Clearinghouse Rule 19-040

PETITION OF THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES REPEALING AN UNAUTHORIZED RULE

The Wisconsin Department of Natural Resources proposes the following permanent rule to **repeal** NR 555, relating to waste tire removal and recovery.

EXR-8

Analysis Prepared by the Department of Natural Resources

1. Statute Interpreted:

- Section 287.17, Stats.
- 1995 Wis. Act 227

2. Statutory Authority:

- Section 227.26(4)(b), Stats.
- Section 227.29(1)(a), Stats.
- Section 287.03, Stats.

3. Explanation of Agency Authority:

Statutory authority for ch. NR 555, Wis. Adm. Code, was repealed by 1995 Wis. Act 227.

4. Related Statutes or Rules:

Section 287.07(3), Stats., does not allow disposal of a waste tire, as defined in s. 298.55(1)(c), in solid waste disposal facility or burning of waste tires without energy recovery in a solid waste treatment facility. However, since statutory authority for ch. NR 555, Wis. Adm. Code, was repealed in 1995, there are no state funds available for waste tire stockpile cleanup or waste tire management efforts.

5. Plain Language Analysis:

Chapter NR 555, Wis. Adm. Code, established the plan for the use of funds to implement a waste tire removal and recovery program that was required under s. 287.17, Stats.

Statutory authority for ch. NR 555, Wis. Adm. Code, was repealed by 1995 Wis. Act 227.

6. Agency Contact Person:

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TEXT OF RULE

SECTION 1. NR 555 is repealed.

SECTION 2. EFFECTIVE DATE. This rule takes effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

END OF TEXT