



Report on Impact of Exemptions from Liability (RR-0163)

Wisconsin Department of Natural Resources
September 15, 2026

Wis. Stat. § 292.25 requires the Department of Natural Resources (DNR) to provide an update on the status of the Voluntary Party Liability Exemption (VPLE) through a biennial report submitted to the Legislature, the Governor and the Department of Administration.

Any individual, business or unit of government that follows state requirements to conduct an environmental investigation and cleanup of a contaminated property, with the oversight of DNR staff, can receive an exemption from future environmental liability. The VPLE is implemented by the DNR and described in Wis. Stat. § 292.15.

Sites Seeking Liability Exemption

Since the inception of the VPLE program in 1994 through September 15, 2026, the DNR received applications for a total of 420 properties to enter the program. Of these applications, the DNR determined 11 properties to be ineligible and 159 properties were withdrawn either by the applicant or by the DNR due to inactivity. As of September 15, 2026, 40 properties remain active in the program, currently undergoing environmental investigation and cleanup.

Certificates of Completion (COC)

DNR issued a Certificate of Completion for 210 properties that completed the VPLE process.

Sites with additional contamination discovered after COC issuance

Additional hazardous substances were discovered at two sites previously issued a COC. At one site, the contaminated material was removed by the property owner with DNR approval. At the other site, the property owner and DNR discovered a risk of vapor intrusion at a property. Evaluation of vapor risk was not evaluated when the site was initially remediated.

Use of Environmental Fund money on remedial actions and estimated costs at sites where a COC was issued

DNR used state funds to conduct vapor intrusion testing at two sites. In 2020, DNR conducted action using state funds because of a concern about possible vapor intrusion. The DNR conducted a vapor assessment at the site and concluded that vapors were not a concern and no mitigation was needed. The DNR paid \$18,279 to an environmental consultant to conduct this work. In 2023, a property owner tested for vapor intrusion at a site that received a Certificate of Completion and DNR followed up and conducted additional vapor sampling at the site and off-site properties and spent \$74,682.

Claims for VPLE sites that obtained insurance - natural attenuation

As of September 2026, the voluntary parties at 74 sites paid the natural attenuation insurance fee to receive a Certificate of Completion as offered in Wis. Stat. § 292.15(2)(ae), and Wis. Admin. Code ch. NR 754. This environmental insurance policy covers the state in the event that natural attenuation of groundwater fails. There have been no claims against the insurance policy for any of these sites.

Claims for VPLE sites that obtained insurance - contaminated sediment

As of September 2026, there were no contaminated sediment sites where the voluntary party obtained insurance, as required by Wis. Stat. § 292.15(2)(af) and Wis. Admin. Code ch. NR 758. No insurance claims have been made for any sediment site.

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