

REMEDICATION AND REDEVELOPMENT

ISSUES & TRENDS 2016

DIAL: 1-855-947-8255
PASSCODE: 6612 745#

QUESTIONS WILL BE TAKEN DURING THE PRESENTATION.
YOU MAY ALSO SUBMIT QUESTIONS TO
DNRRRCOMMENTS@WISCONSIN.GOV

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2016
12:00 p.m.



CONTAMINATED MATERIALS MANAGEMENT

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POLICY & TECHNICAL RESOURCES



CONTAMINATED MATERIAL MANAGEMENT PROCESS AND TOOLS

- 1. Waste Determination**
- 2. Immediate Action Process**
- 3. Interim or Remedial Action Process**
- 4. Tracking**
- 5. Clean Soil Update**
- 6. Soil Management Documents/Tools**

WASTE DETERMINATION

Conducted by generator

Evaluates:

- **Known and suspected contamination**
- **Historical info**
- **Field assessment (e.g. visual and odor)**

WASTE DETERMINATION

May include sampling based on:

- Phase I RECs
- Present and past land use
- Phase II results
- BRRTS RECs on adjacent site
- Potential sources (USTs, drums, stain)
- Suspicious fill

WASTE DETERMINATION

Sampling requirements

- Adequately characterize material
- Use NR718 sampling frequency
- Assess all suspected contaminants
- Characterization may include leach test (SPLP type) for PAHs and metals

CLEAN SOIL PLACEMENT

Reminder:

Clean soil cannot be placed in a wetland or on a floodplain without preapproval from the DNR.

TYPE OF ACTION

Immediate Action - NR 718.12(1)

VS

**Interim or Remedial Action -
NR 718.12(1)&(2)**

IMMEDIATE ACTION

- Follows NR 708.05 Process
- Applicable to Responsible Parties
- May also apply to construction and utilities projects
- No DNR pre-approval required
- If location criteria cannot be met, then need exemption from DNR prior to material placement

IMMEDIATE ACTION

- Take appropriate action
- No soil management plan required
- Limited to 100 cubic yards of material
- Contaminants less than NR720 RCLs
- Meet NR718.12(1)(c)7
- No vapor risk
- No performance standard (e.g.cap)

IMMEDIATE ACTION

- Sampling data to DNR within 10 days
- Provide NR708.05(6) report
- Soil can be managed on another “site” or “facility”
- No continuing obligations
- Tracked on BRRTS or SHWIMS

INTERIM OR REMEDIAL ACTION

- Interim Action follows NR708.11 and NR724
- Remedial Action follows NR722 and NR724
- Applicable to responsible parties
- Requires DNR pre approval – in writing

INTERIM OR REMEDIAL ACTION

Approval request:

- Provide generating site info
- Source of Impacts
- Lab data
- Map of placement location
- Soil management plan
- Justification of why proposed placement is protective

INTERIM OR REMEDIAL ACTION

If receiving site is not the generating site...

- Include receiving site info – Must be “site” or “facility”
- Owner information and owner acknowledgement
- Deed of receiving site

OTHER SOLID WASTE

- **NR718.15 allows management of other solid waste on the site where it was generated/excavated.**
- **A Low Hazard Exemption from the WMM Program is required to manage other solid waste at another property.**

RECEIVING SITE REQUIREMENT

Site or Facility Definitions

1. Site per 700.03(56)
2. Facility per 700.03(21)

RECEIVING SITE REQUIREMENT

Locational Criteria

- 1. Within a floodplain.
- 2. Within 100 ft of any wetland or critical habitat area.
- 3. Within 300 ft of any navigable waterbody.
- 4. Within 100 ft of any on-site water supply well or 300 ft of any off-site water supply well.
- 5. Within 3 ft of the high groundwater level.
- 6. At a depth greater than the depth of the original excavation from which the contaminated soil was removed.
- 7. Where the contaminated soil poses a threat to public health, safety, or welfare or the environment.

TRACKING

- NR 718 approvals tracked in BRRTS
- Receiving site locations shown on RR Sites Map
- Relationship link indicated between generating and receiving site

TRACKING

- **BRRTS information packet will include**
 - **Cover Sheet**
 - **Application (to include signature from receiving site owner)**
 - **DNR Approval letter**
 - **Deed**
 - **Detailed site map**

CLEAN SOIL

WMM and RR proposing definition of “Clean Soil”

- **Background Threshold Values for Metals**
- **Non Industrial Direct Contact RCLs and GW Protective RCLs for PAHs**
- **Non Detect for other non naturally occurring compounds (VOCs, PCBs, etc.)**

SOIL MANAGEMENT DOCUMENTS

- 1. NR 718 Guidance (RR-999)**
- 2. NR 718 Checklist for NR718.12(2) approval request**
- 3. Maintenance Plan Template**
- 4. NR 718 RR Approval letter templates - off site and on site versions**

SOIL MANAGEMENT DOCUMENTS

5. Waste Determination Guidance
6. LHE Guidance (WA-1645)
7. LHE Template for Exemption Request – Included with WA-1645
8. LHE WMM Approval Template
9. Clean Soil Definition

SOIL MANAGEMENT DOCUMENTS

- 10. Form/submittal to request variance from location standards in 718.12(1)**
- 11. Data submittal form for sampling data reporting per 718.12(1)**
- 12. Property owner acknowledgement template when receiving site not owned by RP per 718.12(2)(d)**

SOIL MANAGEMENT DOCUMENTS

**13. Technical Process Guidance –
Sampling/placement/capping**

**14. BRRTS Tracking requirements – NR
718 generator and receiving sites**

NR718 GUIDANCE REVISIONS

- **Summary Table – Comparing:**
 - Immediate action
 - interim/remedial action
 - other solid waste
- **Definitions**
 - Generator/RP
 - Site/Facility
 - Urban Fill/Soil Mixture
- **Information Call Out Boxes**
 - NR 706 Reporting/Notification/Responsibility
 - Notification Timelines/Fees
 - Points of Contact by Region for RR Staff

QUESTIONS?

Call us with questions or for more details

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ISSUES & TRENDS 2016

MAY 4, 2016

POST-CLOSURE MODIFICATION: COVER TABLE AND OTHER GUIDANCE

Audio and information from today's presentation and future *Issues & Trends Series* events can be found on the RR Program Training Webpage at: [Http://dnr.wi.gov/topic/Brownfields/Training.html](http://dnr.wi.gov/topic/Brownfields/Training.html)

Questions/Comments/Suggestions regarding the
Issues & Trends series can be submitted to:
DNRRRComments@wisconsin.gov

