(43b) "Gasoline dispensing facility" means any site where gasoline is dispensed to motor vehicle gasoline tanks from stationary storage tanks.

(43e) "Heat input" means the total gross calorific value per unit of time of all fuels being burned, where gross calorific value of a fuel is measured by ASTM Method D240-92, D1826-88 or D2015-93, incorporated by reference in s. NR 484.10. Where the test method gives a higher and a lower heating value, heat input is calculated in Btu per hour using the higher heating value of the fuel.

(43m) "Highway" has the meaning given it in s. 340.01 (22), Stats.

(44) "Hour" means any 3,600 second period.

(45) "Implementation plan" means a plan adopted to implement, maintain and enforce air standards within the state, an air region, or a portion of the state or region.

(46) "Incinerator" means a combustion apparatus designed for high temperature operation in which solid, semisolid, liquid, or gaseous combustible wastes are ignited and burned to produce solid and gaseous residues containing little or no combustible material.

(46m) "Increase in the net amount of emissions" has the same meaning as the phrase "net emissions increase" which is defined in s. NR 405.02 (24).

(47) "Indirect source" means any stationary source which conveys motor vehicles or which attracts or may attract mobile source activity and thus indirectly causes the emission of any air contaminant. Such indirect sources include, but are not limited to highways and roads; parking facilities; retail, commercial and industrial facilities; recreation, amusement, sports and entertainment facilities; airports; office and government buildings; and educational facilities.

(47m) "Industrial sand mine" means any mine, pit or quarry to which the standard industrial classification (SIC) category number 1446 applies. The SIC category for a source is determined by reference to the Standard Industrial Classification Manual, 1987, which is incorporated by reference in s. NR 484.05.

(48) "Intersection" has the meaning given in s. 340.01 (25), Stats.

(49) "KPa" means kilo Pascals (1.0 kPa = 0.15 psia).

(50) "Kraft pulp" means any pulp produced with an alkaline sulfide solution containing sodium hydroxide and sodium sulfide for a cooking liquor.

(51) "Laboratory" means a facility or portion of a multi-use facility which does not produce a product for regular commercial use or sale and which is used primarily for scientific or technical experimentation or observation of matter for the purpose of research, development, quality assurance, analysis or teaching.

(51m) "Ledge rock quarry" means any open pit to which the standard industrial classification (SIC) category number 1411, 1422, 1423, or 1429 applies where drilling and blasting is required to extract the nonmetallic mineral. The SIC category for a source is determined by reference to the

Standard Industrial Classification Manual, 1987, which is incorporated by reference in s. NR 484.05.

(52) "Light-duty trucks" means any motor vehicles rated at 3864 kilograms (8500 pounds) gross weight or less which are designed primarily for the purpose of transporting goods and materials, or derivatives of such vehicles.

(53) "Lowest achievable emission rate" has the meaning given in s. 144.30 (15), Stats.

(53e) "Malfunction" means any sudden failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation or any other preventable upset condition or preventable equipment breakdown are not malfunctions.

(53m) "Maximum theoretical emissions" means the quantity of air contaminants that theoretically could be emitted by a stationary source without control devices based on the design capacity or maximum production capacity of the source. When determining annual maximum theoretical emissions, a source shall be presumed to operate 8,760 hours per year unless its physical design precludes 8,760 hours of operation per year. Where a source's physical design restricts the number of hours it may operate, annual maximum theoretical emissions shall be calculated taking this restriction into account. In determining the maximum theoretical emissions of VOCs for a source, the design capacity or maximum production capacity shall include the use of raw materials, coatings and inks with the highest VOC content used in practice by the source. Realistic operating conditions shall be taken into account in determining emissions under this subsection.

(53s) "Minor source" means any stationary source which is not a major source.

(54) "Mobile source" means any motor vehicle or equipment other than a semistationary source which is capable of emitting any air contaminant while moving (e.g., automobile, bulldozer, bus, locomotive, motorboat, motorcycle, snowmobile, steamship, truck, etc.).

(55) "Modification" means any physical change in, or change in the method of operation of, a stationary source that increases the amount of emissions of an air contaminant or that results in the emission of an air contaminant not previously emitted. A modification does not include any changes identified in s. NR 406.04 (4).

(55e) "Modified indirect source" means an indirect source the modification of which is commenced after July 1, 1975, or after the date of issuance of the last air pollution control permit or plan approved to the source, whichever is later.

(56) "Motor vehicle" or "vehicle" means every self-propelled device, except railroad trains, by which any person or property is or may be transported or drawn upon a highway.

(57) "Municipality" has the meaning given it in s. 144.01 (6), Stats.

(58) "New direct or portable source" means a direct or portable source, the construction or modification of which is commenced after

that would have to be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

(70) "Portable source" means any facility, installation, operation or equipment which may directly result in the emission of any air contaminant only while at a fixed location but is capable of being transported to a different location (e.g., portable asphalt plant, portable package boiler, portable air curtain destructor, etc.). As a type of direct stationary source, a modified portable source or a portable source which has never received a plan approval or air pollution control permit is subject to the requirements of chs. NR 406, 407 and 408.

(71) "Potential to emit" means the maximum capacity of a stationary source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation is enforceable by the administrator.

(72) "Process line" means one or more actions or unit operations which must function simultaneously or in sequence in order to manufacture or modify a product (e.g., a spray booth, conveyor and drying oven are considered a process line).

(74) "Psia" means pounds per square inch absolute.

(75) "Reasonably available control technology" or "RACT" means that which provides the lowest emission rate that a particular source is capable of achieving by the application of control technology that is reasonably available considering technological and economic feasibility. Such technology may previously have been applied to similar, but not necessarily identical, source categories.

(76) "Reconstruction" means the removal of components of a stationary source and the substitution of those components with similar new components to such an extent that the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new stationary source. The term "reconstruction" does not apply to minor sources.

(77) "Reference method" means any method of sampling and analyzing for an air pollutant as described in Appendix A of 40 CFR part 60, incorporated by reference in s. NR 484.04

(78) "Relocation" means the removal of a stationary source from one location and the siting of the stationary source at a different location.

(78m) "Remediation" means the removal of a contaminant from a solid or liquid material.

(79) "Replacement" means the physical dismantling of a stationary source and the substitution of that source with a stationary source which is similar in operating capacity and function.

(80) "Residual fuel oil" means an industrial fuel oil of grade No. 4, 5 or 6, as determined by the specifications in ASTM D396-92, incorporated by reference s. NR 484.10.

(80e) "Responsible official" means one of the following:

(a) For a corporation:

1. A president, secretary, treasurer or vice-president of the corporation in charge of a principal business function;

2. Any other person who performs similar policy or decision-making functions for the corporation; or

3. A duly authorized representative of a person listed in subd. 1 or 2 if the representative is responsible for the overall operation of one or more manufacturing, production or operating facilities applying for or subject to a permit and the representative is approved in advance by the department.

(b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

(c) For a municipality, or a state, federal or other public agency: either a principal executive officer or ranking elected official. For the purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency, for example, a regional administrator of EPA; or

(d) Notwithstanding pars. (a), (b) and (c), for affected sources, the designated representative.

(80m) "Ringlemann Chart" means the chart published by the U.S. bureau of mines in which are illustrated graduated shades of grey to black for use in estimating the shade or density of smoke.

Note: One unit on the Ringlemann Chart equals 20% opacity. The Ringlemann Chart is published as Figure 1 in "Fundamentals of Smoke Abatement," December 1950, bureau of mines Information Circular 7588, which is incorporated by reference in s. NR 484.06.

(80s) "Road" means the entire width between boundary lines of any way open to the public for vehicular travel.

(81) "Roadway" has the meaning given it in s. 340.01 (54), Stats.

(81e) "Rolling 12 month average" means, with reference to only ledge rock quarries and industrial sand mines, a monthly average calculated each month by adding the total actual production of the preceding 12 calendar months, and dividing the total by 12. If a new quarry has been in existence for less than 12 calendar months, then the average shall be calculated by adding the total actual production since initial operation, and dividing the total by the number of calendar months subsequent to and including the month of initial operation.

(81m) "Screening operation" means a device for separating material according to size by passing undersize material through one or more mesh surfaces, screens or similar surfaces in series, and retaining oversize material on the mesh surfaces, screens or similar surfaces. Screening operation includes any grizzly, rotating screen or deck type screen. Screening operation does not include washers that are designed to remove unwanted or unnecessary material from the product.

(83) "Secretary" means the secretary of the department of natural resources, state of Wisconsin.

(84) "Semistationary source" means any facility, operation or equipment that has the capability of emitting any air contaminant while moving, but generally does not emit while moving (e.g., diesel cranes, air compressors, and electric generators such as those used at construction sites, etc.).

(86) "Shutdown" means the cessation of operation of a direct or portable source or of emission control equipment.

(87) "Smoke" means all products of combustion of sufficient density to be observable, including but not limited to carbon, dust, fly ash, and other particles, but not including uncombined water.

(88) "Solvent" means organic materials which are liquid at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

(89) "Stack" means any device or opening designed or used to emit air contaminants to the ambient air.

(90) "Standard conditions" means a temperature of 20°C (68°F) and a pressure of 760 millimeters of mercury (29.92 inches of mercury).

(91) "Standard industrial classification code" or "SIC code" means the series of codes which classify facilities according to the type of economic activity in which they are engaged, as described in the Standard Industrial Classification Manual, 1987, incorporated by reference in s. NR 484.05

(93) "Standard pressure" means a pressure of 760 millimeters of mercury (29.92 inches of mercury).

(94) "Standard temperature" means a temperature of 20°C (68°F).

(95) "Startup" means the setting in operation of a facility or its emission control equipment for any purpose which produces emissions.

(96) "Stationary source" has the meaning given in s. 144.30 (23), Stats.

(96m) "Storage bin" means a facility for storage, including surge bins, for nonmetallic minerals prior to further processing or loading.

(97) "Technological infeasibility" means incapable of being accomplished or carried out as a matter of practicality; i.e., technically impracticable rather than technically impossible.

(98) "Thermal evaporation unit" means any device which uses temperatures greater than the ambient temperature or 100° F, whichever is greater, to assist in evaporating organic compounds from soil or water.

(98g) "Threshold limit value" means the airborne concentration of substances, which represents exposure conditions under which it is believed that nearly all workers may be repeatedly exposed to day after day without adverse health effects.

(98m) "Total reduced sulfur" or "TRS" means the sum of any sulfur containing compounds in which the oxidation state of sulfur is less than zero.

Note: Common examples of such compounds are hydrogen sulfide, carbonyl sulfide, dimethyl sulfide, carbon disulfide, dimethyl disulfide and mercaptans.

(98s) " Transfer point" means a point in a conveying operation where a nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile from a belt conveyor.

(99) "Uncombined water" means water not chemically or physically bound to another materials.

(100) "Volatile organic compound" or "VOC" means any organic compound which participates in atmospheric photochemical reactions. This includes any such organic compound other than the following compounds, which have been determined to have negligible photochemical reactivity:

(a) Methane,

(b) Ethane,

(c) Methylene chloride (Dichloromethane),

(d) 1,1,1-Trichloroethane (Methyl chloroform),

(e) Trichlorofluoromethane (CFC-11),

(f) Dichlorodifluoromethane (CFC-12),

(g) Chlorodifluoromethane (HCFC-22),

(h) Trifluoromethane (HFC-23),

(i) 1,1,2-Trichloro-1,2,2-trifluoroethane (CFC-113),

(j) 1,2-Dichloro-1,1,2,2-tetrafluoroethane (CFC-114),

(k) Chloropentafluoroethane (CFC-115),

(l) 1,1,1-Trifluoro-2,2-dichloroethane (HCFC-123),

(m) 2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124),

(n) Pentafluoroethane (HFC-125),

(o) 1,1,2,2-Tetrafluoroethane (HFC-134),

(p) 1,1,1,2-Tetrafluoroethane (HFC-134a),

(q) 1,1-Dichloro-1-fluoroethane (HCFC-141b),

(r) 1-Chloro-1,1-difluoroethane (HCFC-142b),

(s) 1,1,1-Trifluoroethane (HFC-143a),

(t) 1,1-Difluoroethane (HFC-152a), and

(u) Perfluorocarbon compounds which fall into the following classes:

1. Cyclic, branched or linear completely fluorinated alkanes.

2. Cyclic, branched or linear completely fluorinated ethers with no unsaturations.

3. Cyclic, branched or linear completely fluorinated tertiary amines with no unsaturations, and

4. Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

Note: The test methods used to measure VOC are specified in s. NR 439.06 (3).

History: Cr. (7), (8), (17), (18), (32), (34), (53) and (60), (64) renum. from NR 404.01 (7), remainder renum. from NR 154.01 and am. (1), (2), (3), (94) and (96), Register, September, 1986, No. 369, eff. 10-1-86; cr. (46m), Register, January, 1987, No. 373, eff. 2-1-87; am. (66), Register, September, 1987, No. 381, eff. 10-1-87; emerg. am. (66), eff. 10-1-87; r. (14) and (91), cr. (47e), (55e) and (80s), am. (59) and (69), renum. (98) to be NR 406.02 (12); (5e), (17m), (43m), (46s), (53e) and (53s) renum. from NR 410.02 (1), NR 406.02 (3), (4) and (6) and NR 410.02 (4) and (5) and am. (46s), Register, April, 1988, No. 388, eff. 5-1-88; am. (66), renum. (77) to be NR 445.02(9m), cr. (66m), (69m) and (77), Register, December, 1988, No. 396, eff. 1-1-89; r. (1), (22), (25), (30), (43), (47), (48), (52), (73) and (85), am. (2), (3), (5e), (8), (17), (18), (32), (34), (40), (45), (53), (55), (60), (70), (77), (95), (96) and (100), (11m), (16e), (21e), (21m), (22), (26m), (51m) and (72) renum. from NR 420.02 (3), (4), (7), 422.02 (6), 421.02 (2), 420.02 (12), 421.02 (5) and 419.02 (5) renum. (36), (71) and (72) to be NR 422.02 (12s), 420.02 (29m) and 420.02 (29p), Register, February, 1990, No. 410, eff. 3-1-90; (4m) and (43) renum. from NR 440.02 (4) and 440.64 (2) (d), Register, September, 1990, No. 417, eff. 10-1-90; am. (4), (26), (31), (66) and (80), cr. (78m) and (98), renum. (16) to be NR 406.02 (1), Register, August, 1991, No. 428, eff. 9-1-91; am. (50), r. (13), (5s), (60m), (80m) and (98m), renum. from NR 404.02 (1), NR 415.02 (4) and (7), NR 429.02 (2) and am., renum. (46s), (47e) and (51m) to be (47), (48) and (52), (37), (82), (92) and (101) to be NR 417.02 (1), 449.02 (10m), (11m) and (18), Register, May, 1992, No. 437, eff. 6-1-92; emerg. am. (55), eff. 11-15-92; (39m) renum. from NR 405.02 (14) and am., cr. (43e) and (53m), r (53e), r. and recr. (55), am. (100), Register, May, 1993, No. 449, eff. 6-1-93; cr. (1), (1j), (26e) and (91), (59m) renum. from NR 101.03 (13) and am., Register, June, 1993, No. 450, eff. 7-1-93; cr. (1b), (1e), (1m), (1q), (8m), (11q), (28m), (30), (36), (43b), (53e), (68m), (71) and (80e), am. (53m), Register, December, 1993, No. 456, eff. 1-1-94; cr. (1k), (1l), (17s), (21c), (21k), (26s), (40e), (47m), (51m), (60e), (60i), (69s), (81m), (96m) and (98s), Register, June, 1994, No. 462, eff. 7-1-94; cr. (98g), Register, December, 1994, No. 468, eff. 1-1-95; am. (43e), (47m), (51m), (77), (80) and (91), Register, February, 1995, No. 470, eff. 3-1-95.