

Chapter NR 415

CONTROL OF PARTICULATE EMISSIONS

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NR 415.01 Applicability; purpose. (1) **APPLICABILITY.** This chapter applies to all air contaminant sources which emit particulate matter and to their owners and operators.

(2) **PURPOSE.** This chapter is adopted under ss. 144.31 and 144.38, Stats., to categorize particulate matter air contaminant sources and to establish emission limitations for these sources in order to protect air quality.

Note: Particulate emission limitations are also established in chs. NR 431 and 440 and ss. NR 485.05 and 485.055.

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

NR 415.02 Definitions. In addition to the definitions in this section, the definitions in ch. NR 400 apply to the terms used in this chapter.

(2) "Fugitive dust" means solid airborne particles emitted from any source other than a flue or stack.

(3) "Heatset web offset press" means a type of lithographic press which requires a heated dryer to solidify the printing inks, uses a blanket cylinder to transfer ink from the plate cylinder to the surface to be printed, and prints on a surface which is fed to the press by a continuous roll web.

(5) "Process weight" means the total weight of all materials introduced into any direct source operation, except liquid fuels, gaseous fuels and air.

(6) "Public trafficable area" means any trafficable area which is owned, operated, maintained or controlled by a municipality, interstate agency, state agency or federal agency.

(8) "Roadway areas" means any surface on which motor vehicles travel including, but not limited to, highways, roads, streets, parking areas and driveways.

(9) "Silt content" means that portion by weight of a particulate material which will pass through a no. 200 (75 micron) wire sieve as determined by the dry method in ASTM C136-84a, incorporated by reference in ch. NR 484, or other method approved by the department.

(10) "Trafficable area" means any area, including but not limited to a parking lot or storage area, which is external to a building or structure, is

reasonably capable of being traveled by a motor vehicle, and is accessible to a motor vehicle.

History: Renum. from NR 154.01, cr. (intro.) and (7), Register, September, 1986, No. 369, eff. 10-1-86; renum. (3) to (9) to be (4) to (10), cr. (3), Register, April, 1989, No. 400, eff. 5-1-89; am. (intro.) and (9), r. (1), renum. (4) and (7) to be NR 400.02 (60m) and (80m), Register, May, 1992, No. 437, eff. 6-1-92.

NR 415.03 General limitations. No person may cause, allow or permit particulate matter to be emitted into the ambient air which substantially contributes to exceeding of an air standard, or creates air pollution.

History: Renum. from NR 154.11 (1), Register, September, 1986, No. 369, eff. 10-1-86; am. Register, May, 1992, No. 437, eff. 6-1-92.

NR 415.04 Fugitive dust. No person may cause, allow or permit any materials to be handled, transported or stored without taking precautions to prevent particulate matter from becoming airborne. Nor may a person allow a structure, a parking lot, or a road to be used, constructed, altered, repaired, sand blasted or demolished without taking such precautions.

(1) Such precautions shall include, but not be limited to:

(a) Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, or construction operations.

(b) Application of asphalt, oil, water, suitable chemicals or plastic covering on dirt roads, material stockpiles and other surfaces which can create airborne dust, provided such application does not create a hydrocarbon, odor or water pollution problem.

(c) Installation and use of hoods, fans, and air cleaning devices to enclose and vent the areas where dusty materials are handled.

(d) Covering or securing of materials likely to become airborne while being moved on public roads, railroads or navigable waters.

(e) Conduct of agricultural practices such as tilling of land or application of fertilizers in such manner as not to create air pollution.

(f) The paving or maintenance of roadway areas so as not to create air pollution.

(2) In addition to meeting the requirements of sub. (1), any direct or portable source located in a nonattainment area identified under s. NR 401.025 (1) for suspended particulate matter; and any direct or portable source located near such areas whose aggregate fugitive dust emissions 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 ch. NR 401, shall meet the following RACT requirements:

(a) *Storage piles having a material transfer greater than 100 tons in any year:* 1. 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.

2. 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,