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Notice: Pursuant to s. 292.15, Wis. Stats., and s. NR 750.05, Wis. Adm. Code, this form is required by the Department of Natural Resources (DNR) to be submitted when requesting approval to participate in the voluntary party liability exemption (VPLE). Failure to complete this application in its entirety may delay its review and/or may result in denial. Participation in this program is voluntary. If completing this form, refer to the instructions beginning on page 4. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records Law (ss. 19.31-19.39, Wis. Stats.).

Section 1: Property Information

BRRTS No. (if known)
 02-71-555288

Tax Parcel #
 740075300

FID No. (if known) 471007130		Property Name Realty Opus Property	
Address 867 Valley Rd		City Menasha	State ZIP Code WI 54952
County Winnebago	Municipality Name <input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village Menasha	Property is composed of: <input checked="" type="radio"/> Single Tax Parcel <input type="radio"/> Multiple Tax Parcels	Property Size 3.9 Acres

Section 2: Applicant Information (Voluntary Party)

Organization / Firm / Person City of Menasha		Title Associate Planner	
Last Name Englebert	First Kevin	MI	Phone Number (include area code) (920) 967-3652
Address 140 Main Street			Fax Number (include area code)
City Menasha	State WI	ZIP Code 54952	Email KENGELBERT@CI.MENASHA.WI.US

Section 3: Ownership Information

Applicant Relationship to Property (select one):
 Current Owner Potential/Future Purchaser Previous Owner Other:

Section 4: Regulatory Identification (include ID numbers if known)

DNR FID 471007130	USEPA ID
Environmental Repair (ERP)	Hazardous Substance Spill
Leaking Ungd. Storage Tank (LUST)	Brownfield Env'l. Asmt. Pilot
Solid Waste	Municipal Negotiation & Cost Recovery
Hazardous Waste	Superfund Remedial (NPL)
Wastewater-surface water (WPDES)	Abandoned Containers
Wastewater-groundwater (WPDES)	Superfund Site Evaluation (CERCLA)
DCOM PECFA Claim Number	Municipal Grants Program
DATCP Agricultural Contamination	Contaminated Sediments

Other:

Leave Blank - DNR Use Only			
Date Received	<input type="checkbox"/> Application Fee Received	<input type="checkbox"/> Deposit Received	<input type="checkbox"/> Approval to Proceed PMN _____
BRRTS Activity Number	BRRTS Activity Name		<input type="checkbox"/> Denied (explain) (603)
FID	Region		<input type="checkbox"/> Withdrawn (explain) (610)
Comments	Reviewed By		Date
	Project Manager		

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Section 5 Environmental Consultant Representing Applicant

Organization / Firm / Person			Title	
Key Engineering Group, Ltd			Principal Hydrogeologist	
Last Name	First	MI	Phone Number (include area code)	
Gravelle	D'Arcy	J	(414) 224-8300	
Address			Fax Number (include area code)	
735 N. Water Street, Suite 510			(414) 224-8383	
City	State	ZIP Code	Email	
Milwaukee	WI	53202	dgravelle@keyengineering.com	

Section 6: Attorney Representing Applicant (if applicable)

Organization / Firm / Person			Title	
Last Name	First	MI	Phone Number (include area code)	
Address			Fax Number (include area code)	
City	State	ZIP Code	Email	

Section 7: Past Land Uses and Known or Suspected Contamination Sources (check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Service station | <input type="checkbox"/> Coal gas manufacturer | <input type="checkbox"/> Contaminated building |
| <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Electroplater | <input type="checkbox"/> Industrial accident |
| <input type="checkbox"/> Agricultural co-op | <input type="checkbox"/> Landfill | <input type="checkbox"/> Lagoons |
| <input type="checkbox"/> Dry Cleaner | <input type="checkbox"/> Foundry sand | <input type="checkbox"/> Fly ash |
| <input type="checkbox"/> Salvage yard | <input type="checkbox"/> Underground pipeline or tank | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Bulk plant | <input type="checkbox"/> Surface spills | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Pipeline | <input type="checkbox"/> Above ground pipeline or tank | |
| <input type="checkbox"/> Tannery | <input type="checkbox"/> Routine industrial operations | |

Section 8: Solid Waste

Does the property contain a solid waste site or facility as defined in s. 289.01(35), Wis. Stats.?

Yes No Name: _____ License number: _____

If 'Yes', does the site currently have an active or passive system in place for leachate, groundwater or gas treatment, collection or monitoring?

Yes No Describe system: _____

Section 9: Site Eligibility *If any boxes are checked "Yes", the site is not eligible for VPLE, see instructions for more information.*

Does the property contain a solid waste facility or site that meets definition of an approved facility under 289.01(3), Wis. Stats.? Yes No

Does the property contain a hazardous waste treatment, storage or disposal facility that first began operation after the voluntary party acquired the property? Yes No

Does the property contain a licensed hazardous waste treatment, storage or disposal facility operated on the property before the date on which the voluntary party acquired the property, and that is operated after the date on which the voluntary party acquired the property? Yes No

Does the property contain a hazardous waste disposal facility that has been issued a license under s. 144.441 (2), 1995 Wis. Stats., or s. 289.41 (1m), Wis. Stats., or rules promulgated under those sections, for a period of long-term care following closure of the facility? Yes No

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Section 10: Regulatory Criteria

Has contamination been detected at the property? Yes No

If yes, has it been reported to the state? Yes No

Agent notified: Site Assessment Date 04/20/2010

Does it include petroleum from a leaking underground storage tank (LUST)? Yes No

Are you using the Petroleum Environmental Cleanup Fund (PECFA) to pay for any portion of the remedial actions? Yes No Undecided

Is there a state or federal enforcement order currently in effect at this property? Yes No

Section 11: Attachments and Certification

All listed attachments are required for an application to be complete:

- a list of past environmental work
- a non-refundable check for \$250 application fee made payable to the Wisconsin DNR
- a clear map showing location of property
- a detailed map that clearly indicates the property boundaries
- a copy of the property deed

I certify that I have read and am familiar with the information on this application and that the information is true, accurate and complete to the best of my knowledge.

I hereby request assistance from DNR in reviewing the environmental response actions that have been or will be taken to obtain protection of limited liability, as provided in s. 292.15, Wis. Stats.

I recognize that to obtain this limited liability exemption that the environmental response actions taken will need to comply with the applicable provisions of ch. NR 700, Wis. Adm. Code, and will require a Phase I and II environmental assessment to be conducted for the property. I recognize that I will be responsible for paying fees to DNR for assistance provided to me as provided under ch. NR 750, Wis. Adm. Code.

Applicant Name (Type or Print)

KEVIN ENGLEBERT

Title

Associate Planner

Organization / Firm / Person

CITY OF MENASHA

Signature

Date Signed

10/19/16

General Voluntary Party Liability Exemption Application Instructions

Use this application to apply for the Voluntary Party Liability Exemption (VPLE) under s. 292.15, Wis. Stats. In order to receive this liability exemption, applicants must conduct an environmental investigation of the entire property and any hazardous substances on the property must be cleaned up. Environmental work performed under the program is subject to department review and approval. Applicants will be responsible for paying fees to cover the cost of department review. The liability exemption is effective upon completion of the cleanup, if the voluntary party complies with all of the statutory requirements of ss. 292.15 and 292.11, Stats.

Type or clearly print your answers to all questions. Line-by-line instructions are provided on the next page. Submit the completed application and a \$250 application fee payable to the Department of Natural Resources. Submit a separate application and fee for each property being considered for an exemption. A property is defined as a contiguous area of land the entire legal description of which is found in one deed. If you are planning on investigating and remediating adjacent properties, you must submit one application and a \$250 fee for each legally defined piece of property. You may, however, submit technical reports for more than one property together, if the properties are part of the same project. If more than one party wants to apply for VPLE for the same property, submit one application form and fee for each party. If you are planning on changing the property boundaries, contact the Department to discuss how to submit applications for your project.

The publication, "Voluntary Party Remediation and Exemption from Liability" (RR-506) describes the VPLE process and associated fees. Please mail this completed application form with the \$250 application fee and supporting materials to the appropriate local DNR regional office (see map).

Contact a [DNR Regional Brownfield Specialist](#) with any questions about this form or a specific situation involving a contaminated property.

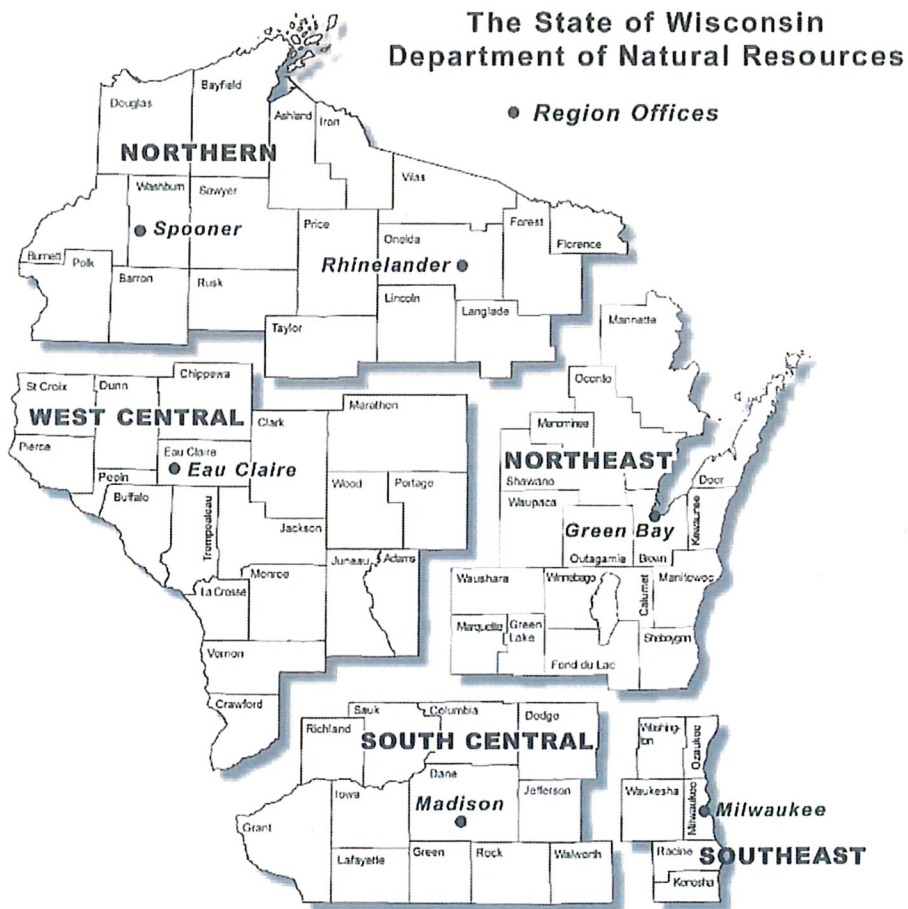
DNR NORTHERN REGION
 Attn: RR Program Assistant
 Department of Natural Resources
 107 Sulliff Avenue
 Rhinelander WI 54501

DNR NORTHEAST REGION
 Attn: RR Program Assistant
 Department of Natural Resources
 2984 Shawano Avenue
 Green Bay WI 54313

DNR SOUTH CENTRAL REGION
 Attn: RR Program Assistant
 Department of Natural Resources
 3911 Fish Hatchery Road
 Fitchburg WI 53711

DNR SOUTHEAST REGION
 Attn: RR Program Assistant
 Department of Natural Resources
 2300 North Martin Luther King Drive
 Milwaukee WI 53212

DNR WEST CENTRAL REGION
 Attn: RR Program Assistant
 Department of Natural Resources
 1300 W Clairemont Avenue
 Eau Claire WI 54702



Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.

VPLE Application Section-by-Section Instructions

Section 1: Property Information - Complete the information regarding the property for which you are seeking a liability exemption. The public land survey location (quarter quarter section location) coordinates of the property must be provided. Please submit a separate application for each property. A property is usually a single parcel of land with the entire legal description found on one deed.

Section 2: Applicant Information- Voluntary Party - Provide contact information about the applicant. The applicant is the person or organization seeking Department review and approval of the response actions that will be taken to receive the liability exemption. Once the application has been processed by the DNR, the applicant will be considered the Voluntary Party for this property. The Voluntary Party is responsible for payment of any fees to the DNR. Unless the DNR is notified to the contrary, all bills and correspondence as part of the VPLE process will be sent to the Voluntary Party. If more than one party is applying for the VPLE for the same property, each party must submit a separate application form and \$250 fee.

Section 7: Past Land Uses & Known or Suspected Contamination Sources - Indicate any activities or operations that took place on the property in the past, and any known or suspected sources of contamination at the property if known (check as many as apply). Include uses/sources not listed in the space provided.

Section 8: Solid Waste - Indicate whether or not there is a solid waste facility on the property such as a landfill or historic fill site. Sites with solid waste facilities may be eligible for VPLE as long as the site does not meet one of the factors listed in Section 10. In addition, some sites with solid waste facilities may not be eligible to complete the VPLE process due to technical issues associated with the environmental clean up at the site. Waste sites must be able to obtain a ch. NR 726, Wis. Adm. Code, site closure in order to receive the VPLE protections. It must do so without the reliance on any active remedial system to ensure compliance with environmental and public health standards, such as active treatment or collection systems relating to groundwater, leachate or gas. Indicate whether such a system is in place now, the existence of such a system will not exclude a site from beginning the VPLE process and such a site could obtain VPLE if the voluntary party can demonstrate that such a system is no longer necessary.

Section 9: Site Eligibility

While most contaminated properties can go through the VPLE process, properties with the following types of waste sites or facilities are **NOT** eligible for the VPLE:

- a solid waste facility or site that is an approved facility as defined in s. 289.01(3), Wis. Stats.;
- a hazardous waste treatment, storage or disposal facility that first began operation after the voluntary party acquired the property;
- a licensed hazardous waste treatment, storage or disposal facility operated on the property before the date on which the voluntary party acquired the property and that is operated after the date on which the voluntary party acquired the property; and
- any hazardous waste disposal facility that has been issued a license under s. 144.441 (2), 1995 Wis. Stats., or s. 289.41 (1m), Wis. Stats., or rules promulgated under those sections, for a period of long-term care following closure of the facility.

Check the lists and database on the following webpages to see if the property includes one of these ineligible solid or hazardous waste sites."

VPLE Webpage:

<http://dnr.wi.gov/topic/brownfields/vple.html>

Solid and Hazardous Waste Information System (SHWIMS)

<http://dnr.wi.gov/sotw/Welcome.do>

Section 10: Regulatory Criteria - If contamination is present or was present in the past, indicate whether it was reported to the state. Indicate which agency (e.g. DNR, emergency government) the contamination was reported to and when the report was made to that agency. Indicate if an enforcement order is currently in effect for the property or if one has been issued in the past, as well as the issuing agency (e.g. DNR, DATCP, DSPS) and the date of the order. Note that an order is a formal legal document that is distinct from a simple letter notifying a party of its legal responsibility to clean up a property.

Section 11: Attachments and Certification - All listed attachments are required for an application to be complete. Attach: 1) a list of all technical reports documenting past environmental work at the property including the date and title of the report and the consultant who prepared it; 2) the application fee in the form of a check or money order payable to the Department of Natural Resources for \$250; 3) a copy of a clearly identified public survey map for the property (e.g. the property shown on a portion of the relevant USGS topographic map; plat maps may be used for rural properties); 4) a detailed map that clearly indicates the property boundary of the property for which you are seeking the liability exemption (e.g. a certified survey map, subdivision plat map, or other type of map); and 5) a copy of the deed that includes a legal property description for the property for which you are seeking the liability exemption. The applicant/ Voluntary Party should read and sign the certification. If an agent signs, submit a description and evidence of the legal relationship between the agent and the applicant.