

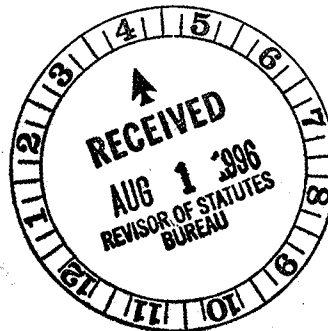
STATE OF WISCONSIN)

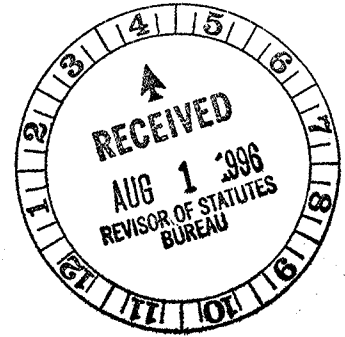
BOARD OF REGENTS OF)
THE UNIVERSITY OF)
WISCONSIN SYSTEM)

I, Judith A. Temby, Secretary of the Board of Regents of the University of Wisconsin System and custodian of the official records, certify that the annexed rules, relating to conduct on university lands, were duly approved and adopted by the Board on May 10, 1996. I further certify that this copy has been compared by me with the original on file with the Board and that it is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Regents of the University of Wisconsin System at 1860 Van Hise Hall, 1220 Linden Drive, in the city of Madison, this 31st day of July, 1996.

Judith A. Temby
Judith A. Temby
Secretary
Board of Regents of the
University of Wisconsin System





ORDER OF THE BOARD OF REGENTS OF
THE UNIVERSITY OF WISCONSIN SYSTEM
AMENDING AND CREATING RULES

Agency contact persons: Patricia A. Brady (262-6497);
Judith A. Temby (262-2324)

[INTRODUCTORY CLAUSE]

The Board of Regents of the University of Wisconsin System proposes an order to amend UWS 18.06(1), and to create UWS 18.02(5),(6) and (7), Wisconsin Administrative Code, relating to conduct on university lands.

[PLAIN LANGUAGE ANALYSIS PREPARED BY THE UW SYSTEM]

Pursuant to ss. 36.11(1)(c) and 227.11, Wisconsin Statutes, the Board of Regents of the University of Wisconsin System ("Board") is authorized to promulgate rules governing conduct on university lands. The Board's rules in this area are set forth in Chapter UWS 18, Wisconsin Administrative Code.

The proposed amendments to Chapter UWS 18 clarify the university's authority to prohibit and control the discharge of pollutants to storm water and storm sewers on university lands. The 1987 amendments to the Federal Clean Water Act, together with implementing state statutes (s. 147.021, Wis. Stats.) and administrative rules (Chapter NR 216, Wis. Adm. Code), require the issuance of storm water discharge permits for certain municipal storm sewer systems, sites of industrial activity, and construction sites. The Wisconsin Department of Natural Resources (DNR) is responsible for implementing these provisions, and for the issuance of permits. UW-Madison is currently subject to the permit requirement, and other university campuses operating storm sewer systems may become subject to the requirement in future.

In order for UW-Madison and other UW System institutions to obtain a permit, the university must demonstrate that it has adequate legal authority to prohibit and control unauthorized discharges to its storm sewer systems. The proposed amendments clarify that the discharge of pollutants to storm water or storm sewers on university lands is prohibited.

The proposed amendment to UWS 18.06(1) adds language specifically prohibiting the discharge of pollutants to storm water or storm sewers on or serving university lands. The proposed rule-making order also creates UWS 18.02 (5),(6) and (7), defining the terms "discharge pollutants to storm water," "discharge pollutants into storm sewers" and "pollutants" in a manner consistent with DNR definitions. The inclusion of these changes in Chapter UWS 18 will make clear that the university has the power to prosecute illegal discharges on university lands. Enforcement will occur through the forfeiture and citation procedures of UWS 18.07, and s. 778.25, Wis. Stats.

[TEXT OF RULE]

Section 1. UWS 18.02(5)(6) and (7) are created to read:

(5) "Discharge pollutants into storm sewers" means placing pollutants or water containing pollutants into any storm sewer on or serving university lands.

(6) "Discharge pollutants to storm water" means placing pollutants onto university lands so that they are carried by storm water to waters of the state.

(7) "Pollutants" has the meaning described in s. 147.015(13), Stats.

Section 2. UWS 18.06(1), Wis. Adm. Code, is amended read:

(1) ~~Litter.~~ Prohibited dumping; prohibited discharges to storm water.

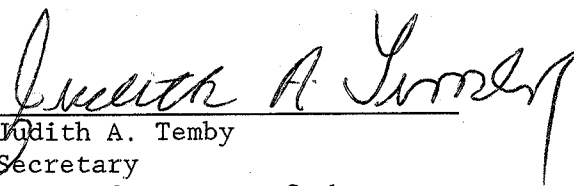
(a) No person may dump any waste, trash, debris, rubbish, earth or other fill, on any university lands unless authorized by the chief administrative officer.

(b) No person may discharge pollutants to storm water or into storm sewers on or serving university lands, except where authorized by the chief administrative officer and in conformance with state law.

[EFFECTIVE DATE]

It is proposed that this rule shall take effect as provided in s. 227.22(2)(intro.), Stats.

Dated: 8-1-96



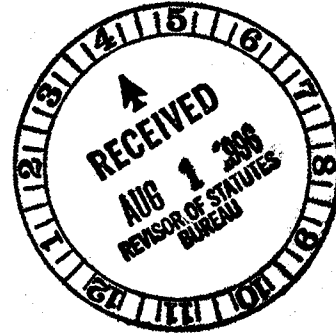
Judith A. Temby
Secretary
Board of Regents of the
University of Wisconsin System



Board of Regents of The University of Wisconsin System

Office of the Secretary
1860 Van Hise Hall, 1220 Linden Drive
Madison, Wisconsin 53706
(608) 262-2324

July 31, 1996



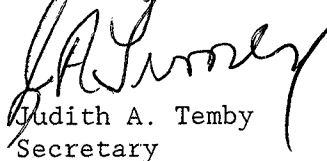
Douglas LaFollette
Secretary of State
30 West Mifflin Street
Madison, WI 53703

Dear Secretary LaFollette:

Enclosed for filing with your office is a certified copy of amendments to ss. UWS 18.02 and 18.06(1), Wisconsin Administrative Code, administrative rules concerning conduct on university lands. These rules were approved by the Board of Regents on May 10, 1996 and submitted to both houses of the legislature for review on June 3, 1996. The legislative review period has expired without further action, and the rules are appropriate for promulgation.

Thank you for your assistance in this matter.

Sincerely,


Judith A. Temby
Secretary

Enclosure

cc: President Lyall
Vice Presidents
Attorney Brady