



NR 215

State of Wisconsin

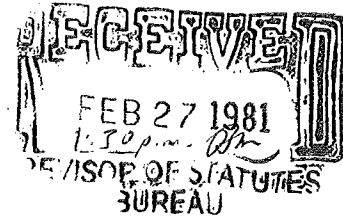
DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WQ-47-80 was duly approved and adopted by this Department on December 17, 1980. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 24th day of February, 1981.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

CREATING RULES

.....
IN THE MATTER of creating chapter NR 215 .
of the Wisconsin Administrative Code . WQ-47-80
pertaining to a list of toxic pollutants .
.....

Analysis Prepared by Department of Natural Resources

Section 147.07, Stats., requires the Department to promulgate by rule a list of toxic pollutants consisting of those pollutants referred to in Table 1 of Committee Print Number 95-30 of the Committee on Public Works and Transportation of the U.S. House of Representatives. This rule consists of the list of those pollutants.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 147.07 and 227.014, Wis. Stats., the State of Wisconsin Natural Resources Board hereby creates rules interpreting s. 147.07, Wis. Stats., as follows:

Chapter NR 215

List of Toxic Pollutants

- | | |
|------------------------------------|----------------------------------|
| NR 215.01 Purpose and authority | NR 215.04 Provision for revision |
| NR 215.02 Definitions | of list |
| NR 215.03 List of toxic pollutants | NR 215.05 Severability |

NR 215.01 Purpose and authority. Section 147.07, Stats., requires that the department promulgate a list of toxic pollutants. The discharge to surface or groundwaters of any pollutant included on this list is subject to the requirements of ss. 147.04(2)(b), 147.04(2)(c) and 147.07(1)(b) and (d), Stats. These sections require that by certain dates no discharge shall contain quantities of these pollutants greater than those which would remain after the discharge had received treatment by the best available technology economically achievable or greater than any lesser quantity necessary to provide an ample margin of safety.

NR 215.02 Definitions. Terms used in this chapter are defined in s. NR 205.03, Wis. Adm. Code. Abbreviations used in this chapter are defined in s. NR 205.04, Wis. Adm. Code.

NR 215.03 List of toxic pollutants.

- (1) Acenaphthene
- (2) Acrolein
- (3) Acrylonitrile
- (4) Aldrin/Dieldrin
- (5) Antimony and compounds
- (6) Arsenic and compounds
- (7) Asbestos
- (8) Benzene
- (9) Benzidine
- (10) Beryllium and compounds
- (11) Cadmium and compounds
- (12) Carbon tetrachloride
- (13) Chlordane (technical mixture and metabolites)
- (14) Chlorinated benzenes (other than dichloroethanes)
- (15) Chlorinated ethanes (including 1,2-dichloroethane, 1,1,1-trichloroethane, and hexachloroethane)
- (16) Chloroalkyl ethers (chloromethyl, chloroethyl, and mixed ethers)
- (17) Chlorinated naphthalene
- (18) Chlorinated phenols (other than those listed elsewhere; includes trichlorophenols and chlorinated cresols)
- (19) Chloroform
- (20) 2-chlorophenol
- (21) Chromium and compounds

- (22) Copper and compounds
- (23) Cyanides
- (24) DDT and metabolites
- (25) Dichlorobenzenes (1,2-, 1,3-, and 1,4-dichlorobenzenes)
- (26) Dichlorobenzidine
- (27) Dichloroethylenes (1,1-, and 1,2-dichloroethylene)
- (28) 2,4-dichlorophenol
- (29) Dichloropropane and dichloropropene
- (30) 2,4-dimethylphenol
- (31) Dinitrotoluene
- (32) Diphenylhydrazine
- (33) Endosulfan and metabolites
- (34) Endrin and metabolites
- (35) Ethylbenzene
- (36) Fluoranthene
- (37) Haloethers (other than those listed elsewhere; includes chlorophenylphenyl ethers, bromophenylphenyl ether, bis(dichloroisopropyl) ether, bis(chloroethoxy) methane and polychlorinated diphenyl ethers)
- (38) Halomethanes (other than those listed elsewhere; includes methylene chloride, methylchloride, methylbromide, bromoform, dichlorobromomethane, trichlorofluoromethane, dichlorodifluormethane)
- (39) Heptachlor and metabolites
- (40) Hexachlorobutadiene
- (41) Hexachlorocyclohexane
- (42) Hexachlorocyclopentadiene
- (43) Isophorone
- (44) Lead and compounds

- (45) Mercury and compounds
- (46) Naphthalene
- (47) Nickel and compounds
- (48) Nitrobenzene
- (49) Nitrophenols (including 2,4-dinitrophenol, dinitrocresol)
- (50) Nitrosamines
- (51) Pentachlorophenol
- (52) Phenol
- (53) Phthalate esters
- (54) Polychlorinated biphenyls (PCBs)
- (55) Polynuclear aromatic hydrocarbons (including benzanthracenes, benzopyrenes, benzofluoranthene, chrysenes, dibenzanthracenes, and indenopyrenes)
- (56) Selenium and compounds
- (57) Silver and compounds
- (58) 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)
- (59) Tetrachloroethylene
- (60) Thallium and compounds
- (61) Toluene
- (62) Toxaphene
- (63) Trichloroethylene
- (64) Vinyl chloride
- (65) Zinc and compounds

NR 215.04 Provision for revision of list. Section 147.07(1)(a), Stats., authorizes the department to periodically amend this chapter to add to or remove from the list any pollutant and requires that when revising this list the department consider the toxicity of the pollutant, its

persistence, degradability, the usual or potential presence in any waters of any organisms affected by the discharge of the toxic pollutant or combination of pollutants, the importance of the affected organism and the nature and extent of the effect of the toxic pollutant on these organisms.

NR 215.05 Severability. If any section, paragraph, phrase, sentence or clause of this chapter is declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on December 17, 1980.

The rules contained herein shall take effect upon publication as provided in s. 227.026(1) intro., Stats.

Dated at Madison, Wisconsin

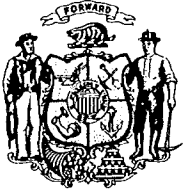
February 24, 1981

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

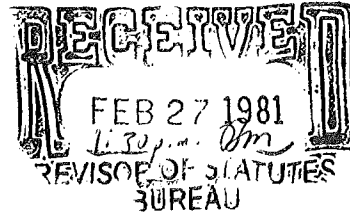
DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

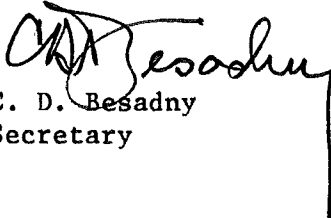


Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WQ-47-80. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. There were no comments.

You will note that this order takes effect upon publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

Enc.