



NR 154.11

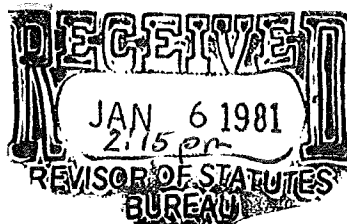
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, 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. A-60-79 was duly approved and adopted by this Department on July 24, 1980. 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 General Executive Facility #2 in the City of Madison, this 5th day of January, 1981.

3-1-81

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

CREATING RULES

.....
IN THE MATTER of creating sections .
NR 154.11(2)(d) & (e); (3)(f), (g) .
& (h); and (4)(g), (h), & (i) .
of the Wisconsin Administrative . A-60-79
Code pertaining to air emissions of .
particulate matter in secondary .
nonattainment areas for total .
suspended particulate matter .
.....

Analysis Prepared by Department of Natural Resources

In March, 1978, areas within Brokaw, Green Bay, Kenosha, Madison, Manitowoc, Marshfield, Neenah, Oshkosh, Racine and Superior were designated by the U.S. Environmental Protection Agency as violating the secondary air quality standards for total suspended particulate matter (TSP). Analysis by the DNR Bureau of Air Management indicates that industrial stack and fugitive TSP emissions must, at a minimum, be reduced by using Reasonably Available Control Technology (RACT) in order to attain the secondary air quality standard.

These rules contain emission limitations which differ slightly from those set in rules pertaining in part to primary and associated secondary TSP nonattainment areas which became effective on October 1, 1979. These rules are mandated by the Clean Air Act Amendments of 1977. Federal sanctions may be imposed if the State fails to act.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 144.31 and 144.38 (as amended by Chapters 34 and 221, Laws of 1979) and 227.014, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby creates rules interpreting section 144.31(1)(f), Wisconsin Statutes (as amended by Chapters 34 and 221, Laws of 1979), and revising the State Implementation Plan (SIP) developed under that provision, as follows:

Section 1. NR 154.11(2)(d) and (e) of the administrative code are created to read:

(d) In addition to meeting the requirements of par. (a), any direct or portable source located in any other secondary nonattainment area identified under NR 154.03(1) for suspended particulate matter; and any direct or portable source located near such area whose aggregate fugitive dust emissions may cause an impact on the ambient air quality in such area equal to or greater than one microgram per cubic meter (annual concentration) or 5 micrograms per cubic meter (maximum 24-hour concentration) as determined by the analysis under NR 154.03 shall meet the following RACT requirements:

1. Industrial and commercial private roadways and areas subject to traffic of more than 10 vehicles in any hour shall be paved with asphalt, concrete, or other surface approved by the department and shall be periodically cleaned in order to be kept free of loose material. Where paving is shown to be unreasonable, or where the roadway or area is to be used for less than one year, dust shall be controlled by other methods approved by the department such as watering, chemical suppression, or stabilizers.

2. Storage piles having a material transfer greater than 100 tons in any year: a. Storage piles of material having a silt content of 5% to 20% shall be treated with water, surfactants, stabilizers or chemicals; draped; or enclosed on a minimum of 3 sides. Access areas surrounding storage piles shall be watered, cleaned or treated with stabilizers as needed to prevent fugitive dust from vehicle traffic.

b. Storage piles of materials having a silt content of 20% or more shall be completely enclosed or draped except any part being worked, loaded or unloaded. Access areas surrounding storage piles shall be watered, cleaned or treated with stabilizers as needed to prevent fugitive dust from vehicle traffic.

3. Materials handling operations: a. Materials handling operations, including but not limited to crushing, grinding, mixing, screening, compacting, conveying, handling of waste material with more than 5% silt, and loading and unloading of railcar, truck, ship or barge shall have fugitive emissions controlled to 20% opacity when wind speeds are less than 25 miles per hour except for 3 minutes in any hour when fugitive emissions may equal 50% opacity.

b. Any device used to control fugitive emissions from materials handling operations which has a discharge to the ambient air shall be controlled equal to or less than 0.20 pounds of particulate matter per 1000 pounds of exhaust gas.

4. Process fugitive emissions: a. Any device used to control fugitive particulate emissions from processes which has a discharge to the ambient air shall be controlled to an exhaust gas concentration equal to or less than 0.20 pounds of particulate matter per 1000 pounds of exhaust gas.

b. Emissions from any building or structure egress other than a stack shall be controlled such that visible emissions shall not exceed 20% opacity except for 3 minutes in any hour when fugitive emissions may equal 50% opacity.

c. Coking operations shall meet the RACT requirements of par. (b)4.c.

(e) When a direct or portable source is subject to the emission limitations of par. (d) due to its location in or impact on any other secondary nonattainment area, the owner or operator shall not exceed the following increments of progress in achieving compliance, commencing with the nonattainment determination under NR 154.03(1):

1. Submit plans for compliance within 8 months.
2. Award any necessary contracts within 15 months.
3. Commence construction, installation or modification of emission control techniques required under subd. 1., 2. and 3.a. of par. (d) within 18 months.
4. Commence construction, installation or modification of emission control techniques required under subd. 3.b. and 4. of par. (d) within 24 months.
5. Complete construction, installation or modification of emission control techniques required under subd. 1., 2. and 3.a. of par. (d), achieve compliance, and so certify to the department within 21 months.
6. Complete construction, installation or modification of emission control techniques required under subd. 3.b. and 4. of par. (d) within 30 months and achieve final compliance and so certify to the department within 33 months.
7. All direct or portable sources to which par. (d) applies which have been identified under NR 154.03(2) on or before August 1, 1981 shall achieve final compliance and so certify to the department on or before December 31, 1985.

Section 2. NR 154.11(3)(f), (g), and (h) of the administrative code are created to read:

(f) In addition to meeting the requirements of par. (a) and (b), any direct or portable source located in or near any other secondary nonattainment area identified under NR 154.03(1) for suspended particulate matter whose aggregate particulate emissions (excluding fugitive dust) may cause an impact on the ambient air quality in such area equal to or greater than one microgram per cubic meter (annual concentration) or 5 micrograms per cubic meter (maximum 24-hour concentration) as determined by the analysis under NR 154.03 shall meet the following RACT emission limitations:

1. Sources on which construction or modification was commenced after April 1, 1972 shall not emit more than the emission limits of par. (3)(a) or 0.20 pounds of particulate matter per 1000 pounds of exhaust gas, whichever is more restrictive.

2. Sources on which construction or modification was commenced on or before April 1, 1972 shall not emit more than 0.20 pounds of particulate matter per 1000 pounds of exhaust gas.

(g) When a direct or portable source is subject to the emission limitations of par. (f) due to its impact on any other secondary nonattainment area, the owner or operator shall not exceed the following increments of progress in achieving compliance, commencing with the nonattainment determination under NR 154.03(1):

1. Submit plans for compliance within 6 months.
2. Award any necessary contracts within 12 months.
3. Commence construction, installation or modification of any emission control system within 24 months.
4. Complete construction, installation or modification of any emission control system within 30 months.

5. Achieve final compliance with the applicable emission limitations and so certify to the department within 33 months.

6. All direct or portable sources to which par. (f) applies which have been identified under NR 154.03(2) on or before August 1, 1981 shall achieve final compliance and so certify to the department on or before December 31, 1985.

(h) Notwithstanding par. (f), any cupola may emit up to, but not more than 0.25 pounds of particulate matter per 1000 pounds of exhaust gas.

Section 3. NR 154.11(4)(g), (h), and (i) of the administrative code are created to read:

(g) In addition to meeting the requirements of par. (a) or (b), all installations located in or near any other secondary nonattainment area identified under NR 154.03(1) for suspended particulate matter whose aggregate particulate emissions (excluding fugitive dust) may cause an impact on the ambient air quality in such areas equal to or greater than one microgram per cubic meter (annual concentration) or 5 micrograms per cubic meter (maximum 24-hour concentration) as determined by the analysis under NR 154.03 shall meet the following RACT emission limitations:

1. Installations of 100 million BTU per hour or less: maximum emission of 0.24 pounds of particulate matter per million BTU input to any stack.

2. Installations of more than 100 million BTU per hour on which construction or modification commenced on or before April 1, 1972:

maximum emission of 0.15 pounds of particulate matter per million BTU input to any stack.

3. Installations of more than 100 million BTU per hour but of not more than 250 million BTU on which construction or modification commenced after April 1, 1972: maximum emission of 0.15 pounds of particulate matter per million BTU input to any stack.

4. Installations of more than 250 million BTU per hour on which construction commenced after April 1, 1972: maximum emission of 0.10 pounds of particulate matter per million BTU input to any stack.

(h) When an installation is subject to the emission limitations of par. (g) due to its impact on any other secondary nonattainment area, the owner or operator shall not exceed the following increments of progress in achieving compliance, commencing with the nonattainment determination under NR 154.03(1):

1. Submit plans for compliance within 6 months.
2. Award any necessary contracts within 12 months.
3. Commence construction, installation or modification of emission control system within 24 months.
4. Complete construction, installation or modification of any emission control system within 30 months.
5. Achieve final compliance with the applicable emission limitations and so certify to the department within 33 months.
6. Notwithstanding the increments of progress specified in this paragraph, all installations to which par. (g) applies which have been identified pursuant to NR 154.03(2) on or before August 1, 1981 shall achieve final compliance and so certify to the department on or before December 31, 1985.

(i) Notwithstanding par. (g)1. or 2., any fuel burning installation of 250 million BTU per hour or less on which construction or modification was commenced on or before April 1, 1972 may emit up to, but not more than, an emission rate defined by the equation $E = 0.3 - 0.0006I$ (where I is the heat input in millions of BTU per hour and E is the maximum allowable particulate emissions in pounds per million BTU to any stack) if, as of August 1, 1981, the installation has an emission rate based on original design or equipment performance test conditions (whichever is more restrictive) which is less than the limit set by the above equation, and the emission control system of such installation has not been allowed to degrade more than 0.05 pounds per million BTU from original design or acceptance performance test conditions.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on July 24, 1980.

The rules contained herein shall take effect upon publication as provided in section 227.026(1) intro., Wisconsin Statutes.

Dated at Madison, Wisconsin

January 5, 1981

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Resachny
Carroll D. Resachny, Secretary

(SEAL)