

**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. 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 3. 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.).

Complete one application for each legally defined property.

**Section 1: Property Information**

Property Name			Address	
City	State	ZIP Code	County	Property Size (in acres)

**Public Land Survey Coordinates**

¼ NE SE NW SW	¼ NE SE NW SW	Section	Township	Range	E/ W
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**Section 2: Applicant Information (Voluntary Party)**

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

**Section 3: Ownership Information**

Applicant Relationship to Property (check one)

☐ Current Owner    ☐ Potential / Future Purchaser    ☐ Previous Owner    ☐ Other \_

**Section 4: Regulatory Identification (include ID Numbers, if known)**

DNR FID		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:

**For Office Use DNR USE Only**

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 Withdrawn (explain) (610)	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

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**Section 5: Environmental Consultant Representing Applicant**

Organization / Firm		Title	
Last Name	First	MI	Telephone Number (including Area Code)
Street Address			Fax Number (including Area Code)
City	State	ZIP Code	E-Mail Address

**Section 6: Attorney Representing Applicant (If Applicable)**

Organization / Firm		Title	
Last Name	First	MI	Phone Number (inc. area code)
Street Address			Fax Number (including Area Code)
City	State	ZIP Code	E-Mail Address

**Section 7: Past Land Uses and Known or Suspected Contamination Sources**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Service station     | <input type="checkbox"/> Coal gas manufacturer         | <input type="checkbox"/> Contaminated building |
| <input 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"/> Electroplater         |
| <input type="checkbox"/> Salvage yard        | <input type="checkbox"/> Underground pipeline or tank  | <input type="checkbox"/> Fly ash               |
| <input type="checkbox"/> Bulk plant          | <input type="checkbox"/> Surface spills                | <input type="checkbox"/> Unknown               |
| <input type="checkbox"/> Pipeline            | <input type="checkbox"/> Above ground pipeline or tank | <input type="checkbox"/> Other: _____          |
| <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.?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the property contain a hazardous waste treatment, storage or disposal facility that first began operation after the voluntary party acquired the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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**Section 10: Regulatory Criteria**

Has contamination been detected at the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, has it been reported to the state?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Agency notified _____	Date _____	
Does it include petroleum from a leaking underground storage tank (LUST)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are you using the Petroleum Environmental Cleanup Fund (PECFA) to pay for any portion of the remedial actions?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Undecided
Is there a state or federal enforcement order currently in effect at this property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**Section 11: Attachments and Certification**

- I have attached:
- ☐ 1) a list of past environmental work;
  - ☐ 2) a non-refundable check for \$250 application fee made payable to the Wisconsin DNR;
  - ☐ 3) a clear map showing location of property;
  - ☐ 4) a detailed map that clearly indicates the property boundaries; and
  - ☐ 5) 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's Name (Type or Print)	Title	
Signature	Date Signed	

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## 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 below. 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.

Fact sheet #2, "Voluntary Party Remediation and Exemption from Liability" (Publication number RR-506) describes the VPLE process and associated fees. For more information please contact the regional contact listed below or visit [dnr.wi.gov/org/aw/rr/liability/vple.htm](http://dnr.wi.gov/org/aw/rr/liability/vple.htm). Please mail this completed application form with the \$250 application fee and supporting materials to the appropriate local DNR regional office (see map).

Contact the individual listed with any questions about this form or a specific situation involving contaminated property.

### DNR NORTHERN REGION

Attn: RR Program Assistant Department of Natural Resources  
107 Sutliff Avenue  
Rhineland WI 54501  
Carrie Stoltz (715) 365-8942

### DNR NORTHEAST REGION

Attn: RR Program Assistant Department of Natural Resources  
2984 Shawano Avenue  
Green Bay WI 54313  
Annette Weissbach (920) 662-5165

### DNR SOUTH CENTRAL REGION

Attn: RR Program Assistant Department of Natural Resources  
3911 Fish Hatchery Road  
Fitchburg WI 53711  
Janet DiMaggio (608) 275-3295

### DNR SOUTHEAST REGION

Attn: RR Program Assistant Department of Natural Resources  
2300 North Martin Luther King Drive  
Milwaukee WI 53212  
Margaret Brunette (414) 263-8557

### DNR WEST CENTRAL REGION

Attn: RR Program Assistant Department of Natural Resources  
1300 Clairemont Ave. Eau Claire WI 54702  
Loren Brumberg (715) 839-3770



\* Note: For remediation questions in Sheboygan Co., please contact our Northeast Region Office. For Walworth Co., please contact our South Central Office.

**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:**  
dnr.wi.gov/org/aw/rr/liability/vple.htm
- **Solid and Hazardous Waste Information System (SHWIMS)**  
sotw.dnr.state.wi.us/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.