

## Chapter NR 268

## COAL MINING

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**NR 268.01 Purpose.** The purpose of this chapter is to establish effluent limitations, standards of performance, and pretreatment standards for discharges of process wastes from the coal mining category of point sources and subcategories thereof.

**Note:** The authority for promulgation of this chapter is set forth in ch. NR 205.  
**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**NR 268.02 Applicability.** The effluent limitations, standards of performance, pretreatment standards, and other provisions in this chapter are applicable to pollutants or pollutant properties in discharges of process waste resulting from activities in any or a combination of the following subcategories.

- (1) Coal preparation plant.
- (2) Coal preparation plant ancillary area.
- (3) Acid or ferruginous mine drainage.
- (4) Alkaline mine drainage.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**NR 268.03 Definitions.** The following definitions are applicable to terms used in this chapter. Definitions of other terms, including a 10-year, 24-hour precipitation event, and meanings of abbreviations are set forth in ch. NR 205.

(1) “Coal” means coal of any rank including but not limited to bituminous, lignite, and anthracite coal.

(2) “Coal preparation plant” means a facility where coal is crushed, screened, sized, cleaned, dried, or otherwise prepared and loaded prior to the final handling or sizing in transit to or at a consuming facility.

(3) “Coal preparation plant ancillary area” means the areas associated with a coal preparation plant including; yards, access roads, coal storage, refuse storage, and other immediately associated areas where coal or refuse, either purposefully or accidentally, is allowed to come in contact with precipitation runoff or plant wash down.

(4) “Mine” means an active mining area of land with all property placed upon, under, or above the surface of such area used in or resulting from the work of extracting coal from its natural deposits by any means or method including secondary recovery of coal from refuse or other storage piles derived from the mining, cleaning, or preparation of coal.

(5) “Active mining area” means a place where work or other activity related to the extraction, removal, or recovery of coal is being conducted or carried on, except any area of land on or in which there has been commenced or been completed reclamation work following the grading stage.

(6) “Acid or ferruginous mine drainage” means mine drainage which before any treatment has either a pH less than 6.0 or a total iron concentration of more than 10 mg/l.

(7) “Alkaline mine drainage” means mine drainage which before any treatment has a pH of more than 6.0 and a total iron concentration of less than 10 mg/l.

(8) “Mine drainage” means any water drained, pumped or siphoned from a coal mine.

(9) “Final contour” means the surface shape or contour of a surface mine or section thereof after all mining and earth moving operations have been completed.

(10) “Process waste” means, as appropriate:

- (a) Discharges from a coal preparation plant, or
- (b) Discharges which are pumped, siphoned, or drained from a coal preparation plant ancillary area.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**NR 268.04 Compliance with effluent limitations and standards.** Discharge of pollutants from facilities subject to the provisions of this chapter may not exceed, as appropriate:

(1) By July 1, 1977 effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available;

(2) By July 1, 1983 effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable;

(3) Pretreatment standards for discharges to publicly owned treatment works;

(4) Standards of performance for new sources.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77; r. and recr. Register, August, 1983, No. 332, eff. 9-1-83.

**NR 268.06 Application of effluent limitations and standards.** (1) The effluent limitations and standards set forth in this chapter shall be used in accordance with this section to establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this chapter, except as provided in subs. (2) and (3) and as;

(a) They may be modified in accordance with subch. IV of ch. NR 220,

(b) They may be superseded by more stringent limitations and standards necessary to achieve water quality standards or meet other legal requirements, or

(c) They may be supplemented or superseded by standards or prohibitions for toxic pollutants or by additional limitations for other pollutants required to achieve water quality.

(2) The effluent limitations and standards of performance of this chapter shall not apply to any overflow discharged from a facility designed, constructed, and operated to:

(a) Contain process waste generated by a coal preparation plant and the runoff to the containment facility resulting from a 10-year 24-hour precipitation event,

(b) Treat process waste from coal preparation plant ancillary areas and the runoff to the treatment facility resulting from a 10-year 24-hour precipitation event, or

(c) Treat mine drainage and the runoff to the treatment facility resulting from a 10-year 24-hour precipitation event.

(3) In the event that coal preparation plant process waste is combined for treatment or discharge with waste from other subcategories subject to the provisions of this chapter, the quantity of

pollutants in the combined discharge shall not exceed the quantity specified for such other subcategories.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77; correction in (1) (a) made under s. 13.92 (4) (b) 7, Stats., Register April 2018 No. 748.

**NR 268.10 Effluent limitation, best practicable treatment.** The following effluent limitations for all or specific subcategories establish, except as provided in subch. IV of ch. NR 220, the quantity or quality of pollutants or pollutant properties which may be discharged by a facility subject to the provisions of this chapter after application to process wastes of the best practicable control technology currently available.

(1) There shall be no discharge of pollutants resulting from activities in subcategory (1).

(2) The pH of discharges from subcategories (2), (3) and (4) shall be within the range of 6.0 to 9.0.

(3) The concentration of pollutants in discharges from sub-

categories (2), (3) and (4) shall not exceed 30 day average and daily maximum values of:

(a) 3.5 and 7.0 respectively for total iron, and

(b) 35 and 70 mg/l respectively for total suspended solids.

(4) The concentration of dissolved iron in discharges from subcategory (3) shall not exceed 30 day average and daily maximum values of 0.30 and 0.60 mg/l respectively.

(5) The concentration of total manganese in discharges from subcategories (2) and (3) shall not exceed 30 day average and daily maximum values of 2.0 and 4.0 mg/l respectively.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77; correction in (intro.) made under s. 13.92 (4) (b) 7, Stats., Register April 2018 No. 748.

**NR 268.13 Pretreatment standards.** The pretreatment standards for discharges to publicly owned treatment works from sources subject to the provisions of this chapter shall be as set forth in ch. NR 211.

**History:** Cr. Register, August, 1983, No. 332, eff. 9-1-83.