

Brownfield Basics



Brownfields are abandoned or under-used properties with real or perceived environmental contamination, which often blocks the cleanup and reuse of the properties.

Brownfields vary in size, location, age and past use – from a five-hundred acre, closed automobile assembly plant to a small, abandoned corner gas station. The DNR's Remediation and Redevelopment (RR) Program has a range of tools available to assist local governments in the clean up and redevelopment of brownfields in Wisconsin.

Information



Local governments who want assistance with specific brownfield properties should contact the RR program in their regional DNR office. If you have general questions, please contact **Dan Kolberg** at 608-267-7500 or dan.kolberg@dnr.state.wi.us.

The RR web site has many features to assist communities with brownfields. Local officials can locate DNR staff contacts, access DNR publications, obtain environmental information on specific properties, or find information on financial incentives. The RR web site is found at: <http://dnr.wi.gov/org/aw/rr>.

You can also view investigation and cleanup activities at thousands of contaminated properties around the state by clicking on the RR Program's database at <http://botw.dnr.state.wi.us/botw/Welcome.do>.

Hot Links



More information about brownfields and Wisconsin's tools to manage contaminated properties can be found at the following web sites.

WI DNR - RR Program
<http://dnr.wi.gov/org/aw/rr>

Wisconsin Department of Commerce
<http://commerce.wi.gov/CD/CD-bfi.html>

Wisconsin Department of Revenue
<http://www.dor.state.wi.us/forms/govtif/erbase.html>

Environmental Protection Agency - Region 5
<http://www.epa.gov/swerops/bf/applicat.htm>

Wisconsin Towns Association
<http://www.wisctowns.com>

The League of Wisconsin Municipalities
<http://www.lwm-info.org>

Wisconsin Counties Association
<http://www.wicounties.org/>

Local Government Env. Assistance Network
<http://www.lgean.org>

International City/County Management Assn.
<http://icma.org/main/topic.asp?tpid=19&t=0>



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

The WI DNR 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, Dept. of Interior, Washington, D.C. 20240. This publication is available in alternative format upon request. Please call 608-267-3543 for more information.



Brownfield Basics for Local Governments

Liability Exemptions



Web & Publications

Technical Assistance

Financial Help

Remediation & Redevelopment Program



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101 S. Webster St.
Madison, WI 53702

Tools



Wisconsin has many tools available to help local governments clean up and redevelop brownfields, including exemptions from liability and recovering cleanup costs.

Liability Exemptions (s. 292.11, Wis. Stats.)

If a local government acquires a property through involuntary means (e.g. condemnation), and meets other requirements, the local government is not responsible to investigate or clean up the property.

Ability to Recover Costs

This tool (s. 292.33, Wis. Stats.) gives local governments authority to recover costs from responsible persons if the property is acquired through specific involuntary means (e.g. tax delinquency).

Delinquent Property Tax Tools

Inspection Authority: Chapters 66 and 75, Wis. Stats., give local governments authority to gain access to properties to conduct environmental inspections.

Cancellation of Taxes: Counties or the city of Milwaukee can cancel all or a portion of the unpaid property taxes on a contaminated property in exchange for an agreement to clean up the property (s. 75.105, Wis. Stats.).

Acquisition Through the County: A municipality can acquire a contaminated property by requesting that the county take the tax deed and transfer it to the local government, without environmental liability affecting either party (s. 75.17, Wis. Stats.).

Assignment of Contaminated Property: Counties or the city of Milwaukee can assign property foreclosure judgments to parties interested in taking title to the property, in exchange for a clean-up agreement (s. 75.106, Wis. Stats.).

Financing



Wisconsin provides financial tools to communities for brownfields cleanup and redevelopment, including grants, loans and tax incentives.

Brownfield Site Assessment Grant

The Wisconsin Department of Natural Resources (DNR) funds investigation, tank removal, demolition and other “preliminary” activities at brownfield sites.

Greenspace & Public Facilities Grant

The DNR funds cleanup of property to be used for public purposes, such as greenspaces, libraries, or community markets.

Commerce Brownfields Grants

Local officials should consider these larger grants for investigation and cleanup at projects that have economic redevelopment potential.

EPA Brownfield Grants

The U.S. Environmental Protection Agency (EPA) provides grants for assessment and cleanup of brownfields, or for establishing a revolving loan fund. The DNR has federal brownfield funds available for environmental cleanup of hazardous or petroleum substances.

Environmental Remediation Tax Incremental Financing (ER TIF)

This Department of Revenue (DOR) financing tool is available to local governments to reimburse eligible environmental remediation expenses. The ER TIF’s are excluded from the limit on local government equalized value.

Assistance



Staff from the DNR can assist you with many issues that may arise at brownfields. The following services are available for a fee.

Liability Assurance Letters

The DNR’s Remediation and Redevelopment (RR) Program can provide written assurances to local governments to assist with property transactions and cleanup of brownfields. These assurances can address liability and technical issues.

Technical Assistance Letters

Technical assistance, such as review and approval of investigations and clean-up plans, is also available.

Publications



The following publications have information pertaining to local governments. Visit the RR web site listed in this brochure to obtain these and other publications.

- *Financial Resource Guide for Cleanup and Redevelopment* – RR-539
- *Liability Protection for Local Governmental Units and Economic Development Corporations* (Fact Sheet 7) – RR-579
- *Underground Storage Tanks* (Fact Sheet 8) – RR-627