

Chapter NR 101

REPORTS AND FEES FOR DISCHARGES OF
INDUSTRIAL WASTES AND TOXIC AND HAZARDOUS
SUBSTANCES

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Note: Chapter NR 101 as it existed on December 31, 1977 was repealed and a new chapter NR 101 was created effective January 1, 1978.

NR 101.01 Purpose. The purpose of this chapter is to establish, pursuant to s. 144.96, Stats., requirements for submission of reports and payment of discharge environmental fees by persons discharging industrial wastes or toxic and hazardous substances.

Note: This chapter does not establish any limitations on discharges of industrial wastes or toxic and hazardous substances. Persons owning or operating facilities having such discharges remain subject to any lawful limitations on such discharges imposed in accordance with federal, state or local regulatory programs. Air emissions fee and reporting requirements are contained in chs. NR 410 and 438, respectively.

History: Cr. Register, December, 1977, No. 264, eff. 1-1-78; correction made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1985, No. 358; am. Register, May, 1993, No. 449, eff. 6-1-93.

NR 101.02 Applicability. The provisions of this chapter are applicable to persons required to submit reports to the department as set forth in s. NR 101.11. This section requires reports of discharges of industrial wastes and toxic and hazardous substances which exceed specified reporting levels.

History: Cr. Register, December, 1977, No. 264, eff. 1-1-78; am. Register, May, 1993, No. 449, eff. 6-1-93.

NR 101.03 Definitions. The following definitions are applicable to terms used in this chapter:

(1) "Person" means an individual, partnership, corporation, association, state agency, or interstate agency owning or operating a facility discharging effluents to a surface water, to a land disposal system, or to a publicly owned treatment works.

(2) "Facility" means an operating plant or establishment carrying on any manufacturing activity, trade, or business on a common site, including similar such plants under common ownership or control located on contiguous properties. Plants or establishments under common ownership or control located on separate sites shall be considered separate and individual facilities.

(3) "Effluent" means any discharge of process waste water, cooling water, or sanitary waste water, to a surface water including such discharge through a storm sewer, to a land disposal system, or to a publicly owned waste treatment works. Precipitation runoff and liquid agricultural wastes used as soil fertilizer are excluded from this definition unless

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monitoring of such discharges is required under a WPDES discharge permit. Animal wastes regulated by ch. NR 243 are excluded unless, as the result of a discharge to waters of the state, a WPDES permit requires the construction of a treatment work.

(4) "Surface water" means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, marshes, water courses, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction, except those waters which are entirely confined and completely retained upon the property of a facility.

(5) "Land disposal system" means an absorption or seepage pond, a ridge and furrow, a spray irrigation, a spray runoff, a subsurface field absorption, a surface spreading, or other installation on a land area used for the disposal of effluent by absorption or percolation into the ground.

(6) "Publicly owned treatment works" means a sewage treatment plant owned by a municipality and the sewerage system tributary thereto.

(7) "Municipality" means, as defined in s. 144.01 (6), Stats., any city, town, village, county, county utility district, town sanitary district, public inland lake protection and rehabilitation district or metropolitan sewage district.

(8) "Process waste water" means any water, except cooling water, which comes into direct contact with or results from the production or use of any raw material, service item, intermediate product, finished product, byproduct, or waste product, and may contain in solution or suspension various components of such raw materials, items or products.

(9) "Cooling water" means any water which is used primarily for cooling of raw materials, products, or equipment.

(10) "Sanitary waste water" means waste water associated with personal hygiene, food preparation, or cleaning but does not include waste water from commercial or bulk production of goods or services such as, but not limited to, laundromats, commercial laundries, carwashes, food production, or other manufacturing activities.

(11) "WPDES permit" means a Wisconsin pollutant discharge elimination system permit issued by the department pursuant to ch. 147, Stats.

(13) "Nitrogen oxides" means all oxides of nitrogen except nitrous oxide.

History: Cr. Register, December, 1977, No. 264, eff. 1-1-78; am. (3), Register, February, 1984, No. 338, eff. 3-1-84; correction made in (7) under s. 13.93 (2m) (b) 7, Stats., Register, October, 1985, No. 358; emerg. am. (1) and (2), eff. 2-5-92; am. (1), r. (12), (14) to (16), Register, May, 1993, No. 449, eff. 6-1-93.

NR 101.11 Required effluent reports. (1) Each person owning or operating a facility for which a report is required by sub. (4) shall submit to the department an annual report for each such facility for effluent:

(a) To a surface water, directly or through a storm sewer;

(b) To a land disposal system; or

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