

ORIGINAL  UPDATED  
 CORRECTED  SUPPLEMENTAL

**FISCAL ESTIMATE**

DOA-2048 N(R10/94)

Subject

PECFA Administration and Reimbursement

Fiscal Effect

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Existing Appropriation  Increase Existing Revenues  
 Decrease Existing Appropriation  Decrease Existing Revenues  
 Create New Appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget  Yes  No  
 Decrease Costs

Local:  No local government costs

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> WTCS Districts <input type="checkbox"/> School Districts <input type="checkbox"/> Others
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected

GPR  FED  PRO  PRS  SEG  SEG-S

Affected Ch. 20 Appropriations

20.370(2)(dw)

Assumptions Used in Arriving at Fiscal Estimate

SUMMARY OF BILL - The bill directs the Department of Commerce, in consultation with the DNR, to promulgate rules regarding: 1) specifying a method to determine risk to public health, safety, welfare and the environment posed by the discharges of petroleum products, 2) requirements that both departments must follow when issuing approvals of cleanups under PECFA, and 3) specifying information that must be submitted under PECFA, review procedures that must be followed by staff, and training requirements for staff. The bill also requires both agencies to jointly: 1) determine the least costly method of cleanup for high priority sites to achieve compliance with NR 140 enforcement standards, and to determine whether natural attenuation can be used for each cleanup, and 2) conduct annual reviews of high priority sites to determine the least costly cleanup methods which achieve compliance with enforcement standards. The bill also directs Commerce to: 1) determine the least costly method of cleanup for low and medium priority sites, 2) to conduct an annual review of low and medium priority sites, including determining the least costly method of cleanup, 3) use a competitive bidding process for sites likely to cost over \$60,000, and 4) to develop a schedule of usual and customary costs for sites not bid until 6/30/01. Other bill provisions include: 1) PECFA reimbursement is limited to the least costly method of cleanup which will achieve compliance with enforcement standards, 2) creates a definition of natural attenuation, 3) provides an exemption from bidding certain contaminated sites near a public water supply well, 4) limits PECFA reimbursement for costs incurred after the annual review to the least costly cleanup method which achieves compliance with the enforcement standards, 5) changes the co-pay equation, but retains the maximum deductible to \$7,500, 6) requires consultants to submit costs to Commerce quarterly, and 7) requires both agencies to complete closure request reviews within 60 days of receipt.

FISCAL ESTIMATE - This bill would require approximately 2.75 additional FTEs, based on the following:

- 1) .5 FTE (910 hours X \$25.00 = \$22,750), project position, to consult with Commerce on the development and promulgation of rules regarding bill provisions.
- 2) 1.75 FTE (3,200 hours X \$25.00 = \$80,000), annually, for determining the least costly method of cleanup which achieves compliance with the enforcement standards (bidding of sites >\$60,000), assuming 800 sites per year, at 4 hours per site for bidding consultations. This estimate also covers conducting annual reviews of high priority sites with Commerce to determine the least costly method of cleanup.
- 3) Approximately 200 hours per year for reviewing bid waivers at contaminated sites near public water supply wells. This work can be absorbed.
- 4) .5 FTE (910 hours X \$25.00 = \$22,750), project position, to develop training materials and to properly train staff on implementation of the bill provisions.

A total of \$125,500 (\$45,500 in one time costs, and \$80,000 in annualized costs) cannot be absorbed in the Department's current appropriations.

Long-Range Fiscal Implications

Potential increased program costs due to changes in the definition of natural attenuation. A more restrictive definition than that of the current NR 700 would not allow for closure at sites contaminated with metals above the enforcement standards, and for less degradable organics.

Agency	Prepared By	Phone No.	Authorized Signature	Phone No.	Date
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