

Report on Impact of Exemptions from Liability Department of Natural Resources

PUB-RR-818 September 15, 2008

Section 292.25, Wis. Stats., requires the Department of Natural Resources to prepare a report that provides an update on the status of the Voluntary Party Liability Exemption. This report is required to be submitted to the State Legislature, governor and the Department of Administration.

Any individual, business or unit of government that conducts an environmental investigation and cleanup of a contaminated property – following state requirements with the oversight of Department of Natural Resources (DNR) staff – can receive an exemption from future environmental liability. The Voluntary Party Liability Exemption (VPLE) is implemented by the DNR and described in s. 292.15, of the Wisconsin Statutes. This exemption was initially created in 1994 by Wisconsin Act 453.

A. Sites Seeking Liability Exemption

As of September, 2008, 268 parties (i.e. individuals or businesses) have entered into the Voluntary Party Liability Exemption (VPLE) process. As of September, 2008, 125 parties continue in the VPLE process and are undergoing an investigation and cleanup in order to receive a Certificate of Completion in the Voluntary Party Liability Exemption process.

B. Certificates of Completion

The DNR has issued a Certificate of Completion for 81 sites that have completed the VPLE process.

C. Sites with Additional Contamination Discovered After Certificate of Completion was Issued

There are no sites for which a Certificate of Completion was issued where it discovered that the cleanup failed or at which additional hazardous substances were found after the Certificate of Completion was issued.

D. Use of Environmental Fund Money on Remedial Actions and Estimated Costs at Sites Where Certificate of Completion was Issued

The Department determined that it was not necessary to conduct remedial actions using the environmental fund at any of the sites that have receive Certificates of Completion and no money is expected to be spent.

E. VPLE Sites that Obtained Insurance

As of September 2008, there were 16 sites where the voluntary party obtained insurance, as required by s. 292.15(2)(ae), Stats. and ch. NR 754, Wis. Adm. Code. Voluntary party insurance assists developers, businesses, local governments and other parties involved in cleaning up contaminated properties by providing an insurance tool that helps them manage risks for unplanned expenses related to brownfields redevelopment. No claims were filed against an insurance policy for any of these sites.

For more information, please contact Michael Prager with the Department's Remediation and Redevelopment program at (608) 261-4927, or michael.prager@wisconsin.gov.



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