

State of Wisconsin

CR 86-70

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. WW-25-86 was duly approved and adopted by this Department on November 20, 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 20th day of February, 1987.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

4626M

RECEIVED

FEB 23 1987
3:10 pm
Revisor of Statutes
Bureau

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD AMENDING RULES

IN THE MATTER of amending s. NR 205.08(1)(b),
(5)(intro.) and (a) of the Wisconsin
Administrative Code pertaining to general
provisions for the WPDES permit program

WW-25-86

Analysis Prepared by the Department of Natural Resources

The effect of the amendments to s. NR 205.08, Wis. Adm. Code, will be to clarify and update the language which relates to the general permit program as authorized under s. 147.023, Stats. The Department is currently seeking EPA approval of a general permit program. Comments from EPA have indicated a need to make changes to the provisions of s. NR 205.08 to clarify its applicability. Following such changes, final approval of the general permit program should be possible. EPA has also indicated that a conditional general permit program approval may be granted after the Department has initiated this proposed revision to NR 205.08.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 147.01 and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby amends rules interpreting ss. 147.023, 147.035 and 147.04, Stats., as follows:

SECTION 1. NR 205.08 (1)(b) is amended to read:

NR 205.08 (1)(b) ~~Categories or classes of point sources may include any of the following~~ which may be covered by general permit are those where point sources:

1. ~~Facilities which perform~~ Perform the same or substantially similar operations ~~and produce the same or substantially wastewater streams;~~
2. ~~Facilities which produce~~ Produce the same types of wastewater streams;
3. ~~Facilities which employ~~ Employ the same or substantially similar wastewater treatment operations to control specific pollutants;

4. Are subject to the same effluent limitations and monitoring requirements; and

5. In the opinion of the department, are more appropriately controlled under a general permit than under individual permits.

SECTION 2. NR 205.08 (5) (intro.) and (a) are amended to read:

NR 205.08(5) The department may require any point source covered by a general permit to apply for and obtain an individual permit ~~if~~. Any person may submit a written request that the department take action under this subsection. Situations in which an individual permit may be required include:

(a) The point source is a significant contributor of pollution or ~~if~~ the point source is more appropriately regulated by an individual permit; ~~Any person may submit a written request that the department take action under this section;~~

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on November 20, 1986.

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

Dated at Madison, Wisconsin February 18, 1987

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)
6913T



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

February 18, 1987

IN REPLY REFER TO: 1020

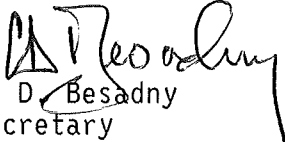
Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 904
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WW-25-86. These rules were reviewed by the Assembly Committee on Environmental Resources and Utilities and the Senate Committee on Urban Affairs, Energy, Environmental Resources and Elections 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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