



CR 82-126

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

RECEIVED

NOV 12 1982

3:10 PM  
Revisor of Statutes  
Bureau

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-25-82 was duly approved and adopted by this Department on September 22, 1982. 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 10<sup>th</sup> day of November, 1982.

*Carroll D. Besadny*  
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
AMENDING AND CREATING RULES

RECEIVED

.....  
IN THE MATTER of amending ss. NR 112.03(69) .  
and 113.07(4); and creating ss. NR 113.08(4) .  
and NR 210.05 of the Wisconsin Administrative .  
Code pertaining to injection well prohibition .  
.....

WQ-25-82 NOV 12 1982

Revisor of Statutes  
Bureau

Analysis Prepared by Department of Natural Resources

The proposed amendments are intended to clarify the Department's prohibition on the use of wells for disposal of wastes. The amendments contain language defining "injection" and "well" in a manner consistent with federal regulations. The Department of Natural Resources is seeking "primacy" to administer the Federal Underground Injection Control (UIC) program under the Safe Drinking Water Act.

The present prohibition is stated in s. NR 112.20, Wis. Adm. Code. The proposed rule changes would clarify state policy by using federal definitions and would provide a legally acceptable injection well prohibition by reciting that policy in rules dealing with disposal of wastes.

---

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.025, 146.20, 147.01, 162.01, 162.03 and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby amends and creates rules interpreting ss. 144.025, 146.20, 147.01, 162.01 and 162.03, Stats., as follows:

SECTION 1. NR 112.03(69) is amended to read:

(69) "Well" means an excavation or opening into the ground made by digging, boring, drilling, driving or other methods for the purpose of obtaining groundwater for human consumption. For purposes of s. NR 112.20, "well" includes any similar excavation or opening where the depth is greater than the largest surface dimension, regardless of its intended use.

SECTION 2. NR 113.07(4) is amended to read:

(4) Prohibited sites. Domestic wastes shall may not be disposed of by discharge into or on any ditch, dry run, pond, lake, stream, flowage, floodplain, cave, sinkhole, mine, gravel pit, or quarry, ~~or.~~ In addition to all other requirements, domestic wastes may not be disposed of on any land without the owner's permission. Underground injection of domestic waste through a well is prohibited. The definitions of "injection" and "well" contained in s. NR 214.03 shall be applicable to this subsection.

SECTION 3. NR 113.08(4) is created to read:

(4) Prohibition. The underground injection of liquid industrial waste through a well is prohibited. The definitions of "injection" and "well" contained in s. NR 214.03 shall be applicable to this subsection.

SECTION 4. NR 210.05 is created to read:

NR 210.05 Well injection prohibited. Underground injection of any pollutant, surface drainage or clear water waste through a well is prohibited. The definitions of "injection" and "well" contained in s. NR 214.03 are applicable to this section.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on September 22, 1982.

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

Dated at Madison, Wisconsin November 10, 1982

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besady  
Carroll D. Besady, Secretary

(SEAL)