

Governor's Council for the Drycleaner Environmental Response Fund Program
Draft Meeting minutes
03/29/04

Council Members: Steve Plater, Chair; Jeanne Tarvin, Jim Cherwinka, Jim Fitzgerald, Rich Klinke
Other Participants: Don Gallo, Brian Swingle, Robin Schmidt, Jeff Soellner

Discussion:

1. Status of the Fund

The Council discussed concerns that reserve money from the Drycleaner Environmental Response Fund (DERF) Program funds were being looked at along with other funds to help solve state budget deficit problems. The Council and Brian Swingle indicated that this could cause major problems with the program for several reasons. First, drycleaners who are borrowing money pay interest until they get their reimbursement from DERF. If the reserve monies are taken for other purposes, the drycleaners will need to pay interest for a longer period of time, which could be a huge issue for some businesses. Also, drycleaners who are already concerned about viability could see this as reason to end the program all together. The group discussed the projections made by Jeff regarding upcoming deficits and Jeff will revise those charts and get them to the Council by April 1st.

The group also discussed problems some drycleaners are facing regarding having to wait for investigation reimbursement until the investigation is complete – for large cost investigations, this can cause a problem. They recommended that this issue be addressed when the rule (ch. NR 169 is revised).

Jeff handed out and explained updated tables on revenues and expenditures for FY 04 for the group to discuss.

Follow-up: Jeff will get updated tables on the projected deficit to the Council by April 1st. Steve and Brian will send letters to Secretary Hassett and Governor Doyle encouraging them to protect this limited fund for the drycleaners.

2. Robin asked whether the Council wanted DOR to be a routine part of the meetings – right now they are not on Robin's distribution list for the Council, and therefore, do not routinely get information sent to the Council. The Council agreed that they should be on the distribution list and then they can determine whether they want to participate in the meetings.

Follow-up: Robin will contact Gail Riedasch at DOR and add her to the distribution list unless she has an alternate person she would like put on the list.

3. Robin provided the Council with copies of the final bill language as well as the senate amendment that were passed by the Legislature this session. She indicated that Governor Doyle would likely be signing the bill into law when he returns from his trip to China. She also discussed outreach that was needed to make sure that all eligible applicants were aware of the program, including property owners of historic drycleaning facilities (assuming they could serve as an agent for a previous drycleaner). Robin and the Council discussed concerns about providing outreach without flagging current drycleaners in a negative light. She will work on this very tactfully, however, she believes the department has a responsibility to provide additional outreach than to just the licensed drycleaners in business today. She agreed it was important to promote the 5 star program as a way of showing that drycleaners of today can provide needed services without causing environmental risks. She agreed to wait until the status of the fund was resolved with respect to item #1 above.

3. Robin explained the rule-making process and provided the Council with a tentative agenda for incorporating the statutory changes in SB 324 into rule, as well as revising the rule to increase its efficiency and effectiveness. She will be putting together a rule-revision advisory committee comprised of the following: 2 DNR regional project managers, DNR attorney, Robin and Jeff; 2 Council members (Jeanne Tarvin and Rich Klinke); Brett Donaldson (as a drycleaner in the DERF

process); Don Gallo and Brian Swingle (from WFI); and a representative from a consulting firm (Jim Drought from Arcadis was suggested). Robin indicated that there would likely be 2 meetings, as well as a number of conference calls and discussions via e-mail to expedite the revisions. She will be contacting the group officially in April to start the process (once the bill is signed into law).

Follow-up: Robin will finalize members of the advisory group and set up the first meeting in April.

4. Robin distributed new SI Bid Cover Sheets for consultants to complete when bidding on site investigations. These cover sheets should allow drycleaners as well as DNR project managers the ability to more readily compare bid proposals from multiple consultants. Robin indicated that these got internal as well as external reviews, and were well received. These forms are intended to be used starting April 15th.
5. The meeting concluded, and the group agreed that the Waukesha meeting room was acceptable for future meetings, if Lapham Peak State Park was not available. The Council will continue with its twice/year meetings, and Robin will schedule the next meeting of this group in the fall of 2004 or as needed.