

DNR Procedure for Developing S. 75.105 Agreements RR-5210

In addition to the model agreement, the following procedure should be used as a guideline on how such agreements will be prepared. Here is how this should work:

- External party (the applicant) wants to use 75.105 to cancel taxes on a tax delinquent property.
- They work with the county (or City of Milwaukee) to initiate the tax cancellation process.
- The applicant conducts an environmental assessment of the site (equivalent to a Phase 1/Phase 2), and submits it to the DNR regional RR office, along with a copy of the property deed containing the official legal description of the property.
- When ready (based on legal proceedings and work with the county), the applicant submits a \$700 fee and a request to enter into a cleanup agreement with the DNR.
- After we receive the request, we will conduct a review of the EA to determine that there is a hazardous substance discharge on the property, and that remediation is needed. We will not review the EA to determine if it is complete, as if it were a VPLE site.
- If there is not already a BRRTS activity at the site, the region will create a new LUST or ERP number for the site.
- The regional RR staff will work with the person who wants the agreement, the central office brownfields contact, and legal to complete the agreement for the specific site. We encourage strict adherence to the model agreement which has already been approved by legal.
- The person requesting the agreement will sign two copies and send them to the central office brownfields contact, who will route it to obtain the necessary signatures. The agreement with the DNR must be signed and in place before the final tax cancellation process can be completed.