

## Chapter WFSB 1

### GENERAL PROVISIONS

WFSB 1.01 Authority.

WFSB 1.02 Purpose and construction.

WFSB 1.03 Policy.

WFSB 1.04 Definitions.

**WFSB 1.01 Authority.** Chapters WFSB 1 to 12 are promulgated under the authority of s. 289.33 (4), Stats., for implementation of s. 289.33, Stats.

**History:** Cr. Register, November, 1984, No. 347, eff. 12-1-84; correction made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1988, No. 395; correction made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1991, No. 427; **correction made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1999, No. 526.**

**WFSB 1.02 Purpose and construction.** Chapters WFSB 1 to 12 govern the conduct of all proceedings involving negotiation and arbitration before the waste facility siting board and before any examiner in disputes. Chapters WFSB 1 to 12 shall be liberally construed to effectuate the purposes and provisions of s. 289.33, Stats. The examiner may waive any requirements of chs. WFSB 1 to 12 unless a party shows prejudice thereby.

**History:** Cr. Register, November, 1984, No. 347, eff. 12-1-84; correction made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1988, No. 395; correction made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1991, No. 427; **correction made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1999, No. 526.**

**WFSB 1.03 Policy.** The policy of the state being to create and maintain an effective and comprehensive policy of negotiation and arbitration between affected parties involving waste facilities, nothing in chs. WFSB 1 to 12 shall be construed to prevent the examiner from using its or his or her best efforts to adjust any dispute arising between applicants and local committees representing affected municipalities.

**History:** Cr. Register, November, 1984, No. 347, eff. 12-1-84; correction made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1988, No. 395; correction made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1991, No. 427.

**WFSB 1.04 Definitions. (1) TERMS, DEFINED IN STATUTE.** Any terms used in these rules that are defined in ss. 289.01 and 289.33 (3), Stats., have the meaning set forth in those sections.

**(2)** In chs. WFSB 1 to 12:

(a) “Additional municipality” means any town, city, village, or county which does not qualify as an affected municipality but is included in the negotiation–arbitration process by written agreement of the applicant and the participating affected municipalities.

(b) “Applicant” means a person applying for a license or the owner or operator of a facility.

(c) “Examiner” means the board, or any of its members or any member of its staff, or any individual designated by the board to act on its behalf in any board proceeding.

(d) “Party” means either the applicant or local committee, as defined in s. 289.33 (3), Stats., in any board proceeding.

(e) “Public hearing” means a hearing conducted in any proceeding before the board where the parties to the proceedings or their representatives shall be afforded the opportunity to present facts, views or arguments relative to the proceeding.

(f) “Public informational hearing” means a hearing where the local committee shall afford all interested persons or their representatives an opportunity to present facts, views or arguments relative to a proceeding before the board or local committee.

(g) “Public meeting” means a meeting conducted in any arbitration proceeding where the parties and only those parties to the arbitration or their representatives shall be afforded the opportunity to present facts, views or arguments relative to the arbitration. The public meeting shall not be a contested case hearing under s. 227.42, Stats.

**History:** Cr. Register, November, 1984, No. 347, eff. 12-1-84; correction in (2) (intro) made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1988, No. 395; renum. (2) (a) to (e) to be (2) (f), (e), (g), (c), (d) and am. (g), cr. (2) (a) and (b), Register, July, 1991, No. 427, eff. 8-1-91; correction in (2) (a) (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1991, No. 427; **corrections in (1) and (2) (d) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1999, No. 526.**