CR 85-87

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

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-15-85a was duly approved and adopted by this Department on December 18, 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 9th day of April, 1986.

Bruce B. Braun, Deputy Secretary

(SEAL)

6-1-86

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

IN THE MATTER of amending ss. NR 212.06(2) 212.40(2)(a) and (b), (3), (5), (6)(b)1. and 2., 212.60(1)(a) and (f), (2)(b)2., repealing and recreating s. NR 212.40(8) and Tables 1-a, 1-b and 1-m; and creating ss. NR 212.03 (5m), (14e) and (14q), 212.065, 212.40(4)(c) and 212.60(4) of the Wisconsin Administrative Code pertaining to wasteload allocations	WQ-15-85a

Analysis Prepared by Department of Natural Resources

Chapter NR 212, Wis. Adm. Code, allocates the class of pollutants known as BOD_5 allowable in certain streams in the state to municipal and industrial dischargers. The proposed revisions include amending baseline loads, definitions, simplification of discharge value matrices and modifications to multipliers.

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, repeals and recreates, and creates rules interpreting ss. 147.04(5), 147.05 and 147.25, Stats., as follows:

SECTION 1. NR 212.03(5m), (14e) and (14q) are created to read:

NR 212.03(5m) "Designated management agency" means any agency designated in an areawide water quality management plan having responsibility for implementing specific plan recommendations.

(14e) "Off-machine production" means that quantity of paper or paperboard taken from a paper machine for further processing, conversion or sale exclusive of coating material applied after the paper machine.

(14q)"Projected population change" means an increment of projected population change for a sewer service area pursuant to the appropriate areawide water quality management plan.

SECTION 2. NR 212.06(2) is amended to read:

NR 212.06(2) Total maximum loads established in ss. NR 212.40 to 212.70 shall be reviewed at least once every 5 years and if necessary, recalculated by the department prior to permit reissuance, based on factors which shall include but not be limited to changes in stream conditions and advancements in stream modeling techniques, discharge characteristics, readjustment of modeling coefficients, utilization of new data, or baseline load revisions under ss. NR 212.065.

SECTION 3. NR 212.065 is created to read:

NR 212.065 MODIFICATION OF BASELINE LOADS. (1) Baseline loads established in ss. NR 212.40 to 212.70 shall be reviewed at least once every 5 years and if necessary, revised by the department based on factors that shall include, but not be limited to population projections, modifications to categorical effluent limits, production curtailment or expansions, permit expiration and revocation, cessation of discharge or other issues. Any temporary reallocation under s. NR 212.11(2) shall be considered as part of baseline load revisions at the 5 year update.

(2) In proposing revisions to total maximum daily loads or baseline loads in ss. NR 212.40 to 212.70 due to reallocation, the department staff shall consider increases in allocations only for circumstances when:

(a) A new discharger requires a wasteload allocation due to insufficient reserve capacity being available in the applicable stream segment; or

(b) An existing discharger demonstrates to the satisfaction of the department that additional wasteload allocation is required due to a production expansion or municipal growth. The demonstration shall include an analysis of the discharger's current wastewater treatment facility's

capability to adequately treat the increased influent. The demonstration shall also include an analysis that the discharger's wastewater treatment facility is adequately maintained and operated at optimal efficiency; or

(c) An existing discharger demonstrates to the satisfaction of the department that additional wasteload allocation is required due to the inability of its wastewater treatment facility to attain existing wasteload allocations. The demonstration shall include an analysis that the discharger has installed appropriate treatment technology and that the current facility is maintained and operated at optimal efficiency.

(d) A reallocation of total maximum daily loads would result in establishment of a reserve capacity through procedures identified in ss. NR 212.40 through 212.70.

(e) Through use of a toxicity test approved by the department, the discharger applying for an increased total maximum daily load demonstrates that such increase will not result in a failure, as defined by the Department, of the toxicity test.

SECTION 4. NR 212.40(2)(a) is amended to read:

NR 212.40(2)(a) Publicly-owned point sources between milepoints 40.0 and 19.2. The baseline load expressed in pounds per day for each publicly-owned point source shall be calculated as follows:

Baseline Load = (Q) (8.34) (60)

Where: Q = The average daily flow for the publicly-owned point source during 1976 and 1977 expressed in million gallons per day, computed as: 12.09 million gallons per day for the publicly-owned point source located between milepoints 38.0 and 37.0 on the Menasha channel.

1.40 million gallons per day for the publicly-owned point source located between milepoints 36.0 and 35.0.

10.47 million gallons per day for the publicly-owned point source located between milepoints 30.0 and 25.0.

2.99 million gallons per day for the publicly-owned point source located between milepoints 23.0 and 22.0.

8.34 = Conversion factor (lbs./gal.).

60 = Concentration of BOD_5 expressed in milligrams per liter.

SECTION 5. NR 212.40(2)(b) is amended to read:

NR 212.40(2)(b) Nonpublicly-owned point sources between milepoints 40.0 and 19.2. The baseline load expressed in pounds per day for each nonpublicly-owned point source shall be calculated as follows:

Baseline Load = (BPT) (Production) (0.85)

Where: BPT = The final best practicable waste treatment effluent limitations for the point source as provided in chs. NR 284 and 285, or 217, where applicable expressed in pounds of BOD_5 per ton of production. ~~If chs. NR 284 and 285, are not applicable, the final best practicable waste treatment effluent limitations as determined under ch. NR 217, shall apply.~~

Production = The maximum weekly off-machine production during 1973 expressed as tons per day.

0.85 = Adjustment factor to approximate daily average off-machine production.

SECTION 6. NR 212.40(3) is amended to read:

NR 212.40(3) Determine the reserve capacity adjustment. The reserve capacity for each publicly-owned point source located between milepoints 40.0 and 19.2 shall be calculated as follows:

Reserve Capacity = (P) (124) (8.34) (60)

Where: P = Projected population change for the area between the years 1977 and 2000 expressed in millions of persons.

124 = Projected per-capita waste water flow expressed in gallons per day.

8.34 = Conversion factor (lbs./gal.)

60 = Concentration of BOD_5 expressed in milligrams per liter.

SECTION 7. NR 212.40(4)(c) is created to read:

NR 212.40(4)(c) The adjusted baseline load for publicly-owned and nonpublicly-owned point sources from milepoints 32.4 through 19.2 shall include an incremental addition as follows:

Milepoint	BOD_5 Increment (lb/day)
32.4 - 30.0	591
30.0 - 28.0	1619
28.0 - 26.0	3085
26.0 - 23.0	1710
23.0 - 22.7	565
22.7 - 22.5	2629

SECTION 8. NR 212.40(5) is amended to read:

NR 212.40(5) Determine the allocation for each point source. The allocation for each point source shall be calculated as follows:

$$\text{Point Source Allocation} = (\text{Adjusted Baseline Load}) \frac{(T)}{C + D}$$

Where: Adjusted Baseline Load = The adjusted baseline load for the point source calculated in sub. (4)

T = The applicable total maximum daily BOD_5 load available for allocation as shown in sub. (1)

C = The sum of all the adjusted baseline loads within the applicable ~~jgm~~ stream segment as defined in sub. (1) for publicly-owned point sources calculated in sub. (4) (a).

D = The sum of all the adjusted baseline loads within the applicable stream segment defined in sub. (1) for nonpublicly-owned point sources calculated in sub. (4) (b).

SECTION 9. NR 212.40(6)(b)1. and 2. are amended to read:

NR 212.40(6)(b)1. For a point source discharging into the lower Fox river between milepoints 40.0 through 32.4, the actual discharge may not exceed ~~135.0%~~ 138.0% of the allocation for that day as calculated under sub. (5).

2. For a point source discharging into the lower Fox river between milepoints 32.4 and 19.2, the actual discharge may not exceed ~~128.9%~~ 120.0% of the allocation for that day as calculated under sub. (5).

SECTION 10. NR 212.40(8) is repealed and recreated to read:

NR 212.40(8) Reallocation of available wasteload allocations. (a) Wasteload allocations may be reallocated under par. (c) when a wasteload allocated permit expires, is revoked or surrendered for the following purposes:

1. Provide for the wasteload needed due to the reactivation of a facility that had closed and made the wasteload available.

2. Provide the wasteload for new production increases by existing dischargers.

3. Provide the wasteload for production by a new discharger.

4. Provide for existing dischargers to raise their existing allocations in the appropriate stream segment towards categorical effluent limitation levels based upon a demonstration of need that the dischargers' treatment facility is incapable of meeting applicable wasteload allocations.

(b) Reallocations shall include an explicit reserve capacity for future new dischargers or future production increases by existing dischargers.

(c) The following procedures shall be used to reallocate available wasteloads:

1. Upon notification by the department of an available wasteload allocation pursuant to par. (a), the designated management agency shall publish a notice of wasteload availability.

2. A 6 month period shall be provided for persons to declare interest in available wasteload allocations.

3. Within 60 days of the end of the 6 month period the designated management agency shall conduct a public meeting regarding the proposed reallocation.

4. The designated management agency shall recommend a reallocation proposal to the department including an explicit reserve capacity.

5. The department shall notify the designated management agency of acceptance or rejection of the recommendation within 6 months.

SECTION 11. NR 212.60(1)(a) is amended to read:

NR 212.60(1)(a) The baseline load for each publicly-owned point source located between milepoints 205.3 and 171.9 shall be calculated as follows:

Baseline Load = (Q) (8.34) (60) (C)

Where Q = The average daily flow for the publicly-owned point source during 1978 expressed in millions of gallons per day.

8.34 = Conversion factor (lbs./gal.).

60 = Concentration of BOD_5 expressed in milligrams per liter.

C = Reallocation conversion factor which has a value of 1.0 for the publicly-owned point source located between milepoints 205.3 and 199.4 and a value of 1.18 for the publicly-owned point sources located between milepoints 199.3 and 171.9.

SECTION 12. NR 212.60(1)(f) is amended to read:

NR 212.60(1)(f) The baseline load for each publicly-owned point source located between milepoints 341.4 and 305.9 shall be calculated as follows:

Baseline Load = (Q) (8.34) (30)

Where Q = The design flow for the publicly-owned point source located between milepoints 341.4 and 313.2 and the year 2000 flow projection for those located between milepoints 313.3 an 305.9 expressed in millions of gallons per day.

8.34 = Conversion factor (lbs./gal.).

30 = Concentration of BOD_5 expressed in milligrams per liter.

SECTION 13. NR 212.60(2)(b)2., is amended to read:

NR 212.60(2)(b)2. For any one day period, the actual discharge for the point source may not exceed ~~122.6%~~ 120.5% of the allocation for that day as calculated under the formula.

SECTION 14. NR 212.60(4) is created to read:

NR 212.60(4) REALLOCATION OF AVAILABLE WASTELOAD ALLOCATIONS. (a) Wasteload allocations may be reallocated under par. (c) when a previously issued wasteload allocated permit expires, is revoked or is voluntarily surrendered. Such reallocation may be accomplished for the following purposes:

1. Provide for the wasteload needed due to the reactivation of a facility that had previously closed and caused the wasteload to become available.

2. Provide for new production increases by existing dischargers.

3. Provide for production by a new discharger.

4. Provide for existing dischargers to raise their existing allocation in the appropriate stream segment towards categorical effluent limitation levels based upon a demonstration of need that the discharger's treatment facility is incapable of meeting applicable wasteload allocations.

(b) Any reallocation shall include explicit reserve capacity for future new dischargers or future production increase by existing dischargers.

(c) Reallocations shall occur according to the following procedure:

1. Upon notification by the department of the availability of a wasteload pursuant to par. (a), the designated management agency shall publish a notice of wasteload availability.

2. A 6-month period shall be provided for persons to declare interest in available wasteload allocations.

3. Within 60 days of the end of the 6 month period the designated management agency shall conduct a public meeting regarding the proposed reallocation.

4. The designated management agency shall recommend a reallocation including an explicit reserve capacity to the department within 30 days of the public meeting.

5. The department shall notify the designated management agency of acceptance or rejection of the recommendation within 6 months.

SECTION 15. Tables 1-a, 1-b and 1-m are repealed and recreated to read:

TABLE 1-a
LBS PER DAY OF BOD5
(river mile 40.0 to 32.4)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	MAY - JUNE														
86.0 OR GREATER	12100	12790	13780	14640	15460	16290	17250	18340	19700	21250	23530	24970	27220	39570	47520
82.0 TO 85.0	12980	13810	14920	15920	16940	18080	19400	20920	22640	23200	24350	25530	30150	43000	52580
78.0 TO 81.0	14380	15350	16600	17840	19260	20910	22210	22590	23340	24250	25050	27250	35380	49270	52870
74.0 TO 77.0	15770	16830	18250	19870	21830	22170	22610	23800	24280	24870	26030	31430	39800	52870	52870
70.0 TO 73.0	17130	18270	20050	21940	22020	22460	23710	24180	24880	25730	28790	36160	44190	52870	52870
66.0 TO 69.0	18520	19840	22010	21940	22280	23580	24130	24850	25870	28070	33110	41340	49570	52870	52870
62.0 TO 65.0	20210	22030	21840	22060	23430	24070	24960	26120	29330	33050	40410	46740	52870	52870	52870
58.0 TO 61.0	22310	21780	21820	23270	24050	25240	27350	31390	35860	41830	46940	52870	52870	52870	52870
54.0 TO 57.0	21600	21510	23070	24130	25780	29890	34900	42040	46150	50410	52870	52870	52870	52870	52870
50.0 TO 53.0	21270	22060	24240	26960	33290	39800	47480	52690	52870	52870	52870	52870	52870	52870	52870
46.0 TO 49.0	22110	24290	29350	37710	48610	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870
42.0 TO 45.0	25220	31510	42930	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870
41.0 OR LESS	36890	48250	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870

TABLE 1-a
LBS PER DAY OF BOD5
(river mile 40.0 to 32.4)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - / TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)						JULY									
86.0 OR GREATER	11900	11900	11900	11900	11900	11900	13510	15550	18070	20820	22430	22640	23590	27000	34740
82.0 TO 85.0	11900	11900	11900	11900	12340	14340	16600	19080	22050	22520	22690	23460	24500	31450	40630
78.0 TO 81.0	11900	11900	11900	13650	15960	18560	21470	22820	23080	23130	23730	24600	26210	39430	50540
74.0 TO 77.0	11900	12300	14350	16860	19820	21720	23050	23390	23460	24040	24760	26040	31350	48000	52870
70.0 TO 73.0	12960	14490	17200	20430	21670	22050	23350	23850	24480	25060	26080	30170	37300	52870	52870
66.0 TO 69.0	14950	16960	20410	21690	22000	23340	23890	24620	25610	26410	30100	35570	44020	52870	52870
62.0 TO 65.0	17400	20100	21670	21850	23290	23950	24880	26090	28540	31400	35760	42330	52260	52870	52870
61.0 OR LESS	20740	21680	21670	23210	24050	25320	27800	31120	34570	38040	43500	51580	52870	52870	52870

TABLE 1-a
LBS PER DAY OF BOD5
(river mile 40.0 to 32.4)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - / TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	AUGUST														
86.0 OR GREATER	11900	11900	11900	11900	11900	11900	11900	11980	13820	15930	19320	22650	23370	25770	30630
82.0 TO 85.0	11900	11900	11900	11900	11900	11900	13450	15250	17540	20120	22710	23280	24200	28680	36100
78.0 TO 81.0	11900	11900	11900	12080	13760	15700	17940	20400	21700	22740	23540	24310	25630	35700	45680
74.0 TO 77.0	11900	11900	13120	15010	17290	19880	21340	21810	22940	23360	24430	25500	28990	43650	52870
70.0 TO 73.0	12450	13640	15730	18270	21100	21360	22650	23000	23540	24290	25500	27920	34160	52250	52870
66.0 TO 69.0	14350	15930	18680	21190	21360	22670	23110	23710	24620	25690	27870	32850	40540	52870	52870
62.0 TO 65.0	16620	18820	21230	21280	22640	23180	23970	25030	26430	29140	33120	39170	48590	52870	52870
61.0 OR LESS	19730	21310	21150	22550	23250	24360	25840	29010	32170	35400	40430	48140	52870	52870	52870

TABLE 1-a
LBS PER DAY OF BOD5
(river mile 40.0 to 32.4)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - / TEMP DEG F	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	SEPTEMBER														
86.0 OR GREATER	11900	11900	11900	11900	11900	11900	11900	11900	11900	12700	15400	19440	23550	25820	30900
82.0 TO 85.0	11900	11900	11900	11900	11900	11900	11900	12890	14660	16730	20220	22880	24220	28550	36130
78.0 TO 81.0	11900	11900	11900	11900	12510	13890	15600	17610	20220	22030	22610	23940	25430	35030	45680
74.0 TO 77.0	11900	11900	12590	13870	15590	17690	20200	21880	22160	22570	23480	25160	27910	42840	52870
70.0 TO 73.0	12590	13290	14730	16690	19200	20710	21880	22150	22680	23400	24760	26450	32620	51470	52870
66.0 TO 69.0	14100	15180	17320	20120	20730	21900	22260	22810	23680	24740	26320	31140	38800	52870	52870
62.0 TO 65.0	15980	17700	20760	20670	21860	22300	23030	24020	25410	27180	31160	37270	47030	52870	52870
58.0 TO 61.0	18670	20870	20550	21750	22320	23340	24740	26600	30050	33250	38290	46210	52870	52870	52870
54.0 TO 57.0	20760	20370	21550	22370	23820	25880	30150	33950	38050	42320	49160	52870	52870	52870	52870
50.0 TO 53.0	20120	21280	22400	24580	28870	34630	39610	44880	50650	52870	52870	52870	52870	52870	52870
46.0 TO 49.0	21130	22330	25570	33280	40820	47690	52870	52870	52870	52870	52870	52870	52870	52870	52870
42.0 TO 45.0	22950	26610	38240	49250	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870
41.0 OR LESS	31510	43060	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870

TABLE 1-a
LBS PER DAY OF BOD5
(river mile 40.0 to 32.4)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - / TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)							OCTOBER								
66.0 OR GREATER	12890	13610	15330	17810	20920	21000	21280	21780	22650	23730	25830	30120	38610	52870	52870
62.0 TO 65.0	14390	15790	18640	20930	20970	21300	21980	22910	24320	25990	29770	36340	46710	52870	52870
58.0 TO 61.0	16720	19200	20850	20840	21260	22190	23530	25280	28320	31640	36940	45280	52870	52870	52870
54.0 TO 57.0	20190	19610	20580	21210	22530	24490	27630	32020	36260	40660	47790	52870	52870	52870	52870
50.0 TO 53.0	19270	20220	21090	23080	26050	32320	37430	42800	48740	52870	52870	52870	52870	52870	52870
46.0 TO 49.0	19900	20830	23770	29750	38090	45100	52650	52870	52870	52870	52870	52870	52870	52870	52870
42.0 TO 45.0	21110	24340	34110	45940	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870
41.0 OR LESS	26620	38050	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870	52870

TABLE 1-b
LBS PER DAY OF BOD5
(river mile 32.4 to 19.2)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	MAY - JUNE														
86.0 OR GREATER	19530	20420	22080	24040	26140	28260	30320	32250	34310	36350	39600	44250	51010	63910	73520
82.0 TO 85.0	19420	20430	22210	24390	26660	28890	31030	33000	35220	38020	41600	46650	53800	68020	79650
78.0 TO 81.0	19150	20410	22530	25040	27560	29970	32480	35440	38760	41280	44870	51070	59210	75180	91320
74.0 TO 77.0	18870	20380	22960	25780	28460	31830	35330	38750	41510	44240	48790	55300	63740	84040	100580
70.0 TO 73.0	18660	20460	23470	26610	30480	34470	38310	41220	44390	47680	52700	60590	68590	95110	100580
66.0 TO 69.0	18680	20900	24270	28610	33110	37570	40930	44350	48270	51980	57640	65690	75390	100580	100580
62.0 TO 65.0	19050	21620	26390	31540	36770	40720	44820	49180	53430	57720	64970	72530	85540	100580	100580
58.0 TO 61.0	19930	23850	29850	36110	40930	46030	51270	55990	61520	67050	73540	84150	100580	100580	100580
54.0 TO 57.0	22540	27670	35440	41500	48070	54250	60610	67770	73110	79020	88690	100580	100580	100580	100580
50.0 TO 53.0	27120	34180	42260	50880	58700	67790	75380	83010	91490	100580	100580	100580	100580	100580	100580
46.0 TO 49.0	35180	42700	53730	65030	77230	87490	98940	100580	100580	100580	100580	100580	100580	100580	100580
42.0 TO 45.0	46260	56540	72970	90120	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580
41.0 OR LESS	63960	81400	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580

TABLE 1-b
LBS PER DAY OF BOD5
(river mile 32.4 to 19.2)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)							JULY								
86.0 OR GREATER	19410	20220	22000	23990	25710	26170	26980	28180	29240	29780	31330	34160	38470	50880	59440
82.0 TO 85.0	19570	20540	22190	24300	26280	27480	28340	29090	29860	31520	33910	36900	42800	55660	66240
78.0 TO 81.0	19430	20700	22610	24790	26830	28610	30110	31750	33760	35510	38010	43030	49440	64460	79010
74.0 TO 77.0	19460	20690	22950	25250	27350	29900	33050	35410	37540	39570	43590	48790	55230	74500	93610
70.0 TO 73.0	19270	20860	23210	25670	28940	32850	36710	39140	41770	44770	48930	54010	61490	86460	100580
66.0 TO 69.0	19230	21110	23690	27390	31930	36490	39940	43480	46990	50190	53910	59720	69370	100580	100580
62.0 TO 65.0	19500	21570	25470	30620	36130	40270	44530	49080	52330	55260	60080	67690	80270	100580	100580
61.0 OR LESS	20140	23290	29180	35830	40920	46310	51590	55020	58840	62930	69640	80040	97410	100580	100580

TABLE 1-b
LBS PER DAY OF BOD5
(river mile 32.4 to 19.2)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - / TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	AUGUST														
86.0 OR GREATER	17100	17820	19550	21660	23750	25630	27250	28660	29950	31130	32730	34200	37550	47950	54910
82.0 TO 85.0	17100	17980	19830	22050	24160	26080	27770	29210	30630	31780	34020	36110	41620	52690	61150
78.0 TO 81.0	17100	18250	20290	22640	24880	26880	28660	30250	32660	35080	37160	41870	47280	60390	73230
74.0 TO 77.0	17100	18430	20740	23240	25590	27710	30360	33520	36040	38390	42230	46740	52860	69620	86960
70.0 TO 73.0	17100	18620	21190	23820	26350	30100	33650	36450	39290	42320	46710	51760	58250	81040	100580
66.0 TO 69.0	17110	19080	21860	24970	29300	33490	36810	40050	43740	47670	51710	56920	65590	94940	100580
62.0 TO 65.0	17560	19750	23220	28190	33180	37130	41120	45370	50290	52990	57310	64230	76010	100580	100580
61.0 OR LESS	18330	21220	26890	32890	37770	42880	48300	52880	56320	60040	66160	75970	92360	100580	100580

TABLE 1-b
LBS PER DAY OF BOD5
(river mile 32.4 to 19.2)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - / TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	SEPTEMBER														
86.0 OR BREATER	17100	17100	17100	18950	21280	23430	25440	27290	29040	30650	32770	34940	38300	48160	55220
82.0 TO 85.0	17100	17100	17100	19430	21810	24010	25990	27810	29670	31340	32690	36020	41730	52560	61180
78.0 TO 81.0	17100	17100	17620	20220	22700	25020	27140	29050	30780	32160	35280	40840	46540	59660	73230
74.0 TO 77.0	17100	17100	18250	20960	23540	25940	28140	30320	32850	35340	39370	45460	51770	68700	86890
70.0 TO 73.0	17100	17100	18850	21690	24340	27510	30270	33010	36010	39020	44360	50300	56670	80100	100580
66.0 TO 69.0	17100	17100	19690	22660	26690	30070	33330	36690	40350	44350	49880	55150	63700	94080	100580
62.0 TO 65.0	17100	17520	20730	25590	29710	33590	37660	41850	46850	51040	55250	62160	74200	100580	100580
58.0 TO 61.0	17100	18710	24240	29320	34110	39220	44600	50480	54100	57710	63740	73690	90340	100580	100580
54.0 TO 57.0	17710	22400	28760	34820	41390	48550	54250	58710	63740	69330	78450	92890	100580	100580	100580
50.0 TO 53.0	22010	27710	35520	44320	53280	59620	66000	73280	81330	90010	100580	100580	100580	100580	100580
46.0 TO 49.0	28330	35720	47640	59240	67770	77480	88370	100450	100580	100580	100580	100580	100580	100580	100580
42.0 TO 45.0	38730	50510	66520	79740	94890	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580
41.0 OR LESS	56940	73990	96270	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580

TABLE 1-b
LBS PER DAY OF BOD5
(river mile 32.4 to 19.2)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) - / TEMP DEG F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)						OCTOBER									
66.0 OR GREATER	17100	17100	17350	20360	23070	26070	29340	32820	36620	40820	48090	54100	63500	96160	100580
62.0 TO 65.0	17100	17100	18280	22130	25690	29540	33740	37970	43200	48860	53790	61140	73830	100580	100580
58.0 TO 61.0	17100	17100	20910	25210	29930	35110	40550	46650	52270	55950	62210	72590	90220	100580	100580
54.0 TO 57.0	17100	18930	24460	30400	37000	44160	51740	56540	61660	67340	76760	91840	100580	100580	100580
50.0 TO 53.0	18180	23110	30750	39480	49160	56990	63400	70680	78880	87730	100580	100580	100580	100580	100580
46.0 TO 49.0	23260	30400	42140	54620	64450	74170	85110	97250	100580	100580	100580	100580	100580	100580	100580
42.0 TO 45.0	32620	44150	60850	75480	90500	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580
41.0 OR LESS	50540	66850	90710	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580

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TABLE 1-m
LBS PER DAY OF BOD5
(river mile 205.3 to 171.9)

Previous Day Average Flow at Biron Dam (cfs)

FLOW / TEMP DEG F	999 OR LESS	1000 TO 1199	1200 TO 1499	1500 TO 1999	2000 TO 2499	2500 TO 2999	3000 TO 3999	4000 TO 4999	5000 TO 5999	6000 OR MORE
Previous Day Average	MAY - JUNE									
82 OR MORE	14090	19450	24280	32740	43710	56020	57890	109930	126010	126010
78 TO 81	14270	20150	25460	34860	47570	61490	63040	124130	126010	126010
74 TO 77	14430	20840	26730	37330	51730	67770	69550	126010	126010	126010
70 TO 73	15060	22070	28570	40280	56940	76260	78310	126010	126010	126010
66 TO 69	17220	25400	33030	46930	67170	90740	92900	126010	126010	126010
62 TO 65	20420	30380	39740	57380	83000	113150	116070	126010	126010	126010
58 TO 61	25230	37960	50230	73270	107730	126010	126010	126010	126010	126010
54 TO 57	32780	50170	67460	98190	126010	126010	126010	126010	126010	126010
50 TO 53	44980	70700	96520	126010	126010	126010	126010	126010	126010	126010
46 TO 49	65950	105300	126010	126010	126010	126010	126010	126010	126010	126010
42 TO 45	104080	126010	126010	126010	126010	126010	126010	126010	126010	126010
41 OR LESS	126010	126010	126010	126010	126010	126010	126010	126010	126010	126010

TABLE 1-m
(continued)
LBS PER DAY OF BOD5
(river mile 205.3 to 171.9)

Previous Day Average Flow at Biron Dam (cfs)

- FLOW - TEMP DEG F	999 OR LESS	1000 TO 1199	1200 TO 1499	1500 TO 1999	2000 TO 2499	2500 TO 2999	3000 TO 3999	4000 TO 4999	5000 TO 5999	6000 OR MORE
Previous Day Average	JULY - AUGUST									
82 OR MORE	10220	12730	15260	20280	27850	36910	37990	77790	106430	121800
78 TO 81	10220	13400	16750	23250	32790	44090	45460	95180	126010	126010
74 TO 77	10220	14460	18710	26700	38440	52210	53520	116110	126010	126010
70 TO 73	10770	15940	20990	30630	44740	61400	63240	126010	126010	126010
66 TO 69	13080	19510	25890	37870	55600	76530	78600	126010	126010	126010
62 TO 65	16210	24690	32910	48560	71670	99270	102140	126010	126010	126010
61 OR LESS	20900	32370	43510	64910	96410	126010	126010	126010	126010	126010

TABLE 1-m
(continued)
LBS PER DAY OF BOD5
(river mile 205.3 to 171.9)

Previous Day Average Flow at Biron Dam (cfs)

- FLOW - TEMP DEG F	999 OR LESS	1000 TO 1199	1200 TO 1499	1500 TO 1999	2000 TO 2499	2500 TO 2999	3000 TO 3999	4000 TO 4999	5000 TO 5999	6000 OR MORE
Previous Day Average	SEPTEMBER-OCTOBER									
82 OR MORE	10220	10220	10220	11890	17810	24650	25520	54880	76010	87260
78 TO 81	10220	10220	10220	14100	21750	30380	31340	69790	97910	113060
74 TO 77	10220	10220	10880	17140	26390	37320	38460	89310	122210	126010
70 TO 73	10220	10220	13270	20940	32350	45880	47080	110380	126010	126010
66 TO 69	10220	12590	17740	27700	42400	59880	61710	126010	126010	126010
62 TO 65	10220	17080	24020	37280	57030	80460	82480	126010	126010	126010
58 TO 61	14260	23670	33250	51710	79170	111910	115150	126010	126010	126010
54 TO 57	20210	34030	47890	74560	114650	126010	126010	126010	126010	126010
50 TO 53	30240	51240	72530	113710	126010	126010	126010	126010	126010	126010
46 TO 49	47330	80810	114710	126010	126010	126010	126010	126010	126010	126010
42 TO 45	78580	126010	126010	126010	126010	126010	126010	126010	126010	126010
41 OR LESS	126010	126010	126010	126010	126010	126010	126010	126010	126010	126010

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on December 18, 1985.

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

Dated at Madison, Wisconsin April 8, 1986

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny, Secretary

(SEAL)

3831P

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING RULES

. . . . . .

IN THE MATTER of repealing s. 104.07(3)(a) of the Wisconsin Administrative Code pertaining to water quality standards.

WQ-15-85c

. . . . . .

Analysis Prepared by Department of Natural Resources

Section NR 104.07(3)(a), Wis. Adm. Code, provides a dissolved oxygen variance of 2 mg/L to the Lower Fox River from the DePere Dam to the river mouth. The proposal would eliminate the variance and the 5 mg/L dissolved oxygen criterion would then apply.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.025 and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby repeals rules interpreting ss. 144.025(2)(b), Stats., as follows:

SECTION 1. NR 104.07(3)(a) is repealed.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on September 25, 1985.

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

Dated at Madison, Wisconsin April 8, 1986

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

April 8, 1986 IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 904
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WQ-15-85a. 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.

7823K