

Chapter NR 424

**CONTROL OF ORGANIC COMPOUND EMISSIONS FROM
PROCESS LINES**

NR 424.01	Applicability; purpose	NR 424.04	Aerosol can filling
NR 424.02	Definitions		
NR 424.03	Process lines emitting organic compounds		

NR 424.02 Definitions. In addition to the definitions in this section, the definitions contained in chs. NR 400, 419, 420 and 421 apply to the terms used in this chapter.

(1) "Aerosol can filling facility" means any facility which operates one or more aerosol can filling lines.

(2) "Aerosol can filling line" means any process line which inserts aerosol propellants composed of butanes, isobutanes, propanes, or any other VOC into cans.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86; am. (1) and cr. (2), Register, April, 1988, No. 388, eff. 5-1-88.

Chapter NR 424

CONTROL OF ORGANIC COMPOUND EMISSIONS FROM PROCESS LINES

NR 424.01 Applicability; purpose. (1) **APPLICABILITY.** This chapter applies to all process lines which are direct air contaminant sources and to their owners and operators.

(2) PURPOSE. This chapter is adopted under ss. 144.31 and 144.38, Stats., to categorize organic compound emissions from process lines into a separate organic compound air contaminant source category and to establish emission limitations for this category of sources in order to protect air quality.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86; am. Register, February, 1990, No. 410, eff. 3-1-90.

NR 424.03 Process lines emitting organic compounds. (1) **EXEMPTIONS.** (a) This section applies to all process lines which emit organic compounds, solvents or mixtures, with the following exceptions:

1. Process lines outside the Southeastern Wisconsin Intrastate AQCR on which construction or modification commenced on or before April 1, 1972.

2. Organic compound-water separation systems that process 757 liters (200 gallons) per day or less.

~~3. Enclosed paint spraying operations from which emissions are never greater than 13.6 kilograms (30 pounds) in any day and never greater than 2.8 kilograms (6.2 pounds) in any hour.~~

4. All other process lines from which organic compound emissions are never greater than 6.8 kilograms (15 pounds) in any day and never greater than 1.4 kilograms (3.1 pounds) in any hour.

(b) Where process lines are subject to emission limitations listed elsewhere in chs. NR 419 to 423, the requirements of this section shall apply in accord with the provisions of s. NR 425.03 (7) (b).

(2) **EMISSION LIMITATIONS.** Process lines to which this section applies shall meet the following emission limitations:

(a) Process lines on which construction or modification commenced before August 1, 1979, shall control emissions of photochemically reactive organic compounds by 85%.

~~(b) Process lines on which construction or modification commenced on or after August 1, 1979, and which are not subject to emission limitations listed elsewhere in chs. NR 419 to 423 shall:~~

~~1. Control organic compound emission by at least 85%, or~~

~~2. Where 85% control has been demonstrated to be technologically infeasible for a specific process line, control organic compound emissions by use of the latest available control techniques and operating practices demonstrating best current technology, as approved by the department.~~

(3) **ELECTION.** Surface coating and printing processes subject to the requirements of this section may instead elect, with the approval of the department, to meet the emission limitations of ss. NR 422.01 to 422.155, notwithstanding ss. NR 422.03 (1), (2), (3) or (4) and 425.03, provided that:

(a) The process line meets the specific applicability requirements of ss. NR 422.05 to 422.155; and

(b) The owner or operator submits a written request to the department. Written requests under this paragraph shall include, in the case of sources constructed prior to August 1, 1979, a schedule for meeting the requirements of ss. NR 422.01 to 422.155.

History: Renum. from NR 154.13 (11), Register, September, 1986, No. 369, eff. 10-1-86; corrections in (1) (b) and (3) (a) made under s. 13.93 (2m) (b) 7, Stats., Register, April, 1988, No. 388; r. (2) (b), renum. (2) (c) to be (2) (b) and am., Register, April, 1989, No. 400, eff. 5-1-89; am. (3), Register, August, 1989, No. 404, eff. 9-1-89; am. (1) (a) (intro.), 3. and 4., (b), (2) (intro.) and (3) (intro.), Register, February, 1990, No. 410, eff. 3-1-90.

(b) The owner or operator of an aerosol can filling facility on which construction or modification commenced on or after October 1, 1986 shall meet the emission limitations of this section upon startup unless the owner or operator demonstrates to the satisfaction of the department that compliance upon startup would be technologically infeasible. Such sources shall instead meet a department specified compliance schedule which provides for compliance with the emission limitations of this section as soon as practicable but in no event later than the time period allowed for achieving final compliance under par. (c).

(c) The owner or operator of an aerosol can filling facility which proposes to comply with the requirements of this section by installing and operating emission control equipment or process equipment may not exceed the deadlines specified in the following increments of progress and final compliance date, as measured from October 1, 1986:

1. Submit final plans to the department for achieving compliance within 5 months.
2. Award contracts for equipment modifications or issue orders for the purchase of component parts to accomplish equipment modifications within 7 months.
3. Commence construction or installation of equipment modifications within 10 months.
4. Complete construction or installation of equipment modifications within 14 months.
5. Achieve final compliance not later than December 31, 1987.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86; am. (2) and (3) (c) 4., Register, April, 1988, No. 388, eff. 5-1-88; am. (1), Register, February, 1990, No. 410, eff. 3-1-90.

Chapter NR 424**CONTROL OF ORGANIC COMPOUND EMISSIONS FROM
PROCESS LINES**

NR 424.01	Applicability; purpose	NR 424.04	Aerosol can filling
NR 424.02	Definitions		
NR 424.03	Process lines emitting organic compounds		

NR 424.04 Aerosol can filling. (1) **APPLICABILITY.** (a) Effective October 1, 1986, this section applies to any aerosol can filling facility which has maximum theoretical emissions of VOCs greater than or equal to 100 tons per year and which is located in the county of Kenosha, Milwaukee, Ozaukee, Racine, Washington or Waukesha.

(b) Effective January 1, 1994, this section applies to any aerosol can filling facility which:

1. Has maximum theoretical emissions of VOCs greater than or equal to 25 tons per year and is located in the county of Kenosha, Milwaukee, Ozaukee, Racine, Washington or Waukesha, or

2. Has maximum theoretical emissions of VOCs greater than or equal to 100 tons per year and is located in the county of Door, Kewaunee, Manitowoc, Sheboygan or Walworth.

(2) **EMISSION LIMITATIONS.** The owner or operator of an aerosol can filling facility shall install and operate a through-the-valve filling system on the aerosol can filling line, or install and operate a vapor recovery system or other device approved by the department in order to reduce the amount of VOCs emitted from the aerosol can filling line by at least 52% by weight, as compared to uncontrolled VOC emissions from the

line. Compliance shall be measured by a flame ionization detector or other device approved by the department. Any approval of an alternative device issued by the department under this subsection shall be submitted to, and will not become effective for federal purposes until approved by, the administrator of the U.S. environmental protection agency or designee as a source-specific revision to the department's state implementation plan for ozone.

(3) **COMPLIANCE REQUIREMENTS AND SCHEDULE.** (a) This subsection applies only to an aerosol can filling facility which is in existence on January 1, 1994 and which is:

1. Located in the county of Door, Kewaunee, Manitowoc, Sheboygan or Walworth, or

2. Located in the county of Kenosha, Milwaukee, Ozaukee, Racine, Washington or Waukesha and which was not subject to this section prior to January 1, 1994.

(b) The owner or operator of any source identified under par. (a) shall:

1. Notify the department's bureau of air management in writing by April 1, 1994. This notification shall provide the name and location of the affected facility and include VOC emission data if necessary to support eligibility under this subsection.

2. Achieve final compliance with the requirements of this section no later than May 31, 1995.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86; am. (2) and (3) (c) 4., Register, April, 1988, No. 388, eff. 5-1-88; am. (1), Register, February, 1990, No. 410, eff. 8-1-90; renum. (1) to be (1) (a) and am., cr. (1) (b), am. (2), r. and recr. (3), Register, December, 1993, No. 456, eff. 1-1-94.

Chapter NR 424**CONTROL OF ORGANIC COMPOUND EMISSIONS FROM
PROCESS LINES**

NR 424.01	Applicability; purpose	NR 424.04	Aerosol can filling
NR 424.02	Definitions	NR 424.05	Yeast manufacturing
NR 424.03	Process lines emitting organic compounds		

NR 424.02 Definitions. In addition to the definitions in this section, the definitions contained in chs. NR 400, 419, 420 and 421 apply to the terms used in this chapter.

(3) "Fermentation batch" means a fermentation cycle occurring in a fermenter.

(4) "First generation fermenter" means a vessel in which yeast and nutrients are aerated to produce yeast for a trade fermenter.

(5) "Liquid yeast" means a hypothetical weight of yeast determined by multiplying an actual weight of yeast by the actual weight percent solids divided by 30%.

(6) "Stock fermenter" means a vessel in which yeast and nutrients are aerated to produce yeast for a first generation fermenter.

(7) "Trade fermenter" means a vessel in which yeast and nutrients are aerated to produce the final fermentation batch.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86; am. (1) and cr. (2), Register, April, 1988, No. 388, eff. 5-1-88; er. (3) to (7), Register, June, 1994, No. 462, eff. 7-1-94.

NR 424.05 Yeast manufacturing. (1) **APPLICABILITY.** (a) This section applies to any yeast manufacturing facility which is:

1. Located in the county of Kenosha, Milwaukee, Ozaukee, Racine, Washington or Waukesha and which has maximum theoretical emissions of VOCs greater than or equal to 25 tons per year, or

2. Located in the county of Kewaunee, Manitowoc or Sheboygan and which has maximum theoretical emissions of VOCs greater than or equal to 100 tons per year.

(b) Any facility that becomes or is currently subject to this section by exceeding the applicability thresholds in par. (a) shall remain subject to

this section even if its emissions later fall below the applicability threshold.

(2) **EMISSION LIMITATIONS.** (a) Except as provided in par. (b), no owner or operator of a yeast manufacturing facility may cause, allow or permit the average concentration of VOCs in the exhaust gas stream from a fermenter during a fermentation batch to exceed the levels in subds. 1 to 3. These levels are on a saturated water basis and are based on total VOCs expressed as propane.

1. 100 ppm from a trade fermenter.
2. 150 ppm from a first generation fermenter.
3. 300 ppm from a stock fermenter.

(b) The emission limitations of par. (a) do not apply to the emissions resulting from the fermentation of any yeast variety which comprises less than 1% by weight of the facility's total annual liquid yeast production.

(3) **COMPLIANCE DEADLINES.** Compliance shall be achieved for each fermenter subject to the emission limitations of sub. (2) (a) by:

- (a) May 31, 1995 for each fermenter for which compliance is achieved through methods other than installation of emission control equipment.
- (b) November 30, 1995 for each fermenter for which compliance is achieved through the installation of emission control equipment.

(4) **NOTIFICATION AND COMPLIANCE CERTIFICATION.** (a) *Notification.* The owner or operator of any yeast manufacturing facility subject to the compliance deadline in sub. (3) (b) for any fermenter, shall submit a notification to the department no later than May 31, 1995, which contains the following information, at a minimum:

1. The name and location of the facility.
2. Identification of each fermenter at the facility.
3. The applicable emission limitation for each fermenter.
4. Whether add-on control equipment will be used to achieve compliance with sub. (2) (a) for each fermenter. -

(b) *Initial compliance certification.* The owner or operator of any yeast manufacturing facility to which this section applies shall, by the applicable compliance deadline in sub. (3), submit a certification for each fermenter that the fermenter is in compliance with the applicable emission limitation, as demonstrated by the continuous emission monitoring required under sub. (5) (a) for fermenters meeting the deadline in sub. (3) (a) and as demonstrated by the compliance emission testing required under sub. (5) (b) for fermenters meeting the deadline in sub. (3) (b).

(5) **TEST METHODS AND PROCEDURES.** (a) The owner or operator of a yeast manufacturing facility shall, for each fermenter for which compliance with the emission limitations of sub. (2) (a) is achieved through methods other than emission control equipment, install, calibrate, maintain and operate a continuous emission monitor in accordance with ss. NR 439.09 and 439.095 in order to determine compliance with the emission limitations of sub. (2) (a).

(b) The owner or operator of a yeast manufacturing facility shall, for each fermenter for which compliance with the emission limitations of sub. (2) (a) is achieved through use of emission control equipment, comply with the requirements of ss. NR 439.055, 439.06, 439.07 and 439.075. Compliance emission testing under this paragraph shall be conducted at least once every 24 months. Each biennial test shall be performed within 90 days of the anniversary date of the test conducted to certify compliance as required under sub. (4) (b).

(c) Testing under pars. (a) and (b) shall be conducted at a point in the exhaust gas stream prior to the introduction of any dilution air. Dilution air, for purposes of this paragraph, is considered to be any air not needed to control the fermentation process.

(6) **RECORDKEEPING.** In addition to meeting the recordkeeping requirements of s. NR 439.04 (1) to (3), the owner or operator of a facility subject to this section shall:

(a) Record in a daily log:

1. Operation time for all control devices and monitoring equipment.
2. Details of all routine and non-routine maintenance performed on all control devices and monitoring equipment including dates and duration of any outages.

(b) Maintain records of:

1. The pounds of liquid yeast produced each year for each yeast variety.
2. The total pounds of liquid yeast produced each year.
3. The weight percent that each yeast variety represents of the facility's total annual liquid yeast production.
4. The information required under par. (a).

History: Cr. Register, June, 1994, No. 462, eff. 7-1-94.

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

The Wisconsin Natural Resources Board adopts an order to **repeal** NR 400.02(61m), 405.02(5), 405.04(3), 415.09(1)(a) to (e), 417.06(3), 417.07(6)(a)1. to 5. and (b) to (d) and (9), 418.025(2)(intro.) and (a) to (e), 418.03(2)(intro.) and (a) to (e), 418.04(2)(a) to (e), 418.05(2), (3)(a) to (e), 418.06(2)(b) to (e), 418.07(2)(intro.) and (a) to (e), 421.04(4), 422.05(3), 422.09(2)(c), (3)(a), (c), (e), (f) and (h) and (4)(a), (c) and (e), 423.03(6)(b)1. to 5., 424.03(2)(b)1. and 2., 425.03(2)(a)1. to 5. and (b), (3)(a)1. to 7., (c)2., (d)1. to 4., (e)1. to 6. and (f), (4)(a)1. to 5. and (b), (5)(a)1. to 4., (b) and (c) and (6)(b)1. to 3., 439.095(2)(a) and (b), 447.02(4), 484.03(5) and (6), 484.11(1)(c), 485.045(1)(a), 488.06(1)(d) Note and 493.02(2); to **renumber** NR 400.02(100)(u), 411.02(6) and Note, 418.06(2)(f), 419.02(1m), (1p), (1s), (1t), (1u), (2), (3), (3c), (3e), (3m), (4), (6), (6m) and (7), 420.02(28), 421.02(2e) to (13), 422.02(1e) to (6), (7m) to (11m), (12d) to (33j), (34) to (47e), (48) to (52) and 499.07(2)(a) to (m); to **renumber and amend** NR 417.07(6)(a)(intro.), 418.025(2)(f), 418.03(2)(f), 418.07(2)(f), 419.02(8), 422.02(7), (12), (33m) and (47m), 424.03(2)(b)(intro.), 425.03(2)(a)(intro.), (4)(a)(intro.) and (5)(a)(intro.) and 499.07(2)(n)(intro.); to **amend** NR 30.03(2)(f), 30.04(2)(f), 400 Note, 400.02(41), (77), (79), (90) and (100)(t), 400.03(2), 401.04, 404.04(2)(a)1. and 2. and (6), 404.06(1)(a) and (4)(b), 405.01(2) Note, 405.02(1)(d), (2)(intro.), (3)(intro.) and (a), (4)(a)(intro.), 1. and 2. and (b)1. and 2., (7), (12), (21)(intro.), (b)3. and 5.a. and b., 6. and 8.a., (22)(a)1. and 2., (24)(d), (25g)(b) and (d), (25m)(a) and (c), (25s)(intro.) and (a), (27)(c) and (28), 405.04(1)(a) and (e), (4)(intro.) and (a), 405.05(1), (4)(intro.), (5) and (6), 405.07(3), (4)(intro.) and (b)27. and (5), 405.08(3), 405.10(4), 405.14(1), (2) and (4) 405.15(2)(d), 406.04(1)(intro.), (g), (h), (j) and (2)(intro.), (c), (f)3m., (h) and (i), (4)(a)6., 406.11(1)(f), 407.03(1)(g), (h), (o), (2)(b) and (4), 407.05(4)(c)1. and Table 2 footnote 8, 407.09(4)(a)3.c., 408.02(4), (20)(e)5.a. and b. and (21)(intro.), 409.02(76)(intro.), 409.06(8)(d), 415.02(5), 415.04(1)(b), (2)(a)(intro.), (b)(intro.) and (c)(intro.), (3)(a) and (4)(b), 415.05(2), 415.07(1)(a)(intro.), (b)(intro.) and 2., 415.075(2)(a)5., 415.08(1), 415.09(1)(intro.) and (3), 417.01(1), 417.02(intro.), 417.06(1) and (2), 417.07(7)(a)(intro.) and 1. to 3., 418.01(1), 418.04(1)(a)2. and (2)(intro.), 418.05(3)(intro.) and (4)(intro.), 418.06(2)(intro.), 419.02(intro.), 420.02(intro.), 420.03(1)(b), 420.035(2)(b) and (3)(c), 420.04(2)(a)(intro.) and 2., 420.045(1)(a), (b)(title), (c), (d)1.(intro.) and (e) and (10)(intro.), 421.02(intro.), 421.05(2)(a)(intro.), (2)(e)1. and 2., 421.06(2)(e)1. and 2., 422.03(intro.), (2), (3), (4), (4m)(b) and (c) and (5)(intro.), 422.04(1)(a), (2)(intro.) and (3)(b)(intro.), 422.132(1)(intro.) and (2)(b), 422.14(2)(c)(intro.), 423.02(intro.), 423.03(4)(intro.) and (m), (5)(intro.), (6)(a)(intro.) and (b)(intro.) and (9), 424.03(1)(a)3. and 4., 425.03(3)(a)(intro.), (b), (d)(intro.), (e)(intro.), (6)(b)(intro.), (7)(e), (7m)(intro.) and (a) and (8), 425.035(2)(f) and (3)(a)3. Note, 425.04(1)(b), 426.04, 429.02(intro.) and (1), 436.02(intro.), 436.05(2)(b) and (5), 438.03(1)(b) and Table 1, 439.03(1)(c) and (4)(a)(intro.), 439.075(2)(a)(intro.) and 4., 439.095(2)(intro.), 445.01(1), 445.02(intro.), (2) and (6), 445.04(3)(c)6., (4r)(a)Note and (b)4., (6)(a)(intro.), (b)4. and Tables 2, 3 and 5, 445.05(3)(a) and (c)7., (4r)(b)4. and (6)(bm)4.(intro.), (c) and (e), 447.02(intro.), (16) and (18) Note, 447.07(3)(a) and (d)(intro.), 447.12(3)(b) Note, 447.16(2) 447.18(1) Note, 448.02(intro.), 448.04(2), 449.02(intro.), 449.09(6)(a)3. and 4., (d)2. and (e)1.(intro.), 449.12(3)(a) and (b)5., 484.04(18), 484.05(3), 484.11(1)(a), 488.02(2) Note, 488.03(3)(b) Note, 488.04(3) Note, 488.08, 488.11(1)(b), 493.02(intro.), 493.04(2) and (3), 499.06(2)(intro.), (e) and (g) and 499.07(2)(intro.); and to **create** NR 400.02(53s) Note, (100)(u) and (v), 405.02(21m), (22m), 406.04(7), 419.02(10), 421.05(2)(e)3., 421.06(2)(e)3., 422.03(7), 424.03(2)(c), 425.03(14), 436.05(2)(bm) and 484.04(18m) relating to clarification and cleanup changes in NR 30 and throughout the NR 400 series.

AM-9-95

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 144.31(1)(a), 144.391(6) and 227.11(2)(a), Stats.

Statutes interpreted: s. 144.31(1)(f), Stats. The State Implementation Plan developed under that provision is revised.

These rule changes affect Wisconsin's existing environmental protection air pollution control rules. Changes affecting most elements of the air pollution control program are made, including; definition of terms, permitting, compliance schedules, emission testing, emission limitations, emission monitoring and incorporation by reference. These changes also affect diverse source categories and pollutants. However, these changes are of a cleanup nature, and are intended to correct errors in content or style, or to improve consistency or clarify existing policy or procedures.

The consent of the Attorney General and the Revisor of Statutes will be sought for the incorporation by reference of two appendices in Title 40 of the Code of Federal Regulations containing test methods and the incorporation by reference of a previously approved document from the American Conference of Governmental Industrial Hygienists for two additional citations.

SECTION 114. NR 424.03(1)(a)3. and 4. are amended to read:

NR 424.03(1)(a)3. Enclosed paint spraying operations from which volatile organic compound emissions are never greater than 13.6 kilograms (30 pounds) in any day ~~and never greater than 2.8 kilograms (6.2 pounds) in any hour.~~

4. All other process lines from which volatile organic compound emissions are never greater than 6.8 kilograms (15 pounds) in any day ~~and never greater than 1.4 kilograms (3.1 pounds) in any hour.~~

SECTION 115. NR 424.03(2)(b)(intro.) is renumbered 424.03(2)(b) and amended to read:

NR 424.03(2)(b) Process lines on which construction or modification commenced on or after August 1, 1979, and which are not subject to emission limitations listed elsewhere in chs. NR 419 to 423 shall: control volatile organic compound emissions by at least 85 %.

SECTION 116. NR 424.03(2)(b)1. and 2. are repealed.

SECTION 117. NR 424.03(2)(c) is created to read:

NR 424.03(2)(c) Where 85% control as required under either par. (a) or (b) has been demonstrated to be technologically infeasible for a specific process line, the owner or operator shall use the latest available control techniques and operating practices demonstrating best current technology, as approved by the department.

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

The Wisconsin Natural Resources Board adopts an order to **repeal** NR 438.03(1)(a)1. and 2. and 438.03 Table 1; to **renumber** NR 400.02(162)(a) and (z); to **renumber and amend** NR 400.02(162)(b) to (y) and 438.03(1)(a)(intro.) and 438.03 Table 2 and footnotes 3 to 6; to **amend** NR 424.05(2)(a)(intro.) and (6)(a)3., 438.03(1)(am) and 445.06(2)(a)5.; and to **create** NR 400.02(162)(a)(intro.) and 45. to 48. and (b), 424.05(2)(c) and (6)(b)5. to 7. and 438.03 Table 1 footnote 7 relating to excluding additional organic compounds for the volatile organic compound (VOC) definition and to VOC emission limits for yeast manufacturing.

AM-18-05

SECTION 7. NR 424.05(2)(a)(intro.) is amended to read:

NR 424.05(2)(a)(intro.) Except as provided in ~~par. pars.~~ (b) and (c), no owner or operator of a yeast manufacturing facility may cause, allow or permit the average concentration of VOCs in the exhaust gas stream from a fermenter ~~during over the duration of~~ a fermentation batch to exceed the levels in subds. 1. to 3. These levels are on a saturated water basis and are based on total VOCs expressed as propane.

SECTION 8. NR 424.05(2)(c) is created to read:

NR 424.05(2)(c) Compliance with the emission limitations in par. (a) shall be achieved for at least 98% of all fermentation batches subject to the emission limitations in par. (a) over any 12 consecutive month period.

SECTION 9. NR 424.05(6)(a)3. is amended to read:

NR 424.05(6)(a)3. The fermentation cycle for which a fermenter is being used, recorded as either trade, first generation or stock.

SECTION 10. NR 424.05(6)(b)5. to 7. are created to read:

NR 424.05(6)(b)5. For each fermentation batch subject to an emission limitation in sub. (2)(a), the average concentration of VOC in the exhaust gas stream over the duration of the fermentation batch.

6. The number of fermentation batches subject to an emission limitation in sub. (2)(a) completed during each month.

7. The percent of all completed fermentation batches in compliance with the applicable emission limitation in sub. (2)(a) over the previous 12 consecutive month period.

SECTION 18. EFFECTIVE DATE. This rule 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.

SECTION 19. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on August 17, 2005.

Dated at Madison, Wisconsin 10/21/05.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By /s/
Scott Hassett, Secretary

(SEAL)