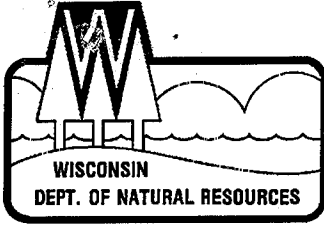


Clearinghouse Rule 96-073

96-073



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

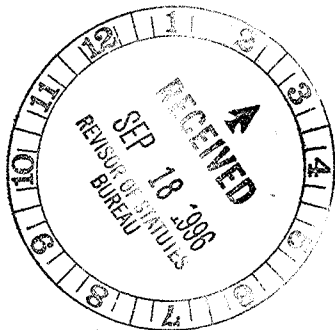
Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WW-30-96 was duly approved and adopted by this Department on July 24, 1996. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 16th day of September, 1996



George E. Meyer
George E. Meyer, Secretary

(SEAL)



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

The Wisconsin Natural Resources Board proposes an order to amend NR 200.06(2), 200.07(1) and (4)(intro.); 205.07(1)(g) and (r)1; and to create NR 205.07(1)(r)4 and 200.07(5), relating to electronic submission of WPDES permit applications and monitoring data.

WW-30-96

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 147.025 and 227.11(2), Stats.

Statutes interpreted: ss. 144.025(1) and (2)(a) and 147.01(2) and 147.08(1) and (2), Stats.

Section NR 200.06(2), Wis. Adm. Code, states how application for reissuance of a permit shall be submitted. Section NR 200.07(1) states what forms shall be used to submit applications. Section NR 200.07(4) lists signature requirement for application forms. Section NR 205.07(1)(g) contains the signatory requirement for all applications, reports, or information submitted to the Department for WPDES permits. Section NR 205.07(1)(r)1 states what forms shall be used to submit monitoring requirements. These chapters have been amended to allow permittees the option of submitting required information to the department electronically. Section NR 200.07(5) is created to allow electronic permit applications provided the permittee signs and submits an electronic permit application agreement. Section NR 205.07(1)(r)4 is created to allow electronic data transfer provided the permittee signs and submits an electronic data transfer agreement.

SECTION 1. NR 200.06(2) is amended to read:

NR 200.06 (2) The application for reissuance of a permit shall be submitted ~~on forms supplied in a~~ form approved by the department and shall be signed in accordance with s. NR 200.07 (4).

SECTION 2. NR 200.07(1) and (4)(intro.) are amended to read:

NR 200.07 (1) Application for a discharge permit shall be ~~on forms supplied in a form approved~~ by the department. Different application forms are used to provide information from different types of sources of discharge. The department may prescribe forms prepared by the environmental protection agency for use when appropriate or may modify such forms as necessary.

(4)(intro.) ~~The application~~ Application forms or electronic permit application agreements submitted to the department shall be signed as follows:

SECTION 3. NR 205.07(1)(g) and (r)1. are amended to read:

NR 205.07(1)(g) Signatory requirement. ~~All~~ Except as provided by this paragraph, all applications, reports or information submitted to the department shall be signed for a corporation by a responsible corporate officer including a president, secretary, treasurer, vice president or manager; and for a municipality by a ranking elected official; or other person authorized by one of ~~the above~~ those officers or officials and who has responsibility for the overall operation of the facility or activity regulated by the permit. The representative shall certify that the information was gathered and prepared under his or her supervision and based on inquiry of the people directly under his or her supervision that, to the best of his or her knowledge, the information is true, accurate and complete. Upon written request to the department and subject to the department's approval, a permittee may submit information by electronic media or electronic transmission provided the permittee signs and submits an appropriate agreement certifying that the information was gathered and prepared under his or her supervision and, based on inquiry of the people directly under his or her supervision, that to the best of his or her knowledge the information is true, accurate and complete. The party signing the agreement shall make a similar certification when submitting subsequent information by electronic media or electronic transmission. Electronic reporting shall be an alternative to written reports. The permittee's agreements shall be signed by a responsible corporate officer or ranking elected official designated in this paragraph.

(r)1. Monitoring results shall be reported on a discharge monitoring report (DMR) or ~~other forms provided or specified in a form approved~~ by the department for reporting results of monitoring of sludge use or disposal practices.

SECTION 4. NR 205.07(1)(r)4. is created to read: -

NR 205.07(1)(r)4. Upon written request to the department and subject to the department's approval, a permittee may submit electronic discharge monitoring reports provided the permittee signs and submits an electronic discharge monitoring agreement certifying that the information was gathered and prepared under his or her supervision and, based on inquiry of the people directly under his or her

supervision, that to the best of his or her knowledge the information is true, accurate and complete.

The party signing the agreement shall make a similar certification when submitting subsequent information by electronic media or electronic transmission. Electronic reporting shall be an alternative to written reports.

Note: An electronic discharge monitoring agreement may be obtained from the bureau of watershed management, department of natural resources, P.O. Box 7921, Madison, Wisconsin 53707-7921.

SECTION 5. NR 205.07(5) is created to read:

NR 205.07 (5) Upon written request to the department and subject to the department's approval, a permittee may submit an electronic permit application or reapplication provided the permittee signs and submits an electronic permit application or reapplication agreement certifying that the information was gathered and prepared under his or her supervision and, based on inquiry of the people directly under his or her supervision, that to the best of his or her knowledge the information is true, accurate and complete. The party signing the agreement shall make a similar certification when submitting subsequent information by electronic media or electronic transmission. Electronic reporting shall be an alternative to written reports.

Note: An electronic permit application or reapplication agreement may be obtained from the bureau of watershed management, department of natural resources, P.O. Box 7921, Madison, Wisconsin 53707-7921.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on July 24, 1996.

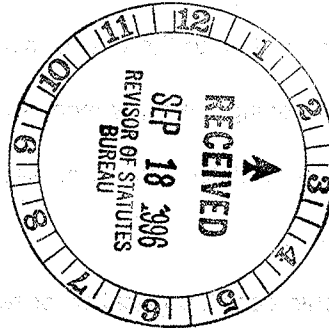
The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

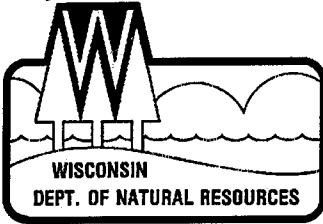
Dated at Madison, Wisconsin September 16, 1996

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

(SEAL)





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

September 11, 1996

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WW-30-96. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Environmental Resources and Urban Affairs pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

George E. Meyer
Secretary

Enc.

