

DEPARTMENT OF NATURAL RESOURCES 11
NR 101

(8) Methods of analyzing for pollutants shall be those set forth in ch. NR 219 unless, on request, an alternate or modified method has been approved previously in writing by the department. Appropriate sample preservation and laboratory procedures shall be used to avoid sample deterioration and interference with prescribed analyses.

History: Cr. Register, December, 1977, No. 264, eff. 1-1-78.

NR 101.14 Effluent fees. (1) An annual effluent fee consisting of an annual administrative fee and an annual discharge fee shall be assessed for each facility which is required to submit an effluent report pursuant to s. NR 101.11.

(2) The administrative fee shall be:

(a) Fifty dollars for each facility which is also required to file an air emission report pursuant to s. NR 101.21; or

(b) One hundred dollars for each facility which is not required to file such an air emission report.

Note. The effect of sub. (2) and similar NR 101.24(2) is to assess a \$100 administrative fee for each facility for which reports are required by this chapter.

(3) The discharge fee for each facility shall be based on effluent data reported by the facility for the year preceding that in which such fee is assessed and payable, and shall be the sum of the dollar amounts determined in accordance with par. (a), (b) and (c) multiplied by an annual adjustment factor determined in accordance with sub. (4). Such dollar amounts shall be:

(a) For each substance discharged to a surface water that is required to be reported, the greater of either:

1. Five dollars, or

2. The dollar amount determined by multiplying the daily discharge quantity in pounds per day by the appropriate quantity fee factor listed in Table 1;

(b) For each substance discharged to a land disposal system that is required to be reported, the greater of either:

1. Five dollars, or

2. The dollar amount determined by multiplying the daily discharge quantity in pounds per day by the appropriate quantity fee factor listed in Table 1; and

(c) For each substance discharged to a publicly owned treatment works that is required to be reported, the greater of either:

1. Five dollars, or

2. The dollar amount determined by multiplying the daily discharge quantity in pounds per day by the appropriate quantity fee factor listed in Table 1.

(4) The adjustment factor shall be determined annually by the department on the basis of its cost for administration of water resource programs as specified in s. 144.96 (3) (c), Stats., by:

(a) Subtracting the total administrative fees required of all reporting facilities by this section from 30% of such costs for the last fiscal year preceding the calendar year in which the effluent fee is assessed and payable, and dividing the difference by;

(b) The total discharge fees of all reporting facilities, each determined in accordance with sub. (3).

History: Cr. Register, December, 1977, No. 264, eff. 1-1-78; correction in (4) (intro.), made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1985, No. 358.

NR 101.21 Required air emission reports. (1) Each person owning or operating a facility for which a report is required by sub. (4) shall annually submit to the department a report of air emissions for each such facility.

(2) Reports required pursuant to this section shall be submitted by February 1 of each year for air emissions during the preceding calendar year. Persons unable to submit reports by February 1 for sufficient reasons shall, upon written request to the department, be granted an extension of 45 days for submission of such reports.

(3) The form and content of air emission reports shall be as set forth in s. NR 101.22.

(4) An annual air emission report shall be submitted for each facility, other than one owned and operated by a municipality, which:

(a) Has air emissions in quantities of 0.25 tons or more on any one day of operation or 50 tons or more per year of operation of any one or more of the primary air contaminants;

1. Particulates,
2. Sulfur dioxide,
3. Nitrogen oxides,
4. Carbon monoxide, or
5. Hydrocarbons; or

(b) Has air emissions of any one or more of the toxic and hazardous air contaminants identified in Table 2 in excess of either the concentration or emission reporting level set forth in that table.

(5) Reports required by this section shall include data for each air contaminant identified in sub. (4) which is discharged at a level which exceeds the level specified in that subsection.