



**Minutes**  
**Wisconsin Small Business Environmental Council**

Date  
DNR Central Office  
101 S Webster Street, Madison, WI  
Room 713  
9:00 am – 12:00 pm

**Members Present:** Richard Klinke, Amy Litscher (via phone), J.D. Tripoli (part of meeting), Representative for Representative Jacque (part of meeting)

**Absent:** Shane Lauterbach, Vince Ruffolo, Mark Aquino

**DNR Staff:** Renee Bashel, Jennifer Hamill, Laurel Sukup, Gail Good (part of meeting), Dan Baumann, John Budzinski (via phone), Dave Zebro

**Speakers:** no additional speakers

**Public Participants:** none

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**National and DNR web page updates**

*Renee Bashel, SBEAP*

Highlighted the National SBEAP webpage at [nationalsbeap.org](http://nationalsbeap.org).

- EPA developed the webpage as a national clearing house for documents and information pertaining to SBEAP programs.
- Wisconsin assisted with content development for the webpage.
- Shared resources available for assisting small businesses.
- Compliance assistance tools available
- Content on sectors and industries. (including Wisconsin's compliance calendars).
  - Minnesota may have a calendar for sand mines that is not on website.
- Map of state contacts in SBEAP
- Map of state councils
- Discussion amongst the programs occurs through list serve, not the website.

Wisconsin SBEAP webpage: <http://dnr.wi.gov/topic/smallbusiness/> updates.

- Added additional industry specific, process specific and multi-media information

Question: How is the site marketed?

- There has only been soft marketing.
- Outreach is needed for both the [national webpage](http://nationalwebpage) and for the [Wisconsin SBEAP](http://WisconsinSBEAP) webpage: <http://dnr.wi.gov/topic/smallbusiness/>.
  - Request when doing outreach to send to the Secretary's Directors and to other for newsletters and press releases.
  - Suggested to work with local chambers and other organizations for outreach efforts.

Question: How does SBEAP get notified of rules pertaining to small businesses?

- Updates from industry members
- SBEAP technical committee and state members watch Federal register and state legislative activities for rules.

## **Compliance Audit Policy**

*Jennifer Hamill*

Staff worked on a comparison between WI compliance audit statutes and USEPA policies. A matrix was provided to the council members and summarized.

Key differences: timelines for notification, reporting results and compliance; EPA has more eligibility requirements to allow a company to use their policy.

Question: Have we seen an uptick in requests/use of program following articles in Small Business Advisor and FET Newsletter? No, not yet anyway. More outreach would be good.

Question: Is there value in bringing state program closer to EPA policy?

- It would benefit businesses to align some timelines.
- Could see the benefit of aligning compliance timelines, but state is longer than EPA and the company could focus on EPA compliance first and then address state only requirements later

Action item: Amy will send an email to the members to get their recommendation on any changes to the state Compliance Audit Program to forward to DNR.

## **DNR Alignment Round Tables**

*Amy Litscher, Chair*

DNR is seeking input at the round tables on what should be the focus of work at the DNR and alignment goals. DNR is looking at what is the most important work and guidance from outside interests. DNR wants to bring value to business in Wisconsin while continuing to improve customer service and provide environmental protection.

Dan Baumann gave a brief update that the DNR is still collecting some follow up input from external groups, related to 'assurance programs' for external services (approved consultants), draft permits written by externals (often done in Air already), and other efficiencies.

Slides previously sent to council members by Amy Litscher were shown (as provided by Gail Good following the Air Management Study Group meeting). The following is discussion pertaining to the slides.

- Incorporation by reference: citing the code and not summarizing the language in permits.
  - Process would be easier for DNR, speeding up permit issuance
  - In some cases it would be easier for businesses BUT not for others.
  - Some businesses don't know where to find the code to understand what the code requirements would be.
  - Could the permit holder be offered a choice?
  - One method will not fit for all businesses.
  - Complication from prior practice of summarizing federal code and putting into air program rules: EPA changed the code and now since the WI rules have not been changed, an affected business has to comply with both sets of rules.

- Complaints:
  - Have a system that lets the public know what is required to investigate a complaint and what follow-up is completed on a complaint.
  - Businesses want to know about complaints so they can resolve any possible issues.
  - EPA has an online complaint form. It could be an example for states. EPA sends letters in response to complaints. An example of autobody shop letters sent by EPA was discussed.
  - Another example is the WI DNR open burning complaints.
    - Open burning complaints are difficult to follow-up.
    - Having limited staff deal with open burning complaints takes the burden off of law enforcement and other program staff.
    - Could be used as an example process for complaints. Could divide complaints by sectors, size of potential impact?
  - Is there a way to share follow up on complaints to all sides?
- Electronic or paper resources
  - The Drycleaner calendar was recently evaluated before printing by industry survey for electronic or paper calendar. Currently the industry needs hard copies. Many members are electronic and have access to internet/computers but the companies that are not online need paper. Even though it is the minority of the businesses, these would have the greatest potential impacts. It also benefits those who require the most assistance.
- Transferring registration to DOT
  - Lines are shorter at DNR compared to DOT. In addition, there are more DNR locations.
  - Could the registration be completed online?
- Innovation technology – support electronic reporting, electronic permitting, digitized records.
  - Recommend pre-fillable forms for permit application process
  - electronic permit have direct links to code
- Business Portal
  - How can this be expanded to other potential customers?
  - Could the system be designed to notify businesses of all the potential permits that may be required?
  - Do other states have online permitting? What worked and didn't work? Are there aspects that could be borrowed?
    - Most states separate their online permitting and don't have multi-media permitting program.
  - Can partnerships be made with other states?
    - It may be complicated because each state has different EPA delegated authority and state specific rules.
    - Any way to share costs on base system, with modifications for each as needed?
  - There will still need to be a way for direct DNR contact, even with online systems.
  - The DNR portal will be connected to the [statewide portal](#) to other state agencies

- Inspection Coordination
  - ONLY DNR, not looking at coordinating with other agencies
  - Could result in efficiencies for DNR by connecting to businesses
  - Cross-training would be required
  - Some businesses may not have the capacity to accommodate a multimedia inspection.
  - Other businesses may want one visit by the DNR.
  - Could be beneficial to coordinate at times of year when business would be less impacted
  - Could offer choice on when to inspect businesses
  - Could streamline when permits, inspections or by geographic location to manage the time required.
  - Could also focus on certain sectors at the same time period.
  - Inspections could be the conduit to let the company know when they may need to contact other programs for permitting or compliance. Can often be mistaken that after one program inspects they are all done with DNR inspections.
  - DNR could be both a regulator and a resource by building relationships.
- Rule Making
  - DNR had regional public affairs staff in the past to assist with outreach. This process no longer exists.
  - It is easier for permitted facilities to be reached.
  - SBEAP has access to a national marketing database that could also be utilized to reach affected facilities.
  - SBEAP and council would like to be more involved in the rule making process before the rules are proposed.
  - The chambers of commerce could be another resource for rule outreach.
  - It would help small businesses to be in the rule making process earlier.
- For all of these items:
  - DNR should evaluate what the loss of information or other impacts may be.
  - DNR should look at what are the resources required to make the updates relevant?
  - Will the process be required to be continuously updated?
- Overall: there have been many comments on the alignment process. There are many net gains and losses being evaluated. A team is working on a package on how to get some of these items completed in the next 2 months. All comments are valued.

**Public Comment**

none

**Action: Please supply any comments ASAP to any of these items in the Alignment Process**

**Next meeting: July 28, 2016**

- **Legislative opinion on alignment process**