The following frequently asked questions (FAQs) were developed to aid environmental consultants, responsible parties and others who are submitting requests to the Department of Natural Resources (DNR) for case closure of their contaminated property under the ch. NR 700 administrative rule series. In January 2013, the DNR changed its closure form and internal review process as part of a Lean Six Sigma project. The following questions have been raised during the rollout of this new process and form. These responses are meant to provide the public with further information to address those questions.

1. **How do we consistently address “Not Applicable” sections of closure submittals?**

   If a particular section or attachment of the closure form is “Not Applicable,” there are two methods for the consultant to indicate this:

   a) **Placeholder page:** As specified in the directions of the closure form: “If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form.”

   b) **Table of Contents:** If a placeholder page is not included in the relevant section then a table of contents for that section must be used. A full explanation must be included in the table of contents under that not applicable section. See example below.

   The directions on the form currently indicate that “If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form”. The feedback that we received indicates that this is both time consuming and creates unnecessary extra pages to be included that increases the size of GIS Registry packets.

   We will now accept a “table of contents” page as an acceptable alternative to a separate attachment for each NA item (see example below). If using this option, the consultant must consistently use it throughout the form. A table of contents page must be included for each Attachment section (A-G) that contains a not applicable item. The consultant must indicate whether or not each sub-section is included and they must include a full explanation for the reasons why a section is not relevant to the case.
2. **How many CD-ROMs need to be submitted as part of a closure request and when?**

   Up to two CD-ROMs total may be necessary. One CD-ROM should be submitted with the original closure request. The second CD-ROM, if necessary, should be submitted after the closure committee meets and determines what, if any, corrections are needed to the initial submittal. The second CD-ROM will be used to upload data to RR Sites Map/BRRTS.

3. **Can the case closure form serve as the SI report required in ch. NR 716 for sites?**

   No. Section NR 716.15, Wis. Adm. Code, requires the submittal of a site investigation report within 60 days of completion of the field investigation and receipt of laboratory data. In most cases, the SI report will need to be submitted to the department long before the case closure request is submitted. The consultant should not be submitting what they consider to be the SI report as part of the case closure form (e.g., as part of Attachment C).

   The SI Report is a separate document, and should be submitted in a format in compliance with s. NR 716.15, Wis. Adm. Code, unless otherwise determined by the department. Any SI data submitted as part of Attachment C should only be any additional information that was collected after a SI report was submitted to the department.

   Please note that s. NR 716.01, Wis. Adm. Code, states: “Nothing in ch. NR 716, Wis. Adm. Code shall be construed to require plans or reports that are more detailed or complex than is justified by the known scope of contamination or the complexity of the site or facility.” In other words, the site investigation report can be as simple as necessitated by the site.

4. **Is the GW/GIS Registry $350 for Groundwater AND Monitoring Wells?**

   Yes, however the fee is only paid once if both conditions exist. It is one payment of $350 for a GW listing if you have either a) residual groundwater contamination, b) are missing or retaining one or more monitoring wells, or both conditions (a + b).
5. How will the R&R and Water programs work together to determine what appropriate standards are for a given site pertaining to surface water and sediments? When is this accomplished?

R&R staff will begin working with Water staff as soon as it becomes apparent that there are surface water or sediment issues at a particular site. This should occur during the SI stage at a minimum. While the RR program can help coordinate communication between the RP and the Water program, ultimately it is the responsibility of the RP and consultant to ensure they are complying with all applicable federal, state and local laws at the time case closure is requested. The project manager should provide proof of concurrence to the closure committee from the Water Program that the Water Program is in agreement that the site is eligible for closure.

6. If a case closure request has been denied, does the resubmittal of the case closure request have to be submitted on the most up-to-date version of the case closure form?

Yes. The most current version of the closure request form is required.

7. Is it the parcel ID or Tax Parcel ID? If so, how are you handling rights of way?

Parcel ID and Tax Parcel ID are the same thing. Rights-of-way (ROWs) are being handled in the same manner as before. A letter is sent from the RP to the ROW owner and easement holder indicating that contaminated soil or groundwater is present within the ROW. The ROW holder will be cc’d on the closure letter.

8. Aren’t municipal wells considered sensitive material and shouldn’t be on our maps because they will be public?

Correct. Municipal wells should not be indicated on the figures that will be placed on the GIS registry. However, a figure indicating locations of municipal wells will need to be provided for internal closure review purposes.

9. Given the “new” case closure submittal timelines, when is best time to provide the ch. NR 725 impacted property notification to any affected parties – where there is residual contamination and continuing obligations?

At least 30 days prior to submittal of the case closure request.

10. What if the recipient won’t sign the return receipt?

The consultant/RP will need to submit documentation that the recipient would not sign. Typically, the post office will return the envelope with an “unclaimed” or “refused” stamp. This documentation would need to be provided with the letter. The RP/consultant should also resend the letter via priority mail with delivery confirmation to ensure that the letter at least made it into the mailbox.

11. Where in the case closure form should lab data that was collected after the SI report was submitted to the department be included?

Any previously un-submitted information that is not specifically requested in the closure form should be included in section “Documentation of Remedial Action” (Attachment C). For example: Laboratory data is not required in the closure form and there is no appropriate location in the closure form to
include raw, un-tabulated data. If this information was not previously submitted it should be included in this section, with the caveat of FAQ #10; that the SI report should not be submitted as part of the case closure form.

12. **Groundwater (GW) isoconcentration maps: Do we need to submit a separate map for each constituent above PAL or ES?**

    Not necessarily. Only one figure will be necessary if several constituents can easily be identified in a legible manner. If the number of constituents exceeds 3 or 4 and/or the figure is not legible with that number of constituents then additional figures will be necessary.

13. **If the current project does not involve GW contamination or monitoring wells, but there is previous GW monitoring/remediation project at the site, does the GW data and maps need to be included?**

    Not necessarily. However, if the old data supports the case closure request it can be included. The RP/consultant should clearly mark that the data is from a previous investigation.

14. **Some sites have decades of soil and GW data from multiple consultants. Do we need to retabulate these historical data and compare them to current RCLS, PALs and ESs?**

    Not necessarily. If the data can be presented in a manner that clearly supports the request to approve the case closure then re-tabulating may not be necessary. However, consultants may want to consider re-tabulating the data if it more clearly demonstrates the trends necessary for closure of the site. If you do not re-tabulate the information, it will be necessary to indicate current standards on the historic tables. The department strongly encourages re-tabulation of data from multiple different formats into one consistent format for clarity purposes.

15. **WTM Coordinates: For an affected source property, can the department provide any direction for where to reference the xy coordinates on off-source affected property?**

    The code requirements are to use the center of the parcel. See NR 716.15 (5) (d). However, the department prefers the x:y coordinates to identify the source of the contamination (tank bed, pump island) on that property. Please indicate if the x,y coordinates represent the center of parcel or the contaminant source.

16. **WTM Coordinates: For an affected property other than the source property, can the department provide any direction for where to reference the xy coordinates on off-source affected property?**

    The code requirements are to use the center of the parcel. See NR 716.15 (5) (d). However, the Department prefers the x:y coordinates to locate the area that contamination was identified (monitoring well, soil sample) on that property. Please indicate if the x,y coordinates represent the center of parcel or the contaminant source.

17. **Why is a 150-year old plat map required, rather than a GIS parcel map showing the property’s current boundaries?**

    If referenced in the deed, the plat map is required because it was referenced as an attachment to the legal document (deed). A GIS parcel map may also be submitted, in addition to the referenced plat map.
18. **If it is unclear as to whether contamination results are from “our client” or the owner of the property, is a ch. NR 725 notification necessary?**

This should be addressed with the PM on a site-specific basis.

19. **Item 1G in form – Immediately adjacent means what? Only abutting parcels with BRRTs numbers?**

Section 1G refers to any property that is immediately adjacent to (abutting) this source property (whether is it impacted by the source property or not) **AS WELL AS** any property that is impacted by contamination originating from the source property (whether it is adjacent or not).

20. **If one of the boxes/blank narrative spaces are not filled out, will the application be “administratively incomplete”?**

If one of the text boxes does not apply it is necessary to explain in that text box why that section is not applicable. If an explanation is not provided the application will be considered administratively incomplete.

21. **Can consultants submit a paper map greater than 11 x 17 inches if PM says its ok, especially for large sites?**

Maps that are larger than 11x17 can be submitted if necessary, however an 11x17 version must also be submitted for the purpose of scanning to the GIS registry.

22. **In B.3.d., is the Department asking for monitoring associated with this specific site or all wells associated with the facility to include closed site?**

Any wells that are applicable to the contaminants of concern at the site for which closure is being requested.

23. **In A4, if there were no vapor samples collected and no vapor analytical table, does the RP need to submit a page saying there isn’t a table?**

**YES.** If a particular section or attachment of the closure form is “Not Applicable” there are two methods for the consultant to indicate this – See FAQ #1:

1) **Placeholder page:** As specified in the directions of the closure form: “If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form.”

2) **Table of Contents:** If a placeholder page is not included in the relevant section then a table of contents for that section must be used. A full explanation must be included in the table of contents.

24. **Does groundwater level need to be surveyed to mean sea level or can we use a site datum?**

Survey of the top of the well casing to the nearest benchmark of a National Geodetic Survey Datum is required in s NR 141.065 (2). If the site is currently surveyed to site datum a resurvey is not necessary.
However, if future surveying is completed then the monitoring wells for the entire site must be surveyed to the National Geodetic Survey Datum.

25. Can electronic map submittals be in color?

Yes, the Department encourages the use of color and bold/italics fonts.

26. What are the specific requirements for including historical results? Are all historical results, to date, required? For example, do we need to include results that are not associated with the areas we are requesting closure on? (e.g., a previous NFA gasoline UST?)

All historical results that pertain to the activity for which case closure is being requested need to be included. If other activities have been conducted at this site that does not affect this closure request that information does not need to be included. However, those other activities need to be listed in section 1F.


Three maps are necessary for quick reference and easy visualization. In some cases the maps can be combined if the figure does not become too cluttered. However, that figure must be provided in each section requested.

28. Is the “administrative incomplete” email of sufficient detail that the consultant clearly knows what was deficient in their submittal? Are PMs putting some more details in the “notes” sections? And how is that displayed in the email to the RP?

In most cases the “admin incomplete” email will have sufficient detail. Notes that the PM puts in the “Comments” section of the checklist will be included in the “admin incomplete” email to the consultant. If additional detail is necessary you can contact the PM.

30. Does each attachment on the CD-ROM need to be its own file and how should it be labeled?

Yes. Each attachment of the closure form should be a separate folder on the disk. Every file within each folder should indicate the correct alphanumeric file name.
31. Who can sign the Signed Statement for the source property or other affected property(s)?

Anyone conducting the cleanup (RP, DOT, LGU, Financial Institution, or property owner) can sign the signed statement indicating the legal description(s) are correct. The designee for the party conducting the cleanup can sign the statement - consultant or attorney.

32. Does the Signed Statement apply to the source property or the “site” which includes the source property and all other affected property(s)?

The signed statement applies to the source property and all off-source affected properties.

33. Do I have to use the Continuing Obligations Inspection and Maintenance Log in the Maintenance Plan?

Yes, use the CO Inspection and Maintenance Log; Form 4400-305 at: http://dnr.wi.gov/files/PDF/forms/4400/4400-305.pdf. All maintenance plans finalized after 3-12-14 should include the CO Inspection and Maintenance Log. For sites that have not been issued a final closure by the Department, CO Inspection and Maintenance Log Form 4400-305 shall be made part of the maintenance plan(s) prior to final closure. Section 727.05, Wis. Adm. Code, requires submittal on this form, at the frequency requested by the Department.

34. If inclusion on the GIS Registry is not required is it necessary to provide a deed for the property (Attachment F)?

No. If there are no remaining RCL or ES exceedances then a deed “for all properties within or partially within the contaminated site boundaries” is not necessary.

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

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

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