

## **Notice of Hearing**

The Department of Natural Resources announces that it will hold public hearings on a permanent rule to create ch. NR 111, relating to cooling water intake structures, at the times and places shown below.

### **Hearing Information**

Date: September 9, 2019  
Time: 3:00 p.m.  
Location: WI Department of Natural Resources, 101 S. Webster St., Madison, WI 53707, Room G27

Date: September 11, 2019  
Time: 1:00 p.m.  
Location: WI Department of Natural Resources, 5301 Rib Mt. Dr., Wausau, WI 54401

### **Rule Information**

Under the federal water pollution control act (Clean Water Act), the U.S. Environmental Protection Agency (EPA) has a responsibility to promulgate rules addressing the impingement and entrainment of aquatic organisms at cooling water intake structures. Effective January 17, 2002 and October 14, 2014, the EPA promulgated rules that specify requirements for New Facilities and Existing Facilities that address impingement and entrainment at cooling water intake structures. In order to be consistent with the EPA-promulgated New Facilities and Existing Facilities Rules, the Department of Natural Resources is proposing to create ch. NR 111, Wis. Adm. Code.

### **Accessibility**

1. Hearing impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter at least 10 days before the date of the scheduled hearing, by writing to e-mail [Emma.Lorenzen@wisconsin.gov](mailto:Emma.Lorenzen@wisconsin.gov).
2. Alternatively, you may contact the Department of Natural Resources TDD at (608) 267-6897. The hearing facility is accessible to disabled users.
3. Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call with specific information on your request at least 10 days before the date of the scheduled hearing.
4. Handicap access is available at the hearing location.

### **Appearances at the Hearing and Submittal of Written Comments**

The public has the opportunity to testify at the hearing. Registration will take place at the hearing by completing a Hearing Appearance form, which will be provided. Comments on the proposed rule must be received on or before September 18, 2019. The Hearing Appearance form also can be used for submitting a written comment at the hearing. Written comments may be submitted by U.S. mail, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing. Written comments and any questions on the proposed rules should be submitted to:

Attn: Emma Lorenzen – WY/3

Department of Natural Resources  
P.O. Box 7921  
101 S. Webster Street,  
Madison, WI 53707-7921  
Emma.Lorenzen@wisconsin.gov

The rule may be viewed at: <https://dnr.wi.gov/news/input/ProposedPermanent.html>

Comments can also be made at: [DNRAAdministrativeRulesComments@wisconsin.gov](mailto:DNRAAdministrativeRulesComments@wisconsin.gov)

### **Initial Regulatory Flexibility Analysis**

It is expected that no or very few small businesses with an intake structure have intakes with design intake flows that are greater than the minimum threshold and therefore would be subject to the federal rule.

### **Agency Small Business Regulatory Coordinator**

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