State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Ronald W. Kazmierczak, Regional Director

Oshkosh Service Center
625 E. County Road Y, Suite 700
Oshkosh, WI 54901
Telephone 920-424-3050
FAX 920-424-4404

October 17, 2003

FID #: 436034500
Permit #: 436034500-F10

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fred Cayia
Site Vice President
Wisconsin Electric Power Company - Point Beach Nuclear Plant
6610 Nuclear Road
Two Rivers, WI 54241

Dear Mr. Cayia:

Your application to renew air pollution control operation permit number 436034500-F01 has been processed in accordance with s. 285.62, Wis. Stats. **This renewed permit expires October 17, 2008.** This source may not operate after this operation permit expires unless you have submitted an operation permit renewal application that has been deemed complete.

The enclosed operation permit is issued to provide authorization for your source to operate an electric generation facility in accordance with the requirements and conditions set forth within Parts I and II of the permit. This renewed operation permit adopts all requirements and conditions from all previously issued permits or orders, and upon issuance becomes the overriding enforceable document for the facility. Please read it carefully.

A copy of this permit should be available at the source for inspection by any authorized representative of the Department. Questions about this permit should be directed to the compliance engineer for your facility, James Crawford, at (920) 492-5794.

Please note that the following emission limitations may apply to the insignificant emissions units listed in your permit application:

1) Section NR 415.05, Wis. Adm. Code - Particulate emission limits for processes;
2) Section NR 415.06, Wis. Adm. Code - Particulate emission limits for fuel burning installations;
3) Section NR 425.07, Wis. Adm. Code - Particulate emission limits for incinerators;
4) Section NR 423.03, Wis. Adm. Code - Solvent metal cleaning;
5) Sections NR 431.04 and 431.05, Wis. Adm. Code - Visible emission limitations;
6) Section NR 485.05, Wis. Adm. Code - Visible emission limits for motor vehicles, internal combustion engines and mobile sources; and
7) Section NR 485.055, Wis. Adm. Code - Particulate emission limits for motor gasoline and diesel internal combustion engines.

While these emission limitations are not specifically listed in your air pollution control permit, you are responsible for ensuring compliance with all emission limitations which apply to the insignificant emission units at your facility.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes establish time periods within which requests to review Department decisions must be filed. To request a contested case hearing pursuant to s. 285.81, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for a contested case hearing on the Secretary of the Department of Natural Resources. Any such petition for hearing shall set forth specifically the issued sought to be reviewed, the interest of the petitioner, the reasons why a hearing is warranted and the relief desired.

For judicial review of a decision pursuant to ss. 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

This notice is provided pursuant to s. 227.48(2), Stats.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

Dave Minkey

Dave Minkey
Air Management Engineer
Northeast Region – Oshkosh Service Center

Cc: Roger Dodds
AM/7 - Renewal

Enclosure

AIR POLLUTION CONTROL OPERATION PERMIT RENEWAL

EI FACILITY NO. 436034500 PERMIT NO. 436034500-P10

TYPE: Operation Permit, Part 70 Source

In compliance with the provisions of Chapter 285, Wis. Stats., and Chapters NR 400 to NR 499, Wis. Adm. Code,

Name of Source:	Wisconsin Electric Power Company Point Beach Nuclear Plant
Street Address:	6610 Nuclear Road Two Rivers, Wisconsin 54241
Responsible Official, & Title:	Fred Cayia Site Vice President

is authorized to operate an existing electricity generating facility in conformity with the conditions herein.

THIS OPERATION PERMIT EXPIRES OCTOBER 17, 2008. RENEWAL APPLICATION MUST BE SUBMITTED AT LEAST 12 MONTHS, BUT NOT MORE THAN 18 MONTHS, PRIOR TO THIS EXPIRATION DATE [NR 407.09(1)(b)1, Wis. Adm. Code]. No permittee may continue operation of a source after the operation permit expires, unless the permittee submits a timely and complete application for renewal of the permit. If the permittee submits a timely and complete application for renewal, the existing operation permit will not expire until the renewal application has been finally acted upon by DNR. [s.285.66(3), Wis. Stats. and NR 407.04(2), Wis. Adm. Code]

This authorization requires compliance by the permit holder with the emission limitations, monitoring requirements and other terms and conditions set forth in Parts I and II hereof.

Dated at Oshkosh, Wisconsin, October 17, 2003.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By _____
Richard Wulk, Air Management Leader - North Team
Northeast Region Air Program

Preamble

An Asterisk "*" throughout this document denotes legal authority, limitations and conditions which are not federally enforceable.

Concurrent Permit Actions Performed as Part of the Review and Issuance of Permit 436034500-P10:

None.

The following permits, orders, etc. are adopted, under ss. 285.65(3), Wis. Stats., NR 406.11(1)(c) and (d), NR 407.09(2)(d) and NR 407.15(3) and (4), Wis. Adm. Code, by Permit 436034500-P10 which then becomes the primary enforceable document:

436034500-P01

Stack and Process Index:

A. Stack S01, Process P01 - 361 mmBTU/hr Westinghouse - Model W251G distillate oil fired stationary gas turbine for electrical power production.
B. Stacks S02 & S03, Processes P02 & P03 - Two (2) 28.3 mmBTU/hr General Motors - Model 20-645-E4 diesel generators for electrical power production.
C. Stacks S04 & S05, Processes P04 & P05 - Two (2) 28.3 mmBTU/hr General Motors - Model 20-645-E4 diesel generators for electrical power production.
D. Stack S08, Boilers B01 & B02 - Two (2) 25.1 mmBTU/hr Cleaver-Brooks - Model CB 198-600 distillate oil fired horizontal fire tube boilers.
E. Stack S06, Process P06 - 5.6 mmBTU/hr Cummins Engine Company turbocharged 12 cylinder diesel engine used to start gas turbine P01.
F. Stack S07, Process P07 - 2.8 mmBTU/hr Cummins Engine Company turbocharged 6 cylinder diesel engine used as an auxiliary power source.
Stack S09, Process P09 - 1.4 mmBTU/hr Cummins Engine Company 6 cylinder water cooled diesel engine used for fire protection purposes.
G. Stack S10, Process P10, Control Device C10 - Spray booth used to paint various small instrumentation, control, and miscellaneous metal. Controlled by dry overspray filers.

Permit Shield - Unless precluded by the Administrator of the USEPA, compliance with all emission limitations in this operation permit is considered to be compliance with all emission limitations established under ss. 285.01 to 285.87, Wis. Stats., and emission limitations under the federal clean air act, that are applicable to the source if the permit includes the applicable limitation or if the Department determines that the emission limitations do not apply. The following emission limitations were reviewed in the analysis and preliminary determination and were determined not to apply to this stationary source:

- S. NR 428.05(3)(d), Wis. Adm. Code, for process P01, because the maximum design power output is less than the 50 MWe exemption threshold.
- S. NR 428.05(3)(e), Wis. Adm. Code, for processes P06, P07 and P09, because the maximum design power output of each of these engines is less than the 2,000 HP threshold.

Part I -- The headings for the areas in the permit are defined below. The legal authority for these limitations or methods follows them in [brackets].

Pollutant -- This area will note which pollutant is being regulated by the permit.

Limitations -- This area will list all applicable emission limitations that apply to the source, including case-by-case limitations such as Latest Available Control Techniques (LACT), Best Available Control Technology (BACT), or Lowest Achievable Emission Rate (LAER). It will also list any voluntary restrictions on hours of operation, raw material use, or production rate requested by the permittee to limit potential to emit.

Compliance Demonstration -- The compliance demonstration methods outlined in this area may be used to demonstrate compliance with the associated emission limit or work practice standard listed under the corresponding *Limitations* column. The compliance demonstration area contains limits on parameters or other mechanisms that will be monitored periodically to ensure compliance with the limitations. The requirement to test as well as initial and periodic test schedules, if testing is required, will be stated here. Notwithstanding the compliance determination methods which the owner or operator of a sources is authorized to use under ch. NR 439, Wis. Adm. Code, the Department may use any relevant information or appropriate method to determine a source's compliance with applicable emission limitations.

Reference Test Methods, Recordkeeping, and Monitoring Requirements -- Specific USEPA Reference test methods or other approved test methods will be contained in this area and are the methods that must be used whenever testing is required. A reference test method will be listed even if no testing is immediately required. Also included in this area are any recordkeeping requirements and their frequency and reporting requirements. Accuracy of monitoring equipment shall meet, at a minimum, the requirements of s. NR 439.055(3) and (4), Wis. Adm. Code, as specified in Part II of this permit.

Condition Type -- This area will specify other conditions that are applicable to the entire facility that may not be tied to one specific pollutant.

Conditions -- Specific conditions usually applicable to the entire facility or compliance requirements.

Compliance Demonstration -- This area contains monitoring and testing requirements and methods to demonstrate compliance with the conditions.

PART II -- This section contains the general limitations that the permittee must abide by. These requirements are standard for most sources of air pollutants so they are included in this section with every permit.

Part I
Applicable Limitations

A. Stack S01, Process P01 - This is a Westinghouse Model W251G stationary combustion turbine that was installed in 1969 and is used for electric power production. The unit burns distillate fuel oil and is rated at 361 million BTU per hour heat input.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
1. Particulate Matter Emissions	(1) Emissions may not exceed 7.60 pounds per hour. [ss. NR 404.08(2) and NR 415.06(1)(a), Wis. Adm. Code] (2) The combustion turbine may not be operated when one or more of the diesel generators (P02, P03, P04 & P05) are in operation.[1] [s. 285.65(3), Wis. Stats., and s. NR 404.04(3), Wis. Adm. Code] (3) The permittee may not operate the combustion turbine more than 228.83 hours per month as determined by the average over any 12 consecutive months. [s. 285.65(7), Wis. Stats.]	(1) The permittee may burn only distillate fuel oil in this combustion turbine.[2] [s. NR 407.09(4)(a)3.b. and s. 285.65(3), Wis. Stats.] (2) The permittee shall demonstrate compliance with the limitation in I.A.1.(a)(2) through the recordkeeping requirements in I.A.1.(c)(2), I.B.1.(c)(2) and I.C.1.(c)(2). [s. NR 439.04(1)(d), Wis. Adm. Code] (3) The permittee shall demonstrate compliance with the limitation in I.A.1.(a)(3) through the recordkeeping requirements in I.A.1.(c)(3) and the monthly calculation of the average number of hours the turbine has operated per month over the previous 12 consecutive months. [s. NR 439.04(1)(d), Wis. Adm. Code]	(1) The permittee shall keep records of the type and amount of fuel burned in the combustion turbine on a monthly basis. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) The permittee shall keep records of the dates and times that the combustion turbine is started up and shut down. [s. NR 439.04(1)(d), Wis. Adm. Code] (3) The permittee shall keep records of the number of hours the combustion turbine is operated each month and the current monthly average identified in I.A.1.(a)(3). [s. NR 439.04(1)(d), Wis. Adm. Code] (4) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use USEPA Method 5, including condensible backhalf emissions (USEPA 202). [s. NR 439.06(1), Wis. Adm. Code]

[1] This permit includes a restriction on operating the combustion turbine when one or more of the diesel generators (P02, P03, P04 and P05) are in operation to protect ambient air quality standards. The Department recognizes Wisconsin Electric Power Company's concern that this condition may restrict the company's ability to provide on-site electrical power generation in the event of an emergency. The diesel generators are specified as emergency equipment under s. NR 436.03(2)(c), Wis. Adm. Code. In the event of an emergency, Wisconsin Electric Power Company may request and the Department may approve operation of the diesel generators concurrently with the combustion turbine.

[2] The maximum theoretical emissions while burning distillate fuel oil are far less than the particulate matter emission limit.

A. Stack S01, Process P01 - 361 mmBTU/hr Westinghouse Model W251G stationary combustion turbine (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
2. Visible Emissions	(1) 40% opacity or number 2 on the Ringlemann chart. [s. NR 431.04(1), Wis. Adm. Code]	(1) Same as particulate matter. See I.A.1.(b)(1) above.[3] [s. NR 407.09(4)(a)3.b, Wis. Adm. Code]	(1) Same as particulate matter. See I.A.1.(c)(1) above. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use USEPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide	(1) The sulfur content of the distillate fuel oil fired in the combustion turbine may not exceed 0.178% by weight.[4] [s. 285.65(3), Wis. Stats., ss. NR 417.025 and NR 404.08(2)), Wis. Adm. Code] (2) 65.0 pounds of sulfur dioxide per hour.[4] [s. 285.65(3), Wis. Stats. and ss. NR 417.025 and NR 404.08(2), Wis. Adm. Code]	(1) The permittee shall obtain certification from the fuel supplier or sample and analyze each batch of distillate fuel oil to be burned in the combustion turbine to show that the fuel oil contains no more than 0.178% sulfur, by weight. [s. NR 439.085(4), Wis. Adm. Code]	(1) The permittee shall maintain records of the fuel supplier certification or the fuel samples and analyses identified in I.A.3.(b)(1) for each batch of fuel oil to be burned in the combustion turbine. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Distillate fuel oil sampling shall be performed according to ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, or ASTM D4177-82 (1990), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products. [s. NR 439.08(2)(a), Wis. Adm. Code] [CONTINUED ON NEXT PAGE]

[3] When burned properly, the emissions from the combustion of distillate oil are not expected to exceed the visible emission limit, therefore the use of only distillate fuel oil ensures compliance with the visible emission limit.

[4] Modeling predicted that the 24 hour ambient air quality standard for sulfur dioxide would be maintained with an emission rate of 65.0 pounds of sulfur dioxide per hour. The sulfur content of 0.178% by weight was requested by the company in order to comply with the 65.0 pound per hour limit without restrictions on hourly fuel usage or daily hours of operation.

A. Stack S01, Process P01 - 361 mmBTU/hr Westinghouse Model W251G stationary combustion turbine (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide (Continued)			[CONTINUED] (3) The sulfur content of a distillate fuel oil sample shall be determined according to ASTM D129-91, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), ASTM D1552-90, Standard Test Method for Sulfur in Petroleum Products (High Temperature Method), ASTM D4294-90, Standard Test Method for Sulfur in Petroleum Products by Energy Dispersive X-ray Fluorescence Spectroscopy, or ASTM D2622-98, Test method for sulfur in petroleum products (X-ray spectrographic method). [ss. NR 439.08 and NR 439.08(2)(b), Wis. Adm. Code] (4) Reference Test Method for Heat Content in Fuel Oil: When required, the heat content of a distillate fuel oil sample shall be determined according to ASTM D240-92, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by a Bomb Calorimeter. [s. NR 439.08(2)(c), Wis. Adm. Code] (5) Reference Test Method for Sulfur Dioxide Emissions: Whenever sulfur dioxide emission testing is required, the permittee shall use USEPA Method 6, or an alternate method approved in writing by the Department. [s. NR 439.06(2), Wis. Adm. Code]

B. Stack S02, Process P02 - This is a General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator that was installed in 1969 and is used for electrical power production. The unit burns distillate fuel oil and is rated at 28.3 million BTU per hour.
Stack S03, Process P03 - This is a General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator that was installed in 1969 and is used for electrical power production. The unit burns distillate fuel oil and is rated at 28.3 million BTU per hour.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
1. Particulate Matter Emissions	(1) Emissions may not exceed 11.5 pounds per hour from each generator. [ss. NR 404.08(2) and NR 415.06(1)(a), Wis. Adm. Code] (2) The diesel generators (P02 and/ or P03) may not be operated when the combustion turbine (P01) is in operation.[5] [s. 285.65(3), Wis. Stats., and s. NR 404.08(2), Wis. Adm. Code]	(1) The permittee may only burn distillate fuel oil in these diesel generators.[6] [ss. NR 407.09(4)(a)3.b. and NR 415.03, Wis. Adm. Code] (2) The permittee shall demonstrate compliance with the limitation in I.B.1.(a)(2) through the recordkeeping requirements in I.A.1.(c)(2), I.B.1.(c)(2) and I.C.1.(c)(2). [s. NR 439.04(1)(d), Wis. Adm. Code]	(1) The permittee shall keep records of the type and amount of fuel burned in this diesel generator on a monthly basis. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) The permittee shall keep records of the dates and times that the diesel generators are started up and shut down. [s. NR 439.04(1)(d), Wis. Adm. Code] (3) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use USEPA Method 5, including condensible backhalf emissions (USEPA 202). [s. NR 439.06(1), Wis. Adm. Code]

[5] This permit includes a restriction on operating the combustion turbine when one or more of the diesel generators (P02, P03, P04 and P05) are in operation to protect ambient air quality standards. The Department recognizes Wisconsin Electric Power Company's concern that this condition may restrict the company's ability to provide on-site electrical power generation in the event of an emergency. The diesel generators are specified as emergency equipment under s. NR 436.03(2)(c), Wis. Adm. Code. In the event of an emergency, Wisconsin Electric Power Company may request and the Department may approve operation of the diesel generators concurrently with the combustion turbine.

[6] The maximum theoretical emissions while burning distillate fuel oil are far less than the particulate matter emission limit.

B. Stack S02, Process P02 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)
Stack S03, Process P03 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
2. Visible Emissions	(1) 40% opacity or number 2 on the Ringlemann chart. [s. NR 431.04(1), Wis. Adm. Code]	(1) Same as particulate matter. See I.B.1.(b)(1) above.[7] [s. NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) Same as particulate matter. See I.B.1.(c)(1) above. (2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use USEPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

[7] When burned properly, the emissions from the combustion of distillate oil are not expected to exceed the visible emission limit, therefore the use of only distillate fuel oil ensures compliance with the visible emission limit.

B. Stack S02, Process P02 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)
Stack S03, Process P03 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide	(1) The sulfur content of the distillate fuel oil fired in these generators may not exceed 0.5% by weight. [s. NR 417.025, Wis. Adm. Code]	(1) When requested by the Department, the permittee shall show compliance with the 0.5% sulfur content limitation in I.B.3.(a)(1) using one of the test methods specified in I.B.3.(c)(2).[8] [s. 285.65(9), Wis. Stats., and s. NR 407.09(1)(c)1.b., Wis. Adm. Code]	(1) The sulfur content of a distillate fuel oil sample shall be determined according to ASTM D129-91, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), ASTM D1552-90, Standard Test Method for Sulfur in Petroleum Products (High Temperature Method), ASTM D4294-90, Standard Test Method for Sulfur in Petroleum Products by Energy Dispersive X-ray Fluorescence Spectroscopy, or ASTM D2622-98, Test method for sulfur in petroleum products (X-ray spectrographic method). [ss. NR 439.08 and NR 439.08(2)(b), Wis. Adm. Code] (2) Distillate fuel oil sampling shall be performed according to ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, or ASTM D4177-82 (1990), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products. [s. NR 439.08(2)(a), Wis. Adm. Code] (3) Reference Test Method for Sulfur Dioxide Emissions: Whenever sulfur dioxide emission testing is required, the permittee shall use USEPA Method 6, or an alternate method approved in writing by the Department. [s. NR 439.06(2), Wis. Adm. Code]

[8] The facility's fuel sampling and analysis or the supplier's fuel analysis may be used to comply with this requirement.

C. Stack S04, Process P04 - This is a General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator that was installed in 1994 and is used for electrical power production. The unit burns distillate fuel oil and is rated at 28.3 million BTU per hour.
Stack S05, Process P05 - This is a General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator that was installed in 1994 and is used for electrical power production. The unit burns distillate fuel oil and is rated at 28.3 million BTU per hour.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
1. Particulate Matter Emissions	(1) Emissions may not exceed 11.5 pounds per hour from each generator. [ss. NR 404.08(2) and NR 415.06(2)(a), Wis. Adm. Code] (2) The diesel generators (P04 and/ or P05) may not be operated when the combustion turbine (P01) is in operation.[9] [s. 285.65(3), Wis. Stats., and s. NR 404.04(3), Wis. Adm. Code] (3) The permittee may not operate each diesel generator more than 20.67 hours per month as determined by the average over any 12 consecutive months.[10] [s. 285.65(7), Wis. Stats., and s. NR 436.03(2)(c), Wis. Adm. Code]	(1) The permittee may only burn distillate fuel oil in these diesel generators.[11] [ss. NR 407.09(4)(a)3.b. and NR 415.03, Wis. Adm. Code] (2) The permittee shall demonstrate compliance with the limitation in I.C.1.(a)(2) through the recordkeeping requirements in I.A.1.(c)(2), I.B.1.(c)(2) and I.C.1.(c)(2). [s. NR 439.04(1)(d), Wis. Adm. Code] (3) The permittee shall demonstrate compliance with the limitation in I.C.1.(a)(3) through the recordkeeping requirements in I.C.1.(c)(3) and the monthly calculation of the average number of hours the diesel generator has operated per month over the previous 12 consecutive months. [s. NR 439.04(1)(d), Wis. Adm. Code]	(1) The permittee shall keep records of the type and amount of fuel burned in this generator on a monthly basis. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) The permittee shall keep records of the dates and times that the diesel generators are started up and shut down. [s. NR 439.04(1)(d), Wis. Adm. Code] (3) The permittee shall keep records of the number of hours the diesel generator is operated each month and the current monthly average identified in I.C.1.(a)(3). [s. NR 439.04(1)(d), Wis. Adm. Code] (4) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use USEPA Method 5, including condensible backhalf emissions (USEPA 202). [s. NR 439.06(1), Wis. Adm. Code]

[9] This permit includes a restriction on operating the combustion turbine when one or more of the diesel generators (P02, P03, P04 and P05) are in operation to protect ambient air quality standards. The Department recognizes Wisconsin Electric Power Company's concern that this condition may restrict the company's ability to provide on-site electrical power generation in the event of an emergency. The diesel generators are specified as emergency equipment under s. NR 436.03(2)(c), Wis. Adm. Code. In the event of an emergency, Wisconsin Electric Power Company may request and the Department may approve operation of the diesel generators concurrently with the combustion turbine.

[10] The diesel generators are specified as emergency equipment under s. NR 436.03(2)(c), Wis. Adm. Code. In the event of an emergency, Wisconsin Electric Power Company may request and the Department may approve operation in excess of 20.67 hours per month averaged over any 12 consecutive months.

[11] The maxir[illegible] ieoretical emissions while burning distillate fuel oil are far less than the particu[illegible] atter emission limit.

C. Stack S04, Process P04 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)
Stack S05, Process P05 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
2. Visible Emissions	(1) 20% opacity or number 1 on the Ringlemann chart. [s. NR 431.05, Wis. Adm. Code]	(1) Same as particulate matter. See I.C.1.(b)(1) above.[12] [s. NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) Same as particulate matter. See I.C.1.(c)(1) above. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use USEPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide	(1) The sulfur content of the distillate fuel oil may fired in these generators not exceed 0.287% by weight. [s. 285.65(3), Wis. Stats., and ss. NR 417.025 and NR 404.04(2)(a), Wis. Adm. Code] (2) Emissions may not exceed 7.2 pounds per hour from each generator.[13] [s. 285.65(3), Wis. Stats., and ss. NR 417.025 and NR 404.08(2), Wis. Adm. Code]	(1) The permittee shall obtain certification from the fuel supplier or sample and analyze each batch of distillate fuel oil to be burned in diesel generators P04 and P05 to show that the fuel oil contains no more than 0.287% sulfur, by weight. [s. NR 439.085(4), Wis. Adm. Code]	(1) The permittee shall maintain records of the fuel supplier certification or the fuel samples and analyses identified in I.C.3.(b)(1) for each batch of fuel oil to be burned in the diesel generators (P04 and P05). [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Distillate fuel oil sampling shall be performed according to ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, or ASTM D4177-82 (1990), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products. [s. NR 439.08(2)(a), Wis. Adm. Code] [CONTINUED ON NEXT PAGE]

12 When burned properly, the emissions from the combustion of distillate oil are not expected to exceed the visible emission limit, therefore the use of only distillate fuel oil ensures compliance with the visible emission limit.

13 Modeling has predicted that a sulfur content of 0.5% and an emission rate of 30.0 pounds per hour will protect the 3 hour and 24 hour ambient air quality standards for sulfur dioxide

C. Stack S04, Process P04 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)
Stack S05, Process P05 - 28.3 mmBTU/hr General Motors - Electro Motive Division Model 20-645-E4 stationary diesel generator (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide (Continued)			[CONTINUED] (3) The sulfur content of a distillate fuel oil sample shall be determined according to ASTM D129-91, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), ASTM D1552-90, Standard Test Method for Sulfur in Petroleum Products (High Temperature Method), ASTM D4294-90, Standard Test Method for Sulfur in Petroleum Products by Energy Dispersive X-ray Fluorescence Spectroscopy, or ASTM D2622-98, Test method for sulfur in petroleum products (X-ray spectrographic method). [ss. NR 439.08 and NR 439.08(2)(b), Wis. Adm. Code] (4) Reference Test Method for Heat Content in Fuel Oil: When required, the heat content of a distillate fuel oil sample shall be determined according to ASTM D240-92, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by a Bomb Calorimeter. [s. NR 439.08(2)(c), Wis. Adm. Code] (5) Reference Test Method for Sulfur Dioxide Emissions: Whenever sulfur dioxide emission testing is required, the permittee shall use USEPA Method 6, or an alternate method approved in writing by the Department. [s. NR 439.06(2), Wis. Adm. Code]

D. Stack S08, Boilers B01 & B02 - Both boilers are Cleaver Brooks Model CB 198-600 horizontal fire tube boilers that were installed in 1969 to heat building structures on the plant site in the event the normal heating source is unavailable. Both boilers burn distillate fuel oil and are rated at 25.1 million BTU per hour heat input.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
1. Particulate Matter Emissions	(1) Emissions may not exceed 1.7 pounds per hour from each boiler [ss. NR 404.08(2) and NR 415.06(1)(a), Wis. Adm. Code]	(1) The permittee may only burn distillate fuel oil in the boilers.[14] [ss. NR 407.09(4)(a)3.b. and NR 415.03, Wis. Adm. Code]	(1) The permittee shall keep records of the type and amount of fuel burned in the boilers on a monthly basis. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use USEPA Method 5, including condensible backhalf emissions (USEPA 202). [s. NR 439.06(1), Wis. Adm. Code]

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
2. Visible Emissions	(1) 40% opacity or number 2 on the Ringlemann chart. [s. NR 431.04(1), Wis. Adm. Code]	(1) Same as particulate matter. See I.D.1.(b)(1) above.[15] [s. NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) Same as particulate matter. See I.D.1.c.(1) above. [s. NR439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use USEPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

[14] The maximum theoretical emissions while burning distillate fuel oil are far less than the particulate matter emission limit.

[15] When burned properly, the emissions from the combustion of distillate oil are not expected to exceed the visible emission limit, therefore the use of only distillate fuel oil ensures compliance with the visible emission limit.

D. Stack S08, Boilers B01 & B02 - Two (2) 25.1 mmBTU/hr Cleaver Brooks Model CB 198-600 horizontal fire tube boilers (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide	(1) The sulfur content of the distillate fuel oil fired in these boilers may not exceed 0.5% by weight. [s. NR 417.025, Wis. Adm. Code]	(1) When requested by the Department, the permittee shall show compliance with the 0.5% sulfur content limitation in I.D.3.(a)(1) using one of the test methods specified in D(3)(c)2).[16] [s. 285.65(9), Wis. Stats., and s. NR 407.09(1)(c)1.b., Wis. Adm. Code]	(1) Distillate fuel oil sampling shall be performed according to ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, or ASTM D4177-82 (1990), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products. [s. NR 439.08(2)(a), Wis. Adm. Code] (2) The sulfur content of a distillate fuel oil sample shall be determined according to ASTM D129-91, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), ASTM D1552-90, Standard Test Method for Sulfur in Petroleum Products (High Temperature Method), ASTM D4294-90, Standard Test Method for Sulfur in Petroleum Products by Energy Dispersive X-ray Fluorescence Spectroscopy, or ASTM D2622-98, Test method for sulfur in petroleum products (X-ray spectrographic method). [ss. NR 439.08 and NR 439.08(2)(b), Wis. Adm. Code] (3) Reference Test Method for Sulfur Dioxide Emissions: Whenever sulfur dioxide emission testing is required, the permittee shall use USEPA Method 6, or an alternate method approved in writing by the Department. [s. NR 439.06(2), Wis. Adm. Code]

16 The facility l sampling and analysis or the fuel supplier's fuel analysis may be used to comp. .th this requirement.

E. Stack S06, Process P06 - This is a Cummins Engine Company turbocharged 12 cylinder diesel engine used to start the gas turbine (P01). The unit was installed in 1969, burns distillate fuel oil, and is rated at 5.6 million BTU per hour heat input.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
1. Particulate Matter Emissions	(1) Emissions may not exceed 6.3 pounds per hour. [ss. NR 404.08(2) and NR 415.06(1)(a), Wis. Adm. Code]	(1) The permittee may only burn distillate fuel oil in this engine.[17] [ss. NR 407.09(4)(a)3.b. and NR 415.03, Wis. Adm. Code]	(1) The permittee shall keep records of the type and amount of fuel burned in this engine on a monthly basis. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use USEPA Method 5, including condensible backhalf emissions (USEPA 202). [s. NR 439.06(1), Wis. Adm. Code]

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
2. Visible Emissions	(1) 40% opacity or number 2 on the Ringlemann chart. [s. NR 431.04(1), Wis. Adm. Code]	(1) Same as particulate matter. See I.E.1.(b)(1) above.[18] [s. NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) Same as particulate matter. See I.E.1.(c)(1) above. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use USEPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

[17] The maximum theoretical emissions while burning distillate fuel oil are far less than the particulate matter emission limit.

[18] When burned properly, the emissions from the combustion of diesel fuel are not expected to exceed the visible emission limit, therefore the use of only diesel fuel ensures compliance with the visible emission limit.

E. Stack S06, Process P06 - 5.6 mmBTU/hr Cummins Engine Company turbocharged 12 cylinder diesel engine used to start the gas turbine (P01) (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide	(1) The sulfur content of the distillate fuel oil fired in this engine may not exceed 0.5% by weight. [s. NR 417.025, Wis. Adm. Code]	(1) When requested by the Department, the permittee shall show compliance with the 0.5% sulfur content limitation in I.E.3.(a)(1) using one of the test methods specified in I.E.3.(c)(2).[19] [s. 285.65(9), Wis. Stats., and s. NR 407.09(1)(c)1.b., Wis. Adm. Code]	(1) Distillate fuel oil sampling shall be performed according to ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, or ASTM D4177-82 (1990), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products. [s. NR 439.08(2)(a), Wis. Adm. Code] (2) The sulfur content of a distillate fuel oil sample shall be determined according to ASTM D129-91, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), ASTM D1552-90, Standard Test Method for Sulfur in Petroleum Products (High Temperature Method), ASTM D4294-90, Standard Test Method for Sulfur in Petroleum Products by Energy Dispersive X-ray Fluorescence Spectroscopy, or ASTM D2622-98, Test method for sulfur in petroleum products (X-ray spectrographic method). [ss. NR 439.08 and NR 439.08(2)(b), Wis. Adm. Code] (3) Reference Test Method for Sulfur Dioxide Emissions: Whenever sulfur dioxide emission testing is required, the permittee shall use USEPA Method 6, or an alternate method approved in writing by the Department. [s. NR 439.06(2), Wis. Adm. Code]

[19] The facil ıel sampling and analysis or the fuel supplier's analysis may be used to comply .his requirement.

F. **Stack S07, Process P07** - This is a Cummins Engine Company turbocharged 6 cylinder diesel engine used as an auxiliary power source. This unit starts when low voltage situations develop at the facility. This unit was installed in 1969, burns distillate fuel oil, and is rated at 2.8 million BTU per hour heat input.
Stack S09, Process P09 - This is a Cummins Engine Company 6 cylinder water cooled diesel engine used for fire protection purposes at the facility. The unit was installed in 1969, burns distillate fuel oil, and is rated at 1.4 million BTU per hour heat input.

NOTE: Both P07 and P09 are designated as emergency equipment in accordance with s. NR 436.03(2)(c), Wis. Adm. Code.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
1. Particulate Matter Emissions	(1) Emissions may not exceed: (a) 3.3 pounds per hour from stack S07; and (b) 1.6 pounds per hour from stack S09. [s. NR 415.06(1)(a), Wis. Adm. Code]	(1) The permittee may burn only distillate fuel oil in these engines.[20] [ss NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) The permittee shall keep records of the type and amount of fuel burned in these engines on a monthly basis. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use USEPA Method 5, including condensible backhalf emissions (USEPA 202). [s. NR 439.06(1), Wis. Adm. Code]

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
2. Visible Emissions	(1) 40% opacity or number 2 on the Ringlemann chart. [s. NR 431.04(1), Wis. Adm. Code]	(1) Same as particulate matter. See I.F.1.(b)(1) above.[21] [s. NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) Same as particulate matter. See I.F.1.(c)(1) above. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use USEPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

[20] The maximum theoretical emissions while burning distillate fuel oil are far less than the particulate matter emission limits.

[21] When burned properly, the emissions from the combustion of diesel fuel are not expected to exceed the visible emission limit, therefore the use of only diesel fuel ensures compliance with the visible emission limit.

F. Stack S07, Process P07 - 2.8 mmBTU/hr Cummins Engine Company turbocharged 6 cylinder diesel engine (Continued)
Stack S09, Process P09 - This is a Cummins Engine Company 6 cylinder water cooled diesel engine used for fire protection purposes at the facility. The unit was installed in 1969, burns distillate fuel oil, and is rated at 1.4 million BTU per hour heat input.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS, RECORDKEEPING & MONITORING REQUIREMENTS
3. Sulfur Dioxide	(1) The sulfur content of the distillate fuel oil fired in these engines may not exceed 0.5% by weight. [s. NR 417.025, Wis. Adm. Code]	(1) When requested by the Department, the permittee shall show compliance with the 0.5% sulfur content limitation in I.F.3.(a)(1) using one of the test methods specified in I.F.3.(c)(2).[22] [s. 285.65(9), Wis. Stats., and s. NR 407.09(1)(c)1.b., Wis. Adm. Code]	(1) Distillate fuel oil sampling shall be performed according to ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, or ASTM D4177-82 (1990), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products. [s. NR 439.08(2)(a), Wis. Adm. Code] (2) The sulfur content of a distillate fuel oil sample shall be determined according to ASTM D129-91, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), ASTM D1552-90, Standard Test Method for Sulfur in Petroleum Products (High Temperature Method), ASTM D4294-90, Standard Test Method for Sulfur in Petroleum Products by Energy Dispersive X-ray Fluorescence Spectroscopy, or ASTM D2622-98, Test method for sulfur in petroleum products (X-ray spectrographic method). [ss. NR 439.08 and NR 439.08(2)(b), Wis. Adm. Code] (3) Reference Test Method for Sulfur Dioxide Emissions: Whenever sulfur dioxide emission testing is required, the permittee shall use USEPA Method 6, or an alternate method approved in writing by the Department. [s. NR 439.06(2), Wis. Adm. Code]

22 The facil ıel sampling and analysis or the fuel supplier's fuel analysis may be used to coı. ıvith this requirement.

G. Stack S10, Process P10 - This process represents a small paint spray booth used to paint various small instrumentation, control, and miscellaneous metal parts required to be installed at the plant for routine upgrades and maintenance. The spray booth was installed during December of 1996.

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
1. Particulate Matter Emissions	(1) Emissions may not exceed 2.9 pounds per hour.[23] [s. 285.65(7), Wis. Stats. and ss. NR 406.04(1)(g) and NR 422.03(1), Wis. Adm. Code]	(1) The permittee shall use overspray filters at all times that this booth is in operation. [s. NR 407.09(1)(a), Wis. Adm. Code] (2) The permittee shall perform a visual inspection of the overspray filter each day that the booth is operating in order to detect and correct filter overloading, filter tearing, and other filter malfunctions. [s. NR 439.05(6), Wis. Adm. Code]	(1) A log shall be kept of all inspections and maintenance required on the filter system and the dates of filter replacements. [ss. NR 439.04(1)(b) and NR 439.04(3), Wis. Adm. Code] (2) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use USEPA Method 5, including condensible backhalf emissions (USEPA 202). [s. NR 439.06(1), Wis. Adm. Code]

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
2. Visible Emissions	(1) 20% opacity or number 1 on the Ringlemann chart. [s. NR 431.04(1), Wis. Adm. Code]	(1) Same as particulate matter. See I.G.1.(b)(1) and (2) above. [s. NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) Same as particulate matter. See I.G.1.(c)(1) above. [s. NR 439.04(1)(d), Wis. Adm. Code] (2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use USEPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

[23] The applicable particulate matter emission limit for this process is the more restrictive of the process weight rate equation, $E = 3.59*P^{0.62}$, and the direct source limit of 0.40 pounds of particulate matter per 1,000 pounds of exhaust gas. But modeling determined that a more restrictive limit of 2.9 pounds per hour was necessary to protect the National Ambient Air Quality Standard for PM_{10} and the State secondary standard for total suspended particulates.

G. Stack S10, Process P10 - Paint Spray Booth (Continued)

POLLUTANT	(a) LIMITATIONS & REQUIREMENTS	(b) COMPLIANCE DEMONSTRATION	(c) REFERENCE TEST METHODS RECORDKEEPING & MONITORING REQUIREMENTS
3. Volatile Organic Compounds	(1) This process is exempt from s. NR 422.15, Wis. Adm. Code, and ch. NR 406, Wis. Adm. Code, construction permitting requirements.[24] [ss. NR 406.04(1)(g) and NR 422.03(1), Wis. Adm. Code]	(1) The records required in I.G.1.(c)(1) and (2) shall be used to support the exemption claims in I.G.3.(a)(1). [s. NR 407.09(4)(a)3.b., Wis. Adm. Code]	(1) The permittee shall maintain records of: (a) The daily usage of each coating and cleanup solvent; and (b) The VOC content of each coating and cleanup solvent used. [ss. NR 439.04(3), Wis. Adm. Code] (2) The permittee shall keep Material Safety Data Sheets (MSDSs) or other similar documents for each raw material used for surface coating or clean-up in this spray booth. [s. NR 439.04(1)(d), Wis. Adm. Code] (3) Reference Test Method for Volatile Organic Compound Content: Whenever the organic solvent content, the volume of solids, the weight of solids, the water content or the density of surface coatings is required, the permittee shall use U.S. EPA Method 24 or 24A. [s. NR 439.06(3)(b), Wis. Adm. Code]

24 The exemption threshold for s. NR 422.15, Wis. Adm. Code, is 15 pounds of VOC per day. The exemption threshold under s. NR 406.04(1)(g), Wis. Adm. Code, is 1,666 pounds of VOC per month.

H. OTHER APPLICABLE CONDITIONS

CONDITION TYPE	(a) SPECIFIC CONDITIONS
1. Reporting	(1) The permittee shall submit the results of monitoring or a summary of monitoring results required by this permit to the Wisconsin Department of Natural Resources, Northeast Region Air Program, 1125 N. Military Avenue, P.O. Box 10448, Green Bay, WI 54307, every 6 months. (a) The time periods to be addressed by the submittals is are January 1 to June 30 and July 1 to December 31; (b) The reports shall be submitted by September 1 for the report covering the period from January 1 to June 30 and by March 1 for the report covering the period from July 1 to December 31; (c) All deviations from and violations of applicable requirements shall be clearly identified in the submittals; and (d) Each submittal shall be certified by a responsible official as to the truth, accuracy and completeness of the report. [s. NR 439.03(1)(b), Wis. Adm. Code] (2) Submit an annual certification of compliance with the requirements of this permit to the Wisconsin Department of Natural Resources, Northeast Region Air Program, 1125 N. Military Avenue, P.O. Box 10448, Green Bay, WI 54307, and to Compliance Data - Wisconsin, Air and Radiation Division, U.S. EPA, 77 West Jackson, Chicago, IL 60604. (a) The time period to be addressed by the report is the January 1 to December 31 period which precedes the report. (b) The certification of compliance shall be submitted by March 1 of each year. (c) The information included in the report shall comply with the requirements of Part II Section N of this permit. (d) Each certification of compliance shall be certified by a responsible official as to the truth, accuracy and completeness of the report. [s. NR 439.03(1)(c), Wis. Adm. Code]

CONDITION TYPE	(a) SPECIFIC CONDITIONS
2. Recordkeeping	(1) All records required by this permit shall be maintained at the facility for a period of at least five (5) years. [s. NR 439.04(2), Wis. Adm. Code] (2) These records shall be made available to Department personnel upon request. [s. NR 439.05, Wis. Adm. Code]

CONDITION TYPE	(a) SPECIFIC CONDITIONS
*3. Compliance Emission Testing	*(1) Whenever compliance emission testing is required: (a) All testing shall be performed while the emissions unit is operating at 100% capacity unless the Department requests otherwise. If operation at 100% capacity is not feasible, the source shall operate at a capacity level which is approved by the Department in writing; (b) the Department shall be informed at least 20 working days prior to any stack testing so a Department representative can witness the testing. At the time of the notification a compliance emission test plan shall be submitted to the Department for approval; and (c) two copies of the report on the test results shall be submitted to the Department for evaluation within 60 days following the tests. [ss. NR 439.07(1), (2) and (9), Wis. Adm. Code] *(2) The permittee shall employ at least one person who is certified to perform visible emission readings in accordance with U.S. EPA Method 9. [s. 285.65, Wis. Stats., and s. NR 407.09(4)(a)3., Wis. Adm. Code]

H. OTHER APPLICABLE CONDITIONS (CONTINUED)

CONDITION TYPE	(b) SPECIFIC CONDITIONS	(c) RECORDKEEPING REQUIREMENTS
4. Stack Parameters[25]	(1) Stacks S01, S02, S03, S04, S05 and S08 may not be equipped with rainhats or other devices which impede the free upward flow of the exhaust gases and they shall have the following minimum stack heights above ground level and maximum inside diameters at the stack outlet: Stack I.D. / Stack Height / Stack Diameter (equivalent) S01 / 37 feet / 10.75 feet S02 / 120 feet / 2.17 feet S03 / 120 feet / 2.17 feet S04 / 50 feet / 2.0 feet S05 / 50 feet / 2.0 feet S08 / 167 feet / 3.0 feet [s. 285.65(3), Wis. Stats.] (2) For stacks S06 and S07, the stack heights shall be at least 15 feet above ground level. [s. 285.65(3), Wis. Stats.] (3) For stack S09, the stack height shall be at least 25 feet above ground level. [s. 285.65(3), Wis. Stats.] (4) For stack S10, the stack height shall be at least 3 feet above ground level. [s. 285.65(3), Wis. Stats.]	(1) The permittee shall keep and maintain on site technical drawings, blueprints or equivalent records of the physical stack parameters. [s. NR 439.04(1)(d), Wis. Adm. Code]

[25] These requirements are included because the facility was modeled using these stack parameters and it was determined that all ambient air quality standards would be maintained with these p[illegible]eters and the emission limits contained within this permit.

PART II
GENERAL PERMIT CONDITIONS
FOR DIRECT STATIONARY SOURCES

A. Scope

This permit is valid only for the structure, building, facility, equipment or operation specifically identified herein. All emissions authorized hereby shall be in compliance with the terms and conditions of Parts I and II of this permit. (s. 285.60(7), Wis. Stats.)

B. Emissions Prohibited

Unless the Department has approved an exception under s. NR 436.03(2), no person may cause, allow, or permit emissions of any air contaminant into the ambient air in excess of the limits set in chs. NR 400 to 499, Wis. Adm. Code. (s. NR 436.03(1), Wis. Adm. Code)

C. General Emission Limits

1. 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. (s. NR 415.03, Wis. Adm. Code).

2. 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. Such precautions shall include, but not be limited to the following (s. NR 415.04, Wis. Adm. Code):

   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.

3. No person may cause, allow or permit emission of sulfur or sulfur compounds into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. (s. NR 417.03, Wis. Adm. Code).

4. No person may cause, allow or permit organic compound emissions into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. No person may cause, allow or permit organic compounds to be used or handled without using good operating practices and taking reasonable precautions to prevent the spillage, escape or emission of organic compounds, solvents or mixtures. (s. NR 419.03, Wis. Adm. Code).

5. No person may cause, allow or permit the disposal of more than 5.7 liters (1.5 gallons) of any liquid Volatile Organic Compound (VOC) waste, or of any liquid, semisolid or solid waste materials containing more than 5.7 liters (1.5 gallons) of any VOC, in any one day from a facility in a manner

that would permit their evaporation into the ambient air during the ozone season. This includes, but is not limited to, the disposal of VOC which must be removed from VOC control devices so as to maintain the control devices at their required operating efficiency. Disposal during the ozone season shall be by methods approved by the Department, such as incineration, recovery for reuse, or transfer in closed containers to an acceptable disposal facility, such that the quantity of VOC which evaporates into the ambient air does not exceed 15% (by weight) or 5.7 liters (1.5 gallons) in any one day, whichever is larger. (s. NR 419.04, Wis. Adm. Code).

6. No person may cause, allow or permit emissions of carbon monoxide to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. (s. NR 426.03, Wis. Adm. Code).

7. No person may cause, allow or permit emissions into the ambient air of lead or lead compounds which substantially contribute to the exceeding of an air standard or air increment, or which create air pollution. (s. NR 427.025, Wis. Adm. Code).

8. No person may cause, allow, or permit nitrogen oxides or nitrogen compounds to be emitted to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. (s. NR 428.03, Wis. Adm. Code).

9. No person may cause, allow or permit emission into the ambient air of any substance or combination of substances in such quantities that an objectionable odor is determined to result unless preventive measures satisfactory to the Department are taken to abate or control such emission. (s. NR 429.03(1), Wis. Adm. Code*)

10. Open burning is prohibited except as provided in s. NR 429.04, Wis. Adm. Code. (s. NR 429.04, Wis. Adm. Code*)

11. No person may cause, allow or permit emissions into the ambient air from any direct or portable source in excess of one of the limits specified in ch. NR 431, Wis. Adm. Code. Where the presence of uncombined water is the only reason for failure to meet the requirements of ch. NR 431, Wis. Adm. Code, such failure is not a violation of the chapter. (s. NR 431.03, Wis. Adm. Code)

12. When the department requires instrumentation to monitor the operation of air pollution control equipment, or to monitor source performance, the instrument shall measure operational variables with the following accuracy: (s. NR 439.055(3), Wis. Adm. Code)

    a. The temperature monitoring device shall have an accuracy of 0.5% of the temperature being measured in degrees Fahrenheit or ± 5°F of the temperature being measured, or the equivalent in degrees Celsius (centigrade), whichever is greater.

    b. The pressure drop monitoring device shall be accurate to within 5% of the pressure drop being measured or within ± 1 inch of water column, whichever is greater.

    c. The current, voltage, flow or pH monitoring device shall be accurate to within 5% of the specific variable being measured.

13. All instruments used for measuring source or air pollution control equipment operational variables shall be calibrated yearly or at a frequency based on good engineering practice as established by operational history, whichever is more frequent. (s. NR 439.055(4), Wis. Adm. Code)

14. No person may cause, allow, or permit emissions into the ambient air of any hazardous substance in such quantity, concentration, or duration as to be injurious to human health, plant or animal life unless the purpose of that emission is for the control of plant or animal life. Hazardous substances include, but are not limited to, hazardous air contaminants listed in Tables 1 to 5 of s. NR 445.04, Wis. Adm. Code. (s. NR 445.03, Wis. Adm. Code*).

15. Chapter NR 447, Wis. Adm. Code, applies to all air contaminant sources which may emit asbestos, to their owners and operators and to any person whose action causes the emission of asbestos to the

ambient air, including demolition and renovation activities. Chapter NR 447, Wis. Adm. Code, establishes emission limitations for asbestos air contaminant sources, establishes procedures to be followed when working with asbestos materials and contains additional reporting and record keeping requirements for owners or operators of asbestos air contaminant sources in order to protect air quality. (ch. NR 447, Wis. Adm. Code)

16. Accidental Release Prevention Requirements

An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of 40 CFR Part 68, no later than the latest of the following dates:

a. June 21, 1999;
b. Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or
c. The date on which a regulated substance is first present above a threshold quantity in a process.

(40 CFR 68.10)

D. Reporting Requirements

1. The Department shall be notified of the following events:

Event	Timing
a. Hazardous substance air spill	Immediate call: 1-800-943-0003
b. Malfunction or other unscheduled event which causes or may cause any emission limitation to be exceeded (except certain visible emission limit exceedences - see s. NR 439.03(4), Wis. Adm. Code.)	Notification by next business day of any such event at the source which is not reported in advance to the Department. Report the cause and duration of the exceedence, the period of time considered necessary for correction, and measures taken to minimize emissions during the period
c. Deviation from any other condition specified in this permit.	Notification by next business day identifying the deviation, cause, duration and steps taken to prevent recurrence.

(ss. 292.11(2) and 285.65(9), Wis. Stats., and ss. NR 439.03(4) and NR 445.08, Wis. Adm. Code)

2. The permittee shall report to the Department, in advance, schedules for planned shutdown and startup of air pollution control equipment and the measures to be taken to minimize the down time of the control equipment while the source is operating. Scheduled maintenance or any other scheduled event, including startup, shutdown or soot blowing procedures which have been approved by the Department under s. NR 436.03(2)(b), which causes an emission limit to be exceeded shall also be reported in advance to the Department. Advance reporting pursuant to this permit condition does not relieve any person from the duty to comply with any applicable emission limitations. Emissions in excess of the limits set in chs. NR 400-499, Wis. Adm. Code, may be allowed when the emissions are temporary and due to scheduled maintenance, startup or shutdown of operations carried out in accord with a plan and schedule approved by the Department. (ss. NR 439.03(2)(b) and (6), Wis. Adm. Code)

3. The permittee shall furnish to the Department, within a reasonable time specified by the Department, any information that the Department may request in writing to determine whether cause exists to revise, revoke or suspend this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Department copies of records required to be kept pursuant to this permit. (s. NR 407.09(1)(f)5., Wis. Adm. Code)

4. The permittee shall submit the results of monitoring required by the permit to the Department according to the schedule established in Part I of this permit. Any such report shall clearly identify

all instances of deviations from permit requirements. All such reports shall be signed by the responsible official for the source. In addition, the responsible official shall certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. (s. 285.17(2), Wis. Stats., and s. NR 439.03(1)(b) and (10), Wis. Adm. Code)

5. Any document required under this permit and any document submitted to the Department, including reports, shall contain a certification by a responsible corporate official that meets the requirements of s. NR 407.05(4)(j), Wis. Adm. Code. (ss. NR 439.03(10) and (11), and NR 407.09(4)(a)1., Wis. Adm. Code).

6. Except for information determined to be confidential under s. 285.70(2), Wis. Stats., any information or reports obtained by the Department in the administration of ss. 285.01 to 285.87 and 299.15, Wis. Stats., will be available for public inspection at the offices of the Department. (s. 285.70(1), Wis. Stats.)

E. Right of Entry and Inspection

The permittee shall allow authorized representatives of the Department to enter upon the permittee's premises, to have access to and examine any record relating to emissions or required to be kept, and to make any inspection necessary to ascertain compliance with air pollution control laws and the terms of this permit. The Department may, for the purpose of determining a source's compliance with applicable requirements, sample or monitor at reasonable times production materials or other substances or operational parameters. (ss. 285.13 and 285.19, Wis. Stats., and s. NR 439.05, Wis. Adm. Code)

F. Malfunction Prevention and Abatement Plans

The owner or operator of any direct or portable source which may emit hazardous substances or emits more than 15 pounds in any day or 3 pounds in any hour of any air contaminant for which emission limits have been adopted shall prepare a written malfunction prevention and abatement plan to prevent, detect, and correct malfunctions or equipment failures which may cause any applicable emission limitation to be violated or which may cause air pollution. Any such plan shall be carried out by the owner or operator. The plan shall be updated at least every 5 years. The Department may require the plan to be submitted for review and approval. (s. NR 439.11, Wis. Adm. Code)

G. Emission Control Action Plan

For source(s) covered by this permit which emit 0.25 tons or more per day of any air contaminant for which air standards have been adopted, the permittee shall prepare an emission control action program, consistent with good industrial practice and safe operating procedures, for reducing the emission of air contaminants into the outdoor atmosphere during periods of an air pollution alert, air pollution warning or air pollution emergency declared under s. NR 493.03(2), Wis. Adm. Code. The emission control action program shall be in writing, available on the premises and is subject to review and approval by the Department on request. (s. NR 493.04, Wis. Adm. Code*)

H. Change in Ownership or Control

In the event of a change in ownership or operational control of a source, the permittee shall file a written request for an administrative permit revision in accordance with s. NR 407.11, Wis. Adm. Code. The request should include a written agreement between the current and new owner or operator which sets forth a specific date for transfer of permit responsibility, coverage and liability. If the Department determines that no other change in this permit is necessary, this permit may be revised according to the administrative revision procedures in s. NR 407.11, Wis. Adm. Code. (s. NR 407.11(3)(a), Wis. Adm. Code)

I. Permit Flexibility, Revision, Suspension, and Revocation

1. Changes to the source which are not modifications and changes in permit content are regulated under the permit flexibility provisions of s. 285.60(4m), Wis. Stats., and s. NR 407.025, Wis. Adm. Code, and the permit revision provisions in ss. NR 407.11, NR 407.12, NR 407.13, NR 407.14, and NR 407.16, Wis. Adm. Code.

2. An operation permit may be suspended or revoked, in whole or in part, for cause. (ss. NR 407.09(1)(f)3. and NR 407.15, Wis. Adm. Code.)

J. Construction, Reconstruction, Replacement, Relocation or Modification

1. Unless the replacement is authorized by a permit or is exempt under s. NR 406.04, Wis. Adm. Code, replacement of the source(s) covered by this permit is prohibited. (s. 285.60(1)(a), Wis. Stats.)

2. No person may commence construction, reconstruction, replacement, relocation or modification of a stationary source unless the person has a construction permit for the source or unless the source is exempt from the requirement to obtain a permit under s. 285.60(5), Wis. Stats., or under ch. NR 406, Wis. Adm. Code. Applications for the construction permit shall be submitted on forms which are available from the Department at its Madison headquarters and district offices. (s. 285.60(1)(a), Wis. Stats.)

Note: The address of the Madison headquarters is: Wisconsin Department of Natural Resources, Bureau of Air Management, P. O. Box 7921, Madison, WI 53707, Attention: Permit Application Forms

3. For new or modified sources for which no construction permit is required, the application for an operation permit shall be filed before the source commences construction or modification. (s. NR 407.04, Wis. Adm. Code).

K. Circumvention

1. The installation or use of any article, machine, equipment, process, or method which conceals an emission which would otherwise constitute a violation of an applicable rule is prohibited unless written approval has been obtained from the Department. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance and the unnecessary separation of an operation into parts to avoid coverage by a rule that applies only to operations larger than a specified size. (s. NR 439.10, Wis. Adm. Code)

2. No one may render inaccurate any monitoring device or method required under ch. NR 439, Wis. Adm. Code, or in this permit. (s. NR 439.03(12), Wis. Adm. Code).

L. Civil/Criminal Liability

1. Nothing in this permit shall be construed to relieve the permit holder from civil and/or criminal penalties under ss. 285.87 and 299.15, Wis. Stats., for violation of the terms or conditions of this permit, or for violation of ss. 285.01 to 285.87, 292.11(2) and 299.15, Wis. Stats., or of any rule or any special order issued under those sections except where the operation permit shield provisions of s. 285.62(9)(b), Wis. Stats., are applicable. (s. 285.62(9)(a), Wis. Stats.)

2. The permittee has the duty to comply with all conditions of the permit. Any noncompliance with this permit constitutes a violation of the Wisconsin statutes, the federal clean air act, or both, and is grounds for enforcement action; for permit suspension, revocation or revision; or, if allowed under s. 285.62(6), Wis. Stats., for denial of a permit renewal application. (ss. NR 407.14, NR 407.15, and NR 407.09(1)(f)1., Wis. Adm. Code, s. 285.60(7), Wis. Stats. and 42 USC 7661a)

3. The following items are provided per s. NR 407.09(1)(d) and (f), Wis. Adm. Code:

a. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this permit. (s. NR 407.09(1)(f)2., Wis. Adm. Code)

b. The filing of a request by the permittee for a permit revision or revocation, or the filing of a notification of planned changes under s. NR 407.025, Wis. Adm. Code, or of anticipated noncompliance, does not stay any permit condition. (s. NR 407.09(1)(f)3., Wis. Adm. Code)

c. The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private property or any invasion of personal rights. (s. NR 407.09(1)(f)4., Wis. Adm. Code)

d. The provisions of this permit are severable. In the event of a successful challenge to any portion of the permit, all other portions of the permit remain valid and effective. (s. NR 407.09(1)(d), Wis. Adm. Code)

M. Recordkeeping Requirements

1. The permittee shall maintain the following records, per s. NR 439.04, Wis. Adm. Code:

a. Records of all sampling, testing and monitoring conducted or required under chs. NR 400 to 499 or under this permit. Records of sampling, testing or monitoring shall include the following:

1) The date, monitoring site and time and duration of sampling, testing, monitoring or measurements.
2) The dates the analyses were performed.
3) The company or entity that performed the analysis.
4) The analytical techniques or methods used, including supporting information such as calibration and maintenance records of all original recording charts for continuous monitoring instrumentation including emissions or equipment monitors.
5) The results of the analyses.
6) The relevant operating conditions that existed at the time of sampling, testing, monitoring or measurement.

b. Records detailing all malfunctions which cause any applicable emission limitation to be exceeded, including logs to document the implementation of the plan required under s. NR 439.11, Wis. Adm. Code;

c. Records detailing all activities specified in any compliance schedule approved by the Department under chs. NR 400 to 499, Wis. Adm. Code; and

d. Any other records relating to the emission of air contaminants which may be requested in writing by the Department.

2. The owner or operator of a source not subject to s. NR 445.05(6), Wis. Adm. Code, shall maintain the following records in writing at the source, as appropriate:

a. The hazardous air contaminants in Table 5 of s. NR 445.04 the source is capable of emitting.
b. The allowable emissions for each hazardous air contaminant identified in a. above for each emissions unit.
c. The methods used to calculate allowable emissions under b. above, including:
   i. All calculations which show the dimensional units for all values used.
   ii. Emission factors used and reference to stack tests, mass balance calculations or EPA documents that the emission factor is based on.
d. Information to support exemption claims including fuels used, laboratory status or downwash minimization stack height calculations as appropriate. (s. NR 445.05(4r)(c), Wis. Adm. Code*)

3. Owners and operators of facilities required to file emission inventory reports shall keep accurate and reliable records sufficient to enable verification of the reports by the department. (s. NR 438.03(4), Wis. Adm. Code)

4. Copies of all records and reports required under this permit shall be retained by the permittee for a period of 5 years. (s. NR 439.04(2), Wis. Adm. Code)

N. Compliance Certification

1. The permittee shall submit compliance certifications to the Department, and part 70 sources shall also submit this compliance certification to the United States Environmental Protection Agency. (s. NR 439.03(1)(c) and (9), Wis. Adm. Code)

   a. The certification shall be submitted according to the schedule established in Part I of the permit. (s. NR 439.03(1)(c), Wis. Adm. Code)

   b. The certification shall include the following:

      1) Identification of each permit term or condition that is the basis of the certification;
      2) The compliance status of the source with respect to each term or condition identified in 1);
      3) Whether compliance was continuous or intermittent;
      4) Method(s) used for determining the compliance status, currently and over the previous 12 month period;
      5) Compliance status with respect to 40 CFR 68 (Accidental Release Prevention) including registration and submission of the risk management plan, as specified in 40 CFR 68.160 and 68.150, respectively, if applicable.
      6) Other information required to determine the compliance status of the source, as specified in this permit. (s. NR 439.03(8), Wis. Adm. Code)

2. Compliance certifications shall be signed by a responsible official of the source. The responsible official shall certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. (s. NR 439.03(10), Wis. Adm. Code)

O. Required Air Emission Inventory Reports

The permittee shall annually submit to the Department an emission inventory report of annual, actual emissions or throughput information in accordance with ch. NR 438, Wis. Adm. Code. (s. NR 438.03, Wis. Adm. Code)

P. Annual Emission Fees

The permittee shall pay an annual emissions fee to the Department at the rate specified in s. 285.69(2), Wis. Stats. (ss. NR 410.04 and NR 407.09(1)(e), Wis. Adm. Code)

Q. General Provisions for Hazardous Air Pollutant MACT Standards

The general provisions in ch. NR 460, Wis. Adm. Code, apply to any permittee that is affected or becomes affected by a standard promulgated by EPA under section 112 of the act (42 USC 7412). (s. NR 460.01, Wis. Adm. Code)

R. Stratospheric Ozone Protection

1. Federal Requirements. (Call 1-800-296-1996 for information)

a. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

1) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to section 82.106.
2) The placement of the required warning statement must comply with the requirements pursuant to section 82.108.
3) The form of the label bearing the required warning statement must comply with the requirements pursuant to section 82.110.
4) No person may modify, remove or interfere with the required warning statement except as described in section 82.112.

b. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in 40 CFR Part 82, Subpart B:

1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to section 82.156.
2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to section 82.158.
3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to section 82.161.
4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to section 82.166. (The term, "MVAC-like appliance", is defined in section 82.152)
5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to section 82.156.
6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to section 82.166.

c. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

d. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

e. The permittee may be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program.

(s. 285.65(12), Wis. Stats.)

2. State Requirements. (Call 1-608-264-6049 for information)

a. During the salvaging, dismantling or transporting of refrigeration equipment, no person may knowingly or negligently release ozone-depleting refrigerant to the environment, except for minimal releases that occur as a result of efforts to transfer ozone-depleting refrigerant into storage tanks. (s. 285.59(2r)(a), Wis. Stats.*)

b. No person may knowingly or negligently release from a storage tank to the environment ozone-depleting refrigerant that was removed during the salvaging, dismantling or transporting of refrigeration equipment, except for minimal releases that occur as a result of efforts to transfer ozone-depleting refrigerant into refrigeration equipment or other storage tanks. (s. 285.59(2r)(am), Wis. Stats.*)

c. No person may salvage or dismantle any refrigeration equipment unless:

1) That person holds and prominently displays an annual registration of certification obtained from the Department under s. NR 488.04, Wis. Adm. Code;
2) That person uses refrigerant recovery equipment approved by the Department under s. NR 488.07, Wis. Adm. Code, to transfer remaining ozone-depleting refrigerant from each piece of refrigeration equipment into storage tanks; and
3) Individuals who use the approved refrigerant recovery equipment have, or are working under the direct supervision of individuals who have, the qualifications required under s. NR 488.08, Wis. Adm. Code. (s. NR 488.03(3), Wis. Adm. Code*)

d. Any person who sells, gives or transports refrigeration equipment to a scrap metal processor shall:

1) Transfer ozone-depleting refrigerant from the refrigeration equipment into a storage tank using approved refrigerant recovery equipment or obtain and possess documentation that another person performed the transfer; and
2) Provide documentation to the scrap metal processor that he or she has complied with 1).

Note: Sample forms for the documentation of compliance with 1) are available from the Bureau of Air Management CFC Program.

EXEMPTION: 1) and 2) do not apply to a person who sells, gives or transports refrigeration equipment to a scrap metal processor when that processor has agreed in writing to transfer the ozone-depleting refrigerant into a storage tank using approved refrigerant recovery equipment and that the processor is registered with the Department under s. NR 488.04. (s. NR 488.05, Wis. Adm. Code*)

e. Any person who transports, for the purposes of salvaging or dismantling, refrigeration equipment that contains ozone-depleting refrigerant shall certify to the Department that person will not knowingly or negligently release ozone-depleting refrigerant to the environment, except for minimal releases that occur as a result of refrigerant recovery efforts. This certification shall be submitted annually, along with a description of the safe transport methods to be used, and the fees required under s. NR 488.11, Wis. Adm. Code. (s. NR 488.10, Wis. Adm. Code*)