

**PETITION OF THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
REPEALING AN UNAUTHORIZED RULE**

The Wisconsin Department of Natural Resources proposes the following permanent rule to repeal NR 543, relating to state market development priorities for recycled and recyclable materials.

EXR-3

Analysis Prepared by the Department of Natural Resources

1. Statute Interpreted:

- Section 287.25
- 2003 Wis. Act 33

2. Statutory Authority:

- Section 227.26 (4) (b), Stats.
- Section 227.29 (1) (a), Stats.
- Section 287.03, Stats.

3. Explanation of Agency Authority:

Statutory authority for ch. NR 543, Wis. Adm. Code, was repealed by 2003 Wis. Act 33.

4. Related Statutes or Rules:

Section 287.05, Stats., declares policies of the state concerning the reduction of the amount of solid waste generated, the reuse, recycling and composting of solid waste, and resource recovery from solid waste. Section 287.22, Stats., also establishes and directs the Council on Recycling to promote the efficient and prompt implementation of state programs related to solid waste reduction, recovery, and recycling.

5. Plain Language Analysis:

Chapter NR 543, Wis. Adm. Code, establishes a priority system for development of markets for recyclable materials derived from post-consumer waste. The priority system was based on several factors that merited priority treatment by the DNR in its market development activities, based on economic considerations such as supply and demand for recycled materials, costs associated with recovering the materials, and proportion of the material in the overall waste stream. This rule also set forth requirements for changing the priority factors.

Statutory authority for ch. NR 543, Wis. Adm. Code, was repealed by 2003 Wis. Act 33.

6. Agency Contact Person:

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TEXT OF RULE

SECTION 1. NR 543 is repealed.

SECTION 2. EFFECTIVE DATE. This rule takes effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

END OF TEXT