

1993 Assembly Bill 1249

Date of enactment: **April 13, 1994**
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1993 WISCONSIN ACT 295

AN ACT *to amend* 144.407 (1g) and 144.407 (2); and *to create* 144.407 (1t) of the statutes, **relating to:** the moratorium on the construction and expansion of medical waste incinerators.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 144.407 (1g) of the statutes is amended to read:

144.407 (1g) Except as provided in sub. (1m), (1r), (1t) or (1w), the department may not issue an air pollution control permit for the construction or modification of a medical waste incinerator or an initial license under s. 144.44 (4) for a medical waste incinerator.

SECTION 2. 144.407 (1t) of the statutes is created to read:

144.407 (1t) Subsection (1g) does not apply to the issuance of an air pollution control permit or a license under s. 144.44 (4) for the construction of a medical waste incinerator in a 4th class city if all of the following apply:

(a) The air pollution control permit for the proposed medical waste incinerator replaces an air pollution con-

trol permit that was issued by the department before May 14, 1992, for a medical waste incinerator that was proposed to be constructed at the same location but that has not been constructed before the effective date of this paragraph [revisor inserts date].

(b) The proposed medical waste incinerator does not have a greater capacity than the medical waste incinerator that it replaces.

(c) The air pollution control permit for the proposed medical waste incinerator contains an emission limit for each air contaminant covered by the air pollution control permit that is lower than the emission limit for that air contaminant in the air pollution control permit that is being replaced.

SECTION 3. 144.407 (2) of the statutes is amended to read:

144.407 (2) This section does not apply after July 1, ~~1995~~ 1998.
