



NR 104

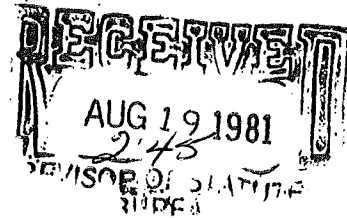
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss



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-37-80 was duly approved and adopted by this Department on August 21, 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 17th day of August, 1981.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

REPEALING AND CREATING RULES

.....
IN THE MATTER of repealing section NR 104.09(2) .
Table 7, Entry 28; and creating section NR 104.10(2) .
Table 8, Entry 27 of the Wisconsin Administrative .
Code pertaining to the water quality classification . WQ-37-80
of the drainageway southeast of the Village of .
Turtle Lake to Moon Creek .
.....

Analysis Prepared by Department of Natural Resources

The purpose of this rule is to modify the surface water classification for the surface waters which receive wastewater effluent from the Village of Turtle Lake and the dairy processing plant maintained by Associated Milk Producers, Inc. (AMPI). The existing rule was based upon a proposal by the discharger which would have converted the existing surface water to a stabilization pond treatment system and the belief that the impoundment did not fall within the definition of "waters of the state". However, the Department has subsequently determined that the body of water proposed for use as a stabilization pond is a water of the state and, as such, cannot be utilized as a treatment system. This determination effectively requires the surface waters presently receiving wastewater effluents to meet the standards for fish and aquatic life. A highly advanced degree of wastewater treatment would be needed to attain these standards. The proposed amendment provides an exemption from these requirements because the receiving water cannot naturally meet fish and aquatic life standards.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.025(2)(b) and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby repeals and creates rules interpreting s. 144.025(2)(b), Stats., as follows:

SECTION 1 - Section NR 104.09 (2), Table 7, Entry 28 is repealed.

SECTION 2 - Section NR 104.10 (2), Table 8, Entry 27 is created to read:

<u>Surface Water (Facility Affected)</u>	<u>Reach Description</u>	<u>Hydrologic Class</u>	<u>Applicable Criteria</u>	<u>Effluent Limit</u>
27. Drainage from Village of Turtle Lake to Moon Creek (Turtle Lake)	Drainage area from effluent pipes to impoundment	Wetland	II	B

Impoundment formed by constructed dam in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, sec. 32, T34N, R14W	Flowage	II	NA
Drainage from the dam to the south line of sec. 32, T34N, R14W	Noncontinuous	I	NA
Drainage area from the north line to the south line of sec. 5, T33N, R14W	Wetland	II	NA

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 21, 1980.

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

Dated at Madison, Wisconsin August 17, 1981

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

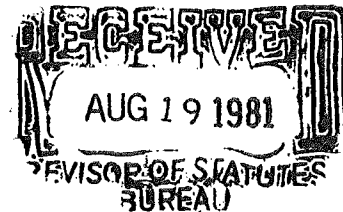
Carroll D. Besadny
Secretary

August 17, 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-37-80. 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.