



CR 83-63

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

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STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) SS

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SEP 20 1983
3:40 pm
Revisor of Statutes
Bureau

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-13-83 was duly approved and adopted by this Department on July 27, 1983. 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 19th day of September, 1983.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

12-1-83

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

.....
IN THE MATTER OF repealing section .
NR 155.03(5); and amending section .
NR 154.17(2)(intro.) of the Wisconsin .
Administrative Code pertaining to the . A-13-83
repeal of the ambient air quality .
standards for hydrocarbons and to .
other miscellaneous changes to air .
pollution rules. .
.....

Analysis Prepared by the Department of Natural Resources

Chapter NR 155, Wis. Adm. Code, contains ambient air standards, or levels of air quality which are necessary to protect public health and welfare. These standards are based on national ambient air quality standards promulgated by the U.S. Environmental Protection Agency. On January 5, 1983, the U.S. Environmental Protection Agency repealed the national ambient air quality standards for hydrocarbons. This repeal made the federal standards less stringent than the present state ambient air quality standards for hydrocarbons. Section 144.375(1), Wisconsin Statutes, requires that state ambient air quality standards not be more restrictive than federal standards issued under Section 109 of the Clean Air Act, with one exception. That exception, outlined in section 144.375(6), Wisconsin Statutes, allows the Department to retain a state air standard which has been relaxed at the federal level if the Department finds that the relaxed standards would not provide adequate protection for public health and welfare. Section 2 of this proposed rule revision repeals the state standard for hydrocarbons so as to conform with the federal action. The Department has not found that the repeal of the hydrocarbon standard would not provide adequate protection for public health and welfare. The hydrocarbon standard was intended only as a guide to the control of ozone and other oxidants, and its repeal will have no impact on this ongoing control effort.

Changes to the rules pertaining to tampering with air pollution control equipment for motor vehicles were adopted by the Department in Board Order A-16-82 which became effective on May 1, 1983. These rule changes inadvertently dropped out a phrase from section NR 154.17(2)(intro.), Wisconsin Administrative Code. Section 1 of this proposed rule restores the phrase which was inadvertently deleted.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.31(1)(a) and (f), 144.375(1) and (6) and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby adopts rules interpreting ss. 144.375(6)(a) and (c), Stats., and revising the State Implementation Plan developed under s. 144.31(1)(f), Stats., as follows:

SECTION 1. NR 154.17(2)(intro.) is amended to read:

(2)(intro.) TAMPERING WITH AIR POLLUTION CONTROL EQUIPMENT. No person may dismantle, remove, or cause to be inoperative any air pollution control device or system which has been installed on a motor vehicle unless the person replaces the device or system with an identical or comparable tested replacement device or system. Such devices or systems include but are not limited to:

SECTION 2. NR 155.03(5) is repealed.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on July 27, 1983.

The rules contained herein shall take effect as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin September 19, 1983

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)