

Chapter NR 409

RELOCATION OF PORTABLE SOURCES

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NR 409.03 Relocations into and within
ozone nonattainment areas.

NR 409.01 Applicability; purpose. (1) **APPLICABILITY.** This chapter applies to all portable sources of air contaminants which are required under s. 144.391, Stats., to have a construction permit or an operation permit and to notify the department prior to relocation.

(2) **PURPOSE.** This chapter is adopted under ss. 144.31 and 144.391, Stats., to exempt certain portable sources from the requirement to obtain an additional permit prior to relocation and to establish conditions under which notification to the department is required for the relocation of portable sources.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86; am. (2), Register, May, 1992, No. 437, eff. 6-1-92; am. Register, December, 1993, No. 456, eff. 1-1-94.

NR 409.02 Definitions. The definitions contained in ch. NR 400 apply to the terms used in this chapter.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86.

NR 409.025 Permit requirement. No person may cause, allow or permit the relocation of a portable source to a new site without first obtaining an air pollution control permit unless the portable source is exempt from the requirement to obtain a permit under chs. NR 406 and 407, the portable source is an approved relocated source under s. 144.391 (5), Stats., or the portable source is exempt from the requirement to obtain an additional permit under s. NR 409.03.

History: Renum. from NR 154.055 (1) (intro.) and am. Register, September, 1986, No. 369, eff. 10-1-86; am. Register, May, 1992, No. 437, eff. 6-1-92; am. Register, December, 1993, No. 456, eff. 1-1-94.

NR 409.03 Relocation into and within ozone nonattainment areas. Notwithstanding s. 144.391 (5) (a) 1, Stats., and pursuant to s. 144.391 (6), Stats., a portable source may relocate into or within a nonattainment area for ozone without obtaining an additional permit if all of the following requirements are met:

(1) The source has the potential to emit less than 25 tons per year of VOC and less than 25 tons per of NO_x .

(2) The source has an operation permit under s. 144.391, Stats., prior to relocation.

(3) The owner or operator of the source provides written notice to the department at least 20 days prior to relocation and the department does not object to the relocation.

(4) The source in its new location will meet all applicable emission limitations and any visibility requirements in chs. NR 401 to 499.

(5) The source is not an affected source.

History: Renum. from NR 154.055 (2) and (4), cr. (1) and am. (3), Register, September, 1986, No. 369, eff. 10-1-86; r. and recr. Register, December, 1993, No. 456, eff. 1-1-94.

Register, December, 1993, No. 456

NR 409.04 Relocation approval criteria. History: Renum. from NR 154.055 (3) (intro.) to (b) and am., Register, September, 1986, No. 369, eff. 10-1-86; r. Register, December, 1993, No. 456, eff. 1-1-94.