



## WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

*Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.*

### DOCUMENT ID

RR-19-5451-C

### DOCUMENT TITLE

Model Letter: Missing Information Template

### PROGRAM/BUREAU

Remediation and Redevelopment

### STATUTORY AUTHORITY OR LEGAL CITATION

Wis. Stats. ch. 292; Wis. Admin. Code ch. NR 700

### DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

26-Aug-19

### DATE FINALIZED

02-Sept-19

### DNR CERTIFICATION

*I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.*

Signature

September 4, 2019

Date

**DNR - Remediation & Redevelopment  
RR-5451, Missing Information Template, December 2013**

**The options in this template are for use when the site investigation or cleanup is incomplete. They may be added to the closure not recommended template, or used in a request for additional information.**

---

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.

---

**[DELETE THE FOLLOWING PARAGRAPHS THAT ARE NOT APPROPRIATE FOR YOUR LETTER:]**

**MAINTENANCE PLAN**

To close this site, the department requires that the (i.e. [specify the type of cover]) cover at the site must be maintained to [as applicable to the site conditions, select either: minimize direct contact concerns and/or for groundwater protection, or both]. The cover is to be maintained in accordance with a plan prepared and submitted to the department pursuant to s. NR 724.13 (2), Wis. Adm. Code. The maintenance plan should be submitted to the department for review and approval.

**[RIGHT-OF-WAY] AND OFF-SOURCE PROPERTY] SOIL AND/OR GROUNDWATER  
CONTAMINATION**

Use whatever paragraphs are appropriate for where the contamination is located at the site.

There is residual **soil and/or groundwater** contamination in a public street or highway right-of-way at this site. Section NR725.05, Wis. Adm. Code, requires you to provide written notification of the presence of residual soil (and groundwater contamination, if present) to the clerk of the town and county or municipality where the right-of-way is located and to the municipal department or state agency that maintains the right-of-way.

There is groundwater contamination on properties that are not the same property as the source of the contamination (off-source properties) that do not have soil contamination. Section NR 725.05, Wis. Adm. Code, requires you to also provide written notice of the presence of residual groundwater contamination to the owner of any off-source properties within this site that do not have soil contamination if they are affected by groundwater contamination. Please note the "site" is defined as all locations where the contamination is and is not limited to the source property.

Use this paragraph for all situations where additional notifications are needed.

These notifications must include warnings that excavation of potentially contaminated soil or groundwater may pose inhalation or other direct contact hazards and will require soil and groundwater sampling and analysis, as well as proper storage, treatment, or disposal of any excavated materials, based upon the results of the analysis. Use of a DNR form (4400-286) is required under s. NR 725.07, Wis. Adm. Code. Please provide me with a copy of all written notifications that have been sent.

**OFF-SOURCE GROUNDWATER CONTAMINATION**

Section NR 725.05, Wis. Adm. Code, requires you to provide written notice of the presence of residual groundwater contamination to the owner of any properties that you do not own within this site if they are affected by groundwater contamination. The code also requires proof that these letters were received at least 30 days prior to the date on which the agency completes its review of the closure report. Use of a DNR form (4400-286) is required under s. NR 725.07, Wis. Adm. Code. Please provide me with a copy of all written notifications that have been sent.

### **PURGE WATER, WASTE AND SOIL PILE REMOVAL**

Any remaining monitoring well purge water, waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Once that work is completed, please send appropriate documentation regarding the treatment or disposal of the remaining purge water, waste and/or soil piles.

### **MONITORING WELL ABANDONMENT**

The monitoring wells **[ADD THE FOLLOWING , IF APPROPRIATE:** and soil vapor extraction system wells, air sparging wells and other remediation system wells] at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to **[WDNR staff name]** on Form 3300-5B found at [dnr.wi.gov](http://dnr.wi.gov) and search "3300-5B or provided by the Department of Natural Resources. NOTE: MONITORING WELLS SHOULD BE ABANDONED ONLY IF ALL OTHER REQUIREMENTS OF CLOSURE ARE MET.

When all the above requirements have been satisfied, please submit a letter, together with any required documentation, to let me know that applicable requirements have been met. **[DELETE THE FOLLOWING IF NOT APPLICABLE]** Your site will be listed on the DNR database; Bureau for Remediation and Redevelopment Tracking System on the Web (BOTW) at [dnr.wi.gov](http://dnr.wi.gov) and search "WRRD". Information that was submitted with your closure request application will be included as a link in the Documents section for a site. The site may also be viewed on RR Sites Map at [dnr.wi.gov](http://dnr.wi.gov) search "RRSM".