

98-198

State of Wisconsin  
Department of Natural Resources

**NOTICE TO PRESIDING OFFICERS  
OF PROPOSED RULEMAKING**

Pursuant to s. 227.19, Stats., notice is hereby given that final draft rules are being submitted to the presiding officer of each house of the legislature. The rules being submitted are:

Natural Resources Board Order No. WT-7-99

Legislative Council Rules Clearinghouse Number 98-198

Subject of Rules Regulation of effluent limitations and pretreatment standards for the pesticide chemicals industry

Date of Transmittal to Presiding Officers February 6, 2001

Send a copy of any correspondence or notices pertaining to this rule to:

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An electronic copy of the proposed rule may be obtained by contacting Ms. Turner

REPORT TO LEGISLATURE

NR 233, Wis. Adm. Code

Regulation of effluent limitations and pretreatment standards  
for the pesticide chemicals industry

Board Order No. WT-7-99  
Clearinghouse Rule No. 98-198

Statement of Need

In 1996 the Department created ch. NR 233 to establish wastewater standards for the pesticide chemicals industry. This rule was adopted to parallel the corresponding federal rules found in 40 CFR 455 which applied to facilities which manufactured pesticide ingredients. Since its creation, there have been revisions and additions to the corresponding federal regulations that apply to facilities which formulate, package and repackage pesticide products. Consequently, the Department is proposing to amend ch. NR 233 to conform with the changes in the federal rules.

Modifications as a Result of Public Hearing

There were no modifications as a result of public hearing.

Appearances at the Public Hearing and Their Position

In support:

Thomas T. Stocksdales, SC Johnson & Son, Inc., 1525 Howe Street, Racine, WI

In opposition - none

As interest may appear:

Ralph Erickson, Madison Metropolitan Sewerage District, 1610 Moorland Road, Madison, WI

Craig Riekenn, Bell Laboratories, Inc., 3699 Kinsman Blvd., Madison, WI

Response to Legislative Council Rules Clearinghouse

The following is the Department's response to the LCRC comments:

- 2.a. The material preceding the analysis has been amended to address this comment.
- 2.b. The language following "Table 10" is necessary to the meaning of this definition.
- 2.c. I disagree with this comment. This is a straight forward definition.
- 2.d. The word SECTION has been capitalized in each part.
- 2.e. While the term "active ingredient" is defined, the term "pesticide active ingredient" is equivalent and is used consistently in the existing parts of NR 233 the federal rule as well as the Development Documents. Leave as is.

2.f. General comment regarding inclusion of substantive material in definition sections. The NR language mirrors the federal definition format. Placing or splitting out parts of the federal definitions into the text of the rule would be confusing for regulated entities and other users of the rule who are already familiar with the federal version. Some of the definitions would have to be repeated in both the BPT and PSES sections.

2.g. Agree with this comment. Definitions have been renumbered.

2.h. While some definitions are specific to individual subchapters, again we think it is more useful to the reader to follow the general order and format used in the federal rule.

2.i. Agricultural pesticides are not defined in the federal rule or in any of the background materials. WDNR is reluctant to create a definition, since it could have unforeseen implications.

2.j. OK correction made.

2.k. The cross references are intended to clearly direct the user to the appropriate definitions. Eliminating the cross references would make the rule more difficult to follow.

2.l. Another comment regarding substantive material in definitions section 233.305. Again this follows federal format. Including in the body of the rule would require definitions (1), (2) and (3) to be repeated twice in the rule. Splitting out substantive material would be confusing for the user.

2.m.(1) Section remains labeled as Specialized definitions but an introductory phrase has been added. Section title and language is identical to the existing parallel section at 233.11.

(2) 233.305 has been rewritten.

(3) Correction made.

(4) Added the phrase "for this subchapter".

2.n.(1)-(2) 233.31 and .35 have been substantially rewritten as suggested. Since the requirements of .32, .33, .34 and .36 are equivalent to those of .31 and .35 they now refer back to those sections and repetition of the verbiage has been eliminated.

(3) Suggested language change has been made.

(4) There is no equivalent state citation. This is a standard reference in the BPT and BAT code sections.

(5) See 2. F.

(6) Feds do not codify "best professional judgment" so neither should we. There is an extensive guidance manual on implementing this rule.

(7) Permit writer and permitting authority have been changed to department or control authority throughout the code.

(8)&(9) Suggested changes made.

2.o. See 2.n.1&2 except that we need to have separate sections for BAT, BPT etc.

2.p. Added "SECTION 28. Tables 8, 9, and 10 are created to read." Check with Carol to see if one SECTION is ok for 3 Tables.

2.q. Effective date clause and signature block has been added.

4.a. and b. have been corrected.

5. a. - h. - Suggestions on grammar, clarity etc. are accepted and changes made.

#### Final Regulatory Flexibility Analysis

The Department anticipates approximately six Wisconsin facilities to be subject to the formulating and packaging subchapter of this rule which requires that they either achieve zero discharge or develop and implement certain prescribed pollution prevention practices. Additionally, there is a subchapter that requires zero discharge to "agricultural refilling establishments". While there are potentially many of these facilities, existing Department of Agriculture, Trade and Consumer Protection rules already prohibit discharges to surface waters or publicly owned treatment works. Additionally, these rules are already required under federal regulation.

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
AMENDING, REPEALING AND RECREATING AND CREATING RULES

The Wisconsin Natural Resources Board proposes an order to amend NR 233.03(3), 233.04(3), subch. IV (title); to repeal and recreate NR 233.30 and 233.31; and to create NR 233.03(1e), (1o), (2e), (2o), (2p), (2q), (2r), (2u), (3e), (6e), (6o), (8) to (11), 233.04(3e), 233.305, 233.32 to 233.36, subch. VI, and Tables 8 to 10 of ch. NR 233 relating to effluent limitations and pretreatment standards for the pesticide chemicals industry.

WT-7-99

Analysis prepared by the Department of Natural Resources

Statutory authority: ss: 283.11(1), 283.19(1), 283.21(1), and 227.11(2)(a), Stats.  
Statutes interpreted: ss: 283.11, 283.13, 283.19, and 283.21, Stats.

The Federal Water Pollution Control Act amendments of 1972 established a comprehensive program to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (33 USC s. 1251(a)). To implement the act, the U.S. Environmental Protection Agency issues effluent limitation guidelines, pretreatment standards, and new source performance standards for industrial wastewater discharges. The Clean Water Act of 1977 expanded the federal pollution control program by setting different types of effluent limitations: "best practicable technology" (BPT), "best available technology" (BAT), "best conventional technology" (BCT), "new source performance standards" (NSPS), "pretreatment standards for existing sources" (PSES), and "pretreatment standards for new sources" (PSNS). The Clean Water Act stresses control of toxic pollutants, including 65 "priority" pollutants and classes of pollutants in 21 major industries.

The Wisconsin Department of Natural Resources instituted the Wisconsin pollutant discharge elimination system in 1976. This system included regulation of effluent discharges from various industries. The Wisconsin Department of Natural Resources is amending ch. NR 233, Wis. Adm. Code, to regulate the pesticide chemicals industry. The provisions of this chapter are based upon the U.S. Environmental Agency's regulations in 40 CFR part 455.

The purpose of these amendments is to specify effluent limitations for BPT, BCT, BAT, and NSPS for the direct discharge of pollutants to waters of the state and to establish pretreatment standards for the introduction of pollutants into publicly owned treatment works. The effect of amending ch. NR 233, Wis. Adm. Code will be to establish state standards and limitations for industrial wastewater discharges from the formulating, packaging, and repackaging sectors of the pesticide chemical industry. The Code will reflect these changes made by the United States Environmental Protection Agency under authority of sections 301, 304, 306, 307, 308 and 501 of the Clean Water Act. (33 USC ss. 1311, 1314, 1316, 1318, and 1361).

For facilities that formulate, package, or repackaging pesticides, this proposed rule establishes effluent limitations and pretreatment standards which allow each facility to choose to meet a zero discharge limitation or comply with a pollution prevention alternative that authorizes discharge of pesticide active ingredients and priority pollutants after various pollution prevention practices are followed and treatment is conducted as needed. Each owner or operator of a PFPR facility shall make an initial choice of whether the facility will meet zero discharge or comply with the pollution prevention alternative. This choice can be made on a product family, process line, or process unit basis rather than a facility-wide basis. If the zero discharge option is chosen, then the facility owner or operator will need to do whatever is necessary to eliminate the discharge. If the pollution prevention alternative

portion of the option is chosen, the owner or operator of the facility must agree to comply with the pollution prevention practices identified in Table 8 of this proposed rule.

This proposed rule also establishes a zero discharge limitation and pretreatment standard for agricultural pesticide refilling establishments. This limitation is based on collection and storage of process wastewaters, including rinsates from cleaning minibulk containers and ancillary equipment as well as wastewaters from secondary containment and loading pads. The collected process wastewater would be reused as make-up water for application to fields in accordance with the product label.

The federal document forming the basis for 40 C.F.R. Part 455 and ch. NR 233 is the "Development Document for Best Available Technology, Pretreatment Technology, and New Source Performance Technology for the Pesticide Formulating, Packaging, and Repackaging Industry-Final" (USEPA, Washington D.C., EPA-821-R-96-019, November 1996). A copy of this document is available for inspection at the central office of the Wisconsin Department of Natural Resources, 101 South Webster Street, Madison, WI, and may be obtained from the National Technical Information Service (NTIS), Springfield, Virginia 22161, (703) 487-4600.

This proposed rule is essentially identical to 40 C.F.R. Part 455 for purposes of s. 227.14(1m)(a), Stats. However, changes have been made in the text of the federal regulation to make the rule useful to Wisconsin citizens, industry, and regulating authorities. These changes are consistent with the current state regulatory framework and reflect the conventions of state rule drafting.

Where possible, Wisconsin Administrative Code references were substituted in the text for reference to the Code of Federal Regulations.

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SECTION 1. NR 233.03(1e) is created to read:

**NR 233.03(1e)** "Appropriate pollution control technology" means the wastewater treatment technology listed in Table 10 for a particular pesticide active ingredient including an emulsion breaking step prior to the listed technology when emulsions are present in the wastewater to be treated.

SECTION 2. NR 233.03(1o) is created to read:

**NR 233.03(1o)** "Equivalent system" means a wastewater treatment system that is demonstrated in literature, treatability tests, or self-monitoring data to remove a similar level of pesticide active ingredient or priority pollutant as the applicable appropriate pollution control technology listed in Table 10.

SECTION 3. NR 233.03(2e) is created to read:

**NR 233.03(2e)** "Formulation of pesticide products" means the process of mixing, blending, or diluting one or more of the pesticide active ingredients with one or more active or inert ingredients, without an intended chemical reaction, to obtain a manufacturing use product or an end use product.

SECTION 4. NR 233.03(2o) is created to read:

**NR 233.03(2o) "Group one mixtures"** means any product whose only pesticide active ingredient is:

1. Any common food or food constituent.
2. Any non-toxic household item.
3. Any substance that is generally recognized as safe by the U.S. food and drug administration as provided in 21 CFR 170.30, Parts 182, 184, and 186 in accordance with good manufacturing practices as defined by 21 CFR Part 182.
4. Any product exempt from the federal insecticide fungicide rodenticide act as provided in 40 CFR 152.25.

SECTION 5. NR 233.03(2p) is created to read:

**NR 233.03(2p) "Group 2 mixtures"** means those chemicals listed in Table 9.

SECTION 6. NR 233.03(2q) is created to read:

**NR 233.03(2q) "Inorganic wastewater treatment chemicals"** means inorganic chemicals that are commonly used in wastewater treatment systems to aid in the removal of pollutants through physical and chemical technologies such as chemical precipitation, flocculation, neutralization, chemical oxidation, hydrolysis, or adsorption.

SECTION 7. NR 233.03(2r) is created to read:

**NR 233.03(2r) "Interior wastewater"** means any wastewater that is generated from cleansing or rinsing the interior of pesticide formulating, packaging, or repackaging equipment, raw material drums, shipping containers, or bulk storage tanks. Also included is cooling water that comes into direct contact with pesticide active ingredients during the formulating, packaging, or repackaging process.

SECTION 8. NR 233.03(2u) is created to read:

**NR 233.03(2u) "Microbial pesticides"** means registered pesticide active ingredients that are biological control agents listed in 40 CFR 152.20(a)(3) including protozoa, algae, fungi, bacteria and viruses.

SECTION 9. NR 233.03(3) is amended to read:

**NR 233.03(3) "New source"** means any point source for which the commencement of construction occurred after April 10, 1992, in subchs. II and III and after April 14, 1994 for subchs.

IV and VI and from which pollutants are or may be discharged either to waters of the state or into a publicly owned treatment works.

SECTION 10. NR 233.03(3e) is created to read:

**NR 233.03(3e) "Packaging of pesticide products"** means enclosing or placing a formulated pesticide product into a marketable container.

SECTION 11. NR 233.03(6e) is created to read:

**NR 233.03(6e) "PFPR/manufacturing facility"** means a pesticide formulating, packaging, or repackaging facility that also performs pesticide manufacturing on-site and commingles their PFPR process wastewaters and pesticide manufacturing process wastewaters.

SECTION 12. NR 233.03(6o) is created to read:

**NR 233.03(6o) "Pool chemicals"** means pesticide products that are intended to disinfect or sanitize, reduce or mitigate growth or development of microbiological organisms in the water of swimming pools, hot tubs, spas, or other such areas in the household or institutional environment as provided in the directions for use on the product label.

SECTION 13. NR 233.03(8) is created to read:

**NR 233.03(8) "Refilling establishment"** means an establishment where the activity of repackaging a pesticide product occurs.

SECTION 14. NR 233.03(9) is created to read:

**NR 233.03(9) "Repackaging of pesticide products"** means the transfer of a pesticide formulation or pesticide active ingredients from one container to another without a change in composition of the formulation or the labeling content for sale or distribution.

SECTION 15. NR 233.03(10) is created to read:

**NR 233.03(10) "Sanitizer products"** means pesticide products that are intended to disinfect or sanitize, reduce or mitigate growth or development of microbiological organisms on inanimate surfaces in the household, institutional, or commercial environments and whose labeled directions for use result in the product being discharged to a POTW. This definition also includes sanitizer solutions as defined by 21 CFR 178.1010 and pool chemicals as defined in this section. This definition does not include liquid chemical sterilants, including sporicidals, exempted by s. NR 233.30(3)(f) or industrial preservatives and water treatment microbiocides other than pool chemicals.

SECTION 16. NR 233.03(11) is created to read:

**NR 233.03(11) "Stand-alone PFPR facility"** means a PFPR facility where either no pesticide manufacturing occurs or pesticide manufacturing process wastewaters are not commingled with PFPR process wastewaters. Facilities may formulate, package, repackage, or manufacture other non-pesticide chemical products and be considered a stand-alone PFPR facility.

SECTION 17. NR 233.04(3) is amended to read:

**NR 233.04(3)** Any existing source subject to ~~this chapter, subchs. II and III~~ which introduces process wastewater pollutants into a POTW shall achieve PSES by September 28, 1996.

SECTION 18. NR 233.04(3e) is created to read:

**NR 233.04(3e)** Any existing source subject to subchs. IV and VI which introduces process wastewater pollutants into a POTW shall achieve PSES by November 6, 1999.

SECTION 19. Chapter NR 233 subch. IV (title) is amended to read:

**Subchapter IV Pesticide Chemicals Formulating and Packaging and Repackaging Subcategory.**

SECTION 20. NR 233.30 is repealed and recreated to read:

**NR 233.30 Applicability; description of the pesticide formulating, packaging and repackaging subcategory.** (1) This subchapter is applicable to discharges resulting from all pesticide formulating, packaging, and repackaging operations except as provided in subs. (2) to (6).

(2) This subchapter does not apply to repackaging of agricultural pesticides performed at refilling establishments as described in s. NR 233.50.

(3) This subchapter does not apply to wastewater discharges from any of the following:

(a) The operation of employee showers and laundry facilities.

(b) The testing of fire protection equipment.

(c) The testing and emergency operation of safety showers and eye washes.

(d) Storm water.

(e) Department of transportation aerosol leak test baths or batch baths where no cans have burst from the time of the last water change-out.

(f) On-site laboratories from cleaning analytical equipment, glassware, and rinsing the retain sample container, except that this subchapter applies to the initial rinse of the retain sample container.

(4) This subchapter does not apply to wastewater discharges from the formulation, packaging, or repackaging of any of the following:

- (a) Sanitizer products including pool chemicals.
- (b) Microbial pesticides.
- (c) Inorganic wastewater treatment chemicals.
- (d) Group one and group 2 mixtures as defined under s. NR 233.03 (2o) and (2p).

(5) This subchapter does not apply to wastewater discharges from the development of new formulations of pesticide products and the associated efficacy and field testing at on-site and stand-alone research and development laboratories where the resulting pesticide product is not produced for sale.

(6) This subchapter does not apply to wastewater discharges from the formulation, packaging, or repackaging of liquid chemical sterilant products for use on a critical or semi-critical device as defined in s. 201 of the federal food, drug, and cosmetic act and in s. 2(u) of the federal insecticide, fungicide, rodenticide act.

**SECTION 21. NR 233.305 is created to read:**

**NR 233.305 Specialized definitions.** The following definitions apply to the terms used in this subchapter:

(1) "Initial certification statement" means a written submission to the department or control authority which shall be signed by the responsible corporate officer as defined in 40 CFR 122.22 or s. NR 211.15 (10) and which:

- (a) Lists and describes those product families, process lines, or process units for which the PFPR facility is implementing the pollution prevention alternative.
- (b) Describes the PFPR facility specific practices for each product family, process line, or process unit which are to be practiced as part of the pollution prevention alternative.
- (c) Describes any justification allowing modification to the practices listed in Table 8.
- (d) Lists the treatment system being used to obtain a pollution prevention alternative discharge as defined in this section.

(2) "On-site compliance paperwork" means data or information maintained in the offices of the PFPR facility which supports the initial and periodic certification statements and which:

- (a) Lists and describes those product families, process lines, or process units for which the facility is implementing the pollution prevention alternative.
- (b) Describes the facility specific practices for each product family, process line, or process unit which are to be practiced as part of the pollution prevention alternative.

(c) Describes any justification allowing modification to the practices listed in Table 8.

(d) Includes a written discussion demonstrating that the treatment system being used contains the appropriate pollution control technologies or equivalent systems for removing the pesticide active ingredients which may be found in the wastewater.

(e) Establishes a method for demonstrating to the department or control authority that the treatment system is well operated and maintained.

(f) Includes a discussion of the rationale for choosing the method of demonstration.

(3) "Periodic certification statement" means a written submission to the department or control authority which states that the pollution prevention alternative as set forth in the WPDES permit or pretreatment control mechanism is being implemented. Any modification of the practices listed in Table 8 must be justified. The periodic certification statement shall be signed by the responsible corporate officer as defined in 40 CFR 122.22 or s. NR 211.15 (10).

(4)(a) "Pollution prevention allowable discharge for indirect dischargers excluding interior wastewater, leak and spill clean-up water, and floor wash" means the quantity or concentrations of pollutants in PFPR process wastewaters that remain after a facility has demonstrated that it is using the specified practices of the pollution prevention alternative as listed in Table 8.

(b) "Pollution prevention allowable discharge for indirect dischargers including interior wastewater, leak and spill cleanup water, and floor wash" means the quantity or concentrations of pollutants in PFPR process wastewaters that remain after a facility has demonstrated that it is using the specified practices of the pollution prevention alternative as listed in Table 8. Additionally the wastewaters shall have been pretreated using appropriate pollution control technologies as defined in s. NR 233.03 (1e), a pesticide manufacturer's treatment system, or an equivalent system, used individually or in any combination to achieve a sufficient level of pollutant reduction. Pretreatment requirements may be modified or waived by the control authority to the extent that removal credits have been granted in accordance with s. NR 211.13, provided the granting of the credits does not result in pass through or interference as defined in s. NR 211.03 and complies with the provisions of s. NR 211.10. The facility shall demonstrate that the appropriate pollution control technology is properly maintained and operated.

(5) "Pollution prevention allowable discharge for direct dischargers" in this subchapter means the quantity or concentrations of pollutants in PFPR process wastewaters that remain after a facility has demonstrated that it is using the specified practices of the pollution prevention alternative as listed in Table 8. Additionally the wastewaters shall have been treated using appropriate pollution control technologies, as defined in s. NR 233.03 (1e), a pesticide manufacturer's treatment system, or an equivalent system, used individually or in any combination to achieve a sufficient level of pollutant reduction. The facility shall demonstrate that the appropriate pollution control technology is properly maintained and operated.

(6) "Process wastewater," for this subchapter, means all wastewater associated with pesticide formulating, packaging and repackaging except for sanitary water, non-contact cooling water and those wastewaters excluded from the applicability of the rule in s. NR 233.30.

SECTION 22. NR 233.31 is repealed and recreated to read:

**NR 233.31 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).**

(1) Except as provided in 40 CFR 125.30 to 125.32 or in sub.(2), any existing point source subject to the provisions of this subchapter shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the BPT. There may be no discharge of process wastewater pollutants to waters of the state.

(2) Any existing facility subject to this subchapter may have a pollution prevention allowable discharge, as defined in s. NR 233.305 (5), of wastewater pollutants into waters of the state if the discharger agrees to WPDES permit conditions as follows:

(a) The discharger shall meet the requirements of the pollution prevention alternatives listed in Table 8 or the listed modified requirements based on best professional judgment.

(b) The discharger shall notify the department at the time of renewal or modification of its permit, of its intent to utilize the pollution prevention alternative by submitting an initial certification statement as described in s. NR 233.305 (1).

(c) The discharger shall submit to the department a periodic certification statement as described in s. NR 233.305 (3) once each year of operation.

(d) The discharger shall maintain at the office of the facility and make available for inspection the on-site compliance paperwork as described in s. NR 233.305 (2).

(3) For existing PFPR/manufacturing facilities, that are also subject to s. NR. 233.12 or 233.22, the department may not provide additional discharge allowances for those pesticide active ingredients in the pesticide formulating, packaging and repackaging wastewaters that are also manufactured at the same facility.

SECTION 23. NR 233.32 is created to read:

**NR 233.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).** Any existing point source subject to this section shall comply with the requirements contained in s. NR 233.31.

SECTION 24. NR 233.33 is created to read:

**NR 233.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available control technology economically achievable (BAT).** Any existing point source subject to this section shall comply with the requirements contained in s. NR 233.31.

SECTION 25. NR 233.34 is created to read:

**NR 233.34 New source performance standards (NSPS).** Any new source subject to this section shall comply with the requirements contained in s. NR 233.31.

SECTION 26. NR 233.35 is created to read:

**NR 233.35 Pretreatment standards for existing sources (PSES).** (1) Except as provided in ss. NR 211.13 and 211.14 or in sub. (2), any existing source subject to this subchapter and which introduces pollutants into a publicly owned treatment works shall comply with ch. NR 211 and achieve PSES as follows. There may be no discharge of process wastewater pollutants.

(2) Except as provided in ss. NR 211.13 and 211.14, any existing source subject to sub. (1) which introduces pollutants into a publicly owned treatment works shall comply with ch. NR 211 and may have a pollution prevention allowable discharge of wastewater pollutants, as defined in s. NR 233.305(4) if the discharger agrees to a control mechanism or pretreatment agreement conditions as follows:

(a) The discharger shall meet the requirements of the pollution prevention alternatives listed in Table 8 or the listed modified requirements based on best professional judgment.

(b) The discharger shall notify its control authority at the time of renewing or modifying its individual control mechanism or pretreatment agreement of its intent to utilize the pollution prevention alternative by submitting to the control authority an initial certification statement as described in s. NR 233.305 (1).

(c) The discharger shall submit to its control authority a periodic certification statement as described in s. NR 233.305 (3) during the months of June and December of each year of operation.

(d) The discharger shall maintain at the offices of the facility and make available for inspection the on-site compliance paperwork as described in s. NR 233.305 (2).

(3) Except as provided in ss. NR 211.13 and 211.14, any existing source subject to s. NR 233.35 (2) may submit a request to the control authority to waive pretreatment of floor wash or a non-reusable final rinse of a triple rinse. A request may be submitted if the concentrations of pesticide active ingredients and priority pollutants in those wastewater sources have been demonstrated to be too low to be effectively pretreated at the facility. The department may waive pretreatment for these 2 wastewaters only if the existing source makes the demonstrations and is in compliance with s. NR 211.10.

SECTION 27. NR 233.36 is created to read:

**NR 233.36 Pretreatment standards for new sources (PSNS).** Any new source subject to this section shall comply with the requirements of s. NR 233.35.

SECTION 28. Chapter NR 233 subch. VI is created to read:

**Subchapter VI**  
**Repackaging of Agricultural Pesticides Performed at Refilling Establishments**

**NR 233.50 Applicability; description of repackaging of agricultural pesticides performed by refilling establishments subcategory.** (1) This subchapter is applicable to discharges resulting from all repackaging of agricultural pesticides performed by refilling establishments as defined in s. NR 233.03, whose primary business is wholesale or retail sales, and where no pesticide manufacturing, formulating or packaging occurs, except as provided in subs. (2) to (4).

(2) This subchapter does not apply to wastewater discharges from custom application or custom blending, as defined in 40 CFR 167.3.

(3) This subchapter does not apply to wastewater discharges from any of the following:

(a) The operation of employee showers and laundry facilities.

(b) The testing of fire protection equipment.

(c) The testing and emergency operation of safety showers and eye washes.

(d) Storm water.

(4) This subchapter does not apply to wastewater discharges from the repackaging of microbial pesticides or group one mixtures, as defined under s. NR 233.03 or non-agricultural pesticide products.

**NR 233.51 Special definitions.** "Process wastewater," for this subchapter, means all wastewater except for sanitary water and those wastewaters excluded from the applicability of the rule in s. NR 233.50.

**NR 233.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable pollutant control technology (BPT).** Except as provided in 40 CFR 125.30 to 125.32, any existing point source subject to this subchapter shall achieve effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable pollutant control technology. Process wastewater pollutants may not be discharged.

**NR 233.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).** Except as provided in 40 CFR 125.30 to 125.32, any existing point source subject to this subchapter shall achieve effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollution control technology. Process wastewater pollutants may not be discharged.

**NR 233.54 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).** Except as provided in 40 CFR 125.30 to 125.32, any existing point source subject to this subchapter shall achieve effluent limitations representing the degree of effluent reduction attainable

by the application of the best available technology economically achievable. Process wastewater pollutants may not be discharged.

**NR 233.55 New source performance standards (NSPS).** Any new source subject to this subchapter may not discharge process wastewater pollutants.

**NR 233.56 Pretreatment standards for existing sources (PSES).** Except as provided in ss. NR 211.13 and 211.14, no later than November 6, 1999, any existing source subject to this subchapter shall comply with ch. NR 211 and achieve the pretreatment standards for existing sources as follows. There may be no discharge of process wastewater pollutants.

**NR 233.57 Pretreatment standards for new sources (PSNS).** Except as provided in ss. NR 211.13 and 211.14, any new source subject to this subchapter shall comply with ch. NR 211 and achieve the pretreatment standards for new sources as follows. There may be no discharge of process wastewater pollutants.

SECTION 29. Tables 8, 9, and 10 are created to read.

**Table 8**

**List of Pollution Prevention Alternative Practices**

Practice	Modification allowed when:
1. Water conservation practices shall be used. These practices may include, but are not limited to using spray nozzles or flow reduction devices on hoses, low volume high pressure rinsing equipment, floor scrubbing machines, mops and buckets, and counter current staged drum rinsing stations.	Rinsing narrow transfer lines or piping where sufficient rinsing is better achieved by flushing with water.
2. Good housekeeping shall be practiced to include: (a) Perform preventative maintenance on all valves and fittings and repair leaky valves and fittings in a timely manner; (b) Use drip pans under any valves or fittings where hoses or lines are routinely connected and disconnected, collect for reuse when possible; and (c) Perform quick cleanup of leaks and spills in outdoor bulk storage or process areas.	
3. Dry production areas shall be swept or vacuumed prior to rinsing with water.	
4. Interiors of dry formulation equipment shall be cleaned with dry carrier prior to any water rinse. The carrier material shall be stored and reused in future formulation of the same or compatible product or properly disposed of as solid waste.	
5. If operating continuous overflow department of transportation aerosol leak test baths, operation shall include some recirculation.	
6. If operating air pollution control wet scrubbers, then operate as recirculating scrubbers. Periodic blowdown is allowed as needed.	Facility demonstrates that they would not be able to meet resource conservation recovery act or clean air act requirements.
7. When performing rinsing of raw material drums, storage drums, or shipping containers that contained liquid pesticide	(a) The drum or shipping container holds an inert ingredient only and

<p>active ingredients or inert ingredients for the formulation of water-based products, the facility shall comply with one of the following:</p> <p>(a) Reuse the drum or shipping container rinsate directly into the formulation at the time of formulation.</p> <p>(b) Store for use in future formulation of same or compatible product.</p> <p>(c) Use a staged drum rinsing station involving counter current rinsing.</p>	<p>the facility can demonstrate that, after using water conservation practices, the large concentration of inert ingredient in the formulation creates more volume than could feasibly be reused.</p> <p>(b) The facility can demonstrate that the concentration of the inert in the formulation is so small that the reuse would cause a formulation to exceed that ranges allowed in the confidential statement of formula pursuant to 40 CFR 158.155.</p>
<p>8. When performing rinsing of raw material drums, storage drums, or shipping containers that contained liquid pesticide active ingredients or inert ingredients for the formulation of solvent-based products, the facility shall reuse the drum or shipping container rinsate directly into the formulation at the time of formulation or store for use in future formulation of same or compatible product.</p>	<p>(a) The drum or shipping container holds inert an ingredient only and the facility can demonstrate that, after using water conservation practices, the large concentration of inert ingredient in the formulation creates more volume than could feasibly be reused or;</p> <p>(b) The facility can demonstrate that the concentration of the inert in the formulation is so small that the reuse would cause a formulation to exceed the ranges allowed in the confidential statement of formula or;</p> <p>(c) Drums or shipping containers are going to a drum refurbisher or recycler who will only accept drums rinsed with water.</p>
<p>9. Shall dedicate PFPR production equipment by water-based versus solvent-based products. Dedicated solvent-based or water-based equipment may be used on a non-routine basis for non-dedicated operations. However the facility may not discharge the solvent or aqueous changeover rinsate as part of their pollution prevention allowable discharge (i.e., the facility must achieve zero discharge of those process wastewater pollutants).</p>	<p>Facility has installed and is using a solvent recovery system for the changeover rinsate. It also may be used for other solvent recovery.</p>
<p>10. Shall store the rinsate from interior rinsing. This does not include drum or shipping container rinsate for reuse in future formulation of same or compatible product.</p>	<p>(a) Facility has evidence of biological growth or other product deterioration over a typical storage period;</p> <p>(b) Facility has space limitations, but must still store rinsates for most frequently produced products;</p> <p>(c) Manufacturer or formulator contracting for toll formulating has directed otherwise i.e., send</p>

	<p>back to them or send for off-site disposal;</p> <p>(d) Facility is dropping registration or production of the formulation and there is no compatible formulation for reuse of the rinsates or facility can provide reasonable explanation of why it does not anticipate formulation of same or compatible formulation within the next 12 months;</p> <p>(e) Facility only performs packaging of the pesticide product from which interior rinsate is generated; or</p> <p>(f) Facility has demonstrated that it must use a detergent to clean the equipment.</p>
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**Notes**

<sup>1</sup>A modification to the list of practices on this table that an individual facility shall comply with to be eligible for the pollution prevention alternative is allowed with acceptable justification. This justification is listed on this table and as approved by the permitting or control authority using best practical judgment or best engineering judgment after submittal by the facility of a request for modification. A modification, for purposes of this table, means that a facility would no longer have to perform a listed practice or would need to comply with a modified practice. However, the modification only applies to the specific practice for which the modification has been justified and to no other listed practices. Facilities are required to thoroughly discuss all modifications in the on-site compliance paperwork as described in this subchapter in the limitations and standards as in s. NR 233.305(2).

<sup>2</sup>After following the practices above, some wastewaters for indirect dischargers may require pretreatment prior to discharge to POTWs. See definition of pollution prevention allowable discharge for indirect dischargers as defined in s. NR 233.305.

<sup>3</sup>After following the practices above, all wastewaters for direct dischargers shall require treatment prior to discharge directly to the state's waters. See definition of pollution prevention allowable discharge for direct dischargers as defined in s. NR 233.305.

<sup>4</sup>Additional information and guidance on implementing these pollution prevention practices as well as evaluating compliance with these practices will be available in a pollution prevention guidance manual for the PFPR industry.

Table 9  
Group 2 Mixtures

Shaughnessey Code	Chemical name <sup>1</sup>
002201	Sabadilla alkaloids.
006501	Aromatic petroleum derivative solvent.
006602	Heavy aromatic naphtha.
016601 <sup>2</sup>	Dry ice.
022003	Coal tar.
025001	Coal tar neutral oils.
025003	Creosote oil (Note: Derived from any source).
025004	Coal tar creosote.
031801	Ammonium salts of C8-18 and C18 <sup>1</sup> fatty acids.
055601	BNOA.
063501	Kerosene.
063502	Mineral oil--includes paraffin oil from 063503.
063503	Petroleum distillate, oils, solvent, or hydrocarbons; also p.
063506	Mineral spirits.
067003	Terpineols (unspec.).
067205	Pine tar oil.
067207	Ester gum.
067302	Amines, N-coco alkyltrimethylenedi-, acetates.
069152	Amines, coco alkyl, hydrochlorides.
070801	Red Squill glycoside.
071004	Cube Resins other than rotenone.
071501	Ryania speciosa, powdered stems of.
072602 <sup>2</sup>	Silica gel.
072605 <sup>2</sup>	Silicon dioxide.
079014	Turkey red oil.
079021	Potassium salts of fatty acids.
079029	Fatty alcohols (52-61% C10, 39-46% C8, 0-3% C6, 0-3% C12).
079034	Methyl esters of fatty acids (100% C8-C12)
079059	Fatty alcohols (54.5% C10, 45.1% C8, 0.4% C6)
086803	Xylene range aromatic solvent
107302	Polyhedral inclusion bodies of Douglas fir tussock moth nucl.
107303	Polyhedral inclusion bodies of gypsy moth nucleopolyhedrosis.
107304	Polyhedral inclusion bodies of n. sertifer
116902	Gibberellin A4 mixt. with Gibberellin A7.
117001	Nosema locustae.
128888	Lactofen (ANSI).
128934 <sup>2</sup>	Nitrogen, liquid.
129029	Bergamot Oil.
224600	Diethanolamides of the fatty acids of coconut oil (coded 079).
505200	Isoparaffinic hydrocarbons.

<sup>1</sup> Shaughnessey codes and chemical names are taken directly from the FATES database. Several chemical names are truncated because the chemical names listed in the FATES database are limited to 60 characters.

<sup>2</sup> EPA does not believe this pesticide active ingredient will persist in sanitary streams long enough to reach a POTW.

**Table 10**  
**List of Appropriate Treatment Technologies<sup>1</sup>**

This table contains those pollutant control technologies, such as hydrolysis, chemical oxidation, precipitation, and activated carbon adsorption, which have been used for estimating compliance costs on a pesticide active ingredient basis. In general, these treatment technologies have been determined to be effective in treating pesticide containing wastewaters in literature, in bench or pilot scale treatability studies or in the pesticide manufacturing effluent guidelines. These are the same technologies that are presented as part of the universal treatment system. However, these technologies are pesticide active ingredient specific and may need to be used in conjunction with one another to provide treatment for all pesticide active ingredients used at a facility over a period of time. In addition, facilities may experience difficulties treating wastewaters that contain emulsions, therefore, "appropriate" treatment for emulsified wastewaters must include an emulsion breaking step. For pesticide active ingredients whose technology is listed as "pollution prevention", the permitting authority or control authority can determine if additional treatment is necessary through best professional judgment or best engineering judgment, respectively.

**Part A**

**Appropriate Treatment Technologies for Compounds With Pesticide Active Ingredient (PAI) Codes**

PAI Name <sup>2</sup>	PAI Code <sup>3</sup>	Shaughnessy Code <sup>4</sup>	Structural Group <sup>5</sup>	Treatment Technology
Dicofol	001	10501	DDT	Hydrolysis
Maleic Hydrazide	002	51501	Hydrazide	Activated Carbon
EDB	003	42002	EDB	Activated Carbon
Vancide TH	004	82901	s-Triazine	Activated Carbon
1,3-Dichloropropene	005	29001	EDB	Hydrolysis
Thenarsazine Oxide	006	12601	Organoarsenic	Precipitation
Dowicil 75	007	17901	NR4	Activated Carbon
Triadimefon	008	109901	s-Triazine	Activated Carbon
Hexachlorophene	009	44901	Chlorophene	Activated Carbon
Tetrachlorophene	010		Chlorophene	Activated Carbon
Dichlorophene	011	55001	Chlorophene	Activated Carbon
Dichlorvos	012	84001	Phosphate	Hydrolysis
Landrin-2	013		Carbamate	Activated Carbon
2,3,6-T, S&E or Fenac	014	82605	2,4-D	Activated Carbon
2,4,5-T and 2,4,5-T, S&E	015	(*)	2,4-D	Activated Carbon
2,4-D (2,4-D, S&E)	016	(*)	2,4-D	Chemical Oxidation
2,4-DB, S&E	017	(*)	2,4-D	Activated Carbon
Dyrene or Anilazine	018	80811	s-Triazine	Activated Carbon
Dinocap	019	36001	Phenylcrotonate	Activated Carbon
Dichloran or DCNA	020	31301	Aryl Halide	Activated Carbon
Busan 90	021	8707	Miscellaneous	Activated Carbon
			Organic	
Mevinphos	022	15801	Phosphate	Hydrolysis
Sulfallate	023		Dithiocarbamate	Activated Carbon
Chlorfenvinphos	024	84101	Phosphate	Activated Carbon
Cyanazine or Bladex	025	100101	s-Triazine	Activated Carbon

Propachlor	026	19101	Acetanilide	Activated Carbon
MCPA, S&E	027	(*)	2,4-D	Activated Carbon
Octthilnone	028	99901	Heterocyclic	Activated Carbon
Pindone	029	67703	Miscellaneous Organic	Activated Carbon
Dichlorprop, S&E	030	(*)	2,4-D	Activated Carbon
MCPP, S&E or Mecoprop	031	(*)	2,4-D	Activated Carbon
Thiabendazole	032	60101	Heterocyclic	Activated Carbon
Belclene 310	033	80815	s-Triazine	Activated Carbon
Chlorprop, S&E	034	21202	2,4-D	Activated Carbon
Busan 72 or TCMTB	035	35603	Heterocyclic	Hydrolysis
Chlorophacinone	037	67707	Miscellaneous Organic	Activated Carbon
Landrin-1	038		Carbamate	Activated Carbon
Pronamide	039	101701	Chlorobenzamide	Activated Carbon
Methiocarb or Mesurol	040	100501	Carbamate	Hydrolysis
Propanil	041	28201	Chloropropionanilid e	Activated Carbon
Polyphase <sup>6</sup>	042	107801	Carbamate	Activated Carbon
Coumafuryl or Fumarin	043	86001	Coumarin	Activated Carbon
DNOC	044		Phenol	Activated Carbon
Metribuzin	045	101101	Triazathione	Activated Carbon
CPA, S&E	046	(*)	2,4-D	Activated Carbon
MCPB, S&E	047	19202	2,4-D	Activated Carbon
Aminocarb	048		Carbamate	Hydrolysis
Etridiazole	049	84701	Heterocyclic	Activated Carbon
Ethoxyquin	050	55501	Quinolin	Activated Carbon
Acephate or Orthene	052	103301	Phosphoroamidothio ate	Activated Carbon
Acifluorfen	053	114402	Benzoic Acid	Activated Carbon
Alachlor	054	90501	Acetanilide	Activated Carbon
Aldicarb	055	98301	Carbamate	Hydrolysis
Allethrin	057	(*)	Pyrethrin	Activated Carbon
Ametryn	058	80801	s-Triazine	Activated Carbon
Amitraz	059	106201	Iminamide	Activated Carbon
Atrazine	060	80803	s-Triazine	Hydrolysis
Bendiocarb	061	105201	Carbamate	Hydrolysis
Benomyl	062	99101	Carbamate	Hydrolysis
BHC	063		Lindane	Hydrolysis
Benzyl Benzoate	064	9501	Ester	Activated Carbon
Lethane 60	065		Thiocyanate	Activated Carbon
Bifenox	066	104301	Nitrobenzoate	Activated Carbon
Biphenyl	067	17002	Aryl	Activated Carbon
Bromacil (Lithium Salt)	068	(*)	Uracil	Activated Carbon
Bromoxynil	069	(*)	Benzonitrile	Activated Carbon
Butachlor	070		Acetanilide	Activated Carbon
Giv-gard	071	101401	Miscellaneous Organic	Activated Carbon
Cacodylic Acid	072	(*)	Organoarsenic	Precipitation
Captafol	073		Phthalimide	Hydrolysis
Captan	074	81301	Phthalimide	Hydrolysis

Carbaryl	075	56801	Carbamate	Hydrolysis
Carbofuran	076	90601	Carbamate	Hydrolysis
Carbosulfan	077		Carbamate	Activated Carbon
Chloramben	078	(*)	Benzoic Acid	Activated Carbon
Chlordane	079	58201	Tricyclic	Activated Carbon
Chloroneb	080	27301	Aryl Halide	Chemical Oxidation
Chloropicrin	081	81501	Alkyl Halide	Chemical Oxidation
Chlorothalonil	082	81901	Chloropropionanilide	Activated Carbon
Chloroxuron	083		Urea	Activated Carbon
Stirofos	084	83701	Phosphate	Hydrolysis
Chlorpyrifos Methyl	085	59102	Phosphorothioate	Hydrolysis
Chlorpyrifos	086	59101	Phosphorothioate	Chemical Oxidation
Mancozeb	087	14504	Dithiocarbamate	Activated Carbon
Bioquin (Copper)	088	24002	Organocopper	Precipitation
Copper EDTA	089	39105	Organocopper	Precipitation
Pydrin or Fenvalerate	090	109301	Pyrethrin	Activated Carbon
Cycloheximide	091		Cyclic Ketone	Activated Carbon
Dalapon	092	(*)	Alkyl Halide	Activated Carbon
Dienochlor	093	27501	HCp	Activated Carbon
Demeton	094		Phosphorothioate	Hydrolysis
Desmedipham	095	104801	Carbamate	Hydrolysis
Amobam	096		Miscellaneous Organic	Activated Carbon
DBCP	097		EDB	Activated Carbon
Dicamba	098	(*)	Aryl Halide	Activated Carbon
Dichloro	099	29601	Quinone	Activated Carbon
Thiophanate Ethyl	100	103401	Carbamate	Hydrolysis
Perthane	101		DDT	Activated Carbon
EXD	102		Dithiocarbamate	Activated Carbon
Diazinon	103	57801	Phosphorothioate	Hydrolysis
Diffubenzuron	104	108201	Urea	Activated Carbon
Dimethoate	106	35001	Phosphorodithioate	Hydrolysis
Parathion Methyl	107	53501	Phosphorothioate	Hydrolysis
Dicrotophos	108	35201	Phosphate	Activated Carbon
Crotoxyphos	109	58801	Phosphate	Activated Carbon
DCEPA	110	78701	Aryl Halide	Activated Carbon
Trichlorofon	111	57901	Phosphonate	Activated Carbon
Dinoseb	112	37505	Phenol	Activated Carbon
Dioxathion	113	37801	Phosphorodithioate	Hydrolysis
Diphacinone	114	67701	Indandione	Activated Carbon
Diphenamide	115	36601	Acetamide	Activated Carbon
Diphenylamine	116	38501	Aryl Amine	Activated Carbon
MGK 326	117	47201	Ester	Activated Carbon
Nabonate	118	63301	Isocyanate	Chemical Oxidation
Diuron	119	35505	Urea	Activated Carbon
Metasol DGH	120	44303	NR4	Activated Carbon
Dodine	121	44301	NR4	Activated Carbon
Endosulfan	122	79401	Tricyclic	Activated Carbon
Endothall (Endothall S&E)	123	(*)	Bicyclic	Activated Carbon
Endrin	124	41601	Tricyclic	Activated Carbon

Ethalfuralin	125	113101	Toluidine	Activated Carbon
Ethion	126	58401	Phosphorodithioate	Hydrolysis
Ethoprop	127	41101	Phosphorodithioate	Activated Carbon
Fenamiphos	128	100601	Phosphoroamidate	Activated Carbon
Chlorobenzilate	129	28801	Aryl Halide	Activated Carbon
Butylate	130	41405	Thiocarbamate	Activated Carbon
Famphur	131		Phosphorothioate	Hydrolysis
Fenarimol	132	206600	Pyrimidine	Activated Carbon
Fenthion or Baytex	133	53301	Phosphorothioate	Hydrolysis
Ferbam	134	34801	Dithiocarbamate	Activated Carbon
Fluometuron	135	35503	Urea	Activated Carbon
Fluoroacetamide	136		Acetamide	Activated Carbon
Folpet	137	81601	Phthalimide	Hydrolysis
Glyphosate (Glyphosate S&E)	138	(*)	Phosphoroamidate	Chemical Oxidation
Glyphosine	139		Phosphoroamidate	Activated Carbon
Heptachlor	140	44801	Tricyclic	Activated Carbon
Cycloprate	141		Thiocarbamate	Activated Carbon
Hexazinone	142	107201	s-Triazine	Activated Carbon
Isofenphos	143	109401	Phosphoroamidothioate	Activated Carbon
Isopropalin	144	100201	Toluidine	Activated Carbon
Propham	145		Carbamate	Hydrolysis
Karabutilate	146	97401	Carbamate	Hydrolysis
Lindane	147	9001	Lindane	Activated Carbon
Linuron	148	35506	Urea	Chemical Oxidation
Malachite Green	149	39504	NR4	Activated Carbon
Malathion	150	57701	Phosphorodithioate	Hydrolysis
Maneb	151	14505	Dithiocarbamate	Activated Carbon
Manam	152		Dithiocarbamate	Activated Carbon
Mefluidide	153	114002	Carbamate	Activated Carbon
Methamidophos	154	101201	Phosphoroamidothioate	Activated Carbon
Methidathion	155	100301	Phosphorodithioate	Activated Carbon
Methomyl	156	90301	Carbamate	Hydrolysis
Methoprene	157	(*)	Ester	Activated Carbon
Methoxychlor	158	34001	DDT	Hydrolysis
Methyl Bromide	160	53201	Alkyl Halide	Activated Carbon
Monosodium Methyl Arsenate	161	(*)	Organoarsenic	Precipitation
Nalco D-2303	163	68102	Thiocyanate	Activated Carbon
Quinomethionate	164	54101	Miscellaneous Organic	Activated Carbon
Metolachlor	165	108801	Acetanilide	Activated Carbon
Mexacarbate	166		Carbamate	Hydrolysis
Metiram	167	14601	Dithiocarbamate	Activated Carbon
Monuron TCA	168	35502	Urea	Activated Carbon
Monuron	169	35501	Urea	Activated Carbon
Napropamide	170	103001	Carbamate	Activated Carbon
Deet	171	80301	Toluamide	Activated Carbon
Nabam	172	14503	Dithiocarbamate	Chemical Oxidation

Naled	173	34401	Phosphate	Hydrolysis
Norea	174		Urea	Activated Carbon
Norflurazon	175	105801	Heterocyclic	Activated Carbon
Naptalam or Neptalam	176	30703	Phthalamide	Activated Carbon
MGK 264	177	57001	Bicyclic	Activated Carbon
Benfluralin	178	84301	Toluidine	Activated Carbon
Sulfotepp	179	79501	Phosphorothioate	Activated Carbon
Aspon	180		Phosphorothioate	Activated Carbon
Coumaphos	181	36501	Phosphorothioate	Hydrolysis
Fensulfotion	182	32701	Phosphorothioate	Hydrolysis
Disulfoton	183	32501	Phosphorodithioate	Hydrolysis
Fenitrothion	184	105901	Phosphorothioate	Hydrolysis
Phosmet	185	59201	Phosphorodithioate	Hydrolysis
Azinphos Methyl (Guthion)	186	58001	Phosphorodithioate	Hydrolysis
Oxydemeton Methyl	187	58702	Phosphorothioate	Activated Carbon
Organo-Arsenic Pesticides	188		Organoarsenic	Precipitation
Organo-Cadmium Pesticides	189		Organocadmium	Precipitation
Organo-Copper Pesticides	190	(*)	Organocopper	Precipitation
Organo-Mercury Pesticides	191	(*)	Organomercury	Precipitation
Organo-Tin Pesticides	192	(*)	Organotin	Precipitation
o-Dichlorobenzene	193	59401	Aryl Halide	Activated Carbon
Oryzalin	194	104201	Sulfanilamide	Activated Carbon
Oxamyl	195	103801	Carbamate	Hydrolysis
Oxyfluorfen	196	111601	Miscellaneous	Activated Carbon
			Organic	
Bolstar	197	111501	Phosphorodithioate	Activated Carbon
Sulprofos Oxon	198		Phosphorothioate	Hydrolysis
Santox (EPN)	199	41801	Phosphorodithioate	Hydrolysis
Fonofos	200	41701	Phosphorodithioate	Hydrolysis
Propoxur	201	47802	Carbamate	Hydrolysis
p-Dichlorobenzene	202	61501	Aryl Halide	Activated Carbon
Parathion Ethyl	203	57501	Phosphorothioate	Hydrolysis
Pendimethalin	204	108501	Benzeneamine	Activated Carbon
PCNB	205	56502	Aryl Halide	Activated Carbon
PCP or Penta	206	(*)	Phenol	Activated Carbon
Perfluidone	207		Sulfonamide	Activated Carbon
Permethrin	208	109701	Pyrethrin	Activated Carbon
Phenmedipham	209	98701	Carbamate	Hydrolysis
Nemazine	210	64501	Heterocyclic	Activated Carbon
Phorate	212	57201	Phosphorodithioate	Hydrolysis
Phosalone	213	97701	Phosphorodithioate	Hydrolysis
Phosphamidon	214	18201	Phosphate	Hydrolysis
Picloram	215	(*)	Pyridine	Activated Carbon
Piperonyl Butoxide	216	67501	Ester	Activated Carbon
PBED or WSCP (Busan 77)	217	69183	NR4	Activated Carbon
Busan 85 or Arylane	218	34803	Dithiocarbamate	Chemical Oxidation
Busan 40	219	102901	Dithiocarbamate	Chemical Oxidation
KN Methyl	220	39002	Dithiocarbamate	Chemical Oxidation
Metasol J26	221	101301	Miscellaneous	Activated Carbon
			Organic	
Profenofos	222	111401	Phosphorothioate	Activated Carbon

Prometon or Caparol	223	80804	s-Triazine	Chemical Oxidation
Prometryn	224	80805	s-Triazine	Activated Carbon
Propargite	225	97601	Miscellaneous Organic	Activated Carbon
Propazine	226	80808	s-Triazine	Activated Carbon
Propionic Acid	227	77702	Alkyl Acid	Activated Carbon
Previcur N	228	119301	Carbamate	Hydrolysis
Pyrethrin Coils	229	69004	Pyrethrin	Activated Carbon
Pyrethrum I	230	69001	Pyrethrin	Hydrolysis
Pyrethrum II	231	69002	Pyrethrin	Hydrolysis
Pyrethrins	232	(*)	Pyrethrin	Hydrolysis
Resmethrin	233	(*)	Pyrethrin	Activated Carbon
Fenchlorphos or Ronnel	234	58301	Phosphorothioate	Hydrolysis
Mexide or Rotenone	235	71003	Miscellaneous Organic	Activated Carbon
DEF	236	74801	Phosphorotrithioate	Activated Carbon
Siduron or Tupersan	237	35509	Urea	Activated Carbon
Silvex	238	(*)	2,4-D	Activated Carbon
Simazine	239	80807	s-Triazine	Activated Carbon
Sodium Bentazon	240	103901	Heterocyclic	Chemical Oxidation
Carbam-S or Sodam	241	34804	Dithiocarbamate	Chemical Oxidation
Sodium Fluoroacetate	242	75003	Acetamide	Activated Carbon
Vapam or Metham Sodium	243	39003	Dithiocarbamate	Chemical Oxidation
Sulfoxide	244	57101	Miscellaneous Organic	Activated Carbon
Cycloate or Ro-Neet	245	41301	Thiocarbamate	Activated Carbon
EPrecipitationC or Eptam	246	41401	Thiocarbamate	Activated Carbon
Molinate	247	41402	Thiocarbamate	Activated Carbon
Pebulate or Tillman	248	41403	Thiocarbamate	Activated Carbon
Vernolate or Vernam	249	41404	Thiocarbamate	Activated Carbon
HPrecipitationMS	250	35604	Thiosulphonate	Activated Carbon
Bensulide or Betesan	251	9801	Phosphorodithioate	Activated Carbon
Tebuthiuron	252	105501	Urea	Activated Carbon
Temephos	253	59001	Phosphorothioate	Hydrolysis
Terbacil	254	12701	Uracil	Activated Carbon
Terbufos or Counter	255	105001	Phosphorodithioate	Activated Carbon
Terbutylazine	256	80814	s-Triazine	Activated Carbon
Terbutryn	257	80813	s-Triazine	Activated Carbon
Tetrachlorophenol	258	63004	Phenol	Activated Carbon
Dazomet	259	35602	Heterocyclic	Chemical Oxidation
Thiophanate Methyl	260	102001	Carbamate	Hydrolysis
Thiram	261	79801	Dithiocarbamate	Activated Carbon
Toxaphene	262	80501	Bicyclic	Activated Carbon
Merphos	263	74901	Phosphorotrithioate	Hydrolysis
Trifluralin or Treflan	264	36101	Toluidine	Activated Carbon
Warfarin	265	(*)	Coumarin	Activated Carbon
Zinc MBT	266	51705	Organozinc	Precipitation
Zineb	267	14506	Dithiocarbamate	Activated Carbon
Ziram	268	34805	Dithiocarbamate	Activated Carbon
Triallate	269	78802	Thiocarbamate	Activated Carbon
Phenothrin	270	69005	Pyrethrin	Activated Carbon

Tetramethrin	271	69003	Pyrethrin	Activated Carbon
Chloropropham	272	18301	Carbamate	Hydrolysis

**Part B**  
**Appropriate Treatment Technologies for Compounds without Pesticide Active Ingredient (PAI) Codes**

PAI Name <sup>2</sup>	Shaughnessy Code <sup>4</sup>	Structural Group <sup>5</sup>	Treatment Technology
CFC 11	13	Alkyl Halide	Activated Carbon
CFC 12	14	Alkyl Halide	Activated Carbon
Polyethylene	152	Polymer	Activated Carbon
Acrolein	701	Alcohol	Activated Carbon
Dimethyl-m-dioxan-4-ol acetate	1001	Heterocyclic	Activated Carbon
Dodecyl alcohol	1509	Alcohol	Activated Carbon
Tetradecyl alcohol	1510	Alcohol	Activated Carbon
Rosin amine D acetate	4201	Alkyl Acid	Activated Carbon
Dihydroabietylamine acetate	4213	Alkyl Acid	Activated Carbon
Amitrole	4401	Heterocyclic	Activated Carbon
Allyl isothiocyanate	4901	Thiocyanate	Activated Carbon
AMS	5501	Inorganic	Pollution Prevention
Calcium sulfate	5602	Inorganic	Pollution Prevention
Tartar emetic	6201	Inorganic	Pollution Prevention
Diphenylstibene 2-ethylhexanoate	6202	Aryl	Activated Carbon
Streptomycin	6306	Heterocyclic	Activated Carbon
Oxytetracycline hydrochloride	6308	Phthalamide	Activated Carbon
Streptomycin sesquisulfate	6310	Heterocyclic	Activated Carbon
Neomycin sulfate	6313	Benzeneamine	Activated Carbon
Antimycin A	6314	Heterocyclic	Activated Carbon
Calcium oxytetracycline	6321	Phthalamide	Activated Carbon
Espesol 3A	6601	Phosphorothioate	Activated Carbon
Arsenic acid	6801	Metallic	Precipitation
Arsenic acid anhydride	6802	Metallic	Precipitation
Arsenous acid anhydride	7001	Metallic	Precipitation
Copper oxychloride	8001	Metallic	Precipitation
Basic cupric sulfate	8101	Metallic	Precipitation
Basic copper III-zinc sulfate complex (Declare copper and.	8102	Metallic	Precipitation
Bromophos	8706	Phosphorothioate	Activated Carbon
Benzyl bromoacetate	8710	Benzoic acid	Activated Carbon
Benzoic acid	9101	Benzoic acid	Activated Carbon
Benzyl diethyl ((2,6-xylyl)carbamoyl)methyl ammonium benzoate	9106	NR4	Activated Carbon
Benzyl alcohol	9502	Aryl	Activated Carbon
3-Chloro-p-toluidine hydrochloride	9901	Chloropropionanilide	Activated Carbon
Butoxyethoxy)ethyl thiocyanate	10002	Thiocyanate	Activated Carbon
2-Naphthol	10301	Phenol	Activated Carbon
Boric acid	11001	Inorganic	Pollution Prevention

Cuprous and cupric oxide, mixed	42403	Metallic	Precipitation
Propylene oxide	42501	Miscellaneous Organic	Pollution Prevention
Formaldehyde	43001	Miscellaneous Organic	Pollution Prevention
Paraformaldehyde	43002	Polymer	Activated Carbon
Bis(2-butylene) tetrahydro-2-furaldehyde	43302	Tricyclic	Activated Carbon
Giberellic acid	43801	Tricyclic	Carbon Activated
Potassium gibberellate	43802	Tricyclic	Activated Carbon
Glutaral	43901	Alcohol	Activated Carbon
Copper citrate	44005	Metallic	Precipitation
Methyl nonyl ketone	44102	Miscellaneous Organic	Activated Carbon
Methyl-2-pentanone	44105	Miscellaneous Organic	Activated Carbon
Monosodium 2,2'-methylenebis(3,4,6-trichlorophenate)	44902	Chlorophene	Activated Carbon
Potassium 2,2'-methylenebis(3,4,6-trichlorophenate)	44904	Chlorophene	Activated Carbon
Hexachloroepoxyoctahydro-endo, exo-dimethanoaphthalene 85%	45001	Tricyclic	Activated Carbon
Chlorhexidine diacetate	45502	Chloropropionanilide	Activated Carbon
Hydrocyanic acid	45801	Inorganic	Activated Carbon
Hydroxyethyl octyl sulfide	46301	Alcohol	Activated Carbon
Heptadecenyl-2-(2-hydroxyethyl)-2-i midazolium chloride	46608	NR4	Activated Carbon
Hydroxyethyl)-2-alkyl-2-imidazoline (as in fatty acids of t.	46609	NR4	Activated Carbon
IBA	46701	Bicyclic	Activated Carbon
Dihydropyrone	46801	Cyclic ketone	Activated Carbon
Butoxypolypropoxypolyethoxyethanol-iodine complex	46901	Polymer	Activated Carbon
Polyethoxypolypropoxyethanol-iodine complex	46904	Polymer	Activated Carbon
Use code no. 046904 (polyethoxypolypropoxy ethanol-iodine complex).	46909	Polymer	Activated Carbon
Iodine-potassium iodide complex	46917	Inorganic	Pollution Prevention
Alkyl-omega hydroxypoly(oxyethylen e)-iodine complex *(100%.	46921	Polymer	Activated Carbon
Lead acetate	48001	Metallic	Precipitation
Nickel sulfate hexahydrate	50505	Metallic	Precipitation
Maleic hydrazide, diethanolamine salt	51502	Hydrazide	Activated Carbon
Maleic hydrazide, potassium salt	51503	Hydrazide	Activated Carbon

Sodium 2-mercaptobenzothiolate	51704	Heterocyclic	Activated Carbon
Mercuric chloride	52001	Metallic	Precipitation
Mercurous chloride	52201	Metallic	Precipitation
Metaldehyde	53001	Miscellaneous Organic	Activated Carbon
Methylated naphthalenes	54002	Aryl	Activated Carbon
Sodium 2,2'-methylenebis (4-chlorophenate)	55005	Chlorophene	Activated Carbon
Naphthalene	55801	Aryl	Activated Carbon
NAD	56001	Benzoic Acid	Activated Carbon
NAA (1-Naphthaleneacetic Acid)	56002	Benzoic Acid	Activated Carbon
Potassium 1-naphthaleneacetate	56003	Benzoic Acid	Activated Carbon
Ammonium 1-naphthaleneacetate	56004	Benzoic Acid	Activated Carbon
Sodium 1-naphthaleneacetate	56007	Benzoic Acid	Activated Carbon
Ethyl 1-naphthaleneacetate	56008	Benzoic Acid	Activated Carbon
Nitrophenol	56301	Phenol	Activated Carbon
Nicotine	56702	Pyridine	Activated Carbon
Carbophenothion (ANSI).	58102	Phosphorodithioate	Activated Carbon
Sodium 5-chloro-2-(4-chloro-2-(3-(3,4-dichlorophenyl)ureido).	58802	Aryl Halide	Activated Carbon
Monocrotophos	58901	Phosphate	Activated Carbon
Chlordimeform	59701	Chloropropionanilide	Activated Carbon
Chlordimeform hydrochloride	59702	Chloropropionanilide	Activated Carbon
Thiabendazole hypophosphite	60102	Hydrazide	Activated Carbon
Hexachlorobenzene	61001	Lindane	Activated Carbon
Butyl paraben	61205	Phenol	Activated Carbon
Paraquat dichloride	61601	Pyridine	Activated Carbon
Chloro-4-phenylphenol	62206	Chlorophene	Activated Carbon
Chloro-2-phenylphenol	62208	Chlorophene	Activated Carbon
Chloro-2-biphenylol, potassium salt	62209	Chlorophene	Activated Carbon
Chloro-2-phenylphenol	62210	Chlorophene	Activated Carbon
Chloro-2-phenylphenol, potassium salt	62211	Chlorophene	Activated Carbon
Sodium phenate	64002	Phenol	Activated Carbon
Butylphenol, sodium salt	64115	Phenol	Activated Carbon
Ammonium 2-phenylphenate	64116	Phenol	Activated Carbon
Chloro-2-cyclopentylphenol	64202	Chlorophene	Activated Carbon
Bithionolate sodium	64203	Chlorophene	Activated Carbon
Chloro-3-cresol	64206	Chlorophene	Activated Carbon
Sodium 2,4,5-trichlorophenate	64217	Chlorophene	Activated Carbon
Aluminum phosphide	66501	Inorganic	Pollution Prevention
Phosphorus	66502	Inorganic	Pollution Prevention
Magnesium phosphide	66504	Inorganic	Pollution Prevention
1-(Alkyl* amino)-3-aminopropane* (Fatty acids of coconut oil)	67301	Iminamide	Activated Carbon
Alkyl* amino)-3-	67305	Iminamide	Activated Carbon

aminopropane*(53%C12, 19%C14, 8.5%C16, 7%C8 Alkyl* amino)-3-aminopropane benzoate*(fatty acids of coconut	67307	Iminamide	Activated Carbon
Alkyl* dipropoxyamine *(47% C12, 18% C14, 10% C18, 9% C10, 8	67308	Iminamide	Activated Carbon
Alkyl* amino)-3-aminopropane hydroxyacetate* (acids of coconut	67309	Iminamide	Activated Carbon
Alkyl* amino)-3- aminopropane*(42%C12, 26%C18, 15%C14, 8%C16.	67310	Iminamide	Activated Carbon
Alkyl* amino)-3-aminopropane diacetate* (fatty acids of coconut	67313	Iminamide	Activated Carbon
Octadecenyl-1,3- propanediamine monogluconate	67316	Acetamide	Activated Carbon
Alkyl* amine acetate *(5%C8, 7%C10, 54%C12, 19%C14, 8%C16,	67329	Iminamide	Activated Carbon
Pindone sodium salt	67704	Indandione	Activated Carbon
Diphacinone, sodium salt	67705	Indandione	Activated Carbon
Isovaleryl-1,3-indandione, calcium salt.	67706	Indandione	Activated Carbon
Methyl isothiocyanate	68103	Thiocyanate	Pollution Prevention
Potassium dichromate	68302	Inorganic	Pollution Prevention
Sodium chromate	68303	Inorganic	Pollution Prevention
Sodium dichromate	68304	Metallic	Precipitation
Alkenyl* dimethyl ethyl ammonium bromide *(90%C18', 10%C16').	69102	NR4	Activated Carbon
Alkyl*-N-ethyl morpholinium ethyl sulfate *(92%C18, 8%C16).	69113	Heterocyclic	Activated Carbon
Alkyl* isoquinolinium bromide*(50% C12, 30% C14, 17% C16, 3).	69115	Quinolin	Activated Carbon
Alkyl* methyl isoquinolinium chloride *(55%C14, 12%C12, 17%C).	69116	Quinolin	Activated Carbon
Cetyl trimethyl ammonium bromide	69117	NR4	Activated Carbon
Cetyl pyridinium bromide	69118	Pyridine	Activated Carbon
Dodecyl dimethyl benzyl ammonium naphthenate	69127	NR4	Activated Carbon
Alkyl* dimethyl ethylbenzyl ammonium cyclohexylsulfamate *(5)	69135	NR4	Activated Carbon
Alkyl*-N-ethyl morpholinium	69147	Heterocyclic	Activated Carbon

ethyl sulfate *(66%C18, 25%C16).			
Alkyl* trimethyl ammonium bromide *(95%C14, 5%C16).	69153	NR4	Activated Carbon
Benzyl((dodecylcarbonyl)methyl)dimethyl ammonium chloride.	69159	NR4	Activated Carbon
Cetyl pyridinium chloride	69160	Pyridine	Activated Carbon
Alkyl* dimethyl ethyl ammonium bromide *(85%C16, 15%C18).	69186	NR4	Activated Carbon
Cetyl-N-ethylmorpholinium ethyl sulfate	69187	Heterocyclic	Activated Carbon
Use code no. 069102 (Alkenyl* Dimethyl Ethyl Ammonium bromide).	69198	NR4	Activated Carbon
p-Aminopyridine	69201	Pyridine	Activated Carbon
Nitrapyrin (ANSI)	69203	Pyridine	Activated Carbon
Alkyl pyridines	69205	Pyridine	Activated Carbon
Pyrazon (ANSI)	69601	Heterocyclic	Activated Carbon
Capsaicin (in oleoresin of capsicum)	70701	Phenol	Activated Carbon
Ryanodine	71502	Tricyclic	Activated Carbon
Silver	72501	Inorganic	Pollution Prevention
Silver chloride	72506	Inorganic	Pollution Prevention
Silver thiuronium acrylate copolymer	72701	Polymer	Activated Carbon
Sodium chlorate	73301	Inorganic	Pollution Prevention
Calcium cyanide	74001	Inorganic	Pollution Prevention
Sodium cyanide	74002	Inorganic	Pollution Prevention
Cryolite	75101	Inorganic	Pollution Prevention
Sodium fluoride	75202	Inorganic	Pollution Prevention
Ammonium fluosilicate	75301	Inorganic	Pollution Prevention
Sodium fluosilicate	75306	Inorganic	Pollution Prevention
Potassium iodide	75701	Inorganic	Pollution Prevention
Potassium tetrathionate	75903	Inorganic	Pollution Prevention
Potassium nitrate	76103	Inorganic	Pollution Prevention
Sodium nitrate	76104	Inorganic	Pollution Prevention
Sodium nitrite	76204	Inorganic	Pollution Prevention
Benzenesulfonamide, N-chloro-, sodium salt	76501	Sulfonamide	Activated Carbon
Salicylic acid	76202	Benzoic Acid	Activated Carbon
Ethoxyethyl p-methoxycinnamate	76604	Aryl	Activated Carbon
Calcium polysulfide	76702	Polymer	Activated Carbon
Strychnine	76901	Tricyclic	Activated Carbon
Strychnine sulfate	76902	Tricyclic	Activated Carbon
Niclosamide	77401	Chlorobenzamide	Activated Carbon
Dibromosalicylamide	77402	Chlorobenzamide	Activated Carbon
Tribromosalan	77404	Chlorobenzamide	Activated Carbon
Dibromosalicylanilide	77405	Chlorobenzamide	Activated Carbon

Chlorosalicylanilide	77406	Chlorobenzamide	Activated Carbon
Sulfur	77501	Inorganic	Pollution Prevention
Sulfaquinoxaline	77901	Sulfanilamide	Activated Carbon
Sulfacetamide	77904	Sulfanilamide	Activated Carbon
Sulfuryl fluoride	78003	Inorganic	Pollution Prevention
Sodium bisulfite	78201	Inorganic	Pollution Prevention
Tetrachloroethylene	78501	EDB	Activated Carbon
Ethoxylated isooctylphenol	79004	Phenol	Activated Carbon
Lauric diethanolamide	79018	Acetanilide	Activated Carbon
Triethanolamine oleate	79025	NR4	Activated Carbon
Dioctyl sodium sulfosuccinate	79027	Thiosulfonate	Activated Carbon
Use code no. 069179 (alkyl* mono-ethanolamide).	79036	Miscellaneous Organic	Activated Carbon
Alkyl* diethanolamide *(70%C12, 30%C14)	79045	Miscellaneous Organic	Activated Carbon
Tetradecyl formate	79069	Alkyl Acid	Activated Carbon
Polyoxyethylene sorbitol oleate- laurate	79075	Polymer	Activated Carbon
Polyethoxylated stearylamine	79094	Polymer	Activated Carbon
Capric diethanolamide	79099	Acetanilide	Activated Carbon
Calcium thiosulfate	80101	Inorganic	Pollution Prevention
Ammonium thiosulfate	80103	Inorganic	Pollution Prevention
Thymoxydichloroacetic acid	80401	Benzoic Acid	Activated Carbon
Thymol	80402	Phenol	Activated Carbon
Sodium trichloroacetate	81001	Alkyl Halide	Activated Carbon
Trichloroacetic acid	81002	Alkyl Halide	Activated Carbon
Hexahydro-1,3,5-tris(2- hydroxyethyl)-s-triazine	83301	s-Triazine	Activated Carbon
2-(Hydroxymethyl)-2-nitro-1,3- propanediol	83902	Alcohol	Activated Carbon
Bomyl	84201	Phosphate	Activated Carbon
Turpentine	84501	Miscellaneous Organic	Activated Carbon
Chloro-1-(2,5- dichlorophenyl)vinyl) O,O- diethyl phosphorothi.	84901	Phosphorothioate	Activated Carbon
Zinc chloride	87801	Metallic	Precipitation
Zinc 2-pyridinethiol-1-oxide	88002	Metallic	Precipitation
Hydroxy-2-(1H)-pyridinethione, sodium salt	88004	Pyridine	Activated Carbon
Omadine TBAO	88005	Pyridine	Activated Carbon
Zinc naphthenate	88301	Metallic	Precipitation.
Zinc oxide	88502	Metallic	Precipitation
Zinc phosphide (Zn3P2)	88601	Metallic	Precipitation
Zinc phenol sulfonate	89002	Metallic	Precipitation
Zinc sulfate, basic	89101	Metallic	Precipitation
Dimetilan	90101	Carbamate	Activated Carbon
Carboxin	90201	Heterocyclic	Activated Carbon
Oxycarboxin	90202	Heterocyclic	Activated Carbon
Benzocaine	97001	Benzeneamine	Activated Carbon
Piperalin	97003	2,4-D	Activated Carbon
Tetracaine hydrochloride	97005	Benzeneamine	Activated Carbon

Formetanate hydrochloride	97301	Toluamide	Activated Carbon
Azacosterol HCl	98101	Tricyclic	Activated Carbon
Use code no. 039502 (gentian violet).	98401	NR4	Activated Carbon
Ammonium alum	98501	Inorganic	Pollution Prevention
Bismuth subgallate	98601	Metallic	Precipitation
Chlorflurenol, methyl ester	98801	Aryl Halide	Activated Carbon
Benzisothiazolin-3-one	98901	Heterocyclic	Activated Carbon
Methyl 2-benzimidazolecarbamate phosphate	99102	Carbamate	Activated Carbon
Ethephon	99801	Phosphate	Activated Carbon
Pentanethiol	100701	Miscellaneous Organic	Activated Carbon
Nitrobutyl)morpholine	100801	Heterocyclic	Activated Carbon
Ethyl-2-nitrotrimethylene) dimorpholine	100802	Heterocyclic	Activated Carbon
Tolyl diiodomethyl sulfone	101002	Thiosulfonate	Activated Carbon
Isobutyric acid	101502	Alkyl Acid	Activated Carbon
Dibromo-3-nitropropionamide	101801	Acetamide	Activated Carbon
Polyethoxylated oleylamine	101901	Acetamide	Activated Carbon
Dinitramine (ANSI)	102301	Nitrobenzoate	Activated Carbon
Phenylethyl propionate	102601	Phenylcrotonate	Activated Carbon
Eugenol	102701	Phenol	Activated Carbon
Tricosene	103201	Miscellaneous Organic	Activated Carbon
Tricosene	103202	Miscellaneous Organic	Activated Carbon
Sodium 1,4',5'-trichloro-2'-(2,4,5- trichlorophenoxy) methanes.	104101	2,4-D	Activated Carbon
Hexahydro-1,3, 5-tris(2-hydroxypropyl)-s-triazine	105601	s-Triazine	Activated Carbon
Methazole	106001	Hydrazide	Activated Carbon
Difenzoquat methyl sulfate	106401	Hydrazide	Activated Carbon
Butralin	106501	Benzeneamine	Activated Carbon
Fosamine ammonium	106701	Carbamate	Activated Carbon
Asulam	106901	Carbamate	Activated Carbon
Sodium asulam	106902	Carbamate	Activated Carbon
Hydroxymethoxymethyl-1-aza-3, 7- dioxabicyclo(3.3.0)octane	107001	Bicyclic	Activated Carbon
Hydroxymethyl-1-aza-3, 7- dioxabicyclo(3.3.0)octane	107002	Bicyclic	Activated Carbon
Hydroxypoly (methyleneoxy)* methyl-1-aza-3,7- dioxabicyclo(3.3).	107003	Bicyclic	Activated Carbon
Chloro-2-methyl-3 (2H)-isothiazolone	107103	Heterocyclic	Activated Carbon
Methyl-3 (2H)-isothiazolone	107104	Heterocyclic	Activated Carbon
Trimethoxysilyl)propyl dimethyl octadecyl ammonium chloride	107401	NR4	Activated Carbon
Kinoprene	107502	Ester	Activated Carbon
Triforine (ANSI)	107901	Hydrazide	Activated Carbon
Pirimiphos-methyl (ANSI)	108102	Phosphorothioate	Activated Carbon

Thiobencarb	108401	Thiocarbamate	Activated Carbon
Ancymidol (ANSI)	108601	Pyrimidine	Activated Carbon
Oxadiazon (ANSI)	109001	Hydrazide	Activated Carbon
Mepiquat chloride	109101	NR4	Activated Carbon
Fluvalinate	109302	Toluamide	Activated Carbon
Chloro-N- (hydroxy- methyl)acetamide	109501	Acetamide	Activated Carbon
Dikegulac sodium	109601	Tricyclic	Activated Carbon
Iprodione (ANSI)	109801	Hydrazide	Activated Carbon
Phenylmethyl)-9-(tetrahydro- 2H- pyran-2-yl)-9H-purin-6- amine	110001	Pyrimidine	Activated Carbon
Prodiamine	110201	Benzeneamine	Activated Carbon
Erioglaucine	110301	Benzeneamine	Activated Carbon
Tartrazine	110302	Hydrazide	Activated Carbon
Dodemorph acetate	110401	Heterocyclic	Activated Carbon
Ethofumesate (ANSI)	110601	Bicyclic	Activated Carbon
Aldoxycarb (ANSI)	110801	Carbamate	Activated Carbon
Diclofop-methyl	110902	Aryl Halide	Activated Carbon
Bromo-1-(bromomethyl)-1,3- propanediCarbon.itrile	111001	Isocyanate	Activated Carbon
Poly (imino imidocarbonyli minoimidocarbony liminohexameth ylene).	111801	Polymer	Activated Carbon
Imazalil	111901	Aryl Halide	Activated Carbon
Bromadiolone	112001	Coumarin	Activated Carbon
Brodifacoum	112701	Coumarin	Activated Carbon
Bromethalin (ANSI)	112802	Aryl Amine	Activated Carbon
Fluridone (ANSI)	112900	Aryl Halide	Activated Carbon
Vinclozolin	113201	Aryl Halide	Activated Carbon
Metalaxyl	113501	Benzeneamine	Activated Carbon
Propetamphos (ANSI)	113601	Phosphoroamidothioate	Activated Carbon
Methyl-1-naphthyl)maleimide	113701	Phthalamide	Activated Carbon
Hexadecadien-1-yl acetate	114101	Ester	Activated Carbon
Hexadecadien-1-yl acetate	114102	Ester	Activated Carbon
Epoxy-2-methyloctadecane	114301	Heterocyclic	Activated Carbon
Thiodicarb (ANSI)	114501	Thiocarbamate	Activated Carbon
Dimethyloxazolidine (8CA & 9CA)	114801	Heterocyclic	Activated Carbon
Trimethyloxazolidine	114802	Heterocyclic	Activated Carbon
Hydroxyphenyl) oxoace- tohydroximic chloride	114901	Phenol	Activated Carbon
EEBC	115001	Carbamate	Activated Carbon
MDM Hydantoin	115501	Hydrazide	Activated Carbon
DMDM Hydantoin	115502	Hydrazide	Activated Carbon
Triclopyr (ANSI)	116001	Pyridine	Activated Carbon
Triethylamine triclopyr	116002	Pyridine	Activated Carbon
Butoxyethyl triclopyr	116004	Pyridine	Activated Carbon
Decenyl) dihydro-2(3H)- furanone	116501	Ester	Activated Carbon
Cytokinins	116801	Toluidine	Activated Carbon

Benzyladenine	116901	Pyrimidine	Activated Carbon
Clopyralid, monoethanolamine salt	117401	Pyridine	Activated Carbon
Clopyralid (ANSI)	117403	Pyridine	Activated Carbon
Flucythrinate (ANSI)	118301	Pyrethrin	Activated Carbon
Hydramethylnon (ANSI)	118401	Iminimide	Activated Carbon
Chlorsulfuron	118601	s-Triazine	Activated Carbon
Dimethipin	118901	Heterocyclic	Activated Carbon
Hexadecenal	120001	Miscellaneous Organic	Activated Carbon
Tetradecenal	120002	Miscellaneous Organic	Activated Carbon
Thidiazuron	120301	Urea	Activated Carbon
Metronidazole	120401	Hydrazide	Activated Carbon
Erythrosine B	120901	Tricyclic	Activated Carbon
Sethoxydim	121001	Cyclic Ketone	Activated Carbon
Clethodim	121011	Heterocyclic	Activated Carbon
Cyromazine	121301	s-Triazine	Activated Carbon
Tralomethrin	121501	Pyrethrin	Activated Carbon
Azadirachtin	121701	Tricyclic	Activated Carbon
Tridecen-1-yl acetate	121901	Ester	Activated Carbon
Tridecen-1-yl acetate	121902	Ester	Activated Carbon
Sulfometuron methyl	122001	Pyrimidine	Activated Carbon
Metsulfuron-methyl	122010	s-Triazine	Activated Carbon
Propiconazole	122101	Aryl Halide	Activated Carbon
Furanone, dihydro-5-pentyl	122301	Cyclic Ketone	Activated Carbon
Furanone, 5-heptyldihydro	122302	Cyclic Ketone	Activated Carbon
Abamectin (ANSI)	122804	Tricyclic	Activated Carbon
Fluazifop-butyl	122805	Pyridine	Activated Carbon
Fluazifop-R-butyl	122809	Pyridine	Activated Carbon
Flumetralin	123001	Nitrobenzoate	Activated Carbon
Fosetyl-Al	123301	Phosphate	Activated Carbon
Methanol, (((2-(dihydro-5-methyl-3(2H)-oxazolyl)-1-methyl)et.	123702	Heterocyclic	Activated Carbon
Fomesafen	123802	Nitrobenzoate	Activated Carbon
Tridiphane	123901	Aryl Halide	Activated Carbon
POE isooctadecanol	124601	Alcohol	Activated Carbon
Periplanone B	124801	Bicyclic	Activated Carbon
Fenoxycarb	125301	Carbamate	Activated Carbon
Clomazone	125401	Aryl Halide	Activated Carbon
Clofentezine	125501	Aryl Halide	Activated Carbon
Paclobutrazol	125601	Hydrazide	Activated Carbon
Flurprimidol	125701	Pyrimidine	Activated Carbon
Isoxaben	125851	Heterocyclic	Activated Carbon
Isazofos	126901	Phosphorothioate	Activated Carbon
Triadimenol	127201	Hydrazide	Activated Carbon
Fenpropathrin	127901	Pyrethrin	Activated Carbon
Sulfosate	128501	Phosphorothioate	Activated Carbon
Fenoxaprop-ethyl	128701	Heterocyclic	Activated Carbon
Quizalofop-ethyl	128711	Phthalimide	Activated Carbon
Bensulfuron-methyl	128820	Pyrimidine	Activated Carbon
Imazapyr	128821	Hydrazide	Activated Carbon

Bifenthrin	128825	Pyrethrin	Activated Carbon
Imazapyr, isopropylamine salt	128829	Hydrazide	Activated Carbon
Sodium salt of 1-carboxymethyl-3,5,7-triaza-1-azoniatricyclo	128832	s-Triazine	Activated Carbon
Linalool	128838	Alcohol	Activated Carbon
Imazaquin, monoammonium salt	128840	Pyrimidine	Activated Carbon
Imazethabenz	128842	Pyrimidine	Activated Carbon
Thifensulfuron methyl	128845	s-Triazine	Activated Carbon
Imazaquin	128848	Pyrimidine	Activated Carbon
Myclobutanil (ANSI)	128857	s-Triazine	Activated Carbon
Zinc borate (3ZnO, 2B <sub>2</sub> O <sub>3</sub> , 3.5H <sub>2</sub> O; mw 434.66).	128859	Metallic	Precipitation.
Cyhalothrin	128867	Pyrethrin	Activated Carbon
Potassium cresylate	128870	Phenol	Activated Carbon
Triflumizole	128879	Toluidine	Activated Carbon
Tribenuron methyl	128887	s-Triazine	Activated Carbon
Cyhalothrin	128897	Pyrethrin	Activated Carbon
Chlorimuron-ethyl	128901	Pyrimidine	Activated Carbon
Dodecen-1-yl acetate	128906	Ester	Activated Carbon
Dodecen-1-yl acetate	128907	Ester	Activated Carbon
DDOL	128908	Alcohol	Activated Carbon
Farnesol	128910	Alcohol	Activated Carbon
Nerolidol	128911	Alcohol	Activated Carbon
Tefluthrin	128912	Pyrethrin	Activated Carbon
Bromoxynil heptanoate	128920	Chloropropionanilide	Activated Carbon
Imazethapyr	128922	Pyrimidine	Activated Carbon
Imazethapyr, ammonium salt	128923	Pyrimidine	Activated Carbon
Chitosan	128930	Polymer	Activated Carbon
Sulfuric acid, monourea adduct	128961	Urea	Activated Carbon
Hydroprene	128966	Miscellaneous Organic	Activated Carbon
Triasulfuron	128969	Urea	Activated Carbon
Primisulfuron-methyl	128973	Urea	Activated Carbon
Uniconazole (ANSI)	128976	s-Triazine	Activated Carbon
Tetradecenyl acetate	128980	Miscellaneous Organic	Activated Carbon
Chitin	128991	Polymer	Activated Carbon
Sulfluramid	128992	Sulfonamide	Activated Carbon
Dithiopyr (ANSI)	128994	Pyridine	Activated Carbon
Nicosulfuron	129008	Pyrimidine	Activated Carbon
Zinc	129015	Metallic	Precipitation
Tetradecen-1-ol, acetate, (E)-.	129019	Alkyl Acid	Activated Carbon
Imazaquin, sodium salt	129023	Pyrimidine	Activated Carbon
Dodecadien-1-ol	129028	Alcohol	Activated Carbon
Ionone	129030	Miscellaneous Organic	Activated Carbon
Dicamba, aluminum salt	129042	Aryl Halide	Activated Carbon
Benzenemethanaminium, N-(2-((2,6-dimethylphenyl)amino)-2-oxo.	129045	NR4	Activated Carbon
Fenoxaprop-p-Ethyl	129092	Tricyclic	Activated Carbon
Alkyl* bis(2-hydroxyethyl)	169103	NR4	Activated Carbon

ammonium acetate *(as in fatty ac.			
Alkenyl* dimethyl ammonium acetate *(75% C18', 25% C16')	169104	NR4	Activated Carbon
Amines, N-coco-alkyltrimethylenedi-, adipates	169109	Iminamide	Activated Carbon
Dialkyl* dimethyl ammonium bentonite *(as in fatty acids of.	169111	NR4	Activated Carbon
Alkyl* bis(2-hydroxyethyl) amine acetate *(65% C18, 30% C16,	169125	Acetamide	Activated Carbon
Dodecyl bis(hydroxy ethyl) dioctyl ammonium phosphate	169154	NR4	Activated Carbon
Dodecyl bis(2-hydroxyethyl) octyl hydrogen ammonium phosphat	169155	NR4	Activated Carbon
Didecyl - N - methyl - 3 - (trimethoxysilyl) propanaminium chloride	169160	NR4	Activated Carbon
Cholecalciferol	202901	Bicyclic	Activated Carbon
Use code no. 202901 (Vitamin D3)	208700	Bicyclic	Activated Carbon
Alkyl* N,N-bis(2-hydroxyethyl)amine *(100% C8- C18)	210900	NR4	Activated Carbon
Bromo-2-nitropropane-1,3-diol	216400	Alcohol	Activated Carbon
Use code no. 114601 (cyclohexyl-4, 5-dichloro- 4-isothiazolin- 3-one)	229300	Heterocyclic	Activated Carbon
Diethyl ethyl	279500	Toluidine	Activated Carbon
Hydroprene (ANSI)	486300	Miscellaneous Organic	Activated Carbon
Zinc sulfate monohydrate	527200	Metallic	Precipitation
Geraniol	597501	Alcohol	Activated Carbon

#### Notes

1. The 272 Pesticide Active Ingredients (PAIs) are listed first in Part A of the table by PAI code, followed by the non-272 PAIs from the 1988 FIFRA and TSCA Enforcement System (FATES) Database, which are listed in part B of the table in Shaughnessy code order. PAIs that were exempted or reserved from the USEPA's pesticide formulating, packaging and repackaging industry (PFPR) effluent guidelines are not listed in the table.
2. The non-272 PAI names are taken directly from the 1988 FATES database. Several of the PAI names are truncated because the PAI names listed in the FATES database are limited to 60 characters.
3. The non-272 PAIs do not have PAI codes.
4. All Shaughnessy codes are taken from the 1988 FATES database. Some of the 272 PAIs are not listed in the 1988 FATES database; therefore, no Shaughnessy codes are listed for these PAIs.

5. Structural groups are based on an analysis of the chemical structures of each PAI.

6. EPA has also received data indicating that acid hydrolysis may also be effective in treating this PAI.

\* This PAI code represents a category or group of PAIs; therefore, it has multiple Shaughnessy code [61 FR 57554, Nov. 6, 1996]

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on January 24, 2001.

The rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin \_\_\_\_\_

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

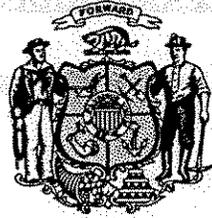
By \_\_\_\_\_  
George E. Meyer, Secretary

(SEAL)

**RULES CLEARINGHOUSE**

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**CLEARINGHOUSE REPORT TO AGENCY**

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[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 98-198**

AN ORDER to amend NR 233.03 (3) and 233.04 (3); to repeal and recreate NR 233.30 and 233.31; and to create NR 233.03 (1e), (1o), (2e), (2o), (2p), (2q), (2u), (3e), (6e), (6o), (7e), (7o), (7s) and (7u), 233.04 (3e), subchapter IV (title) of chapter NR 233, NR 233.305, 233.32 to 233.36 and subchapter VI of chapter NR 233, relating to the regulation of effluent limitations and pretreatment standards for the pesticide chemicals industry.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

12-10-98 RECEIVED BY LEGISLATIVE COUNCIL.

01-13-99 REPORT SENT TO AGENCY.

RNS:DLL:kjf;jt

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached

YES

NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached

YES

NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached

YES

NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached

YES

NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached

YES

NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached

YES

NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached

YES

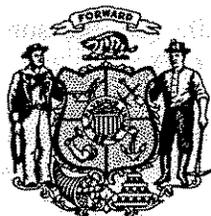
NO

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## CLEARINGHOUSE RULE 98-198

### Comments

**[NOTE:** All citations to "Manual" in the comments below are to the **Administrative Rules Procedures Manual**, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

### 2. Form, Style and Placement in Administrative Code

- a. The rule lacks an introductory clause in the format set forth in s. 1.02 (1), Manual. The clause should show how the various rule provisions are affected by the proposed rule.
- b. In s. NR 233.03 (1e), the material following "Table 10" should be omitted.
- c. In s. NR 233.03 (1o), the definition of "equivalent system" is primarily substantive material which should be placed in the text of the rule, rather than in a definition. [See s. 1.01 (7), Manual.]
- d. To distinguish between sections of the administrative code and SECTIONS of a rule-making order, when referring to a SECTION of a rule-making order, the word "SECTION" is written in capital letters. [See s. 1.04 (1), Manual.]
- e. In s. NR 233.03 (2o) (intro.), the word "pesticide" should be omitted, since the term "active-ingredient" is defined. The entire rule should be reviewed for the consistent use of this defined term.
- f. Many of the definitions created in this rule contain substance, which should be placed in the text of the rule, rather than in definitions. [See s. 1.01 (7), Manual.] In many cases, the substance appears to be getting at matters of applicability. In these cases, the definitions should be limited simply to stating what the term means and the information regarding applicability

should be placed in appropriate applicability provisions. See, for example, ss. NR 233.03 (6e) and (7u), 233.305 (6) and 233.51.

g. Since there is no s. NR 233.03 (8), the subsections created by SECTIONS 13 to 17 should be numbered s. NR 233.03 (8) to (11).

h. Since s. NR 233.03 (3) creates separate definitions applicable to different subchapters, separate definitions should be created in those individual subchapters.

i. The term "agricultural pesticide," used in s. NR 233.30 (2) is undefined. What pesticides are agricultural pesticides?

j. In s. NR 233.30 (4) (intro.), "any of the following" should be inserted before the colon. [See s. 1.03 (8), Manual.] The entire rule should be reviewed for instances of this error.

k. The phrase "as defined in s. \_\_\_\_\_" should never be used when the applicability of the defined term is set forth in a definitions section. See, for example, s. NR 233.30 (4) (d) and 233.31 (2).

l. Although it is drafted as definitions, virtually all of s. NR 233.305 is substantive requirements. These provisions should either be redrafted as free-standing requirements or incorporated into the following sections. This should not cause undue repetition of text, since as subsequent comments suggest, the following sections should be collapsed into a single section themselves.

m. If the department chooses to retain s. NR 233.305 in the form of definitions, the following corrections should be made to the format:

(1) The title should simply be "**Definitions**" and an introductory phrase "In this subchapter:" should be added.

(2) Section NR 233.305 (3) (c) should be rewritten to follow grammatically from s. NR 233.305 (3) (intro.). This problem stems from the underlying problem that these are substantive requirements, rather than definitions.

(3) The word "of" should be replaced by the word "or" in the phrase "quantity of concentrations" in s. NR 233.305 (4) (b).

(4) The definition of "process wastewater" should be preceded by the phrase "notwithstanding s. NR 205.03 (30)." However, as noted earlier, the substance of this provision should be dealt with in an applicability provision.

n. Sections NR 233.31 to 233.36 need considerable rewriting:

(1) Since these provisions are virtually identical, much repetition of language could be avoided by collapsing them into a single section.

(2) The drafting is wordy and confusing. It never comes out and states in so many words that, for example, the effluent limitation representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (the BPT effluent limitation) is zero discharge. Section NR 233.31 (intro.) and (1) (a) could be collapsed into a single sentence stating: "Any existing point source subject to this subchapter may not discharge process wastewater pollutants to navigable waters." Or ". . . is subject to an effluent limitation of zero discharge of process wastewater pollutants to navigable waters." If the department feels that it is necessary to repeat the federal language describing the BPT limits, it should at least ensure that the rule makes a clear statement that the BPT limit is zero discharge. These comments apply to the following sections, as well.

(3) Section NR 233.31 (1) (b), and the parallel provisions in the subsequent sections, should be rewritten as a requirement, rather than as a definition. It could read, for example: "A permitting authority shall not provide additional discharge allowances in pesticide formulating, packaging and repackaging wastewater discharge limits for active ingredients that are also manufactured at the facility." Also, is the phrase "which are also subject to ss. NR 233.12 or 233.22" a qualification of the applicability of that provision or a comment? If it is a qualification, the word "which" should be replaced by the word "that"; if it is a comment, it should be placed in a note.

(4) Can the cross-reference to 40 CFR 125.30 to 125.32 be replaced by references to Wisconsin rules? This exception is particularly troubling since it appears to depend upon determinations made by the U.S. Environmental Protection Agency. Are similar determinations made by the department, or could they be made by the department? The effect of this exception is not entirely clear.

(5) It appears that s. NR 233.31 (2), and the parallel provisions of the following sections, is where the material contained in s. NR 233.305 should be incorporated. In the introduction of this subsection, the cross-reference appears to be incorrect.

(6) What is a "modification by best professional judgment" referred to in s. NR 233.31 (2) (a) and parallel subsequent provisions? How does one obtain such a modification? This should be spelled out in the rule or identified by a cross-reference to a rule provision that spells it out.

(7) What is a WPDES permit writer, referred to in s. NR 233.31 (2) (b) and subsequent parallel provisions, and how does it differ from the defined term of "permitting authority"?

(8) Section NR 233.33 (intro.) is improperly drafted as introductory material. [See s. 1.03 (8), Manual.] It should end in a colon and lead into the

subsections that follow. In the alternative, it could be numbered sub. (1) and the other subsections could be numbered subs. (2) and (3).

(9) In s. NR 233.33 (2) (b), "shall" should replace "will."

o. Sections NR 233.52 to 233.57 suffer from some of the same defects as those in ss. NR 233.31 to 233.36.

p. There are no treatment clauses for the sections creating Tables 8 to 10. Also, is the table starting on p. 31 of the order a continuation of Table 10? If so, this should be made clearer.

q. The rule does not have an effective date clause. [See s. 1.02 (4), Manual.]

#### 4. Adequacy of References to Related Statutes, Rules and Forms

a. In s. NR 233.36 (1), "sub. (2)" should replace "sub. 2".

b. In s. NR 233.36 (2) (c), "(3)" should replace "(2)".

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. NR 233.03 (2e), the definition of "formulation of pesticide products" might be clearer if the phrase "without an intended chemical reaction" were set off by commas.

b. The choice of terms that are defined are sometimes counterintuitive or otherwise inappropriate. For example, the definition of "interior wastewater sources" in s. NR 233.03 (2r) refers to specific types of water, not sources of water; the defined term should be "interior wastewater." The definition of the term "microorganisms" in sub. (2u) refers only to microorganisms that have been registered as pesticides; the defined term should be "microbial pesticide." The definition of the term "PFPR/manufacturer" in sub. (6e) refers to specific facilities, not manufacturers; the defined term should be "PFPR manufacturing facility."

c. The references to eucaryotes and procaryotes in s. NR 233.03 (2u) appear unnecessary and potentially incorrect under modern biological theory. That definition could end with the phrase "... protozoa, algae, fungi, bacteria and viruses."

d. Section NR 233.03 (6o) should be rewritten as follows: "'Pool chemical' means a pesticide that is intended to disinfect or sanitize swimming pools, hot tubs, spas or other similar areas in a household or institutional environment or to reduce or mitigate the growth or development of microbial organisms, such as bacteria, algae, fungi or viruses." Also, should this list of examples include protozoa, as in the definition of "microorganisms"?

e. Something appears to be wrong with the second sentence in s. NR 233.03 (7s), since it refers to surfaces with labeled directions for use. Also, the last sentence of that subsection includes the phrase "exempted by s. NR 233.03 (6o), although the cross-referenced definition does not exempt or exclude anything. The notation "(7) (s)" should be replaced by the notation

“(7s)” unless the earlier recommendation regarding the numbering of this definition is adopted. Also, why is “otherwise” in this sentence?

f. Section NR 233.30 (3) (f) should be rewritten as follows: “On-site laboratories from cleaning analytical equipment and glassware and from rinsing the retain sample container, except that this subchapter applies to the initial rinse of the retain sample container. These changes correct punctuation, avoid a double negative and spell out the word “subchapter.”

g. The last sentence of s. NR 233.30 (6) is confusing. First, what does “subordinate disinfectant claims” mean? Does this refer to any product which is claimed to have subordinate disinfectant qualities? Second, what does “includes” mean? Does it mean that sterilants and the other category of products are included in the applicability of this subchapter or included in the exclusion from that subchapter created by sub. (6)?

h. There is a stray occurrence of the word “discharge” in s. NR 233.32 (1) (b), which should be deleted.

LRB or Bill No./Adm. Rule No.  
NR 233

Amendment No. if Applicable

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

**SCAL ESTIMATE**

JOA-2048 N(R10/94)

**Subject**

Regulation of the Pesticide Chemicals Industry

**Fiscal Effect**

**State:**  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget  Yes  No

Decrease Costs

**Local:**  No local government costs

1.  Increase Costs  
     Permissive     Mandatory  
2.  Decrease Costs  
     Permissive     Mandatory

3.  Increase Revenues  
     Permissive     Mandatory  
4.  Decrease Revenues  
     Permissive     Mandatory

5. Types of Local Governmental Units Affected:  
 Towns       Villages       Cities  
 Counties     Others \_\_\_\_\_  
 School Districts       WTCS Districts

**Fund Sources Affected**

- GPR    FED    PRO    PRS    SEG    SEG-S

**Affected Ch. 20 Appropriations**

**Assumptions Used in Arriving at Fiscal Estimate**

**SUMMARY OF RULE** - The purpose of amending ch. NR 233 is to update the present code to ensure consistency with changes made to the federal regulations found at 40 CFR 455. The new code is equivalent to the federal regulations. The department does not have the authority to be more or less stringent than the federal regulations. The purpose of these amendments is to specify effluent limitations for BPT, BCT, BAT, and NSPS for the direct discharge of pollutants to waters of the state and to establish pretreatment standards for the introduction of pollutants to publicly owned treatment works (POTWs). The effect of amending ch. NR 233, Wis. Adm. Code will be to establish state standards and limitations for industrial wastewater discharges from the formulating, packaging and repackaging sectors of the pesticide chemical industry. For facilities that formulate, package, or repackaging pesticides, this proposed rule establishes effluent limitations and pretreatment standards which allow each facility to choose to meet a zero discharge limitation or comply with a pollution prevention alternative that authorizes discharge of pesticide active ingredients and priority pollutants after various pollution prevention practices are followed and treatment is conducted as needed. This proposed rule also establishes a zero discharge limitation and pretreatment standard for agricultural pesticide refilling establishments.

**FISCAL IMPACT** - These rule changes will have no fiscal effect on state or local government. Existing staff will implement and administer these changes in their normal course of duties.

**Long-Range Fiscal Implications**

None.

Agency/Prepared by: (Name & Phone No.)

Joe Polasek, 266-2794

Authorized Signature/Telephone No.

*Joe Polasek*

266-2794

Date

11-4-98