

sponsible for the area in which the facility is located and 3 copies shall be submitted to the bureau of solid waste management in Madison.

(4) **CERTIFICATION.** The report and plan sheets shall be under the seal of a registered professional engineer. Initial site reports, feasibility reports, plans of operation, infield conditions reports and any other reports where interpretation of geology or hydrogeology is necessary shall be signed by a hydrogeologist.

(5) **TECHNICAL PROCEDURES.** All technical procedures used to investigate a solid waste facility shall be the current standard procedures as specified by the American society for testing materials, United States geologic survey, standard methods for the examination of water and wastewater, or other equivalent or appropriate methods approved by the department. Test procedures used shall be specified. Any deviation from a standard method shall be explained in detail with reasons provided.

(6) **VISUALS.** Maps, figures, photographs and tables to clarify information or conclusions. The visuals shall be legible. All maps, plan sheets, drawings, isometrics, cross-sections and aerial photographs shall meet the following requirements:

(a) No larger than 24 inches × 36 inches and no smaller than 8½ inches × 11 inches.

(b) Be of appropriate scale to show all required details in sufficient clarity.

(c) Be numbered, referenced in the narrative, titled, have a legend of all symbols used, contain horizontal and vertical scales, where applicable, and specify drafting or origination dates.

(d) Use uniform scales.

(e) Contain a north arrow.

(f) Use USGS datum as a basis for all elevations.

(g) Contain a survey grid based on monuments established in the field which is referenced to state plane coordinates.

(h) Show original topography and the grid system on plan sheets showing construction, operation or closure topography.

(i) Show survey grid location and reference major plan sheets on all cross-sections. A reduced diagram of a cross-section location plan view map shall be included on the sheets with the cross-sections.

(7) **TABLE OF CONTENTS.** A table of contents listing all sections of the submittal.

(8) **APPENDIX.** An appendix listing names of all references, all raw data, testing and sampling procedures and calculations.

History: Cr. Register, January, 1988, No. 385, eff. 2-6-88.

NR 500.06 License applications. Unless otherwise specified, no person may operate or maintain a solid waste facility without a license from the department. A submittal for initial licensing or relicensing of any solid waste facility shall include:

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(1) **REVIEW FEE.** The appropriate fee as specified in s. NR 520.04 in check or money order payable to the department. The fee shall be sent to the department's district or area office as appropriate. Plan review fees are not transferable, proratable or refundable.

(2) **APPLICATION FORM.** A completed copy of the appropriate application form.

(3) **FINANCIAL RESPONSIBILITY.** For all land disposal facilities with plans of operation approved under s. 144.44 (3), Stats., proof of financial responsibility as specified in s. NR 520.05.

(4) **AFFIDAVIT OF FACILITY REGISTRY.** Submittal on form 4400-67 that proof that a notation of the existence of the facility has been recorded in the office of the register of deeds in each county in which a portion of the facility is located.

Note: This form may be obtained from the Department of Natural Resources, Bureau of Solid Waste Management, 101 S. Webster Street, Natural Resources Building, Madison, WI 53707.

History: Cr. Register, January, 1988, No. 385, eff. 2-6-88.

NR 500.07 Review times. Except as otherwise provided in chs. NR 500 to 522, the department shall review and approve, deny or deem incomplete requests for plan approvals or exemptions within 65 business days after receiving the request. For the purposes of determining department compliance with review times specified in chs. NR 500 to 522 and ch. 144, Stats., the review time starts when the appropriate copies and review fee are received.

History: Cr. Register, January, 1988, No. 385, eff. 2-6-88.

NR 500.08 Exemptions. (1) **GENERAL.** The following facilities are exempt from all requirements of chs. NR 500 to 522:

(a) Facilities used for the disposal of solid waste from a single family or household on the property where it is generated.

(b) Riprapping projects using inert solid waste materials approved by the department under s. 30.12, Stats., or in submerged shorelands in Lake Michigan, the title to which has been granted by the state to a municipality.

(2) **OTHER FACILITIES.** The following facilities must be established in conformance with the locational requirements of s. NR 504.04 (3) (c) and (4) (a) to (e) and must be operated and maintained in a nuisance-free and aesthetic manner but are exempt from licensing and the requirements of chs. NR 500 to 522:

(a) Facilities where only clean soil, brick, building stone, concrete, reinforced concrete, broken pavement, and unpainted or untreated wood are disposed.

(b) Facilities for the exclusive disposal of spoils from sand, gravel or stone and crushed stone quarry operations and similar nonmetallic earth materials.

(c) Facilities for the disposal of wood residue from a saw mill, debarker or equivalent industry which produces less than 5,000 board feet of lumber per year or equivalent and the total disposal facility volume is less than 500 cubic yards of wood residue.

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(3) **DREDGED MATERIAL EXEMPTIONS.** The following facilities are exempt from the licensing and plan review requirements of chs. NR 500 to 522 but must be developed in accordance with the following requirements:

(a) Dredged material determined by the department to be clean according to ch. NR 347 and designated for in-water disposal provided the project meets all provisions specified in ch. NR 347.

(b) Facilities for the disposal of nonhazardous dredged material consisting of less than 3000 cubic yards from Lake Michigan, Lake Superior, the Wisconsin river, the Sheboygan river, the Milwaukee river, the Brule and Menomonee rivers, the Fox river, the Mississippi river, or from any inland lakes or ponds treated with arsenicals provided the facility complies with the performance standards specified in s. NR 504.04 (4).

(c) Facilities for the disposal of nonhazardous dredged material from inland lakes or ponds that have not been treated with arsenicals provided the facility complies with the performance standards specified in s. NR 504.04 (4).

(4) **EXEMPTIONS FROM SOLID WASTE RULES.** Exemptions from the requirements of chs. NR 500 to 522 may be granted in writing by the department in special cases except as otherwise provided. A person may apply for an exemption by providing the department with a written request along with the appropriate documentation which demonstrates that the proposal will not cause environmental pollution as defined in s. 144.01 (3), Stats. The department shall take into account such factors as the population of the area being served, the amount of waste being generated, the geologic and hydrogeologic conditions at the facility, the design of the facility, the operational history of the facility, the physical and chemical characteristics of the waste and any other information which may be appropriate. The department shall review and make a written determination on the exemption request within 65 business days of receipt of a complete request and the appropriate review fee under ch. NR 520 unless a different time period is provided by law.

(5) **BENEFICIAL REUSE.** The department may grant exemptions from the requirements of ss. 144.43 to 144.47, Stats., for the purpose of allowing or encouraging the recycling of solid wastes. Any exemptions granted under this section shall be issued in writing in accordance with the requirements of s. 144.44 (7) (b), (c), (f) and (g), Stats.

(6) **REMEDIATION ACTION EXEMPTION.** The following facilities are exempt from solid waste program regulatory requirements under ss. 144.43 to 144.47, Stats., and chs. NR 500 to 536:

(a) Facilities for the treatment, storage or disposal of solid waste which is excavated for the primary purpose of conducting a site investigation or implementing an interim or remedial action in compliance with the requirements of chs. NR 700 to 726 and which is returned to the same property from which it was excavated in compliance with the requirements of ch. NR 718; and

(b) Facilities for the treatment, storage or disposal of excavated contaminated soil which are operated in compliance with the requirements of ch. NR 718.

History: Cr. Register, January, 1988, No. 385, eff. 2-6-88; cr. (6), Register, April, 1994, No. 460, eff. 5-1-94.

NR 500.09 Construction inspection. The department may require as a condition of the approval of a feasibility report, plan of operation, groundwater monitoring plan, closure plan, in-field conditions report or a modification to any approval that critical construction steps of a facility, as specified in the approval, be inspected by the department. The applicant shall pay an inspection fee as specified in s. NR 520.04 (5).

History: Cr. Register, January, 1988, No. 385, eff. 2-6-88.

NR 500.10 Exemption for use of municipal solid waste as a fuel. The department may grant exemptions in writing from any of the requirements of chs. NR 500 to 520 for municipal solid waste combustors and any other solid waste facilities which manage the residue from municipal solid waste combustors. The department also may issue an approval for solid waste which has been processed into a fuel for a municipal solid waste combustor which exempts the combustor and any facility which manages the combustor residue from regulation under chs. NR 500 to 520. Such exemptions may be granted under this section. The department shall consider the following criteria in determining whether an exemption shall be granted under this section:

- (a) The source of the waste to be used as fuel.
- (b) The variability of the waste to be used as fuel.
- (c) The physical and chemical properties of the waste to be used as fuel.
- (d) The quantity of the waste to be used as fuel.
- (e) The percentage of the total fuel mix contributed by the municipal solid waste.
- (f) The physical and chemical properties of the residue.

History: Cr. Register, May, 1992, No. 437, eff. 6-1-92.