CR 85-179

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
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STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. WW-45-85 was duly approved and adopted by this Department on May 29, 1986. 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 14th day of July, 1986.

Bruce B. Braun

Bruce B. Braun, Deputy Secretary

(SEAL)

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10-1-86

ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD REPEALING
AND RECREATING RULES

IN THE MATTER of repealing s. NR 215.05, amending ch. NR 215 (title), repealing and recreating s. NR 215.03, and creating ss. NR 215.05 and 215.06 of the Wisconsin Administrative Code pertaining to the list of toxic, conventional and nonconventional pollutants

WW-45-85

Analysis Prepared by Department of Natural Resources

Section 147.07(1)(a), Stats., requires the department of natural resources to promulgate a list of toxic pollutants or combinations of pollutants. The department may periodically revise the list by adding or removing pollutants. According to s. 147.07(1)(a), Stats., and s. NR 215.04, the factors the department is to consider in revising the list are the toxicity of the pollutant, its persistence, degradability, the presence in any waters of any organisms affected by the discharge of the pollutant, the importance of the affected organism and the effect of the toxic pollutant on these organisms.

This rule adopts as the department of natural resources list of toxic pollutants the list of 126 nonambiguous priority pollutants currently used by the U.S. Environmental Protection Agency in implementing the federal industrial effluent limitations guidelines regulations, as mandated by the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1251 et seq., as amended by the Clean Water Act of 1977, P.L. 95-217).

A list of conventional and nonconventional pollutants is added to make the chapter more useful to industry. The title is being amended to reflect these additional listings.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 147.07 and 227.11(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby repeals and recreates rules interpreting s. 147.07, Stats., as follows:

SECTION 1. Ch. NR 215 (Title) is amended to read:

LIST OF TOXIC, CONVENTIONAL AND NONCONVENTIONAL POLLUTANTS

SECTION 2. NR 215.03 is repealed and recreated to read:

NR 215.03 LIST OF TOXIC POLLUTANTS. The following table contains a list of toxic pollutants categorized by chemical class, based upon analytical methodology:

TABLE 1

TOXIC POLLUTANTS

A. VOLATILE COMPOUNDS

1. Acrolein
2. Acrylonitrile
3. Benzene
4. Bromoform
5. Carbon tetrachloride (tetrachloromethane)
6. Chlorobenzene
7. Chlorodibromomethane
8. Chloroethane
9. 2-Chloroethylvinyl ether (mixed)
10. Chloroform (trichloromethane)
11. Dichlorobromomethane
12. 1,1-Dichloroethane
13. 1,2-Dichloroethane
14. 1,1-Dichloroethylene
15. Trans-1,2-Dichloroethylene
16. 1,2-Dichloropropane
17. 1,3-Dichloropropylene (1,3-dichloropropene)
18. Ethylbenzene
19. Methyl bromide (bromomethane)
20. Methyl chloride (chloromethane)
21. Methylene chloride (dichloromethane)
22. 1,1,2,2-Tetrachloroethane
23. Tetrachloroethylene (perchloroethylene)
24. Toluene
25. 1,1,1-Trichloroethane
26. 1,1,2-Trichloroethane
27. Trichloroethylene
28. Vinyl chloride (chloroethylene)

B. ACID EXTRACT COMPOUNDS

1. Parachlorometa cresol
2. 2-Chlorophenol
3. 2,4-Dichlorophenol
4. 2,4-Dimethylphenol
5. 4,6-Dinitro-o-cresol
6. 2,4-Dinitrophenol
7. 2-Nitrophenol
8. 4-Nitrophenol
9. Pentachlorophenol
10. Phenol
11. 2,4,6-Trichlorophenol

C. BASE/NEUTRAL COMPOUNDS

1. Acenaphthene
2. Acenaphthylene
3. Anthracene
4. Benzidine
5. Benzo(a)anthracene (1,2-benzanthracene)
6. Benzo(a)pyrene (3,4-benzopyrene)
7. 3,4-Benzofluoranthene (benzo(b)fluoranthene)
8. Benzo(ghi)perylene (1,12-benzoperylene)
9. Benzo(k)fluoranthene (11,12-benzofluoranthene)
10. Bis (2-chloroethoxy)methane
11. Bis (2-chloroethyl) ether
12. Bis (2-chloroisopropyl) ether
13. Bis (2-ethylhexyl) phthalate
14. 4-Bromophenyl phenyl ether
15. Butyl benzyl phthalate
16. 2-Chloronaphthalene
17. 4-Chlorophenyl phenyl ether
18. Chrysene
19. Dibenzo(a,h)anthracene (1,2,5,6-dibenzanthracene)
20. 1,2-Dichlorobenzene
21. 1,3-Dichlorobenzene
22. 1,4-Dichlorobenzene
23. 3,3'-Dichlorobenzidine
24. Diethyl phthalate
25. Dimethyl phthalate
26. Di-n-butyl phthalate
27. 2,4-Dinitrotoluene
28. 2,6-Dinitrotoluene
29. Di-n-octyl phthalate
30. 1,2-Diphenylhydrazine
31. Fluoranthene
32. Fluorene
33. Hexachlorobenzene
34. Hexachlorobutadiene
35. Hexachlorocyclopentadiene
36. Hexachloroethane
37. Indeno (1,2,3-cd) pyrene (2,3-o-phenylene pyrene)
38. Isophorone
39. Naphthalene
40. Nitrobenzene
41. N-nitrosodimethylamine
42. N-nitrosodi-n-propylamine
43. N-nitrosodiphenylamine
44. Phenanthrene
45. Pyrene
46. 1,2,4-Trichlorobenzene

D. PESTICIDES

1. Aldrin
   BHC-hexachlorocyclohexane:
2. alpha-BHC
3. beta-BHC
4. delta-BHC
5. gamma-BHC
6. Chlordane
7. 4,4'-DDT
8. 4,4'-DDE (p,p-DDX)
9. 4,4'-DDD (p,p-TDE)
10. Dieldrin
11. alpha-Endosulfan
12. beta-Endosulfan
13. Endosulfan sulfate
14. Endrin
15. Endrin aldehyde
16. Heptachlor
17. Heptachlor epoxide
    PCB-polychlorinated biphenyls:
18. PCB-1016 (Aroclor 1016)
19. PCB-1221 (Aroclor 1221)
20. PCB-1232 (Aroclor 1232)
21. PCB-1242 (Aroclor 1242)
22. PCB-1248 (Aroclor 1248)
23. PCB-1254 (Aroclor 1254)
24. PCB-1260 (Aroclor 1260)
25. Toxaphene

E. DIOXIN

1. 2,3,7,8-Tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD)

F. METALS AND OTHER COMPOUNDS

1. Antimony
2. Arsenic
3. Asbestos
4. Beryllium
5. Cadmium
6. Chromium
7. Copper
8. Cyanide, Total
9. Lead
10. Mercury
11. Nickel
12. Selenium
13. Silver
14. Thallium
15. Zinc

SECTION 3. NR 215.05 is repealed.

SECTION 4. NR 215.05 and 215.06 are created to read:

NR 215.05 LIST OF CONVENTIONAL POLLUTANTS.

(1) Biochemical oxygen demand
(2) Total suspended solids
(3) Oil and grease
(4) pH
(5) Fecal coliform

NR 215.06 LIST OF NONCONVENTIONAL POLLUTANTS.

(1) Ammonia
(2) Bromide
(3) Chemical oxygen demand
(4) Chlorine
(5) Color
(6) Fluoride
(7) Nitrate - nitrite
(8) Nitrogen
(9) Phosphorus
(10) Radioactivity
    (a) Alpha
    (b) Beta
    (c) Radium
    (d) Radium 226
(11) Sulfate
(12) Sulfide
(13) Sulfite
(14) Surfactants
(15) Total organic carbon
(16) Aluminum
(17) Barium
(18) Boron
(19) Cobalt
(20) Iron
(21) Magnesium
(22) Molybdenium
(23) Manganese
(24) Tin
(25) Titanium

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 29, 1986

The rules contained herein shall take effect as provided in s. 227.22(1) (intro.), Stats.

Dated at Madison, Wisconsin July 11, 1986.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

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