

**Chapter 22 NONMETALLIC MINING RECLAMATION  
(Cr. #73-2001)**

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**22.01 TITLE AND STATUTORY AUTHORITY.**

- (1) TITLE. [This chapter shall be known as the] "Oneida County Nonmetallic Mining Reclamation Ordinance."
- (2) PURPOSE. The purpose of this chapter is to establish a local program to ensure the effective reclamation of nonmetallic mining sites on which nonmetallic mining takes place in Oneida County after the effective date of this chapter [July 17, 2001], in compliance with Ch. NR 135, Wis. Adm. Code and subchapter I of Ch. 295, Wis. Stats.
- (3) STATUTORY AUTHORITY. This chapter is adopted under authority of §295.13(1), Wis. Stats., §NR 135.32, Wis. Adm. Code, and §59.51, Wis. Stats.

**22.02 INTRODUCTION.**

- (1) RESTRICTIONS ADOPTED UNDER OTHER AUTHORITY (Am. #54-2007). The purpose of this chapter is to adopt and implement the uniform statewide standards for nonmetallic mining required by §295(12)(1)(a), Wis. Stats., and contained in Ch. NR 135, Wis. Adm Code, and §59.51, Wis. Stats. It is not intended that this chapter repeal, abrogate, annul, impair or interfere with any existing rules, regulation, ordinances or permits not concerning nonmetallic mining reclamation previously adopted pursuant to other Wisconsin law.
- (2) INTERPRETATION. In their interpretation and application, the provisions of this chapter shall be held to be the applicable requirements for nonmetallic mining reclamation and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes outside the reclamation requirements for nonmetallic mining sites required by subchapter I of Ch. 295, Wis. Stats., and Ch. NR 135, Wis. Adm. Code. Where any terms or requirements of this chapter may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this chapter is required by Wisconsin Statutes, or by a standard in Ch. NR 135, Wis. Adm. Code, and where the provision is unclear, the provision shall be interpreted to be consistent with the Wisconsin Statutes and the provisions of Ch. NR 135, Wis. Adm. Code.
- (3) SEVERABILITY. Should any portion of this chapter be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected.
- (4) OVERALL APPLICABILITY. The requirements of this chapter apply to all operators of nonmetallic mining sites within Oneida County operating on or commencing to operate after August 1, 2001, and as provided in §NR 135.02(1) and (2), Wis. Adm. Code, except where exempted in subsection (5) and except for nonmetallic mining sites located in a city, village or town within Oneida County that has adopted an ordinance pursuant to §295.14, Wis. Stats., and §NR 135.32(2), Wis. Adm. Code.
- (5) EXEMPTIONS. This chapter does not apply to the following activities:
  - (a) Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the Wisconsin Department of Natural Resources under §§30.19, 30.195 or 30.20, Wis. Stats., and complies with Ch. NR 340, Wis. Adm. Code.
  - (b) Excavations subject to the permit and reclamation requirements of §30.30 or 30.31, Wis. Stats.
  - (c) Excavations or grading by a person solely for domestic or farm use at that person's residence or farm.
  - (d) Excavations or grading conducted for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility.
  - (e) Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.
  - (f) Excavations for building construction purposes conducted on the building site.

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- (g) Nonmetallic mining at nonmetallic mining sites that affect less than one acre of total area over the life of the mine.
  - (h) Any mining operation, the reclamation of which is required in a permit obtained under Ch. 293, Wis. Stats.
  - (i) Any activities required to prepare, operate or close a solid waste disposal facility under Ch. 289, Wis. Stats., or a hazardous waste disposal facility under Ch. 291, Wis. Stats., that are conducted on the property where the facility is located, but an applicable nonmetallic mining reclamation ordinance and the standards established in this chapter apply to activities related to solid waste or hazardous waste disposal that are conducted at a nonmetallic mining site that is not on the property where the solid waste or hazardous waste disposal facility is located, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.
  - (j)
    1. Nonmetallic mining conducted to obtain stone, soil, sand or gravel for construction, reconstruction, maintenance or repair of a highway, railroad, airport, or any other transportation facility or part thereof, if the nonmetallic mining is subject to the requirements of the Wisconsin Department of Transportation concerning the restoration of the nonmetallic mining site.
    2. This exemption only applies to a nonmetallic mining operation with limited purpose and duration where the Wisconsin Department of Transportation actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with these requirements. The duration of the exemption shall be specific to the length of the Wisconsin Department of Transportation contract for construction of a specific transportation project.
    3. If a nonmetallic mining site covered under paragraphs (a) and (b) is used to concurrently supply materials for projects unrelated to the Wisconsin Department of Transportation project, the exemption in this paragraph still applies, provided that the site is fully reclaimed under Wisconsin Department of Transportation contract and supervision.
  - (k) Dredging for navigational purposes, to construct or maintain farm drainage ditches and for the remediation of environmental contamination and the disposal of spoils from these activities.
  - (l) Removal of material from the bed of Lake Michigan or Lake Superior by a public utility pursuant to a permit under §30.21, Wis. Stats.
  - (m) Stockpiled material generated from a nonmetallic mine site, before August 1, 2001, or stored offsite on a noncontiguous property.
- (6) ADMINISTRATION. (Am. Res. #03-2009) The provisions of this chapter shall be administered by the Oneida County Planning and Zoning Department.
- (7) EFFECTIVE DATE. The provisions of this chapter shall take effect on July 2, 2001.
- (8) DEFINITIONS. All definitions for the purposes of this chapter are those contained in §NR 135.03, Wis. Adm. Code.

### **22.03 STANDARDS.**

All nonmetallic mining sites subject to this chapter shall be reclaimed in conformance with the standards contained in subchapter II of Ch. NR 135, Wis. Adm. Code.

### **22.04 PERMITTING. (Am. #54-2007)**

- (1) REQUIRED SUBMITTAL. No person may engage in nonmetallic mining or nonmetallic mining reclamation without possessing a reclamation permit from Oneida County. All reclamation permit applications under this section shall be accompanied by the information required by §NR 135.18(3), Wis. Adm. Code.

- (2) **NEW MINES.** (Am. Res. #03-2009) The operator of any nonmetallic mine site that engages in or plans to engage in nonmetallic mining that will begin operations after August 1, 2001, or which has not applied for an automatic reclamation permit pursuant to subsection (2) shall submit an application that meets the requirements of §NR 135.18(2), Wis. Adm. Code, and the submittals required under subsection (1) to the Oneida County Planning and Zoning Department prior to beginning operations. This application shall be accompanied by a plan review fee as specified in §22.17.

**22.05 RECLAMATION PLAN. (Am. #54-2007)**

- (1) **RECLAMATION PLAN REQUIREMENTS.** All operators of nonmetallic mining sites subject to this chapter shall prepare and submit a reclamation plan that meets the requirements of §NR 135.19, Wis. Adm. Code.
- (2) **EXISTING PLANS AND APPROVALS.** To avoid duplication of effort, the reclamation plan required by §22.05(5) may, by reference, incorporate existing plans or materials that meet the requirements of this chapter.
- (3) **APPROVAL OF RECLAMATION PLAN.** Oneida County shall approve, conditionally approve or deny the reclamation plan submitted under this section in writing as part of permit issuance §22.08(2) for new mines. Conditional approvals of reclamation plans shall be made according to §22.08(5), and denials of reclamation plans made according to §22.09. The operator shall keep a copy of the reclamation plan required by this section, once approved by Oneida County under this chapter, at the mine site or, if not practicable, at the operator's nearest office or place of business.

**22.06 FINANCIAL ASSURANCES. (Am. #54-2007)**

- (1) **FINANCIAL ASSURANCE REQUIREMENTS.** (Am. #51-2002; Am. #23-2006) All operators of nonmetallic mining sites in Oneida County shall prepare and submit a proof of financial assurance of successful reclamation that meets the requirements of §135.40, Wis. Adm. Code. Bonding or escrow account requirements for reclamation financial assurances shall be \$1,000.00 per acre for sites with sufficient topsoil on site and \$4,000.00 per acre for sites with no topsoil on site. For sites with less than sufficient topsoil reserves available, a pro-rated level of financial assurance, as determined by the County, shall be required.
- (2) The operator of any nonmetallic mining site that applies for a reclamation permit in conformance with §22.04(2) shall submit the proof of financial assurance required by subsection (1) as specified in the reclamation permit issued to it under this chapter.
- (3) **PUBLIC NONMETALLIC MINING.** The financial assurance requirements of this section do not apply to nonmetallic mining conducted by the State of Wisconsin, a state agency, board, commission or department, or a municipality.

**22.07 PUBLIC NOTICE AND RIGHT OF HEARING (Am. #54-2007).**

- (1) Oneida County shall provide public notice and the opportunity for a public informational hearing as set forth in §NR 135.20(1) and (2), Wis. Adm. Code, for any nonmetallic mining site for which a complete reclamation permit application that satisfies §22.04(1) is received.
- (2) **LOCAL TRANSPORTATION-RELATED MINES.** No public notice or informational hearing is required for a nonmetallic mining reclamation permit issued to a local transportation-related mine pursuant to §22.08(3).

**22.08 ISSUANCE OF A NONMETALLIC MINING RECLAMATION PERMIT (Am. #54-2007).**

- (1) PERMIT REQUIRED. No person may engage in nonmetallic mining or nonmetallic mining reclamation after September 1, 2001, without a reclamation permit issued pursuant to this chapter, except nonmetallic mining sites exempt from this chapter as provided in §22.02(5).
- (2) AUTOMATIC PERMIT FOR LOCAL TRANSPORTATION-RELATED MINES. Oneida County shall issue an automatic permit under this subsection for any borrow site operated to provide material for a locally-administered transportation project that meets the criteria in §NR 135.23(1)(a), Wis. Adm. Code. This automatic permit shall be issued according to the provisions of §NR 135.23(1)(b) through (j), Wis. Adm. Code.
- (3) EXPEDITED REVIEW. Any operator of a nonmetallic mining site may obtain an expedited review of a reclamation permit application by paying the expedited review fee specified in §22.17(2). The expedited review shall be carried out according to the provisions of §NR 135.23(2), Wis. Adm. Code. Such expedited review shall not waive, shorten or otherwise affect the public notice and right of hearing pursuant to §22.07.
- (4) PERMIT CONDITIONS. Permits issued under this section may include conditions as provided in §NR 135.21(3), Wis. Adm. Code. One required condition shall be that new mines shall obtain financial assurance prior to beginning mining pursuant to §NR 135.40, Wis. Adm. Code.

**22.09 PERMIT DENIAL.**

An application for a nonmetallic mining reclamation permit shall be denied if any of the factors specified in §NR 135.22, Wis. Adm. Code, exist.

**22.10 ALTERNATIVE REQUIREMENTS.**

- (1) SCOPE OF ALTERNATIVE REQUIREMENTS APPROVABLE. An operator of a nonmetallic mining site may request an alternative requirement to any reclamation standard established in §22.03. Such a request may be made only on the basis of the criteria set forth in §NR 135.26(1), Wis. Adm. Code.
- (2) PROCEDURES. The operator of a nonmetallic mining site requesting an alternate requirement in subsection (1) shall demonstrate all the criteria in §NR 135.26(1), Wis. Adm. Code. This shall be submitted in writing to the Oneida County Planning and Zoning Administrator. Only the Oneida County Planning and Zoning Committee shall have authority to grant approvals of such requests by majority vote using the criteria set forth in §NR 135.26(1), Wis. Adm. Code. The decision of the Committee will be appealable to the Board of Adjustment. Such appeal must be made with 30 days of receipt of the Committee's decision.
- (3) TRANSMITTAL OF DECISION ON REQUEST FOR ALTERNATE REQUIREMENTS. The decision on a request for alternative reclamation requirements shall be in writing to the applicant and shall include documentation of why the alternative requirement was or was not approved.
- (4) RESPONSIBILITY FOR COSTS (Am. #54-2007). An operator who requests an alternative requirement standard shall be responsible for the actual costs incurred by Oneida County for processing the requests.
- (5) NOTICE TO WISCONSIN DEPARTMENT OF NATURAL RESOURCES. Oneida County shall provide notice to the Wisconsin Department of Natural Resources as provided in §NR 135.26(3)(a), Wis. Adm. Code

**22.11 PERMIT DURATION AND TRANSFERS.**

- (1) PERMIT DURATION. A nonmetallic mining reclamation permit issued under this chapter shall last through operation and reclamation of the nonmetallic mining site, unless suspended or revoked

pursuant to §22.22(3), or as limited under §NR 135.27, Wis. Adm. Code, where the mine operator is not the landowner.

- (2) **PERMIT TRANSFER.** A nonmetallic mining reclamation permit issued under this chapter shall be transferred to a new owner or operator upon satisfaction of the conditions in §NR 135.28, Wis. Adm. Code.

### **22.12 PREVIOUSLY PERMITTED SITES.**

For any nonmetallic mining site which had a reclamation permit previously issued pursuant to Ch. NR 135, Wis. Adm. Code, that becomes subject to reclamation permitting authority of Oneida County the previously-issued municipal reclamation permit's terms and conditions shall remain in force until they can be modified by Oneida County pursuant to §22.14(1).

### **22.13 REVIEW.**

Any permitting decision or action made by Oneida County under this chapter may be reviewed as set forth in §NR 135.30, Wis. Adm. Code.

### **22.14 PERMIT MODIFICATION.**

- (1) **BY ONEIDA COUNTY.** A nonmetallic mining reclamation permit issued under this chapter may be modified by Oneida County if it finds that, due to changing conditions, the nonmetallic mining site is no longer in compliance with this chapter. Such modification shall be by an order conforming with the procedures in §22.22(2) and as provided in §NR 135.24(1), Wis. Adm. Code.
- (2) **AT THE OPERATOR'S OPTION.** If operator of any nonmetallic mine that holds a reclamation permit issued under this chapter desires to modify such permit or reclamation plan approved under this chapter, it may request such modification by submitting a written application for such modification to the Oneida County Solid Waste Department. The application for permit or plan modification shall be acted on using the standards and procedures of this chapter.
- (3) **REQUIRED BY THE OPERATOR.** The operator of any nonmetallic mine that holds a reclamation permit issued under this chapter shall request a modification of such permit if required under the circumstances set out in §NR 135.27, Wis. Adm. Code. Such application for permit modification shall be acted on using the standards and procedures of this chapter.
- (4) **REVIEW.** All actions on permit modifications requested or initiated under this section are subject to review under §22.13.

### **22.15 PERMIT SUSPENSION OR REVOCATION.**

- (1) **FOUNDATIONS.** Oneida County may suspend or revoke a nonmetallic mining reclamation permit issued pursuant to this chapter if it finds any of the grounds listed in §NR 135.25(1), Wis. Adm. Code.
- (2) **PROCEDURES (Am. #54-2007).** If Oneida County finds grounds for suspending or revoking a nonmetallic mining reclamation permit set forth in §22.16(5), it may issue a special order suspending or revoking such permit as set forth in §22.22(3).
- (3) **CONSEQUENCES.** The consequences of an reclamation permit suspension or revocation order under subsection (2) shall be as set forth in §NR 135.25(2) and (3), Wis. Adm. Code.

**22.16 ANNUAL OPERATOR REPORTING.**

- (1) CONTENTS AND DEADLINE. (Am. Res. #03-2009) Annual reports shall be submitted by the operators of nonmetallic mining sites that satisfy the requirements of §135.36, Wis. Adm. Code. These reports shall be for reclamation during a calendar year, and submitted in writing within 60 days of the end of each calendar year to the Oneida County Planning and Zoning Department. Annual reports shall be submitted until reclamation at each nonmetallic mining site is certified as complete under §22.20(3).
- (2) INSPECTION IN LIEU OF REPORT. Oneida County may, at its discretion, obtain the information required in §22.16(1) by written documentation of an inspection it completes during a calendar year, as set forth in §NR 135.36(4), Wis. Adm. Code.
- (3) RETENTION OF ANNUAL REPORTS. Annual reports submitted under this section or inspection records that replace them shall be retained by Oneida County for at least 10 years after the calendar year to which they apply. These records, or accurate copies of them, shall be made available to the Wisconsin Department of Natural Resources upon written request or during its inspection or audit activities carried out pursuant to Ch. NR 135, Wis. Adm. Code.

**22.17 PLAN REVIEW FEES.**

- (1) AMOUNT AND APPLICABILITY. A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under §22.04(3) shall submit a nonrefundable plan review fee as periodically designated by the County Board. No plan review fee may be assessed under this section for any nonmetallic mine site for which an application for an automatic reclamation permit is submitted that meets the requirements of or for any local transportation-related mine issued an automatic permit under. A separate plan review fee shall be paid under this section for any modification to an existing reclamation plan submitted pursuant to.

Any operator starting a nonmetallic mine after August 1, 2001, will be required to have an approved nonmetallic mine reclamation plan, to include proof of financial assurance, in place prior to beginning operation. Fees will be assessed as follows:

1—5 acres: \$600

6—15 acres: \$750

Greater than 15 acres: \$900

*Note:* The prohibition on plan review fees for existing and local transportation-related mines is required under §§NR 135.23(1)(g) and NR 135.39(5)(a), Wis. Adm. Code.

- (2) EXPEDITED PLAN REVIEW FEE (Am. #54-2007). A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under §22.04(2) may obtain expedited reclamation plan review by paying a fee as periodically designated by the County Board to equal as closely as possible the county's costs of expedited review of reclamation plans. Such fee shall be in addition to that required in subsection (1).
- (3) RELATION TO ANNUAL FEE (Am. #54-2007). Any reclamation plan review fee or expedited reclamation plan review fee collected under this section shall be added to and collected as part of the first annual fee collected under. §22.18.

*Note:* Plan review fees collected under this section are required under §295.12(3)(e)1.a., Wis. Stats., to equal as closely as possible the cost of examination and approval of such plans. Section 295.15, Wis. Stats., requires the regulatory authority to use its fees only for the administration of its reclamation ordinance.



**22.18 ANNUAL FEES (Am. #54-2007).**

- (1) AREAS SUBJECT TO FEES, PROCEDURES AND DEADLINE. Operators of all nonmetallic mining sites subject to reclamation permits issued under this chapter to Oneida County. Fees paid under this section shall include both a share for the Wisconsin Department of Natural Resources under subsection (2) and a share for Oneida County under subsection (3) that equals as closely as possible the costs of examination and approval on nonmetallic mining reclamation plans and the inspection of nonmetallic mining reclamation sites. These fees shall be calculated based on amount of unreclaimed acres of each site, as defined in §NR 135.39(1), Wis. Adm. Code, and according to its provisions. Such fees apply to a calendar year or any part of a year in which nonmetallic mining takes place, until final reclamation is certified as complete under §22.20(1). Fees shall be paid no later than December 31 before the year for which they apply.
- (2) WISCONSIN DEPARTMENT OF NATURAL RESOURCES SHARE OF FEE. Fees paid under this section shall include a share for the Wisconsin Department of Natural Resources equal to the amount specified in §NR 135.39(3), Wis. Adm. Code. For sites on which no nonmetallic mining has taken place during a calendar year, fees to be paid under this section for the following year shall be \$30.
- (3) ONEIDA COUNTY'S SHARE OF FEE. Fees paid under this section shall also include an annual fee due to Oneida County which shall be periodically designated by the County Board and be established on an unreclaimed acre basis, and equal as closely as possible the county cost of administering the reclamation program.
- (4) DOCUMENTATION OF ONEIDA COUNTY'S SHARE OF FEE. If the annual fee in subsection (3) is greater than that established in §NR 135.39(4)(c), Wis. Adm. Code, Oneida County shall document in writing its estimated program costs and the need for its annual fees established in subsection (3). This documentation shall be available for public inspection.
- (5) Annual nonmetallic mine permit fees are:
  - Inactive mines \$30
  - 1—5 acres: \$100
  - 6—15 acres: \$250
  - Greater than 15 acres: \$500

**22.19 REGULATORY REPORTING AND DOCUMENTATION.**

- (1) REPORTING. Oneida County shall send an annual report to the Wisconsin Department of Natural Resources including the information required by §NR 135.37, Wis. Adm. Code.
- (2) DOCUMENTATION. Oneida County shall, to the best of its ability, maintain the information set forth in §NR 135.47(3), Wis. Adm. Code, and make it available to the Wisconsin Department of Natural Resources for that agency's audit of Oneida County's reclamation program pursuant to §NR 135.47, Wis. Adm. Code.

**22.20 COMPLETED RECLAMATION—REPORTING, CERTIFICATION AND EFFECT.**

- (1) REPORTING. The operator of a nonmetallic mining site may certify completion of reclamation for a portion or all of the nonmetallic mining site pursuant to a reclamation plan prepared and approved pursuant to this chapter and Ch. NR 135, Wis. Adm. Code.
- (2) REPORTING OF INTERIM RECLAMATION. The operator of a nonmetallic mining site may report completion of interim reclamation as specified in the reclamation plan for the site prepared and approved pursuant to this chapter and Ch. NR 135, Wis. Adm. Code. Reporting of interim reclamation shall be done according to the procedures in §22.20.

- (3) **CERTIFICATION OF COMPLETED RECLAMATION.** Oneida County shall inspect a nonmetallic mining site for which reporting of reclamation or interim reclamation has been submitted pursuant to this subsection within 60 days of receipt, and make a determination in writing in accordance with §NR 135.40(7)(c), Wis. Adm. Code. If it is determined that interim or final reclamation is complete, including revegetation as specified in a plan that conforms with §22.05, Oneida County shall issue the mine operator a written certificate of completion.
- (4) **EFFECT OF COMPLETED RECLAMATION.** If reclamation is certified by Oneida County as complete under §22.20(3) for part or all of a nonmetallic mining site, then:
  - (a) No fee shall be assessed under §22.18(1) for the area so certified.
  - (b) The financial assurance required by §22.06(1) shall be released.
  - (c) For sites which are reported as interim reclaimed under subsection (2) and so certified under subsection (3), financial assurance for reclaiming the certified area shall be waived.
- (5) **EFFECT OF INACTION FOLLOWING REPORT OF COMPLETED RECLAMATION.** If no written response as required by subsection (3) for an area of the mine site reported as reclaimed or interim reclaimed is given within 60 days of receiving such request, any annual fee paid to Oneida County for it under §22.18(1) shall be refunded.

### **22.21 PERMIT TERMINATION.**

When all final reclamation required by a reclamation plan conforming to §22.05 and required by this chapter is certified as complete pursuant to §22.19, Oneida County shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit.

### **22.22 ENFORCEMENT.**

- (1) **RIGHT OF ENTRY AND INSPECTION.** For the purpose of ascertaining compliance with the provisions of subchapter I of Ch. 295, Wis. Stats., Ch. NR 135, Wis. Adm. Code, or this chapter, any authorized officer, agent, employee or representative of Oneida County may inspect any nonmetallic mining site subject to this chapter as provided in §295.17(1), Wis. Stats., and §NR 135.42, Wis. Adm. Code.
- (2) **ENFORCEMENT ORDERS.** Oneida County may issue orders as set forth in §295.19(1)(a), Wis. Stats., to enforce subchapter I of Ch. 295, Wis. Stats., Ch. NR 135, Wis. Adm. Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by §22.05 and a permit issued under this chapter. A violation of this chapter, an order or permit issued pursuant to this chapter or a reclamation plan required by §22.05 and a permit issued under this chapter shall be considered a violation of subchapter I of Ch. 295, Wis. Stats., and Ch. NR 135, Wis. Adm. Code.
- (3) **SPECIAL ORDERS.** Oneida County may issue a special order as set forth in §295.19(1)(b) and (c), Wis. Stats., suspending or revoking a nonmetallic mining reclamation permit pursuant to §22.15(1), or directing an operator to immediately cease an activity regulated under subchapter I of Ch. 295, Wis. Stats., Ch. NR 135, Wis. Adm. Code, or this chapter until the necessary plan approval is obtained.
- (4) **REVIEW OF ORDERS.** An order issued under subsections (2) or (3) may be reviewed as provided in §NR 135.43(2), Wis. Adm. Code.
- (5) **[ISSUANCE OF CITIATION.]** Oneida County may issue citations under §66.119, Wis. Stats., and §25.04 of the General Code to collect forfeitures or require any action needed to enforce subchapter I of Ch. 295, Wis. Stats., Ch. NR 135, Wis. Adm. Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by §22.05 and a permit issued under this chapter. The issuance of a citation under this subsection shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this subsection.

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- (6) ENFORCEMENT. Oneida County may submit any order issued under subsection (2) to the district attorney, the corporation counsel, the municipal attorney or the attorney general for enforcement for enforcement as provided in §295.19(1)(d), Wis. Stats.
- (7) PENALTIES. Any violation of subchapter I of Ch. 295, Wis. Stats., Ch. NR 135, Wis. Adm. Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by §22.05 and a permit issued under this chapter may result in forfeitures as provided in §295.19(3), Wis. Stats., and §25.04 of the General Code.