

**NATURAL RESOURCES BOARD AGENDA ITEM**

**SUBJECT:** Request Authorization for Hearing on Board Order WT-15-09, Watershed Mgt. Bureau Housekeeping Rule Revisions to chs. 102, 103, 105, 106, 108, 110, 114, 200, 203, 205, 210, 214, 299, 328, 341, and 812

**FOR:** DECEMBER 2009 BOARD MEETING

**TO BE PRESENTED BY:** Tom Mugan, Wastewater Section Chief; Bureau of Watershed Management

**SUMMARY:**

The Bureau of Watershed Management has not previously updated rules to correct typographical errors or common housekeeping changes needed to keep their rules current. The proposed rule revisions update rules to accommodate new technologies and construction methods, require electronic submittal of wastewater permit documents, ensure consistency with federal water program regulations, fix typographical errors, and make minor modifications or clarifications to a variety of rules affecting the Bureau of Watershed Management. There are many codes included in this rule revision package to provide an efficient and consolidated general clean-up. The changes are intended to be minor and are anticipated to be noncontroversial.

**RECOMMENDATION:** Authorization for Hearing

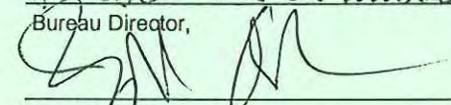
**LIST OF ATTACHED MATERIALS:**

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|----|-------------------------------------|---|-----|-------------------------------------|----------|
| No | <input type="checkbox"/>            | Fiscal Estimate Required                              | Yes | <input checked="" type="checkbox"/> | Attached |
| No | <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes | <input type="checkbox"/>            | Attached |
| No | <input type="checkbox"/>            | Background Memo                                       | Yes | <input checked="" type="checkbox"/> | Attached |

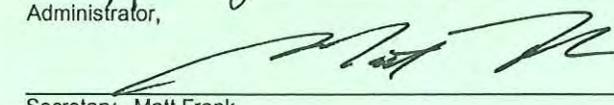
**APPROVED:**

  
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Bureau Director,

  
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Administrator,

  
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Secretary, Matt Frank

11/3/2009  
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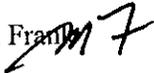
Date

cc: Laurie J. Ross - AD/8  
Julia Riley-WT/3  
Susan Sylvester-WT/3

DATE: November 2, 2009

FILE REF: WT-15-09

TO: Natural Resources Board

FROM: Matthew J. Fran 

SUBJECT: Proposed revision to chs. NR 102, 103, 105, 106, 108, 110, 114, 200, 203, 205, 210, 214, 299, 328, 341 and 812, Wis. Adm. Code to fix typographical errors, make minor modifications or clarification, ensure consistency with federal regulations, code reference update, or make technology updates for rules affecting the Bureau the Watershed Management.

### 1. Why These Rules are Being Revised

The Bureau of Watershed Management has not previously updated rules for clean-up of errors or common housekeeping changes needed to keep their rules current. There are many codes included in this package for that reason. Future housekeeping clean-up rule packages will be much smaller once these rules are updated.

### 2. Issues addressed by this rule

There are 133 proposed changes to the rules. These changes have been placed in the "Rationale Table" into categories. These categories include:

- a. Provide Clarity
- b. Typographical Errors
- c. Updates for Technological Advances
- d. Consistency with Federal Regulatory language/state statute/or other administrative rules
- e. Minor modifications

### 3. Summary of the Rules

NR 102 is the chapter that contains the listing waterbodies for outstanding or exceptional resource waters. There are several recommended pages of changes (13 pages in the ORDER). This code has primarily been changed to reflect typographical errors in the original listing of these waters, or if the water exists in more than one county, we have added the other county. To be consistent with the addition of two Wild Rivers to State Statute s. 30.26 in early 2009, language was refined and portions of these two existing ORW waters were moved to the Wild Rivers section of NR 102; however, this does not affect their status as ORW. With the exception of the 2009 statutory additions, there are no additions of new waterbodies, only corrections to the ones currently on the list.

NR 103 is the chapter that contains Water Quality Standards for Wetlands and the changes proposed are technical changes to reflect s. 281.36, Wis. Stat., a statute that was adopted after the rule went into effect.

NR 105 is the chapter that contains surface water quality criteria and secondary values for toxic substances. The changes requested for this chapter are typographical errors or values that have been updated because of new analytical methods. The changes to Table 9 in ch. NR 105 are done to reflect

changes to Federal drinking water standards and are consistent with changes that were made in ch. NR 809. All other numerical changes are typographical errors.

NR 106 is the chapter which contains procedures for Calculating Water Quality Effluent Limits for substances discharged to surface waters. Changes to this chapter are primarily for clarification or typographical errors.

NR 108 is the chapter which outlines the Requirements for Plans and Specifications submittals for reviewable projects and operations of community water systems, sewerage systems and industrial wastewater facilities. The changes include technology updates requesting electronic submittals in addition to paper copies of final plans and specifications. To be consistent with federal regulations, the department proposes modification to s. NR 108.04 (5).

NR 110 is the chapter containing requirements for Sewerage Systems. Most of this rule package contains changes to this chapter, which needs to be updated primarily because of confusion on how to implement this rule (22 pages in the ORDER). Many changes are recommended to clarify the rule; other changes are because of technological updates. Revisions to this chapter are proposed to revise and clarify requirements for lift station design, influent and effluent flow monitoring, and to clarify language which has been commonly misunderstood. While these changes are voluminous, they reflect current practice and are not substantial, they are minor changes that make this rule more understandable and easier to implement. In 1997, the Department prepared draft code revisions for lift station requirements in ch. NR 110, and conducted a public hearing and obtained public comments. But the rule making effort was then placed on hold due to workload issues, and the code revision process was effectively terminated prior to promulgation. Many of the NR 110 code changes now being proposed were obtained from this 1997 work effort.

NR 114 is the chapter for Certification Requirements for Waterworks, Wastewater Treatment Plant, Septage Servicing and Water System Operations. Proposed changes to this chapter include adding a "Master Operator" category to the Septage Servicing subchapter II. This is a category that the stakeholders have asked for to develop a succession of responsibilities. This has been an issue for several years and this code change will help satisfy the needs of the stakeholders.

NR 200 is the chapter for Application for Discharge Permits and Water Quality Standards Variances. The proposed change to this rule is a technological update for the submission of permit applications on the web-based application system. The other changes are typographical or to be consistent with federal regulations.

NR 203 is the chapter for WPDES Public Participation Procedures. The proposed change to this code is to make it consistent with federal regulations.

NR 205 is the chapter for General Provisions in WPDES permits. The proposed technology update is to require electronic submission of discharge monitoring reports. Other changes are clarification of unscheduled bypassing of wastewater or to be consistent with federal regulations.

NR 210 is the chapter for Sewage Treatment Works. The minor clarification changes are to reflect date changes or clarification of terms. A modification is proposed to require that emergency operating provisions (such as stand-by generator or pump) be provided for all wastewater pumping stations.

NR 214 is the chapter for Land Treatment of Industrial Liquid Waste By-Product Solids and Sludges. One proposed change is to clarify subsurface systems to be consistent with ch. COMM 83.

NR 299 is the chapter containing the Water Quality Certification requirements. The proposed changes to this chapter are technical changes to reflect s. 281.36, a statute that was adopted after the rule went into effect and to provide clarity with respect to the original intent of the rule.

NR 328 is the chapter for Shore Erosion Control Structures in Navigable Waterways. The recommended changes are to provide clarification or typographical changes.

NR 341 is the chapter for Grading on the Bank of Navigable Waterways. The proposed changes to this rule are to provide typographical changes.

NR 812 is the chapter for Well Construction and Pump Installation. The proposed change to this rule is to correct the code reference to NR 110 made in this proposed rule package.

*Proposed Changes:* Please see the attached "Rationale Table" for each individual proposed change to these rules.

#### 4. How this Proposal Affects Existing Policy

The Department has made a commitment to make Administrative Rules clear. These proposed changes will allow us to implement our rules more consistently and accurately.

#### 5. Has the Board dealt with these issues before?

The Bureau of Watershed Management has not gone before the NRB to request "housekeeping" changes to rules affecting our program. Most of these rules have not been changed or updated for decades. This is not unique; other programs routinely bring "housekeeping" packages before the Board.

#### 6. Who will be impacted by the proposed rules? How?

In addition to those who are already required to comply with the Administrative Rules, these proposed changes will make the rules less confusing and easier to understand. None of these proposed rules will be a burden to the regulated community or the public.

#### 7. Environmental Analysis

The Bureau of Environmental Analysis and Review has determined that these rule revisions are a Type III action under ch. NR 150, Wis. Adm. Code, and no environmental analysis is required.

#### 8. Small Business Analysis

The proposed rule revisions are not expected to have a significant economic impact on small business.

(Nov 2, 2009)  
 Bureau of Watershed Management  
 Rule Revisions to Provide Clarity, Typographical or Location Corrections, Updates for Technology Advances, Consistency with  
 Federal/State Language and Minor Modifications

<b>Section</b>	<b>Action</b>	<b>Reason</b>	<b>Rationale</b>
102.10 (1) (b) 1. and 2.	Amended	Clarity	Changed to better match the wild river language used in s. 30.26, Stats. and ch. NR 302, which this section refers to.
102.10 (1) (b) 3. through 5.	Created	Consistency with State Statute	102.10 (1) (b) 3. created to better reflect language in NR 302, which this section refers to. 102.10 (1) (b) 4. and 5. created to be consistent with the addition of two wild rivers to state statute s. 30.26 in 2009.
102.10(1)(d) 10., 17., 22., 29., and 30	Amended	Typos/ Location Correction	102.10 (1) (d) 10. Lamontague creek is incorrectly identified as LaMontagne in the current code. 102.10 (1) (d) 10. Location clarified, there are two Little Popple Rivers in Florence County, Little Popple River (T38N R19E S3) is the correct one. 102.10 (1) (d) 17. South Branch Miscauno creek is incorrectly identified as South Branch Misauno river in the current code. 102.10 (1) (d) 17. Miscauno Creek is incorrectly identified as Micauno river in the current code. 102.10 (1) (d) 17. Shinns Branch is incorrectly identified as Shinns creek in the current code. 102.10 (1) (d) 22. Nace (Trout) creek is incorrectly identified as Trout creek in the current code. 102.10 (1) (d) 29. Little Wolf River (North Branch Little Wolf River) is incorrectly identified as North Branch Little Wolf River in the current code. 102.10 (1) (d) 30. Chaffee Creek is primarily located in Marquette County but has a short headwater segment in Waushara County; it is being added to the Waushara County listing.
102.10 (1) (f) 1d., 2p., 6., 8., 10., 20., 22., and 22m.	Amended	Typos/ Location Correction	102.10 (1) (f) 1d. Segments of the Brunswailer River listed in this portion of the code, include those currently in code as ORW, before their recent designation as wild river in state statute. Reworded to reflect new wild river status, but also to maintain protection of all previously protected ORW segments. 102.10 (1) (f) 2p. Segments of the Totagatic River listed in this portion of the code, include those currently in code as ORW, before their recent designation as wild river in state statute. Reworded to reflect new wild river status, but also to maintain protection of all previously protected ORW segments. 102.10 (1) (f) 6. Location clarified, there are two Otter Creeks in Forest County; North Otter Creek is being changed to Otter Creek (T37N R14E S23, North Otter

			<p>Creek) to clarify which one the code refers to.  102.10 (1) (f) 8. The listing of No. Fork Flambeau River is redundant; the same water is listed as Flambeau River.  102.10 (1) (f) 10. Evergreen Creek is incorrectly identified as Little Evergreen Creek in the current code.  102.10 (1) (f) 20. McDermott Brook is incorrectly identified as McDermott Creek in the current code.  102.10 (1) (f) 22. Allequash Creek and Springs Class I and II portions are supposed to be listed in code; the current code only refers to Allequash Springs Class I and II portions.  102.10 (1) (f) 22m. Typo, "origin" was misspelled as "orgin".</p>
<p>102.10 (1m) 2., 3., 4., 5., 6., 9m., 10., 13., 14., 17., 18., and 20.</p>	<p>Amended</p>	<p>Typos/ Location Correction</p>	<p>102.10 (1m) 2. and 102.10 (1m) 20. Bear Lake is located in both Barron and Washburn counties, it is only listed in Barron County in the current code.  102.10 (1m) 2. and 102.10 (1m) 20. Red Cedar Lake is located in both Barron and Washburn counties; it is only listed in Barron County in the current code.  102.10 (1m) 3. Owen Lake is incorrectly identified as Lake Owen in the current code.  102.10 (1m) 3. and 102.10 (1m) 6. Lower Eau Claire Lake is located in both Bayfield and Douglas counties; it is only listed in Douglas County in the current code.  102.10 (1m) 4. and 102.10 (1m) 20. McKenzie Lake is incorrectly identified as Big McKenzie lake in the current code; McKenzie Lake is located in both Washburn and Burnett counties, it is only listed in Burnett County in the current code.  102.10 (1m) 4. and 102.10 (1m) 20 Middle McKenzie Lake is located in both Burnett and Washburn counties; it is only listed in Washburn County in the current code.  102.10 (1m) 5. Location clarified. There are two Crystal Lakes in Columbia County; the correct one is Crystal Lake (T12N R10E S1).  102.10 (1m) 6. Bardon Lake (Whitefish Lake) is incorrectly identified as Whitefish Lake (Bardon) in the current code.  102.10 (1m) 6. Lake Nebagamon is incorrectly identified as Nebagamon Lake in the current code.  102.10 (1m) 9m and 102.10 (1m) 10 Caldron Falls Flowage is located in both Marinette and Oconto counties, it is only listed in Marinette County in the current code.  102.10 (1m) 13. Cochran Lake is incorrectly identified as Cochran Lake in the current code.  102.10 (1m) 14. McCann Lake is incorrectly identified as McMann in the current code. Chain Lake is located in both Chippewa and Rusk counties, it is only listed in Rusk County in the current code.  102.10 (1m) 17. Smith Lake is incorrectly identified as Camp Smith Lake in the</p>

102.10 (1m) 4m.	Created	Location Correction	current code. 102.10 (1m) 18. Location typo clarified. White Sand Lake (T42N R7E S26) is incorrectly identified as White Sand Lake (T24N R7E S26) in the current code. 102.10 (1m) 4m. and 102.10 (1m) 14. Chain Lake is located in both Chippewa and Rusk counties, it is only listed in Rusk County in the current code.
102.11 (1)(b) 1, 5, 12, 15, 16, 23, 27, 33, 34, and 37.	Amended	Typos/ Location Correction	102.11 (1) (b) 1. Location clarified, should end at "upstream crossing of Oak Ridge Dr."; ends at "Abraham Coulee road bridge" in the current code. 102.11 (1) (b) 5. Location clarified, originates in section 19; listed as section 23 in the current code. 102.11 (1) (b) 12. Location clarified, originates in section 23, listed as section 22 in the current code. 102.11 (1) (b) 15. Spring Valley Creek is incorrectly identified as Spring Coulee Creek in the current code. 102.11 (1) (b) 16. Location clarified, should be "west in Trempealeau County" but is listed as "west of Trempealeau County" in the current code. 102.11 (1) (b) 23. Location clarified, originates in section 3; listed as section 10 in the current code. 102.11 (1) (b) 27. Location clarified; this stream is in Jackson County, it is listed as Trempealeau County in the current code. 102.11 (1) (b) 33. Location clarified, originates in section 18, listed as section 24 in the current code. 102.11 (1) (b) 34. Location clarified; "section 2, township 21 north, range 5 west"; it is listed as "section 2, township 20 north, range 6 west" in the current code. 102.11 (1) (b) 37. Location clarified; "section 33"; it is listed as "section 29" in the current code.
102.11 (1) (d) 5, 8, 15, 17, 28, 34, 39, and 42.	Amended	Typos/ Location Correction	102.11 (1) (d) 5. Location clarified; stream should be "all", it has an incorrect origin "T5N R8E S36" in the current code. 102.11 (1) (d) 5. The Sugar River is incorrectly identified as Sugar Creek in the current code. 102.11 (1) (d) 8. Typo "headquarters" should be "headwaters". Auburn Lake Creek (Lake Fifteen Creek) is incorrectly identified as Lake Fifteen Creek in the current code. 102.11 (1) (d) 15. Manitowish River is incorrectly spelled Maintowish River in the current code. 102.11 (1) (d) 17. Location clarified, stream is in both Jefferson and Rock Counties; it is only listed in Jefferson County in the current code. 102.11 (1) (d) 28. Location clarified, there are four Spring Brooks in Rock County, the correct one is Spring Brook (T2N R14E S27) 102.11 (1) (d) 34. Lake Mallilieu is incorrectly identified as Lake Mallileau in the current code. 102.11 (1) (d) 39. Location clarified, this stream is located in both Washington and

102.11 (1) (d) 26 b.	Created	Consistency with other code language	Fond du Lac Counties; it is only listed in Washington County in the current code. 102.11 (1) (d) 42. Location clarified; this stream is located in Waupaca, Outagamie, and Shawano Counties; it is only listed in Waupaca and Shawano in the current code.
103.05 (3)	Amended	Clarity	102.11 (1) (d) 26b. Code clarification, the Exceptional Resource Waters segment of the St. Croix River in Polk county is referred to in section 102.10(1)(a)1. as "the portion of the St. Croix river from the northern boundary of the St. Croix Falls city limits to a distance one mile below the STH 243 bridge at Osceola shall be classified exceptional resource waters under s. NR 102.11." However, there is no listing in NR 102.11 in the current code; this change adds that listing.
103.08 (1k) (e)	Amended	Clarity	Added new statute that was passed after this code was written.
103.08 (1m) (note)	Amended	Clarity	Delete word final to clarify original intent of process provided in ch. NR 299.
105.06 (5) (h)	Amended	Typos/ Location Correction	Updated with new information after code was originally written
			Par. (h) refers to chronic toxicity criteria, but the table referenced in the existing rule (Table 2A) lists hardness values used to calculate acute criteria. Even if the chronic table is identical to the acute table, the rule needs a connection to chronic rather than acute.
105.06 (8) (a)	Amended	Technology Update	Conversion factor for mercury is in G/L.
105.06 Table 4B	Amended	Minor modification	1. Change in Limited Forage Fish formula – In the existing rule, there are two different formulas that would apply to limited forage fish waters with early life stages present, the second formula should be for early life stages "absent," not "present" and is therefore a typo. 2. Change in Limited Aquatic Life formula – Needs the lower boundary cutoff at 7 degrees C to be consistent with the other classifications in Table 4B.
105.06 Table 5 and (note)	Amended	Typos	Change the superscript "1" after chlorine and in the Note following the table, instead of a superscript "1" both should be a superscript asterisk, or "*" . These should be consistent with the other asterisked superscripts in Table 5, so these are typos.
105.08 (4) Table 2., 5., and 33.	Amended	Typos/ Location Correction	Items 2, 5, and 33: Public water supply criteria need to be amended as appropriate to be consistent with changes in drinking water standards in ch. NR 809.
105.08 (4) Table 8 43.	Repealed	Typos	Item 43: The criteria listed for tetrachloroethene are actually human cancer criteria rather than human threshold criteria. In fact, the same criteria are also listed in Table 9, so their listing in Table 8 is a typo.
105.09 Table 9 36. and 38.	Amended	Typos/ Location Correction	Public water supply criteria need to be amended as appropriate to be consistent with changes in drinking water standards in ch. NR 809.
106.03 (6)	Repealed and recreated	Clarity	Add a formula or explanation of how to calculate IWC since it's not explained in the current rule. The definition of "Instream waste concentration" is being changed to include the equation used to determine this compliance endpoint.
106.05 (5) (a)	Amended	Typos/ Location Correction	Typo error in the formula
106.06 (4) (e) (title)	Amended	Clarity	Language error in the title to be consistent with the title of NR 106, "toxic or

106.07 (2) (intro), (a) and (b)	Amended		Clarity, Minor modification	organoleptic". Since chlorine is exempt from EPA's GLWQI, the requirement to calculate mass limits for chlorine when concentration limits are established in permits based on NR 105 criteria is not applicable.
106.08 (5) (a)	Amended		Clarity	This section currently requires WET limits be given if the RPF > 0.3. Any numerical measurement < 0.34999 does not exceed 0.3 once significant figures are considered. To clarify, language will be changed to express this threshold using at least two significant figures (i.e. 0.30).
106.115 (1)	Amended		Typos/ Location Correction	Sub. (1) references NR 105 Table 7, but the additive effects of CDDs and CDFs were not intended to be applied to the wildlife criteria in NR 105 Table 7, as correctly stated in the remainder of NR 106.115.
106.88 (3)	Amended		Clarity	Changing language from metric units to pounds per day.
108.04 (2) (b)	Amended		Technology Update	This language is to require electronic submittal of plans in addition to paper copies. Currently we hire a person to scan all plans into electronic format for permanent record retention and a submitted electronic copy will reduce the scanning time and costs.
108.04 (5)	Amended		Clarity.	Current NR 108.04 (5) language does not account for the situation where plans and specifications are submitted prior to start of construction, but then the construction starts prior to obtaining Department approval. Per s. 281.41 (1) (c), construction shall be according to approved plans, so the revision is necessary to fix this discrepancy.
110.03 (3)	Amended		Minor modification	Updates code standards. Current code is outdated.
110.03 (5)	Repealed		Minor modification	To be replaced by proposed creation of NR 110.03 (12g)
110.03 (9)	Amended		Minor modification	Subsection (9) is minor clarification of terms. No change to code intent.
110.03 (12g)	Created		Minor modification	Proposed new definition for "Design flow" is intended to provide clarification and to ensure flows used in design are consistent with flows that may be used for effluent limit setting, as addressed in s. NR 106.06 (4) (d). No change to code intent.
110.03 (20)	Repealed		Minor modification	Replaced by proposed NR 110.03 (12g) definition
110.03 (22)	Amended		Minor modification	Removes statement that copy of reference is available from DNR office. This is considered unnecessary and imposes cost on Department to maintain current reference.
110.03 (24)	Repealed		Minor modification	Replaced by proposed NR 110.03 (12g) definition
110.05 (2) (c)	Amended		Minor modification	Minor clarification of terms. No change to code intent.
110.05 (4)	Repealed and Recreated		Minor modification	Removes outdated reference to allowing communities to submit an improvement program with a 1983 date for completion of the improvements. No change to code intent.
110.05 (5) (c)	Amended		Minor modification	Deletes unnecessary statement. No change to code intent.
110.05 (5) (g)	Repealed		Minor modification	Removes outdated reference to allowing communities to submit an improvement program with a 1983 date for completion of the improvements. No change to code

				intent.
110.05 (6)	Amended	Typo/Location Correction	Corrects typo and corrects reference due to other deletions	
110.08 (3) (a)	Amended	Clarity	Simple re-statement of requirement. No change to code intent	
110.08 (3) (b)	Repealed	Clarity	Simple re-statement of requirement. No change to code intent	
110.09 (2) (i) 2.	Amended	Minor modification	Revision to provide consistency with new 110.03 (12g) definition	
110.09 (2) (j) 3. b.	Amended	Clarity	Minor language, grammar clarification. No change to code intent	
110.09 (2) (j) 4. b.	Amended	Clarity	Minor language, grammar clarification. Revision to provide consistency with new NR 110.03 (12g) definition	
110.09 (8) (b) 2.	Amended	Clarity	Minor language, grammar clarification. Currently we do not require all the information listed in the code. This change reflects current practice.	
110.13 (1) (d) 1. and 2.	Amended	Minor modification	Provides clarity and additional explanation of how lesser separation requirements may apply. This is consistent with water supply rules (ch. NR 811) and is not a change to current code intent.	
110.13 (2) (i)	Amended	Minor modification	Removes unnecessary dates for standard. Intent is that most current standard is used.	
110.13 (2) (k) 1.	Amended	Minor modification	Removes unnecessary dates for standard. Intent is that most current standard is used.	
110.13 (5) (a)	Amended	Minor modification	Clarifies that pipe must comply with current standards. Adds new acceptable pipe material that Department has previously routinely approved (HDPE pipe).	
110.13 (5) (e) through (h)	Amended	Minor modification	Updating code standards. The current code standards are outdated.	
110.14 (1) (b)	Amended	Minor modification	Revised for clarity and to indicate that design report is not required for minor maintenance upgrades.	
110.14 (2) (a) 3.	Repealed and recreated	Minor modification	Provides clarity and additional explanation of how lesser separation requirements may apply. This is consistent with water supply rules (ch. NR 811) and is not a change to current code intent.	
110.14 (2) (b) 3.	Amended	Code Reference Correction/update	Corrects code reference and provides consistency with new NR 110.03 (12g) definition. And minor modification to update correct terminology.	
110.14 (3) through (5)	Repealed and recreated	Minor modification	Contains same requirements as currently in NR 110.14 (3) (a) but with revisions for clarity and to allow additional options as based on currently accepted practices (code interpretations). The proposed revision does require an entry warning sign for wet wells, which is a new requirement. However, the current practice is that the signs are required per a Department Form developed for a "Fast-Track" plan review. Warning signs are a commonly recognized safety precaution.	
110.14 (6) through (8)	Created	Minor modification	Clarifies what requirements apply to certain types of lift stations.	
110.14 (6)	Renumbered and amended	Minor modification	Removes certain existing requirement that is now considered unnecessary because we do not just classify Grinder Pumps in one category, we split them out into Simplex and Duplex Pumps in the new created s. NR 110.14 (10) and (12). Clarifies how certain type pumps are treated in code. No changes to normal design practices are expected, this is clarification.	

110.14 (7)	Renumbered and amended	Minor modification	Clarification except for new requirement that justification be provided if more than 3 lift stations are to be served by one portable emergency generator or pump. Although a new code requirement, the Department currently requests justification as part of the form used for "Fast-Track" plan reviews.
110.14 (10) and (11)	Created	Minor modification	Current code does not specifically address simplex grinder pumps. The requirements being added are currently used for the Department's Fast-Track review process and reflect normal industry standards.
110.15 (2) (a)	Amended	Code Reference Correction	Corrects code reference
110.15 (3) (e)	Created	Minor modification	Existing code neglects to address separation of wastewater structures from water supply wells. However, the water supply codes require these same separation distances for wells from wastewater structures. This language provides consistency with that and clarifies the existing interpretation of requirements. It does not create any new requirement.
110.15 (4) (c)	Amended	Minor modification	Provides consistency with new NR 110.03 (12g) definition.
110.15 (5) (c)	Amended	Minor modification	Clarifies definition of "total plant flow" that the Department is currently implementing in practice. Adds reference to s. NR 218.05 for informational purposes and identifies key design concerns.
110.18 (2) (d)	Amended	Minor modification	Provides more detailed explanation and clarification of code language. No change to code intent.
110.19 (5) (b) 2.	Amended	Clarify	Provides consistency with new NR 110.03 (12g) definition and clarification that recirculated flows are included.
110.19 (6) (b) 1.	Amended	Minor modification	Update code standards. Current code is out of date.
110.21 (4) (b)	Amended	Clarify	Clarifies current practice of applying requirements based on average conditions.
110.21 (4) Table 5 (title)	Amended	Minor modification	Clarifies units in table
110.21 (4) (d) 5.	Amended	Minor modification	Provides consistency with new NR 110.03 (12g) definition
110.21 (5) (b) and (c)	Amended	Minor modification	Clarifies current practice
110.21 (6) (a) 2.	Amended	Clarify	Clarifies that "peak diurnal" is peak hour.
110.21 (6) (b) 1.	Amended	Clarify	Clarifies that "peak diurnal" is peak hour.
110.22 (5) (b) 3.	Amended	Clarify	Clarifies that "maximum" means peak hour.
110.22 (5) (c) 4.	Amended	Clarify	Clarifies terms.
110.22 (6) (c)	Amended	Minor modification	Removes unnecessary design requirement for recirculation tank
110.22 (7) (c)	Amended	Clarify	Clarifies current interpretation
110.23 (2) (d)	Amended	Clarify	Provides consistency with new NR 110.03 (12g) definition
110.23 (2) (e) 2.	Amended	Clarify	Provides consistency with new NR 110.03 (12g) definition
110.24 (2) (b)	Amended	Clarify	Clarifies current interpretation and adds reference. No change to code intent.
110.24 (3) (d) 3	Amended	Minor modification	Updates code standards. Current code is out of date.
110.24 (4) (d)	Amended	Minor modification	Updates code standards. Current code is out of date.
110.24 (6) (a) through (c)	Amended	Clarify	Clarifies current interpretation
110.25 (5) (b) 1., and 3.	Amended	Minor modification	Adds flexibility (already used to certain extent) for required number of down gradient monitoring wells.

110.25 (5) (c) 3. and 5.	Amended	Code Reference Correction	Corrects code reference and clarification
114.153 (4m)	Created	Minor modification	The regulated community has requested this additional classification of operator.
114.153 (5)	Amended	Minor modification	This language cleans up code language for consistency.
114.16 (1)	Amended	Minor modification	This included the new category into the rule.
114.18 (title) and (1)	Amended	Minor modification	This language spells out the new category requirements.
114.18 (2)	Repealed	Minor Modification	Removes dated language
114.18 (3)	Renumbered and amended	Minor modification	Clarifies requirements with new classification of operator
114.18 (3)	Created	Minor modification	Inserts language from a repealed paragraph in s. NR 114.23 (4)
114.18 (4) and (5)	Repealed	Minor modification	Removes dated language
114.18 (6)	Renumbered	Minor modification	Renumbered final code
114.19 (8)	Amended	Minor modification	This language of the code references a renumbered change.
114.20 (1) (e)	Created	Minor modification	This provides the fee for the new category consistent with the other current levels.
114.23 (1) and (2)	Amended	Minor modification	This language clarifies the title and training requirements for the new category.
114.23 (4)	Repealed	Minor modification	Moves language to s. NR 114.18 (3)
114.23 (5)	Renumbered and amended	Minor modification	Clarifies requirements with new classification of operator
114.24 (1)	Amended	Minor modification	This language adds an additional code reference for clarity.
200.03 (1)	Amended	Consistency with Fed. Regs.	Language changed to reflect federal regulations in 40 CFR 122.21 (a).
200.06 (2)	Amended	Technology Update	The language will update the code to require electronic submission of WPDES permit applications.
203.13 (3) (b)	Amended	Consistency with Fed. Regs.	Language added to be consistent with federal regulations
205.07 (1) (n)	Amended	Technology Update	The language change will update the code to require electronic submission of WPDES permit applications.
205.07 (1) (r)	Amended	Technology Update	The language change will require electronic submittal of WPDES monthly discharge monitoring reports. The Department has been requesting this information electronically for 3 through WPDES permits.
205.07 (1) (r) 4. and Note	Repealed	Technology Update	This requirement is moved to s. 205.07 (1) (r), so there is no need for this paragraph.
205.07 (1) (u)	Repealed	Code Correction	This portion of code was previously printed in wrong location (being moved to NR 205.07 (2) (d) to correct
205.07 (1) (v)	Amended	Minor modification	Clarifies that requirement applies to any bypass rather than just from treatment system. This is consistent with federal regulations.
205.07 (2) (d)	Amended	Minor modification	Relocation of language from NR 205.07 (1) (u) correction.
210.08 (1) (a) and (b)	Amended	Clarity	To clarify that emergency operation provision applies to sewage treatment facilities.
210.08 (2)	Repealed and recreated	Minor modification	This requires that all lift stations, not just "main" lift stations maintain emergency operation provisions. This is a change in code intent and has more substantial effects than other "minor modifications". This is still considered relatively minor because emergency provisions are commonly provided by responsible

210.11	Amended	Clarity	management agencies, regardless of code requirements. Clarifies date for submitting CMAR reports. The CMAR applicable requirements are included in ch. NR 208.
214.02 (2)	Amended	Clarity	Clarifies code requirements and assess responsibility on parties using land treatment systems without a permit.
214.12 (4) (c)	Created	Technology Update	As the department programs our databases to collect electronic data, this gives us the ability to collect the reports electronically from the facilities.
214.13 (4) (c)	Created	Technology Update	As the department programs our databases to collect electronic data, this gives us the ability to collect the reports electronically from the facilities.
214.14 (4) (c)	Created	Technology Update	As the department programs our databases to collect electronic data, this gives us the ability to collect the reports electronically from the facilities.
214.15 (4) (c)	Created	Technology Update	As the department programs our databases to collect electronic data, this gives us the ability to collect the reports electronically from the facilities.
214.16 (2) (d)	Repealed and recreated	Typos/ Location Correction, Clarify	Simplifies language and updates code reference. No change to code intent.
214.16 (2) (e) and (f), and (3)	Repealed	Clarity, Minor modification	Removes unnecessary and conflicting requirement. Any system, regardless of loading rate is regulated to comply with groundwater standards.
214.16 (4) (c)	Created	Technology Update	As the department programs our databases to collect electronic data, this gives us the ability to collect the reports electronically from the facilities
214.16 (6)	Amended	Minor modification	Ch. NR 214 addresses systems for non-domestic wastewater but DNR practice has been that when the water is non-domestic but equivalent to domestic wastewater in character, DNR accepts the Commerce methods or rules developed for domestic wastewater systems. This change codifies this practice.
214.17 (5) (c)	Created	Technology Update	As the department programs our databases to collect electronic data, this gives us the ability to collect the reports electronically from the facilities.
214.18 (5) (d)	Created	Technology Update	As the department programs our databases to collect electronic data, this gives us the ability to collect the reports electronically from the facilities.
299.04 (1) (b) 7.	Amended	Clarity	The cross reference clarifies all applicable statutory standards by adding statutes that were adopted after the rule went into effect.
299.05 (3) (f)	Amended	Clarity, Minor modification	Clarifies original intent of the procedure for ch. NR 299 by providing greater detail that will avoid a possible inconsistent interpretation between this subsection and subsection (5) of this section.
299.05 (3) (fm)	Created	Clarity, Minor modification	Clarifies original intent of the procedure for ch. NR 299 by providing greater detail that will avoid a possible inconsistent interpretation between the previous subsection (3) and subsection (5) of this section.
328.03 (9)	Amended	Typos/ Location Correction	Typographical error in original rule drafting led to inconsistent language between definitions of high, medium and low energy sites
328.03 (15)	Amended	Typos/ Location Correction	Typographical error in original rule drafting led to inconsistent language between definitions of high, medium and low energy sites
328.05 (6)	Amended	Typos/ Location Correction	The way the language is currently written, it incorrectly references s. NR 328.04

328.35 (3) (p)	Created	Minor modification	when it should be referencing s. NR 328.05
341.09 (1) (b) and (c)	Amended	Clarity	s. NR 328.35 (3) got inadvertently overlooked in the adoption of clearing house rule number CR07-094 in the fact that it does not list the invasive species decortamination standards that were recently added by rule to NR 328.04. To make subchapter III consistent with subchapter I we recommend that the language found in s. NR 328.04 (3) (j) be added to s. NR 328.35 (3) as subd. (p)
812.08 (4) (b) 11.	Amended	Citation correction	Typographical errors occurred during original rule drafting, due to concurrent drafting of ch. NR 341 and ch. NR 343.
812.08 (4) (b) 11. Note	Repealed	Clarity	With the revisions to ch. NR 110, this cross reference was corrected. With the revisions to ch. NR 110, this is no longer needed.

### Fiscal Estimate — 2009 Session

- Original       Updated  
 Corrected       Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number WT-15-09

**Subject**

Rules for plans and specifications for wastewater treatment plants and for application of a WPDES permit and submitting electronic monitoring reports

**Fiscal Effect**

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

- Increase Costs — May be possible to absorb within agency's budget.  
 Yes       No  
 Decrease Costs

Local:  No Local Government Costs

- |  |   |  |
|--|---|--|
| 1. <input type="checkbox"/> Increase Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenues<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Governmental Units Affected:<br><input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities<br><input type="checkbox"/> Counties <input type="checkbox"/> Others<br><input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
| 2. <input type="checkbox"/> Decrease Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 4. <input type="checkbox"/> Decrease Revenues<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory |  |

**Fund Sources Affected**

- GPR     FED     PRO     PRS     SEG     SEG-S

Affected Chapter 20 Appropriations

**Assumptions Used in Arriving at Fiscal Estimate**

This rule revision requires submittal of an electronic version of all plans and specifications, and the electronic submittal of discharge monitoring reports and web-based wastewater permit applications by all Wisconsin Pollutant Discharge Elimination System (WPDES) permittees. Permittees are now required to submit monthly discharge operating reports as part of their WPDES permit requirements. A few WPDES permittees may incur some one-time costs to comply with the electronic form submittal requirements, but the requirements will also provide significant annual cost savings for the Department.

**I. STATE FISCAL EFFECT**

Electronic submission of forms to the Department requires the permittee/operator to do the quality control on the document prior to submission, thereby releasing Department staff from this effort, and also eliminating the need for the Department to contract with a third-party entity that converts paper copy submittals to the Department's electronic database.

Cost savings associated with the electronic submission of forms are summarized as follows:

- A. Printing cost savings of \$6,300 for no longer having to process 100,000 double-sided pages of monthly discharge monitoring reports.
- B. LTE cost savings of \$22,900 (1040 hours x \$22/hr = \$22,880) for no longer having to review the quality control of the documents before sending them to the third-party contractor that converts paper copy submittals to the Department's electronic database.
- C. Contractual savings of \$45,000 for no longer needed to contract with a third-party entity for paper-to-electronic information conversion.

**Long-Range Fiscal Implications**

Prepared By: Joseph Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature 	Telephone No. 266-2794	Date (mm/dd/ccyy) 11-02-09

## Fiscal Estimate — 2009 Session

### Page 2 Assumptions Narrative Continued

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number WT-15-09

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#### Assumptions Used in Arriving at Fiscal Estimate – Continued

D. Postage savings of \$6,000.

E. LTE cost savings of \$22,900 (1040 hours x \$22/hr = \$22,880) for no longer having to scan WPDES facility plans and specifications to electronic copies for our database.

In total, annual cost savings are estimated to be \$103,100. State expenditures for staff will not increase to cover the program revisions, and there will be no reduction in state revenues associated with state cost decreases.

For Plans and Specification submittals, most facilities hire consultants to do this work and they should have a computer or they could scan the documents and submit a CD of the plans with their paper copy submittal. Minor costs may be passed on to the permittee for this additional service.

#### II. LOCAL GOVERNMENT FISCAL EFFECT

All municipal WPDES permittees (979) are currently submitting their Compliance Maintenance Annual Report (CMAR) electronically as part of NR 208; therefore, this rule change has no fiscal effect at the local government level.

#### III. PRIVATE SECTOR IMPACT

The proposed rule package would require all industrial permittees to submit monthly reports electronically to our database.

##### A. One-Time Costs

1. The Department estimates that 50 industrial permittees do not have a computer and will be required to incur one-time costs to buy a computer. Estimated costs for the computer are \$1,500 x 50 facilities = \$75,000.

2. Once the industrial permittees go on-line and begin electronic report submittals, the Department estimates that they will achieve overall postal cost savings of \$1,200 in the first year.

##### B. Annualized Costs

1. Annualized internet access costs for a new computer user to prepare electronic submittals are based on the estimated use per year: \$360 year/facility x 50 facilities = \$18,000.

2. Form completion costs should be the same as sending in a paper copy. It is estimated that it will take the same amount of time for the operator to fill out an electronic submission as they spend on a paper copy.

**Fiscal Estimate Worksheet — 2009 Session**  
 Detailed Estimate of Annual Fiscal Effect

Original       Updated  
 Corrected       Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number WT-15-09

**Subject**

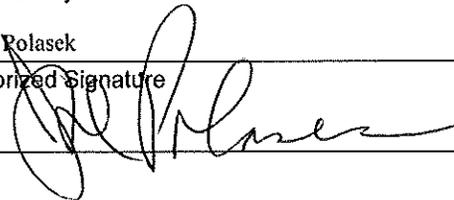
Rules for plans and specifications for wastewater treatment plants and for application of a WPDES permit and submitting electronic monitoring reports

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

Annualized Costs:		Annualized Fiscal Impact on State Funds from:	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations — Salaries and Fringes	\$	\$ -	45,800
(FTE Position Changes)	( FTE )	( -	FTE )
State Operations — Other Costs		-	57,300
Local Assistance		-	
Aids to Individuals or Organizations		-	
<b>Total State Costs by Category</b>	<b>\$</b>	<b>\$ -</b>	<b>-103,100</b>
<b>B. State Costs by Source of Funds</b>			
GPR	\$	\$ -	45,800
FED		-	57,300
PRO/PRS		-	
SEG/SEG-S		-	
State Revenues	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Revenue	Decreased Revenue
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
<b>Total State Revenues</b>	<b>\$</b>	<b>\$ -</b>	

**Net Annualized Fiscal Impact**

	State	Local
Net Change in Costs	\$ -103,100	\$
Net Change in Revenues	\$	\$

Prepared By: Joe Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature 	Telephone No. 266-2794	Date (mm/dd/ccyy) 11-02-09

ORDER OF THE STATE OF WISCONSIN  
NATURAL RESOURCES BOARD  
AMENDING, REPEALING, AND CREATING RULES

The Wisconsin Natural Resources Board proposes an order to repeal NR 105.08 (4) Table 8 43., NR 110.03 (5), NR 110.03 (20), NR 110.03 (24), NR 110.05 (5) (g), NR 110.08 (3) (b), NR 114.18 (2), NR 114.18 (4) and (5), NR 114.23 (4), NR 205.07 (1) (r) 4. and (Note), NR 205.07 (1) (u), NR 214.16 (2) (e) and (f) and (3) (e), NR 812.08 (4) (b) 11. (Note), to renumber NR 114.18 (6), to renumber and amend, NR 110.14 (6), NR 110.14 (7), NR 114.18 (3), NR 114.23 (5), to amend NR 102.10 (1) (b) 1. and 2., NR 102.10 (1) (d) 10., 17., 22., 29. and 30., NR 102.10 (1) (f) 1d., 2p., 6., 8., 10., 20., 22. and 22m., NR102.10 (1m) 2., 3., 4., 5., 6., 9m., 10., 13., 14., 17., 18. and 20., NR 102.11 (1) (b) 1., 5., 12., 15., 16., 23., 27., 33., 34. and 37., NR 102.11 (1) (d) 5., 8., 15., 17., 28., 34., 39. and 42., NR103.05 (3), NR 103.08 (1k) (e), NR 103.08 (1m) and (note), NR 105.06 (5) (h), NR 105.06 (8) (a), NR 105.06 Table 4B, NR 105.06 Table 5 and note, NR 105.08 (4) Table 8 2., 5. and 33., NR 105.09 (3) Table 9 36. and 38., NR 106.05 (5) (a), NR 106.06 (4) (e) (title), NR 106.07 (2) (intro), (a) and (b), NR 106.08 (5) (a), NR 106.115 (1), NR 106.88 (3), NR 108.04 (2) Note, NR 108.04 (2) (b), NR 108.04 (5), NR 110.03 (3), NR 110.03 (9), NR 110.03 (22), NR 110.05 (2) (c), NR 110.05 (5) (c), NR 110.05 (6), NR 110.08 (3) (a), NR 110.09 (2) (j) 2., NR 110.09 (2) (j) 3. b., NR 110.09 (2) (j) 4. b., NR 110.09 (8) (b) 2., NR 110.13 (1) (d) 1. and 2., NR 110.13 (2) (i), NR 110.13 (2) (k) 1., NR 110.13 (5) (a), NR 110.13 (5) (e) through (h), NR 110.14 (1) (b), NR 110.14 (2) (b) 3., NR 110.15 (2) (a), NR 110.15 (4) (c), NR 110.15 (5) (c), NR 110.18 (2) (d), NR 110.19 (5) (b) 2., NR 110.19 (6) (b) 1., NR 110.24 (3) (d) 3., NR 110.24 (4) (d), NR 110.21 (4) (b), NR 110.21 (4) Table 5 (title), NR 110.21 (4) (d) 5., NR 110.21 (5) (b) and (c), NR 110.21 (6) (a) 2., NR 110.21 (6) (b) 1., NR 110.22 (5) (b) 3., NR 110.22 (5) (c) 4., NR 110.22 (6) (c), NR 110.22 (7) (c), NR 110.23 (2) (d), NR 110.23 (2) (e) 2., NR 110.24 (2) (b), NR 110.24 (6) (a) through (c), NR 110.25 (5) (b) 1. and 3., NR 110.25 (5) (c) 3. and 5., NR 114.153 (5), NR 114.16 (1), NR 114.18 (title) and (1), NR 114.19 (8), NR 114.23 (1) and (2), NR 114.24 (1), NR 200.03 (1), NR 200.06 (2), NR 203.13 (3) (b), NR 205.07 (1) (n), NR 205.07 (1) (r), NR 205.07 (1) (v), NR 205.07 (2) (d), NR 210.08 (1) (a) and (b), NR 210.11, NR 214.02 (2), NR 214.16 (6), NR 299.04 (1) (b) 7., NR 299.05 (3) (f), NR 328.03 (9), NR 328.03 (15), NR 328.05 (6), NR 341.09 (1) (b) and (c); NR 812.08 (4) (b) 11., to repeal and recreate NR 106.03 (6), NR 110.05 (4), NR 110.14 (2) (a) 3., NR 110.14 (3) through (5), NR 210.08 (2), NR 214.16 (2) (d), and to create NR 102.10 (1) (b) 3. through 5., NR 102.10 (1m) 4m., NR 102.11 (1) (d) 26 b., NR 110.03 (12g), NR 110.14 (6) through (8), NR 110.14 (10) and (11), NR 110.15 (3) (e), NR 114.153 (4m), NR 114.18 (3), NR 114.20 (1) (e), NR 214.12 (4) (c), NR 214.13 (4) (c), NR 214.14 (4) (c), NR 214.15 (4) (c), NR 214.16 (4) (c), NR 214.17 (5) (c), NR 214.18 (5) (d), NR 299.05 (3) (fm), and NR 328.35 (3) (p) relating to revisions to fix typographical errors, make minor modifications or clarification, ensure consistency with federal regulations, code reference update or make technological updates for rules affecting the Bureau of Watershed Management.

WT-15-09

Summary Prepared by the Department of Natural Resources

Statutory Authority: ss 30.12, 30.19, 227.11, 281.11, 281.12, 281.15, 281.17, 281.41, 283.11, 282.13, 283.31, 283.37, 283.39, 283.49, and 283.55, Stats.

Statutes Interpreted: ss 30.12, 30.19, 281.15, 281.17, 281.41, 283.13, 283.31, 283.37, 283.39, 281.49 and 282.55, Stats

Explanation of Agency Authority: The Department has authority under ss 30.12, 30.19, 227.11, 281.11, 281.12, 281.15, 281.17, 281.41, 283.11, 283.13, 283.31, 283.37, 283.39, 283.49, and 283.55, Stats., to promulgate rules and clarify process.

Related statute or rule: These rules relate directly to regulation of activities in wastewater discharge permits or in navigable waters under ch. 30, Stats., waters designations in ch. NR 1, and the chs. NR 100, 200, and 300 series rules.

Plain Language Analysis: The purpose of this rule update is to modify the existing rules to clarify, make consistent with federal regulations, clean up typographical errors, incorporate technology advances, or make minor modifications. The Bureau of Watershed Management has not undertaken the effort to clean up our rules and therefore this rule package is fairly large since several rules affect the Bureau and need to be updated and corrected.

In ch. NR 102, clarifications and typographical corrections are proposed. In addition, an update to provide consistency with revised state statutes has been made. NR 102 is the chapter that contains the listing waterbodies for outstanding or exceptional resource waters. There are several recommended pages of changes (13 pages in the ORDER). This code has primarily been changed to reflect typographical errors in the original listing of these waters, or if the water exists in more than one county, we have added the other county. To be consistent with the addition of two Wild Rivers (Brunswailer and Totagatic Rivers) to State Statute s. 30.26 in early 2009, language was refined and portions of these two existing ORW waters were moved to the Wild Rivers section of NR 102; however, this does not affect their status as ORW. With the exception of the 2009 statutory based additions, there are no additions of new waterbodies, only corrections to the ones currently on the list.

NR 103 is the chapter that contains Water Quality Standards for Wetlands and the changes proposed are technical changes to reflect s 281.36, Wis. Stat., , a statute that was adopted after the rule went into effect.

NR 105 is the chapter that contains surface water quality criteria and secondary values for toxic substances. The changes requested for this chapter are typographical errors or values that have been updated because of new analytical methods. The changes to Table 9 in ch. NR 105 are done to reflect changes to Federal drinking water standards and are consistent with changes that were made in ch. NR 809. All other numerical changes are typographical errors.

NR 106 is the chapter which contains procedures for Calculating Water Quality Effluent Limits for substances discharged to surface waters. Changes to this chapter are primarily for clarification or typographical errors.

NR 108 is the chapter which outlines the Requirements for Plans and Specifications submittals for reviewable projects and operations of community water systems, sewerage systems and industrial wastewater facilities. The changes include technology updates requesting electronic submittals in addition to paper copies of final plans and specifications. To be consistent with federal regulations, the department proposes modification to s. NR 108.04 (5).

NR 110 is the chapter containing requirements for Sewerage Systems. Most of this rule package contains changes to this chapter, which needs to be updated primarily because of confusion on how to implement this rule (22 pages in the ORDER). Many changes are recommended to clarify the rule; other changes are because of technological updates. Revisions to this chapter are proposed to revise and clarify requirements for lift station design, influent and effluent flow monitoring, and to clarify language which has been commonly misunderstood. While these changes are voluminous, they reflect current practice and are not substantial, they are minor changes that make this rule more understandable and easier to implement. Revisions to ch. NR 110 are proposed to revise and clarify requirements for lift station design and influent and effluent flow monitoring and to clarify existing language. A related change to the current s. NR 110.14(3)(h)4. is proposed that would require alarm signals from lift stations to be telemetered to responsible authorities. Current code states that the Department “may require” telemetering for large or main lift stations. Requiring telemetering is consistent with the “Recommended Standards for Wastewater Facilities” (also known as the “Ten State Standards”) and reflects current standard practice. An exception to the telemetering requirement would be made for lift stations serving three residential units or less. Ensuring emergency operation at sewage lift stations is critical for preventing sanitary sewer overflows and for protecting public health.

Another more significant proposed change for lift stations is that a new subsection on simplex and duplex grinder pump stations will be added. The existing code does not provide adequate information on the installation of individual grinder pump systems.

The Department proposes to s. NR 110.05 to delete the numerous references to correction programs providing compliance by July 1, 1983. This change will not affect the current authorities or implementation of this rule in any way, but will remove outdated rule language.

A new definition of “design flow” is proposed to clarify the basis of various ch. NR 110 design criteria or methods. This revision will not affect the design flow used in the calculation of effluent limits which is established under other separate rules.

NR 114 is the chapter for Certification Requirements for Waterworks, Wastewater Treatment Plant, Septage Servicing and Water System Operations. Proposed changes to this chapter include adding a “Master Operator” category to the Septage Servicing subchapter II. This is a category that the stakeholders have asked for to develop a succession of responsibilities. This has been an issue for several years and this code change will help satisfy the needs of the stakeholders.

NR 200 is the chapter for Application for Discharge Permits and Water Quality Standards Variances. The proposed change to this rule is a technological update for the submission of permit applications on the web-based application system. The other changes are typographical or to be consistent with federal regulations.

NR 203 is the chapter for WPDES Public Participation Procedures. The proposed change to this code is to make it consistent with federal regulations.

NR 205 is the chapter for General Provisions in WPDES permits. The proposed technology update is to require electronic submission of discharge monitoring reports. Other changes are clarification of unscheduled bypassing of wastewater or to be consistent with federal regulations.

NR 210 is the chapter for Sewage Treatment Works. The minor clarification changes are to reflect date changes or clarification of terms. A modification is proposed to require that emergency operating provisions (such as stand-by generator or pump) be provided for all wastewater pumping stations. The proposed change to s. NR 210.08(2) would require that sewerage system owners maintain emergency operating provisions for lift stations (such as standby pumps or generators). Currently, these emergency provisions are required when lift station are upgraded or constructed new, but the current ch. NR 210 requirement is that only "Main" lift stations must maintain emergency operating provisions

NR 214 is the chapter for Land Treatment of Industrial Liquid Waste By-Product Solids and Sludges. One proposed change is to clarify subsurface systems to be consistent with ch. COMM 83.

NR 299 is the chapter containing the Water Quality Certification requirements. The proposed changes to this chapter are technical changes to reflect s 281.36, a statute that was adopted after the rule went into effect and to provide clarity with respect to the original intent of the rule.

NR 328 is the chapter for Shore Erosion Control Structures in Navigable Waterways. The recommended changes are to provide clarification or typographical changes.

NR 341 is the chapter for Grading on the Bank of Navigable Waterways. The proposed changes to this rule are to provide typographical changes.

NR 812 is the chapter for Well Construction and Pump Installation. The proposed change to this rule is to correct the code reference to ch. NR 110 made in this proposed rule package.

Federal Regulatory Analysis: Some of the revisions are to make our current regulations more consistent with federal regulations under the federal Clean Water Act.

Anticipated Private Sector Costs: No significant fiscal effect on the private sector is anticipated.

Effect on Small Business: The proposed rule changes are not expected to have a significant effect on small business. There are no significant changes to these rules that would affect small businesses.

The proposed change to s. NR 210.08(2) would require that sewerage system owners maintain emergency operating provisions for lift stations (such as standby pumps or generators). Currently, these emergency provisions are required when lift station are upgraded or constructed new, but the current ch. NR 210 requirement is that only “Main” lift stations must maintain emergency operating provisions.

Agency Contact Person: Susan Sylvester, Dept. of Natural Resources; Watershed Bureau WT/3; Phone: 608-266-1099; Fax: 608-267-2800; [Susan.Sylvester@wisconsin.gov](mailto:Susan.Sylvester@wisconsin.gov)

Place where comments are to be submitted and deadline for submission: Susan Sylvester WT/3; 101 S. Webster Street; P.O. Box 7921; Madison, WI 53707-7921  
Phone: 608-266-1099; Fax: 608-267-2800; [Susan.Sylvester@wisconsin.gov](mailto:Susan.Sylvester@wisconsin.gov)

Written comments may also be submitted to the Department of Natural Resources using the Wisconsin Administrative Rule Internet Web site at <http://adminrules.wisconsin.gov>

Hearing dates and submission deadlines are to be determined.

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SECTION 1. NR 102.10 (1) (b) 1. and 2. are amended to read:

NR 102.10 (1) (b) *State wild and scenic rivers*. All state wild and scenic rivers designated under s. 30.26, Stats., including:

1. Pike river and its headwater branches in Marinette county.
2. Pine river and its tributary Popple river headwater branches in Florence and Forest counties.

SECTION 2. NR 102.10 (1) (b) 3. through 5. are created to read:

NR 102.10 (1) (b) 3. Popple River and its headwater branches in Florence and Forest counties.

4. The portion of the Brunswelier River (Martin Hanson Wild River) from the point in Ashland County at which it leaves T44N R4W S22 QSW QQSW downstream to the point at which it crosses the boundary of the Chequamegon–Nicolet National Forest at T45N R4W S22 QNW.

5. Portions of the Totogatic River in Bayfield, Sawyer, Washburn, Douglas, and Burnett Counties (as described below):

SEG 1: From the outlet of Totogatic Lake located in Bayfield County to the upstream end of Nelson Lake at the southern edge of the walleye spawning refuge located in Sawyer County.

SEG 2: From a point 500 feet below the dam in the Totogatic Wildlife Area located in Washburn County to the upstream end of the Colton Flowage located in Washburn County.

SEG 3: From a point 500 feet below the dam that forms the Colton Flowage located in Washburn County to the point where the river crosses the Washburn–Douglas County line immediately above the upstream end of the Minong Flowage.

SEG 4: From the bridge on CTH “I” that crosses the river located in Washburn County to the confluence of the river with the Namekagon River located in Burnett County.

**Note:** Section NR 302.02 (1) contains a detailed description of the extent of the Pike, Pine, and Popple river systems designated as Wild Rivers.

SECTION 3. NR 102.10 (1) (d) 10., 17., 22., 29., and 30. are amended to read:

NR 102.10(1)(d)10. Florence county — Brule river including Montagne creek and Riley creek tributaries; tributaries to the Pine–Popple rivers including Chipmunk, Cody, Haley, Haymarsh, LaMontagne Lamon Tangué, Lepage, Lunds, Martin, Olson, Patten, Pine, Riley, Rock, Simpson, Seven Mile, Wakefield and Woods creeks; Little Popple river (T38N R19E S3)

17. Marinette county — Cedarville creek, Otter creek, Holmes creek, East Thunder creek, North fork Thunder river, Eagle creek, Little Eagle creek, Plumadore creek, Meadow brook, Upper Middle Inlet creek, Middle Inlet creek, Wausaukee river, Little Wausaukee creek, Coldwater brook, Medicine brook, South Branch Miscauno river creek, Miscauno river creek, Swede John creek, South Branch Pemebonwon river, Spikehorn creek, Silver creek, Little Silver creek, Sullivan creek; tributaries to the Pike river including Little South Branch Pike river, Camp D creek, Camp F creek, Camp 9 creek, Cole creek, Glen creek, Harvey creek, North Branch Harvey creek, South Branch Harvey creek, Hemlock creek, Holloway creek, K.C. creek, Little Harvey creek, Lost creek, MacIntire creek, Phillips creek, Sackerson creek, Shinns creek branch, Sidney creek, Smeesters creek, Springdale brook, Whiskey creek

22. Portage county — Emmons creek, Radley creek, Sannes creek, Tomorrow river, Trout Nace (Trout) creek

29. Waupaca county — Emmons creek, Griffin creek, Jackson creek, Leers creek, Peterson creek, Radley creek, Sannes creek, Spaulding creek, Trout creek, Whitcomb creek, North Branch Little Wolf river (North Branch Little Wolf river)

30. Waushara county — Chaffee creek, Willow creek north of Redgranite, Mecan river north of Richford, Little Pine creek, West Branch White river

SECTION 4. NR 102.10 (1) (f) 1d., 2p., 6., 8., 10., 20., 22., and 22m. are amended to read:

NR 102.10 (1) (f) 1d.  
Ashland

Bad River

SEG 1: Origin to Outfall in Mellen at NW ¼ SW ¼ S6 T44N R2W

Brunswailer River

SEG 1: Origin to Inlet of Spider Lake

SEG 2: Outlet of Moquah Lake to origin of Wild River designation under s. NR 102.10 (1) (b) 5. at T44N R4W S22 SW ¼ of SW ¼ Inlet of Mineral Lake

SEG 3: Outlet of Mineral Lake to Inlet of Beaverdam Lake All portions included as Wild River under s. NR 102.10(1)(b)5

SEG 4: Outlet of Beaverdam Lake (at the dam)-End of Wild River segment at the boundary of the Chequamegon-Nicolet National Forest (T45N R4W S22 ¼ NW) to the Bad River Indian Reservation Boundary

2p. Bayfield,  
Sawyer,  
Washburn,  
Douglas  
& Burnett

Totagatic River

SEG 1: Origin (Confluence of West Fork Totagatic River and East Fork Totagatic River) to Inlet of Nelson Lake All portions included as Wild River under SEG 1 of par. (b) 5.

SEG 2: Outlet of Totagatic Flowage to Inlet of Colton Flowage All portions included as Wild River under SEG 2 of par. (b) 5., and the 500 feet immediately downstream of the dam in the Totagatic Wildlife Area in Washburn County

SEG 3: Outlet of Colton Flowage to Inlet of Minong Flowage All portions included as Wild River under SEG 3 of par. (b) 5., the 500 feet immediately downstream of the dam that forms the Colton Flowage, and from the end of the Wild River designation at the Douglas/Washburn County line to the inlet of Minong Flowage

SEG 4: Outlet of Minong Flowage to Confluence with Namekagon River All portions included as Wild River under SEG 4 of par. (b) 5.

6.	Forest	Allen Creek	All
		Brule Creek	All
		Elvoy Creek	All
		Jones Creek	Class I & II portions
		North Otter Creek (T37N R14E S23, North Otter Creek)	All
8.	Iron, Ashland & Price	Flambeau River	SEG 1: Turtle-Flambeau Flowage (Outlet @ Turtle-Flambeau Dam) to Inlet of Upper Park Falls Flowage
		<del>No. Fork Flambeau River</del>	<del>From Turtle-Flambeau Flowage Dam downstream to Park Falls</del>
10.	Langlade	Elton Creek	Class I Portion
		Little Evergreen Creek	All
		Mayking Creek	All
		Michelson Creek	All
		Mid Branch Embarrass River	Class I Portion
20.	Sawyer	Benson Creek	All-Class I Portion
		Couderay River	SEG 1: Origin at Outlet of Billy Boy Flowage to Inlet of Grimh Flowage (Including Waters within Lac Courte Oreilles Indian Reservation)

	Eddy Creek	All-Class I Portion
	Grindstone Creek	All-Class I Portion
	Knuteson Creek	SEG 1: Outlet of Wise Lake to Inlet of Knuteson Lake  SEG 2: Outlet of Knuteson Lake to Inlet of Lake Chetek
	Little Weirgor Creek & Tribs	All-Class I & II Portions
	McDermott <del>Creek</del> Brook	All
	Mosquito Brook	All-Class I Portion
	Teal River	Outlet of Teal Lake to Confluence with West Fork Chippewa River
22.	Vilas	Allequash <del>Creek</del> & Springs
	Brule Creek	All
	East Br. Blackjack Cr.	All
	Elvoy Creek & Springs	Class I & II Portions
	Manitowish River	SEG 1: Adjacent to Dam Road Downstream to Inlet of Boulder Lake  SEG 2: Outlet of Boulder Lake to Inlet of Island Lake

	Mishonagon Creek	Class I & II Portions
	Siphon Creek	All
	Spring Meadow Creek	Class I Portion
	Tamarack Creek	All
	Trout River	SEG 1: Outlet of Trout Lake to Lac Du Flambeau Indian Reservation Eastern Boundary
22m. Vilas & Oneida	Wisconsin River	SEG 1: <u>Origin Origin</u> (Outlet of Lac Vieux Desert) to Inlet of Watersmeet Lake

SECTION 5. NR 102.10 (1m) 2., 3., 4., 5., 6., 9m., 10., 13., 14., 17., 18., and 20. are amended to read:

NR 102.10(1m)

2. Barron Bear Lake (T36N R12W S2); also in Washburn County

Red Cedar Lake (also in Washburn County)

Sand Lake

Silver Lake

3. Bayfield Bark Bay Slough

Diamond Lake

Lake Owen

Lake Superior within ¼ mile of the shoreline of the islands within the Apostle Island National Lakeshore

Lower Eau Claire Lake (also in Douglas County)

Middle Eau Claire Lake

Namekagon Lake

Owen Lake

Pike Chain of Lakes (Pike, Millicent, Buskey Bay, Hart, Twin Bear, Eagle, Flynn and Hildur Lakes)

Star Lake

Upper Eau Claire Lake

4. Burnett Big Mckenzie McKenzie Lake (also in Washburn County)

Big Sand Lake

Middle McKenzie Lake (also in Washburn County)

Sand Lake (T40N R15W S25)

5. Columbia Crystal Lake (T12N R10E S1)

6. Douglas Bardon Lake (Whitefish Lake)

Bond Lake

Lake Nebagamon

Lower Eau Claire Lake (also in Bayfield County)

Nebagamon Lake

St. Croix (Gordon) Flowage

Upper St. Croix Lake

Whitefish Lake (Bardon)

9m. Marinette Caldron Falls Flowage (also in Oconto County)

10. Oconto Archibald Lake

Bass Lake (T32N R15E S9)

Bear Paw Lake

Boot Lake

Caldron Falls Flowage (also in Marinette County)

Chain Lake

13. Price Cochran Cochran Lake

Tucker Lake

14. Rusk Bass Lake (T34N R9W S16)

Fish Lake

Island Chains of Lakes (Chain {also in Chippewa County}, Clear, McMann-McCann, and Island Lakes)

Three Lakes No. 1 (T36N R9W S25)

17. Sawyer Barker Lake

Blaisdell Lake

Camp Smith Lake

Evergreen Lake

Grindstone Lake

Lac Court Oreilles

Lake Chippewa (Chippewa Flowage)

Nelson Lake

Osgood Lake

Perch Lake (T42N R6W S25)

Round Lake (Big Round)

Sand Lake

Smith Lake

Spider Lake

Teal Lake

Whitefish Lake

18. Vilas Black Oak Lake

Crab Lake

Crystal Lake (T41N R7E S27)

Lac Vieux Desert

North Twin Lake

Palette Lake (Clear)

Partridge Lake

Plum Lake

South Twin Lake

Star Lake

Stormy Lake

Trout Lake

White Sand Lake (~~T24N R7E S26~~) (T42N R7E S26)

20. Washburn Bass Lake (T40N R10W S17)

Bear Lake (also in Barron County)

Long Lake

McKenzie Lake (also in Burnett County)

Middle McKenzie Lake (also in Burnett County)

Red Cedar Lake (also in Barron County)

Shell Lake

Stone Lake (T39N R10W S24)

SECTION 6. NR 102.10 (1m) 4m. is created to read:

NR 102.10 (1m)

4m. Chippewa Chain Lake (also in Rusk County)

SECTION 7. NR 102.11 (1) (b) 1., 5., 12., 15., 16., 23., 27., 33., 34., and 37. are amended to read:

NR 102.11 (1) (b) Other Class I trout waters:

1. Abraham Coulee creek in section 29, township 20 north, range 8 west from its headwaters to the Abraham Coulee road bridge upstream crossing of Oak Ridge Drive in Trempealeau county.
5. Bufton Hollow creek originating in section 23-19, township 12 north, range 2 west in Richland county.
12. Martin creek originating in section 22-23, township 6 north, range 2 east in Iowa county.
15. Spring Coulee Valley creek from the headwaters to SE 1/4, SE 1/4, section 33, township 16 north, range 1 east in Monroe county.
16. Unnamed creek 2-12 originating in section 36, township 20 north, range 7 west of in Trempealeau county.
23. Unnamed creek 10-8 originating in section 10-3, township 11 north, range 1 west in Richland county.
27. Unnamed creek 13-3a originating in section 19, township 20 north, range 6 west in Trempealeau Jackson county.

33. Unnamed creek 24–3a originating in section 24-18, township 11 north, range 1 west in Richland county.

34. Unnamed creek 26–7 originating in section 2, township 20-21 north, range 6-5 west in Jackson county.

37. Unnamed stream originating in section 29-33, township 10 north, range 3 east in Sauk county.

SECTION 8. NR 102.11 (1) (d) 5., 8., 15., 17., 28., 34., 39., and 42. are amended to read:

NR 102.11 (1) (d)

5. Dane & Green	Little Sugar River	Above New Glarus
	Story Creek (Tipperary)	All, <u>originating in T5N R8E S36</u>
	<del>Sugar Creek-River</del>	All
8. Fond du Lac	Feldner's Creek	From <u>headquarters-headwaters</u> to Mischo's Millpond
	<u>Auburn Lake Creek (Lake Fifteen Creek)</u>	Entire Creek above & below <u>Auburn Lake Fifteen</u>
15. Iron	<u>Manitowish-Manitowish River</u>	All
17. Jefferson <u>&amp; Rock</u>	Allen Creek	All
28. Rock	Bass Creek	All
	East Fork Raccoon Cr.	All
	Little Turtle Creek	All

	Raccoon Creek	All
	Spring Brook (T2N R14E S27)	All
	Turtle Creek	All
	Unnamed Creek T2N R14E S31	All
34. St. Croix	Apple River	From NSP plant below CTH I to Mouth
	Cady Creek	All
	Willow River	Extend Class II Portion into Delta in Lake <u>Mallileau-Mallilieu</u>
39. Washington & Fond du Lac	E. Branch Milwaukee R.	From Long Lake outlet to STH 28
42. Waupaca, Outagamie, & Shawano	Embarrass River	From Wolf River upstream to dam at Pella

SECTION 9. NR 102.11 (1) (d) 26 b. is created to read:

NR 102.11 (1) (d)

26b. Polk St.Croix River From the northern boundary of the St. Croix Falls city limits to a distance one mile below the STH 243 bridge at Osceola

SECTION 10. NR 103.05 (3) is amended to read:

NR 103.05 (3) These procedures are promulgated under ss. 281.11, 281.12 (1), 281.15, 281.36, 281.37, and 283.001, Stats.

SECTION 11: NR 103.08 (1k) (e) is amended to read:

NR 103.08 (1k) (e) For all activities that meet the criteria listed in sub. (4) (c) 3. and that do not require authorization under ch. 30, Stats., the department shall make a **final** decision on an application within 60 working days of receipt of a complete application from the project proponent.

SECTION 12. NR 103.08 (1m) (note) is amended to read:

NR 103.08 (1m) **Note:** This guide is based upon the “Corps of Engineers Wetlands Delineation Manual, 1987” **which has been regionalized for Wisconsin, and Final Regional Supplements.** Copies of “Basic Guide to Wisconsin’s Wetlands and Their Boundaries” may be obtained from Wisconsin Department of Administration, Document Sales Unit, 202 S. Thornton Ave., P.O. Box 7840, Madison, WI 53707–7840.

SECTION 13. NR 105.06 (5) (h) is amended to read:

NR 105.06 (5) (h) Chronic toxicity criteria for the fish and aquatic life subcategories listed in s. NR 102.04 (3) that are calculated using acute–chronic ratios are listed in Table 5 for substances with acute toxicity unrelated to water quality parameters and in Table 6 for substances with acute toxicity related to water quality parameters. Equations listed in Table 6 are applicable over the **same** range of water quality parameters as contained in Table **2A4A. Table 2A should be used where no range is listed in Table 4A.**

SECTION 14. NR 105.06 (8) (a) is amended to read:

NR 105.06 (8) (a) The conversion of the water quality criterion expressed as total recoverable ( $WQC_{Total R.}$ ) to the water quality criterion expressed as dissolved ( $WQC_D$ ) shall be performed as follows:

$$WQC_D = (CF)(WQC_{Total R.})$$

Where:  $WQC_{Total R.}$  = Criteria from NR 105, Table 5 or 6.

CF = Conversion factor for total recoverable to dissolved.

Conversion factors are as follows:

Arsenic 1.000  
Cadmium 0.850  
Chromium (III) 0.860

Chromium (VI) 0.962  
Copper 0.960  
Lead 0.792  
Mercury 0.85  
Nickel 0.997  
Selenium 0.922  
Zinc 0.986

SECTION 15. NR 105.06 Table 4B is amended to read:

NR 105.06

**Table 4B**

**Chronic Toxicity Criteria for Ammonia with Toxicity Related to Water Quality (all in mg/L)**

Substance: Ammonia (as N)

Water Quality Parameters: Temperature in degrees Celsius, pH

30-Day CTC:

$$CTC = E \times ((0.0676 / (1 + 10^{(7.688 - \text{pH})})) + (2.912 / (1 + 10^{(\text{pH} - 7.688)}))) \times C$$

4-Day CTC = 30-Day CTC X 2.5

Cold Water (all periods), Warm Water Sport Fish and Warm Water Forage Fish (periods with Early Life Stages Present):

$$C = \text{minimum of } (2.85) \text{ or } (1.45 \times 10^{(0.028 \times (25 - T))})$$

T = Temperature in degrees Celsius

E = 0.854

Warm Water Sport Fish and Warm Water Forage Fish (periods with Early Life Stages Absent):

$$C = (1.45 \times 10^{(0.028 \times (25 - T))})$$

T = Maximum of (actual temperature in degrees Celsius) and (7)

E = 0.854

Limited Forage Fish (periods with Early Life Stages Present):

$$C = \text{minimum of } (3.09) \text{ or } (3.73 \times 10^{(0.028 \times (25 - T))})$$

T = temperature in degrees Celsius

E = 1

Limited Forage Fish (periods with Early Life Stages Absent):

$$C = (3.73 \times 10^{(0.028 \times (25 - T))})$$

T = Maximum of (actual temperature in degrees Celsius) and (7)

E = 1

Limited Aquatic Life (all periods):

$$C = (8.09 \times 10^{(0.028 \times (25 - T))})$$

T = ~~temperature in degrees Celsius~~ Maximum of (actual temperature in degrees Celsius) and (7)

$$E = 1$$

30-day CTC in mg/L @ pH of:

	30-day CTC in mg/L @ pH of:		
	7.5	8.0	8.5
<hr/>			
Cold Water, Warm Water Sport Fish (Early Life <del>States</del> <del>Stages</del> Present), and Warm Water Forage Fish (Early Life Stages Present):			
@ 25 degrees Celsius	2.22	1.24	0.55
@ 14.5 degrees Celsius or less	4.36	2.43	1.09
Warm Water Sport Fish (Early Life Stages <del>Present</del> <del>Absent</del> ), and Warm Water Forage Fish (Early Life Stages Absent):			
@ 25 degrees Celsius	2.22	1.24	0.55
@ 7 degrees Celsius or less	7.09	3.95	1.77
Limited Forage Fish (Early Life Stages Present):			
@ 27 degrees Celsius or less	5.54	3.09	1.38
Limited Forage Fish (Early Life Stages Absent):			
@ 25 degrees Celsius	6.69	3.73	1.67
@ 7 degrees Celsius or less	21.34	11.90	5.33
Limited Aquatic Life:			
@ 25 degrees Celsius	14.50	8.09	3.62
@ 7 degrees Celsius or less	46.29	25.82	11.56

Note: The terms "early life stage present" and "early life stage absent" are defined in subch. III of ch. NR 106.