Total Reserve Capacity = The sum of all the reserve capacities for publicly-owned point sources calculated in sub. (3) within the applicable stream segment defined in sub. (1).

(c) The adjusted baseline load for publicly-owned and nonpublicly-owned point sources from milepoints 32.4 through 19.2 shall include an incremental addition as follows:

Milepoint	BOD_5 Increment (lb/day)
32.4 - 30.0	591
30.0 - 28.0	1619
28.0 - 26.0	3085
26.0 - 23.0	1710
23.0 - 22.7	565
22.7 - 22.5	2629

(5) Determine the allocation for each point source. The allocation for each point source shall be calculated as follows:

$$\text{Point Source Allocation} = (\text{Adjusted Baseline Load}) \frac{(T)}{C+D}$$

Where: Adjusted Baseline Load = The adjusted baseline load for the point source calculated in sub. (4)

T = The applicable total maximum daily BOD_5 load available for allocation as shown in sub. (1)

C = The sum of all the adjusted baseline loads within the applicable stream segment as defined in sub. (1) for publicly-owned point sources calculated in sub. (4) (a).

D = The sum of all the adjusted baseline loads within the applicable stream segment defined in sub. (1) for nonpublicly-owned point sources calculated in sub. (4) (b).

(6) For purposes of determining compliance with water quality related effluent limits, the following conditions shall be met:

(a) For a point source discharging into the lower Fox river from milepoints 40.0 through 19.2, the sum of the actual daily discharges for any 7-consecutive-day-period may not exceed the sum of the daily point source allocation values calculated under sub. (5) for the same 7-consecutive-day-period; and

(am) For a point source discharging into the lower Fox river from milepoints 7.2 through 0.0, the sum of the actual daily discharges for any 7-consecutive-day-period may not exceed the sum of the daily point source allocation values calculated under sub. (5) for the same 7-consecutive-day-period; and

(b) For any one day period;

1. For a point source discharging into the lower Fox river between milepoints 40.0 through 32.4, the actual discharge may not exceed 138% of the allocation for that day as calculated under sub. (5).

2. For a point source discharging into the lower Fox river between milepoints 32.4 and 19.2, the actual discharge may not exceed 120.0% of the allocation for that day as calculated under sub. (5).

3. For a point source discharging into the lower Fox river between milepoints 7.2 and 0.0, the actual discharge may not exceed 134% of the allocation for that day as calculated under sub. (5).

(7) The flow and temperature conditions used to determine compliance with permit effluent limits shall be the representative measurements of the flow averaged over the previous 4 days and temperature of the previous day.

(8) REALLOCATION OF AVAILABLE WASTELOAD ALLOCATIONS. (a) Wasteload allocations may be reallocated under par. (c) when a wasteload allocated permit expires, is revoked or surrendered for the following purposes:

1. Provide for the wasteload needed due to the reactivation of a facility that had closed and made the wasteload available.

2. Provide the wasteload for new production increases by existing dischargers.

3. Provide the wasteload for production by a new discharger.

4. Provide for existing dischargers to raise their existing allocations in the appropriate stream segment towards categorical effluent limitation levels based upon a demonstration of need that the dischargers' treatment facility is incapable of meeting applicable wasteload allocations.

(b) Reallocations shall include an explicit reserve capacity for future new dischargers or future production increases by existing dischargers.

(c) The following procedures shall be used to reallocate available wasteloads:

1. Upon notification by the department of an available wasteload allocation pursuant to par. (a), the designated management agency shall publish a notice of wasteload availability.

2. A 6 month period shall be provided for persons to declare interest in available wasteload allocations.

3. Within 60 days of the end of the 6 month period the designated management agency shall conduct a public meeting regarding the proposed reallocation.

4. The designated management agency shall recommend a reallocation proposal to the department including an explicit reserve capacity.

5. The department shall notify the designated management agency of acceptance or rejection of the recommendation within 6 months.

History: Cr. Register, September, 1981, No. 309, eff. 10-1-81; cr. (8), Register, August, 1985, No. 356, eff. 9-1-85; am. (2) (a) and (b), (3), (5) and (6) (b) 1. and 2., cr. (4) (c), r. and recr. (8), Register, May, 1986, No. 365, eff. 6-1-86; cr. (1) (c), (2) (am), (c) and (d), (3) (b) and

(c), (6) (am) and (b) 3., am. (4) (a) and (b), renum. (3) to be (3) (a), Register, March, 1987, No. 375, eff. 4-1-87; am. (1) (c) and (4) (a), Register, April, 1988, No. 388, eff. 5-1-88.

NR 212.60 Determination of upper Wisconsin river water quality related effluent limitations. Effluent limitations for point sources discharging BOD_5 to the upper Wisconsin river shall be calculated according to the procedures contained in this section. These limitations shall apply from May 1 to October 31 annually.

(1) Determine baseline loads for each point source subject to the waste load allocation.

(a) The baseline load for each publicly-owned point source located between milepoints 205.3 and 171.9 shall be calculated as follows:

Baseline Load = (Q) (8.34) (60) (C)

Where Q = The average daily flow for the publicly-owned point source during 1978 expressed in millions of gallons per day.

8.34 = Conversion factor (lbs./gal.).

60 = Concentration of BOD_5 expressed in milligrams per liter.

C = Reallocation conversion factor which has a value of 1.0 for the publicly-owned point source located between milepoints 205.3 and 199.4 and a value of 1.18 for the publicly-owned point sources located between milepoints 199.3 and 171.9.

(b) The baseline load for each nonpublicly-owned point source located between milepoints 205.3 and 171.9 shall be calculated as follows:

Baseline Load = (BPT) (Production)

Where BPT = The final best practicable waste treatment effluent limitations for the point source as provided in chs. NR 284 and 285, expressed as pounds of BOD_5 per ton of production. If chs. NR 284 and 285 do not apply, the best practicable waste treatment effluent limitations as determined under ch. NR 217, shall apply.

Production = The annual average off-machine production during 1978 expressed as tons per day.

(c) The baseline load for each publicly-owned point source located between milepoints 235.4 and 271.1 shall be calculated as follows:

Baseline Load = (Q) (8.34) (C)

Where Q = 0.55 million gallons per day for publicly-owned point sources located between milepoints 240.0 and 250.0

4.0 million gallons per day for publicly-owned point sources located between milepoints 250.0 and 260.0.

8.2 million gallons per day for publicly-owned point sources located between milepoints 260.0 and 265.0.

0.1 million gallons per day for publicly-owned point sources located between milepoints 265.0 and 271.1.

Where 8.34 = Conversion factor (lbs./gal.).

Where C = 45 milligrams per liter concentrations of BOD_5 for publicly-owned point sources located between milepoints 240.0 and 250.0, 250.0 and 260.0, and 265.0 and 271.1

60 milligrams per liter concentration of BOD_5 for publicly-owned point sources located between milepoints 260.0 and 265.0.

(d) The baseline load for each nonpublicly-owned point source with best practicable waste treatment effluent limitations of less than 500 pounds per day located between milepoints 271.1 and 240.0 shall be calculated as follows:

Baseline Load = (BPT) (Production)

Where BPT = The final best practicable waste treatment effluent limitations for the point source as provided in chs. NR 284 and 285, or 217, where applicable expressed as pounds of BOD_5 per ton of production.

Production = The maximum weekly off-machine production during 1981 expressed as tons per day.

(e) The baseline load for each nonpublicly-owned point source with best practicable waste treatment effluent limitations of BOD_5 equal to or exceeding 500 pounds per day located between milepoints 271.1 and 240.0 shall be calculated as follows:

Baseline Load = (BPT) (Production)

Where BPT = The final best practicable waste treatment effluent limitations for the point source as provided in chs. NR 284 and 285, or 217, where applicable expressed as pounds of BOD_5 per ton of production.

TABLE 1-b (continued)
LBS PER DAY OF BOD_5
(river mile 32.4 to 19.2)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) / TEMP °F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)							OCTOBER								
66.0 or Greater	17100	17100	17350	20360	23070	26070	29340	32820	36620	40820	48090	54100	63500	96160	100580
62.0 TO 65.0	17100	17100	18280	22130	25690	29540	33740	37970	43200	48860	53790	61140	73830	100580	100580
58.0 TO 61.0	17100	17100	20910	25210	29930	35110	40550	46650	52270	55950	62210	72590	90220	100580	100580
54.0 TO 57.0	17100	18930	24460	30400	37000	44160	51740	56540	61660	67340	76760	91840	100580	100580	100580
50.0 TO 53.0	18180	23110	30750	39480	49160	56990	63400	70680	78880	87730	100580	100580	100580	100580	100580
46.0 TO 49.0	23260	30400	42140	54620	64450	74170	85110	97250	100580	100580	100580	100580	100580	100580	100580
42.0 TO 45.0	32620	44150	60850	75480	90500	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580
41.0 or Less	50540	66850	90710	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580	100580

TABLE 1-c
LBS PER DAY OF BOD_5
(river mile 7.3 to 0.0)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) / TEMP °F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	MAY - JUNE														
86.0 or Greater	31540	31540	31540	31540	31540	31540	31540	31540	41900	54980	78760	118060	150180	150180	150180
82.0 TO 85.0	31540	31540	31540	31540	31540	31540	31540	35790	46320	58940	81720	119160	150180	150180	150180
78.0 TO 81.0	31540	31540	31540	31540	31540	31540	35150	43770	54250	66570	88440	123810	150180	150180	150180
74.0 TO 77.0	31540	31540	31540	31540	31540	35950	43690	53060	64050	76620	98420	132840	150180	150180	150180
70.0 TO 73.0	31540	31540	31540	31540	36760	44640	53930	64620	76670	90070	112640	147230	150180	150180	150180
66.0 TO 69.0	31540	31540	31540	36140	45190	55430	66840	79400	93080	107860	132040	150180	150180	150180	150180
62.0 TO 65.0	31540	31540	32650	43900	56120	69290	83370	98360	114230	130950	150180	150180	150180	150180	150180
58.0 TO 61.0	31540	31540	39330	54560	70510	87160	104480	122470	141080	150180	150180	150180	150180	150180	150180
54.0 TO 57.0	31540	31540	49310	69070	89310	110010	131130	150180	150180	150180	150180	150180	150180	150180	150180
50.0 TO 53.0	31540	38950	63550	88400	113490	138780	150180	150180	150180	150180	150180	150180	150180	150180	150180
46.0 TO 49.0	31540	52490	82990	113500	143990	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
42.0 TO 45.0	45630	71630	108600	145320	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
41.0 or Less	66280	97340	141330	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
	JULY - AUGUST														
86.0 or Greater	58590	54240	49380	46070	44240	43820	44760	47000	50460	55100	64090	79580	109280	150180	150180
82.0 TO 85.0	55410	51740	47850	45480	44570	45060	46880	49980	54290	59740	69930	86930	118750	150180	150180
78.0 TO 81.0	51120	48610	46340	45570	46220	48230	51550	56110	61840	68690	80910	100500	135960	150180	150180
74.0 TO 77.0	47830	46550	46010	46920	49240	52880	57790	63910	71170	79510	93910	116300	150180	150180	150180
70.0 TO 73.0	45530	45550	46840	49550	53620	58990	65600	73380	82270	92210	108940	134320	150180	150180	150180
66.0 TO 69.0	44230	45620	48830	53440	59380	66580	74980	84520	95140	106780	125990	150180	150180	150180	150180
62.0 TO 65.0	43930	46760	52000	58600	66500	75630	85930	97340	109790	123220	145070	150180	150180	150180	150180
61.0 or Less	44620	48960	56330	65030	74990	86150	98450	111820	126200	141530	150180	150180	150180	150180	150180

TABLE 1-c (continued)
LBS PER DAY OF BOD_5
(river mile 7.3 to 0.0)

Flow at Rapide Croche Dam (cfs) (Previous four day average)

- FLOW (CFS) / TEMP °F -	750 OR LESS	751 TO 1000	1001 TO 1250	1251 TO 1500	1501 TO 1750	1751 TO 2000	2001 TO 2250	2251 TO 2500	2501 TO 2750	2751 TO 3000	3001 TO 3500	3501 TO 4000	4001 TO 5000	5001 TO 8000	8001 OR MORE
(Previous Day Average)	SEPTEMBER - OCTOBER														
86.0 or Greater	31540	31540	31540	31540	37360	47590	58650	70440	82890	95910	116340	144800	150180	150180	150180
82.0 TO 85.0	31540	31540	31540	32060	39930	48700	58300	68630	79610	91170	109390	134910	150180	150180	150180
78.0 TO 81.0	31540	31540	31540	36750	43030	50220	58220	66960	76350	86310	102120	124410	150180	150180	150180
74.0 TO 77.0	31540	32000	35580	40220	45840	52350	59690	67750	76450	85730	100510	121410	150180	150180	150180
70.0 TO 73.0	32790	34800	38630	43530	49400	56160	63740	72040	80990	90490	105620	126970	150180	150180	150180
66.0 TO 69.0	33840	36670	41680	47740	54780	62710	71450	80910	91000	101660	118510	142140	150180	150180	150180
62.0 TO 65.0	34360	38660	45760	53920	63040	73050	83870	95400	107570	120300	140240	150180	150180	150180	150180
58.0 TO 61.0	35440	41850	51960	63120	75250	88260	102070	116600	131760	147470	150180	150180	150180	150180	150180
54.0 TO 57.0	38120	47280	61320	76400	92450	109380	127110	145540	150180	150180	150180	150180	150180	150180	150180
50.0 TO 53.0	43480	56030	74910	94840	115730	137490	150180	150180	150180	150180	150180	150180	150180	150180	150180
46.0 TO 49.0	52570	69150	93800	119480	146130	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
42.0 TO 45.0	66450	87710	119040	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180
41.0 or Less	86190	112770	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180	150180

TABLE 1-m
LBS PER DAY OF BODs
(river mile 205.3 to 171.9)

Previous Day Average Flow at Biron Dam (cfs)

Flow (cfs) / Temp °F	999 OR LESS	1000 TO 1199	1200 TO 1499	1500 TO 1999	2000 TO 2499	2500 TO 2999	3000 TO 3999	4000 TO 4999	5000 TO 5999	6000 OR MORE
Previous Day Average					MAY - JUNE					
82 or more	14090	19450	24280	32740	43710	56020	57890	109930	126010	126010
78 TO 81	14270	20150	25460	34860	47570	61490	63040	124130	126010	126010
74 TO 77	14430	20840	26730	37330	51730	67770	69550	126010	126010	126010
70 TO 73	15060	22070	28570	40280	56940	76260	78310	126010	126010	126010
66 TO 69	17220	25400	33030	46930	67170	90740	92900	126010	126010	126010
62 TO 65	20420	30380	39740	57380	83000	113150	116070	126010	126010	126010
58 TO 61	25230	37960	50230	73270	107730	126010	126010	126010	126010	126010
54 TO 57	32780	50170	67460	98190	126010	126010	126010	126010	126010	126010
50 TO 53	44980	70700	96520	126010	126010	126010	126010	126010	126010	126010
46 TO 49	65950	105300	126010	126010	126010	126010	126010	126010	126010	126010
42 TO 45	104080	126010	126010	126010	126010	126010	126010	126010	126010	126010
41 or Less	126010	126010	126010	126010	126010	126010	126010	126010	126010	126010
					JULY - AUGUST					
82 or more	10220	12730	15260	20280	27850	36910	37990	77790	106430	121800
78 TO 81	10220	13400	16750	23250	32790	44090	45460	95180	126010	126010
74 TO 77	10220	14460	18710	26700	38440	52210	53520	116110	126010	126010
70 TO 73	10770	15940	20990	30630	44740	61400	63240	126010	126010	126010
66 TO 69	13080	19510	25890	37870	55600	76530	78600	126010	126010	126010
62 TO 65	16210	24690	32910	48560	71670	99270	102140	126010	126010	126010
61 or Less	20900	32370	43510	64910	96410	126010	126010	126010	126010	126010
					SEPTEMBER - OCTOBER					
82 or more	10220	10220	10220	11890	17810	24650	25520	54880	76010	87260
78 TO 81	10220	10220	10220	14100	21750	30380	31340	69790	97910	113060
74 TO 77	10220	10220	10880	17140	26390	37320	38460	89310	122210	126010
70 TO 73	10220	10220	13270	20940	32350	45880	47080	110380	126010	126010
66 TO 69	10220	12590	17740	27700	42400	59880	61710	126010	126010	126010
62 TO 65	10220	17080	24020	37280	57030	80460	82480	126010	126010	126010
58 TO 61	14260	23670	33250	51710	79170	111910	115150	126010	126010	126010
54 TO 57	20210	34030	47890	74560	114650	126010	126010	126010	126010	126010
50 TO 53	30240	51240	72530	113710	126010	126010	126010	126010	126010	126010
46 TO 49	47330	80810	114710	126010	126010	126010	126010	126010	126010	126010
42 TO 45	78580	126010	126010	126010	126010	126010	126010	126010	126010	126010
41 or Less	126010	126010	126010	126010	126010	126010	126010	126010	126010	126010