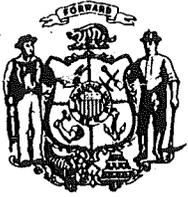


CR 86-127



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

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. SW-37-86 was duly approved and adopted by this Department on September 18, 1986. 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 11th day of November, 1986.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

5581I

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NOV 13 1986
4:00 pm
Revisor of Statutes
Bureau

1-1-87

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING AND RECREATING RULE

.....
IN THE MATTER of repealing and .
recreating s. NR 132.07(4)(e) of .
the Wisconsin Administrative Code .
pertaining to the backfilling of .
mines. .
.....

SW-37-86

Analysis Prepared by Department of Natural Resources

The rules are promulgated under the authority of ss. 144.025(2)(c), 144.83(1)(a), and 162.01(1), Stats., and interpret ss. 144.025(2)(t), 144.83, 147.02 and 162.01(1), Stats.

The proposed revision to s. NR 132.07(4)(e) is to clarify the applicability of this regulatory provision, to correct discrepancies and conflicts between the statutes and rules and between rules and to establish criteria by which requests for the backfilling of mines which involve the underground injection of mining wastes will be evaluated.

The proposed revision is made in accordance with the state administered underground injection program as delegated to Wisconsin by the United States Environmental Protection Agency.

The Department has determined, pursuant to s. 227.114, Stats., that the proposed revision will not have a significant economic impact on a substantial number of small businesses.

SECTION 1. NR 132.07(4)(e) is repealed and recreated to read:

NR 132.07(4)(e) Notwithstanding the provisions of s. NR 112.20, the backfilling of excavations where such procedure will not interfere with the mining operation and will not:

1. Cause an exceedance of any groundwater quality standard, including any drinking water standard, implemented under this chapter in accordance with the provisions of ch. NR 182, or
2. Adversely affect public health or welfare.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on September 18, 1986.

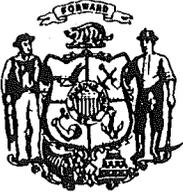
The rule shall take effect as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin November 10, 1986

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)
6950J



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

November 10, 1986

IN REPLY REFER TO: 1020

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

RECEIVED

NOV 13 1986

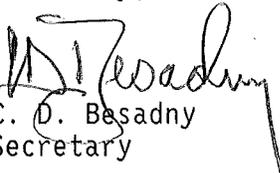
Revisor of Statutes
Bureau

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. SW-37-86. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.19, 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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