

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
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TTY Access via relay - 711

April 7, 2006

File Ref: 03-13-000262

Mr John Sayles  
6551 Purcell Road  
Belleville, WI 53508

Subject: Kenneth Templeton Property, 6904 Paoli Road, Belleville

Dear Mr. Sayles:

Your inquiry regarding the Templeton Property was directed to me for providing information to you. The site is listed in the data base as a petroleum contaminated property that is still 'open'. This means that contamination was found on the site but a proper site investigation has not been performed to determine if site clean up is needed.

**Site History:**

**September 1989:** Underground storage tanks were removed by site owner. Contamination was observed in the soil of the excavation.

**September 1989:** DNR sent a 'Responsible Party' letter to the site owner instructing the owner to properly investigate the extent of the petroleum contamination and determine a clean up plan.

**November 1989:** Private water samples that had been taken were analyzed and the findings did not show contamination.

**March 1990:** Workplan for site investigation from Soils & Engineering Services, Inc.

**Various times:** Contact to see if work were performed or if owner could be contacted.

**February 1994:** Report by SES dated August 1990 (unpaid) was received. Two soil samples and three water samples were taken. Felt that the extent of soil contamination was determined but the groundwater was impacted and the extent that the contamination had spread was unknown. More work was needed.


**April 2003:** 'Ability to Pay' process was started to determine if owner had financial capability to do the necessary work.

**March 2004:** Review process concluded that the owner does not have the money or assets to acquire a loan to do the necessary work. The recommendation was to put a deed affidavit on the property. The deed affidavit provides the site history and a notice to potential property owners that the contamination on the property needs to be investigated and cleaned up to standards.

I have included with this letter a fact sheet on Liability Protection for Local Government Units and an example clarification of liability letter. Also included is information on the Site Assessment Grant program along with the web site for it at [www.dnr.state.wi.us/org/aw/r/brownfields/sag](http://www.dnr.state.wi.us/org/aw/r/brownfields/sag).

I hope that you get a chance to review some of this material and please contact me with your questions. I can be reached at (608) 275-3297.

Sincerely,

  
Wendell Wojner  
SCR DNR Hydrogeologist

DRAFT

Insert date

Insert return address

Dear \_\_\_\_\_ :

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
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Throughout the State of Wisconsin, in both rural and urban areas, parcels of land sit unproductive, tax delinquent and often threatening to community health and safety. In the past, the fear of liability for and cost of environmental cleanup has hindered the redevelopment and reuse of such properties. But today, through the state's Brownfields initiatives, local governments and individuals can take advantage of liability exemptions and financial resources to obtain, remediate and redevelop contaminated lands.

In 1994, the Wisconsin legislature introduced the state's first set of Brownfields initiatives with the Land Recycling Law. This law took the initial steps in clarifying the liability of lenders, municipalities and purchasers of property who meet certain requirements. In both the 1997-1999 and 1999-2001 biennial budgets, the Brownfields liability exemptions were expanded and redevelopment grant and loan programs were created. Some of the state's Brownfield initiatives include:

- ***Brownfields Site Assessment Grants for Local Governments***  
These grants can be used for investigation, demolition, and other pre-remedial activities.
- ***The Local Government Unit (LGU) Liability Exemption***  
The budget added acquisition through escheat and the use of Stewardship funds to the list of methods through which an LGU can acquire contaminated property while maintaining a liability exemption.
- ***Department of Commerce Brownfields Grants***  
Over the next 2 years, \$12.2 million is available to address both remediation and redevelopment.
- ***Department of Natural Resources Land Recycling Municipal Loan Program***  
These interest free loans are available to local government units for investigation and cleanup of contaminated properties.

The Department of Natural Resources would like to encourage you to consider idle or blighted properties in your area as Brownfields redevelopment targets. We welcome the opportunity to talk with you about how state funds and environmental liability exemptions can be used to promote economic prosperity and environmental quality through Brownfields redevelopment. We will be contacting you in the near future to answer any questions you may have regarding this letter and the Brownfields Program.

In the meantime, please feel free to contact me at the number shown below.

Thank you.

Sincerely,

Mike Schmoller, Hydrogeologist  
Remediation & Redevelopment Program  
South Central Region  
(608) 275-3303

## Program Basics

The Brownfield Site Assessment Grant (SAG) is a DNR program that helps local governments conduct initial activities and investigations of known or suspected environmentally contaminated property.

### Eligible Applicants

A city, village, town, county, redevelopment authority, community development authority, or housing authority is eligible to complete an application for a grant.

### Eligible Activities

This money can fund:

- Phase I Environmental Site Assessments
- Phase II Environmental Site Assessments
- Site Investigations
- Demolition
- Asbestos removal associated with demolition
- Removal of abandoned containers
- Removal of Underground Storage Tanks (USTs)

**Please Note:** These funds can not be used for environmental cleanup activities.

### Looking for more information?

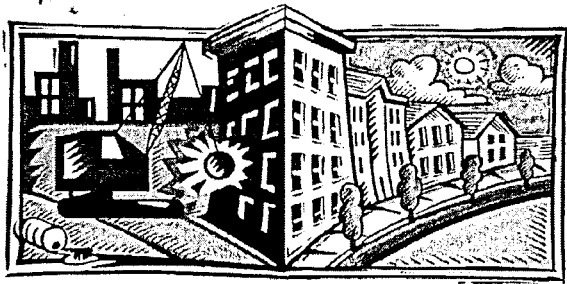
- [SAG Fact Sheet \(PDF, 154KB\)](#)
- [Eligibility and Scoring Tips for Brownfield Site Assessment Grants \(PDF, 46KB\)](#)
- [Eligible Grant Activities & Match Cost Table \(PDF, 33KB\)](#) - excerpt from SAG application instructions.
- [Program Highlights & Round Specific Information](#)

### SAG Timeline

November 12, 2004	Round 6 Applications Due
March 1, 2005	Round 6 Grants Announced
July 14, 2005	Round 7 Applications Available
<b>October 20, 2005</b>	<b>Round 7 Applications Due</b>
<b>February 1, 2006</b>	<b>Round 7 Grants Announced</b>
Summer 2006	Round 8 Applications Available
Fall 2006	Round 8 Applications Due

### Statute and Code Background

- [Wisconsin Administrative Code - NR 168](#)
- [Wisconsin Statute - s. 292.75](#)
- [Recent SAG Rule Changes](#)



# Brownfield Site Assessment Grant

PUB-RR-652

June, 2005

The Brownfield Site Assessment Grant (SAG) is a Wisconsin Department of Natural Resources (DNR) program that helps local governments conduct initial activities and investigations at environmentally contaminated property. The proposed state budget for 2005-07 is the fourth to contain funding for the SAG program.

## Eligible Applicants and Sites

Any local government (city, village, town, county, redevelopment authority, community development authority, tribe or housing authority) is eligible to complete an application for a grant.

In each application round, a local government may submit only one application for a large grant and one application for a small grant for a single property. However, a local government may request funds for more than one property in each round, or may submit a grant application covering multiple, contiguous properties.

Any application submitted must be for an eligible site or facility, which is defined as "one or more contiguous industrial or commercial facilities or sites with common or multiple ownership that are abandoned, idle, or underused, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination." (s. 292.75(1)(a), Wis. Stats.)

The grant must be used for one or more properties that have suspected or known environmental contamination, and the applicant cannot be the party who caused the contamination. A local government does not have to own the property in order to qualify for this grant, but must have access to the site within 60 days of a grant award to carry out the grant activities.

## Eligible Costs

Local governments have 12 months to conduct grant activities after the grant contract is signed. The following activities are eligible for grant funding at an eligible site or facility:

- Phase I and II environmental assessments;
- site investigation;
- demolition of any structures or buildings;
- asbestos abatement, if it's a necessary part of demolition activity; and
- removal and proper disposal or treatment of abandoned containers, underground hazardous substance storage tank systems, or underground petroleum storage tanks.

## Funding

According to the proposed state budget, there is \$1.7 million available for this round, the 2005-2006 fiscal year. A total of \$1.02 million is allocated to fund small grants (\$2,000-\$30,000). The remaining \$680,000 is available for large grants (\$30,001 to \$100,000).



Wisconsin Department of Natural Resources  
P.O. Box 7921  
Madison, WI 53707  
<http://dnr.wi.gov/org/aw/tr>



### ***Brownfields SAG Success!***

- 134 Wisconsin communities received grants totaling \$8.26 million since 1999.
- Funding has helped communities investigate and clean up 850 acres.
- Activities include more than 468 site assessments and investigations, removal of 282 storage tanks and the demolition of 324 structures and buildings.

The applicant must contribute a match of at least 20 percent of the grant request. The match can be provided in the form of cash, in-kind services, or a combination of both.

### **The Application**

Applications were made available in July, 2005. The deadline for both small grant and large grant applications for the 2005-06 fiscal year will be October 20, 2005.

You may obtain an application from the DNR's Remediation and Redevelopment Program web site at <http://dnr.wi.gov/org/aw/rr/rbrownfields/sag.htm> or by contacting Michael Prager at (608) 261-4927, or [michael.prager@dnr.state.wi.us](mailto:michael.prager@dnr.state.wi.us).

If there are more requests than available money, the applications will be scored and

those with the highest number of points will be awarded grants. Detailed scoring information is available on the application form (Form 4400-217), which is available at the above web address.

Applicants will need to provide information on the proposed site or facility, including its status as a brownfield, what the known or suspected contamination is, and sufficient information to document that the responsible party is unknown, unable to be located or is unable to pay. The applicant must obtain necessary legal access no later than 60 days after the DNR announces grant awards.

### **Get Ready, Get Set – Apply!**

A local government can prepare for the SAG application by following the checklist below:

- ☐ locate eligible sites or facilities;
- ☐ determine what activities need to be performed;
- ☐ obtain cost estimates for activities from a qualified professional;
- ☐ get access and/or ownership;
- ☐ collect information on the history of the site, occupants and cause of contamination;
- ☐ budget for the match;
- ☐ create and approve a municipal resolution in support of the project; and
- ☐ prepare an application, and submit by the deadline.



This document contains information about certain state statutes and administrative rules but does not necessarily include all of the details found in the statutes and rules. Readers should consult the actual language of the statutes and rules to answer specific questions.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240.

This publication is available in alternative format upon request. Please call 608-267-3543 for more information.