

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

**History:** Renum. from NR 154.11 (3) and am. Register, September, 1986, No. 369, eff. 10-1-86; correction in (2) (a) 1. made under s. 13.93 (2m) (b) 7, Stats., Register, April, 1989; am. (intro.), (1) (b) to (c), (2) (a) (intro.) and 1., (3) (b), (5) (intro.), r. (2) (a) 2. and 3., (b), Register, May, 1992, No. 437, eff. 6-1-92.

**NR 415.06 Particulate emission limits for fuel burning installations.** No person may cause, allow or permit the emission of particulate matter to the ambient air from any indirect heat exchanger, power or heating plant, fuel-burning installation, or pulp recovery furnace with maximum heat input more than one million BTU per hour in excess of one of the following limitations:

(1) All installations on which construction or modification was commenced on or before April 1, 1972 shall meet the emission limitations of this subsection.

(a) All installations shall meet the emission limitation determined by use of figure 2 of the ASME Standard number APS-1, incorporated by reference in ch. NR 484, with the maximum emission from any stack, irrespective of stack height, of 0.60 pounds of particulate matter per million BTU heat input.

(b) Installations located in subregion 1 of the Lake Michigan Intrastate AQCR, in addition to meeting the emission limitations of par. (a), shall, by July 31, 1975, meet the emission limitation determined by use of figure 2 of the ASME Standard number APS-1 with the maximum emission from any stack, irrespective of stack height, of 0.30 pounds of particulate matter per million BTU heat input.

(c) Installations located in the Southeastern Wisconsin Intrastate AQCR, in addition to meeting the emission limitations of par. (a), shall meet the following requirements:

1. Installations of 250 million BTU per hour or less (heat input of an installation shall follow ASME Standard number APS-1): maximum emission defined by the equation,

$$E = 0.3 - 0.0006I$$

where I is heat input in millions of BTU per hour and E is maximum allowable particulate emissions from any stack in pounds per million BTU heat input.

2. Installations of more than 250 million BTU per hour: maximum emission from any stack of 0.15 pounds of particulate matter per million BTU heat input.

(2) All installations on which construction or modification is commenced after April 1, 1972 shall meet the emission limitations of this subsection.

(a) Installations of 250 million BTU per hour or less except as provided in par. (b): maximum emission from any stack of 0.15 pounds of particulate matter per million BTU heat input.

(b) Installations of 100 million BTU per hour or less which are not located in the Southeastern Wisconsin Intrastate AQCR and which burn only wood, or wood simultaneously with liquid or gaseous fossil fuel:

maximum emission from any stack of 0.50 pounds of particulate matter per million BTU heat input except that installations located in subregion 1 of the Lake Michigan Intrastate AQCR shall meet the requirements of sub. (1) (b).

(c) Installations of more than 250 million BTU per hour: maximum emission from any stack of 0.10 pounds of particulate matter per million BTU heat input.

(3) In addition to meeting the requirements of sub. (1) or (2), all installations located in or near a nonattainment area identified under s. NR 401.025 (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 s. NR 401.025 shall meet the following RACT emission limitations:

(a) Installations of 100 million BTU per hour or less: maximum emission from any stack of 0.24 pounds of particulate matter per million BTU heat input.

(b) Installations of more than 100 million BTU per hour on which construction or modification commenced on or before April 1, 1972: maximum emission from any stack of 0.15 pounds of particulate matter per million BTU heat input.

(c) 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 from any stack of 0.15 pounds of particulate matter per million BTU heat input.

(d) Installations of more than 250 million BTU per hour on which construction or modification commenced after April 1, 1972: maximum emission from any stack of 0.10 pounds of particulate matter per million BTU heat input.

(4) Notwithstanding sub. (3) (a) or (b), 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 from any stack in pounds per million BTU heat input, if as of March 1, 1980 for installations which may cause an impact on primary or associated secondary nonattainment areas, or as of March 1, 1982 for installations which may cause an impact on any other secondary nonattainment area, 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 installations has not been allowed to degrade more than 0.05 pound per million BTU heat input from original design or acceptance performance test conditions.

(5) When an installation is subject to the emission limitations of sub. (3) the owner or operator may not exceed the following increments of

progress in achieving compliance commencing with the nonattainment determination under s. NR 401.025 (1):

- (a) Submit plans for compliance within 6 months.
- (b) Award any necessary contracts within 12 months.
- (c) Commence construction, installation or modification of any emission control system within 24 months.
- (d) Complete construction, installation or modification of any emission control system within 30 months.
- (e) Achieve final compliance with the applicable emission limitations and so certify to the department within 33 months.

**History:** Renum. from NR 154.11 (4) and am. Register, September, 1986, No. 369, eff. 10-1-86; correction in (2) (b) made under s. 13.93 (2m) (b) 7, Stats., Register, April, 1989; am. (intro.), (1) (a), (b), (c) 1. and 2., (2) (a) to (c), (3) (a) to (d) and (4), Register, May, 1992, No. 437, eff. 6-1-92.

**NR 415.07 Particulate emission limits for incinerators.** No person may cause, allow or permit particulate matter, concentrations corrected to 12% carbon dioxide, to be emitted to the ambient air from any incinerator in excess of one of the following limitations:

(1) All incinerators on which construction or modification was commenced on or before April 1, 1972 shall meet the emission limits of this subsection.

(a) Incinerators located throughout the state; emissions in excess of:

1. Incinerators rated at over 500 pounds of waste per hour: 0.50 pounds of particulate per 1,000 pounds of exhaust gas.

2. Incinerators rated at 500 pounds of waste per hour or less: 0.60 pounds of particulate per 1,000 pounds of exhaust gas.

(b) Incinerators located in subregion 1 of the Lake Michigan Intra-state AQCR or in the Southeastern Wisconsin Intra-state AQCR; in addition to meeting the emission limits of par. (a) these incinerators shall, by July 31, 1975, meet the following emission limits:

1. Incinerators of 5 cubic feet capacity or more: 0.30 pounds of particulate per 1,000 pounds of exhaust gas.

2. Prefabricated domestic incinerators below 5 cubic feet capacity may not exceed the performance emission requirements prescribed by the American National Standards Institute for domestic incinerators, standard Z21.6, incorporated by reference in ch. NR 484.

(2) All incinerators on which construction or modification is commenced after April 1, 1972 shall meet the emission limits of this subsection.

(a) Incinerators other than those specified in par. (b); emissions in excess of:

1. Incinerators rated at 4,000 pounds of waste per hour or more: 0.15 pounds of particulate per 1,000 pounds of exhaust gas.

2. Incinerators rated at over 500 pounds of waste per hour and less than 4,000 pounds of waste per hour: 0.20 pounds of particulate per 1,000 pounds of exhaust gas.

3. Incinerators rated at 500 pounds of waste per hour or less other than prefabricated domestic incinerators below 5 cubic feet capacity: 0.30 pounds of particulate matter per 1,000 pounds of exhaust gas.

4. Prefabricated domestic incinerators below 5 cubic feet capacity may not exceed the performance emission requirements prescribed by the American National Standards Institute for domestic incinerators, standard Z21.6, incorporated by reference in ch. NR 484.

(b) Sewage treatment plant sludge and grit incinerators on which construction or modification is commenced after February 1, 1975; emissions may not exceed 1.30 pounds per ton of dry sludge or grit input (0.65 grams per kilogram of dry sludge or grit input).

History: Renum. from NR 154.11 (5) and am. Register, September, 1986, No. 369, eff. 10-1-86; am. (intro.), (1) (b) 2., (2) (a) 4. and (b), Register, May, 1992, No. 437, eff. 6-1-92.

**NR 415.075 Particulate emission limitations for ledge rock quarries and industrial sand mines.** (1) **APPLICABILITY.** (a) Except as provided in par. (b), the provisions of this section are applicable to the following operations and emission points in ledge rock quarries and industrial sand mines: blasting, drilling, roads, storage piles and use of haul trucks.

(b) Operations at any of the following ledge rock quarries and industrial sand mines are not subject to the provisions of subs. (2) to (4) of this section:

1. Ledge rock quarries with actual production of less than 25,000 tons per month on a rolling 12 month average.

2. Ledge rock quarries with actual operation of less than 365 days per 5 year period.

3. Industrial sand mines with actual production of less than 2,000 tons per month on a rolling 12 month average.

(c) When a ledge rock quarry or industrial sand mine is operated by more than one owner or operator, then actual production and actual operation shall be cumulative at the site. The applicable particulate emissions limitations of this section shall be applicable to all subsequent operators or owners at that site.

(2) **PARTICULATE EMISSION LIMITATIONS IN ALL AREAS OF THE STATE.** (a) No person may cause, allow or permit the use of any parking lot, road or other area by haul trucks or any drilling or blasting without taking precautions to prevent particulate matter from becoming airborne. These precautions shall be taken to the extent necessary so that any applicable requirements are met and shall include one or more of the following:

1. Application of asphalt, water or suitable chemicals on unpaved roads or other areas used by haul trucks which can create airborne dust, provided the application does not create a hydrocarbon, odor or water pollution problem.