

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 07/8/99

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Bonderud

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: **Environment - env. cleanup**  
**Buildings/Safety - misc.**

Extra Copies:

**Pre Topic:**

LFB:.....Bonderud -

**Topic:**

PECFA changes for Conference Committee

**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>
/?	traderc 07/8/99	gilfokm 07/8/99		_____			
/1			kfollet 07/8/99	_____	lrb_docadmin 07/8/99		

FE Sent For:

<END>

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1?	traderc	1-7-8-99 kmg	Kjf 7/8	Kf/km 7/8			

FE Sent For:

<END>

**Senate:** Restore the Governor's recommendation to authorize the Building Commission to issue \$450 million in revenue obligations (instead of \$270 million under Joint Finance), to fund the payment of claims under the PECFA program. Delete the Joint Finance requirement that before the Building Commission issues revenue obligations above \$170 million, DOA, Commerce and DNR would be required to submit a report with specified information to the Joint Committee on Finance for approval under s. 13.10 and Commerce and DNR would have to promulgate final permanent administrative rule changes with specified changes.

Chg. to JFC	
BR	\$180,000,000

## 2. PECFA STAFF

\* **Assembly:** No change to Joint Finance.

**Senate:** Maintain current law PECFA staff levels. This would delete: (a) the Governor's recommendation to provide \$152,200 SEG in 1999-00 and \$174,800 SEG in 2000-01 with 3.0 SEG hydrogeologist positions; (b) the Joint Finance provision to provide Commerce with \$84,200 SEG in 1999-00 and 2.0 SEG two-year project claim review positions, which would be converted to PR in 2000-01 and funded with \$112,200 PR in 2000-01; (c) the Joint Finance provision to authorize Commerce to promulgate rules to assess and collect fees to recover its costs of approving requests by owners or operators for case closure and providing other assistance requested by claimants at petroleum sites; (d) the Joint Finance provision to direct Commerce to submit any permanent rules for assessment and collection of fees to the Legislature under s. 227.19 no later than June 1, 2000; (e) the Joint Finance provision that would specify that any fees charged by Commerce and DNR on or after the effective date of the bill for the approval of case closures and other requested assistance would not be reimbursable expenses under the PECFA program; and (f) the Joint Finance provision to direct DOA to determine how federal leaking underground storage tank (LUST) funding should be allocated to DNR and Commerce, and to submit a report of its determination to the Joint Committee on Finance for approval at its December, 1999, s. 13.10 meeting.

Chg. to JFC Funding Positions		
SEG	-\$411,200	- 3.00
PR	- 112,200	- 2.00
Total	-\$523,400	- 5.00

## 3. PECFA -- SITE PRIORITY CATEGORIZATION

\* **Assembly:** No change to Joint Finance. *with "fractured"*

**Senate:** Maintain the current law method of categorizing sites under the PECFA program. Delete the Joint Finance provision that would classify a petroleum site as high risk if it has a groundwater enforcement standard exceedance in soil that has a hydraulic conductivity greater than  $1 \times 10^{-5}$  centimeters per second or meets one of the following criteria: (a) two or more tests show that the discharge has resulted in a concentration of contaminants in a private or public potable well that exceeds the preventive action limits established under s. 160.15; (b)

b1670  
for  
all  
PECFA  
changes  
except  
#1

*fractured*

there is a groundwater enforcement standard exceedence within 100 feet of a private well or 1,000 feet of a public well; (c) petroleum product that is not in dissolved phase is present with a thickness of 0.01 feet or more, as shown by repeated measurements; or (d) there is a groundwater enforcement standard exceedence in bedrock. In addition, delete the Joint Finance provision that would specify that the transfer of sites from DNR to Commerce based on the new classification of sites be accomplished by no later than December 1, 1999, and if the definition of high-risk sites results in classifying more than 35% of sites as high risk by December 1, 1999, Commerce would be directed to promulgate emergency rules that establish the standards for categorizing sites of petroleum product discharges that does not provide that all sites at which a groundwater enforcement standard is exceeded be classified as high risk, classifies no more than 35% of petroleum sites as high risk, excluding unranked sites and sites with contamination from non-petroleum hazardous substances and incorporates any agreements with DNR. Currently, DNR and Commerce are required to enter into a memorandum of understanding (MOU) that establishes procedures, standards and schedules for determining which sites are classified as high-, medium- or low-priority. DNR administers the cleanup at high-priority sites and Commerce administers cleanup at medium- and low-priority sites.

✓ 4. PECFA -- RISK-BASED ANALYSIS

\* Assembly: No change to Joint Finance.

*site-specific regulation at each particular site p. 25, line 6 of 50079*

**Senate:** Modify the Joint Finance provision to require Commerce, in consultation with DNR, (instead of Commerce and DNR jointly) to promulgate rules specifying a method for determining the risk to public health, safety and welfare and to the environment posed by discharges of petroleum products. Delete the Joint Finance provisions that: (a) if DNR and Commerce are unable to reach an agreement on the rule, the Secretary of DOA would be required to resolve the matter; (b) DNR and Commerce shall promulgate emergency rules without a finding of emergency; and (c) Commerce and DNR shall submit permanent rules to the Legislature under s. 227.19 no later than June 1, 2000.

5. PECFA -- AWARD PRIORITIZATION AND REMEDIAL ACTION PLANS

**Assembly:** No change to Joint Finance.

*No* **Senate:** Delete the Joint Finance provision that would require Commerce to review claims related to eligible farm tanks, in addition to home heating oil tanks currently, as soon as the claims are received, and to issue a PECFA award for eligible farm tank cleanups as soon as it completes review of the claim. Instead, direct Commerce and DNR to jointly determine when it is appropriate to begin remedial action based on the determination of risk for the discharge and the availability of funds to pay awards. An owner or operator would not be permitted to or required to begin remedial action until Commerce and DNR approve the commencement of the remedial action activities. These provisions would not apply if the discharge is from a home

heating oil tank, small farm tank or heating oil tank owned by a school district, or if the remedial action is in response to an emergency.

✱ Modify the Joint Finance provision related to remedial action plans to delete the requirement that Commerce either approve or disapprove the remedial action plan that would be submitted to Commerce. Require DNR to determine whether natural attenuation will complete the remedial action activities at high-priority sites in compliance with groundwater standards, in addition to the Joint Finance requirement that Commerce make the same determination for low- or medium-risk sites. (Under the modification, Commerce would make the determination for low- and medium-priority sites rather than for low- and medium-risk sites.)

✓ 6. PECFA -- MAXIMUM AWARD

✱ **Assembly:** No change to Joint Finance.

✱ **Senate:** Require DNR to notify the owner or operator of high-priority sites of its determination of the least costly method of completing the remedial action activities and complying with groundwater enforcement standards and that reimbursement for remedial action is limited to the amount necessary to implement that method. This would be in addition to the modified Joint Finance provision that Commerce would be required to notify the owner or operator of a low- or medium-priority (instead of low- or medium-risk) site of its determination of the least costly method of completing the remedial action activities and complying with groundwater enforcement standards and that reimbursement for remedial action is limited to the amount necessary to implement that method. This change would not change the general maximum award from current law, but would limit the maximum reimbursement for high-priority sites, in addition to medium- and low-priority sites under the substitute amendment. (The effective date of the provision would be the effective date of the biennial budget act, for remedial action activities that begin on or after that date, instead of the Joint Finance effective date of November 1, 1999, for remedial action activities that begin on or after that date.) *No. says delayed date*

*P 1027  
line 14*  
In addition, delete the Joint Finance provision that reimbursable eligible costs under Commerce administrative rules shall include the least costly method to achieve any remedial action activities ordered by DNR or Commerce, whichever has jurisdiction for the cleanup at the site.

✓ 7. PECFA -- DEDUCTIBLE AMOUNT

*by  
modification*  
**Assembly:** No change to Joint Finance.

**Senate:** Delete the Joint Finance provisions related to PECFA deductibles, which would have changed the deductible: (a) for underground petroleum product storage tank systems for

marketers or non-marketers that handle an average of more than 10,000 gallons of petroleum per month to be \$5,000 for eligible costs up to \$100,000, plus 4% of eligible costs exceeding \$100,000; (b) for farm tanks to be \$5,000; and (c) for aboveground storage tanks located at terminals to be \$15,000 plus 10% of the amount by which eligible costs exceed \$200,000. Instead, change the deductible for most underground tanks to be 100% of the amount by which eligible costs exceed \$18,750 but do not exceed \$21,250, plus 10% of the amount by which eligible costs exceed \$21,250 but do not exceed \$40,000, plus 5% of the amount by which eligible costs exceed \$40,000, but not more than \$7,500 (reached at \$102,500 of eligible costs). Maintain the current law deductible for school district, technical college district, home heating oil and aboveground tanks. The change would first apply to costs incurred on the effective date of the bill. (The Joint Finance provisions would have first applied to remedial action plans submitted on or after November 1, 1999).

\$3,000

60,000 3%

\$10,000

keep

In addition, delete the Joint Finance provision that would have authorized Commerce to promulgate rules to exempt from the deductible changes: (a) a municipality if the municipality is conducting the PECFA cleanup as part of a brownfields redevelopment project; and (b) an owner or operator who meets financial hardship criteria.

8. PECFA -- INTEREST COST REIMBURSEMENT

\* Assembly: No change to Joint Finance.

Senate: Delete the Joint Finance provisions for PECFA interest cost reimbursement to maintain the current law limit on the reimbursable interest rate to 1% over the prime rate for loans secured on or after October 15, 1997. The substitute amendment would have limited PECFA reimbursement for interest costs incurred by a PECFA claimant, for loans originating on or after November 1, 1999, based on the applicant's gross revenues in the prior tax year as follows: (a) if gross revenues are over \$5 million to \$15 million in the prior tax year, interest reimbursement would be limited to the prime rate; (b) if gross revenues are over \$15 million to \$25 million, interest reimbursement would be limited to the prime rate minus 1%; (c) if gross revenues are over \$25 million to \$35 million, interest reimbursement would be limited to the prime rate minus 2%; (d) if gross revenues are over \$35 million to \$45 million, interest reimbursement would be limited to the prime rate minus 3%; and (e) if gross revenues are over \$45 million, interest reimbursement would be limited to the prime rate minus 4%. The substitute amendment would not have changed the interest reimbursement for applicants with gross revenues up to \$5 million from the current 1% over the prime rate.

✓ 9. PECFA -- SITE BID INSURANCE

\* Assembly: No change to Joint Finance.

plus date

Senate: Modify the Joint Finance provisions for PECFA site bidding as follows:

a. Require that when DNR or Commerce, whichever agency has jurisdiction over the site, would estimate the cost to complete a site investigation, remedial action plan and remedial action for an occurrence under the substitute amendment, that if the estimate exceeds \$60,000 (instead of \$80,000 under Joint Finance) Commerce would be directed to implement a competitive public bidding process to assist in determining the least costly method of remedial action.

b. Prohibit Commerce from implementing the bidding process if DNR (but not also Commerce under Joint Finance) waives the requirement on the grounds that the waiver is necessary in an emergency to prevent or mitigate an imminent hazard to public health, safety or welfare or to the environment.

c. Prohibit Commerce from implementing the bidding process if DNR waives the requirement after providing notice to the Secretary of Commerce (but not also if Commerce waives the requirement after providing notice to DNR under Joint Finance).

d. Prohibit the use of the bidding process (instead of making it optional under Joint Finance) at sites where an enforcement standard is exceeded in groundwater within 1,000 feet of a well operated by a public utility or within 100 feet of any other well used to provide water for human consumption.

e. Delete the Joint Finance authorization for Commerce to waive bidding requirements if it determines that the remedial action plan identifies the most cost effective cleanup option for the site.

f. Delete the Joint Finance authorization for Commerce to disqualify a public bid for remedial action activities at a PECFA site if, based on information available to the Department and experience with other PECFA projects, the bid is unlikely to establish a maximum reimbursement amount that will sufficiently fund a cleanup necessary to meet applicable site closure requirements.

g. Delete the Joint Finance authorization for Commerce to disqualify a public bidder from submitting a bid for remedial action activities at a PECFA site if, based on past performance of the bidder, the bidder has demonstrated an inability to finish remedial actions within previously established cost limits.

h. Delete the Joint Finance authorization for Commerce to review and modify established maximum reimbursement amounts for remedial action activities if the Department determines that new circumstances, including newly discovered contamination at a site, warrant the review.

#### 10. PECFA - JOINT AGENCY REPORT

\* Assembly: No change to Joint Finance.

**Senate:** Make the following changes to the reporting requirements for Commerce and DNR related to PECFA:

a. Change the due date of the report to October 1 annually, for the previous fiscal year, instead of every January 1 and July 1 under Joint Finance.

b. Delete the requirement that DNR and Commerce submit the report to the Governor, but maintain the Joint Finance requirement that the two agencies submit the report to the Joint Legislative Audit Committee, Joint Committee on Finance and appropriate standing committees of the Legislature.

c. Delete the Joint Finance requirements that the report include: (1) the date on which the record of the site investigation was received; (2) the environmental risk factors, as defined by Commerce rule, identified at the site; (3) the year in which DNR or Commerce expects to issue a case closure letter or written approval of the remedial action activities for the site; and (4) whether disputes arose regarding the annual determination of least costly method and use of natural attenuation under joint annual review for high-risk sites and how those disputes were resolved. Maintain the Joint Finance requirements that the report include: (1) the number of notifications of petroleum discharges received by the departments and the number of written approvals of remedial action activities provided by the departments; (2) the percentage of sites classified as high-priority (instead of high-risk under Joint Finance); (3) the name of each person providing engineering consulting services to a claimant and the number of claimants to whom the person has provided those services; (4) the charges for engineering consulting services for sites for which remedial action activities are approved by the departments and for other sites; (5) the charges by service providers other than engineering consultants for services for which reimbursement is provided, including excavating, hauling, laboratory testing, and landfill disposal; and (6) strategies for recording and monitoring complaints of fraud in the program and for the use of Commerce employees who conduct audits to identify questionable claims and investigate complaints.

d. Delete the Joint Finance requirement that Commerce must submit a report to the Joint Committee on Finance and the Joint Committee for Review of Administrative Rules, by March 1, 2000, that includes recommendations related to actions Commerce could take to reduce interest costs incurred by claimants including a review of the schedule for progress payments for claims submitted under the program.

## 11. PECFA - USUAL AND CUSTOMARY COSTS

**Assembly:** No change to Joint Finance.

**Senate:** Approve the Joint Finance provision to require Commerce to establish a schedule of usual and customary costs that are commonly associated with PECFA claims. However, delete the Joint Finance provisions that would have: (a) specified that the cost control provisions related to ineligible costs apply to an occurrence regardless of whether a competitive bidding

*Not req. on  
1/1/00*

process is used; and (b) directed Commerce to promulgate emergency rules to establish the schedule of usual and customary costs no by no later than November 1, 1999, and provided that the rules may be promulgated without a finding of emergency under Chapter 227.

## 12. PECFA - ADMINISTRATIVE RULES

\* **Assembly:** No change to Joint Finance.

**Senate:** Make the following changes related to promulgation of PECFA administrative rules by Commerce and DNR:

a. Direct Commerce, in consultation with DNR, to promulgate rules (instead of requiring joint promulgation under Joint Finance). Delete the Joint Finance requirement that if DNR and Commerce are unable to reach an agreement on rules, that the Secretary of DOA would be required to resolve the matter.

b. Direct Commerce to submit proposed permanent rules to the Legislative Council Staff no later than the first day of the third month beginning after the effective date of the bill and DNR to submit proposed changes in its administrative rules to implement the bill to the Legislative Council Staff no later than the first day of the sixth month after the effective date of the bill (instead of requiring Commerce and DNR to submit permanent rules to the Legislature under s. 227.19 no later than June 1, 2000).

c. Delete the Joint Finance requirement that Commerce and DNR promulgate joint rules on: (1) a definition of "reasonable period of time" to complete remedial action by use of natural attenuation in compliance with the groundwater enforcement standards; and (2) procedures to be used in measuring contaminant concentrations for purposes of directing remedial action activities and site closure decisions in compliance with the groundwater enforcement standards.

## 13. PECFA - EMERGENCY SITUATION

\* **Assembly:** No change to Joint Finance.

**Senate:** Require that in order to submit a PECFA claim for an emergency situation, the owner or operator must have notified DNR (but not Commerce as under Joint Finance) of the emergency before conducting the remedial action and DNR (instead of DNR and Commerce jointly under Joint Finance) must have authorized emergency action.

7/8 Per Kendra,

Add DNR to p. 1025, lines 11 to 13. For  
high priority sites. Also modify annual review like max. awards.

RT

1999

Date (time) needed

Today, if possible

LRB b 1870 1 1

# BUDGET AMENDMENT

RET: King

See form AMENDMENTS — COMPONENTS & ITEMS.

## CONFERENCE AMENDMENT TO ASSEMBLY SUBSTITUTE AMENDMENT 1 TO 1999 ASSEMBLY BILL 133

At the locations indicated, amend the substitute amendment as follows:

#. Page . . . . , line . . . . :

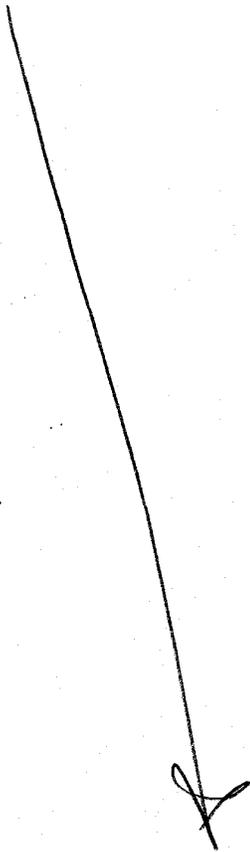
#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :



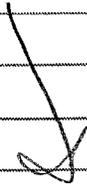
#. Page 1022, line 3: after "include" insert "individualized".

#. Page 1022, line 4: after "contamination" insert "at each site".



#. Page 1073, line 7: delete lines 7 to 11.

~~101.143(3)(a)~~



#. Page 1023, line 16: delete "\$50,000" and substitute  
"\$60,000".

#. Page 1024, line 1: delete lines 1 to 3.



#. Page 1025, line 7: after "method" insert

NO #

1 ~~classified as low or medium priority under s. 101.144 (3m) and shall determine the~~  
2 ~~least costly method of complying with par. (c) 3. and with enforcement standards.~~  
3 ~~The department shall notify the owner or operator of its determination of the least~~  
4 ~~costly method and shall notify the owner or operator that reimbursement for~~  
5 ~~remedial action under this section is limited to the amount necessary to implement~~  
6 ~~that method.~~

7 2. The department of natural resources and the department of commerce shall  
8 review the remedial action plan for a site that is classified as high priority under s.  
9 101.144 (3m) and shall jointly determine the least costly method of complying with  
10 par. (c) 3. and with enforcement standards. The departments shall notify the owner  
11 or operator of their determination of the least costly method and shall notify the  
12 owner or operator that reimbursement for remedial action under this section is  
13 limited to the amount necessary to implement that method."

14 3. ~~In making determinations under subs. 1. and 2., the department of natural~~  
15 ~~resources and the department of commerce shall determine whether natural~~  
16 ~~attenuation will achieve compliance with par. (c) 3. and with enforcement standards.~~

17 **SECTION 1984m.** 101.143 (3) (cw) of the statutes is created to read:

18 101.143 (3) (cw) *Annual reviews.* 1. The department of commerce shall conduct  
19 the annual review required under sub. (2) (i) 1. for a site that is classified as low or  
20 medium priority under s. 101.144 (3m) and shall determine the least costly method  
21 of completing remedial action at the site in order to comply with par. (c) 3. and with  
22 enforcement standards. The department shall notify the owner or operator of its  
23 determination of the least costly method and shall notify the owner or operator that  
24 reimbursement under this section for any remedial action conducted after the date  
25 of the notice is limited to the amount necessary to implement that method.

#. Page 1025, line 8: delete "subd. 1," and substitute "subs. 1. and 2., the department of natural resources and".

#. Page 1025, line 13: after "actions." insert "The department of commerce and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a <sup>s</sup> site, warrant those actions."



not

# Page 1026, line 3: after "method" insert

1 2. The department of natural resources and the department of commerce shall  
 2 conduct the annual review required under sub. (2) (i) 1. for a site that is classified as  
 3 high priority under s. 101.144 (3m) and shall jointly determine the least costly  
 4 method of completing remedial action at the site in order to comply with par. (c) 3.  
 5 and with enforcement standards. The departments shall notify the owner or  
 6 operator of their determination of the least costly method and shall notify the owner  
 7 or operator that reimbursement under this section for remedial action conducted  
 8 after the date of the notice is limited to the amount necessary to implement that  
 9 method.

10 3. In making determinations under subs. 1. and 2., the department of natural  
 11 resources and the department of commerce shall determine whether natural  
 12 attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

13 **SECTION 1985bm.** 101.143 (3) (d) of the statutes is amended to read:

14 101.143 (3) (d) *Review of site investigations, remedial action plans and Final*  
 15 *review of remedial action activities.* The department of natural resources or, if the  
 16 discharge is covered under s. 101.144 (2) (b), the department of commerce shall, at  
 17 the request of the claimant, review the site investigation and the remedial action  
 18 plan and advise the claimant on the adequacy of proposed remedial action activities  
 19 in meeting the requirements of s. 292.11. The advice is not an approval of the  
 20 remedial action activities. The department of natural resources or, if the discharge  
 21 is covered under s. 101.144 (2) (b), the department of commerce shall complete a final  
 22 review of the remedial action activities within 60 days after the claimant notifies the  
 23 appropriate department that the remedial action activities are completed.

24 **SECTION 1985em.** 101.143 (3) (g) (intro.) and 1. of the statutes are consolidated,  
 25 renumbered 101.143 (3) (g) and amended to read:

#. Page 1026, line 9: after "actions." insert "The department of commerce and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions."



b1670/1

# Page 1027, line 14: delete lines<sup>s</sup> 14 to 18.



1 101.143 (3) (g) *Emergency situations*. Notwithstanding pars. (a) 3. and (c) 1.  
2 and 2., an owner or operator or the person may submit a claim for an award under  
3 sub. (4) after notifying the department under par. (a) 3., without completing an  
4 investigation under par. (c) 1. and without preparing a remedial action plan under  
5 par. (c) 2. if any of the following apply: 1. An an emergency existed which made the  
6 investigation under par. (c) 1. and the remedial action plan under par. (c) 2.  
7 inappropriate and, before conducting remedial action, the owner or operator or  
8 person notified the department of natural resources of the emergency and the  
9 department of natural resources authorized emergency action.

10 **SECTION 1985fm.** 101.143 (3) (g) 2. of the statutes is repealed.

11 **SECTION 1985mm.** 101.143 (4) (b) (intro.) of the statutes is amended to read:

12 101.143 (4) (b) *Eligible costs*. (intro.) Eligible Except as provided in par. (c),  
13 eligible costs for an award under par. (a) include actual costs or, if the department  
14 establishes a schedule usual and customary cost under par. (cm) for an item, usual  
15 and customary costs for the following items only:

16 **SECTION 1986gm.** 101.143 (4) (c) 10. of the statutes is created to read:

17 101.143 (4) (c) 10. Costs incurred with respect to a discharge if sub. (3) (cg) 1.  
18 applies and remedial action is begun before approval is given under sub. (3) (cg) 1.

19 **SECTION 1986i.** 101.143 (4) (c) 11. of the statutes is created to read:

20 *#. Page 1029, line 1: delete lines 1 to 3 and substitute:*  
21 101.143 (4) (c) 11. Costs that exceed the amount necessary to comply with sub.  
22 (3) (c) 3. and with enforcement standards using the least costly method. ''.

23 **SECTION 1986k.** 101.143 (4) (c) 12. of the statutes is created to read:

24 101.143 (4) (c) 12. Costs that are incurred after the date of a notice under sub.  
25 (3) (cw) 1. or 2. and that exceed the amount necessary to comply with sub. (3) (c) 3.  
and with enforcement standards using the method specified in the notice

#. Page 1029, line 6: after "(cw) 1." insert "or 2."

#. Page 1029, line 7: delete "notice, subject to para." and substitute "notice."

#. Page 1029, line 8: delete that line.



#. Page 1030, line 19: delete "\$5,000 plus 4%" and  
substitute "\$3,000 plus 3%".

#. Page 1030, line 20: substitute "\$60,000" for "\$109,000".



b1570/1

#. Page 1036, line 6: after "in" insert "fractured".



#. Page 1587, line 6: delete "(cn)", "

#. Page 1607, line 24: delete "(cn)", "

(End)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1670/1  
RCT:kmg:kjf

LFB:.....Bonderud – PECFA changes for Conference Committee

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

- 1           At the locations indicated, amend the substitute amendment as follows:
- 2           **1.** Page 1022, line 3: after “include” insert “individualized”.
- 3           **2.** Page 1022, line 4: after “contamination” insert “at each site”.
- 4           **3.** Page 1023, line 7: delete lines 7 to 11.
- 5           **4.** Page 1023, line 16: delete “\$80,000” and substitute “\$60,000”.
- 6           **5.** Page 1024, line 1: delete lines 1 to 3.
- 7           **6.** Page 1025, line 7: after “method” insert “and shall notify the owner or
- 8 operator that reimbursement for remedial action under this section is limited to the
- 9 amount necessary to implement that method”.

1           **7.** Page 1025, line 8: delete “subd. 1.,” and substitute “subds. 1. and 2., the  
2 department of natural resources and”.

3           **8.** Page 1025, line 13: after “actions.” insert “The department of commerce and  
4 the department of natural resources may review and modify an amount established  
5 under subd. 2. if the departments determine that new circumstances, including  
6 newly discovered contamination at a site, warrant those actions.”.

7           **9.** Page 1026, line 3: after “method” insert “and shall notify the owner or  
8 operator that reimbursement under this section for remedial action conducted after  
9 the date of the notice is limited to the amount necessary to implement that method”.

10           **10.** Page 1026, line 9: after “actions.” insert “The department of commerce and  
11 the department of natural resources may review and modify an amount established  
12 under subd. 2. if the departments determine that new circumstances, including  
13 newly discovered contamination at a site, warrant those actions.”.

14           **11.** Page 1027, line 14: delete lines 14 to 18.

15           **12.** Page 1029, line 1: delete lines 1 to 3 and substitute:

16           “101.143 (4) (c) 11. Costs that exceed the amount necessary to comply with sub.  
17 (3) (c) 3. and with enforcement standards using the least costly method.”.

18           **13.** Page 1029, line 6: after “(cw) 1.” insert “or 2.”.

19           **14.** Page 1029, line 7: delete “notice, subject to par.” and substitute “notice.”.

20           **15.** Page 1029, line 8: delete that line.

21           **16.** Page 1030, line 19: delete “\$5,000 plus 4%” and substitute “\$3,000 plus  
22 3%”.

23           **17.** Page 1030, line 20: substitute “\$60,000” for “\$100,000”.

