State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
3911 Fish Hatchery Road
Fitchburg WI 53711-5397

Tony Evers, Governor
Karen Hyun, Ph.D., Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

January 31, 2025

CERTIFIED MAIL

Double Knickel Enterprises LLC
c/o Stacy Knickelbein
N4074 US Highway 12 and 16
Mauston, WI

Subject: Notice of Non-Compliance: Action Required by March 15, 2025
Notice of Potential Deed Affidavit per Wis. Admin. Code § NR 728.11
Reedsburg Cleaners, 349 E. Main St. Reedsburg, Wisconsin
BRRTS # 03-57-002801 and 02-57-001682

Dear Ms Knickelbein:

This letter provides notification that Double Knickel Enterprises LLC (DKE) appears to be out of compliance with Wisconsin Statutes (Wis. Stat.) chapter 292 and Wisconsin Administrative Code (Wis. Admin. Code) chapters NR 700 through NR 758 for the above-referenced cleanup cases.

On March 2, 2023, the Wisconsin Department of Natural Resources ("department") formally notified DKE of the legal responsibilities to investigate the degree and extent of contamination and clean up the above-referenced site (see attached). The department intended to use enforcement discretion with respect to DKE's responsibilities as the site owner, provided the former operator, Wayne Butz, made adequate progress on the cleanup. After the passing of Wayne Butz on June 3, 2023, DKE appears to be the sole responsible party for the cleanup cases. It is the department's understanding that DKE has not retained a consultant and does not have the resources to complete the projects.

Based on a recent file review, the remaining work should include:

1. Finalizing the documentation for the vapor mitigation system installed at the site on May 17, 2017. This work should include as as-built documentation, commissioning, and preparation of a maintenance plan.

2. Additional sampling and field work including:
    a. Soil and/or soil gas sampling beneath the building. High vapor levels near the floor drain suggest a possible second source of solvent contamination. The results can be used to evaluate the amount of contaminant and the effectiveness of past and possible future remedial actions.
    b. Further evaluation of the groundwater plume migration, with respect to the likely horizontal flow direction(s) and vertical flow. This task will require at least one additional round of groundwater sampling.
    c. Inspecting all associated monitoring wells and preparation of a well inventory form.

3. A Comprehensive Report on site conditions, including:
    a. Mapping of the utilities and other possible migration pathways, especially the floor drain in the northwest part of the building. All utilities at the site should be included on the site map.
    b. Summarizing the site data in one set of tables.
    c. Evaluating the need for additional remedial actions.

Notice of Non-Compliance
Please be aware that the department may initiate enforcement action against you for failure to comply with Wis. Stat. ch. 292. Your legal responsibilities are defined both in Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 - 758. In particular, Wis. Stat. § 292.11(3), 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.

As owner of the Property, you are in possession of the hazardous substance that was discharged. Our information indicates that you have not taken any action to respond to the discharge. Wis. Admin. Code chs. NR 700 - 758 establish requirements for responding to a discharge, including emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure.

Notice of Potential Deed Affidavit
If you do not to move forward with the necessary response actions at your site, the department intends to file a deed affidavit on the Property per Wis. Admin. Code § NR 728.11(2), which states:

> "Where the department has information to demonstrate that the source of contamination is on the property and the property owner or other responsible party has failed to take adequate response action, the department may record an affidavit at the office of the register of deeds for the county …"

This affidavit would provide notice to the public, and any prospective purchaser, of the existing contamination and the environmental liability associated with the Property.

Response Requested
The department is requesting that by March 15, 2025, you submit documentation indicating you have hired an environmental consultant to address the reported contamination.

Understand that you appear to be out of compliance, and will be considered to be in compliance only when you show a good-faith effort to fulfill the statutory and administrative code requirements.

To avoid placement of the deed affidavit, you must respond by March 15, 2025 and indicate the Property will be promptly investigated and remediated in compliance with applicable statutes and rules.

If you have questions, please contact Jeff Ackerman at (608) 219-2302 or Jeffrey.Ackerman@wisconsin.gov. Thank you for your attention to this matter.

Sincerely,

Issac A. Ross
South Central Region Team Supervisor
Remediation & Redevelopment Program

Encl.
March 2, 2023 "Reported Contamination at Reedsburg Cleaners" letter

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
3911 Fish Hatchery Road
Fitchburg WI 53711-5397

Tony Evers, Governor
Adam N. Payne, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

March 2, 2023

Stacy Knickelbein
Double Knickel Enterprises LLC
440 South Park St
Reedsburg, WI. 53959

Subject: Reported Contamination at Reedsburg Cleaners
349 E Main Street, Reedsburg, WI
DNR BRRTS Activities #**02-57-001682 & #03-57-002801**

Dear Ms. Knickelbein:

Based on the information available to the Wisconsin Department of Natural Resources (DNR), we believe that Double Knickel Enterprises, LLC is the owner of the above-referenced property. The purpose of this letter is to inform you that a hazardous substance discharge occurred on the property. As the property owner, you are in possession or control of the hazardous substance discharge or other environmental pollution (contamination) at the above-described site, and as such, you may be held responsible under Wisconsin Statutes (Wis. Stat.) ch. 292 for the investigation and cleanup of the contamination at the site. The term "site" includes the area where the discharge occurred and any area to which it has migrated, pursuant to Wisconsin Administrative (Wis. Admin.) Code § NR 700.03(56).

The DNR is exercising its discretion to pursue the person who caused the contamination at this time, as outlined in the enclosed letters to Wayne Butz, Reedsburg Cleaners, dated November 15, 1995 and July 31, 1996. If the causer makes sufficient progress under Wis. Admin. Code chs. NR 700 – 799, the DNR will not seek your involvement in investigation and cleanup; however, if at any time the causer is no longer able or willing to continue progress the DNR may require that you take the appropriate response actions.

LEGAL RESPONSIBILITIES

Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 799 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 letters to Wayne Butz, Reedsburg Cleaners, dated November 15, 1995 and July 31, 1996.

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 DNR places continuing obligations on the property at the time of closure, absent a third-party agreement stating otherwise, 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.

ADDITIONAL INFORMATION

Site-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); visit dnr.wi.gov, search "BOTW." Use the BRRTS ID # found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM), by visiting dnr.wi.gov, search "RRSM."

Send correspondence regarding this site to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search "RR submittal portal." Refer to DNR publication Guidance for Electronic Submittals for the Remediation and Redevelopment Program (RR-690), for information about using the Submittal Portal. Questions on using the portal can also be directed to Danielle Keller, the environmental program associate for the South Central region DNR office.

If you have questions, please contact me at jeff.ackerman@wisconsin.gov or 608-219-2302.

Sincerely,

Jeff Ackerman, PG
Hydrogeologist – South Central Region
Remediation & Redevelopment Program

Enclosures:
Letters to Wayne Butz, dated November 15, 1995 & July 31, 1996
Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners (RR-819)
Guidance for Electronic Submittals for the Remediation and Redevelopment Program (RR-690)

cc: Wayne Butz, Responsible Party, N5190 Treganza Dr, New Lisbon, WI 53950

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. OF NATURAL RESOURCES

George E. Meyer
Secretary

Southern District Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
TELEFAX 608-275-3338

November 15, 1995

File Ref: ERRP
Sauk County

Mr Wayne Butz
Reedsburg Cleaners
349 Main Street
Reedsburg WI 53959

Subject: Reedsburg Cleaners, 349 Main St, Reedsburg

Dear Mr. Butz:

During investigation activities at a nearby contaminated property, tetrachloroethene (TCE) was detected in a monitoring well. The well is located approximately 70 feet from your TCE tank. An investigation will now be necessary to determine the extent of the release from the TCE tank.

The spill law authorizes the Department of Natural Resources to enforce cleanup of contaminated sites, under s. 144.76 of the Wisconsin Statutes. As the owner of the property where a hazardous substance discharge has occurred, you are required to determine the horizontal and vertical extent of contamination and clean-up/properly dispose of the contaminants.

Your legal responsibilities are defined both in statute and in administrative rules. The hazardous substance spill law, s. 144.76 (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 NR 700 through NR 728 establishes requirements for interim actions, public information, site investigation, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code NR 140 establishes groundwater standards.

It is important that an investigation begins at your site as soon as possible. The longer contamination is left in the environment, the farther it can spread and the more difficult and costly it becomes to cleanup. Since this cleanup must comply with Wisconsin laws and rules, professional engineering and hydrogeologic experience is necessary. Therefore, you should hire a professional environmental consultant who can assure you that Department policies and guidelines are being followed.

Your consultant will help you in providing the Department with the following:

- Submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. Please submit this information within 30 days of the date of this letter.

Printed on Recycled Paper

- Submit an investigation workplan explaining what work will be performed to identify the extent of contamination. This workplan should include a time schedule. Also, please provide documentation of any previous work performed related to this release.

- Submit the investigation report defining the degree and extent of any soil and/or groundwater contamination.

- Provide a remedial action plan outlining the remedy selected.

- Provide a remedial action report with data supporting your consultant's conclusions and recommendations for future work or site closure.

In addition, you will be required to keep the Department informed on site progress by submitting 30, 60 or 90 day updates. You will be notified when to provide the status reports at the time you submit your investigation workplan. Also, you will receive an annual site status form every February. It will be necessary for you to complete this form and return it promptly to the address provided.

There are times when staffing levels do not allow us to keep current with workload demands. However, to maintain your compliance with the spill law and chs. NR 700 through NR 728, investigation and cleanup actions should not be unnecessarily delayed waiting for DNR responses. In the event that you experience delays, please refer to NR 716.09(3) regarding Department review of sites.

Your correspondence and reports regarding this site should be sent to Marilyn Jahnke, Department of Natural Resources, 3911 Fish Hatchery Road, Fitchburg WI 53711. Unless otherwise requested, please send only one copy of all plans and reports. Correspondence should be identified with the site name and address which is listed in the subject of this letter.

I have enclosed a list of environmental consultants and some important tips on selecting one. If you are eligible for Wisconsins' PECFA program (see end of letter), you will need to compare at least three consultant's proposals before making your selection. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. Please read this information carefully.

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up the contamination from eligible petroleum storage tanks. The fund is administered by the Department of Industry, Labor and Human Relations (DILHR). Please contact DILHR at (608) 267-3753 for more information on eligibility and regulations for this program.

If you have any questions about this letter or your responsibilities, please call me at (608) 275-3212.

Sincerely,

Marilyn Jahnke

Marilyn Jahnke, Program Assistant
Emergency & Remedial Response Program
Telephone: (608) 275-3212

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, District Director

Southern District Headquarters
3911 Fish Hatchery Road
Fitchburg, WI 53711
TELEPHONE 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

July 31, 1996

File Ref: 03-57-002801
Sauk County

Mr Wayne Butz
Reedsburg Cleaners
349 Main St
Reedsburg WI 53959

Subject: Reedsburg Cleaners, 349 Main St, Reedsburg

Dear Mr. Butz:

On July 11, 1996, we were notified of the discovery of petroleum contamination on the above property. Three underground storage tanks, previously abandoned in place, are believed to be the source of this contamination.

The spill law authorizes the Department of Natural Resources to enforce cleanup of contaminated sites, under s. 144.76 of the Wisconsin Statutes. As the owner of the property where a hazardous substance discharge has occurred, you are required to determine the horizontal and vertical extent of contamination and clean-up/properly dispose of the contaminants.

Your legal responsibilities are defined both in statute and in administrative rules. The hazardous substance spill law, s. 144.76 (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.

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It is important that an investigation begins at your site as soon as possible. The longer contamination is left in the environment, the farther it can spread and the more difficult and costly it becomes to cleanup. Since this cleanup must comply with Wisconsin laws and rules, professional engineering and hydrogeologic experience is necessary. Therefore, you should hire a professional environmental consultant who can assure you that Department policies and guidelines are being followed.

Your consultant will help you in providing the Department with the following:

- Submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. **Please submit this information within 30 days of the date of this letter.**

- Submit an investigation workplan explaining what work will be performed to identify the extent of contamination. This workplan should include a time schedule. Also, please provide documentation of any previous work performed

related to this release.

- Submit the investigation report defining the degree and extent of any soil and/or groundwater contamination.
- Provide a remedial action plan outlining the remedy selected.
- Provide a remedial action report with data supporting your consultant's conclusions and recommendations for future work or site closure.

In addition, you will be required to keep the Department informed on site progress by submitting 30, 60 or 90 day updates. You will be notified when to provide the status reports at the time you submit your investigation workplan. Also, you will receive an annual site status form every February. It will be necessary for you to complete this form and return it promptly to the address provided.

There are times when staffing levels do not allow us to keep current with workload demands. However, to maintain your compliance with the spill law and chs. NR 700 through NR 728, investigation and cleanup actions should not be unnecessarily delayed waiting for DNR responses. In the event that you experience delays, please refer to NR 716.09(3) regarding Department review of sites.

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I have enclosed a list of environmental consultants and some important tips on selecting one. If you are eligible for Wisconsins' PECFA program (see end of letter), you will need to compare at least three consultant's proposals before making your selection. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. Please read this information carefully.

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If you have any questions about this letter or your responsibilities, please call me at (608) 275-3212.

Sincerely,

Marilyn Jahnke

Marilyn Jahnke, Program Assistant
Emergency & Remedial Response Program
Telephone: (608) 275-3212

cc: Advent Environmental Services, 10845 N Buntrock Ave 64W, Mequon WI 53092

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. 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 (RR) 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 must be an exact duplicate of the paper version.**

Submittal Method

✓ **Paper copies should be sent to the applicable regional office.** If you are unsure of which regional office to submit your documents, refer to the DNR Region Map found at dnr.wisconsin.gov/sites/default/files/topic/Brownfields/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	1027 W. St. Paul Avenue Milwaukee, WI 53233
West Central Region	Assigned Project Manager	Contact Project Manager

- **Staff Directory - dnr.wi.gov/staffdir/_newsearch/contactsearchext.aspx**
- **RR Contact List - dnr.wisconsin.gov/sites/default/files/topic/Brownfields/rr/rrphone.pdf**

✓ **Electronic submittals** - the DNR strongly encourages submitting electronic documents via the RR Program Submittal Portal instead of CD/DVD or email. Please submit documents as a single PDF or Excel file (only upon request), except Case Closure Requests – 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 web page and follow the instructions listed: dnr.wisconsin.gov/topic/Brownfields/Submittal.html.
2. If you have a Web Access Management System (WAMS) account – click the Submit button to launch the RR Program Submittal Portal application and log in.
   a. If you do not have a WAMS account, see the directions for getting a WAMS account at dnr.wisconsin.gov/sites/default/files/topic/Brownfields/rr/WAMsdirections.pdf.
   b. Once you have a WAMS User ID and Password, follow the steps above to log in.
3. Click **DNR RR forms** in the upper right.
4. Click "Start" in the **Document Uploader** box.
5. Complete the Document Uploader form, attach documents and submit.

- FIRST-TIME USERS: Complete the required portal access request form to receive an email granting you access to the portal. Allow one business day for the access email from time of submission.
- If you do not receive portal access approval within one business day, please contact Danielle Wincentsen for assistance at Danielle.Wincentsen@wisconsin.gov.
- Partially completed forms can be saved and finished later. Find saved forms using the "In Progress" link.

A few things to note about the **Document Uploader**:

- Up to three PDF or Excel files can be uploaded per submittal, with the exception of the Case Closure Request.
- If a file is larger than 250 MB, it will need to be split into more than one file.
- If you are submitting a Case Closure Request, only a .zip file can be uploaded.

For more information go to dnr.wi.gov, search RR Submittal Portal.

General Notes on Submittals

- For historic discharges, consultants should use the *Notification for Hazardous Substance Discharge Form – Non-Emergency Only* (Form 4400-225), an online form accessed through the RR Program Submittal Portal. Directions for using Form 4400-225 are available on the RR Program Submittal Portal web page at dnr.wisconsin.gov/topic/Brownfields/Submittal.html.
- Consultants are encouraged to submit the appropriate form found on the Fees tab at dnr.wisconsin.gov/topic/Brownfields/Fees.html, 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 payment (checks only) to the appropriate regional environmental program associate. This information can be found on the confirmation page and on the EPA tab at dnr.wisconsin.gov/topic/Brownfields/Contact.html.
        - **NOTE**: Please do not send the check to the project manager or to the DNR office in Madison, as this could delay processing your request.
- 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 for viruses before submitting. 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, the consultant or representative will be notified, and a new electronic copy is to be required.

Case Closure Submittals

1. Case Closure requests should be submitted as a zipped folder (zip file). 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.wisconsin.gov/sites/default/files/topic/Brownfields/rr/directory.pdf.

2. Professional submittal certifications required per Wis. Admin. Code § 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 as a PDF file. This is especially important if the form will need to be edited before submitting 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 larger than 250 MB into multiple files that are each 250 MB or less files and name accordingly.
5. All documents shall be digital format versions rather than scanned versions, except documents that require signature and 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 (or Excel file, only upon request), and the narrative and data summary (figures, tables, etc.) be submitted as a second separate file. 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 fonts 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. 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.

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