Waste Collection study is available on DNR's website at

<http://dnr.wi.gov/topic/HealthWaste/documents/2012HouseholdPharmStudy.pdf>.

Customer Service

"I was extremely pleased with the service, suggestions, guidance and fast response I received from WDNR ... for a plan modification we applied for at the Venstone LLC landfill in Iron River, Wisconsin. This plan modification was instrumental in allowing the City of Ashland to complete a Brownfield remediation project for the Chicago Iron and Supplies property during the summer of 2012. The process was smooth, fast and the WDNR showed a genuine willingness to help work out the issues to make this a successful project. I appreciated that effort."

Dennis L. Johnson, P.E.
Supervisor, Environmental Services
Ayres Associates

Measuring and improving how our programs deliver customer service to the regulated community and external partners is a priority within the Department and the AWaRe Division. With feedback, programs can better tailor their services and train staff on the best ways to effectively serve the customer's needs and achieve quality results for all parties involved. Following are some of the Division's customer service efforts.

Complaint Response Pilot Project

The Waste & Materials Management (WMM) Program finished its pilot project to streamline complaint response for low- and medium-priority complaints related to solid and hazardous waste. Low- and medium-priority complaints are defined as those that do not pose a direct threat to human health or the environment. It was so successful that it was expanded to apply to complaints about open burning, and to residential outdoor wood boilers. The expanded system increases consistency, decreases response time and improves customer service through a central clearinghouse, and provides timely feedback to wardens, program staff and others involved with responding to a complaint.

Survey of Solid Waste Landfill Owners Addresses Customer Satisfaction

In December 2012, the WMM Program surveyed municipal solid waste landfill owners and their consultants to obtain feedback on how well the solid waste program is doing. Questions addressed availability, responsiveness, professionalism, turnaround time, regulations and fees. The feedback obtained was positive and encouraging. For example, 98 percent were satisfied with the availability of program staff, and the same high percentage of responders rated staff as being professional.

A few responses led the WMM Program to consider improvements. The respondents expressed concern with the loss of veteran staff and the increase in less-experienced staff. To address this concern, the Program is concentrating more on training to help make the transition to newer staff smoother. Statewide consistency was another area that could be improved. The WMM Program continues to work on streamlining the approval processes for solid waste facility initial applications, transfer facility plan of operations applications, wood burning facility plan of operations applications, and low hazard waste exemptions for reuse of street sweepings. The Program is also standardizing approval letters to help enhance consistency.

Hazardous Waste Tip-of-the-Month

The DNR Hazardous Waste Program launched a new GovDelivery subscription called “Hazardous Waste Decoded.” The monthly newsletter is intended primarily for businesses and institutions that generate or manage hazardous waste. Each issue focuses on one topic, such as a “plain language” discussion of a hazardous waste requirement that may be confusing or complicated, or updates on proposed legislation.

Customer Surveys: Valuable Tools for Air Program’s Registration Permit Program

The Registration Operation Permit (ROP) is a time-saving, easy-to-apply-for air permit that uses an online application. The 94 facilities that received a ROP in 2012 received a link to an online customer survey. The survey specifically asked about the ROP application process and what users found difficult or challenging in completing the application.

Although most applicants found the ROP application process either “very easy” or “easy,” 71 percent of respondents indicated that some help from DNR was needed during the application process. All respondents, except for two, said the DNR issued the ROP within the 15 day deadline (one respondent was unsure and another skipped the question).

As ROPs are issued in 2013, an email with a link to the online survey will be sent to each recipient.

As a result of the survey, the Air Program will develop additional guidance regarding emission estimation as well as information on how the ROP permit works.

Increasing ROP Use in the Future

The Air Program will increase the number of ROPs issued, saving time and resources for both the facilities and the DNR. ROPs appear to be underutilized by facilities across Wisconsin. In 2012, 94 facilities received coverage under a ROP. While that is an increase from the previous two years (65 ROPs in 2011 and 76 in 2010), the number of potential facilities that could apply for a ROP is greater.

The ongoing survey of registration permit recipients will help determine why ROPs are underutilized.

The Program also is using lessons learned from the ROP customer service survey to develop a survey that will glean information for improving the individual construction permitting process. The Air Program intends to use the survey results to initiate projects that will improve efficiency and customer satisfaction.

For more information on air permits, visit: <http://dnr.wi.gov/topic/AirPermits/>.

“Thank you very much for the update and willingness to work through this [air] permit in such an open and cooperative fashion. I very much appreciate the Department’s and your attention to the various complications, challenges and clarification concerns raised during this complex permitting effort as well as your ability to resolve them in a reasonable and understanding fashion. It was a pleasure to work with you in such a collaborative manner on this permit.”

Jeffrey Hanson, P.E., Manager
Environmental Services-Generation
Alliant Energy

“...The liability clarification letter was delivered ahead of schedule and provided just the certainty my client needed to continue moving forward with the transaction. It is evident that you take pride in your work, and the end-result in this case is a very positive impression of the DNR for me and my out of state client. Good for you and good for the State of Wisconsin. Thank you again.”

Lawrence J. Glusman
Friebert, Finerty & St. John, S.C.

New Air Management Study Group Off to a Positive Start

The Air Program convened the Air Management Study Group, an external stakeholder working group. One of the primary goals of the group is to provide the Program with constructive feedback on policy and technical issues, and to work collaboratively with DNR staff to find solutions for priority air issues.

For more information on the study group, visit <http://dnr.wi.gov/topic/AirQuality/AMStudyGroup.html>.

Getting Lean – Case Closure Lean Six Sigma Project

As part of DNR’s “let’s get LEAN” initiative, the Remediation & Redevelopment Program completed its first Lean Six Sigma project on the front-end part of the case closure request process. The goals were to:

- Eliminate overall “waste” from the case closure approval process; and
- Streamline the information collected to only what is needed to consistently make a technical and regulatory decision.

The new closure approval process achieves these goals. Previously, more than 50 percent of case closure requests submitted to DNR were deemed “administratively incomplete” because they missed key pieces of information, such as maps, deeds, tables or figures. The high percentage of incomplete submittals slowed down the process for both the consultant and the DNR. In addition, areas of the state were not taking a consistent approach for administrative review.

The new process and form went into effect Jan. 1, 2013. “Administrative completeness” checks conducted since January showed a nearly 30 percent decrease in incomplete submittals, which meant that fewer cases needed to be returned to the customer for additional administrative reasons. The process changes also resulted in sending incomplete notices to customers 20 days earlier, which saved time for the customer.

Building upon the first Lean Six Sigma project, the RR Program has initiated a follow-up project to analyze and streamline the steps in the technical review process. This is done to determine if a case closure can be approved by the Department while meeting the requirements of NR700, Wisconsin’s cleanup rules.



RR Program's Lean Six Sigma Team

Transfer of PECFA Program – Long-standing Program Finds a “New” Home

The 2013-2015 biennial budget signed by Governor Walker transferred the Petroleum Environmental Cleanup Fund Award (PECFA) Bureau from the Department of Safety & Professional Services to DNR’s Remediation & Redevelopment (RR) Program. The transfer will have several benefits, including:

- **Increased Government Efficiency** – Consolidation of environmental cleanup programs.
- **Realized Savings in excess of \$1 Million per Biennium** – Reduced transaction costs through the elimination of duplicative processes, and creating long-term efficiencies through consistent policy, streamlined service delivery, consistent standards, and unified management.
- **Improved Customer Service** – A single point of contact for the public on PECFA-related issues.

The RR Program will focus on a smooth transition of all the PECFA functions so that business continues uninterrupted and customer service is not impacted.



Improving Integration

Integration between programs and across divisions was a priority in FY2013. Effective integration helps assure timely and complete decisions for the Department's customers. Below are several summaries of effective work projects the AWaRe Division initiated or participated in.

Non-Metallic Mining – Reaching Beyond Program Boundaries to Achieve Success

Waste & Materials Management (WMM) non-metallic mining staff worked with staff from the DNR's Water Division to clarify the regulatory applicability of Chapter 30 for non-metallic mines that are adjacent to water bodies. Program staff prepared draft guidance and are working with the Water Division on potential revisions to the general storm water permit related to solids management planning from industrial sand mines. As part of this effort, WMM staff provided information to help the storm water program modify the general permit.

Cross-Division Teams Help Implement Ferrous Mining Law

Wisconsin's new ferrous mining law streamlines the regulatory process for companies seeking to mine iron deposits in the state. This includes exploration drilling, bulk sampling, permit applications, mining operations and reclamation activities.

The Division's Waste & Materials Management Program is the lead on implementing the new requirements, revising regulations and managing proposed mining projects and permits. Much of this work is done by several cross-division teams that handle the many, and often complicated, steps involved with exploratory drilling, sampling and potentially permitting a ferrous mining operation. Team participation includes staff from the Water, AWaRe, Forestry and Land Divisions, and the Enforcement and Science Bureaus.



Wisconsin's Plant Recovery Initiative – Redeveloping/Repurposing Closed Plants

The Remediation & Redevelopment Program's Wisconsin Plant Recovery Initiative (WPRI) continued efforts to get a head start on cleaning up and redeveloping industrial properties. In effect since 2009, WPRI was created to identify manufacturing facilities intending to close, help them resolve possible contamination issues, and improve the site's attractiveness for redevelopment or re-purposing.

By addressing environmental issues early on, the WPRI program can help limit property tax losses, create significant savings in cleanup and redevelopment costs, and limit future liability for both public and private parties.

Two cases in FY2013 highlight the integration aspects of the WPRI program.

- In northeast Wisconsin, a former furniture manufacturer that operated for more than 100 years sold its operations to a company that hoped to turn things around. After a few years of operation, the new company closed and left behind environmental hazards. During the plant closure process, issues were raised regarding the management of asbestos, hazardous waste and the fire suppression systems.

Air Management Program staff, in coordination with enforcement personnel, successfully negotiated a settlement that will lead to the proper handling of asbestos at the site. Waste & Materials Management Program staff inspected the site and determined that leftover waste needed to be managed and disposed of properly. Through WPRI, the RR Program coordinated a meeting between the property's financial institution, community personnel, EPA staff and other DNR programs to address unresolved matters.



The former P.H. Glatfelter paper site in Neenah, Wis. now serves as the world headquarters for Plexus.

- Another case involved a food processing business that abruptly closed in southeast Wisconsin in January 2013. The WPRI coordinator alerted and worked with other DNR programs, as well as the Department of Agriculture, Trade and Consumer Protection, to make sure environmental issues did not turn into emergency situations. As a result of a coordinated response, leftover product was properly managed and used. Although the company went through bankruptcy, a successful sale of the site and business to another company was completed.

For more information about the Wisconsin Plant Recovery Initiative Program, visit <http://dnr.wi.gov/topic/brownfields/wpri.html>.

New Integrated Sediment Team Looks to Coordinated Cleanup Approach

The AWaRe Division teamed up with the Department's Office of Great Lakes to form an Integrated Sediment Team comprised of representatives from the Water and AWaRe Divisions to develop common and coordinated approaches to handling sediment cleanup projects.

The Integrated Sediment Team will focus on the following issues over the next several years:

- Review of all sediment-related guidance and protocols;
- Sediment quality standards;
- Voluntary Party Liability Exemption (VPLE) for contaminated sediments;
- Open water placement of dredge material; and
- Beneficial reuse of dredge material.



A barge outfitted with a drill rig prepares to sample sediment in the Chequamegon Bay near Ashland, Wis.

New Laws & Regulations

Each year, the AWaRe Division is faced with implementing new laws and regulations. With customer input, the Division strives to clarify and streamline how these rules are implemented. Following are some key examples from the past year.

Improved Regulations – Revised Compost Rules Implemented



Raw material for composting (Hsu Composting)

New rule revisions have been implemented to the state's composting facility regulations. Under the new rules, operations that accept compostable materials other than yard materials, such as food scraps, must obtain a new "source-separated compostable material" license and submit a plan of operation to DNR. One of the effects of the new license is to allow food materials (and a wide variety of other non-industrial organic materials) to be composted by these facilities. The new rules help ensure that composters make compost, and do not create waste storage piles that can cause nuisance odors and other environmental problems.

Outreach activities for the new composting rules included revamped web pages, new guidance documents and application forms, and a partnership with UW Extension's Solid and Hazardous Waste Education Center that provided training in August 2012 to compost facility operators.

Air Permits Streamlining Rule Package – Efficient and Simple

In March 2013, the Natural Resources Board approved the Department's scope statement for a proposed air permit streamlining rule. The Air Program will be engaging stakeholders to help develop the proposed rule.

The goal is to improve operational efficiency and simplify the permitting processes under the construction and operation permit programs while remaining consistent with the Clean Air Act. The rulemaking process will evaluate, with input from stakeholders, a number of ways to simplify the permitting process while increasing consistency and efficiency.

Updated Mercury Rule Revisions Help Avoid Costs and Compliance Burdens

In May 2013, the Natural Resources Board (NRB) approved the Division's recommendation to adjust Wisconsin's rules on mercury emissions from coal-fired power plants. The change better aligns compliance schedules under the state rule with those in the two federal mercury emission rules issued in 2012 by EPA. It also avoids additional costs and compliance burdens that could occur under the existing staggered schedules.

At its June 2013 meeting, NRB reviewed the Air Program's scope statement for the rule and authorized the changes to the state mercury rule.

Cleanup Rule Revisions Help Streamline Closure Process

The NR 700 rule series provide a comprehensive, consistent and uniform set of requirements related to the investigation and cleanup of contaminated property. In FY2013, the Remediation & Redevelopment Program completed a multi-year effort to overhaul the rules with input from the Brownfields Study Group, the Technical Focus Group and a number of external stakeholders.

The proposed revisions update the rules by incorporating a number of statutory, policy, and technical changes that have occurred since they were originally promulgated nearly 20 years ago. The changes streamline and consolidate the rule language so that out-of-date provisions are removed and the current regulatory requirements are easier to understand and comply with.

The rules are being evaluated by the Legislative Joint Committee for Review of Administrative Rules and are expected to become effective during the fall of 2013.



Emerging & Ongoing Issues

Looking forward to FY 2014, below are some of the important issues that programs in the AWaRe Division will be addressing. Each program has already taken steps to get out ahead of these key issues.

Federal Regulatory Proposals – New Air Program Rules on the Horizon

At the federal level, EPA's regulatory agenda includes development of several proposed air quality rules and implementation of final rules that will impact the Air Program's workload over the next couple of years. They include:

- 1-hour Sulfur Dioxide standard implementation;
- Electric Generating Unit Mercury Air Toxic standards (MATS);
- Industrial, Commercial and Institutional (ICI) Boiler MACT implementation;
- New Ozone standard;
- New Lead standard;
- Greenhouse Gas standards for Existing Sources;
- Greenhouse Gas standard for New Sources;
- 2008 Ozone standard implementation; and
- Interstate transport rule proposal for ozone and fine particulate matter.

State Superfund Oversight – Staying Focused on Federal Cleanups

The state's 2013-2015 biennial budget authorizes the Department to enter into agreements with responsible parties (RPs) to provide management and technical support for cleanup work at Superfund sites. Under the new agreements, RPs that have entered into an agreement will have the option to pay DNR directly for the Department's involvement at their Superfund cleanup site. This will reduce the RP's transactional and administrative costs.

Continued Work on Vapor Intrusion from Contaminated Soils



The Division will continue to work in partnership with municipalities and local health departments to address potential exposures from vapor intrusion. Vapor intrusion is the gaseous movement of volatile organic chemicals (VOCs) from contaminated soil and groundwater into buildings. It is unknown how many sites have vapor intrusion issues. New approaches to identifying these properties and mitigating health risks are needed.

New Projects Up North – Gogebic Taconite’s Ferrous Mining Proposed Project

Gogebic Taconite, LLC, has moved forward with plans to explore the viability of an open pit iron mine in a section of the Penokee Hills straddling Ashland and Iron counties. In the summer of 2013, the company submitted an application for a bulk sampling plan and a pre-application notification. The Department will review and respond to these applications as required by the new law.

In the coming year, the Department will complete the rulemaking package revising the current administrative code in order to implement the new ferrous mining law.

The Constant Goal – Increasing Customer Satisfaction

To improve the Division’s abilities to gather and use customer feedback, the AWaRe Division will implement two new customer service efforts in FY 2014:

- Individual feedback surveys for use by all staff in the Division; and
- Specific customer surveys conducted by each program, similar to the plan review, registration operation permit and closure application surveys conducted in FY2013.

In addition, AWaRe Division programs will continue to address responses received from surveys completed in FY2013.

Streamlining Efforts Continue

The AWaRe Division will continue progress on important streamlining efforts and initiate new Lean projects, including:

- Air Permit Streamlining Rule;
- Remediation Site Closure Process;
- Hazardous Waste Inspection Process; and
- Increasing Registration Operation Permits.

New Waste Program Study Group

To help address major issues that are important to its customers, the Waste & Materials Management Program will convene and support a materials management stakeholder group similar to the Brownfields Study Group and the new Air Management Study Group.

Integration Efforts Continue

In FY 2014, the AWaRe Division will focus integration efforts in the following areas:

- Industrial Sand Mining;
- Vapor Intrusion from Contaminated Soil;
- Waste Pharmaceutical Management;
- Plastics Management and Recycling;
- Sediment Clean-up Projects; and
- Ferrous Mining Projects.

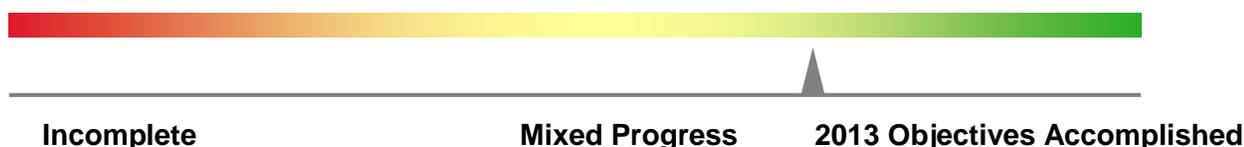
Performance Measures Highlights

Following are some of the key indicators of the AWaRe Division's performance in FY2013.

Customer Service

Goal: The Division responds to 100% of fee-based cleanup submittals within 60 days.

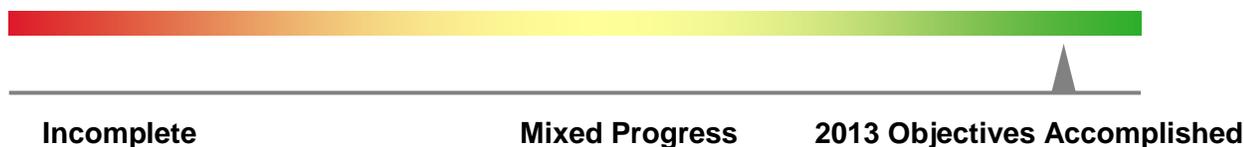
Assessment: While the Remediation & Redevelopment Program did not review 100% of projects within 60 days, 89% of projects were reviewed within 60 days. In an effort to improve that success rate, the Program has embarked upon two Lean Six Sigma efforts to improve the closure review process. The goals of both projects include reducing staff time required to determine if a case can be closed, and to reduce the lead time for getting those decisions made and communicated to our customers. Once the process improvements are implemented, the 89% success rate should increase.



Goal: Efficiently regulate solid and hazardous waste and materials facilities through the plan review approval process.

Customer Service Outcome: Complete solid waste plan reviews and approvals within the timeframes specified in code and statute 90% of the time in 2012, 95% of the time in 2013, and 100% of the time in 2014.

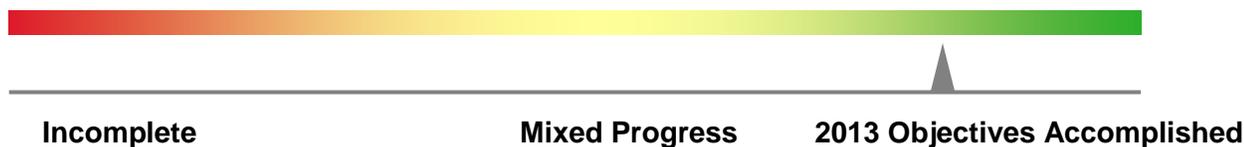
Assessment: 90.3% on time rate.



Goal: The Division issues air construction permits in a timely fashion.

Customer Service Outcome: Improve the timeliness of issuing major and minor New Source Review permits through process improvement (efficiency) efforts over the biennium (FY12-13).

Assessment: About 74% of the total authorizations in FY2013 were given within 49 days (which includes the 30-day comment period) and about 90% were given within 100 days. This is a significant improvement in recent years.



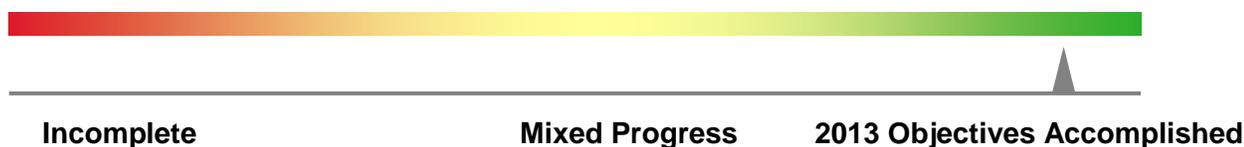
Protect Human Health and the Environment

Goal: Ensure Wisconsin citizens and businesses have the knowledge, opportunity, and mechanisms to safely and economically minimize, reuse, recycle, manage, and dispose of the solid and hazardous waste and materials/byproducts they generate.

Environmental/Customer Service Outcome: Streamline solid waste applications and approvals.

Assessment:

- Modified the Solid Waste Facility Initial License Application Form to include information for compost facilities to streamline their license application process.
- Developed a Transfer Facility Plan of Operation Application Form to simplify and streamline the application process for transfer facilities.
- Developed a Woodburning Facility Plan of Operation Application Form to simplify and streamline the application process for woodburning facilities.
- Developed a form for use in applying for a low hazard waste exemption for reuse of street sweepings to simplify and streamline the process for getting this exemption.



Goal: Reduce health risk due to air pollution.

Environmental Outcome: Meet all targeted applicable National Ambient Air Quality Standards (NAAQS) in accordance with Clean Air Act (CAA) deadlines, beginning with the promulgation of a new or revised NAAQS and ending with the applicable CAA attainment date.

Assessment: Currently, Wisconsin has more counties meeting National Ambient Air Quality Standards (NAAQS) than it has had since 1978. A NAAQS has been established by EPA for six common air pollutants (ozone, fine particles, lead, carbon monoxide, nitrogen oxides and sulfur dioxide). Due to air quality regulations and voluntary actions taken by Wisconsin businesses and citizens, air pollution in our state is improving.

