

## Chapter DHS 158

### FEE FOR MONITORING RADIATION EMISSIONS IN THE VICINITY OF NUCLEAR POWER PLANTS

DHS 158.01 Authority and purpose.  
DHS 158.02 Applicability.

DHS 158.03 Definitions.  
DHS 158.04 Fee.

**Note:** Chapter HSS 158 was renumbered chapter HFS 158 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., [Register, September, 1999, No. 525](#). Chapter HFS 158 was renumbered chapter DHS 158 under s. 13.92 (4) (b) 1., Stats., and corrections made under s. 13.92 (4) (b) 7., Stats., [Register January 2009 No. 637](#).

**DHS 158.01 Authority and purpose.** This chapter is promulgated under the authority of s. 254.41, Stats., to increase the fee set under s. 254.41, Stats., which the department charges the owners of nuclear power plants that are operating in the state to pay for the costs that the department and local public health agencies incur in taking and having analyzed environmental samples under the radiation monitoring program established under s. 254.41, Stats.

**History:** Cr. [Register, July, 1991, No. 427](#), eff. 8-1-91; corrections made under s. 13.93 (2m) (b) 7., Stats., [Register, August, 1995, No. 476](#).

**DHS 158.02 Applicability.** This chapter applies to the owners of nuclear power plants that operate in Wisconsin.

**History:** Cr. [Register, July, 1991, No. 427](#), eff. 8-1-91.

**DHS 158.03 Definitions.** In this chapter:

(1) “Department” means the Wisconsin department of health services.

(2) “Radiation monitoring” means the determination of the amount of radioactive materials present in the environment by laboratory analysis of samples of fish, food, milk, air, water, vegetation and soil taken from the area around a nuclear power plant.

(3) “State fiscal year” means the 12-month period beginning July 1.

**History:** Cr. [Register, July, 1991, No. 427](#), eff. 8-1-91; correction in (1) made under s. 13.92 (4) (b) 6., Stats., [Register January 2009 No. 637](#).

**DHS 158.04 Fee.** Beginning with the state fiscal year 2004-05, the annual fee charged to the owner of a nuclear power plant that is operating in the state shall be \$95,000, payable within 30 days after receipt of a statement. The fee may be increased each year at the annual rate of inflation as determined by movement in the consumer price index for all urban consumers (CPI-U), published each month in the *CPI Detailed Report* by the U.S. department of labor’s bureau of labor statistics.

**History:** Cr. [Register, July, 1991, No. 427](#), eff. 8-1-91; CR 04-045: am. [Register October 2004 No. 586](#), eff. 11-1-04.