

2003 ISSUE BRIEF

CONTAMINATED SITES (BROWNFIELDS)

REPORT CARD GRADE: C+

Programs and initiatives	A-
Funding availability compared to need	D
Overall grade	C+

ISSUE BRIEF

While Wisconsin has initiated many innovative and successful programs to promote the cleanup of contaminated sites, thousands of sites requiring remediation exist within the state. The primary reasons for the continued existence of these sites are liability concerns and high remediation costs (potentially totaling up to \$15 billion for all sites).

ISSUE REPORT

Definition of Issue. As a result of decades of poor waste management practices in the past, there are innumerable contaminated sites across the nation, including thousands in Wisconsin alone. A site is considered contaminated if chemical (or microbial or radionuclide) compounds exist in the soil, groundwater or air at concentrations exceeding standards established to protect human health and the environment. These sites include leaking (or previously leaked) fuel tanks (approximately 15,000 sites in Wisconsin), dry cleaning facilities, industrial sites, dumps, unregulated landfills, contaminated river and harbor sediments, etc. The challenge associated with identifying contaminated sites in the state is substantial; some are obvious, however, most are not. The wide array of sites mentioned above and the complexity of regulations surrounding their remediation are beyond the scope of this report. The focus of this report as it relates to the state's infrastructure will be primarily on industrial and commercial sites ("brownfields") that are contaminated or *perceived to be* contaminated, and thus underutilized or vacant. Up to 10,000 such brownfield sites may exist in Wisconsin alone. These sites are often located in urban areas and their remediation and restoration can reduce the risk to public health, create new jobs, increase tax bases, lessen urban sprawl and improve aesthetics.

Existing Conditions. A primary concern regarding the sale, acquisition and redevelopment of real estate property is the risk associated with potential large costs for remediating contamination. The State of Wisconsin has taken the initiative in providing an exemption on liability for local government units (LGUs) and lenders provided that specific statutory requirements are met. Efforts by the Department of Natural Resources (DNR) have resulted in the revision of existing codes, and the creation of new codes, governing contaminated sites and their cleanup.



For more than a decade, the State of Wisconsin (primarily through the DNR and the Department of Commerce) has been a national leader in creating incentives to remediate and redevelop brownfields. The numerous programs that have been developed are evidence of the state's dedication to the remediation of such sites (e.g., Brownfields Grant Program, Site Assessment Grants, Green Space Grants and the Sustainable Urban Development Zone program).

Issues and Concerns. Liability and funding remain areas where more work is needed to attract LGUs and private entities to implement brownfield projects. The financial resource needs are difficult to quantify because not all contaminated sites are currently known. New sites and new challenges are being continually identified (e.g., in the year 2000, 750 new sites were added to the DNR's list of contaminated sites). Using a typical range of remediation costs of from \$250,000 to \$1,500,000 per site, the total cleanup of the estimated 10,000 brownfield sites could require funds ranging from \$2.5 billion to \$15.0 billion.

Conclusions and Recommendations. The Brownfields Study Group serves as an example of the DNR's cooperation with stakeholders. Input from this group, and all stakeholders, should continue to be sought and considered by the DNR and other state agencies as revisions to regulations continue to be needed to reflect recent scientific findings and viable alternatives. Efforts to streamline regulations and provide consistent and appropriate application of regulations to contaminated sites should continue. Promoting the use of innovative cleanup technologies may be a mechanism to lower overall costs to a point where more redevelopment projects would be economically favorable.

Local governments need to become more active participants in the redevelopment of abandoned/delinquent properties. The redevelopment of contaminated sites may be achieved by promoting such activity in Comprehensive Land Use Planning (e.g., Smart Growth). In addition, private sector funding needs to be provided to cleanup and develop these contaminated properties. Wisconsin currently provides some incentives through liability exemptions to developers, lenders, and municipalities. Further development incentives need to be explored and adopted to encourage private funding of cleanup and redevelopment of contaminated sites.

Financial resources to clean up contaminated sites in Wisconsin are provided by several state and federal funding programs currently in place. However, these fall far short of the financial resources needed to address all of the known sites in the state. With the current funds available from existing programs, only a fraction of sites are able to receive cleanup funding assistance. Financial incentives have already proven useful to attract communities and private entities to remediate and redevelop contaminated sites. More funds need to be provided to these programs so that contaminated properties can be remediated and returned to safe and productive use.



Source Information.

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