

Notice of Preliminary Hearing on Statement of Scope

The Department of Natural Resources announces that it will hold a preliminary public hearing on Statement of Scope SS 075-23 (Board Order RR-14-23) for proposed rules affecting chs. NR 700, 708, 714, 722, 724, 725, 726, 727, and 749 related to definitions, notifications, fees, agreements, reports, and procedures for interim action and remedial action continuing obligations for environmental contamination. In accordance with s. 227.136, Wis. Stats., the DNR is seeking public comment and feedback on Statement of Scope SS 075-23 at the time and virtual location shown below.

This hearing will also include:

- Statement of Scope SS 074-23 (Board Order RR-15-23), proposed revisions to chs. NR 700, 720, and 722 related to definitions, land use classifications, procedures for identifying environmental standards for soil, and soil cleanup standards used to investigate and remediate environmental contamination.

Hearing Information

Date: December 21, 2023

Time: 1:00 p.m.

Virtual Location:

— Online via Zoom:

<https://us02web.zoom.us/join/91234567890?pwd=ZApfUmR6PzJyZjgyDc-R-zptmBiqB>

— Meeting ID: 844 9089 3252

— Join by Telephone: (312) 626-6799

Rule Information

Continuing obligations are limitations and requirements on the use of contaminated properties that protect human health and the environment. Statute allows the department to impose continuing obligations when approving interim actions, remedial actions, and case closure; however, administrative code only provides direction for continuing obligations imposed at closure. Additionally, statutory changes made under 2015 Wisconsin Act 204 are not implemented in code, and administrative code is silent on long-term care for continuing obligations.

The proposed rule would amend portions of chs. NR 700 to 799, Wis. Adm. Code, to provide procedures and requirements for continuing obligations imposed prior to closure, including procedures and requirements for reporting, database entry and tracking, and department service fees. Proposed fee revisions are limited to clarification on when existing fees should be

submitted. No increase in fees or additional fees are proposed. Rule changes would implement changes made under 2015 Wisconsin Act 204 relating to continuing obligations imposed at all stages of cleanup. Rule changes would also clarify requirements for the long-term management of continuing obligations.

Accessibility

For the hearing or visually impaired, non-English speakers, or those with other personal circumstances which might make communication at the meeting/hearing difficult, the department will, to the maximum extent possible and with reasonable advance notice, provide aids including an interpreter, or a non-English, large-print, or recorded version of hearing documents. To access these resources, please contact the email address or phone number listed below as soon as possible.

Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, either use the Zoom link above prior to the day of the hearing or download and complete the fillable [hearing appearance form](#) and send it to MollyE.Schmidt@wisconsin.gov.

Comments on the proposed scope statement must be received on or before December 21, 2023. Written comments may be submitted by U.S. mail, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing.

Written comments and any questions on the proposed scope statement should be submitted to:

Department of Natural Resources
Attn: Molly Schmidt – RR/5
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921
MollyE.Schmidt@wisconsin.gov

The scope statement may be viewed at:

<https://dnr.wisconsin.gov/news/input/ProposedPermanent.html>

Comments can be made at: DNRAAdministrativeRulesComments@wisconsin.gov

The scope statement may be reviewed, and comments made at:

https://docs.legis.wisconsin.gov/code/scope_statements/comment.