



State of Wisconsin

CR 87-171

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

File Ref:

RECEIVED

APR 6 1988  
1:00 pm  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN )  
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. WR-49-87 was duly approved and adopted by this Department on February 25, 1988. 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 here-  
unto set my hand and affixed the  
official seal of the Department at  
the Natural Resources Building in  
the City of Madison, this 5th  
day of April, 1988.

  
Bruce B. Braun, Deputy Secretary

(SEAL)

5-1-88

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

.....  
IN THE MATTER OF amending ss. NR 212.40(1)(c) .  
and (4)(a); and repealing and recreating .  
Table 1-c of NR 212 of the Wisconsin .  
Administrative Code pertaining to water quality .  
based allocations of pollutant discharges to .  
waters of the state .  
.....

WR-49-87

Analysis Prepared by the Department of Natural Resources

Statutory authority: s. 227.11(2)(a), Stats. Statutes interpreted:  
ss. 147.04(5) and 147.25, Stats.

Chapter NR 212, Wis. Adm. Code, allocates to municipal and industrial point source dischargers amounts of the class of pollutants known as BOD<sub>5</sub> allowable in certain streams in the state. Table 1-c allocates BOD<sub>5</sub> to 5 industrial and 2 municipal point sources in the last 7.3 miles of the Lower Fox River.

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SECTION 1. NR 212.40(1)(c) is amended to read:

NR 212.40(1)(c) The total maximum daily BOD<sub>5</sub> loads which are available for allocation to point sources discharging to the lower Fox river between milepoints 7.2 and 0.0 are shown in Table 1-c. For the period June 1 through June 30 of each year, section A of the MAY-JUNE table shall be replaced with section A of the JULY-AUGUST table. The total maximum daily BOD<sub>5</sub> loads shown in Table 1-c have been determined in accord with ss. NR 102.02 and 102.03 to maintain the dissolved oxygen criteria except for natural conditions and the historically altered hydraulic characteristics.

TABLE 1-c  
 LBS PER DAY OF BOD5  
 (river mile 7.3 to 0.0)

- FLOW (CFS) :	Flow at Rapide Croche Dam (cfs)										(Previous four day average)					
	750	751	1001	1251	1501	1751	2001	2251	2501	2751	3001	3501	4001	5001	8001	
-	OR	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	OR	
TEMP DEG F -	LESS	1000	1250	1500	1750	2000	2250	2500	2750	3000	3500	4000	5000	8000	MORE	
(Previous Day Average)																
	← A →										MAY - JUNE					
86.0 OR GREATER :	31540	31540	31540	31540	31540	31540	31540	31540	31540	41900	54980	78760	118060	150180	150180	150180
82.0 TO 85.0 :	31540	31540	31540	31540	31540	31540	31540	31540	35790	46320	58940	81720	119160	150180	150180	150180
78.0 TO 81.0 :	31540	31540	31540	31540	31540	31540	31540	35150	43770	54250	66570	88440	123810	150180	150180	150180
74.0 TO 77.0 :	31540	31540	31540	31540	31540	35950	43690	53060	64050	76620	98420	132840	150180	150180	150180	150180
70.0 TO 73.0 :	31540	31540	31540	31540	36760	44640	53930	64620	76670	90070	112640	147230	150180	150180	150180	150180
66.0 TO 69.0 :	31540	31540	31540	36140	45190	55430	66840	79400	93080	107860	132040	150180	150180	150180	150180	150180
62.0 TO 65.0 :	31540	31540	32650	43900	56120	69290	83370	98360	114230	130950	150180	150180	150180	150180	150180	150180
58.0 TO 61.0 :	31540	31540	39330	54560	70510	87160	104480	122470	141080	150180	150180	150180	150180	150180	150180	150180
54.0 TO 57.0 :	31540	31540	49310	69070	89310	110010	131130	150180	150180	150180	150180	150180	150180	150180	150180	150180
50.0 TO 53.0 :	31540	38950	63550	88400	113490	138780	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
46.0 TO 49.0 :	31540	52490	82990	113500	143990	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
42.0 TO 45.0 :	45630	71630	108600	145320	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
41.0 OR LESS :	66280	97340	141330	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180

SECTION 2. NR 212 Table 1 is repealed and recreated to read:

TABLE 1-c  
 LBS PER DAY OF BOD5  
 (river mile 7.3 to 0.0)

	Flow at Rapide Croche Dam (cfs) (Previous four day average)														
- FLOW (CFS) :	750	751	1001	1251	1501	1751	2001	2251	2501	2751	3001	3501	4001	5001	8001
- :	OR	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	TO	OR
TEMP DEG F - :	LESS	1000	1250	1500	1750	2000	2250	2500	2750	3000	3500	4000	5000	8000	MORE
(Previous Day Average)	← A → JULY-AUGUST														
86.0 OR GREATER	38590	54240	49380	46070	44240	43820	44760	47000	50460	55100	64090	79580	109280	150180	150180
82.0 TO 85.0	55410	51740	47850	45480	44570	45060	46880	49980	54290	59740	69930	86930	118750	150180	150180
78.0 TO 81.0	51120	48610	46340	45570	46220	48230	51550	56110	61840	68690	80910	100500	135960	150180	150180
74.0 TO 77.0	47830	46550	46010	46920	49240	52880	57790	63910	71170	79510	93910	116300	150180	150180	150180
70.0 TO 73.0	45530	45350	46840	49550	53620	58990	65600	73380	82270	92210	108940	134320	150180	150180	150180
66.0 TO 69.0	44230	45620	48830	53440	59380	66580	74980	84520	95140	106780	125990	150180	150180	150180	150180
62.0 TO 65.0	43930	46760	52000	58600	66500	75630	85930	97340	109790	123220	145070	150180	150180	150180	150180
61.0 OR LESS	44620	48960	56330	65030	74990	86150	98450	111820	126200	141530	150180	150180	150180	150180	150180



SECTION 3. NR 212.40(4)(a) is amended to read:

NR 212.40(4)(a) The adjusted baseline load for each publicly-owned point source shall be equal to the baseline load for the source calculated in sub. (2)(a) and or (am) plus the reserve capacity for the same source calculated in sub. (3), plus the mini-cluster adjustment, if any, calculated in sub. (2)(d).

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on February 25, 1988.

The rules shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin

April 5, 1988

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)

1045E



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

April 5, 1988

File Ref: 1020

Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 702  
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WR-49-87. 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. A summary 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,

A handwritten signature in cursive script, appearing to read "C. D. Besadny".

C. D. Besadny  
Secretary

Enc.