

Total Reserve Capacity = The sum of all the reserve capacities for publicly-owned point sources calculated in sub. (3) within the applicable stream segment defined in sub. (1).

(c) The adjusted baseline load for publicly-owned and nonpublicly-owned point sources from milepoints 32.4 through 19.2 shall include an incremental addition as follows:

Milepoint	BOD ₅ Increment (lb/day)
32.4 - 30.0	591
30.0 - 28.0	1619
28.0 - 26.0	3085
26.0 - 23.0	1710
23.0 - 22.7	565
22.7 - 22.5	2629

(d) The adjusted baseline load for the nonpublicly-owned point source located between milepoint 0.8 and 0.5 shall be reduced by 2500 pounds of BOD₅ from the amount calculated in sub. (4) (b).

(5) Determine the allocation for each point source. The allocation for each point source shall be calculated as follows:

$$\text{Point Source Allocation} = (\text{Adjusted Baseline Load}) \frac{(T)}{C + D}$$

Where: Adjusted Baseline Load = The adjusted baseline load for the point source calculated in sub. (4)

T = The applicable total maximum daily BOD₅ load available for allocation as shown in sub. (1)

C = The sum of all the adjusted baseline loads within the applicable stream segment as defined in sub. (1) for publicly-owned point sources calculated in sub. (4) (a).

D = The sum of all the adjusted baseline loads within the applicable stream segment defined in sub. (1) for nonpublicly-owned point sources calculated in sub. (4) (b).

(6) For purposes of determining compliance with water quality related effluent limits, the following conditions shall be met:

(a) For a point source discharging into the lower Fox river from milepoints 40.0 through 19.2, the sum of the actual daily discharges for any 7-consecutive-day-period may not exceed the sum of the daily point source allocation values calculated under sub. (5) for the same 7-consecutive-day-period; and

(am) For a point source discharging into the lower Fox river from milepoints 7.2 through 0.0, the sum of the actual daily discharges for any 7-consecutive-day-period may not exceed the sum of the daily point source

allocation values calculated under sub. (5) for the same 7-consecutive-day-period; and

(b) For any one day period;

1. For a point source discharging into the lower Fox river between milepoints 40.0 through 32.4, the actual discharge may not exceed 138% of the allocation for that day as calculated under sub. (5).

2. For a point source discharging into the lower Fox river between milepoints 32.4 and 19.2, the actual discharge may not exceed 120.0% of the allocation for that day as calculated under sub. (5).

3. For a point source discharging into the lower Fox river between milepoints 7.2 and 0.0, the actual discharge may not exceed 134% of the allocation for that day as calculated under sub. (5).

(7) The flow and temperature conditions used to determine compliance with permit effluent limits shall be the representative measurements of the flow averaged over the previous 4 days and temperature of the previous day.

(8) REALLOCATION OF AVAILABLE WASTELOAD ALLOCATIONS. (a) Wasteload allocations may be reallocated under par. (c) when a wasteload allocated permit expires, is revoked or surrendered for the following purposes:

1. Provide for the wasteload needed due to the reactivation of a facility that had closed and made the wasteload available.

2. Provide the wasteload for new production increases by existing dischargers.

3. Provide the wasteload for production by a new discharger.

4. Provide for existing dischargers to raise their existing allocations in the appropriate stream segment towards categorical effluent limitation levels based upon a demonstration of need that the dischargers' treatment facility is incapable of meeting applicable wasteload allocations.

(b) Reallocations shall include an explicit reserve capacity for future new dischargers or future production increases by existing dischargers.

(c) The following procedures shall be used to reallocate available wasteloads:

1. Upon notification by the department of an available wasteload allocation pursuant to par. (a), the designated management agency shall publish a notice of wasteload availability.

2. A 6 month period shall be provided for persons to declare interest in available wasteload allocations.

3. Within 60 days of the end of the 6 month period the designated management agency shall conduct a public meeting regarding the proposed reallocation.

4. The designated management agency shall recommend a reallocation proposal to the department including an explicit reserve capacity.

5. The department shall notify the designated management agency of acceptance or rejection of the recommendation within 6 months.

History: Cr. Register, September, 1981, No. 309, eff. 10-1-81; cr. (8), Register, August, 1985, No. 356, eff. 9-1-85; am. (2) (a) and (b), (3), (5) and (6) (b) 1. and 2., cr. (4) (c), r. and recr. (8), Register, May, 1986, No. 365, eff. 6-1-86; cr. (1) (c), (2) (am), (c) and (d), (3) (b) and (c), (6) (am) and (b) 3., am. (4) (a) and (b), renum. (3) to be (3) (a), Register, March, 1987, No. 375, eff. 4-1-87; am. (1) (c) and (4) (a), Register, April, 1988, No. 388, eff. 5-1-88; cr. (4) (d), r. and recr. Table 1-c, Register, March, 1996, No. 483, eff. 4-1-96.

NR 212.60 Determination of upper Wisconsin river water quality related effluent limitations. Effluent limitations for point sources discharging BOD₅ to the upper Wisconsin river shall be calculated according to the procedures contained in this section. These limitations shall apply from May 1 to October 31 annually.

(1) Determine baseline loads for each point source subject to the waste load allocation.

(a) The baseline load for each publicly-owned point source located between milepoints 205.3 and 171.9 shall be calculated as follows:

$$\text{Baseline Load} = (Q) (8.34) (60) (C)$$

Where Q = The average daily flow for the publicly-owned point source during 1978 expressed in millions of gallons per day.

8.34 = Conversion factor (lbs./gal.).

60 = Concentration of BOD₅ expressed in milligrams per liter.

C = Reallocation conversion factor which has a value of 1.0 for the publicly-owned point source located between milepoints 205.3 and 199.4 and a value of 1.18 for the publicly-owned point sources located between milepoints 199.3 and 171.9.

(b) The baseline load for each nonpublicly-owned point source located between milepoints 205.3 and 171.9 shall be calculated as follows:

$$\text{Baseline Load} = (\text{BPT}) (\text{Production})$$

Where BPT = The final best practicable waste treatment effluent limitations for the point source as provided in chs. NR 284 and 285, expressed as pounds of BOD₅ per ton of production. If chs. NR 284 and 285 do not apply, the best practicable waste treatment effluent limitations as determined under ch. NR 217, shall apply.

Production = The annual average off-machine production during 1978 expressed as tons per day.

(c) The baseline load for each publicly-owned point source located between milepoints 235.4 and 271.1 shall be calculated as follows:

$$\text{Baseline Load} = (Q) (8.34) (C)$$

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Where Q = 0.55 million gallons per day for publicly-owned point sources located between milepoints 240.0 and 250.0

4.0 million gallons per day for publicly-owned point sources located between milepoints 250.0 and 260.0.

8.2 million gallons per day for publicly-owned point sources located between milepoints 260.0 and 265.0.

0.1 million gallons per day for publicly-owned point sources located between milepoints 265.0 and 271.1.

Where 8.34 = Conversion factor (lbs./gal.).

Where C = 45 milligrams per liter concentrations of BOD₅ for publicly-owned point sources located between milepoints 240.0 and 250.0, 250.0 and 260.0, and 265.0 and 271.1

60 milligrams per liter concentration of BOD₅ for publicly-owned point sources located between milepoints 260.0 and 265.0.

(d) The baseline load for each nonpublicly-owned point source with best practicable waste treatment effluent limitations of less than 500 pounds per day located between milepoints 271.1 and 240.0 shall be calculated as follows:

Baseline Load = (BPT) (Production)

Where BPT = The final best practicable waste treatment effluent limitations for the point source as provided in chs. NR 284 and 285, or 217, where applicable expressed as pounds of BOD₅ per ton of production.

Production = The maximum weekly off-machine production during 1981 expressed as tons per day.

(e) The baseline load for each nonpublicly-owned point source with best practicable waste treatment effluent limitations of BOD₅ equal to or exceeding 500 pounds per day located between milepoints 271.1 and 240.0 shall be calculated as follows:

Baseline Load = (BPT) (Production)

Where BPT = The final best practicable waste treatment effluent limitations for the point source as provided in chs. NR 284 and 285, or 217, where applicable expressed as pounds of BOD₅ per ton of production.

TABLE 1-b (continued)
 LBS PER DAY OF BOD₅
 (river mile 32.4 to 19.2)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) TEMP °F	750	751	1001	1251	1501	1751	2001	2251	2501	2751	3001	3501	4001	5001	8001	3001
	OR LESS	TO 1600	TO 1250	TO 1500	TO 1750	TO 2000	TO 2250	TO 2500	TO 2750	TO 3000	TO 3500	TO 4000	TO 5000	TO 8000	TO MORE	OR
(Previous Day Average)	OCTOBER															
66.0 or Greater	17100	17100	17350	20360	23070	26070	29840	32820	36620	40820	48090	54100	63500	96160	100580	100580
62.0 TO 65.0	17100	17100	18250	22180	25690	29540	33740	37970	43200	48860	53790	61140	73830	100580	100580	100580
58.0 TO 61.0	17100	17100	20910	25210	29930	35110	40550	46650	52270	55950	62210	72590	90220	100580	100580	100580
54.0 TO 57.0	17100	18930	24460	30400	37000	44160	51740	56540	61660	67340	76760	91840	100580	100580	100580	100580
50.0 TO 53.0	18180	23110	30750	39480	49160	56990	63400	70680	78880	87730	100580	100580	100580	100580	100580	100580
46.0 TO 49.0	23260	30400	42140	54620	64450	74170	85110	97250	100580	100580	100580	100580	100580	100580	100580	100580
42.0 TO 45.0	32620	44150	60850	75480	90500	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580
41.0 or Less	50540	66850	90710	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580

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TABLE 1-4
 LBS PER DAY OF BODS
 (per mile 7.3 to 0.0)

(Previous Day Average)	Flow at Rapids Croche Dam (cfs)											
	MAY - JUNE						JULY - AUGUST					
86.0 OR GREATER	30750	30750	30750	30750	30750	30750	40850	30750	30750	30750	30750	30750
82.0 TO 85.0	30750	30750	30750	30750	30750	30750	46170	34800	30750	30750	30750	30750
78.0 TO 81.0	30750	30750	30750	30750	30750	30750	52360	34270	42060	30750	30750	30750
74.0 TO 77.0	30750	30750	30750	30750	30750	30750	62450	42600	51730	35030	30750	30750
70.0 TO 73.0	30750	30750	30750	30750	30750	30750	74780	49320	63000	43520	35840	30750
66.0 TO 69.0	30750	30750	30750	30750	30750	30750	87820	54060	68770	44660	54060	30750
62.0 TO 65.0	30750	30750	30750	30750	30750	30750	101380	57200	71380	42800	54720	30750
58.0 TO 61.0	30750	30750	30750	30750	30750	30750	117580	58310	74280	42800	57200	30750
54.0 TO 57.0	30750	30750	30750	30750	30750	30750	137580	61880	78410	42800	57200	30750
50.0 TO 53.0	30750	30750	30750	30750	30750	30750	146430	67350	87080	42800	57200	30750
46.0 TO 49.0	30750	30750	30750	30750	30750	30750	146430	67350	87080	42800	57200	30750
42.0 TO 45.0	30750	30750	30750	30750	30750	30750	146430	67350	87080	42800	57200	30750
41.0 OR LESS	30750	30750	30750	30750	30750	30750	146430	67350	87080	42800	57200	30750
86.0 OR GREATER	57130	52880	48150	44920	43130	42730	43850	49830	49200	53720	52490	77590
82.0 TO 85.0	54020	50450	46650	44340	43460	43940	45710	48730	52530	58250	58180	84780
78.0 TO 81.0	49840	47400	45190	44430	45060	47030	50270	54710	60300	66870	78850	97560
74.0 TO 77.0	46530	45280	44880	45750	48910	51560	53350	62310	66390	77530	91570	113400
70.0 TO 73.0	44380	44410	45670	46310	52200	57520	63860	71550	80220	88910	106220	130570
66.0 TO 69.0	43130	44480	47820	52110	57880	64810	73110	82410	92770	104110	122840	146430
62.0 TO 65.0	42830	45890	50700	57140	64840	73740	83780	94810	107950	120140	141440	166430
61.0 OR LESS	43510	47740	54630	63410	73120	84000	95960	106030	123056	136000	146430	166430

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

- FLOW (CFS) - TEMP DEG F -	Flow at Rapids Croche Dam (cfs)										(Previous four day average)				
	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	SEPTEMBER - OCTOBER														
86.0 OR GREATER	30750	30750	30750	30750	36420	46400	57180	68680	80820	93520	113440	141190	146430	146430	146430
82.0 TO 85.0	30750	30750	30750	31260	38930	47480	56840	66910	77630	88890	106660	131540	146430	146430	146430
78.0 TO 81.0	30750	30750	30750	35630	41960	48970	56770	65290	74440	84150	99670	121310	146430	146430	146430
74.0 TO 77.0	30750	31200	34660	38210	44890	51050	58190	66050	74550	83590	98000	118380	146430	146430	146430
70.0 TO 73.0	31960	32930	37670	42440	48170	54760	62150	70240	78960	88230	102860	123600	146430	146430	146430
66.0 TO 69.0	32960	35750	40640	46550	53410	61140	69660	78860	88730	99120	115550	138590	146430	146430	146430
62.0 TO 65.0	33500	37700	44620	52570	61470	71230	81770	93020	104890	117300	136740	146430	146430	146430	146430
58.0 TO 61.0	34550	40800	50660	61540	73370	86050	99620	113690	128470	143790	146430	146430	146430	146430	146430
54.0 TO 57.0	37170	46100	56790	74500	90140	106650	123830	141910	146430	146430	146430	146430	146430	146430	146430
50.0 TO 53.0	42360	54630	73040	92470	112840	134060	146430	146430	146430	146430	146430	146430	146430	146430	146430
46.0 TO 49.0	51250	67430	91460	116500	142480	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430
42.0 TO 45.0	64790	85520	116070	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430
41.0 OR LESS	84030	109960	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430	146430

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TABLE 1-m
LBS PER DAY OF BOD₅
(river mile 205.3 to 171.9)

Temp °F	Flow (cfs) OR LESS	Previous Day Average Flow at Biron Dam (cfs)									
		999 TO 1199	1000 TO 1499	1200 TO 1999	1500 TO 2499	2000 TO 2999	2500 TO 3999	3000 TO 4999	4000 TO 5999	5000 TO 6000 OR MORE	
MAY - JUNE											
82 or more	14090	19450	24280	32740	43710	56020	57890	109930	126010	126010	
78 TO 81	14270	20150	25460	34860	47570	61490	63040	124130	126010	126010	
74 TO 77	14430	20840	26730	37330	51730	67770	69550	126010	126010	126010	
70 TO 73	15060	22070	28570	40280	56940	76260	78310	126010	126010	126010	
66 TO 69	17220	25400	33030	46930	67170	90740	92900	126010	126010	126010	
62 TO 65	20420	30380	39740	57330	83000	113150	116070	126010	126010	126010	
58 TO 61	25230	37960	50230	73270	107730	126010	126010	126010	126010	126010	
54 TO 57	32780	50170	67460	98190	126010	126010	126010	126010	126010	126010	
50 TO 53	44980	70700	96520	126010	126010	126010	126010	126010	126010	126010	
46 TO 49	65950	105300	126010	126010	126010	126010	126010	126010	126010	126010	
42 TO 45	104080	126010	126010	126010	126010	126010	126010	126010	126010	126010	
41 or Less	126010	126010	126010	126010	126010	126010	126010	126010	126010	126010	
JULY - AUGUST											
82 or more	10220	12730	16260	20280	27850	36910	37990	77790	106430	121800	
78 TO 81	10220	13400	16750	23250	32790	44090	45460	95180	126010	126010	
74 TO 77	10220	14460	18710	26700	38440	52210	53520	116110	126010	126010	
70 TO 73	10770	15940	20990	30630	44740	61400	63240	126010	126010	126010	
66 TO 69	13080	19510	25890	37870	55600	76530	78600	126010	126010	126010	
62 TO 65	16210	24690	32910	48560	71670	99270	102140	126010	126010	126010	
61 or Less	20900	32370	43510	64910	126010	126010	126010	126010	126010	126010	
SEPTEMBER - OCTOBER											
82 or more	10220	10220	10220	11890	17810	24650	25520	54880	76010	87260	
78 TO 81	10220	10220	10220	14100	21750	30380	31340	69790	97910	113060	
74 TO 77	10220	10220	10880	17140	26390	37320	38460	89310	122210	126010	
70 TO 73	10220	10220	13270	20940	32350	45880	47080	110380	126010	126010	
66 TO 69	10220	12590	17740	27700	42400	59880	61710	126010	126010	126010	
62 TO 65	10220	17080	24020	37280	57030	80460	82480	126010	126010	126010	
58 TO 61	14260	23670	33250	51710	79170	111910	115150	126010	126010	126010	
54 TO 57	20210	34030	47890	74560	114650	126010	126010	126010	126010	126010	
50 TO 53	30240	51240	72530	113710	126010	126010	126010	126010	126010	126010	
46 TO 49	47330	80810	114710	126010	126010	126010	126010	126010	126010	126010	
42 TO 45	78580	126010	126010	126010	126010	126010	126010	126010	126010	126010	
41 or Less	126010	126010	126010	126010	126010	126010	126010	126010	126010	126010	