



NR 207

State of Wisconsin

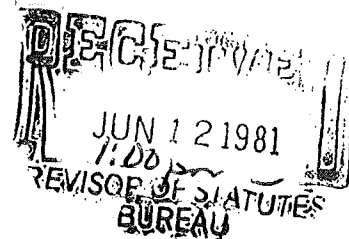
DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

IN REPLY REFER TO: \_\_\_\_\_

STATE OF WISCONSIN )  
 ) ss  
DEPARTMENT OF NATURAL RESOURCES )



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WQ-46-80 was duly approved and adopted by this Department on December 17, 1980. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

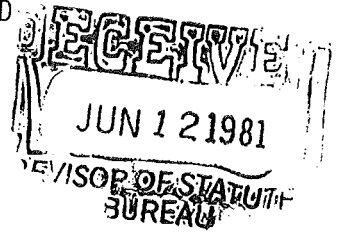
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 11<sup>th</sup> day of June, 1981.

  
\_\_\_\_\_  
Carroll D. Besadny, Secretary

8-1-81

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
CREATING RULES



.....  
IN THE MATTER of creating chapter NR 207 .  
of the Wisconsin Administrative Code .  
pertaining to the effluent limitations .  
based upon federally promulgated .  
regulations .  
.....

WQ-46-80

Analysis Prepared by Department of Natural Resources

The effect of this rule is to allow the Department, for a limited time, to establish effluent limitations based on federal regulations in state-issued Wisconsin Pollutant Discharge Eliminations System (WPDES) permits.

The reason for this rule is that the U.S. EPA is terribly late in developing regulations upon which Department rules must be based. The ability of industry to comply with these regulations, and associated statutory deadlines, will be seriously jeopardized if the Department must first codify these regulations into the administrative code, before they can be used as a basis for permit limitations.

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Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 147.04 and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby creates rules interpreting s. 147.04, Stats., as follows:

SECTION 1 Chapter NR 207 is created to read:

Chapter NR 207  
Effluent Limitations Based Upon  
Federally Promulgated Regulations

- |   |  |
|---|--|
| NR 207.01 Purpose   | NR 207.05 Establishment of effluent guideline limitations in the Wisconsin administrative code |
| NR 207.02 Applicability   | NR 207.06 Provision for modification   |
| NR 207.03 Definitions   | NR 207.07 Severability   |
| NR 207.04 Establishment of limitations based upon federal regulations |  |

NR 207.01 Purpose. The purpose of this chapter is to provide for the incorporation of effluent limitations into discharge permits required under s. 147.02, Stats., as soon as possible after the promulgation of federal regulations establishing BCT or BAT effluent guidelines.

NR 207.02 Applicability. This chapter is applicable to discharge permits issued during the period of June 1, 1981 through December 31, 1982 for all categories and classes of point sources listed in s. NR 220.02, Wis. Adm. Code.

NR 207.03 Definitions. Terms used in this chapter are defined in s. NR 205.03, Wis. Adm. Code. Abbreviations used in this chapter are defined in s. NR 205.04, Wis. Adm. Code.

NR 207.04 Establishment of limitations based upon federal regulations. In the event that federal regulations establishing BCT or BAT effluent guidelines have been promulgated for a point source included in one of the categories and classes of point sources listed in s. NR 220.02, Wis. Adm. Code, the department may establish in the discharge permit for such source, effluent limitations based upon these federal regulations, provided that:

(1) The federal regulations are promulgated during the period September 1, 1980 through December 31, 1982; and

(2) The discharge permit is issued or reissued during the period June 1, 1981 through December 31, 1982.

NR 207.05 Establishment of effluent guideline limitations in the Wisconsin administrative code. The department shall, as soon as possible after the promulgation of any federal regulations establishing BCT or BAT effluent

guidelines for certain categories and classes of point sources, adopt appropriate effluent guideline limitations for such point sources in the Wisconsin administrative code.

NR 207.06 Provision for modification. Any WPDES permits containing effluent limitations established under s. NR 207.04 shall be modified under s. 147.03, Stats., to reflect applicable BCT or BAT effluent limitations later promulgated in the Wisconsin administrative code.

NR 207.07 Severability. If any section, paragraph, phrase, sentence or clause of this chapter is declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on December 17, 1980.

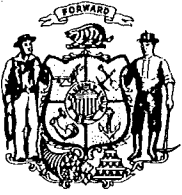
The rules contained herein shall take effect as provided in s. 227.026(1) (intro.), Stats.

Dated at Madison, Wisconsin June 11, 1981

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

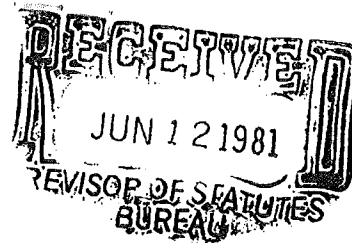
Carroll D. Besadny  
Secretary

June 11, 1981

BOX 7921  
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard  
Revisor of Statutes  
411 West  
C A P I T O L

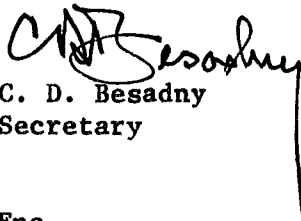


Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WQ-46-80. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. There were no comments.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

  
C. D. Besadny  
Secretary

Enc.