

CR 84-171

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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-47-84 was duly approved and adopted by this Department on December 12, 1984. 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 18th day of March, 1985.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

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6-1-85

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

.....
IN THE MATTER of creating s. NR 212.70.
and Tables 1-p and 2-p; and amending .
s. NR 212.09 note, of the Wisconsin .
Administrative Code pertaining to .
water quality related effluent .
limitations for the Peshtigo River .
.....

WQ-47-84

Analysis Prepared by Department of Natural Resources

Section NR 212.70, Wis. Adm. Code, assigns wasteload allocations to municipal and industrial point source discharges on the Peshtigo River from Peshtigo to Green Bay. Based on the recently completed water quality modeling of the Peshtigo River, these allocations are required to protect the river and meet water quality standards for all flow - temperature conditions. While the municipal and industrial discharges are currently below the minimum values in the tables (risk levels), the categorical permitted levels exceed that discharge level needed to protect water quality.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 227.011 and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby amends and creates rules interpreting ss. 147.04(5), 147.05, 147.25, Stats., as follows:

SECTION 1. NR 212.09 Note is amended to read:

Note: For those stream conditions where the allocation of water quality related effluent limitations is necessary, nonpoint source ~~efforts~~ effects on stream segments will normally be accounted for in the water quality model or other technical analysis used to determine the total maximum load. In unforeseen circumstances requiring the specific allocation of a portion of the total maximum load for contributions from nonpoint sources, s. NR 212.09 can be used. Direct

control of contributions from nonpoint sources will be implemented through land management control practices and will not normally be included in a waste load allocation.

SECTION 2. NR 212.70 is created to read:

NR 212.70 DETERMINATION OF PESHTIGO RIVER WATER QUALITY RELATED EFFLUENT LIMITATIONS. Effluent limitations for point sources discharging BOD₅ to the Peshtigo river shall be calculated according to the procedures contained in this section. These limitations shall apply from May 1 to October 31 annually.

(1) Determine baseline loads for each point source subject to the wasteload allocation.

(a) The baseline load for each publicly-owned point source located between milepoints 9.6 and 0.0 shall be calculated as follows:

$$\text{Baseline load} = (Q)(8.34)(60) + (\text{BPT})(\text{Production})$$

Where Q = The year 2000 flow projection of the domestic contribution of the influent to the treatment plant expressed in millions of gallons per day

8.34 = Conversion factor

60 = Concentration of BOD₅ expressed in milligrams per liter

BPT = The final best practicable waste treatment effluent limitations for the industrial contribution of the influent to the treatment plant as provided in chs. NR 284 and 285 expressed as pounds of BOD₅ per ton of production. If chs. NR 284 and 285 do not apply, the best practicable

waste treatment effluent limitations as determined under ch. NR 217 shall apply.

Production = The annual average off-machine production during January 1 to December 1, 1978 expressed as tons per day

(b) The baseline load for each nonpublicly-owned point source located between milepoints 12.0 and 9.7 shall be calculated as follows:

Baseline load = (BPT) (Production)

Where BPT = The final best practicable waste treatment effluent limitations for the point source which is not discharged to a publicly-owned treatment system as provided in chs. NR 284 and 285 expressed as pounds of BOD₅ per ton of production. If chs. NR 284 and 285 do not apply, the best practicable waste treatment effluent limitations as determined under ch. NR. 217 shall apply.

Production = The annual average off-machine production during January 1 to December 1, 1978 expressed as tons per day.

(2) Determine the allocation for each point source.

(a) The allocation for each publicly-owned point source located between milepoints 9.6 and 0.0 shall be a reduction in its discharge to levels appearing in Table 1-p.

(b) The allocation for each nonpublicly-owned point source located between milepoints 12.0 and 9.6 shall be a reduction in its discharge to levels appearing in Table 2-p.

(3) The flow and temperature conditions used to determine compliance with permit effluent limits shall be the representative average measurements of the flow and temperature of the previous day.

SECTION 3. Tables 1-p and 2-p are created to read:

TABLE 1-p
 LBS PER DAY OF BOD₅
 (river mile 9.6 to 0.0)
 Previous Day Average Flow at Peshtigo (cfs)

FLOW CFS	200	201	261	301	341	401	531	611	801	1101
F	LESS	260	300	340	400	530	610	800	1100	MORE
MAY-JUNE										
78+	3151	3151	3367	3151	3351	3493	3685	3832	3881	3607
74-77	3220	3506	3820	3624	3930	4220	4281	4281	4281	4281
70-73	3542	3938	4281	4208	4281	4281	4281	4281	4281	4281
66-69	3946	4281	4281	4281	4281	4281	4281	4281	4281	4281
62-65	4281	4281	4281	4281	4281	4281	4281	4281	4281	4281
32-61	4281	4281	4281	4281	4281	4281	4281	4281	4281	4281
JULY										
78+	3151	3151	3228	3151	3404	3685	4028	4281	4281	4281
74-77	3216	3559	3914	3840	4195	4281	4281	4281	4281	4281
70-73	3689	4142	4281	4281	4281	4281	4281	4281	4281	4281
65-69	4167	4281	4281	4281	4281	4281	4281	4281	4281	4281
62-65	4281	4281	4281	4281	4281	4281	4281	4281	4281	4281
32-61	4281	4281	4281	4281	4281	4281	4281	4281	4281	4281
AUGUST-SEPTEMBER										
78+	3151	3151	3151	3151	3151	3151	3151	3151	3151	3151
74-77	3151	3151	3391	3151	3408	3599	3857	4085	4281	4281
70-73	3244	3599	3979	3791	4159	4281	4281	4281	4281	4281
66-69	3693	4187	4281	4281	4281	4281	4281	4281	4281	4281
62-65	4281	4281	4281	4281	4281	4281	4281	4281	4281	4281
32-61	4281	4281	4281	4281	4281	4281	4281	4281	4281	4281
OCTOBER										
78+	3151	3151	3151	3151	3151	3151	3151	3151	3151	3151
74-77	3151	3151	3151	3151	3151	3306	3563	3799	4126	4281
70-73	3151	3395	3755	3530	3877	4216	4281	4281	4281	4281
66-69	3538	4008	4281	4281	4281	4281	4281	4281	4281	4281
62-65	4179	4281	4281	4281	4281	4281	4281	4281	4281	4281
32-61	4281	4281	4281	4281	4281	4281	4281	4281	4281	4281

TABLE 2-p
 LBS PER DAY OF BOD₅
 (river mile 12.0 to 9.7)
 Previous Day Average Flow at Peshtigo (cfs)

FLOW CFS	200	201	261	301	341	401	531	611	801	1101
TEMP	LESS	260	300	340	400	530	610	800	1100	MORE
MAY-JUNE										
78+	1787	1814	1940	1787	1895	1972	2095	2185	2258	2042
74-77	1885	2037	2223	2088	2278	2463	2506	2506	2506	2506
70-73	2057	2293	2506	2458	2506	2506	2506	2506	2506	2506
66-69	2301	2506	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
JULY										
78+	1787	1814	1880	1787	1947	2120	2333	2506	2506	2506
74-77	1895	2067	2275	2220	2451	2506	2506	2506	2506	2506
70-73	2148	2418	2506	2506	2506	2506	2506	2506	2506	2506
66-69	2436	2506	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
AUGUST-SEPTEMBER										
78+	1787	1787	1787	1787	1787	1787	1787	1787	1787	1787
74-77	1787	1787	1947	1787	1940	2035	2208	2363	2506	2506
70-73	1869	2082	2313	2186	2423	2506	2506	2506	2506	2506
66-69	2140	2446	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
OCTOBER										
78+	1787	1787	1787	1787	1787	1787	1787	1787	1787	1787
74-77	1787	1787	1807	1787	1787	1822	1985	2153	2393	2506
70-73	1787	1952	2168	2012	2238	2461	2506	2506	2506	2506
66-69	2047	2333	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2441	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506

SECTION 4. CROSS-REFERENCE CHANGES. In the sections of the code listed in Column A, the cross-reference shown in Column B is changed to the cross-reference shown in Column C:

<u>A</u> <u>Code Section</u>	<u>B</u> <u>Old Cross-Reference</u>	<u>C</u> <u>New Cross-Reference</u>
NR 212.07	212.60	212.70
NR 212.08	212.60	212.70
NR 212.09	212.60	212.70
NR 212.10(2)	212.60	212.70
NR 212.10(4)	212.60	212.70

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on: December 12, 1984

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

Dated at Madison, Wisconsin March 18, 1985

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

March 19, 1985

IN REPLY REFER TO: 1020

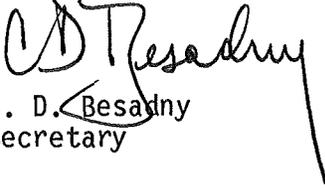
Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WQ-47-84. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.018, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

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

Sincerely,


C. D. Besadny
Secretary

Enc.

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