



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-19-5535-C

DOCUMENT TITLE

Template Letter: Closure Lien Second Notice

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 and Redevelopment
RR-5535, Closure Lien Second Notice Template Letter
May 2018

PURPOSE:

This letter is a follow up to RR-5534 (agreement and first notice to file lien for closure fees). This serves as the second notice under Wis. Stats. §292.81. A copy of the signed agreement (RR-5534) and a copy of the superior lien to be filed should accompany this letter. This letter must be sent to the PROPERTY OWNER and any mortgagees of record. Copies should be sent to the RP (if different than the property owner). A copy may also be sent to the agent and claimant, if applicable for PECFA sites.

NOTE: Send by certified mail with return receipt requested.

Yellow highlighted text contains notes/directions to the DNR staff writing the letter.
Grey highlighted text contains areas where DNR staff need to fill in the 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.

Date

Name

Address

City, WI zip

BRRTs # [redacted] PECFA # [redacted]

Site Name: [redacted] (“Site”)

Site Address: [redacted]

Re: NR 726 Case Closure Lien

Dear Property Owner:

As the owner of the above referenced property, you have agreed to have a superior lien placed on your property in the amount of \$XXXX for the purpose of deferment of fees incurred under Wis. Admin. Code NR ch. 749 (see attached) for the Site described above, for expenditures by the Wisconsin Department of Natural Resources (“department”) in processing closure documentation. In accordance with Wis. Stat. § 292.81(4), this letter serves as the second notice that the department intends to file a superior lien against the property at the above address.

The lien will be filed on or after date. This notice provides you with a minimum of 60 days before the department files the lien with the county register of deeds.

Included is a copy of the lien that will be filed. If you have questions, you may contact me at: Project Manager Email or Phone.

Sincerely,

Project Manager Name

Title

cc: RP, any mortgagees of record for the subject property, agent, claimant

enc: Copy of signed agreement
Copy of superior lien to be filed