

Sharon Ehrhardt

From: Smith, Donald (Site Mngr) <DASmith@wm.com>
Sent: Thursday, December 07, 2017 2:03 PM
To: Donald Reese; Sharon Ehrhardt; Rob Klotz
Cc: Rezutek, Katherine; Simon, Allie
Subject: Revised Deer Track Park Host Fees Estimate
Attachments: img-Z07133800-0001.pdf

Here's the revised estimated host fees for 2017. I wanted to get these to you today as I will not be able to attend your meeting tomorrow. This estimate includes actual tonnages through the end of November. For Don's benefit, I would point out that the last estimate we provided on September 7th showed the estimated "Total Due" to be \$288,000. We are feeling a little more optimistic about the 4th quarter tonnages, so we upped this estimate and are now forecasting a "Total Due" of \$292,000.

Take care and have a wonderful holiday.

Donald A. Smith
District Manager
dasmith@wm.com

Deer Track Park Landfill & Madison Prairie Landfill
N6756 Waldmann Lane 6002 Nelson Road
Watertown, WI 53094 Sun Prairie, WI 53590
Tel 920 699 3475 Tel 608 837 9031
Fax 920 699 3473 Fax 608 837 7852

Our renewable energy projects create enough energy to power nearly one million homes and save the equivalent of more than 14 million barrels of oil per year.

-----Original Message-----

From: WorkCentre 5335 [<mailto:DeerTrackPark@wm.com>]
Sent: Thursday, December 7, 2017 1:38 PM
To: Smith, Donald (Site Mngr) <DASmith@wm.com>
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Number of Images: 1
Attachment File Type: PDF

Device Name: WorkCentre 5335
Device Location: Deer Track Park Landfill

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ESTIMATED DEER TRACK PARK LANDFILL HOST FEES

DAS Revised 12/07/17

TONNAGE					
COMMODITY	1st Quarter (Actuals)	2nd Quarter (Actuals)	3rd Quarter (Actuals)	4th Quarter (Estimated)	Total for Four Quarters
ALL	48,342	60,634	57,504	33,000	199,480
RGC (Revenue Generating Cover)	(9,349)	(15,116)	(11,813)		(36,278)
OUTGOING (Leachate)	(7,713)	(8,098)	(6,853)		(22,663)
RDW (Green Waste)	(23)	(1,322)	0		(1,345)

Net Tons:

139,194

2017 Host Fee Rate:

\$2.10

TOTAL DUE:

\$292,307

Town of Farmington
W2804 County Hwy. B
Watertown, WI 53094

80%

\$233,846

Jefferson County Treasurer
320 S. Main Street
Jefferson, WI 53549

20%

\$58,461

Recent Host Fee History

2016 Host Fees Paid	\$296,830
2015 Host Fees Paid	\$333,308
2014 Host Fees Paid	\$317,451
2013 Host Fees Paid	\$285,120
2012 Host Fees Paid	\$209,932

ck

\$292,307

Sharon Ehrhardt

From: Larson, Jane H - DATCP <Jane.Larson@wisconsin.gov>
Sent: Tuesday, November 28, 2017 10:25 AM
Cc: Larson, Jane H - DATCP
Subject: 2018 Clean Sweep Grant Allocations

Hello everyone,

Here are the **2018 Clean Sweep grant allocations** for agricultural pesticides, household hazardous waste and unwanted prescription drugs.

I received applications for 25 agricultural grants (Ag), 36 household hazardous waste grants (HHW) and 34 unwanted prescription drug grants (Rx). All grants came in on time and all were accepted and submitted to two outside reviewers.

The numbers of applications and total funds requested were similar to 2017. See Table 1.

Table 1 – Clean Sweep Grant Applications and Funding Requests 2018 & 2017

	2018 Applications	2018 Funds Requested	2017 Applications	2017 Funds Requested
Agricultural	25	\$345,350	27	\$394,025
Household	36	\$910,450	36	\$909,825
Prescription Drugs	27	\$103,032	34	\$121,570
		\$1,358,832		\$1,425,420

Because a number of prescription drug applications requested \$1,000 or less, I chose not to reduce those requests. For those small amounts, reductions aren't worth the time and effort to request or administer the grant. In Table 2, each applicant is listed with funding amounts and total funds for all grants and if any drug boxes will be purchased.

Table 2 – 2018 Clean Sweep Grant Allocation

APPLICANT	Ag Final	HHW Final	Prescription Drugs Final	Total Funding	Drug Box Buy
Adams County	\$ 4,635.00	\$8,355.00	\$ 700.00	\$13,690.00	
Bayside Village		\$ 6,245.00	\$ 3,580.00	\$ 9,825.00	
Blue Mounds Police Dept.			\$ 995.00	\$ 995.00	
Brown, Outagamie, Winnebago Counties	\$18,525.00	\$32,370.00	\$ 5,750.00	\$56,645.00	
Buffalo County	\$ 3,480.00	\$ 6,265.00		\$ 9,745.00	
Burlington City*		\$15,635.00		\$15,635.00	
Calumet County		\$10,445.00		\$10,445.00	
Chippewa County		\$10,415.00		\$10,415.00	
Cudahy Police Dept.			\$ 1,400.00	\$ 1,400.00	
Dane, Columbia Counties	\$23,735.00	\$34,455.00		\$58,190.00	

✕

Door County	\$ 4,055.00	\$ 8,335.00		\$12,390.00	
Dunn County	\$ 5,790.00	\$10,445.00		\$16,235.00	
Eau Claire County		\$10,415.00		\$10,415.00	
Green County	\$ 3,680.00	\$ 5,720.00		\$ 9,400.00	
Green Lake County	\$ 4,635.00	\$ 8,335.00		\$12,970.00	
Jefferson County	\$ 5,790.00	\$10,445.00	\$ 2,140.00	\$18,375.00	
Kewaunee County	\$ 4,635.00	\$ 8,335.00	\$ 2,850.00	\$15,820.00	
La Crosse, Crawford, Vernon, Jackson and Trempealeau Counties	\$ 23,735.00	\$34,455.00		\$58,190.00	
Langlade County	\$ 4,635.00	\$ 8,355.00	\$ 1,250.00	\$14,240.00	
Manitowoc, Sheboygan, Fond du Lac Co.	\$17,370.00	\$31,325.00	\$ 5,770.00	\$54,465.00	1
McFarland Police Dept.			\$ 1,000.00	\$ 1,000.00	
Milwaukee Metropolitan Sewerage District (MMSD)		\$10,945.00		\$10,945.00	
Monroe County	\$ 1,740.00	\$ 6,245.00	\$ 800.00	\$ 8,785.00	
Northwest Regional Planning Commission (NWRPC)**	\$23,735.00	\$34,455.00	\$ 3,580.00	\$61,770.00	
Oconto County			\$ 3,585.00	\$ 3,585.00	1
Oneida County	\$ 6,365.00	\$10,945.00	\$ 2,850.00	\$20,160.00	
Oneida Nation		\$ 6,505.00		\$ 6,505.00	
Oregon Police Dept.			\$1,690.00	\$ 1,690.00	
Ozaukee County Land Conservation	\$ 4,635.00	\$ 8,335.00		\$12,970.00	
Ozaukee County Public Health			\$4,675.00	\$ 4,675.00	1
Pierce, Pepin Counties	\$ 8,695.00	\$15,665.00	\$ 3,580.00	\$27,940.00	
Polk County	\$ 5,795.00	\$10,415.00		\$16,210.00	
Portage County		\$ 7,030.00		\$ 7,030.00	
Racine Public Health			\$ 5,770.00	\$ 5,770.00	1
Racine Wastewater Utility#		\$34,455.00		\$34,455.00	
Rock County Land Conservation	\$ 1,745.00	\$ 5,225.00		\$ 6,970.00	
Rock County Public Health			\$ 5,765.00	\$ 5,765.00	
Sauk County	\$ 4,635.00	\$ 8,355.00		\$12,990.00	
St. Croix County	\$ 5,790.00	\$10,445.00		\$16,235.00	
Spencer Police Dept.			\$ 1,850.00	\$ 1,850.00	1
Sun Prairie Police Dept.			\$ 2,350.00	\$ 2,350.00	
Trempealeau Police Dept.			\$ 995.00	\$ 995.00	1
Walworth County		\$ 8,335.00		\$ 8,335.00	
Washington County	\$ 4,635.00	\$ 8,335.00	\$ 500.00	\$13,470.00	
Waukesha County	\$ 2,895.00	\$10,965.00		\$13,860.00	
Waunakee Police Dept.			\$ 1,400.00	\$ 1,400.00	
Waupaca, Waushara Counties		\$ 9,660.00	\$ 3,370.00	\$13,030.00	
Wauwatosa Public Health			\$ 3,580.00	\$ 3,580.00	
Wood County	\$ 4,635.00	\$ 8,335.00	\$ 3,225.00	\$16,195.00	
	\$200,000.00	\$475,000.00	\$75,000.00	\$750,000.00	6 boxes

****Northwest Regional Planning Commission (NWRPC): Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, Washburn Counties and Bad River, Lac Courte Oreilles, Lac du Flambeau, Red Cliff and St. Croix Tribal Nations**

Please let me know if you will accept your grant. After that, I'll get started on the contracts. As in past years, contracts will be sent electronically and we'll use electronic signatures. I hope to get those out sometime in December.

If you want to get an idea of what goes into a final report, check out the documents for current 2017 grant recipients: <https://datcp.wi.gov/Pages/GrantFinalReportMaterials.aspx>.

I will let everyone know when the 2018 final report documents are available, usually next spring.

Questions? Contact me at 608-224-4545 or jane.larson@wisconsin.gov

Here's to a successful 2018. I look forward to working with all of you.

Jane

Jane Hewston Larson
Clean Sweep & Worker Protection – Agchem Management Bureau/Ag Resource Management Division
Wisconsin Department of Agriculture, Trade and Consumer Protection
Phone: (608) 224-4545
Fax: (608) 224-4656
jane.larson@wisconsin.gov

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2017 Grant Totals $\left\{ \begin{array}{l} D \ 1,900 \\ Ag \ 4,130 \\ HH \ 10,500 \end{array} \right\} \$16,530$

2016 Grant Totals $\$19,054.25$

Extra $\$3,500$ As Match

2017 Hazardous Waste Collection Surveys

Locations	Jefferson	Watertown	Whitewater
Dates	April 7/8	Sept. 22/23	Oct. 6
Household - Participants	150	133	16
AG - Participants	33	10	0
AG-Business - Participants	0	0	0
VSQG (Businesses) - Participants	4	2	0
County Facilities	2	0	0
Towns	0	0	0
Tires Only 16 (Tires & Clean Sweep 15) Total 31	16	0	0
Tires & HHW 15	0	0	0
Not Surveyed -	33	31	4
TOTAL PARTICIPANTS	238	176	20
			434

Total Pounds for each Event.	April 7/8	Sept. 22/23	Oct. 6	TOTALS
Household Waste Veolia	19221	41732		60,953.00
Pharmaceutical Waste				
Non-Controlled/Controlled 10-30-2017	0.00	0	0	1,167.00
Combined Household Waste	19,221.00	41,732	0	60,953.00
AG	7882	12890		20,772.00
VSQG	2111	3000	0	5,111.00
Tires 8.26 Tons	16,520	0		16,520.00
TOTAL POUNDS	45,734.00	57,622	0.0	103,356.00

POUNDS COLLECTED
 357 Sheriff/Lake Mills
 278 Fort Atkinson
 532 Watertown

Pounds Do Not Include FI tubes and ballasts

Whitewater Pays for City Participants	April 7/8	Sept. 22/23	Oct. 6	TOTALS
Whitewater Participants	0	0	0	0
Whitewater Cost	0	\$0.00	\$0.00	\$0.00
TOTAL	0	\$0.00	\$0.00	\$0.00

	April 7/8	Sept. 22/23	Oct. 6	TOTALS
Household Costs	\$ 21,168.70	\$ 31,172.92		\$ 52,341.62
Agriculture Costs	\$ 9,956.90	\$ 2,881.55		\$ 12,838.45
Drug Costs	\$ -	\$ -	\$ -	\$ -
Parks Department Cost	\$ 819.12	\$ -		\$ 819.12
Human Resources - 11-13-2017 Sharps	\$ -	\$ -		\$ 373.98
Fair Park	\$ -	\$ -		\$ -
	#NAME?	\$		
Tire Recycling	\$ 1,630.52			\$ 1,630.52
DISPOSAL COSTS	#NAME?	\$ 34,054.47	\$ -	\$ 68,003.69

Budgeted 2015 \$75,000.00
 Less Cost \$68,003.69
Year to Date Disposal Cost \$6,996.31

Date	Sponsors	2017
		Donations Monetary
1/5/2017	Tuttle's Pharmacy, Inc.	\$100.00
1/6/2017	Town of Sullivan	\$300.00
1/6/2017	Town of Jefferson	\$400.00
1/13/2017	Town of Lake Mills	\$1,000.00
1/17/2017	Town of Waterloo	\$250.00
1/19/2017	Village of Johnson Creek	\$50.00
5/19/2017	Village of Palmyra	\$1,100.00
11/27/2017	Fort Community Credit Union	\$50.00
11/27/2017	Phil & Jan Roou	\$50.00
11/27/2017	Badger Bank - Alex Gillingham	\$75.00
11/27/2017	Allen O Carlson	\$50.00
12/6/2017	Jane Follmer Zekoff	\$75.00
12/6/2016	Lakeland Farms, Inc.	\$50.00
12/6/2016	LSP Whitewater, L.P.	\$500.00

\$4,050.00

Fri. - Dec 8th
Solid Waste Agency
State of Wisconsin
Communication



2017 Assembly Bill 444

Date of enactment: **November 30, 2017**

Date of publication*: **December 1, 2017**

2017 WISCONSIN ACT 99

AN ACT *to amend* 450.115 (4) (a), 450.115 (4) (b) and 450.115 (4) (c); and *to create* 450.115 (1) (am) and 450.115 (3) (d) of the statutes; **relating to:** hospice staff transferring the controlled substances of deceased persons to drug disposal programs.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 450.115 (1) (am) of the statutes is created to read:

450.115 (1) (am) "Hospice worker" means a person who is employed by a hospice, as defined in s. 50.90 (1).

SECTION 2. 450.115 (3) (d) of the statutes is created to read:

450.115 (3) (d) A personal representative, trustee, or an adult beneficiary, as defined in s. 701.1102 (1m), of an estate or trust may grant written authorization to a hospice worker for the disposal of a controlled substance that belongs to the estate or trust.

SECTION 3. 450.115 (4) (a) of the statutes is amended to read:

450.115 (4) (a) The authorization describes with reasonable specificity each prescription drug or controlled substance that is to be disposed of.

SECTION 4. 450.115 (4) (b) of the statutes is amended to read:

450.115 (4) (b) The authorization is in the physical possession of the person authorized to dispose of the prescription drug or controlled substance and each prescription drug or controlled substance described in the authorization is, within 24 hours after the authorization is signed by the person granting the authorization, transferred to a drug disposal program under s. 165.65 or otherwise lawfully disposed of.

SECTION 5. 450.115 (4) (c) of the statutes is amended to read:

450.115 (4) (c) The authorization and each prescription drug or controlled substance to be disposed of were obtained without consideration.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

Matt Zangl

From: Matt Zangl
Sent: Monday, December 04, 2017 3:43 PM
To: Sharon Ehrhardt
Subject: FW: Wheeler Report - 11/30/17 PM

[Act 99 was Signed.](#)

From: ANDREW BAKER [mailto:ANDREW.BAKER@co.rock.wi.us]
Sent: Monday, December 04, 2017 3:23 PM
To: Staff, Michelle J - DNR (Michelle.Staff@wisconsin.gov); ADAM ELMER; Alex Priesgen; ANDREW BAKER; Andy Buehler; Barrows, Amy; Baum, Rebekah; Ben Fiebelkorn; Brian Depies; Brian Jensen; bsullivan@co.ozaukee.wi.us; COLIN BYRNES; dschwank; Fruth, Jason; Greenberg, Benjamin; Haines, Kimberly K; Hedemann, Andrea; Heidi Kennedy; Jacob Heermans; Jarmen; Jeff Simes; JGiebel@co.dodge.wi.us; KURT WHEELER; landaves@co.washington.wi.us; Marquardt, Heather; Matt Zangl; MATTHEW WESSON; mweidens; nfrauenf@co.walworth.wi.us; nsigmund@co.walworth.wi.us; Phil.Gaudet@co.washington.wi.us; Radomski, Michael; Rob Klotz; Scherer, Sandra; Schultz, Marc; Shannon Haydin; Sharon Ehrhardt; tochs@co.dodge.wi.us; Weidig, Erik G; wosterholz@co.dodge.wi.us
Subject: FW: Wheeler Report - 11/30/17 PM

Andrew Baker
Senior Planner-Code Enforcement
Rock County Planning and Development
608-757-5587
baker@co.rock.wi.us

From: wheeler@thewheelerreport.com [mailto:wheeler@thewheelerreport.com]
Sent: Thursday, November 30, 2017 5:09 PM
To: ANDREW BAKER <ANDREW.BAKER@co.rock.wi.us>
Subject: Wheeler Report - 11/30/17 PM



The Wheeler Report
Covering the Wisconsin Legislature since 1972

Thursday, November 30, 2017 - PM

SIGNED INTO LAW

SB-198 Weight Limit Exceptions (Petrowski, Jerry) Weight limit exceptions for vehicles equipped with idle reduction technology or natural gas fuel systems. Signed ([Act 85](#))

SB-248 Ginseng as State Herb (Petrowski, Jerry) Designating ginseng as the state herb. Signed

([Act 86](#))

[SB-392](#) **ATV/UTV in Municipality** (Marklein, Howard) Municipal ordinances authorizing all-terrain vehicle and utility terrain vehicle operation on highways within the municipality. Signed ([Act 87](#))

[AB-188](#) **CPA Educational Requirements** (Kooyenga, Dale) Educational requirements for taking the accounting examination or receiving a certified public accountant certificate; continuing education requirement for accounting license renewal; data-sharing programs related to accountants; peer reviews for certified public accounting firms; modifying various administrative rules promulgated by the Accounting Examining Board relating to accounting; and granting rule-making authority. Signed ([Act 88](#))

[AB-345](#) **DOC Inmate Work Release** (Schraa, Michael) Work release for inmates in Department of Corrections contracted facilities. Signed ([Act 89](#))

[SB-101](#) **Small Estate Affidavit Transfer** (Feyen, Daniel) The transfer by affidavit option for small estates. Signed ([Act 90](#))

[AB-266](#) **Technical Excellence Scholarship Program** (Krug, Scott) Eligibility for the Technical Excellence Higher Education Scholarship Program. Signed ([Act 91](#))

[AB-250](#) **Alternative Education Grants** (Assembly Education Committee) Alternative education grants. Signed ([Act 92](#))

[AB-251](#) **DPI Grant Programs** (Assembly Education Committee) Modifying rules related to various grant programs administered by the Department of Instruction. Signed ([Act 93](#))

[AB-280](#) **Financial Literacy in Schools** (Krug, Scott) Incorporating financial literacy into the curriculum of public schools. Signed ([Act 94](#))

[AB-450](#) **Ozaukee County Alcohol Sales** (Brooks, Robert) Retail sales of alcohol beverages at the Ozaukee County fairgrounds. Signed ([Act 95](#))

[SB-238](#) **EMT Training Funding** (Harsdorf, Sheila) Funding for first responder and emergency medical technician training and certification and making an appropriation. Signed ([Act 96](#))

[SB-239](#) **Rural Ambulance Service Upgrades** (Harsdorf, Sheila) Upgrading service levels for ambulances in rural areas. Signed ([Act 97](#))

[AB-306](#) **Pseudoephedrine Product Purchase Tracking** (Horlacher, Cody) Tracking the sale of pseudoephedrine products. Signed ([Act 98](#))

[AB-444](#) **Hospice Drug Disposal** (Ballweg, Joan) Hospice staff transferring the controlled substances of deceased persons to drug disposal programs. Signed ([Act 99](#))

[SB-119](#) **Industrial Hemp** (Testin, Patrick) Growing and processing industrial hemp, granting rule-making authority, and making an appropriation. Signed ([Act 100](#))

[SB-385](#) **Therapeutic Diets** (Testin, Patrick) Therapeutic diets in certain long-term care facilities.

Signed ([Act 101](#))

[SB-131 Register of Deeds Documents](#) (Olsen, Luther) Identification and location information assigned to documents filed or recorded in the county register of deeds offices and registration of farm names by recording in the register of deeds office. Signed ([Act 102](#))

[SB-220 Outdated Tourism Rules](#) (Olsen, Luther) Outdated rules of the Department of Tourism and the Arts Board. Signed ([Act 103](#))

[AB-253 Foreclosed Property Sale](#) (Ballweg, Joan) Procedures related to a sale of foreclosed property by a sheriff or referee. Signed ([Act 104](#))

[AB-201 Traffic Violations Requiring Suspension](#) (Brandtjen, Janel) Traffic violations requiring operating privilege suspension and attendance at a vehicle right-of-way course, increasing penalties for numerous traffic violations, and providing a penalty. Signed ([Act 105](#))

[SB-299 Montessori Teaching License](#) (Olsen, Luther) An initial teaching license based on completion of a Montessori teacher education program. Signed ([Act 106](#))

[SB-382 School Employee Tuberculosis Screening](#) (Olsen, Luther) Screening school district employees for tuberculosis. Signed ([Act 107](#))

[AB-317 Administrative Rule Review](#) (Ballweg, Joan) Review by state agencies of administrative rules and enactments; an expedited process for repealing rules an agency no longer has the authority to promulgate; retrospective economic impact analyses for rules; and reporting by the Legislative Reference Bureau on rules in need of revision. Signed ([Act 108](#))

[SB-430 Dwelling Code Compliance](#) (Lasee, Frank) The responsibility to comply with the one-family and two-family dwelling code for a manufactured home owners. Signed ([Act 109](#))

[SB-455 Real Estate Practice](#) (Lasee, Frank) Various changes regarding the law governing real estate practice and the licensure of real estate brokers and salespersons and granting rule-making authority. Signed ([Act 110](#))

[AB-060 Engineer Job Title](#) (Weatherston, Thomas) An employee in the classified service representing himself or herself as an engineer. Signed ([Act 111](#))

[AB-494 Official Receive Items of Value](#) (August, Tyler) Allowing local public officials to receive anything of value that the Wisconsin Economic Development Corporation or the Department of Tourism is authorized to provide. Signed ([Act 112](#))

[SB-453 Appraisal Management Companies](#) (Craig, David) Regulation of appraisal management companies, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a criminal penalty. Signed ([Act 113](#))

[SB-186 Milwaukee High-Wide Route](#) (Craig, David) The Milwaukee County high-wide route. Signed ([Act 114](#))

[SB-177 Drainage Districts](#) (Wanggaard, Van) Drainage districts and regulating the removal of

material from certain drainage districts. Signed ([Act 115](#))

[SB-258 Dental Patient Records](#) (Wanggaard, Van) Preserving and transferring dental patient health care records, contracts for practicing dentistry or dental hygiene, and granting rule-making authority. Signed ([Act 116](#))

[SB-128 Court Commissioner Search Warrants](#) (Wanggaard, Van) Allowing court commissioners to issue search warrants for certain civil violations. Signed ([Act 117](#))

[AB-497 Wetland Mitigation](#) (Steffen, David) Mitigation requirements applicable to wetland individual permits. Signed ([Act 118](#))

[AB-529 Medical Assistance](#) (Nygren, John) Requirements for certain services covered under the Medical Assistance program. Signed ([Act 119](#))

[AB-153 Recount Changes](#) (Tusler, Ron) Aggrieved parties petitioning for a recount and making an appropriation. Signed ([Act 120](#))

COMMITTEE NOTICES

Assembly Consumer Protection, 9:31 am, Tue, Dec. 5, 300 NE
([Google Calendar](#) [Ical/Outlook](#)) *Hearing On:*

[AB-544 Soda Water Equipment](#) (Kooyenga, Dale) The sale or rental of soda water beverage equipment.

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Menu » 2017 » Related Documents » Proposal Text » AB587: Bill Text

LRB-4025/1

ZDW:emw

2017 - 2018 LEGISLATURE

2017 ASSEMBLY BILL 587

October 24, 2017 - Introduced by Representatives KREMER, HORLACHER, AUGUST, BERNIER, BORN, R. BROOKS, GANNON, HUTTON, JARCHOW, KNODL, KUGLITSCH, MURPHY and SKOWRONSKI, cosponsored by Senators STROEBEL, CRAIG, NASS and KAPENGA. Referred to Committee on Federalism and Interstate Relations.

1 **AN ACT** *to amend* 285.11 (1), 285.13 (7) and 990.01 (30m); and *to create*
285.20
2 of the statutes; **relating to:** Department of Natural Resources rules and
3 regulation of air pollutants.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Natural Resources to identify and repeal all administrative rules promulgated by DNR that relate to the regulation of air pollutants that are not regulated under federal law. The bill also provides that any rule promulgated by DNR that relates to the regulation of an air pollutant that is not regulated under federal law expires ten years after the rule takes effect. The bill provides that DNR may promulgate a rule to readopt an expiring rule using the standard rule-making process no sooner than the year prior to the rule's expiration.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 285.11 (1) of the statutes is amended to read:
5

285.11 (1) ~~Promulgate~~ Subject to s. 285.20, promulgate rules
implementing
and consistent with this chapter and s. 299.15.

SECTION 2. 285.13 (7) of the statutes is amended to read:

285.13 (7) ~~Establish~~ Subject to s. 285.20, establish by rule, consistent with
the
federal clean air act, the amount of offsetting emissions reductions required under
s. 285.63 (2) (a).

SECTION 3. 285.20 of the statutes is created to read:

285.20 Air pollution control administrative rules. (1) If the
department
promulgates a rule relating to the control of an air pollutant that is not regulated
under federal law, the rule expires on January 1 of the 10th year after the year in
which the promulgation or re adoption of the rule takes effect as provided in s.
227.22,
unless the rule provides for an earlier repeal date.

(2) No earlier than January 1 and no later than March 1 of the year
preceding
the expiration date of a rule as provided under sub. (1), the department may, using
the rule-making process in ch. 227, promulgate a rule to readopt the rule that is
expiring.

(3) An agency may not promulgate an emergency rule under s. 227.24 for
the
purpose of extending a rule that is subject to expiration under this section.

SECTION 4. 990.01 (30m) of the statutes is amended to read:

990.01 (30m) **PROMULGATE.** "Promulgate," when used in connection with a
rule,
as defined under s. 227.01 (13), means to repeal; renumber; consolidate, renumber
and amend; renumber and amend; amend; repeal and recreate; readopt; or create.

SECTION 5. Nonstatutory provisions.

(1) The department of natural resources shall identify all administrative
rules
promulgated by the department that relate to the regulation of an air pollutant
that
is not regulated under federal law and shall repeal identified rules no later than
December 31, 2018.

SECTION 6. Initial applicability.

(1) The treatment of section 285.20 (1) of the statutes first applies to rules
promulgated on the effective date of this subsection.

(END)



2017 ASSEMBLY BILL 588

October 24, 2017 - Introduced by Representatives KREMER, KATSMA, VORPAGEL, ALLEN, BORN, R. BROOKS, GANNON, HORLACHER, JACQUE, JARCHOW, KNODL, KUGLITSCH, MURPHY and SKOWRONSKI, cosponsored by Senators LEMAHIEU, STROEBEL and WANGGAARD. Referred to Committee on Federalism and Interstate Relations.

- 1 **AN ACT to renumber 285.72; to amend 20.370 (2) (ce) and 285.72 (title); and to**
2 **create 285.72 (2) of the statutes; relating to: prohibiting the funding and use**
3 **of the Sheboygan Kohler-Andrae air quality monitor.**

Analysis by the Legislative Reference Bureau

Current federal regulation requires each state to submit to the U.S. Environmental Protection Agency an annual monitoring network plan documenting the establishment and maintenance of an air quality surveillance system consisting of individual monitoring stations meeting specified criteria. States are required to submit ambient air quality data collected by the monitoring network to the U.S. EPA quarterly.

This bill prohibits the Department of Natural Resources from including the air monitoring site located at Kohler-Andrae State Park in Sheboygan County in the annual monitoring network plan, beginning with the plan submitted in 2018. Under the bill, upon U.S. EPA approval of the state's monitoring network plan, DNR is required to cease funding the operation and maintenance of the Kohler-Andrae air monitoring site and to cease collecting data from the site.

The bill also requires DNR to request a waiver of the relevant provisions of the federal Clean Air Act relating to the state implementation plan that may be implicated by discontinuing the use of the air monitoring site located at Kohler-Andrae State Park in Sheboygan County. Current federal regulation requires each state to submit to the U.S. EPA a plan that provides for the implementation, maintenance, and enforcement of primary ambient air quality standards.

ASSEMBLY BILL 588

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.370 (2) (ce) of the statutes is amended to read:

2 20.370 (2) (ce) *Air quality monitoring station.* Biennially, the amounts in the
3 schedule for the air quality monitoring station under s. 285.72 (1).

4 **SECTION 2.** 285.72 (title) of the statutes is amended to read:

5 **285.72 (title) Air quality monitoring station stations.**

6 **SECTION 3.** 285.72 of the statutes is renumbered 285.72 (1).

7 **SECTION 4.** 285.72 (2) of the statutes is created to read:

8 285.72 (2) (a) The department may not include the air monitoring site located
9 at Kohler-Andrae State Park in Sheboygan County in the state's monitoring
10 network plan required under 40 CFR 58.10.

11 (b) The department shall request a waiver of the relevant provisions of the
12 federal Clean Air Act relating to the state implementation plan, as required under
13 42 USC 7410, that may be implicated by discontinuing the use of the air monitoring
14 site located at Kohler-Andrae State Park in Sheboygan County.

15 **SECTION 5. Nonstatutory provisions.**

16 (1) Upon approval by the federal environmental protection agency of the state's
17 monitoring network plan that does not include the air monitoring site located at
18 Kohler-Andrae State Park in Sheboygan County, the department of natural
19 resources shall cease funding the operation and maintenance of the air monitoring
20 site located at Kohler-Andrae State Park in Sheboygan County and shall cease
21 collecting data from the air monitoring site.

ASSEMBLY BILL 588

1 SECTION 6. Initial applicability.

2 (1) The treatment of section 285.72 (2) (a) of the statutes first applies to a
3 monitoring network plan submitted on January 1, 2018.

4 (END)

