

1 **SECTION 2578pj.** 281.346 (3) (a) of the statutes is renumbered 281.346 (3) (a)

2 1.

3 **SECTION 2578pL.** 281.346 (3) (a) 2. of the statutes is created to read:

4 281.346 (3) (a) 2. Any person who, on the effective date of this subdivision
5 [LRB inserts date], has a water supply system with the capacity to make a
6 withdrawal from the waters of this state averaging 100,000 gallons per day or more
7 in any 30-day period and who has not registered the withdrawal under s. 281.344
8 (3) (a) shall register the withdrawal with the department.

9 **SECTION 2578pn.** 281.346 (4e) (title), (a), (b), (d) 1. and 3., (e), (f), (g) and (h)
10 of the statutes are amended to read:

11 281.346 (4e) (title) ~~DETERMINING WITHDRAWAL AMOUNTS~~ BASELINES FOR
12 PREEXISTING WITHDRAWALS WITH INTERIM APPROVALS. (a) Before issuing automatic
13 notice of coverage under a general permit under sub. (4s) or an automatic individual
14 permit under sub. (5) (c) for a withdrawal from the Great Lakes basin ~~that is covered~~
15 ~~by an interim approval under s. 281.344 (5m) for which the department is required~~
16 to issue automatic notice of coverage or an automatic individual permit, the
17 department shall determine a ~~withdrawal amount~~ baseline for the withdrawal
18 under this subsection.

19 (b) 1. Except as provided in subds. 2. and 3e. and par. (f), the department shall
20 estimate the ~~withdrawal amount~~ baseline for a withdrawal based on the maximum
21 hydraulic capacity of the most restrictive component in the water supply system used
22 for the withdrawal as of ~~the compact's effective date~~ December 8, 2008, based on
23 information available to the department.

24 2. Except as provided in subd. 3e., if the department has issued an approval
25 under s. 30.12, 30.18, 281.34, or 281.41, or s. 281.17, 2001 stats., that is required for

1 a withdrawal and the approval contains a limit on the amount of water that may be
2 withdrawn, the department shall provide an estimate of the ~~withdrawal amount~~
3 baseline equal to the limit in the approval as of December 8, 2008.

4 3e. If water is withdrawn through more than one water supply system to serve
5 a facility, the department shall determine the amount under subd. 1. for each of the
6 water supply systems to which subd. 2. does not apply and shall determine the
7 amount under subd. 2. for each of the water supply systems to which subd. 2. applies
8 and shall provide an estimate of the ~~withdrawal amount~~ baseline that is equal to the
9 sum of the amounts determined for each of the water supply systems.

10 (d) 1. The components of the water supply system used for the withdrawal as
11 of December 8, 2008.

12 3. Plans for expanding the capacity of the water supply system submitted to
13 the department ~~no later than 2 years after June 11~~ before December 8, 2008.

14 (e) Except as provided in par. (f), the department shall determine the
15 ~~withdrawal amount~~ baseline for a withdrawal based on the estimate under par. (b)
16 and the department's evaluation of any information provided under par. (d). The
17 department may not consider information provided by any other person.

18 (f) For a public water supply system that, on June 11, 2008, has approval under
19 s. 281.41 to provide water from the Great Lakes basin for public water supply
20 purposes outside of the Great Lakes basin and approval under s. 283.31 to return the
21 associated wastewater to the Great Lakes basin, the department shall determine the
22 ~~withdrawal amount~~ baseline to be the amount of water necessary to provide water
23 for public water supply purposes in the service territory specified in the sewer service
24 area provisions of the areawide water quality management plan under s. 283.83

1 approved by the department before December 31, 2007, based on the population and
2 related service projections in those provisions.

3 (g) The department's determination of a ~~withdrawal amount~~ baseline under
4 par. (e) or (f) is not subject to administrative review under ch. 227 except at the
5 request of the person making the withdrawal.

6 (h) If 2 or more public water supply systems merge after the department
7 determines their ~~withdrawal amounts~~ baselines under par. (e) and before the
8 department issues the initial individual permits under sub. (5) (c) for the systems,
9 the ~~withdrawal amount~~ baseline for the new system is the sum of the amounts
10 determined under par. (e) for the individual systems.

11 **SECTION 2578pp.** 281.346 (4e) (i) of the statutes is repealed.

12 **SECTION 2578pr.** 281.346 (4g) of the statutes is created to read:

13 281.346 (4g) DETERMINING WITHDRAWAL AMOUNTS FOR PREEXISTING WITHDRAWALS.

14 (a) Before issuing automatic notice of coverage under a general permit under sub.
15 (4s) or an automatic individual permit under sub. (5) (c) for a withdrawal from the
16 Great Lakes basin for which the department is required to issue automatic notice of
17 coverage or an automatic individual permit, the department shall determine a
18 withdrawal amount for the withdrawal under this subsection.

19 (b) Except as provided in par. (c), the withdrawal amount for a withdrawal
20 under this subsection is the same as the baseline determined under sub. (4e).

21 (c) 1. Except as provided in subd. 3., if a person making a withdrawal has
22 increased the amount of the withdrawal over the baseline before the department
23 issues an automatic notice of coverage under a general permit under sub. (4s) or an
24 automatic individual permit under sub. (5) (c), the department shall specify a

1 withdrawal amount that is, except as provided in subd. 2., equal to the smallest of
2 the following amounts:

3 a. The maximum hydraulic capacity of the most restrictive component of the
4 water supply system used for the withdrawal for which the person has approval
5 under s. 30.12, 30.18, 281.34, or 281.41 or s. 281.17, 2001 stats., or, if an approval
6 under one of those provisions is not required for the most restrictive component of
7 the water supply system, the maximum hydraulic capacity of the most restrictive
8 component in the water supply system used for the withdrawal.

9 b. If an approval under s. 30.12, 30.18, 281.34, or 281.41 or s. 281.17, 2001
10 stats., specifies a maximum amount of water that may be withdrawn, that amount.

11 2. If water is withdrawn through more than one water supply system to serve
12 a facility, the department shall determine the smallest amount under subd. 1. a. or
13 b. for each of the water supply systems and shall specify a withdrawal amount that
14 is equal to the sum of the amounts determined for each of the water supply systems.

15 3. For a withdrawal for the purpose of providing water to a public water supply
16 system that is covered by an approved water supply service area plan under s.
17 281.348, the department shall specify a withdrawal amount that is equal to the
18 withdrawal amount in the water supply service area plan.

19 **SECTION 2578pt.** 281.346 (4m) of the statutes is amended to read:

20 281.346 (4m) WATER USE PERMITS REQUIRED IN THE GREAT LAKES BASIN. ~~A-~~
21 Beginning on December 8, 2011, a person may not make a withdrawal from the Great
22 Lakes basin that averages 100,000 gallons per day or more in any 30-day period
23 unless the withdrawal is covered under a general permit issued under sub. (4s) or
24 s. 281.344 (4s), an individual permit issued under sub. (5) or s. 281.344 (5), or an
25 interim approval under s. 281.344 (5m), except as provided in sub. (4s) (bm).

1 **SECTION 2578pv.** 281.346 (4s) (a) 1. of the statutes is amended to read:

2 281.346 (4s) (a) 1. Reference to the database of ~~withdrawal amounts~~ under par.
3 (i).

4 **SECTION 2578px.** 281.346 (4s) (b) of the statutes is amended to read:

5 281.346 (4s) (b) *General requirement.* ~~A~~ Beginning on December 8, 2011, a
6 person who does not hold an individual permit under sub. (5) may not make a
7 withdrawal that averages 100,000 gallons per day or more in any 30-day period, but
8 that does not equal at least 1,000,000 gallons per day for any 30 consecutive days,
9 unless the withdrawal is covered under a general permit issued under this
10 subsection ~~or s. 281.344 (4s)~~, except as provided in par. (bm). A person to whom the
11 department has issued a notice of coverage under a general permit shall comply with
12 the general permit.

13 **SECTION 2578pz.** 281.346 (4s) (c) of the statutes is amended to read:

14 281.346 (4s) (c) *Automatic notice of coverage for preexisting withdrawals with*
15 *~~interim approvals.~~* The department shall automatically issue a notice of coverage
16 under a general permit to a person who makes a withdrawal that is covered by an
17 interim approval under s. 281.344 (5m), ~~if the withdrawal~~ and that averages 100,000
18 gallons per day or more in any 30-day period but does not equal at least 1,000,000
19 gallons per day for any 30 consecutive days, or who makes a withdrawal that is not
20 covered by an interim approval and that before December 8, 2008, averaged 100,000
21 gallons per day or more in any 30-day period but that does not equal at least
22 1,000,000 gallons per day for any 30 consecutive days. If necessary, the department
23 may request additional information before issuing a notice under this paragraph.
24 The department shall issue a notice under this paragraph no later than ~~one year~~
25 ~~after the compact's effective date~~ December 8, 2011. In the notice provided under this

1 paragraph for a withdrawal, the department shall specify a ~~withdrawal amount~~
2 baseline equal to the ~~withdrawal amount~~ baseline determined under sub. (4e) for the
3 withdrawal and a withdrawal amount equal to the withdrawal amount determined
4 under sub. (4g) for the withdrawal.

5 **SECTION 2578qb.** 281.346 (4s) (d) (title) of the statutes is amended to read:

6 281.346 (4s) (d) (title) *Coverage under general permit for ~~new or increased~~*
7 *withdrawals not entitled to automatic notice of coverage.*

8 **SECTION 2578qd.** 281.346 (4s) (d) 1. of the statutes is amended to read:

9 281.346 (4s) (d) 1. A person who proposes to begin a withdrawal from the Great
10 Lakes basin after December 7, 2011, that will average 100,000 gallons per day or
11 more in any 30-day period, or to increase an existing withdrawal so that it will
12 average 100,000 gallons per day or more in any 30-day period, but who does not
13 propose to withdraw at least 1,000,000 gallons per day for any 30 consecutive days,
14 shall apply to the department for coverage under a general permit, unless the person
15 applies for an individual permit under sub. (5). In the application, the person shall
16 provide the information required by the department by rule.

17 **SECTION 2578qf.** 281.346 (4s) (d) 1m. of the statutes is created to read:

18 281.346 (4s) (d) 1m. A person who makes a withdrawal from the Great Lakes
19 basin that, before December 8, 2011, averages at least 100,000 gallons per day in any
20 30-day period, but does not equal 1,000,000 gallons per day for any 30 consecutive
21 days and who is not entitled to automatic issuance of notice of coverage under par.
22 (c) shall apply to the department for coverage under a general permit, unless the
23 person applies for an individual permit under sub. (5). In the application, the person
24 shall provide the information required by the department by rule.

25 **SECTION 2578qh.** 281.346 (4s) (d) 3m. of the statutes is amended to read:

1 281.346 (4s) (d) 3m. a. The department may not approve an application under
2 subd. 1. or 1m. for a withdrawal for the purpose of providing water to a public water
3 supply system that serves a population of more than 10,000 unless the withdrawal
4 is covered by an approved water supply service area plan under s. 281.348.

5 b. The department may not approve an application under subd. 1. or 1m. for
6 a withdrawal for the purpose of providing water to a public water supply system that
7 is covered by an approved water supply service area plan under s. 281.348, unless
8 the withdrawal is consistent with the water supply service area plan.

9 c. If the department approves an application under subd. 1. or 1m. for a
10 withdrawal for the purpose of providing water to a public water supply system that
11 is covered by an approved water supply service area plan under s. 281.348, the
12 department shall issue a notice of coverage. In the notice of coverage the department
13 shall specify a withdrawal amount that is equal to the withdrawal amount in the
14 water supply service area plan.

15 **SECTION 2578qj.** 281.346 (4s) (i) of the statutes is amended to read:

16 281.346 (4s) (i) *Database.* The department shall maintain a database of the
17 withdrawal amounts for all withdrawals that are covered under general permits
18 issued under this subsection and ~~s. 281.344 (4s).~~ Until December 8, 2021, the
19 department shall include in the database the baselines for all withdrawals that are
20 covered under general permits issued under this subsection.

21 **SECTION 2578qL.** 281.346 (5) (a) of the statutes is amended to read:

22 281.346 (5) (a) *Requirement.* ~~A~~ Beginning on December 8, 2011, a person may
23 not make a withdrawal from the Great Lakes basin that equals at least 1,000,000
24 gallons per day for any 30 consecutive days unless the withdrawal is covered by an
25 individual permit issued under this subsection ~~or s. 281.344 (5).~~ A person to whom

1 the department has issued an individual permit shall comply with the individual
2 permit.

3 **SECTION 2578qn.** 281.346 (5) (b) 1: of the statutes is amended to read:

4 281.346 (5) (b) 1. A withdrawal amount as determined under par. (d) 3., 3e., or
5 3m., (g) 3., 3e., or 3m., or (j) 3., 3e., or 3m., or sub. (4e), or s. 281.344 (4e) or (5) (d) 3.,
6 3e., or 3m. or (e) 3., 3e., or 3m (4g).

7 **SECTION 2578qp.** 281.346 (5) (c) of the statutes is amended to read:

8 281.346 (5) (c) *Automatic issuance of individual permits for preexisting*
9 *withdrawals with interim approvals.* The department shall automatically issue an
10 individual permit to a person who makes a withdrawal from the Great Lakes basin
11 that is covered by an interim approval under s. 281.344 (5m), if the withdrawal and
12 that equals at least 1,000,000 gallons per day for any 30 consecutive days, or who
13 makes a withdrawal that is not covered by an interim approval, that equals at least
14 1,000,000 gallons per day for any 30 consecutive days, and that before December 8,
15 2008, averaged 100,000 gallons per day or more in any 30-day period. If necessary,
16 the department may request additional information before issuing a permit under
17 this paragraph. The department shall issue a permit under this paragraph no later
18 than one year after the compact's effective date December 8, 2011. In the permit, the
19 department shall specify a withdrawal amount baseline equal to the withdrawal
20 amount baseline determined under sub. (4e) for the withdrawal and a withdrawal
21 amount equal to the withdrawal amount determined under sub. (4g) for the
22 withdrawal.

23 **SECTION 2578qr.** 281.346 (5) (cm) of the statutes is created to read:

24 281.346 (5) (cm) *Initial individual permit for existing withdrawals not entitled*
25 *to automatic notice of coverage.* 1. A person who makes a withdrawal from the Great

1 Lakes basin that, before December 8, 2011, equals at least 1,000,000 gallons per day
2 for any 30 consecutive days and who is not entitled to automatic issuance of an
3 individual permit under par. (c) shall apply to the department for an individual
4 permit.

5 2. After receiving an application under subd. 1., the department shall, within
6 the time limit established by the department by rule, determine whether to approve
7 the application or notify the applicant of any additional information needed to
8 determine whether to approve the application.

9 3. Except as provided in subd. 5., if the department approves an application
10 under subd. 1. and the department has issued any approvals that are required for
11 the withdrawal under s. 30.12, 30.18, 281.34, or 281.41 or s. 281.17, 2001 stats., the
12 department shall issue an individual permit. In the permit, the department shall
13 specify a withdrawal amount that is, except as provided in subd. 4., equal to the
14 smallest of the following amounts:

15 a. The maximum hydraulic capacity of the most restrictive component of the
16 water supply system used for the withdrawal for which the person has approval
17 under s. 30.12, 30.18, 281.34, or 281.41 or s. 281.17, 2001 stats., or, if an approval
18 under one of those provisions is not required for the most restrictive component of
19 the water supply system, the maximum hydraulic capacity of the most restrictive
20 component in the water supply system used for the withdrawal.

21 b. If an approval under s. 30.12, 30.18, 281.34, or 281.41 or s. 281.17, 2001
22 stats., specifies a maximum amount of water that may be withdrawn, that amount.

23 4. If water is withdrawn through more than one water supply system to serve
24 a facility, the department shall determine the smallest amount under subd. 3. a. or

1 b. for each of the water supply systems and shall specify a withdrawal amount that
2 is equal to the sum of the amounts determined for each of the water supply systems.

3 5. If the department approves an application under subd. 1. for a withdrawal
4 for the purpose of providing water to a public water supply system that is covered by
5 an approved water supply service area plan under s. 281.348, the department shall
6 specify a withdrawal amount that is equal to the withdrawal amount in the water
7 supply service area plan.

8 6. If the department disapproves an application under subd. 1., the department
9 shall notify the applicant in writing of the reason for the disapproval.

10 **SECTION 2578qt.** 281.346 (5) (d) (title) and 1. of the statutes are amended to
11 read:

12 281.346 (5) (d) (title) *Initial individual permit for withdrawal begun or*
13 *increased after December 7, 2011.* 1. A person who proposes to begin a withdrawal
14 from the Great Lakes basin after December 7, 2011, that will equal at least 1,000,000
15 gallons per day for any 30 consecutive days or to modify an existing withdrawal so
16 that it will equal at least 1,000,000 gallons per day for any 30 consecutive days shall
17 apply to the department for an individual permit.

18 **SECTION 2578qv.** 281.346 (5) (e) 1. and 2. of the statutes are amended to read:

19 281.346 (5) (e) 1. Except as provided in par. (dm), the department may not
20 approve an application under par. (d) 1. for a new withdrawal that will equal at least
21 1,000,000 gallons per day for any 30 consecutive days, or for an existing withdrawal
22 that is not covered by a general permit under sub. (4s) ~~or s. 281.344 (4s)~~ and that is
23 proposed to be modified so that it will equal at least 1,000,000 gallons per day for any
24 30 consecutive days, but to which subd. 2. does not apply, unless the withdrawal
25 meets the state decision-making standard under sub. (5m).

1 2. Except as provided in subd. 3. or par. (dm), the department may not approve
2 an application under par. (d) 1. for a new withdrawal that will equal at least
3 10,000,000 gallons per day for any 30 consecutive days, or for an existing withdrawal
4 that is not covered by a general permit under sub. (4s) ~~or s. 281.344 (4s)~~ and that is
5 proposed to be modified so that it will equal at least 10,000,000 gallons per day for
6 any 30 consecutive days, unless the withdrawal meets the compact decision-making
7 standard under sub. (6).

8 **SECTION 2578qx.** 281.346 (5) (f) of the statutes is amended to read:

9 281.346 (5) (f) *Standards for approval of withdrawals covered by general*
10 *permits.* 1. Except as provided in par. (dm), the department may not approve an
11 application under par. (d) 1. for a withdrawal that is covered under a general permit
12 under sub. (4s) ~~or s. 281.344 (4s)~~ if the applicant proposes to modify the withdrawal
13 before December 8, 2021, so that it equals 1,000,000 or more gallons per day for any
14 30 consecutive days over the baseline or if the applicant proposes to modify the
15 withdrawal after December 7, 2021, so that it equals 1,000,000 or more gallons per
16 day for any 30 consecutive days over the withdrawal amount as of the date that the
17 department issued the current notice of coverage under the general permit ~~or as of~~
18 ~~the compact's effective date, whichever is later~~ and if subd. 2. does not apply, unless
19 the withdrawal meets the state decision-making standard under sub. (5m).

20 2. Except as provided in subd. 3. or par. (dm), the department may not approve
21 an application under par. (d) 1. for a withdrawal that is covered under a general
22 permit under sub. (4s) ~~or s. 281.344 (4s)~~ if the applicant proposes to modify the
23 withdrawal before December 8, 2021, so that it equals 10,000,000 or more gallons per
24 day for any 30 consecutive days over the baseline or if the applicant proposes to
25 modify the withdrawal after December 7, 2021, so that it equals 10,000,000 or more

1 gallons per day for any 30 consecutive days over the withdrawal amount as of the
2 date that the department issued the current notice of coverage under the general
3 permit or as of the compact's effective date, whichever is later, unless the withdrawal
4 meets the compact decision-making standard under sub. (6).

5 3. A person who submits an application under par. (d) 1., to which subd. 2.
6 would otherwise apply, may choose to demonstrate, using procedures specified in
7 rules promulgated by the department, the water loss that will result from the
8 increase in the withdrawal over the baseline or over the withdrawal amount as of the
9 later of the dates, whichever is applicable under subd. 2. If the person demonstrates
10 that the resulting increase in water loss would average less than 5,000,000 gallons
11 per day in every 90-day period, the state decision-making standard under sub. (5m),
12 rather than the compact decision-making standard under sub. (6), applies to the
13 increase in the withdrawal.

14 **SECTION 2578qz.** 281.346 (5) (h) 1. of the statutes is amended to read:

15 281.346 (5) (h) 1. Except as provided in par. (gm), the department may not
16 approve an application under par. (g) 1., if the person proposes to increase the
17 amount of the withdrawal so that it equals before December 8, 2021, and after the
18 increase the withdrawal would equal 1,000,000 or more gallons per day for any 30
19 consecutive days over the withdrawal amount as of the beginning of the current
20 permit term, the compact's effective date or the date that baseline, or, if the
21 department issued a modified permit for the withdrawal if and the modification was
22 subject to the state decision-making standard under sub. (5m) or the compact
23 decision-making standard under sub. (6), whichever is latest, the withdrawal would
24 equal 1,000,000 or more gallons per day for any 30 consecutive days over the
25 withdrawal amount as of the date that the department issued that modified permit

1 and if subd. 2. does not apply, unless the increased withdrawal meets the state
2 decision-making standard under sub. (5m).

3 **SECTION 2578rb.** 281.346 (5) (h) 1m. of the statutes is created to read:

4 281.346 (5) (h) 1m. Except as provided in par. (gm), the department may not
5 approve an application under par. (g) 1., if the person proposes to increase the
6 amount of the withdrawal after December 7, 2021, and after the increase the
7 withdrawal would equal 1,000,000 or more gallons per day for any 30 consecutive
8 days over the withdrawal amount as of the beginning of the current permit term or
9 the date that the department issued a modified permit for the withdrawal if the
10 modification was subject to the state decision-making standard under sub. (5m) or
11 the compact decision-making standard under sub. (6), whichever is later, and if
12 subd. 2m. does not apply, unless the increased withdrawal meets the state
13 decision-making standard under sub. (5m).

14 **SECTION 2578rd.** 281.346 (5) (h) 2. of the statutes is amended to read:

15 281.346 (5) (h) 2. Except as provided in subd. 3. or par. (gm), the department
16 may not approve an application under par. (g) 1., if the person proposes to increase
17 the amount of the withdrawal ~~so that it equals before December 8, 2021, and after~~
18 the increase the withdrawal would equal at least 10,000,000 gallons per day for any
19 30 consecutive days over the ~~withdrawal amount as of the beginning of the current~~
20 ~~permit term, the compact's effective date baseline, or the date that, if the department~~
21 issued a modified permit for the withdrawal if and the modification was subject to
22 the compact decision-making standard under sub. (6), ~~whichever is latest, over the~~
23 withdrawal amount as of the date that the department issued that modified permit
24 unless the withdrawal meets the compact decision-making standard under sub. (6).

25 **SECTION 2578rf.** 281.346 (5) (h) 2m. of the statutes is created to read:

1 281.346 (5) (h) 2m. Except as provided in subd. 3. or par. (gm), the department
2 may not approve an application under par. (g) 1., if the person proposes to increase
3 the amount of the withdrawal after December 7, 2021, and after the increase the
4 withdrawal would equal at least 10,000,000 gallons per day for any 30 consecutive
5 days over the withdrawal amount as of the beginning of the current permit term, or
6 the date that the department issued a modified permit for the withdrawal if the
7 modification was subject to the compact decision-making standard under sub. (6),
8 whichever is later, unless the withdrawal meets the compact decision-making
9 standard under sub. (6).

10 **SECTION 2578rh.** 281.346 (5) (h) 3. of the statutes is amended to read:

11 281.346 (5) (h) 3. A person who submits an application under par. (g) 1., to
12 which subd. 2. or 2m. would otherwise apply, may choose to demonstrate, using
13 procedures specified in rules promulgated by the department, the water loss that will
14 result from the increase in the withdrawal over the baseline or over the applicable
15 withdrawal amount as of the latest of the dates, whichever applies under subd. 2. or
16 2m. If the person demonstrates that the resulting increase in water loss would
17 average less than 5,000,000 gallons per day in every 90-day period, the state
18 decision-making standard under sub. (5m), rather than the compact
19 decision-making standard under sub. (6), applies to the increase in the withdrawal.

20 **SECTION 2578rj.** 281.346 (5) (k) of the statutes is amended to read:

21 281.346 (5) (k) *Standards for reissuance in certain cases.* 1. Except as provided
22 in par. (jm), the department may not approve an application under par. (j) 1., if the
23 person proposes in the application to increase the amount of the withdrawal so that
24 it equals 1,000,000 or more gallons per day for any 30 consecutive days over the
25 withdrawal amount as of the beginning of the current permit term, ~~the compact's~~

1 ~~effective date~~, or the date that the department issued a modified permit for the
2 withdrawal if the modification was subject to the state decision-making standard
3 under sub. (5m) or the compact decision-making standard under sub. (6), whichever
4 is ~~latest~~ later, and if subd. 2. does not apply, unless the increased withdrawal meets
5 the state decision-making standard under sub. (5m).

6 2. Except as provided in subd. 3. or par. (jm), the department may not approve
7 an application under par. (j) 1., if the person proposes in the application to increase
8 the amount of the withdrawal so that it equals at least 10,000,000 gallons per day
9 for any 30 consecutive days over the withdrawal amount as of the beginning of the
10 current permit term, ~~the compact's effective date~~, or the date that the department
11 issued a modified permit for the withdrawal if the modification was subject to the
12 compact decision-making standard under sub. (6), whichever is ~~latest~~ later, unless
13 the withdrawal meets the compact decision-making standard under sub. (6).

14 3. A person who submits an application under par. (j) 1., to which subd. 2. would
15 otherwise apply, may choose to demonstrate, using procedures specified in rules
16 promulgated by the department, the water loss that will result from the increase in
17 the withdrawal over the withdrawal amount as of the ~~latest~~ later of the dates under
18 subd. 2. If the person demonstrates that the resulting increase in water loss would
19 average less than 5,000,000 gallons per day in every 90-day period, the state
20 decision-making standard under sub. (5m), rather than the compact
21 decision-making standard under sub. (6), applies to the increase in the withdrawal.

22 **SECTION 2578rk.** 281.346 (5) (p) of the statutes is amended to read:

23 281.346 (5) (p) *Suspension and revocation.* The department may suspend or
24 revoke a permit issued under this subsection ~~or s. 281.344 (5)~~ for cause, including

1 obtaining the permit by misrepresentation or failure to disclose material facts or
2 substantially violating the terms of the permit.

3 **SECTION 2578rm.** 281.346 (5e) (a) 1. of the statutes is amended to read:

4 281.346 (5e) (a) 1. Beginning on the compact's effective date December 8, 2011,
5 the department may not approve a water supply service area plan under s. 281.348
6 that provides for a new withdrawal from the Great Lakes basin of at least 1,000,000
7 gallons per day for any 30 consecutive days, or for modification of an existing
8 withdrawal that is not covered by a general permit under sub. (4s) ~~or s. 281.344 (4s)~~
9 so that it will equal at least 1,000,000 gallons per day for any 30 consecutive days,
10 but to which subd. 2. does not apply, unless the withdrawal meets the state
11 decision-making standard under sub. (5m).

12 **SECTION 2578rp.** 281.346 (5e) (a) 2. of the statutes is amended to read:

13 281.346 (5e) (a) 2. Beginning on the compact's effective date December 8, 2011,
14 except as provided in subd. 3., the department may not approve a water supply
15 service area plan under s. 281.348 that provides for a new withdrawal from the Great
16 Lakes basin of at least 10,000,000 gallons per day for any 30 consecutive days, or for
17 modification of an existing withdrawal that is not covered by a general permit under
18 sub. (4s) ~~or s. 281.344 (4s)~~ so that it will equal at least 10,000,000 gallons per day for
19 any 30 consecutive days, unless the withdrawal meets the compact decision-making
20 standard under sub. (6).

21 **SECTION 2578rr.** 281.346 (5e) (b) of the statutes is amended to read:

22 281.346 (5e) (b) *Increased withdrawals covered by general permits.* 1.
23 Beginning on the compact's effective date December 8, 2011, the department may not
24 approve a water supply service area plan under s. 281.348 that provides for
25 modifying a withdrawal that is covered under a general permit under sub. (4s) ~~or s.~~

1 ~~281.344 (4s)~~ before December 8, 2021, so that the withdrawal equals 1,000,000 or
2 more gallons per day for any 30 consecutive days over the baseline or if the plan
3 provides for modifying the withdrawal after December 7, 2021, so that it equals
4 1,000,000 or more gallons per day for any 30 consecutive days over the withdrawal
5 amount as of the date that the department issued the current notice of coverage
6 under the general permit ~~or as of the compact's effective date, whichever is later~~, and
7 if subd. 2. does not apply, unless the withdrawal meets the state decision-making
8 standard under sub. (5m).

9 2. Beginning on ~~the compact's effective date~~ December 8, 2011, except as
10 provided in subd. 3., the department may not approve a water supply service area
11 plan under s. 281.348 that provides for modifying a withdrawal that is covered under
12 a general permit under sub. (4s) ~~or s. 281.344 (4s)~~ before December 8, 2021, so that
13 the withdrawal equals 10,000,000 or more gallons per day for any 30 consecutive
14 days over the baseline or if the plan provides for modifying the withdrawal after
15 December 7, 2021, so that it equals 10,000,000 or more gallons per day for any 30
16 consecutive days over the withdrawal amount as of the date that the department
17 issued the current notice of coverage under the general permit ~~or as of the compact's~~
18 ~~effective date, whichever is later~~, unless the withdrawal meets the compact
19 decision-making standard under sub. (6).

20 3. A person who submits a water supply service area plan under s. 281.348, that
21 provides for an increase in a withdrawal to which subd. 2. would otherwise apply,
22 may choose to demonstrate, using procedures specified in rules promulgated by the
23 department, the water loss that will result from the increase in the withdrawal over
24 the baseline or over the withdrawal amount ~~as of the later of the dates, whichever~~
25 is applicable under subd. 2. If the person demonstrates that the resulting increase

1 in water loss would average less than 5,000,000 gallons per day in every 90-day
2 period, the state decision-making standard under sub. (5m), rather than the
3 compact decision-making standard under sub. (6), applies to the increase in the
4 withdrawal.

5 **SECTION 2578rt.** 281.346 (5e) (c) 1. of the statutes is amended to read:

6 281.346 (5e) (c) 1. Beginning on the compact's effective date December 8, 2011,
7 the department may not approve a water supply service area plan under s. 281.348
8 that provides for increasing, before December 8, 2021, the amount of a withdrawal
9 that is covered under an individual permit issued under sub. (5) ~~or s. 281.344 (5) so~~
10 that it equals if after the increase the withdrawal would equal 1,000,000 or more
11 gallons per day for any 30 consecutive days over the withdrawal amount as of the
12 beginning of the current permit term, the compact's effective date, or the date that
13 baseline, or, if the department issued a modified permit for the withdrawal if and the
14 modification was subject to the state decision-making standard under sub. (5m) or
15 the compact decision-making standard under sub. (6), whichever is latest, the
16 withdrawal would equal 1,000,000 or more gallons per day for any 30 consecutive
17 days over the withdrawal amount as of the date that the department issued that
18 modified permit and if subd. 2. does not apply, unless the increased withdrawal
19 meets the state decision-making standard under sub. (5m).

20 **SECTION 2578rv.** 281.346 (5e) (c) 1m. of the statutes is created to read:

21 281.346 (5e) (c) 1m. Beginning on the December 8, 2011, the department may
22 not approve a water supply service area plan under s. 281.348 that provides for
23 increasing, after December 7, 2021, the amount of a withdrawal that is covered under
24 an individual permit issued under sub. (5) and after the increase the withdrawal
25 would equal 1,000,000 or more gallons per day for any 30 consecutive days over the

1 withdrawal amount as of the beginning of the current permit term or the date that
2 the department issued a modified permit for the withdrawal if the modification was
3 subject to the state decision-making standard under sub. (5m) or the compact
4 decision-making standard under sub. (6), whichever is later, and if subd. 2m. does
5 not apply, unless the increased withdrawal meets the state decision-making
6 standard under sub. (5m).

7 **SECTION 2578rx.** 281.346 (5e) (c) 2. of the statutes is amended to read:

8 281.346 (5e) (c) 2. Beginning on the compact's effective date December 8, 2011,
9 except as provided in subd. 3., the department may not approve a water supply
10 service area plan under s. 281.348 that provides for increasing, before December 8,
11 2021, the amount of a withdrawal that is covered under an individual permit issued
12 under sub. (5) ~~or s. 281.344 (5) so that it equals if after the increase the withdrawal~~
13 would equal 10,000,000 or more gallons per day for any 30 consecutive days over the
14 ~~withdrawal amount as of the beginning of the current permit term, the compact's~~
15 ~~effective date, or the date that~~ baseline, or, if the department issued a modified
16 permit for the withdrawal if and the modification was subject to the compact
17 decision-making standard under sub. (6), ~~whichever is latest, the withdrawal would~~
18 equal 10,000,000 gallons per day for any 30 consecutive days over the withdrawal
19 amount as of the date that the department issued that modified permit, unless the
20 increased withdrawal meets the compact decision-making standard under sub. (6).

21 **SECTION 2578rz.** 281.346 (5e) (c) 2m. of the statutes is created to read:

22 281.346 (5e) (c) 2m. Beginning on December 8, 2011, except as provided in
23 subd. 3., the department may not approve a water supply service area plan under s.
24 281.348 that provides for increasing, after December 7, 2021, the amount of a
25 withdrawal that is covered under an individual permit issued under sub. (5) and

1 after the increase the withdrawal would equal 10,000,000 or more gallons per day
2 for any 30 consecutive days over the withdrawal amount as of the beginning of the
3 current permit term or the date that the department issued a modified permit for the
4 withdrawal if the modification was subject to the compact decision-making standard
5 under sub. (6), whichever is later, unless the increased withdrawal meets the
6 compact decision-making standard under sub. (6).

7 **SECTION 2578sb.** 281.346 (5e) (c) 3. of the statutes is amended to read:

8 281.346 (5e) (c) 3. A person who submits a water supply service area plan under
9 s. 281.348, that provides for an increase in a withdrawal to which subd. 2. or 2m.
10 would otherwise apply, may choose to demonstrate, using procedures specified in
11 rules promulgated by the department, the water loss that will result from the
12 increase in the withdrawal over the baseline or over the withdrawal amount as of the
13 latest of the dates, whichever is applicable under subd. 2. or 2m. If the person
14 demonstrates that the resulting increase in water loss would average less than
15 5,000,000 gallons per day in every 90-day period, the state decision-making
16 standard under sub. (5m), rather than the compact decision-making standard under
17 sub. (6), applies to the increase in the withdrawal.

18 **SECTION 2578sd.** 281.346 (8) (d) 1. of the statutes is amended to read:

19 281.346 (8) (d) 1. The amount and type of diversion, withdrawal, or
20 consumptive use and whether the diversion, withdrawal, or consumptive use exists
21 on ~~June 1, 2015, or the compact's effective date, whichever is earlier~~ December 8,
22 2008, is expanded, or is new.

23 **SECTION 2579.** 281.346 (12) of the statutes is created to read:

24 281.346 (12) FEES. (a) A person who has a water supply system with the
25 capacity to make a withdrawal from the waters of the state averaging 100,000

1 gallons per day or more in any 30-day period shall pay to the department an annual
2 fee of \$125, except that the department may promulgate a rule specifying a different
3 amount.

4 (b) In addition to the fee under par. (a), a person who withdraws from the Great
5 Lakes basin more than 50,000,000 gallons per year shall pay to the department an
6 annual fee in an amount specified under par. (c).

7 (c) The department shall promulgate a rule specifying the amount of the fee
8 under par. (b).

9 (d) A person who submits an application under sub. (4) shall pay to the
10 department a review fee of \$5,000 and shall pay to the department an amount equal
11 to any fees imposed on this state related to review of the proposed diversion by the
12 Great Lakes council or the regional body.

13 **SECTION 2579e.** 281.348 (3) (d) 5. of the statutes is amended to read:

14 281.348 (3) (d) 5. Beginning on ~~the compact's effective date~~ December 8, 2011,
15 if the plan covers a public water supply system that withdraws water from the Great
16 Lakes basin, the plan complies with any applicable requirements in s. 281.346 (5e).

17 **SECTION 2580.** 281.58 (12) (a) 1. of the statutes is amended to read:

18 281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by
19 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
20 2. is 55% of market interest rate for projects for which the subsidy is allocated from
21 the amount under s. 281.59 (3e) (b) for a biennium before the 2009-11 biennium and
22 60% of market interest rate for projects for which the subsidy is allocated from the
23 amount under s. 281.59 (3e) (b) for the 2009-11 biennium or later.

24 **SECTION 2581.** 281.59 (3e) (b) 1. of the statutes is amended to read:



1 281.59 (3e) (b) 1. Equal to \$114,700,000 \$134,900,000 during the ~~2007-09~~
2 2009-11 biennium.

3 **SECTION 2582.** 281.59 (3e) (b) 3. of the statutes is amended to read:

4 281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11
5 biennium.

6 **SECTION 2583.** 281.59 (3m) (b) 1. of the statutes is amended to read:

7 281.59 (3m) (b) 1. Equal to \$2,700,000 during the ~~2007-09~~ 2009-11 biennium.

8 **SECTION 2584.** 281.59 (3m) (b) 2. of the statutes is amended to read:

9 281.59 (3m) (b) 2. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11
10 biennium.

11 **SECTION 2585.** 281.59 (3s) (b) 1. of the statutes is amended to read:

12 281.59 (3s) (b) 1. Equal to \$13,400,000 \$17,600,000 during the ~~2007-09~~
13 2009-11 biennium.

14 **SECTION 2586.** 281.59 (3s) (b) 2. of the statutes is amended to read:

15 281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11
16 biennium.

17 **SECTION 2587.** 281.59 (4) (f) of the statutes is amended to read:

18 281.59 (4) (f) Revenue obligations may be contracted by the building
19 commission when it reasonably appears to the building commission that all
20 obligations incurred under this subsection, and all payments under an agreement or
21 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
22 obligations issued under this subsection, can be fully paid on a timely basis from
23 moneys received or anticipated to be received. Revenue obligations issued under this
24 subsection for the clean water fund program shall not exceed \$1,984,100,000

1 \$2,363,300,000 in principal amount, excluding obligations issued to refund
2 outstanding revenue obligation notes.

3 **SECTION 2588.** 281.60 (8) (a) (intro.) and 1. of the statutes are consolidated,
4 renumbered 281.60 (8) (a) and amended to read:

5 281.60 (8) (a) The department shall establish a funding list for each fiscal year
6 that ranks projects of eligible applicants that submit approvable applications under
7 sub. (5) in the same order that they appear on the priority list under sub. (6). If
8 sufficient funds are not available to fund all approved applications for financial
9 assistance, the department of administration shall allocate funding to projects that
10 are approved under sub. (7) in the order that they appear on the funding list, except
11 as follows: ~~1. The~~ that the department of administration may not allocate more than
12 40% of the funds allocated in each fiscal year to projects to remedy contamination at
13 landfills.

14 **SECTION 2589.** 281.60 (8) (a) 2. of the statutes is repealed.

15 **SECTION 2607.** 281.65 (4e) (a) of the statutes is amended to read:

16 281.65 (4e) (a) A governmental unit may request funding under this subsection
17 for a project to implement best management practices for animal waste management
18 at an animal feeding operation for which the department has issued a notice of
19 discharge under ch. 283 or a notice of intent to issue a notice of discharge.

20 **SECTION 2608.** 281.65 (4e) (b) of the statutes is amended to read:

21 281.65 (4e) (b) The department may grant a request under par. (a) if it
22 determines that providing funding under this subsection is necessary to protect fish
23 and aquatic life the waters of the state.

24 **SECTION 2609.** 281.65 (4e) (bm) of the statutes is created to read:

1 281.65 (4e) (bm) The department may provide a cost-sharing grant under this
2 subsection directly to a landowner, or to an operator of an animal feeding operation,
3 for a project to implement best management practices for animal waste management
4 at an animal feeding operation for which the department has issued a notice of
5 discharge under ch. 283 or a notice of intent to issue a notice of discharge if the
6 department determines that providing funding under this subsection is necessary to
7 protect the waters of the state.

8 **SECTION 2611.** 281.65 (5) (b) of the statutes is amended to read:

9 281.65 (5) (b) Prepare sections of the priority watershed or priority lake plan
10 relating to farm-specific implementation schedules, requirements under ~~ss. 92.104~~
11 ~~and 92.105~~ s. 281.16 (3), animal waste management and selection of agriculturally
12 related best management practices and submit those sections to the department for
13 inclusion under sub. (4m) (b). The best management practices shall be cost-effective
14 best management practices, as specified under sub. (4) (e), except in situations in
15 which the use of a cost-effective best management practice will not contribute to
16 water quality improvement or will cause a water body to continue to be impaired as
17 identified to the federal environmental protection agency under 33 USC 1313 (d) (1)
18 (A).

19 **SECTION 2612.** 281.65 (5) (d) of the statutes is amended to read:

20 281.65 (5) (d) Develop a grant disbursement and project management schedule
21 for agriculturally related best management practices to be included in a plan
22 established under sub. (4) (g) and identify recommendations for implementing
23 activities or projects under ~~ss. 92.10, 92.104 and 92.105~~ and 281.16 (3).

24 **SECTION 2613.** 281.65 (5) (e) of the statutes is amended to read:

1 281.65 (5) (e) Identify areas within a priority watershed or priority lake area
2 that are subject to activities required under ss. 92.104 and 92.105 s. 281.16 (3).

3 **SECTION 2620.** 281.65 (8) (f) of the statutes is amended to read:

4 281.65 (8) (f) A cost-sharing grant shall equal the percentage of the cost of
5 implementing the best management practice that is determined by the department
6 in providing a cost-sharing grant under sub. (4e) (a) or by the governmental unit
7 submitting the application under sub. (4c) (a) or (4e) (a) and is approved by the board,
8 ~~except as provided under pars. (gm) and (jm) and~~ except that a cost-sharing grant
9 may not exceed 70% of the cost of implementing the best management practice unless
10 par. (gm) applies.

11 **SECTION 2621.** 281.65 (8) (gm) of the statutes is amended to read:

12 281.65 (8) (gm) The department in providing a cost-sharing grant under sub.
13 (4e) (a) or a governmental unit submitting the application under sub. (4c) (a) or (4e)
14 (a) shall may exceed the limit under par. (f) in cases case of economic hardship, as
15 defined by the department by rule. In providing a grant for a project to achieve
16 compliance with a performance standard or prohibition established under s. 281.16
17 (3) (a), the department shall provide cost-sharing of 70% of the cost of compliance
18 or 70% to 90% of the cost of compliance in case of economic hardship.

19 **SECTION 2622.** 281.65 (8) (jm) of the statutes is repealed.

20 **SECTION 2624.** 281.68 (title) of the statutes is amended to read:

21 **281.68 (title) Lake management planning grants and lake monitoring**
22 **contracts.**

23 **SECTION 2625.** 281.68 (2) (b) of the statutes is amended to read:



1 281.68 (2) (b) The total amount of lake monitoring contracts for each fiscal year
2 may not exceed 10 percent of the total amount appropriated under s. 20.370 (6) (ar)
3 and (as).

4 **SECTION 2626.** 281.68 (3) (bg) of the statutes is amended to read:

5 281.68 (3) (bg) The department shall promulgate rules for the administration
6 of the lake monitoring contracts program, which shall specify the eligible activities
7 and qualifications for participation in the statewide lake monitoring network.
8 Eligible activities shall include providing technical assistance to public or private
9 entities that apply for, or have received, a grant under s. 23.22 (2) (c).

10 **SECTION 2627.** 281.75 (4) (b) 3. of the statutes is amended to read:

11 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 52, 231,
12 233, 234, or 237.

13 **SECTION 2628.** 281.87 of the statutes is amended to read:

14 **281.87 Great Lakes contaminated sediment removal.** The department
15 may expend funds from the appropriation under s. 20.866 (2) (ti) to pay a portion of
16 the costs of a project to remove contaminated sediment from Lake Michigan or Lake
17 Superior or a tributary of Lake Michigan or Lake Superior if ~~federal funds are~~
18 provided for the project under 33 USC 1268 (e) (12) the project is in an impaired water
19 body that the department has identified under 33 USC 1313 (d) (1) (A) and the source
20 of the impairment is contaminated sediment.

21 **SECTION 2628t.** 283.31 (8) of the statutes is created to read:

22 283.31 (8) (a) The holder of a permit under this section for a concentrated
23 animal feeding operation shall annually pay to the department a fee of \$345 .

1 (b) Of each fee paid under par. (a), \$95 shall be credited to the appropriation
2 account under s. 20.370 (4) (mi).

3 (c) The department shall annually submit a report to the joint committee on
4 finance and, under s. 13.172 (3), to the standing committees of the legislature with
5 jurisdiction over agricultural and environmental matters describing the use of the
6 moneys credited to the appropriation account under s. 20.370 (4) (mi) under par. (b).

7 **SECTION 2629.** 283.35 (1m) of the statutes is created to read:

8 283.35 (1m) BALLAST WATER DISCHARGES. (a) The department may issue a
9 general permit authorizing a vessel that is 79 feet or greater in length to discharge
10 ballast water into the waters of the state. A general permit issued under this
11 subsection may contain effluent limitations.

12 (b) If the department issues a general permit under par. (a), the department
13 shall charge the following fees:

14 1. An application fee of \$1,200 to be paid by any person who applies for coverage
15 under a general permit issued under this subsection.

16 2. An annual fee of \$345 to be paid upon initial coverage under the permit and
17 annually thereafter.

18 (c) Paragraph (b) does not apply after June 30, 2013.

19 (d) On or before June 30, 2013, the department shall promulgate rules
20 establishing application fees and annual fees for coverage under a general permit
21 issued under this subsection. The department shall establish fees that are based on
22 the costs to the department of administering and enforcing this subsection. The
23 department shall charge the fees established by rule under this paragraph beginning
24 on July 1, 2013.

1 (e) Coverage under a general permit issued under this subsection is valid for
2 a period of 5 years. The department may renew coverage under a general permit
3 issued under this subsection upon application.

4 (f) The department shall credit the fees collected under this subsection to the
5 appropriation account under s. 20.370 (4) (aj).

6 **SECTION 2632.** 285.59 (1) (b) of the statutes is amended to read:

7 285.59 (1) (b) "State agency" means any office, department, agency, institution
8 of higher education, association, society or other body in state government created
9 or authorized to be created by the constitution or any law which is entitled to expend
10 moneys appropriated by law, including the legislature and the courts, the Wisconsin
11 Housing and Economic Development Authority, the Bradley Center Sports and
12 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
13 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
14 Authority, the Wisconsin Quality Home Care Authority, and the Wisconsin Health
15 and Educational Facilities Authority.

16 **SECTION 2633.** 285.66 (2) (c) of the statutes is created to read:

17 285.66 (2) (c) Notwithstanding par. (a), the department may specify a term of
18 longer than 5 years for an operation permit or specify that an operation permit does
19 not expire if all of the following apply:

20 1. The operation permit is for a stationary source for which an operation permit
21 is required under s. 285.60 but not under the federal clean air act.

22 2. The operation permit is not a registration permit or a general permit.

23 **SECTION 2634.** 285.69 (1) (a) 3. of the statutes is repealed.

24 **SECTION 2635.** 285.69 (1g) of the statutes is repealed.

25 **SECTION 2636.** 285.69 (2) (title) of the statutes is amended to read:

1 285.69 (2) (title) FEES FOR PERSONS REQUIRED TO HAVE FEDERAL OPERATION
2 PERMITS.

3 **SECTION 2637.** 285.69 (2) (a) (intro.) of the statutes is amended to read:

4 285.69 (2) (a) (intro.) The department shall promulgate rules for the payment
5 and collection of fees by the owner or operator of a stationary source for which an
6 operation permit is required under the federal clean air act. The rules shall provide
7 all of the following:

8 **SECTION 2638.** 285.69 (2) (c) (intro.) of the statutes is amended to read:

9 285.69 (2) (c) (intro.) The fees collected under pars. (a) and (e) ~~from the owner~~
10 ~~or operator of a stationary source for which an operation permit is required under~~
11 ~~the federal clean air act~~ shall be credited to the appropriations under s. 20.370 (2)
12 (bg), (3) (bg), (8) (mg) and (9) (mh) for the following:

13 **SECTION 2639.** 285.69 (2) (f) of the statutes is repealed.

14 **SECTION 2640.** 285.69 (2) (g) of the statutes is repealed.

15 **SECTION 2641.** 285.69 (2) (h) of the statutes is repealed.

16 **SECTION 2642.** 285.69 (2) (i) of the statutes is renumbered 285.69 (2m) (b), and
17 285.69 (2m) (b) (intro.), as renumbered, is amended to read:

18 285.69 (2m) (b) (intro.) The fees collected under this subsection ~~from the owner~~
19 ~~or operator of a stationary source for which an operation permit is required under~~
20 ~~s. 285.60 but not under the federal clean air act and under sub. (1g)~~ shall be credited
21 to the appropriation account under s. 20.370 (2) (bh) for the following purposes as
22 they relate to stationary sources for which an operation permit is required under s.
23 285.60 but not under the federal clean air act:

24 **SECTION 2643.** 285.69 (2m) of the statutes is created to read:

1 285.69 **(2m)** FEES FOR STATE PERMIT SOURCES. (a) The owner or operator of a
2 stationary source for which an operation permit is required under s. 285.60 but not
3 under the federal clean air act shall pay to the department a fee of \$300 per year,
4 except as provided in par. (b).

5 (b) An owner or operator to whom the department has issued an operation
6 permit for one or more points of emission from an existing source in order to limit the
7 source's potential to emit so that the existing source is not a major source shall pay
8 to the department a fee of \$4,100 per year if the operation permit includes federally
9 enforceable conditions that allow the amount of emissions to be at least 80 percent
10 of the amount that results in a stationary source being classified as a major source.

11 **SECTION 2644.** 285.69 (3) (a) of the statutes is amended to read:

12 285.69 **(3)** (a) The department may promulgate rules for the payment and
13 collection of fees for inspecting nonresidential asbestos demolition and renovation
14 projects regulated by the department. The fees under this subsection for an
15 inspection plus the fee under sub. (1) (c) may not exceed ~~\$400~~ \$700 if the combined
16 square and linear footage of friable asbestos-containing material involved in the
17 project is less than 5,000. The fees under this subsection for an inspection plus the
18 fee under sub. (1) (c) may not exceed ~~\$750~~ \$1,325 if the combined square and linear
19 footage of friable asbestos-containing material involved in the project is 5,000 or
20 more. The fees collected under this subsection shall be credited to the appropriation
21 under s. 20.370 (2) (bi) for the direct and indirect costs of conducting inspections of
22 nonresidential asbestos demolition and renovation projects regulated by the
23 department and for inspecting property proposed to be used for a community fire
24 safety training project.

1 **SECTION 2645.** 285.69 (3) (b) of the statutes is renumbered 285.69 (3) (b) (intro.)
2 and amended to read:

3 285.69 (3) (b) (intro.) In addition to the fees under par. (a), the department may
4 charge ~~the costs~~ all of the following:

5 1. The costs it incurs for laboratory testing for a nonresidential asbestos
6 demolition and renovation project.

7 **SECTION 2646.** 285.69 (3) (b) 2. of the statutes is created to read:

8 285.69 (3) (b) 2. A fee in the amount of \$100 for the department to inspect
9 property proposed to be used for a community fire safety training project for which
10 the department requires inspection.

11 **SECTION 2647.** 285.69 (3) (b) 3. of the statutes is created to read:

12 285.69 (3) (b) 3. A fee in the amount of \$100 for the department to review a
13 revised notice of an asbestos renovation or demolition activity, submitted by a person
14 required by the department to provide such notice.

15 **SECTION 2648.** 285.69 (3) (b) 4. of the statutes is created to read:

16 285.69 (3) (b) 4. An amount equal to the inspection fee under par. (a) to inspect
17 property for a project for which a notice of an asbestos renovation or demolition
18 activity was not provided, as required by the department, before the project was
19 initiated.

20 **SECTION 2649g.** 289.01 (4m) of the statutes is created to read:

21 289.01 (4m) "Building waste" means solid waste resulting from the
22 construction, demolition, or razing of buildings.

23 **SECTION 2650g.** 289.01 (5m) of the statutes is created to read:

24 289.01 (5m) "Construction landfill" means a solid waste disposal facility used
25 for the disposal of only construction and demolition wastes.

1 **SECTION 2651g.** 289.01 (5r) of the statutes is created to read:

2 289.01 (5r) "Construction and demolition waste" means solid waste resulting
3 from the construction, demolition, or razing of buildings, roads, and other structures.

4 **SECTION 2656.** 289.33 (3) (d) of the statutes is amended to read:

5 289.33 (3) (d) "Local approval" includes any requirement for a permit, license,
6 authorization, approval, variance or exception or any restriction, condition of
7 approval or other restriction, regulation, requirement or prohibition imposed by a
8 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
9 a town, city, village, county or special purpose district, including without limitation
10 because of enumeration any ordinance, resolution or regulation adopted under s.
11 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2),
12 (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),
13 (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19),
14 (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10),
15 (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4),
16 (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57
17 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1),
18 (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), (6), (7), (8),
19 (10) and (11), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34,
20 61.35, 61.351, 61.354, 62.11, 62.23, 62.231, 62.234, 66.0101, 66.0415, 87.30, 91.73,
21 196.58, 200.11 (8), 236.45, 281.43 or 349.16 or, subch. VIII of ch. 60, or subch III of
22 ch. 91.

23 **SECTION 2656k.** 289.51 (3) of the statutes is created to read: