



January 25, 2019

111 N Douglas LLC
Attn: Cheryl Banda
1800 W Rogers Ave
Appleton, WI 54914

Subject: Reported Contamination at the F V Steel and Wire Company site, 111 N Douglas Street,
Hortonville, WI
DNR BRRTS Activity #: 02-45-560221
DNR FID #: 445031620

Dear Ms. Banda:

On February 15, 2013, Timothy Anderson P.E. of United Engineering Consultants, Inc., on behalf of Fox Valley Steel & Wire Co, notified the Department of Natural Resources ("department") that a hazardous substance discharge of chlorinated volatile organic compounds (VOCs) and polycyclic aromatic hydrocarbons (PAHs) was detected at the site described above.

Based on the information available to the department regarding ownership of this property, we believe that 111 N Douglas LLC is the landowner in possession or control of the hazardous substance discharge or other environmental pollution (hereafter referred to as "contamination") at the above-described site. The term "site" includes the property where the contamination occurred and any other property it has migrated to, pursuant to Wisconsin Administrative Code ("Wis. Admin. Code") § NR 700.03(56).

The purpose of this letter is to inform you of the contamination at the site and notify you that as the possessor and controller of the contamination, you may be held responsible under Wisconsin Statutes ("Wis. Stats.") ch. 292 for the investigation and cleanup of the contamination. Presently, the department is exercising its discretion to pursue the person who caused the contamination. If the causer continues to make sufficient progress under Wis. Admin. Code chs. NR 700 through NR 754, the department will not seek your involvement in investigation and cleanup; however, if the causer is no longer able or willing to continue progress, the department will require that you take the appropriate response actions.

Legal Responsibilities

Wis. Stats. ch. 292 and Wis. Admin. Code chs. NR 700 through NR 754 provide specific requirements for undertaking appropriate response actions to address contamination, including requirements for emergency and interim actions, public information, site investigations, remedy selection, design and operation of remedial action systems, and case closure. For more information on the responsibilities relating to contamination investigation and cleanup, see the enclosed letter to F V Steel and Wire Company, dated October 21, 2016.

Under Wis. Stat. ch. 292, continuing obligations may be applied to a property upon the closure of an environmental investigation and cleanup case. Continuing obligations are legal requirements designed to protect public health and the environment from contamination that remains on a property. If the department places continuing obligations on the property at the time of closure, these obligations will become the property owner's responsibility. For more information, please see the enclosed DNR publication RR-819, *Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners*.

Ms. Cheryl Banda, 111 N Douglas LLC
F V Steel and Wire Company
BRRTS #: 02-45-560221
January 25, 2019



Additional Information

The department tracks information on all cleanup sites in a department database available at dnr.wi.gov and search "BRRTS". The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this site is listed at the top of this letter. You may view information related to your site on this database at any time.

All correspondence regarding this site should be directed to:

Jennifer Borski
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
625 E County Rd Y, Ste 700
Oshkosh, WI 54901-9731
Jennifer.Borski@Wisconsin.gov

To speed up processing, your correspondence should reference the BRRTS and Facility Identification (FID) numbers (if assigned) listed at the top of this letter. **Consultants and representatives of responsible parties are required to submit one paper copy and one electronic copy of submittals, including case closure documents.** Wis. Admin. Code § NR 700.11(3g), and other specific provisions within Wis. Admin. Code ch. NR 700, outline the requirements for submittals, including electronic submittals. See the enclosed DNR publication RR-690, *Guidance for Electronic Submittals for the Remediation and Redevelopment Program*, for assistance in proper document submittal.

Please visit the department's Remediation and Redevelopment program website at dnr.wi.gov and search "brownfields" for information on selecting a consultant, seeking financial assistance, and understanding the investigation and cleanup process. Information regarding review fees, liability clarification letters, post-cleanup liability and more.

Information regarding document submittals and continuing obligation responsibilities is enclosed.

If you have questions, please call Jennifer Borski at (920) 424-7887 for more information.

Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Colin Schmenk".

Colin Schmenk
Environmental Program Assistant
Remediation & Redevelopment Program
Northeast Region

Ms. Cheryl Banda, 111 N Douglas LLC
F V Steel and Wire Company
BRRTS #: 02-45-560221
January 25, 2019

Enclosures:

- *Reported Contamination at F V Steel and Wire Company*, dated October 21, 2016
- *Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners*, DNR publication RR-819
- *Guidance for Electronic Submittals for the Remediation and Redevelopment Program*, DNR publication RR-690

ec: Nate Lenz, 111 N Douglas LLC (info@kinsmanandcompany.com)



October 21, 2016

BERT DOWNING JR – VP/TREAS
F V STEEL AND WIRE COMPANY
5430 LBJ FREEWAY STE 1700
DALLAS TX 75240

Subject: Reported Contamination at F V Steel and Wire Company,
111 N. Douglas St., Hortonville, Outagamie County, WI
DNR BRRTS # 02-45-560221

Dear Mr. Downing, Jr.:

In 2009, United Engineering Consultants, Inc. (UEC) on behalf of Fox Valley Steel & Wire Co. (James Monroe) notified the Department of Natural Resources (DNR) that volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), metals, cyanide and zinc had been detected at 111 North Douglas Street in Hortonville, Outagamie County, Wisconsin (the "Property"). The DNR directed Fox Valley Steel & Wire Co. to conduct an investigation in a letter dated June 5, 2009 and assigned BRRTS #02-45-553699. On April 10, 2013, the DNR split the contaminants into two cases based on property ownership and causer information submitted to the DNR:

- Metals, cyanide and zinc remained tracked under DNR Site Name: *Fox Valley Steel & Wire Co* with DNR BRRTS #02-45-553699 and Fox Valley Steel & Wire Co as the listed responsible party;
- VOCs and PAHs were assigned DNR Site Name: *Keystone Consolidated Industries, Inc.* with DNR BRRTS #02-45-560221 and Keystone Consolidated Industries, Inc. as the listed responsible party.

On October 11, 2016, the DNR received a submittal dated October 4, 2016 with the subject "Correction of Responsible Party for BRRTS Activity No. 02-45-560221". The October 2016 submittal included the following:

- A narrative of corporate history of "F V Steel and Wire Company" and Property ownership since 1948;
- Certificate of good standing for "F V Steel and Wire Company" from Wisconsin Department of Financial Institutions (DFI);
- DFI Corporate Records for "F V Steel and Wire Company" dated 09/28/2016;
- DFI Corporate Records for "Keystone Consolidated Industries, Inc." dated 10/04/2016; and
- Chain of title results from Environmental Data Resources, Inc.(EDR) for search from January 1, 1940 to September 9, 2016 for the Property.

After review of the October 2016 submittal, the DNR changed the DNR Site Name from *Keystone Consolidated Industries, Inc.* to *F V Steel and Wire Company* and are naming F V Steel and Wire Company as responsible for the continued investigation and cleanup of the VOCs and PAHs at the Property.

The remainder of this letter is the standard letter of responsibility typically issued by DNR when a case is assigned. Where noted, the letter has been modified from the standard language due to site-specific circumstances.

Based on the information that has been submitted to the DNR regarding this site, we believe **F V Steel and Wire Company** is responsible for investigating and restoring the environment at the above-described site under Section 292.11, Wisconsin Statutes, known as the hazardous substances spill law.

This letter describes the legal responsibilities of a person who is responsible under section 292.11, Wis. Stats., explains what you need to do to investigate and clean up the contamination, and provides you with information about cleanups and working cooperatively with the DNR.

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 292.11 (3) Wisconsin Statutes, states:

- **RESPONSIBILITY.** A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.

Wisconsin Administrative Code chapters NR 700 through NR 754 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

The longer contamination is left in the environment, the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your cleanup complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant who understands what needs to be done. The following information provides the timeframes and required steps to take. Unless otherwise approved by DNR in writing you must complete the work by the timeframes specified.

1. Within 30 days of being notified of contamination, written verification (such as a letter from the consultant) needs to be submitted to verify you have hired an environmental consultant. **As of the date of this letter, the DNR understands that AECOM was hired in May 2013 to perform the VOC and PAH investigation at the Property and remains the environmental consultant. Please notify the DNR immediately if this is not correct.**
2. Within 60 days of being notified of contamination, a work plan for completing the investigation must be submitted. The work plan must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current DNR technical guidance documents. **As of the date of this letter, a work plan was received on March 25, 2015.**

Mr. Bert Downing, Jr.
F V Steel and Wire Company
Reported Contamination at F V Steel and Wire Company,
111 N. Douglas St., Hortonville, Outagamie County, WI
DNR BRRTS # 02-45-560221

3. You must initiate the site investigation within 90 days of submitting the site investigation work plan. You may proceed with the field investigation upon DNR notification to proceed. If the DNR has not responded within 30 days from submittal of the work plan, you are required to proceed with the field investigation. If a fee for DNR review has been submitted, the field investigation must begin within 60 days after receiving DNR approval. **As of the date of this letter, the DNR understands that AECOM initiated the field investigation at the site in April 2015.**
4. Within 60 days after completion of the field investigation and receipt of the laboratory data, you must submit a Site Investigation Report to the DNR or other agency with administrative authority. **As of the date of this letter, the DNR received a Site Investigation Report for this site on September 9, 2016 without a review fee.**
5. Within 60 days after submitting the Site Investigation Report, you must submit a remedial actions options report (RAOR). The RAOR shall include an evaluation of Green and Sustainable Remediation opportunities as required by s. NR 722.09 (2m), Wis. Adm. Code.

Sites where discharges to the environment have been reported are entered into the Bureau for Remediation and Redevelopment Tracking System ("BRRTS"), a version of which appears on the DNR's internet site. You may view the information related to your site at any time (<http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>) and use the feedback system to alert us to any errors in the data.

If you want a formal written response from the DNR on a specific submittal, please be aware that a review fee is required in accordance with ch. NR 749, Wis. Adm. Code. If a fee is not submitted with your reports, you must complete the site investigation and cleanup to maintain your compliance with the spills law and chapters NR 700 through NR 754. **The timeframes specified above are required by rule, so do not delay the investigation of your site.** We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative rules and should be able to answer your questions on meeting cleanup requirements.

All correspondence regarding this site should be sent to:

Jennifer Borski
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
625 E. County Rd. Y, STE. 700
Oshkosh, WI 54901-9731
Jennifer.borski@wisconsin.gov

Unless otherwise directed, submit one paper copy and one electronic copy of plans and reports. To speed processing, correspondence should reference the BRRTS number shown at the top of this letter.

Site Investigation and Vapor Pathway Analysis

We want to remind you to include an assessment of the vapor intrusion pathway in the site investigation. Chapter NR 716, Wisconsin Administrative Code outlines the requirements for investigation of contamination in the environment. Specifically, s. NR 716.11(3) (a) requires that the field investigation determine the "nature, degree and extent, both areal and vertical, of the hazardous

October 21, 2016
Mr. Bert Downing, Jr.
F V Steel and Wire Company
Reported Contamination at F V Steel and Wire Company,
111 N. Douglas St., Hortonville, Outagamie County, WI
DNR BRRTS # 02-45-560221

Page 4 of 4

substances or environmental pollution in all affected media". In addition, section NR 716.11(5) (g) and (h) contains the specific requirements for evaluating the presence of vapors in the sub-surface as well as in indoor air.

You will need to include documentation with the Site Investigation Report that explains how the assessment was done. If the vapor pathway is being ruled out, then the report needs to provide the appropriate justification for reaching this conclusion. If the pathway cannot be ruled out, then investigation and, if appropriate, remedial action must be taken to address the risk presented prior to submitting the site for closure. The DNR has developed guidance to help responsible parties and their consultants comply with the requirements described above. The guidance includes a detailed explanation of how to assess the vapor intrusion pathway and provides criteria which identify when an investigation is necessary. The guidance is available at: <http://dnr.wi.gov/files/PDF/pubs/rr/RR800.pdf>.

Additional Information for Site Owners:

We encourage you to visit our website at <http://dnr.wi.gov/topic/Brownfields/>, where you can find information on understanding the cleanup process. You will also find information there about liability clarification letters, post-cleanup liability and more.

Information on the **Voluntary Party Liability Exemption (VPLE) Program** is also enclosed and can be found on our website at <http://dnr.wi.gov/files/PDF/pubs/rr/RR506.pdf>.

Please contact me in Oshkosh by phone at 920-424-7887 or by email at jennifer.borski@wisconsin.gov with any questions. Thank you for your cooperation.

Sincerely,



Jennifer Borski
Hydrogeologist
Remediation & Redevelopment Program

encl: Voluntary Party Liability Exemption, RR-506

Cc w/o encl:

Courtney Riley, Keystone Consolidated Industries, Inc., criley@valhi.net
Steve Schubring, AECOM, steve.schubring@aecom.com
Registered Agent: Corporation Service Company, 8040 Excelsior Dr., STE 400, Madison, WI 53717



Remediation and Redevelopment Program

June 2017

Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners Wis. Stat. § 292.12

Purpose

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

Introduction

The term “continuing obligations” refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

What Are Continuing Obligations?

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the “Public Information” section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)

Types of Continuing Obligations

1. Manage Contaminated Soil that is Excavated

If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. Manage Construction of Water Supply Wells

If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

Other Types of Continuing Obligations

Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt “cover” over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state’s cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state’s permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that the DNR modify or remove a continuing obligation. Fees are required for the DNR’s review of this request and for processing the change to the database (\$1050 review fee, \$300/\$350 database fee). Fees are subject to change; current fees are found in Wis. Admin. § NR 749 online at http://docs.legis.wisconsin.gov/code/admin_code/nr/700/749.

Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property. The DNR has a comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to the DNR. Site specific documents are found under the *Documents* section. The information includes maps, deeds, contaminant data and the state’s closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state’s approval of the remedial action plan will contain the information about

continuing obligations.

Properties with continuing obligations can generally be located in the DNR's *RR Sites Map*. RR Sites Map provides a map view of contaminated and cleaned up sites, including sites with continuing obligations, and links to BRRTS on the Web. *BRRTS on the Web* and *RR Sites Map* are part of the Wisconsin Remediation and Redevelopment Database (WRRD) at <http://dnr.wi.gov/topic/Brownfields/wrrd.html>.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents cannot be found in the documents section, the DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the RR Program's Staff Contact web page at dnr.wi.gov/topic/Brownfields/Contact.html).

Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wis. Stat. § 292.13 provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the property owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from the DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is \$700 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

Legal Obligations of Off-Site Property Owners

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a “legally enforceable agreement” (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and cannot enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, the DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

More Information

For more information, please visit the RR Program’s Continuing Obligations website at dnr.wi.gov/topic/Brownfields/Residual.html.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

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 Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

This publication is available in alternative format (large print, Braille, etc.) upon request. Please call for more information. Note: If you need technical assistance or more information, call the Accessibility Coordinator at 608-267-7490 / TTY Access via relay - 711



Guidance for Submitting Documents

The purpose of this document is to outline the appropriate format and procedures for submitting documents to the Remediation and Redevelopment Program. Wis. Admin. Code § NR 700.11(3g), and other specific provisions within Wis. Admin. Code ch. NR 700, outline the requirements for submittals, including electronic submittals. Consultants and representatives of responsible parties are required to submit one paper copy and one electronic copy of submittals, including case closure documents. **The electronic version should be an exact duplicate of the paper version.**

Submittal Method

- ✓ **Paper copies should be sent to the applicable regional office.** If you are unsure as to which region documents should be submitted, review the DNR Region Map found at dnr.wi.gov/topic/Brownfields/documents/rr/regionmap.pdf or contact your project manager.

Region	To	Address
Northeast Region	Assigned Project Manager	Contact Project Manager
Northern Region	Assigned Project Manager	Contact Project Manager
South Central Region	Attn: Wendy Weihemuller, Environmental Prog. Associate	3911 Fish Hatchery Road Fitchburg, WI 53711
Southeast Region	Attn: Jennifer Dorman, Environmental Prog. Associate	2300 N Dr. Martin L. King Jr. Dr. Milwaukee, WI 53212
West Central Region	Assigned Project Manager	Contact Project Manager

- ✓ **Electronic submittals** - the DNR highly encourages submitting electronic documents via the RR Program Submittal Portal, instead of CD/DVD or email. Please submit documents as a single PDF (except closure packets – instructions can be found on page 2). **Electronic submittals may not be “locked” or password protected per Wis. Admin. Code § NR 700.11(3g).**

Instructions for using the Document Uploader

1. Go to the RR Submittal Portal – <https://dnrx.wisconsin.gov/rresubmittal>.
2. If you have a Web Access Management System (WAMS) account – log in.
 - a. If you do not have a WAMS account, click the second link to request a User ID and password.
 - b. Once you have a User ID and Password log in to the RR Submittal Portal – <https://dnrx.wisconsin.gov/rresubmittal>.
3. Click Document Uploader on the left.
 - a. If this is your first time submitting a document, you will need to request access to upload documents. This will only need to be done one time. You can expect to be approved within one business day. If you do not get approved within one business day please contact Danielle Wincentsen at Danielle.Wincentsen@wisconsin.gov.
4. Complete the form and click submit.

A few things to note about the Document Uploader:

- In most cases only one PDF can be uploaded per submittal. There are a few exceptions that allow more than one document to be uploaded at a time:
 1. If you are submitting a form; or
 2. A file is larger than 250 MB and needs to be split into more than one file.
- If you are submitting a Closure Review Request, only a .zip file can be uploaded.

For more information go to dnr.wi.gov, [search RR Submittal Portal](#).

General Notes on Submittals

- Consultants should use the Notification for Hazardous Substance Discharge (Non-Emergency Only) Form 4400-225 for historic discharges, found at dnr.wi.gov, [search notification](#).
- Consultants are encouraged to submit the appropriate form found on the fees tab at dnr.wi.gov, [search RR Program fees](#), signed and scanned, using the Document Uploader in the RR Submittal Portal. **After submitting the electronic copy, mail a copy of the confirmation page with fee check.** Fees paid by check should be sent to the appropriate regional environmental program associate found on the EPA tab at dnr.wi.gov, [search RR contact](#).
- **Any site-specific or follow-up questions should be directed to the assigned DNR project manager.**
- Backing up the files is essential. As a provider of documents under Wis. Admin. Code ch. NR 700, the consultant or representative is responsible for keeping a backup copy.
- All files should be scanned to ensure they are free of viruses. The consultant's or representative's anti-virus software should be kept up-to-date.
- If the submitted electronic file can't be read (i.e. is illegible), opened, or is corrupted and unusable, then the consultant or representative will be notified, and a new electronic copy is to be provided.

Case Closure Submittals

1. Case Closure requests should be submitted as a zipped folder. Within the zipped folder, the files should be organized, and the contents clearly labeled as follows:
 - a. Case Closure form (dnr.wi.gov, [search Case Closure form](#))
 - b. Seven separate file folders labeled for each of the required attachments (e.g., Attachments A through G)
 - i. The file folders should include the required PDF attachments for each of those sections of the Case Closure form, along with each PDF clearly labeled with the DNR-specified title (e.g., A.1. Groundwater Analytical Tables), and organized within the file folder (e.g., Attachment A: Data Tables) in the order specified in the Case Closure form (dnr.wi.gov, [search Case Closure form](#)).
 - c. **A single PDF of the entire closure packet (form and attachments) should also be included in the zip file.**

An example of an acceptable closure submittal can be found at:

dnr.wi.gov/topic/brownfields/documents/directory.pdf

2. Professional submittal certifications required per Wis. Admin. Code ch. NR 712.09 must be included.
3. Summaries of all data must include information collected by previous consultants.
4. Do not submit lab data sheets unless these have not been submitted in a previous report. Include these as a separate PDF from the narrative summary. Tabulate all data required in Wis. Admin. Code § NR 716.15(3)(c), in the format required in Wis. Admin. Code § NR 716.15(4)(e).
5. If any map or figure is not required but the submitter feels it is relevant to the case closure request, fully explain the reason(s) why it is included and attach that explanation (properly labeled with the map/figure title).
6. **When submitting revisions to a closure submittal as requested by the DNR project manager, the consultant need only submit the revised pages (both paper and electronic copies). These revised pages should be initialed and dated by the consultant.** It is recommended that revisions be submitted through the RR Program Submittal Portal.

Electronic File Format

1. Except as outlined below, submittals should be created in or converted to the portable document format (PDF), readable by Adobe Acrobat Reader. Adobe Acrobat Reader can be downloaded for free at <https://get.adobe.com/reader/>.
2. Save DNR forms using a PDF format. This is especially important if the form will need to be edited before submittal to the DNR.
3. Electronic files shall have a minimum resolution of 300 dots per inch (dpi) to ensure legibility without creating excessive file size as specified in Wis. Admin. Code § NR 700.11(3g).
4. Report submittals should not be larger than 250 MB in size. Please split submittals into 250 MB or less files and label accordingly.
5. All documents shall be digital format versions rather than scanned versions except documents that are only available as scanned versions according to Wis. Admin. Code § NR 700.11(3g). Deeds and legal descriptions may be scanned versions.
6. Voluminous attachments or appendices (e.g., lab QA) may be submitted by electronic format only, if specifically approved in advance by the DNR.
7. **Electronic files may not be locked or password protected.** This means the files can't require a password to open or edit. However, files can use a feature that makes them read only or "protected" to prevent inadvertent editing, as long as the feature can be turned off without a password.
8. It is recommended that documents such as lab reports, chain of custody documents, boring logs, etc., that are received as hard copy by the consultant be scanned as PDF files. To minimize file size, PDF files should be prepared by converting directly from the original electronic versions or with black and white scans.
9. The DNR may request that the electronic copy of sampling results be submitted in a different format such as spreadsheets, plain text tabular files, hypertext markup language files (HTML) and extensible markup language files (XML).
10. When submitting site investigations under Wis. Admin. Code ch. NR 716 and O&M reports under Wis. Admin. Code ch. NR 724, it is recommended that lab data be submitted as one separate PDF, and the narrative and data summary (figures, tables, etc.) be submitted as a

second separate PDF. If copies of the Phase I and II environmental site assessments are included in the Wis. Admin. Code ch. NR 716 documents, these should also be submitted as separate PDFs.

Document Formatting

1. Titles for typical reports and submittals required under Wis. Admin. Code ch. NR 700 are found in Attachment A.
2. All documents are to be legible. Providing illegible information will result in a submittal being considered incomplete until corrected.
3. Include a cover letter with reports submitted under Wis. Admin. Code ch. NR 700 that clearly lists the BRRTS/FID number; describes the title and type of submittal; and what action, if any, is requested from the RR Program.
4. Prepare visual aids, including maps, plans, drawings, fence diagrams, tables, and photographs according to the applicable portions of Wis. Admin. Code chs. NR 716 through 726.
5. Use bold and italics font on information of importance on tables and figures. Use bold font for Wis. Admin. Code ch. NR 140 groundwater enforcement standard (ES) attainments or exceedances, and italicized font for Wis. Admin. Code ch. NR 140 groundwater preventive action limit (PAL) standard attainments or exceedances.
6. Do not use shading or highlighting on the tables, figures, maps, or other documents.
7. Include the level of detection on data tables for results which are below the detection level (i.e. do not just list as no detect (ND)). Include the units on data tables. Units should be consistent with the applicable standards. Include all sample locations. Contour lines should be clearly labeled and defined.
8. Provide one paper copy no larger than 11x17 inches, unless otherwise directed by the department. Maps and figures may be submitted in a larger electronic size than 11x17 inches, in a PDF readable by Adobe Acrobat Reader. However, larger-size documents must be legible when printed.

Contact Information

This document is updated as needed. Comments may be sent to: Sonya Rowe, (608) 261-4934, sonya.rowe@wisconsin.gov.

Attachment A – Document Title Naming Conventions

Document Title Naming Convention	NR 700 Reference
Phase I Environmental Site Assessment	NR 750.03(2m)
Phase II Environmental Site Assessment	NR 750.03(2m)
Immediate Action Report	NR 708.05(6) and NR 708.09
Interim Action Report	NR 708.15
Free Product Removal Report	NR 708.13
Site Investigation Work Plan	NR 716
Site Investigation Report	NR 716
Soil Management Plan	NR 718
Soil Management Exemption Request	NR 718
Site-Specific Soil Cleanup Standards	NR 720.10, NR 720.12
Determination of Soil Performance Standards	NR 720.08
Remedial Action Options Report	NR 722
Infiltration/Injection Request for GW Treatment	NR 140.28(5) and 812.05
Historic Fill Exemption Request	NR 506.085
Remedial Action Design report	NR 724
Operation & Maintenance Report	NR 724
Construction Documentation report	NR 724
Long Term Monitoring Plan	NR 724
Closure Request	NR 726
Post-Closure Modification Request	NR 727

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

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 Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

This publication is available in alternative format (large print, Braille, etc.) upon request. Please call for more information. Note: If you need technical assistance or more information, call the Accessibility Coordinator at 608-267-7490 / TTY Access via relay - 711