

CR 84-173

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) ss

RECEIVED
APR 2 1985
3:45 pm
Bureau of Statistics

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. M-43-84a was duly approved and adopted by this Department on January 23, 1985. 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 27th day of March, 1985.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

5086J

6-1-85

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

.....
IN THE MATTER of amending s. NR 150.11(1)(intro.) .
and creating s. NR 150.11(1)(gm) of the Wisconsin .
Administrative Code pertaining to the recovery of .
costs of preparing an environmental impact .
statement on radioactive waste site exploration .
.....

M-43-84a

Analysis Prepared by Department of Natural Resources

Section 144.833(6), Stats., authorizes the State to charge the U.S. Department of Energy a fee for the preparation of an Environmental Impact Statement relating to radioactive waste site exploration, if a statement is required. The proposed changes to s. NR 150.11 are necessary to establish how the Department will collect this fee.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.83(1)(a), and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby amends and creates rules interpreting ss. 23.40 and 144.833(6), Stats., as follows:

SECTION 1. NR 150.11(1)(intro.) is amended to read:

NR 150.11 Environmental impact statement charges. (1) In accordance with s. 23.40, and 144.833(6), Stats., the department will charge a fee for the preparation of an EIS on actions requiring permission from the department including, upon agreement with the person proposing the action, a charge for preapplication services, and shall charge the U.S. Department of Energy or their agents for state EIS-related costs for radioactive waste site exploration under s. 144.833(6), Stats. This section shall not apply, however, to applications of municipalities, as defined under s. 345.05(1)(a), Stats., or to related environmental Impact Statements.

SECTION 2. NR 150.11(1)(gm) is created to read:

NR 150.11(1)(gm). If the department prepares an EIS on radioactive waste site exploration under s. 144.833(6), Stats., it shall charge a fee based on the full cost to the state for time on activities specified in par. (g).

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on January 23, 1985.

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

Dated at Madison, Wisconsin

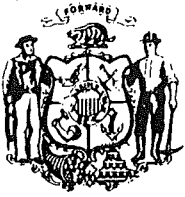
March 26, 1985

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny

Carroll D. Besadny, Secretary



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

March 26, 1985

IN REPLY REFER TO: 1020

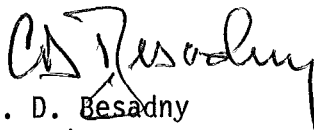
Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. M-43-84a. 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.
5086J