

**1999 DRAFTING REQUEST**

**Bill**

Received: **12/21/98**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Wong**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies:

**Topic:**

DOA:.....Wong - PECFA report that lists sites in remediation

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	traderc 12/27/98	jgeller 12/28/98	hhagen 12/28/98	_____	lrb_docadmin 12/28/98		State
/2	traderc 01/23/99	jgeller 01/23/99	hhagen 01/24/99	_____	lrb_docadmin 01/25/99		State
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### Area-wide Groundwater Issues

#### 1. Financial Incentives for Area-wide Brownfields Cleanup

- Withdraw previous request to create a Wisconsin Economic Revitalization Zone Program (WERZ).
- Withdraw previous request to expand the ER TIF certification period.
- Allow DNR to enter into a "negotiated agreement" with a local unit of government on behalf of other property owners within an area or a Business Improvement District (BID) to establish a schedule for the investigation and cleanup of non-emergency situations.
- Allow municipalities to use negotiation and the cost recovery process to obtain agreement from multiple parties on area-wide groundwater cleanup.
- Allow the political subdivision to create TIF once the Department of Natural Resources has approved the NR 716 site investigation report.
- Modify previous request to allow ER TIF to be used on "multiple properties" to "contiguous multiple properties".

### Public Outreach and Education

#### 1. Provide Grants to Establish Nonprofits/Quasi-Governmental Entities in Brownfields Redevelopment

- Authorize Commerce to provide up to \$100,000 from Brownfields grants to match an equal amount from the nonprofit to establish a non-profit center.

### DNR Requests

#### 1. Local Government Exemptions

- Exempt local governments from the Spill Law for properties acquired prior to effective date of exemption.

#### 2. Delinquent Property Taxes

- Authorize a county to charge this cost to underlying jurisdictions when a property has been remediated or redeveloped by the local government.

## **PECFA**

#### 1. Annual Report that Lists Sites in Remediation

- Require the submission of a joint DNR/Commerce annual report to the Governor and appropriate standing committees of the Legislature each year on July 1. First report will be due July 1, 2000. The report should consist of the following information for all open sites in the program:

1. Site investigation receipt date.
2. Risk factors identified at each site.
3. Expected year for closure.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1417/1

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DOA:.....Wong - PECFA annual report that lists sites in remediation  
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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do not gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**ENVIRONMENT**

**HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP**

Under current law, the department of commerce administers a program to reimburse owners of certain petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. This program is commonly known as PECFA.

(DNR) This bill requires the department of commerce and the department of natural resources to annually report information about cleanups of discharges from petroleum product storage tanks that are in progress. ~~cleanups~~

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 2 SECTION 1. 101.143 (12) of the statutes is created to read:
- 3 101.143 (12) REPORT. No later than July 1 annually, the department of
- 4 commerce and the department of natural resources shall submit to the governor and

1 to the chief clerk of each house of the legislature, for distribution to the appropriate  
2 standing committees under s. 13.172 (3),<sup>✓</sup> a report concerning petroleum product  
3 storage systems and home oil tank systems from which discharges have occurred for  
4 which remedial action activities are being conducted. The departments shall provide  
5 all of the following information for each petroleum product storage system and home  
6 oil tank system:

- 7 (a) The date on which the record of the site investigation was received.  
8 (b) The environmental risk factors identified at the site.  
9 (c) The year in which the approval under sub. (3) (c) 4.<sup>✓</sup> is expected to be issued.

10 (END)



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1417/1dn

RCT: n:...

ج

Manyee:

\* This draft requires DNR and Commerce to produce annual reports about petroleum product discharge cleanups that are in progress. The statutes do not seem to require site investigation reports to be submitted until the claim is filed, so I do not know whether the information required under proposed s. 101.143 (12) (a) will be very helpful. The statutes do not currently refer to "risk factors". I wonder whether there is another way to describe the information desired under proposed s. 101.143 (12) (b). If you have any questions about this draft, please let me know.

Rebecca C. Tradewell  
Managing Attorney  
266-7290

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1417/1dn  
RCT;jlg:hmh

Monday, December 28, 1998

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Rebecca C. Tradewell  
Managing Attorney  
266-7290

## Tradewell, Becky

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**From:** Schmiedicke, David [david.schmiedicke@doa.state.wi.us]  
**Sent:** Thursday, January 21, 1999 8:56 PM  
**To:** Tradewell, Becky  
**Cc:** Wong, Manyee  
**Subject:** LRB 1417

**Importance:** High  
**Sensitivity:** Confidential

Becky:

Regarding the site accountability report in this draft. Please make the requirement every 6 months rather than annually. July 1 and January 1 is fine.

Regarding your other comments on this draft, perhaps we should tie risk factors to those established in rules by Commerce. I think the site investigation is fairly self explanatory.

Thank very much.

David P. Schmiedicke  
Wisconsin Department of Administration  
Voice -- (608) 266-1040  
FAX -- (608) 267-0372  
E-Mail -- david.schmiedicke@doa.state.wi.us



State of Wisconsin  
1999 - 2000 LEGISLATURE

SODW

LRB-1417-2  
RCT:jlg:hmh

(I have changed  
the topic)

DOA:.....Wong - PECFA ~~Annual~~ report that lists sites in remediation  
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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\* This bill requires the department of commerce and the department of natural resources (DNR) to ~~annually~~ report information about petroleum product cleanups that are in progress. *The departments must report every six months.*

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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2 SECTION 1. 101.143 (12) of the statutes is created to read: ✓  
3 101.143 (12) REPORT. No later than <sup>each January 1 and</sup> July 1 ~~annually~~, the department of  
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1 to the chief clerk of each house of the legislature, for distribution to the appropriate  
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10 (END) ✓

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*I would make this change per s 7.24(1), DM.*



State of Wisconsin  
1999 - 2000 LEGISLATURE  
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LRB-1417# 3  
RCT:jlg:hmh

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FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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(END)

D-note  
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-1417/3 dn  
Ret.

Note

This redraft makes a technical correction in the  
draft.

RET

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1417/3dn  
RCTjlg:jf

January 26, 1999

This redraft makes a technical correction in the draft.

Rebecca C. Tradewell  
Managing Attorney  
266-7290



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1417/3  
RCT:jlj:jf

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