

EPA Section 128(a) Grant Cooperative Agreement 96520009

September 1, 2014 - February 28, 2015

DNR s.128(a) Grant Accomplishments

MID-YEAR REPORT



DNR hydrogeologist Tauren Beggs answers questions from homeowners in the Town of Newton at an open house on the issue of groundwater contamination related to the historic dumping of chlorinated solvents at a former gravel pit. See story on page 12.



Table of Contents

Introduction	3
Workplan Progress Summary	3
Financial Status Summary	3
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Significant Developments and Success Stories	
20 Years of Progress	4
Village Churns Out Main Street Redevelopment	4
Portage Canal Project	5
Contaminated Gateway Site Converting to \$65 Million Redevelopment	5
Changing of the Guard	6
<hr/>	
EPA's Strategic Plan Goals	
Promoting Sustainable and Livable Communities	7
Cleaning Up Communities and Advancing Sustainable Development	7
<hr/>	
Exceeding Workplan Commitments	
Timely Survey and Inventory	8
Oversight and Enforcement	9
Table 1- Workplan Accomplishments	9
Table 2- Summary of Oversight and Enforcement Activities	10
Mechanisms and Resources for Public Participation	11
Table 3- Summary of Public Participation Activities	12
Table 4- Summary of Mechanisms of Cleanup Approval	12
Mechanisms for Approval of Cleanup Plans, Verification and Certification	13
Maintaining the Public Record	14
Table 5- Summary of Public Record Activities	14
Enhance the Response Program	15
Table 6- Summary of Program Enhancement Activities	17
<hr/>	
Appendix I — Public Outreach Activities- Sept. 1, 2014 - Feb. 28, 2015	

Photos provided by DNR (unless otherwise noted)

Wisconsin DNR s.128(a) Grant Accomplishments Mid-Year Report: Sept. 1, 2014 - Feb. 28, 2015

Introduction

This report summarizes the use of CERCLA s. 128(a) grant funds by the Wisconsin Department of Natural Resources (DNR) for its state response program and public records system. This is the mid-year report, covering activities from Sept. 1, 2014 to Feb. 28, 2015.

This grant is used to support federal and state environmental response programs in Wisconsin under the jurisdiction of DNR's Remediation and Redevelopment (RR) Program, including high-priority leaking underground storage tanks (LUST), RCRA closures and corrective actions, state cleanups, and voluntary party remediation actions.

DNR was first awarded s. 128(a) funds in Sept. 2003 to enhance its state response program, and has successfully utilized all funds provided through these grants.



Brownfields Study Group meeting in February, 2015.

Workplan Progress Summary

The RR Program at DNR is pleased to report that it is successfully meeting or exceeding all commitments identified in the workplan, for EPA Section 128(a) Grant Cooperative Agreement 96520009, at the midpoint of federal fiscal year 2015.

From Sept. 1 2014 to Feb. 28, 2015, the RR Program in Wisconsin has helped further strategic plan goals of the U.S. Environmental Protection Agency (EPA) related to the remediation of contaminated properties, community enhancement and the promotion of sustainable development. Significant grant-supported activities and outputs have been undertaken and achieved. The Brownfields Study Group, an independent external advisory committee, completed a year-long review of Wisconsin's response program policies and procedures with technical and administrative support from the RR Program.

Financial Status Summary

On August 18, 2014, EPA awarded DNR \$1,000,000 in Section 128(a) funding for the Sept. 1, 2014 to Aug. 31, 2015 grant period. DNR has expended approximately \$533,500, or just over 50%, of the grant as of Feb. 28, 2015. DNR expects to fully earn the grant by Aug. 31, 2015. There are no slippages, workplan problems, cost overruns or adverse conditions to report, per 40 CFR Part 31.40. EPA funding under this grant supports 9.25 FTE and approximately 8% of the RR Program budget.

Significant Developments and Success Stories

20 Years of Progress

The Wisconsin Remediation and Redevelopment Program (RR Program) turns 20 this year. Created in 1995, following passage of the Land Recycling Act in 1994, the program has had a big and positive impact on the state's environment and economy. RR Program staff have worked on sites in all 72 counties, and in 96% of Wisconsin's 1,848 cities, villages and towns. DNR has helped clean up more than 15,600 properties since 1995, over 20,000 acres have been returned to productive use since 2004, when tracking began, and 153 full "certificates of completion" have been issued through the Voluntary Party Liability Exemption program.

The RR Program strives to be one of the most successful and innovative cleanup programs in the country. Continuous improvement is the goal each and every day.

Village Churns Out Main Street Redevelopment

State and local cooperation in Wisconsin is leading to butter cleanups and redevelopment. The village of Cross Plains, in Dane County, is in the final stages of a decade-long effort to redevelop the historic Zanders Creamery property, a facility that dates back to the early 1900s. New apartments are now being constructed, and receiving local media attention. Sec. 128(a) funds have helped support grant administration and DNR outreach efforts.

Located on Main Street, and adjacent to Black Earth Creek, the former creamery's redevelopment began in 2004 after the butter production facility was closed due to a listeria outbreak. The village took a proactive approach to investigating and remediating the property by gaining access and utilizing a DNR site assessment grant to conduct Phase I and Phase II work.

Minimal soil and groundwater contamination was discovered near the facility's former loading bay area. The petroleum contamination is being addressed in conjunction with the current construction work. Elevated levels of arsenic and chloromethane were also found during early sampling, but further testing showed them to be anomalous and not a threat.

With environmental knowledge in hand, the village went forward and acquired the site. In 2013, an existing tax incremental financing district was expanded to include the creamery, since the planned redevelopment would add to the financial health of the TID and help ensure a timely closure.



Groundbreaking ceremony in the Village of Cross Plains at the former Zanders Creamery property.

In addition to multiple Green Team meetings and other conversations, DNR ultimately awarded the village two site assessment grants totaling around \$110,000, which helped clear the way for redevelopment by conclusively determining the extent of environmental contamination. In addition, a DNR Stewardship grant, a small DNR river planning grant, and a brownfield grant from the Wisconsin Economic Development Corporation (WEDC) contributed to the success of this project.

Without the assessment grants, the property would likely still sit idle today, since potential developers were extremely wary of purchasing this former industrial property without data quantifying the environmental situation and related costs. In addition, the ready availability of nearby clean sites in small, rural communities like this one often impedes incentives for infill development.

This brownfield revitalization project is occurring simultaneously with the Black Earth Creek Improvement Project, a cooperative effort that the DNR is also engaged in. The goal is to restore the creek back to a more natural state with improved habitat structures and drainage flow.

The buildings that formed the old Zanders Creamery were demolished in 2014 to make way for Zander Place Apartments, a 45-unit apartment community. Local business leaders and the county executive were present at the ground-breaking ceremony to show their support for the project. Construction commenced in early 2015.

Portage Canal Project

Columbia County, in south-central Wisconsin, is moving forward with a \$45 million effort to replace and relocate its administrative and agency facilities onto multiple brownfield properties in downtown Portage. The city, the county and DNR are working cooperatively on the project.

Five RR Program staff have been involved in several Green Team meetings with county officials, outside legal counsel and others to help lay the groundwork for a successful and cost-effective project. Topics discussed range from acquisition to funding to liability and technical requirements.

Sec. 128(a) funds help support RR Program Green Team meetings and, by extension, the local governments that are assisted. In addition, s. 128(a) money supports DNR administration of its federally funded grant and loan programs, which will likely be used to support the Portage project.

Among the seven properties the county hopes to acquire, assess and redevelop are an old woolen mill, a lumber yard, two auto garages, and vacant lots. These properties all straddle the historic Portage Canal, built in the 1870s to connect the Fox and Wisconsin Rivers. DNR staff from various bureaus are coordinating efforts on the overall county remediation and redevelopment effort.

Contaminated Gateway Site Converting to \$65 Million Redevelopment

The 4.25 acre North 800 Block of East Washington Avenue, in the shadow of Wisconsin's capital building in Madison, was in industrial and commercial use since the early 1900s. Peat deposits in site soil borings indicate that prior to development the site was marshy and was subsequently filled with industrial waste including ash and foundry sand.

The site was historically used for manufacturing leather products before transitioning in the middle of the century to auto sales and service, auto wrecking with junk areas, used auto parts, a motor freight station, a machine shop and a gasoline station. The city of Madison purchased the site in 2011 when the Don Miller car dealership closed,

with the intent to remediate and ready this highly visible property for redevelopment.

Between 1983 and 1990, 16 USTs were registered as closed and removed from the block. Several of these tanks resulted in zones of additional remedial activities to industrial standards. Following acquisition by the city, a block-wide Phase II ESA was completed. Soil analytical results showed that the entire block consisted of soil and fill materials containing widespread PVOCs, SVOCs and metals contamination associated with industrial use and former USTs.

The goal for the site was to sufficiently remediate to allow for a mixed-use redevelopment consistent with the city's 2008 Capitol Gateway Corridor Plan. The cleanup was supported by a \$400,000 hazardous substance grant from the Ready for Reuse program to the city of Madison, which also received funds directly from EPA.

The RR Program also provided technical assistance throughout the process, from assessment to redevelopment. Sec. 128(a) funds helped support Green Team meetings and outreach.

In June 2013, the city sold the site to a developer for construction of a \$65 million, 10-story mixed-use project anchored by a 50,000 square-foot grocery store with a rooftop garden. The proposed redevelopment also includes 175 to 240 residential units – including 45 units for lower-income residents. A second phase will provide 22 owner-occupied residences and 65,000 square-feet of



This 4 acre city block in Madison was used for commercial and industrial operations since the early 1900s. Following remediation it is now undergoing major reconstruction.

retail, commercial and office space. Construction is now well-underway and area residents are eagerly awaiting its completion.

Changing of the Guard

In the past six months, two long-time RR Program staff, who were key members of the Program's Land Recycling Team, retired. Decades of experience and insightful policy analysis left with them. Another Land Recycling Team member will be retiring soon as well, and new staff are working hard to pick up the batons.

Land Recycling Team members are key players in many efforts to enhance the effectiveness and efficiency of the RR Program. New voices and perspectives will undoubtedly help tackle ongoing and emerging issues in the coming years. Training is underway to ensure Team members have a full understanding of all assigned issues, practices and historical context. Sec. 128(a) funds help support these educational and training efforts.

EPA's Strategic Plan Goals

Promoting Sustainable and Livable Communities

DNR codified its commitment to sustainability in all aspects of state brownfields project work through its Wisconsin Initiative for Sustainable Remediation and Redevelopment. NR 722.09(2)(e)(2m), Wis. Admin. Code, requires parties to assess the applicability of sustainable practices and technologies from procurement to remediation to redevelopment. To aid this effort, DNR produced a Green and Sustainable Remediation (GSR) Manual and Site-Specific Sustainability Analysis fact sheet. These materials help environmental professionals incorporate green cleanup and redevelopment practices into their plans. In addition, to help communities better control the removal of valuable salvageable materials from abandoned facilities, WDNR created a model salvage ordinance to prevent unscrupulous operations from leaving behind dangerous and contaminated properties.

DNR has incorporated Livability Principles into the administration of DNR's assessment and revolving loan fund (RLF) grant/loan programs. Application criteria includes points for: a) maximizing the use of the cleanup property to promote infill development, which supports existing communities, supports developments located on or near existing transportation corridors including public transportation and bike routes, and limits greenfield development; and b) incorporating sustainable reuse and renewable energy into the cleanup and redevelopment.

Three of DNR's recent RLF sites – Royster Clark, Don Miller and North Madison Street Commons – have or will result in development of low-income housing through community partnerships with nonprofit partners. The Royster Clark development includes 70 lower-income apartments and a public library. The urban-infill Don Miller site

includes a green roof on a large new central city grocery store. In addition, 45 lower-income homes will be constructed, and through a partnership with the community organization Sustain Dane, developers intend for the project to serve as a hub for international green knowledge exchange and programming.

Cleaning up Communities and Advancing Sustainable Development

Remediating and reusing previously developed land is inherently prudent and sustainable - both environmentally and economically. Infill development, making use of existing infrastructure such as roads, bus transportation, sewer and utility services makes sense in many ways. DNR goes the extra mile to support and encourage creative and cost-effective reuse of non-recyclable demolished materials, soil and more. For example, crushed cement and bricks from brownfield projects have been re-used by several communities for on-site road projects, saving thousands of dollars as well as preventing transportation-related emissions.

DNR leads by example too, piloting green and sustainable practices at projects such as the former Superfund site known as Refuse Hideaway, where solar panels were installed to offset the needs of the energy-hungry remediation system. DNR is also using phytoremediation at sites such as Rodger's Lab and Trent Tube.

DNR has established an effective process for selecting RLF projects, borrowers and sub-grantees that includes sustainability ranking criteria such as: a) the inclusion of green and sustainable strategies in the cleanup and redevelopment plan; b) the amount of existing infrastructure that will be reused or revitalized; and c) the project's ability to positively impact low-income and non-white populations.

Exceeding Workplan Commitments

The RR Program at DNR works hard, day-in and day-out, to move projects from start to finish, protect public health, repair the environment, and provide high-quality customer service. At the mid-year point of the FY15 grant, RR staff are energetically engaged in numerous activities that maintain and enhance the elements of a response program identified in CERCLA s. 128(a)(2). Most mid-year performance measures already meet or exceed year-end targets (see Table 1). Wisconsin's RR Program is one of the most successful and innovative clean-up program in the country, in part thanks to CERCLA funding.

Timely Survey & Inventory

Inter-Bureau Cooperation

The RR Program is leading an inter-agency effort to make waterfront development decisions predictable, fair and cost-effective through consistent policies and coordinated regulatory processes. Many brownfields in Wisconsin are located at the water's edge, and improved project management will help get more sites cleaned up and beneficially reused.

Within DNR, several bureaus are involved with this effort, including the Water Program and the Waste and Materials Management Program. Outside of DNR, agencies such as the Dept. of Transportation and the Dept. of Administration also participate. Much of the initial preparatory work is complete, and the next phase of this effort will commence once resources are allocated.

The RR Program has also worked closely with the Waste and Materials Management Program over the past six months to develop several new guidance documents related to the management of contaminated soils and the granting of fee waivers for voluntary waste removals under new legislation.

Outreach to Promote Site Discovery

Outreach to local governments and others on brownfield site discovery and associated follow-up activities is a daily activity for RR Program staff.

During the past six months, s. 128(a) financial support from EPA has helped RR program staff provide in-person assistance to over 50 counties and municipalities in the very early stages of site identification, assessment and investigation. These "Green Team" meetings are invaluable to small and midsize communities, and DNR is able to offer its assistance without charging a fee, thanks to the grant funding provided through EPA.

The RR Program recognizes the vital role that local leaders can play in brownfield turnaround situations, and actively seeks audiences with these individuals. They are DNR's key partners in the effort to identify, remediate and reuse contaminated properties with economics too uncertain to initially attract private interest. The RR Program seeks to provide timely and useful advice, tools and assistance to as many local governments as possible.

EPA assistance also contributes to the ongoing creation of new educational materials and the updating of existing ones related to site discovery and more. Further, RR Program staff regularly attend and participate in events designed to help revitalize small towns and villages, such as the Small Town Downtown Forums held in numerous communities around the state. Lastly, in this grant period, RR Program staff provided technical and administrative support to the Brownfields Study Group, an independent external advisory committee, as they finished work on their 2015 Report that includes sixty-plus administrative and legislative proposals designed to enhance Wisconsin's brownfields work.

Table 1- Workplan Accomplishments

Sept. 1, 2014 – Feb. 28, 2015	Mid Year Numbers	End of Year Numbers	End of Year Targets
Task 1: Timely Survey and Inventory			
Inter-Bureau Coordination	2		2
Enhance Site Discovery through Outreach	5		4
Task 2: Oversight and Enforcement			
Responsible Party Letters	132		100
Respond to state & federal bankruptcies by reviewing and filing proof of claims	82 reviewed 0 claims filed		3
Task 3: Mechanisms and Resources for Public Participation			
News Releases	3		3
RR Reports (e-newsletter)	7		12
New Publications	7		10
Web Page Updates	51		20
Green Team Meetings	61		30
Public Speaking Events	10		10
Workshops/Trainings Held	6		3
Brownfields Study Group Meetings	2		3
Task 4: Mechanisms for Approval of Cleanup Plans, Verification and Certification			
Audits of Institutional Controls	1		25
Staff Hours per Audit	14		15
Closure Decisions	192		300
New Applications to the VPLE Program	6		5
Task 5: Maintain the Public Record (see page 14 for narrative of accomplishments)			
Task 6: Enhance the Response Program (see pages 15-17 for narrative of accomplishments)			

Oversight & Enforcement

Enforcing Responsibilities

Any person or entity that causes the discharge of a hazardous substance, or who possesses or controls a discharged hazardous substance, is a responsible party under Wisconsin law. Responsible parties are legally required to notify DNR of the discharge, as well as investigate and remediate the environment. DNR is statutorily charged with enforcing and implementing the Spill Law in Wisconsin.

One way in which the DNR enforces environmental responsibility is through the issuance of responsible party letters and ongoing oversight of assessment and remediation activities. The responsible party letters outline legal duties for addressing the contamination. DNR may also initiate enforcement actions against a responsible party, if lack of response or progress warrants.

For the reporting period of Sept. 1, 2014 through February 28, 2015, the DNR issued 132 responsible party letters, and is overseeing ongoing work at 3,048 active sites.

Responding to Bankruptcies

The RR program reviewed 82 bankruptcy filings during this reporting period. DNR staff receive notice of pending bankruptcy filings from the state Department of Justice. RR staff compare filing information to the Bureau of Remediation and Redevelopment Tracking System (BRRTS) to see if contamination issues exist, such as current remediation projects or continuing obligations.

If further case investigation is warranted, the Bankruptcy Coordinator in the RR Program receives input from regional RR staff in the form of a Project Manager (PM) worksheet. The PM worksheet identifies current and past uses of the properties listed in the bankruptcy filing, contamination concerns (e.g., spills, ongoing cleanups, etc.), whether or not cleanup work is needed, any money that has been spent by DNR at the site(s), along with a recommendation for future action.

Based on information gathered by the PM, a Bankruptcy Team, made up of regional and central office staff, as well as legal staff, decide what actions to take in response to the bankruptcy filing. Typical active responses include filing a proof of claim to request a share of the assets for cleanup work, monitoring re-organization plans, and other related actions. No claims were filed this period.

Wisconsin Plant Recovery Initiative

The Wisconsin Plant Recovery Initiative (WPRI) is a DNR effort to help communities expedite

the cleanup and revitalization of industrial and commercial facilities that have recently shut their doors. Each time a company announces a plant closing, the DNR will offer to work with company officials and the community affected by the closing, outline the company’s responsibilities to safeguard public health and the environment and discuss the brownfield resources available to both parties to help assess, clean up and redevelop the property. DNR’s goal is to organize a Green Team Meeting with the company and comprehensively discuss the environmental obligations associated with air, waste, water and land issues.

At the midpoint of this grant period, eleven plant closings were identified for contact and consultation. RR staff identified environmental issues associated with these closing plants through a triage checklist and incorporated this information into letters sent to closing businesses and the communities.

Closings announced or discovered:

1. Excel, Inc. (Green Bay)
2. Innogistics (Green Bay)
3. Xten (Kenosha)
4. Multi-Color Corporation (Watertown)
5. Lakeside Foods (Seymour)
6. Weir Minerals Linatex (St. Croix Falls)
7. Merkle-Korff Industries (Darlington)
8. Mitera Group (Brookfield)
9. Mid Valley Industries (Kaukauna)
10. Dean Foods (Sheboygan)
11. Timeline Vinyl Products (Merrill)

Table 2 - Summary of Oversight and Enforcement Activities

	Mid-Year Numbers	End of Year Numbers	End of Year Targets
Responsible Party Letters Sent	132		100
Bankruptcy Proof of Claim Filings	0 (82 reviewed)		3
WPRI Letters Sent	8		—
Redevelopment Assistance Actions	71		—
Oversight at Active Sites	3,048		—

Staff continually review the closed plants list and reach out to the communities affected by the closings with likely environmental impacts. During this follow-up, DNR staff tries to identify needed assistance and opportunities for repurposing or redevelopment of these shuttered sites.

Site-Specific Oversight

Projected accomplishments included in the workplan for this grant period include DNR's oversight of trust fund dollars spent on environmental remediation at two large sites. In 2014, \$200,000 was expended on cleanup activities at the former Kenosha Engine Plant site, and \$265,000 was spent on cleanup at the former Trent Tube site in East Troy.

Letters of Acknowledgment

The DNR also provided letters of support and acknowledgement for Wisconsin counties and municipalities submitting EPA ARC grant applications for brownfields assessment and cleanup. In total, DNR, communities, and other development groups requested \$6.7 million in federal grant funds. Support letters were written for:

- City of Oshkosh (Area-wide Assessment)
- City of Manitowoc (Area-wide Assessment)
- Racine County (Area-wide Assessment)
- City of Racine RDA (Cleanup)
- Town of Arcadia (Assessment)
- City of Eau Claire (Area-wide Assessment)
- Impact Seven Nonprofit, Ashland (Cleanup)
- City of Janesville (Area-wide Assessment)
- City of Shawano (Area-wide Assessment)
- City of Wausau (2 Cleanup, 1 Assessment)
- City of Wauwatosa (Area-wide Assessment)
- City of West Allis (3 Assessment)
- Redevelopment Authority of the City of Milwaukee (3 Cleanup, 1 Area-wide Assessment)

Mechanisms & Resources for Public Participation

Ongoing Outreach Overview

A key benchmark of success for the RR Program is the amount and effectiveness of its outreach and public participation efforts. Early and ongoing communications with all interested parties is a recipe for better and more efficient cleanup and redevelopment projects.

At the midpoint of this grant period, RR Program staff participated in 61 no-fee Green Team meetings with local governmental officials and other customers. Common topics of discussion at these meetings include liability exemptions, property acquisition options, grant and loan funding opportunities, tax incentives, DNR's online database and map of contaminated properties, continuing obligations and more.

Other important outreach tools that are used regularly by the RR Program include: a) conferences, workshops, municipal/community gatherings, and open house forums; b) webinars; c) stakeholder meetings; d) e-newsletters; e) social media; e) conference calls; f) news releases; g) informational publications; and h) a robust online internet presence.

A full listing of all s. 128(a)-related outreach and public participation tools and efforts conducted during the first six months of this grant, is available in Appendix A. At the midpoint of this grant period, the RR Program is already meeting or exceeding all year-end targets for public outreach.

Brownfields Study Group

Over the past 17 years, the RR Program has provided administrative and technical support to the Brownfields Study Group, which is an independent external advisory committee to DNR. The group meets regularly and members

include representatives of local governments, environmental consulting companies, industry associations, nonprofit organizations, law firms, state agencies, universities and more. Other stakeholders become involved and contribute based on their interest in specific topics and availability.

The goal of the Brownfields Study Group is to examine issues and make policy and procedural recommendations that will help increase the number of contaminated properties that are cleaned up and returned to productive use. Its recommendations and involvement have been instrumental in the creation and refinement of numerous state policies and procedures related to remediation and redevelopment.

During this grant-reporting period, the Brownfields Study Group completed a year-

long process of investigation and evaluation of numerous policy issues. The Group issued its 2015 Report in January and DNR is following-up on its administrative recommendations. A copy of the 2015 Report is available at <http://dnr.wi.gov/topic/Brownfields/documents/bsg/BSG2015report.pdf>.

Site-Specific Outreach

In addition to general, larger scale outreach about brownfields and cleanups, DNR also provides site-specific outreach for individual properties when the situation warrants special attention. The town of Newton, in east-central Wisconsin, is a good example of recent site-specific outreach efforts.

On Dec. 7, 2013, about 70 people attended an open house sponsored by DNR to discuss the recently discovered groundwater contamination in potable wells near the Town of Newton. The source of the

Table 3 - Summary of Public Participation Activities:

	Mid-Year Numbers	End of Year Numbers	End of Year Targets
News Releases	3		3
RR Reports (e-newsletters)	7		12
New & Updated Publications	48		10
New & Updated Web Pages	41		20
Outreach Meetings (Green Team Meetings)	61		40
Public Speaking Events	10		10
Workshops/Trainings Held	6		3

Table 4 - Summary of Mechanisms for Cleanup Approval, Verifications and Certification Activities

	Mid-Year Numbers	End of Year Numbers	End of Year Targets
Audits of Institutional Controls	1		25
Average Staff Hours per Audit	—		15
Acres Ready for Reuse	896.4		—
Approved Cleanups (Closure Decisions)	192		300
New Requests to Enter Voluntary Party Liability Exemptions (VPLE) Program	16		5
New VPLE Certificates of Completion	6		—
Cumulative Wisconsin VPLE Certificates	153		—

contamination was found to be an old gravel pit where the City of Manitowoc disposed of a variety of industrial waste in the 1960-70s. The event garnered local television and newspaper coverage.

city displayed several large-scale posters showing soil cross sections, groundwater flow patterns, and the extent of potable well sampling. Local and state health officials also attended.



RR Program hydrogeologist Tauren Beggs, talks with a reporter at the Town of Netwon Open House event

On Dec. 6, 2014, one year later, about 120 people attended a similar two-hour open house at the Newtown Town Hall. Attendance was steady from start to finish. In addition to media coverage, outreach efforts and in-person contacts throughout the year, this follow-up forum was held to give town residents a detailed update of what activities had occurred this past year.

DNR's displays and discussion areas focused on three main points: 1) Expanding the potable well investigation; 2) Successful replacement of the potable wells; and 3) Continuing the site investigation. Of the 100 properties sampled, 15 were above a NR 140 Enforcement Standard for vinyl chloride. Six wells have been replaced and are now providing potable water. Up to 9 more wells will be replaced once agreements are reached between the property owners and the City of Manitowoc.

The City of Manitowoc also had staff and consultants at the open house and available for discussions. The

Mechanisms for Approval of Cleanup Plans, Verification and Certification

Audits of Institutional Controls

Owners of Wisconsin property with residual contamination are responsible for maintaining continuing obligations to protect public health and the environment. The continuing obligations are established by the RR Program, and defined in the site closure letter. For example, if DNR approves a cleanup with

residual contamination under a parking lot, the property owner will likely be required to maintain the parking lot asphalt or concrete to certain standards to prevent direct contact or leaching problems. This continuing obligation also applies to all future property owners. Information about continuing obligations is provided and described to the public via DNR's online property database, BRRTS on the Web. Regular outreach efforts are made to promote widespread awareness and use of BRRTS on the Web.

RR Program staff typically conduct continuing obligation audits in the spring or summer to evaluate a representative percentage of similar sites for compliance with the continuing obligation conditions. One site was audited during the fall/winter period that is the subject of this report, but numerous audits will occur in the next few months. These audits will be identified in the end-of-year report.

Approximately 500 sites have been audited since 2004. About 14% of these sites required follow-up activity, and 75% of them have now returned to compliance. The RR Program continues to work with responsible parties on the remaining sites. Most sites that get audited are closed with some type of cap or cover over residual contamination, a structural impediment that restricted investigation and cleanup in some areas, and sites with an industrial land use restrictions or a required vapor mitigation system. Approximately 6,700 hours have been spent conducting audits, doing data evaluation, follow up and database maintenance.

Completed Cleanups

In this reporting period, DNR approved 192 completed site cleanups at 179 locations using its updated closure review process. A completed cleanup means that DNR has reviewed all relevant technical submittals related to environmental investigation and contaminant remediation activities and found them complete. Regional offices use a technical committee to ensure efficiency and consistency in case closure decisions.

The regional hydrogeologist signs and sends a case closure letter to the responsible party after cleanup is done, and the region also enters the case closure information into DNR’s public database of contaminated properties in Wisconsin (BRRTS).

Voluntary Party Liability Exemptions

DNR issued six new Certificates of Completion for successful cleanups at Voluntary Party Liability

Exemption (VPLE) program properties. In addition, five new applications were received for entry into the VPLE program during the past six months. VPLE certificates grant extensive and transferable liability relief following a thorough environmental investigation and remediation.

A Certificate of Completion is a valuable commodity and helps facilitate real estate transactions. It assures prospective purchasers that the entire property has been cleaned up to the satisfaction of DNR. In total, DNR has issued 153 VPLE Certificates of Completion over the past 20 years.

Maintaining the Public Record

RR Sites Map & BRRTS on the Web

RR Sites Map is an interactive, GIS web mapping application that provides information about contaminated properties and other activities related to the investigation and cleanup of contaminated soil or groundwater in Wisconsin. It is part of the DNR’s Contaminated Lands Environmental Action Network (CLEAN), an interlinked network of public DNR databases that track information about different types of contaminated land activities.

These online databases provide an easy, inexpensive and efficient way for stakeholders and the general public to view detailed property-specific environmental information at their convenience. Sites with continuing obligations, due to residual contamination, are clearly identified for public notice. See <http://dnr.wi.gov/topic/>

Table 5 - Summary of Public Record Activities			
	Mid Year Numbers	End of Year Numbers	End of Year Targets
Searches Performed in BRRTS on the Web	48,472		—
Files or Images Downloaded from BRRTS on the Web	15,713		—

Brownfields/clean.html for more information and access to the databases.

Following a major update in the fall of 2013, DNR continues to add new features and tools, make the application more-and-more user friendly, and improve other aspects based on user feedback. A related mobile application is in the works. During the first six months of this grant period, 48,472 searches were performed in BRRTS on the Web and 15,713 files or images were downloaded.

Enhancing Public Record Data

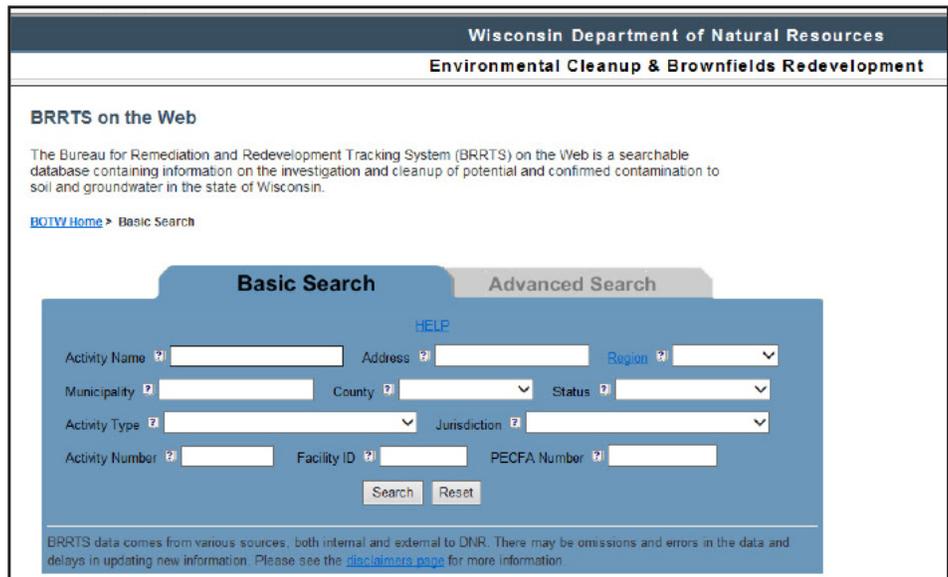
In this reporting period, the RR Program completed upgrades to its primary database tracking application, the Bureau for Remediation and Redevelopment Tracking System (BRRTS). These items add functionality to the application, and include many features which will support future additions to our web-based viewer application, BRRTS on the Web (BOTW) and our GIS Application RR Sites Map (RRSM)

The database development team worked to update hundreds of records and renew procedures for round-two of our completely automated, web-based semi-annual reporting system. This system will help staff, management and the public better identify sites needing a push.

The team also updated and developed database tracking codes to help staff and the public have a better understanding of sites that have completed work post-closure to update or remove continuing obligations that were imposed at the time of final

closure. These tracking procedures will also help ensure that staff is meeting the RR Program's 60-day response customer service time goals.

A significant amount of development time has been devoted to designing integration points with a division-wide database called the Master Data Layer (MDL). The integration with MDL will allow users to see all Air, Waste and RR Program activities that take place at individual facilities.



The Wisconsin Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) is easily accessible online.

In this period, the GIS application development team updated its set of materialized views. These views are created to provide the public with a visual display of our database information. The team also created documentation regarding how the views were created.

Enhance the Response Program

RR Program Staffing

The RR Program, with EPA's financial assistance, hires, supervises and manages staff to meet program goals. Staff workloads are tracked and

evaluated on a regular basis. Project meetings are held frequently to assess issues and priorities. Performance evaluations are conducted annually. When new staff are needed, and resources allow, job order forms are prepared, applications are evaluated, and interviews are held.

Cooperative Agreements

RR Program staff strive to prepare and negotiate funding requests, workplans, reports and cooperative agreements as efficiently as possible to maximize resources available for other crucial tasks related to the grant. Ongoing reviews ensure that cooperative agreements are developed in accordance with state and federal policies.

One Clean Up Program MOA

The One Cleanup Program Memorandum of Agreement (MOA) between EPA and DNR is designed to address cleanup requirements across several environmental media, including the Comprehensive Environmental Response, Compensation, and Liability Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act and laws on Leaking Underground Storage Tanks.

Wisconsin's program simplifies cleanups of contaminated sites that include work regulated by multiple state and federal programs by providing a single, consolidated approach. The MOA helps avoid problems that can occur when a range of separate programs, with potentially conflicting approaches and cleanup standards, are involved with a single site. The MOA also helps expedite cleanups at all contaminated sites, as well as guide property owners, developers, consultants and others in their work.

New DNR guidance on "PCB Remediation in Wisconsin under the One Cleanup Program Memorandum of Agreement", RR-786, was

published in November 2014, after receiving public input. This guidance provides a description of how responsible parties and DNR staff should work with EPA on PCB remediation cases through the NR 700 rules series process in accordance with the One Cleanup Program MOA.

The guidance outlines the applicability of key cleanup regulations under the federal Toxic Substances Control Act (TSCA). It also details how to obtain DNR and EPA approvals needed to remediate PCB contamination, and clarifies how certain EPA's TSCA regulatory land-use terminology and cleanup options may affect DNR managed cleanup sites.

Ready for Reuse Loans & Grants

The Wisconsin Brownfields Coalition (WBC), which includes DNR and several Regional Planning Commissions, has received \$8.5 million in EPA Revolving Loan Funds (RLF) since 2004, which DNR administers through the Ready for Reuse program. Ready for Reuse loans and grants are used for environmental cleanup of hazardous substances and petroleum at brownfields throughout Wisconsin.

One Ready for Reuse award was issued between Sept. 1, 2014 and Feb. 28, 2015. A \$155,737 hazardous substances sub-grant was awarded to the city of Stevens Point to support work on the former Lullabye Furniture Factory property.

DNR promotes the Ready for Reuse program on its website, at Green Team meetings, in the RR Report newsletter, and in publications such as our Financial Resource Guide. As a result, the RR Program responded to numerous general inquiries about Ready for Reuse over the past year six months, indicating that awareness of the program is high and the need for funding is strong.

Efforts are made to assist potential applicants with the development of applications and to ensure that projects are "ready to go". RR Program staff also

provide significant support to existing loan and grant recipients, and actively encourage progress toward project completion. Data input into ACRES is also covered by the s. 128(a) funds.

Wisconsin Assessment Monies

The Wisconsin Assessment Monies (WAM) program provides funding to address specific brownfields sites where closed or closing industrial plants are acting as impediments to economic redevelopment. The DNR administers these federal funds through WAM Contractor Services Awards.

Since 2010, EPA has awarded the Wisconsin Brownfields Coalition \$2.1 million in Brownfield Assessment Grants. The RR Program uses this funding to aid local governments and others in investigating brownfields throughout the state.

DNR assigns a pre-approved environmental contractor to perform Phase I and/or Phase II environmental site assessments, with the potential for limited site investigation work at select sites. Sites that receive contractor services are typically less than 10 acres and have petroleum or hazardous substance contamination which can be assessed for \$35,000 or less. Fifty percent of WAM awards have gone to communities with a population of less than 10,000.

At the midpoint of this grant period, DNR awarded six WAM Contractor Service Award grants to six small and medium size municipalities (Berlin, Chetek, Chilton, De Pere, Medford and Turtle Lake). Sec. 128(a) funding helps support data entry in to ACRES and DNR's work on a safe soils workgroup for urban gardening.

Environmental Issues and Outdoor Shooting Ranges

DNR has a lengthy history of promoting safe hunting and shooting practice, and recognizes the important role that shooting ranges play in training and hunter education programs. Sport shooting ranges fill an important role by providing facilities where people can practice safe shooting skills as well as participate in a popular outdoor activity. Wisconsin has an estimated 600 active sport shooting ranges.

DNR is also responsible for protecting and enhancing environmental ecosystems. There are growing concerns about the environmental effects of lead, which is used in a variety of outdoor recreational and sporting activities.

Lead levels resulting from these activities may be concentrated, such as within the shot fall area of sport shooting ranges, or widely dispersed throughout the landscape as a result of other recreational activities. In areas of concentrated shooting, lead must be managed appropriately to minimize its impact on the environment. The failure to do so creates potential legal risks and liability for range operators.

In January, 2015, DNR published new guidance, RR-5486, that provides direction on addressing adverse environmental impacts that may be found at some facilities. The guidance also identifies Best Management Practices for shooting ranges and urges their adoption. DNR has formed a Lead Work Group to address the impacts of lead that is more broadly discharged to the environment through various recreational activities.

Table 6 - Summary of Program Enhancement Activities

	Mid-Year Numbers	End of Year Numbers	End of Year Targets
Wisconsin Assessment Monies awards	6		—
Ready for Reuse Loans & Grants	1		—
EPA Brownfield Grants- Support Letters	20		—

Appendix I - Public Outreach Activities

(Sept. 1, 2014- Feb. 28, 2015)

Green Team Meetings

- City of Grafton to discuss demolition of a closed foundry and redevelopment preparation.
- Wood County Economic Development Committee to discuss legal and financial tools.
- Barron County and Town of Crystal Lake to discuss assessment and cleanup of Bentz Motors site.
- City of Merrill to discuss funding sources for Hurd site.
- Dodge County to discuss transfer of Monarch Range to the City of Beaver Dam.
- City of Madison to discuss multiple brownfields issues related to Yahara River Corridor.
- City of Rice Lake to discuss project management for a lakefront parcel.
- Barron County to discuss liability and funding related to a former canning factory site.
- Barron County to discuss assessment, cleanup and redevelopment of Broten property.
- Barron County to discuss a former city landfill property.
- Barron County to discuss 3rd party purchase and redevelopment of a former cheese factory property.
- Monroe County UW-Extension; brownfields overview.
- City of La Crosse discuss liability and funding for a former sawmill property.
- Property owner and prospective owner in City of Ashwaubenon to discuss VPLE process.
- City of Racine and Racine County to discuss assessment, VPLE and funding for Machinery Row project.
- Eau Claire County to discuss cleanup and redevelopment of a former gas station property.
- Anchor Bank manager to discuss lender liability exemption, lease letters and BRRTS.
- City of Arcadia to discuss Arcadia landfill property.
- Marinette County Association for Business & Industry to discuss funding and redevelopment.
- Nonprofit organization to discuss redevelopment of former Arcadia landfill property.
- City of Menasha to discuss funding, tech assistance and ownership of Realty Opus property.
- Clark County to discuss property acquisition and redevelopment of two brownfield properties.
- Juneau County to discuss brownfield tools and funding opportunities, along with BRRTS.
- City of Mayville to discuss LGU liability exemption and funding assistance for former gas station property.
- Village of Unity to discuss EPA Removals Program and technical needs.
- Dunn County to discuss LGU liability exemption and property disposition issues.
- Town of Sand Creek to discuss possible redevelopment at former Homer Oil property.
- Northwestern Bank of Eau Claire and Chippewa Falls to discuss lender liability exemption and brownfields.
- Village of Winneconne to discuss brownfields and a bridge project, along with funding opportunities.
- City of Kaukauna and Outagamie County to discuss business expansion on Wis. Chrome site.
- City of Jefferson to discuss brownfields funding and redevelopment options.
- Cuba City to discuss city and family trust cooperation for reuse of a former dry cleaner.

- Wells Fargo Bank of Eau Claire to discuss the lender liability exemption and general brownfields issues.
- Beloit College and Alliant Energy to discuss redevelopment of the Beloit Powerhouse site.
- City of Verona to discuss Kettle Cafe site and a pathway to redevelopment.
- City of Wausau to discuss site investigation of a riverfront redevelopment project.
- Village of Waunakee to discuss assessment and cleanup at the former Alloy Casting Corp. property.
- City of Middleton to discuss liability issues associated with the Herbrand site.
- City of Grafton, assessment and cleanup funding.
- City of Wausau to discuss next steps at the former Kraft Cleaners property.
- City of Pittsville to discuss assessment funding and demolition at a former manufacturing facility property.
- City of Pittsville follow-up meeting on funding and demolition activities.
- US Army Corps of Engineers and Wis. Air National Guard to discuss Volk Field removal actions under the Military Munitions Response Program.
- City of Janesville to discuss downtown riverfront redevelopment plans.
- Village of Mt. Horeb to discuss redevelopment of a former gas station property.
- Columbia County to discuss 5 brownfield properties along Portage Canal and redevelopment.
- Village of Winnecone to follow-up on previous meeting and discuss assessment funding opportunities.
- Kimberly Clark Corporation to discuss the VPLE program and a historic fill site.
- National Park Service to discuss remediation options at lighthouse areas on Apostle Islands.
- City of Spooner to discuss assessment, funding and status of former roundhouse property project.
- City of Ashland to discuss cleanup options and funding for the former Roffers Construction property.
- Dunn-Rite Cleaners in Wausau to discuss off-site investigation of vapor issues.
- AECOM to discuss the former Lullaby property in Stevens Point and cleanup options for this city project.
- Brownfield owner and potential purchaser; former North Hudson Rail Shops property.
- City of Platteville to discuss VPLE and local government liability exemptions related to the Pioneer Ford property.
- Village of Johnson Creek to discuss local government liability exemption, assessment funding and redevelopment options.
- Village of Blanchardville to discuss liability, acquisition, funding and redevelopment.
- Columbia County follow-up to further discuss the local government liability exemption, assessment and redevelopment along the Portage Canal.
- City of Oshkosh to discuss funding opportunities for assessment and cleanup of a lakefront property.

Speaking Engagements

- State Bar of Wisconsin Annual Environmental Law Update Seminar in Madison (9/15/14)
- Federation of Environmental Technologists conference in Kimberly (9/18/14)
- Inspire Me Community Service Expo in Sun Prairie (10/8/14)
- Natural Gas Utilities group meeting in Madison (10/15/14)
- Clark County Lender conference presentation (11/05/14)
- Upper Mississippi River Basin Association meeting in La Crosse (11/11/14)
- Department of Transportation meeting in northeast region (11/12/14)
- ASTM conference on Greener Cleanups in Chicago (11/18/14)

- Hazardous Waste RCRA Training Seminar in Kimberly (1/15/15)
- DATCP tank inspector training session in Madison (1/28/15)
- Groundwater Model Training Workshop in Mt. Horeb (1/30/15)
- Wis. Association of Hazardous Materials Responders conference in Stevens Point (2/12/15)

Workshops, Trainings & Stakeholder

Meetings Hosted

- Small Town Downtown Forum in Grantsburg (9/10/14)
- Customer Appreciation Day in Eau Claire (9/10/14)
- Small Town Downtown Forum in Mellen (9/12/14)
- Menomonee Valley and Reed Street Yards Tour, with City of Milwaukee (9/24/14)
- Upper Mississippi River Basin Association Simulated Oil Spill Exercise (10/2/14)
- Town of Newton Contaminated Wells Open House (12/6/14)
- Brownfields Study Group (10/24/14; 2/27/14)

Press Events/Articles

- Press conference and ground-breaking ceremony for Festival Foods and Galaxie apartment complex in Madison (9/16/14)
- Press release announcing Ready for Reuse grant award to La Crosse for cleanup at a former manufacturing site (10/2/14)
- The Land of Brownfields: The 30th St. Corridor can't succeed unless the contaminated land is healed. The process is already underway. Fifth story of a series from UrbanMilwaukee.com
- Press release announcing grant award to Stevens Point for cleanup at a former manufacturing site (10/14/14)
- TV news interview of a RR Program project manager at the Town of Newton community open house (11/19/14)

- Press release on DNR and Village of Cross Plains working together to cleanup and redevelop a brownfield property (12/9/14)
- Capital Times article on Zanders Creamery property being cleaned up and redeveloped.
- Journal Sentinel article on Oak Creek cleanup and redevelopment plans
- Watertown Daily Times story on demolition at a brownfield site

Newsletters

- 9/3/14 RR Report
- 10/09/14 RR Report
- 11/12/14 Madison Kipp Neighborhood Update
- 11/12/14 RR Report
- 11/18/14 RR Report
- 12/17/14 RR Report
- 1/29/15 RR Report
- 2/25/15 RR Report

Publications (New)

- RR995- Neenah Downtown Redevelopment Success Story
- RR992- Wisconsin Department of Natural Resources s. 128(a) Grant Accomplishments: 2013-2014 End of Year Report
- RR990 - Platteville Police Station Success Story
- RR5482 - RR Program Document Review and Publishing Guidance
- RR5485 - Responsibility for Operation, Maintenance, and Monitoring of Vapor Mitigation Systems Prior to and After Case ClosureRR963- PECFA Promissory Note
- RR5486 - Environmental Issues Associated with Outdoor Shooting Ranges
- RR5487 - Shared Drive Photo Library Reference Guide for Outreach Staff

Publications (Updated)

- RR674 - Environmental Contamination Basics
- RR679 - Brownfields and Comprehensive Plans

- RR5375 - Green Team Meeting Procedures
- 4400-226 - Exemption Application for Development at Historic Fill Site or Licensed Landfill
- 4400-226 - Expedited Exemption Application for Development at Historic Fill Site or Licensed Landfill
- RR636 - Dry Cleaner Environmental Response Fund (DERF) - Requirements to Reduce your Risk of a Release
- RR753 - Wisconsin Ready for Reuse Program - Hazardous Substance Loans and Grants
- RR784 - Dry Cleaner Environmental Response Fund (DERF) - Frequently Asked Questions
- RR867 - Wisconsin Ready for Reuse Program - Petroleum Loans and Grants
- RR5326 - Support Letter for the Federal New Market Tax Credit Program
- RR5333 - Example Letter of a Phase I & II Review with Options for Closure
- RR5394 - RR Program Annual Conference Planning
- RR5132 - Guide to the Voluntary Party (VPLE) Process
- RR024 - Environmental Services Contractors List
- RR4004 - Fees for Technical and Redevelopment Assistance at VPLE sites
- RR5179 - Guidance on 'No Further Action Letters' and 'General Liability Clarification Letters'
- RR5191 - Publications to Include with Responsible Party Letters
- RR699 - Understanding Chlorinated Hydrocarbon Behavior in Groundwater: Investigation Assessment and Limitations of Monitored Natural Attenuation
- RR977 - Understanding Chemical Vapor Testing Results
- RR894 - Kenosha Engine Plant Investigation and Cleanup
- RR5193 - RR Publication and Guidance Primer
- RR5395 - RR Program Guidance and Publication Routing Slip
- RR786 - PCB Remediation in Wisconsin under the One Cleanup Program Memorandum of Agreement
- 4400-178 - Application & Instructions for Voluntary Party Liability Exemption
- 4400-201 - Off-Site Discharge Exemption Request Application (Form 4400-201)
- RR5359 - Final Appeals Right Notice Language
- 4400-194 - Remediation Site Progress and Operation, Maintenance, Monitoring and Optimization Report
- RR994 - Registered PECFA Consultants
- RR993 - Registered PECFA Consulting Firms
- RR5351 - Model Letter - Final Closure by Committee with NR 140 Exemption Language and s. 292.12 Continuing Obligations
- RR5355 - Model Letter - Final Closure for Soil, Groundwater and/or Monitoring Wells COs Only
- RR5433 - Letter Matrix
- RR5132 - Financial Guide to the Voluntary Party (VPLE) Process
- RR5486 - Environmental Issues Associated with Outdoor Shooting Ranges
- RR965 - Summary of Changes to the ch. NR 700 Series of Administrative Rules
- RR5419 - Model Certificate of Completion (COC) for Voluntary Party Liability Exemption (VPLE) Program - Partial Cleanup Template
- RR5397 - Wisconsin Plant Recovery Initiative (WPRI) Staff Procedures
- RR5414 - Determination of Responsible Party for Hazardous Substance Spills Occurring on Indian Reservations or Indian Lands
- RR024 - Environmental Services Contractors List

- RR994 - Registered PECFA Consultants
- RR993 - Registered PECFA Consulting Firms
- RR186 - Guidance for the Design, Installation and Operation of In Situ Air Sparging Systems

Web Pages (New)

- My RR Intranet Home Page
- Administrative Page
- Intranet Home Page
- Intranet WAM & R4R Page
- Intranet Template Letters Page
- Intranet WPRI Page

Web Pages (Updated)

- Spills Team
- Conferences and Trainings
- Site Assessment Team
- WAM
- Vapor Intrusion
- EPA Grants
- WISRR Team
- Standards and Streamlining Forms
- Madison Kipp
- RR Management Team
- Introduction to Cleanups
- Brownfields Study Group
- RR Program Home Page
- Standards and Streamlining Team
- DERF Team
- Environmental Professionals
- BRRTS on the Web
- RR Sites Map
- Environmental Laws

Redevelopment Assistance Actions

DNR drafted 65 redevelopment assistance documents during this reporting period, helping clear the way for redevelopment at numerous contaminated properties. The RR Program surpassed the annual goal of 50 assistance actions by the mid-point of the grant term. Redevelopment assistance documents include:

- General liability clarification letters
- Liability clarifications for lessees
- Liability clarification letters for lenders
- Liability clarification letters for local governmental units
- Liability exemption letters indicating that contamination originated elsewhere
- Approvals to build on historic fill sites
- Cleanup agreements for property tax cancellation situations
- Cleanup agreements for tax foreclosure and reassignment of ownership
- Negotiated agreements for cleanup and reuse

Petroleum Eligibility Letters

In this reporting period, DNR provided 14 eligibility determinations for petroleum assessment or cleanup using an EPA brownfields grant:

- 11528 Rogers St., West Allis
- 110 S. Water St., Janesville
- 730 S. 8th St., Sheboygan
- 350 First Street North, Wisconsin Rapids
- 360 First Street North, Wisconsin Rapids
- 3301-3311 W. Lisbon Ave., Milwaukee
- 4101 & 4131 North 31st St., Milwaukee
- 118 3rd Street East, Ashland
- 828 Memorial Drive, Manitowoc
- 6526 W. North Ave., Wauwatosa
- 1520 & 1536 Clark St., Racine
- 8807 W. North Ave., Wauwatosa
- 1301 Erie Ave., Sheboygan
- 716 Harrison St., Neenah

