



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 30
[2009 Senate Bill 126]

Changes to and Extension of the Environmental Results Program and the Environmental Improvement Program

2009 Wisconsin Act 30 does all of the following:

- Renews the Environmental Results Program and changes the name of the program to the Green Tier Program.
- Renews the Environmental Improvement Program and changes the name of the program to the Environmental Compliance Audit Program.
- Removes the sunset dates for both programs.
- Allows the Department of Natural Resources' (DNR) secretary to waive certain enforcement record eligibility requirements to participate in the Green Tier program if the waiver is consistent with the purposes of the program and will not erode public confidence in the integrity of the program.
- Authorizes a Green Tier program participant to self-report to DNR a violation of an environmental law that the participant discovers, other than through an annual audit.
- Prohibits DNR, under both the Green Tier program and the Environmental Compliance Audit program, from approving a compliance schedule that is more than 12 months long unless the DNR secretary determines a longer schedule is necessary.
- Creates a process under which an Environmental Cooperation Pilot program participant may become a participant in Tier 2 of Green Tier program.
- Authorizes DNR to issue a charter to an association of entities to assist them in participating in the Green Tier program or take actions to achieve superior environmental performance.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

- Eliminates automatic disqualification from participation in the Environmental Compliance Audit program because of certain violations of environmental laws, and instead directs DNR to consider whether the state Department of Justice has filed suit against an entity to enforce an environmental requirement within two years before the entity notifies DNR that it will conduct an environmental compliance audit, a condition of participation in the program. If DNR determines that because of the nature of the violation, the entity's participation would damage the integrity of the Environmental Compliance Audit program, the entity is not eligible to participate.

Effective Date: 2009 Wisconsin Act 30 took effect on July 11, 2009.

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