

## Fiscal Estimate - 2017 Session

Original

Updated

Corrected

Supplemental

LRB Number **17-2714/1**

Introduction Number **SB-173**

### Description

remediation of contaminated land; air pollution control requirements for certain manufacturing facilities constructed on formerly contaminated land; reassigning tax deeds on tax delinquent brownfield properties; creating a new method for the creation of environmental remediation tax incremental financing districts; loans and repayment assistance by a political subdivision for certain brownfield revitalization projects and collection of the debt by special charge; state trust fund loans for brownfield projects; conversion of business improvement districts; and annexations to business improvement districts and neighborhood improvement districts

### Fiscal Effect

#### State:

- No State Fiscal Effect  
 Indeterminate  
 Increase Existing Appropriations  
 Decrease Existing Appropriations  
 Create New Appropriations

- Increase Existing Revenues  
 Decrease Existing Revenues

- Increase Costs - May be possible to absorb within agency's budget  
 Yes       No  
 Decrease Costs

#### Local:

- No Local Government Costs  
 Indeterminate  
1.  Increase Costs      3.  Increase Revenue  
 Permissive     Mandatory       Permissive     Mandatory  
2.  Decrease Costs      4.  Decrease Revenue  
 Permissive     Mandatory       Permissive     Mandatory

5. Types of Local Government Units Affected  
 Towns       Village       Cities  
 Counties       Others  
 School Districts       WTCS Districts

### Fund Sources Affected

### Affected Ch. 20 Appropriations

GPR     FED     PRO     PRS     SEG     SEGS

### Agency/Prepared By

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### Authorized Signature

Joe Polasek (608) 266-2794

### Date

4/17/2017

## Fiscal Estimate Narratives

DNR 4/17/2017

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### Assumptions Used in Arriving at Fiscal Estimate

#### 1. Bureau of Remediation and Redevelopment

The bill provides a definition of the term "property" in relation to the voluntary party liability exemption (VPLE) for remediation of contaminated land. It also provides that a property may be subdivided or transferred without affecting the liability exemption or requiring a new application.

For those sections of the bill where DNR has involvement, the bill would not immediately impact staff workload or costs since it would require no additional forms, approvals, rules, etc.

#### 2. Bureau of Air Management

The bill would prohibit the air management program from requiring changes to air pollution controls due to new or modified legal requirements except as required under the federal clean air act, for 10 years after the department grants coverage under a registration permit. The requirement would not affect the current law regarding the issuance of registration permits or coverage of new facilities under the program.

The registration permit does not require a facility to use any controls but instead, lays out the requirements that must be met if the facility chooses to use a control device to meet the emission limits and emission threshold. The registration permit allows the facility broad flexibility to determine how it will limit emissions to meet the criteria for coverage under the permit.

It is unlikely that the proposed law will affect current registration permit issuance or coverage procedures. The air program would need to have processes in place to be able to determine where a given brownfield site is located and include that information in its air permit management system. This would not be difficult to implement and would therefore not affect air program staffing.

Facilities covered by registration permits are exempt from needing construction permits as long as they remain eligible for registration permit coverage. If a new legal requirement made a source ineligible for a registration permit, there would be a potential indeterminate amount of lost revenue associated with not being able to issue construction permits given the 10 year delay that is specified in the bill.

### Long-Range Fiscal Implications