WASTE MANAGEMENT PROGRAM REDESIGN MEETING –Agenda –June 7, 2004

Location: In Person: SCR Hdqtrs, Gathering Waters Room, Call-in: (608) 265-1000, 0363# Present: Dave Hildreth (phone), Sue Bangert, John Melby, Antonuk (phone), Deb Pingel (phone), Frank Schultz (phone), Cynthia Moore, Barbara Hennings, Dennis Mack, Larry Lynch, Mike Degen
Notetaker: Connie Antonuk

Time	Presenter	Topic		Decision	Follow-up
9:15	Sue B	Agenda Repair, Check-in			
9:30	Mark Giesfeldt and Jim Schmidt from Milwaukee. Regional RR Mgr.	Lessons from the Remediation & Redevelopment Program Redesign		**Mark Giesfeldt** – history of RR program. • Important document - Organization and Strategic direction of RR program. • PECFA program history ($1.3 billion program) 65% sites at DOC & 35% at DNR. PECFA audit forced RR program direction and staff & mgmt buy in to changes. • NR700 code - natural attenuation rule. No post closure monitoring. • Brownfield Concept to cleanup sites is positive. Externals like program. One of top 3 Brownfield programs in nation. • Dry Cleaners and NR 700 Advisory group good working relationships. **Jim Schmidt** – Staff concerns: • Stressed communicating with staff regarding program changes and big picture concepts. Takes a lot of time. Some staff will not be able to adjust to changes and will leave the program. Others will embrace the program changes positively and what can be done for the environment.	1. Read the RR Program's Organization and Strategic Direction document. Entire management team needs to buy-into direction. 2. WaMT members need to consider holding listening sessions w/ waste management staff on program changes and strategic direction & code changes. 3. External advisory groups can be strong advocates for program direction – Brownfield Implementation group. Environmental groups have not participated heavily. 4. Work smart on every site because one poorly managed site can draw a lot of negative attention. Sites need to be looked at env. socially, and economically.

10:30	Caroline Garber, Eileen Pierce	Lessons from the Air Management Permit Streamlining process Industry Needs Definition DNR Needs Definition Public Needs Definition Industry Type Regulatory Matrix **Link to 2004 Construction Permit Report:** http://dnr.wi.gov/org/es/science/publications/SS_995_2004.pdf **Link to 2002 Operation Permit Customer Satisfaction Survey** http://dnr.wi.gov/org/es/science/publications/SS_978_2002.pdf		1. Strategic Direction – being set by following and now just trying to manage. • Legislative Audit Bureau • EPA Notice of Deficiency • Governor's Grow Wisconsin • Wisconsin Manuf & Commerce 2. Internal staff input • Follow thru on comments received is necessary or else do not do it. • Hire out focus group work from an outside consultant. • Anonymity is important • One focus group invited certain staff for specific input on permit barriers. 3. External Relations • Didn't listen soon enough to externals – too slow, too bureaucratic, inflexible. In denial? Wis Act 118. • Moving toward large & small industry being treated same and having industry solve air emission problem. • Air Mgmt program does not identify with an external advocacy group. 4. Communications • Feedback to staff is critical • Use survey information • Looked at industry input, public input, DNR needs. • Developed matrix of tools with criteria.	1. Staff input on waste mgmt program re-design requires feedback. 2. Waste Managers need to take staff input in a positive and constructive manner. 3. External comments on waste program focus groups should be posted on the web site. See Air Mgmt web site. WMPR should consider intranet v. Internet information posting and applicability to audiences. 4. Sue's News will continue to be important to facilitate information flow to staff on re-design efforts. 5. Culture Change requires a "Just do It' attitude to protect and enhance the environment. 6. WMPR should consider developing performance measures to measure WMPR success.
11:30	ALL	Updates: WEB; Benchmarking; input sessions; legislative panel		Legislative panel scheduled for July 7, 2004 meeting. Kathy Stepp, Neal Kedzie and Duane Johnsrud. Not yet confirmed. Web site update – Barb H. will send out email note. Benchmarking Update – Connie sent out recent info on Minnesota. Connie will be	

				working with Ohio next. Larry will be working with Washington and Massachusetts.	
12:00	Lunch	**BRING A BAG LUNCH**			
12:30	Mark McDermid	Green Tier elements and how that can be a tool in the WMPR		Green Tier – performance based environmental management system. Rule making will not be the only avenue for env, regulations – but moving toward collaboration and stewardship. Streamlining and regulatory reform, general permits, registration permits, etc. • Company needs to find violations on their own and correct them on their own. 42 states now do compliance audits. Wis Green Tier law (compliance audits) is most stringent in nation. • Pilot program – Green Tier cooperative program. • Less waste, lower cost and healthy communities. Green Tier Levels a. Compliance Audits- Company completes audit prior to beginning 30 days. b. Tier 1 – Co. needs an EMS or commitment to EMS. Co. needs superior env. performance. Logo & cert. & single point of contact. c. Tier 2 – more rigorous requirements. Need functional EMS in place. d. Definition of superior env. performance must be met. Cos. can contract for flexibility proportional to performance delivered. One company installed controls at liquid state v. at stack (air) – achieved greater env perf. Charters – Wis. first in	1. Waste Mgmt program has to do business differently. The adoption of the Waste EMS certification is a solid first step. 2. WMPR team members should consider the use of the Green Tier Mantra: Less waste, lower cost to facilities and regulatory agency and healthy communities (inside DNR and externally). 3. Come up with a really good idea for a company or industry to use to achieve regulatory compliance . 4. External Waste mgmt company may want to come in to talk about Green Tier. Mike Degen will follow up. 5. Green Tier Web site info: http://dnr.wi.gov/org/caer/cea/environmental/ 6. Training on Green Tier for Waste Management staff is being discussed.

				nation. Allow groups to come together (reg. or unreg) to address env. problems collectively. Example of collaboration & stewardship. A trade assoc. that comes together – Salvage yards, supply chain source reduction, geographic basis (Menomonee Valley, Door & Manitowoc counties) Implementation. June 2005 – 100 entities enrolled in Green Tier either reg. or unreg. Farms, companies, NGOs, communities. There are 298 companies in state with some type of EMS. Around 100 are 3rd party certified. 198 are NOT EMS certified (SC Johnson). Green Tier program will be trademarked.	
1:30	ALL	Take-away from Mark Thimke		Thimke Take Aways 1. Peshek and Thimke comments combined into one document. 2. Advocacy group is helpful, listen to externals.	1. WMPR should consider converting this table into a needs matrix that will include external input, focus group info, etc. 2. WMPR members should send in comments to Frank by June 18th on concepts, problems and solutions from today's guest speakers from Air program, RR program and Green Tier. Frank will incorp these comments into matrix.
2:30	ALL	Things to Consider Doing Right Away		Sue B. sent out current list of moves for WMPR to consider.	1. Add to bullet number one Green Tier for the use with a waste management company or regulated entity. 2. Change document heading to "Things to Consider Doing Right – Away."

					3. Add a bullet to state "continue outreach effort to other stakeholder groups." 4. Dennis and Mike Degen will define bullets to give staff a clear understanding of the concepts. This will be done by June 18. Dave H and Sue B will send any comments on computer tech/information to Dennis and Mike. 5. WMPR should check in with WaMT on this list and their comments/concerns. 6. Add statewide low hazard exemption to list
2:45	ALL	Next Steps & Assignments • WMPR Timeline – Sue Bangert • Overview and Outcomes Document – Sue B.		How to Proceed with WMPR effort. 1. Sue sent out a Timeline for the WMPR effort. 2. Sue sent out an overview and outcome document for the WMPR.	1. Feedback to Sue B. on these documents from WMPR by June 18, 2004. 2. Dave Hildreth will contact Paul Heinen regarding WMPR effort and legislative invites. 3. Dave Hildreth will send out Air APPI work on needs matrix.
3:00		Adjourn			

Industry Needs Definitions

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- **Increased Permit Timeliness** – The tool provides a shorter time frame for a company to start new/modified operations: from a quicker turn around time starting when a company submits an application to when a permit is issued, to the elimination of the need for the application-approval-issuance process.
- **Increased Flexibility** - The tool allows company more flexibility in the way they operate, make changes, monitor, record, demonstrate compliance, etc.
- **Decreased Liability** – When using this tool a company will have a greater level of assurance that what they are doing to comply with the requirements will satisfy DNR and/or EPA. It eliminates any confusion about what steps are necessary to show full compliance with requirements or whether DNR or EPA may come back and find mistakes that result in an enforcement case/fine against the company.
- **Increased Certainty** – With this tool, a company will have greater certainty about when they will be issued their permit (or other approval document). This allows them to better plan for when they can begin construction activities.
- **Decreased Costs** – This tool will have a number of aspects that save the company money. Such as: (1) fewer construction permits are required over the long term; (2) reduced on-going costs for compliance demonstration, (3) less in annual fees, (4) less detail required for a submittal, so the need to hire consultants for the work is reduced, etc.
- **Reduced Monitoring/Recordkeeping** – Use of this tool results in less onerous or prescriptive compliance demonstration requirements as compared with the existing process, while still protecting air quality.
- **Understandable Permits** – This tool uses little, if any, legalese or other complex language in any instructions provided to the company about how to get through the process and in any final document issued. The tool may use terminology from the industry itself.
- **Reward Beyond Compliance** – The tool provides incentives or benefits to any company that demonstrates measures have been taken to go beyond the minimum level of compliance with the regulations.
- **Increased Consistency** – This tool ensures that when getting a permit or other approval from DNR, the company is receiving a decision (exemption determination, a permit or other approval document) that is substantially the same as what someone else in the same industry was issued. This will be the case no matter where the document is issued, whether from their local office, the central office or another regional office. Any differences would only reflect slight operational differences between two facilities.
- **Level the Playing Field** – With this tool, companies can be assured that all other companies that should be regulated are receiving the same level of regulatory oversight (permits, enforcement, reporting, fees) that they are. This will hold true whether the other company is located down the street or in another county. This may relate to either a single industry group throughout the state or all the companies in a certain neighborhood.

DNR Needs Definitions

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- **Decreased compliance workload** - Use of the tool would result in a decreased workload for DNR compliance staff to ensure facility compliance with applicable requirements.
- **Decreased permit workload -** Use of the tool would result in a decreased permit workload for DNR permit staff by either reducing permit writer review time or eliminating/reducing the need for future permit actions (e.g., revisions, modifications, renewals).
- **Improved compliance rate** - The tool would facilitate an increase in the rate of facility compliance. This might be accomplished by incorporating flexibility or utilizing easy to understand language.
- **Expanded universe of sources** - The tool would help in identifying and regulating emission sources that were not previously identified.
- **More meaningful public involvement** - The tool would facilitate meaningful involvement by the public. This could be accomplished by utilizing easy to understand language and/or involving the public early in the review process.
- **More facilities go beyond compliance** - The tool results in a greater number of facilities going beyond compliance by providing incentives for companies to reduce emissions beyond what is required by law. This results in less work for the DNR while providing improved environmental benefits. The tool might also facilitate companies addressing environmental issues beyond those being addressed under current regulations.
- **Increased consistency** - The tool will help eliminate confusion for staff issuing permits or utilizing regulatory tools in different regions of the state.
- **Meet air quality standards** - Use of the tool will help ensure that all air quality standards are attained and maintained.

Public Needs Definitions

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- **Improved Public Health/Air Quality** - Use of the tool results in better air quality than the current permitting system can deliver. This includes reduced air pollution emissions, fewer odors, decreased visible emissions, fewer smog alerts, etc. Some examples of how a tool may accomplish emissions reductions are improved communication, easier to understand rules, better compliance assistance, incentives for emission reductions, etc.
- **Increased Transparency -** Use of the tool makes it easer to understand and monitor the decisions the DNR makes in order to regulate and monitor a facility.
- **Understandable Permits** – Use of this tool makes it easier for the public to understand what a facility is supposed to do to be in compliance with clean air regulations.
- **Expanded universe of sources** – This tool helps in identifying and regulating facilities that were not previously identified.
- **Made monitoring compliance easier** – This tool makes it easier for the average citizen to know whether a facility is in compliance with its clean air requirements.
- **More facilities go beyond compliance** - The tool provides incentives that makes it attractive for more companies to reduce emissions beyond what is required by law. Often the agreements reached to provide those incentives will result in more opportunities for partnerships to form between the neighborhood and the company.
- **Improved Public Input Opportunities** - The tool increases the opportunity for public involvement, and makes it clear to the public when they can become involved in the regulatory process and on which aspects of the regulatory process they can provide the most meaningful input.

Industry Type

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External Discussion Group:

Industry Type/Source Characteristics	***Level of Emissions***		
	Low	**Medium**	High
Similar processes and regulations across source category			
Dynamic processes, usually with multiple pollutants			
General manufacturing			

To complete the table, fill in the number of the regulatory tool you think best fits for the given industry type and emissions level.

Levels of Emissions:

We don't intend to set specific thresholds on these levels for this discussion. It's more a reflection of the relative environmental risk posed by the different categories shown. Typically, very small sources (low emissions) just want DNR to tell them what to do in simple language. Large sources (high emissions) don't necessarily want simplicity, but want the documents DNR issues to meet all legal requirements.

Industry Type/Source Characteristics:

Similar processes and regulations across source category: examples include autobody shops, asphalt plants, crushers, dry cleaners, and some printers, power plants.

Dynamic processes, usually with multiple pollutants: examples include job shops, such as metal fabricators, some printers and coaters, small cabinet-makers or wood product manufacturers

General manufacturing: all other sources. Examples include paper mills, foundries, ship builders, utilities, large printers

Regulatory Matrix

Matrix for Ranking Air Program Tools

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RANKING SCALE: Use the scale from 0-5 below to answer the question "Does this tool meet or help address the expressed need better than the current tools?"
1 = strongly disagree, 2 = slightly disagree, 3 = neutral, 4 = slightly agree, 5 = strongly agree, and 0 = don't know, not enough information for me to decide

Regulatory Tools	**Industry Needs**									
	Increased Permit Timeliness	Increased Flexibility	Decreased Liability	Increased Certainty	Decreased Costs	Reduced Monitoring /Recordkeeping	Understandable Permits	Reward Beyond Compliance	Increased Consistency	Level the Playing Field
Registration Permits										
Incidental Emitters										
General Permits										
Env. Results Program										
Facility-wide Emission Cap/Bubble										
Simple Minor Source Permit										
Consolidated Permits										
Permit by Rule										
Green Tier										
EMS-Permit										

Regulatory Tools	**DNR Needs**									
	Decreased Compliance Workload	Decreased Permit Workload	Improved Compliance Rate	Expanded Universe of Sources	More Meaningful Public Involvement	More Facilities Go Beyond Compliance	Increased Consistency	Meet Air Quality Standards		
Registration Permits										
Incidental Emitters										
General Permits										
Env. Results Program										
Facility-wide Emission Cap/Bubble										
Simple Minor Source Permit										
Consolidated Permits										
Permit by Rule										
Green Tier										
EMS-Permit										

Regulatory Tools	**Public Needs**									
	Improved Public Health/Air Quality	Increased Transparency	Understandable Permits	Expanded Universe of Sources	Made Monitoring Compliance Easier	More Facilities Go Beyond Compliance	Improves Public Input Opportunities			
Registration Permits										
Incidental Emitters										
General Permits										
Env. Results Program										
Facility-wide Emission Cap/Bubble										
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