

(49) "Termination" means the final actions taken by an owner or operator of a solid waste land disposal site or facility when formal responsibilities for long-term care cease.

(50) "Topsoil" means natural loam, sandy loam, silt loam, silt clay loam or clay loam humus-bearing soils or other material that will easily produce and sustain dense growths of vegetation capable of preventing wind and water erosion of the material itself and other materials beneath.

(51) "USGS" means United States geological survey.

(52) "Waste rock" means consolidated rock which has been removed during mining or prospecting, but is not of sufficient value at the time of removal to constitute an ore.

(53) "Waste" means mining waste as defined in this chapter.

(54) "Waste site" or "waste sites and facilities" means any land or appurtenances thereto used for the storage or disposal of mining waste, but does not include land or appurtenances used in the production or transportation of mining waste, such as the concentrator, haul roads, or tailings pipelines, which are permitted under ch. NR 131 or 132. If mining wastes are backfilled or otherwise disposed of in an underground working in accordance with a mining permit issued under ch. NR 132, said underground working shall not be considered a waste site for purposes of this chapter, but shall be regulated under ch. NR 132.

(55) "Well nest" means 2 or more wells installed within 10 feet of each other at the ground surface and constructed to varying depths.

(56) "Wetland" means an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

History: Cr. Register, August, 1982, No. 320, eff. 9-1-82.

NR 182.05 License periods and fees. (1) No person shall maintain or operate a waste site unless the person has obtained an operating license from the department, except as otherwise provided in this chapter. Applications shall be submitted on forms supplied by the department and shall be accompanied by the appropriate fees as shown in Table 1. License fees are not refundable. The license shall be issued for the design capacity specified in the determination of site feasibility unless the department establishes by a clear preponderance of the credible evidence that:

(a) The site is not constructed in accordance with the approved plan;

(b) The site poses a substantial hazard to public health or welfare, or

(c) In-field conditions, not disclosed in the feasibility report or plan of operation, necessitate modifications of the plan to comply with standards in effect at the time of plan approval under s. 144.44 (3) (c), Stats., or, if applicable, s. 144.62, Stats.

(2) Any such license may be suspended or revoked for failure to pay the fees required hereunder, or for grievous and continuous failure to comply with the approved plan of operation, or if no plan of operation exists, for grievous and continuous failure to comply with the standards

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of this chapter applicable to such site under s. NR 182.02 (3). The department shall review the license and plan of operation to determine compliance annually or at such other intervals as it determines necessary, but no more frequently than annually. At the time of such review, the operator shall pay review fees as shown in Table 1. Review fees are not refundable.

(3) No person shall establish or construct a waste site or facility prior to obtaining written approval from the department of plans describing site or facility feasibility and operation, or both except as otherwise provided in this chapter. The plan review fee specified in Table 1 shall accompany all plans submitted to the department for approval. Plan review fees are not transferable, prorable or refundable.

(4) Following closure of a site or facility, the owner or any successor in interest shall be required to have a license during the period of owner responsibility indicated in s. 144.441, Stats. The license shall be issued for terms of 5 years with a fee of \$250 per license period.

Table 1

PLAN REVIEW FEES (1)		
Type	Feasibility Report	Plan of Operation
Storage	1500	1500
Land Disposal	4500	4500
Other	1500	1500
LICENSE FEES		
Type	Initial License	Periodic Review Fee
Storage	1500	1500
Land Disposal	1500	1500
Other	1500	1500

(1) The plan review fees specified in Table 1 cover the department's review from initial submittal through approval or denial of the report or plan. An applicant may revise or supplement a report or plan deemed incomplete and resubmit it without paying an additional review fee. The applicant shall pay a plan review fee as specified in Table 1 for resubmittal of a plan which has been previously denied or withdrawn after having been determined to be complete.

History: Cr. Register, August, 1982, No. 320, eff. 9-1-82; r. and recr. table 1, Register, March, 1984, No. 339, eff. 4-1-84.

NR 182.06 General submittal requirements. (1) Unless otherwise specified in this chapter, all submittals for review and approval of any feasibility report, plan of operation, construction observation report or closure plan shall include the following:

(a) The review fee specified in s. NR 182.05 in check or money order payable to the department.

(b) A letter detailing the desired department action or response.

(c) Five copies of the plan or report prepared pursuant to the appropriate section of this chapter. Two copies shall be submitted to the department field office responsible for the area in which the site is located and 3 copies shall be submitted to the bureau of solid waste management in Madison. Review time starts when copies are received by the bureau. The plans and reports and all methods and procedures used to prepare them shall conform to the following:

1. Preparation. The submittal shall be under the seal of a registered professional engineer.

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