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quality standards (NAAQS) in Marshall County consisting of Consent Order, CO-SIP-C-2003-27 for PPG Industries, Inc., submitted on November 17, 2003, by the West Virginia Department of Environmental Protection:

(i) Incorporation by reference.

(A) Letter of November 17, 2003, from the West Virginia Department of Environmental Protection transmitting a revision to the State Implementation Plan (SIP) to achieve and maintain the NAAQS for sulfur dioxide in Marshall County, West Virginia.

(B) Consent Order, CO-SIP-C-2003-27, entered into by and between the West Virginia Department of Environmental Protection, Division of Air Quality, and PPG Industries, Inc., on July 29, 2003. The consent order was effective on July 29, 2003.

(ii) Additional Materials—Remainder of the State submittal pertaining to the revision listed in paragraph (c)(58)(i) of this section.

(59) Revisions to the West Virginia Regulations to attain and maintain the National Ambient Air Quality Standards (NAAQS) for sulfur dioxide in the City of Weirton, including Clay and Butler Magisterial Districts, in Hancock County, West Virginia, submitted on December 29, 2003, by the West Virginia Department of Environmental Protection:

(i) Incorporation by reference.

(A) Letter of December 29, 2003, from the West Virginia Department of Environmental Protection, transmitting a revision to the State Implementation Plan (SIP) for attainment and maintenance of the sulfur dioxide NAAQS for the City of Weirton, including the Clay and Butler Magisterial Districts in Hancock County, West Virginia.

(B) The following Companies' Consent Order and Operating Permit:

(1) Wheeling-Pittsburgh Steel Corporation, Operating Permit R13-1939A, effective August 19, 2003.

(2) Weirton Steel Corporation Consent Order, CO-SIP-C-2003-28, effective August 4, 2003.

(ii) Additional Material.

(A) Remainder of the State submittal pertaining to the revision listed in paragraph (c)(59)(i) of this section.

(B) Letter of February 10, 2004, from the West Virginia Department of Envi-

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ronmental Protection providing clarification to permit R13-1939A, condition B.4. issued to the Wheeling-Pittsburgh Steel Corporation.

[37 FR 10901, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2565, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart YY—Wisconsin

§ 52.2569 Identification of plan—conditional approval.

(a) Revisions to the plan identified in § 52.2570 were submitted on the date specified.

(1)–(3) [Reserved]

(4) On November 15, 1993, and July 28, 1994, the Wisconsin Department of Natural Resources (WDNR) submitted enhanced inspection and maintenance (I/M) rules and a Request for Proposal (RFP) as a revision to the State's ozone State Implementation Plan (SIP). The EPA conditionally approved these rules and RFP based on the State's commitment to amend its rules and sign its final I/M contract to address deficiencies noted in to the final conditional approval. These final, adopted rule amendments and final, signed contract must be submitted to the EPA within one year of the EPA's conditional approval.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Chapter NR 485, effective July 1, 1993.

(ii) Additional materials.

(A) SIP narrative plan titled "Wisconsin—Ozone SIP—Supplement to 1992 Inspection and Maintenance Program Submittal," submitted to the EPA on November 15, 1993.

(B) RFP, submitted along with the SIP narrative on November 15, 1993.

(C) Supplemental materials, submitted on July 28, 1994, in a letter to the EPA.

[60 FR 2885, Jan. 12, 1995]

§ 52.2570 Identification of plan.

(a) Title of plan: "A Statewide Implementation Plan to Achieve Air Quality Standards for Particulates, Sulfur Oxides, Nitrogen Oxides, Hydrocarbons,

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Oxidants, and Carbon Monoxide in the State of Wisconsin.”

(b) The plan was officially submitted on January 14, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) An abatement order for the Alma Power Plant in the Southeast LaCrosse AQCR was issued on February 15, 1972, by the State Department of Natural Resources. (Non-regulatory)

(2) On March 3, 1972, the control strategy (IPP) for the Southeast Wisconsin Interstate was submitted by the State Department of Natural Resources. (Non-regulatory)

(3) The air quality monitoring network was submitted by the State Department of Natural Resources on March 16, 1972. (Non-regulatory)

(4) Revisions to the air quality monitoring network were submitted on April 7, 1972, by the State Department of Natural Resources. (Non-regulatory)

(5) A revised order, hearing documents and other information concerning the meeting of standards by the Alma Power Plant was submitted on January 19, 1973, by the Governor. Also submitted were revisions to emergency episode levels regulation NR 154.01(41)(c)-3 and NR 154.01(41)(c)-4.

(6) Compliance schedules were submitted on June 26, 1973, by the State.

(7) Compliance schedules were submitted on October 11, 1973, by the State.

(8) Compliance schedules were submitted on October 19, 1973, by the State.

(9) Compliance schedules were submitted on November 10, 1973, by the State.

(10) Compliance schedules were submitted on December 12, 1973, by the State.

(11) The Governor of the State submitted the Air Quality Maintenance Areas designations on June 21, 1974.

(12) A request for an extension of the statutory timetable for the submittal of the portion of the Wisconsin SIP which provides for the attainment of the Secondary NAAQS for TSP was submitted by the Wisconsin DNR on February 22, 1979, and was supplemented with additional information on April 16, 1979 and May 13, 1980.

(13) On June 4, 1979, the State submitted revisions to regulation NR 154.13 and to regulation NR 154.01 as it applies to regulation NR 154.13 and a commitment by the Wisconsin Natural Resources Board to adopt any additional rules representing reasonably available control technology which are necessary for the attainment of the ozone standard. NR 154.01 and NR 154.13 were published in the Wisconsin Administrative Register in July 1979 and were amended in the August 1979 Register.

(14) On November 27, 1979 the Wisconsin Department of Natural Resources submitted revised rules NR 154.01 (126m), 154.02, 154.03 and 154.06. Support materials for these regulations were previously submitted on July 12, 1979 and September 4, 1979.

(15) On May 1, 1980, the Wisconsin Department of Natural Resources submitted the sulfur dioxide regulations NR 154.12 (4) and (5) for the Village of Brokaw, Marathon County and the City of Madison, Dane County.

(16) On July 12, 1979, Wisconsin submitted its ozone and carbon monoxide plan. This included the plan for the Green Bay, Madison, and Milwaukee urban areas which include the ozone nonattainment counties of Brown, Dane, Kenosha, Milwaukee, Ozaukee, Racine and Waukesha. Supplemental materials and commitments were submitted on September 4, 1979, February 28, 1980, August 12, 1980, September 25, 1980, November 4, 1980 and April 9, 1981.

(17) On July 12, 1979, Wisconsin submitted its vehicle inspection and maintenance program. Supplemental information and commitments were submitted on August 1, 1979, October 16, 1979, May 7, 1980, May 8, 1980, and April 9, 1981.

(18) On July 12, 1979 Wisconsin submitted its new source review regulations. Additional information was submitted on September 4, 1979, November 27, 1979, May 1, 1980, and February 18, 1981. EPA is only approving these submittals as they relate to the new source review plan for nonattainment areas.

(19) On April 18, 1980, the State of Wisconsin submitted a revision to provide for modification of the existing air quality surveillance network. An

amendment to the revision was submitted by the State of Wisconsin on September 15, 1980.

(20) On September 9, 1980, the State of Wisconsin submitted a variance to regulation NR 154.13(3)(c) for Avis Rent-A-Car.

(21) On October 29, 1980 the State submitted a variance to regulation NR 154.13(3)(a) for Union Oil Company bulk gasoline terminal in Superior.

(22) On July 12, 1979, the State submitted revisions to Regulation NR 154.09, Wisconsin Administrative Code.

(23) Revision to plan allowing General Motors Assembly Division Janesville plant variance from Regulation NR 154.13(4)(g) 4.a., Wisconsin Administrative Code submitted January 15, 1981 by the State Department of Natural Resources.

(24) On August 31, 1981, Wisconsin submitted a variance from the provisions of Section NR 154.12(5)(a)2.b.2, and NR 154.12(5)(b) Wisconsin Administrative Code, for the Oscar Mayer and Company plant located in Madison, Wisconsin as a revision to the Wisconsin sulfur dioxide SIP.

(25) Revision to plan allowing W. H. Brady Company in Milwaukee variance from regulation NR 154.13(4) (e) and (f), Wisconsin Administrative Code, submitted January 22, 1982, by the State Department of Natural Resources.

(26) Revision to plan allowing Albany Carbide Corporation in Albany variance from regulation NR 154.13(5)(a), Wisconsin Administrative Code, submitted on December 22, 1981, by the State Department of Natural Resources.

(27) On January 15, 1981, the Wisconsin Department of Natural Resources submitted revisions to regulations NR 154.01 and NR 154.13 representing reasonably available control technology which are necessary to attain and maintain the ozone standard. A supplemental commitment was submitted March 31, 1982.

(28) On November 27, 1979, the State of Wisconsin submitted implementation plan revision to satisfy the Part D, Title I of the Clean Air Act for attainment and maintenance of the national ambient air quality standards for particulate matter. The revision consists of NR 154.11, Wisconsin Admin-

istrative Code, Control of Particulate Matter. Amendments to the plan were submitted by the State on November 6, 1980, and June 10, 1981. Supplemental information and commitments were submitted on May 1, 1980, May 13, 1982, and December 7, 1982. No attainment plan was submitted for Columbia, Brown, Dane, Douglas, Kenosha, Manitowoc, Marathon, Racine, Winnebago, and Wood Counties.

(29) On July 15, 1982, the State of Wisconsin submitted a variance to the compliance regulation requirements contained in NR 154.13(2)(a)1.d. for Lakehead Pipe Line Company, Inc., in Superior.

(30) On December 7, 1982, Wisconsin submitted revisions to regulations NR 154.01 and NR 154.11(2) for fugitive dust control in or near nonattainment areas for TSP.

(31) On March 8, 1983, the Wisconsin Department of Natural Resources submitted the 1982 revision to the Ozone/Carbon Monoxide SIP for Southeastern Wisconsin. This revision pertains to Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties. EPA is deferring action on the vehicle inspection and maintenance (I/M) portion of this revision.

(32) On February 17, 1983, the Wisconsin Department of Natural Resources submitted the newly created section NR 154.13(13)(e) of Wisconsin's Administrative Code which partially exempts methylene chloride (dichloromethane) and methyl chloroform (1,1,1-trichloroethane) from the VOC control requirements contained in the Wisconsin SIP. The U.S. Environmental Protection Agency is not rule-making at this time on the sulfur dioxide control requirements for the City of Brokaw in Marathon County which were also contained in the February 17, 1983, submittal.

(33) On January 23, 1984, the State of Wisconsin submitted a State Implementation Plan revision revoking the Hydrocarbon Standard contained in NR 155.03(5).

(34) On July 1, 1983, the State of Wisconsin submitted ambient lead standards and lead emission limitations as additions to the State Implementation Plan. The additions consist of NR 155.03(7), Lead: Primary and Secondary

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Standards, and NR 154.145, Control of Lead Emissions, of the Wisconsin Administrative Code. Supplemental information and commitments were submitted on October 13, 1983, March 14, 1984, June 4, 1984, and June 15, 1984.

(35) On September 20, 1983, the Wisconsin Department of Natural Resources submitted its Lead SIP for the entire State of Wisconsin. Additional information was submitted on February 14, 1984, and March 14, 1984.

(36) On December 8, 1983, the Wisconsin Department of Transportation submitted Chapter TRANS 131, Motor Vehicle Inspection and Maintenance Program (MVIP). On June 11, 1984, the Wisconsin Department of Natural Resources requested that USEPA approve the remaining element of the 1982 Ozone/Carbon Monoxide SIP, the vehicle inspection and maintenance portion (I-M). All other elements of the Ozone/Carbon Monoxide SIP has been approved previously. (See Section 52.2570 (c)(31)).

(37) On May 25, 1984, the Wisconsin Department of Natural Resources submitted a permit fee rule, Chapter NR 410, which establishes air permit application fees and air permit implementation and enforcement fees, as a revision to the SIP.

(38) On January 23, 1984, the Wisconsin Department of Natural Resources (WDNR) submitted SO₂ emission limits for large electric utility sources located in the City of Milwaukee, Milwaukee County, Wisconsin.

WDNR recodified the rule and on October 23, 1987, submitted it as recodified.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Natural Resources (NR) 418.04 as found at (Wisconsin) Register, September 1986, No. 369, effective October 1, 1986.

(39) On January 23, 1984, the Wisconsin Department of Natural Resources submitted revisions to sections NR 154.01 and NR 154.13 of the Wisconsin Administrative Code. These revisions incorporate volatile organic compound emission limits for large existing petroleum dry cleaners located in a six-county area of southeastern Wisconsin into the Wisconsin Ozone SIP [NR 154.13(6)(c)].

(40) On November 17, 1983, Wisconsin submitted revisions to Sections NR 154.01, Definitions, and NR 154.13, Control of Organic Compound Emissions, of the Wisconsin Administrative Code. These revisions clarify the volatile organic compound RACT rules and establish an extended RACT compliance date for certain can coating operations. On July 11, 1984, Wisconsin submitted additional information revising the original submittal.

(i) Incorporation by reference.

(A) Board Order A-36-82, incorporating revisions to NR 154.01 and NR 154.13 of the Wisconsin Administrative Code, became effective in the State of Wisconsin on August 1, 1983.

(41) On January 24, 1985, the Wisconsin Department of Natural Resources submitted test methods for petroleum dry cleaning sources as a revision to the Wisconsin SIP. These test methods are part of the State's "Air Management Operations Handbook".

(i) Incorporation by reference.

(A) Test methods for petroleum dry cleaning sources contained in the Wisconsin Department of Natural Resources' "Air Management Operations Handbook".

(42) On July 12, 1979, the State of Wisconsin submitted its new source review (NSR) regulations. Additional information was submitted on September 4, 1979, November 27, 1979, May 1, 1980, and February 18, 1981. USEPA has previously approved these submittals as they relate to the NSR plan for non-attainment areas. See (c) (18). USEPA is now approving these submittals as they relate to the general NSR requirements for attainment and unclassified areas. USEPA is not approving these submittals with regard to the Prevention of Significant Deterioration (PSD) requirements, and USEPA's approval of Wisconsin's NSR rules should not be interpreted to apply to PSD. USEPA is approving §§144.394(2) and 144.394(5) of the State Statutes provided that all variances (144.394(2)) and emission reduction options (144.394(5)) are submitted to USEPA as SIP revisions. On November 6, 1985, the State submitted a letter committing to: (1) Revise its regulations to conform with USEPA's July 8, 1985, rulemaking concerning stack height credits for air quality

modeling; and (2) implement all air quality modeling analyses to conform with the July 8, 1985, rulemaking until the revised State regulations are enacted.

(i) Incorporation by reference.

(A) The following Sections of Chapter 144 of the Wisconsin Statutes, entitled “Water, Sewage, Refuse, Mining, and Air Pollution, are incorporated by reference. These sections are located in Subchapter I, “Definitions”, Subchapter III, “Air Pollution”, and Subchapter VII, “General Provisions, Enforcement and Penalties”, of Chapter 144.

- Section 144.01 (1), (2), (3), (9m), and (12)—Definitions
- Section 144.30—Air Pollution; Definitions
- Section 144.31—Air Pollution Control; Powers and Duties
- Section 144.34—Inspections
- Section 144.375—Air Pollution Control; Standards and Determinations
- Section 144.38—Classification and Reporting
- Section 144.391—Air Pollution Control Permits
- Section 144.392—Permit Application and Review
- Section 144.393—Criteria for Permit Approval
- Section 144.394—Permit Conditions
- Section 144.395—Alteration, Suspension and Revocation of Permits
- Section 144.396—Permit Duration
- Section 144.397—Operation Permit Review
- Section 144.398—Failure to Adopt Rules or Issue Permit or Exemption
- Section 144.399—Fees
- Section 144.402—Petition for Alteration
- Section 144.403—Hearings on Certain Air Pollution Actions
- Section 144.423—Violations; Enforcement
- Section 144.426—Penalties for Violations Relating to Air Pollution
- Section 144.98—Enforcement; Duty of Department of Justice

(B) The following Sections of Chapter NR 154 of the Wisconsin Administrative Code, entitled “Air Pollution Control”, are incorporated by reference.

- Section 154.01—Definitions
- Section 154.04—Permit Requirements and Exemptions
- Section 154.05—Action on Applications
- Section 154.055—Relocation of Portable Sources
- Section 154.06—Operation and Inspection of Sources (Source Reporting, Recordkeeping, Testing, Inspection and Operation)
- Section 154.08—Enforcement and Penalties
- Section 154.21—Limitations on County, Regional, or Local Regulations

Section 154.24—Procedures for Non-contested Case Public Hearings

Section 154.25—Procedures for Alteration of Permits by Petition

(C) Letter from the State of Wisconsin dated November 6, 1985, committing to implement USEPA’s stack height regulations.

(43) On October 13, 1983, the State of Wisconsin submitted revisions to Chapter NR 154 of the Wisconsin Administrative Code that exempt certain sources from the need to obtain construction, modification, and operation permits, and from other permit program requirements. USEPA is approving these permit exemptions for attainment, nonattainment, and unclassified areas, except for those exemptions upon which USEPA is deferring action (Sections NR 154.01(118), NR 154.04(3)(a), NR 154.04(5), and NR 154.04(6)(b)).

(i) Incorporation by reference.

(A) Sections NR 154.01, NR 154.04, NR 154.08, NR 154.24, and NR 154.25 of Natural Resources Board Order Number A-39-81, which were published in the Wisconsin Administrative Register in April 1983, and which took effect on May 1, 1983, with the exception of sections NR 154.01(118), NR 154.04(3)(a), NR 154.04(5), and NR 154.04(6)(b).

(ii) Additional material.

(A) Letter from the State dated May 24, 1984, clarifying that major sources, or major modifications of major sources, could not be exempted from the requirement to obtain a permit under sections NR 154.04(2)(a) or NR 154.04(3)(b).

(B) Letter from the State dated July 13, 1984, stating that decisions made pursuant to NR 154.25 would be subject to the permitting criteria in § 144.393 of the Wisconsin Statutes.

(44) On August 20, 1985, Wisconsin submitted a revision to its volatile organic compound plan for the Continental Can Company. The revision allows the use of internal offsets, in conjunction with daily weighted emission limits, at Continental Can’s Milwaukee and Racine can manufacturing facilities.

(i) Incorporation by reference.

(A) NR 422.05, as published in the (Wisconsin) Register, September, 1986, number 369, effective October 1, 1986.

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(45) Submittal from the State of Wisconsin, dated February 17, 1983, modifying the SO₂ emission limits applicable in the Village of Brokaw, Marathon County, Wisconsin.

(i) Incorporation by reference.

(A) Letter from the Wisconsin Department of Natural Resources, dated February 17, 1983, and revised SO₂ emission limits for the Village of Brokaw, Marathon County, Wisconsin, which are contained in section NR 154.12(4) of the Wisconsin Administrative Code. The revisions consist of limiting the maximum sulfur content in fuel oil burned in boilers to 1.0 percent by weight, where a stack of 160 feet or more is used; limiting process emissions from the Copeland recovery system, pulp papermill cooking acid plant, and pulp digester blow stack to a combined total of 228 pounds of SO₂ per hour, when vented to a common stack of 160 feet or more. If a stack height of less than 160 feet is used, or if the process emissions are not vented to a common stack of 160 feet or more, then the emission limits approved by USEPA on April 9, 1981, must be met. See (c)(15). The emission limits were effective January 1, 1983.

(46) The State of Wisconsin submitted negative declarations for several volatile organic compound source categories, as follows:

November 7, 1984—Synthetic organic chemical manufacturing industry sources (SOCMI) leaks and oxidation;

September 19, 1984—High-density polyethylene, polypropylene, and polystyrene resin manufacturers;

June 6, 1986—Natural gas/gasoline processing plants leaks.

(i) Incorporation by reference.

(A) Letters dated November 7, 1984, September 19, 1984, and June 6, 1985, from Donald F. Theiler, Director, Bureau of Air Management, Wisconsin Department of Natural Resources.

(ii) Additional information.

(A) Letter dated January 24, 1986, from PPG Industries, Inc., stating that they do not produce as an intermediate or final product any of the chemicals listed in 40 CFR part 60, subpart VV, § 60.489(a).

(47) Submittal from the State of Wisconsin, dated December 19, 1985, revising the specified levels for air pollution

episodes, air pollution episode reporting requirements, and the requirements for implementing air pollution control plans.

(i) Incorporation by reference.

(A) Department of Natural Resources, Chapter NR 493, Air Pollution Episode Levels and Episode Emissions Control Action Programs, NR 493.01, 493.02 and 493.03, effective on August 1, 1985.

(48) On April 7, 1986, the WDNR submitted a site-specific revision to its ozone SIP for VOC emissions from Union Camp's four flexographic printing presses at the Tomah facility, located in Monroe County, Wisconsin. It consists of a compliance date extension from December 31, 1985, to December 31, 1987, for meeting the VOC emission limits contained in Wisconsin SHIP regulation, NR 154.13(4)(1).

(i) Incorporation by reference.

(A) January 8, 1986, RACT Variance Review for Union Camp Corporation 501 Williams Street, Tomah, Wisconsin 54660.

(49) Submittal from the State of Wisconsin, dated June 14, 1985, revising the Wisconsin Administrative Code to include section NR 154.015, Department Review Times.

(i) Incorporation by reference.

(A) Letter from the Wisconsin Department of Natural Resources, dated June 14, 1985, and section NR 154.015 of the Wisconsin Administrative Code as a revision to the Wisconsin SIP, effective on May 1, 1985. Section NR 154.015 is entitled "Department Review Times", and it establishes time limits for review and action by the Wisconsin Department of Natural Resources on three types of air permit applications.

(50) On November 20, 1986, the State of Wisconsin submitted a revision to the Vehicle Inspection and Maintenance program (I/M) portion of its ozone/CO SIP. This was a revised rule Table 1 for NR 485.04, Wisconsin Administrative Code, plus State SIP Revision Certification.

(i) Incorporation by reference.

(A) Wisconsin revised rule NR 485.04, Wisconsin Administrative Code, effective November 1, 1986.

(51) [Reserved]

(52) On December 1, 1987, the Wisconsin Department of Natural Resources (WDNR) submitted NR 418.06. NR 418.06 is an SO₂ rule which is only applicable to the Badger Paper Mills facility, located in the City of Peshtigo, Marinette County, Wisconsin.

(i) Incorporation by reference.

(A) Natural Resources (NR) 418.06, Peshtigo RACT sulfur limitations, as published in the (Wisconsin) Register, October 1987, No. 382 at page 74, effective November 1, 1987.

(53)–(54) [Reserved]

(55) On January 28, 1985, Wisconsin submitted its Rothschild (Marathon County) SO₂ plan, which contains emission limits for sources in the City of Rothschild and the Town of Weston, specifically for the Weyerhaeuser Paper Company and the Reed-Lignin Company, respectively. USEPA is approving NR 418.08 because this revision meets the requirements of part D of the Clean Air Act, 42 U.S.C. 7501-7508. The Wisconsin SIP, however, contains additional existing requirements for SO₂. Today's action on NR 418.08 has been integrated within Wisconsin's existing SIP regulations, and does not eliminate a source's obligation to comply with all existing SO₂ SIP requirements. Specifically, today's action in no way affects the terms and conditions of a Federal Consent Decree entered into by USEPA and the Weyerhaeuser Company located in Rothschild, Wisconsin No. 89-C-0973-C (W.D. Wis., filed November 1, 1989). This Consent Decree resolves USEPA's enforcement action against Weyerhaeuser Company for violations of SIP rule NR 154.12(1) (now recodified as 418.08). In that Decree, Weyerhaeuser committed to comply with NR 154.12(1) by installing a desulfurization scrubber. August 15, 1989, the WDNR issued a construction permit to Weyerhaeuser which limit the combined emissions of Weyerhaeuser's acid plant and desulfurization scrubber to 28 pounds of SO₂ per hour. The conditions and terms of this construction permit and of the Consent Decree remain federally enforceable. On May 9, 1987, 18 months past the effective date of USEPA's designation of Marathon County as a pri-

mary SO₂ non-attainment area (October 9, 1985, (50 FR 41139)), a construction moratorium was imposed in Marathon County under section 110(a)(2)(I) of the Clean Air Act because the county did not have a USEPA approved plan which assured the attainment and maintenance of the SO₂ NAAQS. However, USEPA final approval of Rothschild's SO₂ SIP will lift the section 110(a)(2)(I) construction ban in Marathon County.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Natural Resources 418.08, Rothschild RACT sulfur limitations, as published in the (Wisconsin) Register, September, 1986, number 369, effective October 1, 1986.

(ii) Additional information.

(A) Weyerhaeuser Company, Federal Consent Decree No. 89-C-0973-C (W.D. Wis., filed November 1, 1989).

(56) [Reserved]

(57) On January 13, 1987, WDNR submitted a temporary variance from NR 154.13(4)(g) and interim emission limits for VOC emissions from General Motors Corporation's topcoat and final repair lines at Janesville, Wisconsin, which expire on December 31, 1992.

(i) Incorporation by reference.

(A) January 12, 1987, letter to Mike Cubbin, Plant Manager, General Motors Corporation from L.F. Wible, P.E., Administrator, Division of Environmental Standards.

(58) [Reserved]

(59) On November 6, 1986, WDNR submitted a variance from NR 422.15(2)(b), subject to certain conditions, for the VOC emissions from Gehl Company's dip tank coating operation in West Bend, Wisconsin. On May 22, 1990, WDNR added four additional conditions to the revised plan, and on September 5, 1990, it submitted clarifications to the plan.

(i) Incorporation by reference.

(A) A November 6, 1986, letter from Lyman Wible, P.E., Administrator, Division of Environmental Standards, WDNR to Mr. Michael J. Mulcahy, Vice-President, Secretary and General Counsel, Gehl Company.

(B) A May 10, 1990, letter from Lyman Wible, P.E., Administrator, Division of Environmental Standards, WDNR to

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Mr. Michael J. Mulcahy, Vice-President, Secretary and General Counsel, Gehl Company.

(ii) Additional information.

(A) A September 5, 1990, letter from Thomas F. Steidl, Attorney, WDNR to Louise C. Gross, Associated Regional Counsel, USEPA.

(60) On January 23, 1984, and May 21, 1987, the WDNR submitted a proposed revision and additional information to the SO₂ SIP for sources located in the cities of Green Bay and DePere, Wisconsin (Brown County).

(i) Incorporation by reference.

(A) Natural Resources 418.05, Green Bay and DePere RACT sulfur limitations, as published in the (Wisconsin) Register, September, 1990, No. 417 at page 96, effective October 1, 1986.

(ii) Additional information.

(A) A July 16, 1990, letter from Don Theiler, Director Bureau of Air Management, WDNR additional information responding to USEPA's comments on the variable emission limits for Proctor & Gamble-Fox River, James River Corporation, and Green Bay Packaging.

(B) An August 27, 1986, letter from Vicki Rudell, Air Management Engineer, WDNR to Mr. Bill Zabor, Proctor & Gamble, Fox River Mill, regarding averaging time to be used when determining SO₂ emission limit exceedances and the concept of bubbling SO₂ emission limit from the digester blow stack scrubber and brown stock washer stack.

(C) A July 13, 1990, letter from W.F. Zabor, Environmental Control Manager, Proctor & Gamble to WDNR regarding the shut down of the bark combuster.

(D) A June 12, 1990, letter from Scott E. Valitchka, Environmental Control Engineer, James River Corporation, regarding how it intends to determine compliance with its boiler SO₂ emissions.

(E) A July 9, 1990, letter from Brian F. Duffy, Corporate Environmental Director Mills Operations to WDNR regarding SO₂ emission limits and compliance demonstration.

(F) A January 21, 1987, memorandum from Sudhir V. Desai, Environmental Engineer Central District Office, USEPA to Rashidan Khan, Engineering

Section, USEPA, entitled "Overview Inspection Green Bay Packaging Inc., Mill Division Green Bay, Wisconsin 54307, State FID #405032100 (A21055)".

(61) [Reserved]

(62) On December 11, 1991, the United States Environmental Protection Agency received a revision to Wisconsin's State Implementation Plan for Carbon Monoxide. This revision took the form of Administrative Order AM-91-71, dated November 22, 1991, which incorporates a stipulation between the Wisconsin Department of Natural Resources and the Brunswick Corporation d.b.a. Mercury Marine. The Administrative Order addresses the emissions of carbon monoxide into the ambient air from Mercury Marine Engine Testing Facility in Oshkosh, Wisconsin.

(i) Incorporation by reference.

Administrative Order AM-91-71, dated November 22, 1991, which incorporates a stipulation between the Wisconsin Department of Natural Resources and the Brunswick Corporation d.b.a. Mercury Marine.

(ii) Additional materials.

Attainment modeling demonstration of control strategy to limit carbon monoxide emissions from Mercury Marine Engine Testing Facility, dated December 20, 1989.

(63) Revisions to the sulfur dioxide attainment plan were submitted by the State of Wisconsin between June 5, 1985, and January 27, 1992. The revised plan consists of: Natural Resources 417.07, Natural Resources 417.04, several operating permits, numerous administrative rules, numerous negative declarations, and some compliance plans.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Natural Resources (NR) 417.07, State-wide Sulfur Dioxide Emission Limitations: Subsections 1 (Applicability); 2a, 2b, 2c, 2d, 2g (Emission Limits for Existing Sources); 3 (Emission Limits for New Sources); 4 (More Restrictive Emission Limits); 5 (Alternate Emission Limits); 6 (Compliance Schedules); 7 (Compliance Determinations); 8 (Variance from Emission Limits); as published in the (Wisconsin) Register, September, 1990, Number 417 at page 86, effective October 1, 1986.

(B) Wisconsin Administrative Code, NR 417.04, Southeastern Wisconsin

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Intrastate AQCR, as published in the (Wisconsin) Register, September, 1990, Number 417 at page 85, effective October 1, 1986.

(C) An Air Pollution Control Permit (MIA-10-DFS-82-36-101), dated and effective December 22, 1982, issued by the Wisconsin Department of Natural Resources to The Manitowoc Company, Inc., limiting the emissions and operation of Boiler #23 at the facility in Manitowoc, Manitowoc County, Wisconsin.

(D) An Air Pollution Control Permit (EOP-10-DFS-82-36-102), dated and effective January 12, 1983, and amended on August 7, 1987, issued by the Wisconsin Department of Natural Resources to the Manitowoc Company, Inc., limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in Manitowoc, Manitowoc County, Wisconsin.

(E) An Administrative Order (86-436041870-J01), dated and effective November 25, 1986, issued by the Wisconsin Department of Natural Resources to the Manitowoc Company, Inc., South Works Facility, limiting the emissions and operation of Boilers #20 and 21 at the facility in Manitowoc, Manitowoc County, Wisconsin.

(F) An Administrative Order (86-445038550-J01), dated and effective October 27, 1986, issued by the Wisconsin Department of Natural Resources to Appleton Papers, Inc., limiting the emissions and operation of Boiler #22 at the facility in Appleton, Outagamie County, Wisconsin.

(G) A letter from Andrew Stewart to Dennis Hultgren, dated and effective on October 9, 1986, that details the conditions of the compliance plan for Appleton Papers at the facility in Appleton, Outagamie County, Wisconsin.

(H) An Administrative Order (86-445039100-J01), dated and effective December 23, 1986, issued by the Wisconsin Department of Natural Resources to the Fox River Paper Company, limiting the emissions and operation of Boiler #21 at the facility in Appleton, Outagamie County, Wisconsin.

(I) An Administrative Order (87-445009950-N01), dated and effective May 7, 1987, issued by the Wisconsin Department of Natural Resources to the San-

ger B. Powers Correctional Center, limiting the emissions and operation of Boilers #1 and 2 at the facility in Oneida, Outagamie County, Wisconsin.

(J) An Air Pollution Control Permit (86-SJK-072), dated and effective July 28, 1987, issued by the Wisconsin Department of Natural Resources to the Thilmann Pulp and Paper Company, limiting the emissions and operation of Boilers #07, 08, 09, 10, and 11 at the facility in Kaukauna, Outagamie County, Wisconsin.

(K) An Administrative Order (87-469034390-J01), dated and effective January 22, 1987, issued by the Wisconsin Department of Natural Resources to the FWD Corporation, limiting the emissions and operation of Boilers #21, 22, and 23 at the facility in Clintonville, Waupaca County, Wisconsin.

(L) An Administrative Order (86-471030560-J01), dated and effective October 29, 1986, issued by the Wisconsin Department of Natural Resources to the Gilbert Paper Company, limiting the emissions and operation of Boilers #22, 23, 24, and 25 at the facility in Menasha, Winnebago County, Wisconsin.

(M) An Administrative Order (86-471031000-J01), dated and effective November 25, 1986, issued by the Wisconsin Department of Natural Resources to Kimberly Clark-Neenah Paper and Badger Globe Division, limiting the emissions and operation of Boilers #21 and 22 at the facility in Neenah, Winnebago County, Wisconsin.

(N) An Administrative Order (86-471031220-J01), dated and effective October 27, 1986, issued by the Wisconsin Department of Natural Resources to the U.S. Paper Mills Corporation-Menasha Mill Division, limiting the emissions and operation of Boiler #21 at the facility in Menasha, Winnebago County, Wisconsin.

(O) A Mandatory Operating Permit (735008010-J01), dated and effective June 16, 1987, issued by the Wisconsin Department of Natural Resources to Owens-Illinois Tomahawk and Timber STS, Inc., limiting the emissions and operation of Boilers #24, 25, 27, 28, and 29 at the facility in Tomahawk, Lincoln County, Wisconsin.

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(P) An Administrative Order (86-750011350-J01), dated and effective September 16, 1986, issued by the Wisconsin Department of Natural Resources to the Del Monte Corporation, limiting the emissions and operation of Boilers #01 and 02 at the facility in Plover, Portage County, Wisconsin.

(Q) An Air Pollution Control Permit (85-RV-013), dated and effective July 17, 1985, issued by the Wisconsin Department of Natural Resources to the Neenah Paper Company, limiting the emissions and operation of Boiler #01 at the facility in Stevens Point, Portage County, Wisconsin.

(R) An Elective Operating Permit (87-NEB-701), dated and effective December 23, 1987, issued by the Wisconsin Department of Natural Resources to Nekoosa Papers, Incorporated-Port Edwards Mill, Inc., limiting the emissions and operation of Boilers #20, 21, 24, and 25; as well as the sulfite recovery furnace at the facility in Port Edwards, Wood County, Wisconsin.

(S) An Air Pollution Control Permit (603007790-N01), dated and effective June 12, 1987, issued by the Wisconsin Department of Natural Resources to the Seneca Foods Corporation, limiting the emissions and operation of Boilers #10 and 11 at the facility in Cumberland, Barron County, Wisconsin.

(T) An Air Pollution Control Permit (MIA-10-KJC-83-16-044), dated and effective July 7, 1983, issued by the Wisconsin Department of Natural Resources to the Koppers Company, limiting the emissions and operation of Boiler #1 at the facility in Superior, Douglas County, Wisconsin.

(U) An Administrative Order (86-649028490-N01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the Wisconsin Dairies Cooperative, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in Clayton, Polk County, Wisconsin.

(V) An Administrative Order (86-851009940-J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to Lionite Hardboard, limiting the emissions and operation of Boiler #20 at the facility in Phillips, Price County, Wisconsin.

(W) An Administrative Order (86-230008570-N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin-Parkside Heating Plant, limiting the emissions and operation of Boilers #20, 21, 22, and 23 at the facility in Kenosha, Kenosha County, Wisconsin.

(X) An Administrative Order (86-241012970-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the A.O. Smith/Automotive Products Company, limiting the emissions and operation of the fuel burning equipment at the facility in Milwaukee, Milwaukee County, Wisconsin.

(Y) An Administrative Order (86-241014730-J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the American Can Company, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in Milwaukee, Milwaukee County, Wisconsin.

(Z) An Administrative Order (87-241007360-J01), dated and effective October 28, 1987, issued by the Wisconsin Department of Natural Resources to the American Motors Corporation, Milwaukee Manufacturing Plant, limiting the emissions and operation of Boilers #20, 21, 22, 23, and 24 at the facility in Milwaukee, Milwaukee County, Wisconsin.

(AA) An Administrative Order (86-241016710-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Eaton Corporation/Specific Industry Control Division, limiting the emissions and operation of Boilers #20, 21, 22, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(BB) An Administrative Order (86-241027050-J01), dated and effective September 18, 1986, issued by the Wisconsin Department of Natural Resources to the Milwaukee County Department of Health and Human Services, limiting the emissions and operation of Boilers #20, 21, 22, and 23, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(CC) An Administrative Order (86-241084690-J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to OMC Evinrude, limiting the emissions

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and operation of Boilers #20, 21, and 22, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(DD) A letter from Bill Haas to Steve Otto, dated and effective on September 24, 1986, that details the conditions of the compliance plan for OMC-Evinrude at the facility in Milwaukee, Milwaukee County, Wisconsin.

(EE) An Administrative Order (86-241009670-N01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to Patrick Cudahy, Incorporated, limiting the emissions and operation of Boilers #20, 22, and 24, at the facility in Cudahy, Milwaukee County, Wisconsin.

(FF) An Elective Operating Permit (86-MJT-037), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to the Peter Cooper Corporation, limiting the emissions and operation of Boilers #20, 21, 22, 23, and 24 at the facility in Oak Creek, Milwaukee County, Wisconsin.

(GG) An Administrative Order (86-241099910-J01), dated and effective October 5, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin at Milwaukee, Central Heating Plant, limiting the emissions and operation of Boilers #20A, 20B, 20C, and 21 at the facility in Milwaukee, Milwaukee County, Wisconsin.

(HH) A letter from Donald F. Theiler to William H. Rowe, dated and effective on October 2, 1986, that details the conditions of the compliance plan for the University of Wisconsin at Milwaukee at the facility in Milwaukee, Milwaukee County, Wisconsin.

(II) An Administrative Order (86-241025840-J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the Vilter Manufacturing Corporation, limiting the emissions and operation of Boilers #20, and 21, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(JJ) An Air Pollution Control Permit (EOP-10-DLJ-82-52-073), dated and effective January 18, 1983, issued by the Wisconsin Department of Natural Resources to J.I. Case, limiting the emissions and operation of Boilers #21 and

22 at the facility in Racine, Racine County, Wisconsin.

(KK) An Administrative Order (86-252006370-J01), dated and effective October 13, 1986, issued by the Wisconsin Department of Natural Resources to S.C. Johnson and Son, Inc., limiting the emissions and operation of Boilers #20, 21, 22, and 23 at the facility in Sturtevant, Racine County, Wisconsin.

(LL) A letter from Donald F. Theiler to Thomas T. Stocksdale, dated and effective on October 13, 1986, that details the conditions of the compliance plan for S.C. Johnson and Son at the facility in Sturtenant, Racine County, Wisconsin.

(MM) An Administrative Order (86-252012530-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Southern Wisconsin Center, limiting the emissions and operation of Boilers #20, 21, 22 and 23 at the facility in Union Grove, Racine County, Wisconsin.

(NN) A letter from Donald F. Theiler to George Wade, dated and effective on September 24, 1986, that details the conditions of the compliance plan for Southern Wisconsin Center at the facility in Union Grove, Racine County, Wisconsin.

(OO) An Administrative Order (86-252005050-J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to Western Publishing Company, limiting the emissions and operation of Boilers #20A, 20B, and 21 at the facility in Racine, Racine County, Wisconsin.

(PP) An Air Pollution Control Permit (MIA-12-DAA-83-60-208), dated and effective November 2, 1983, issued by the Wisconsin Department of Natural Resources to Borden Chemical, limiting the emissions and operation of Boiler #20 at the facility in Sheboygan, Sheboygan County, Wisconsin.

(QQ) An Elective Operative Permit (86-SJK-71A), dated and effective May 25, 1988, issued by the Wisconsin Department of Natural Resources to the Wisconsin Power and Light Company, limiting the emissions and operation of Boilers #23, and 24 at the facility in Sheboygan, Sheboygan County, Wisconsin.

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(RR) An Air Pollution Control Permit (86-LMW-406), dated and effective September 18, 1986 issued by the Wisconsin Department of Natural Resources to the Wisconsin Power and Light Company, limiting the emissions and operation of Unit 2 at the facility in Portage, Columbia County, Wisconsin.

(SS) An Administrative Order, dated and effective August 1, 1986, issued by the Wisconsin Department of Natural Resources to Oscar Mayer Foods Corporation, limiting the emissions from all sources at the facility in Madison, Dane County, Wisconsin.

(TT) An Administrative Order, dated and effective August 6, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin, Charter Street Heating Plant, limiting the emissions from all sources at the facility in Madison, Dane County, Wisconsin.

(UU) An Administrative Order (86-114004770-N01), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to the Universal Foods Corporation, limiting the emissions and operation of Boilers #21 and 22 at the facility in Juneau, Dodge County, Wisconsin.

(VV) An Administrative Order (86-114003340-N01), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to John Deere Horicon Works, limiting the emissions and operation of fuel burning equipment at the facility in Horicon, Dodge County, Wisconsin.

(WW) An Administrative Order (86-420044680-N01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the Taycheedah Correctional Institute, limiting the emissions and operation of Boiler #20 at the facility in Taycheedah, Fond du Lac County, Wisconsin.

(XX) An Administrative Order (86-122003640-J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the Dairyland Power Cooperative, limiting the emissions and operation of Boilers #20 and 21 at the facility in Cassville, Grant County, Wisconsin.

(YY) An Administrative Order (86-123002440-N01), dated and effective Sep-

tember 29, 1986, issued by the Wisconsin Department of Natural Resources to the Iroquois Foundry Company, limiting the emissions and operation of fuel burning equipment at the facility in Browntown, Green County, Wisconsin.

(ZZ) An Administrative Order (86-424017550-J02), dated and effective March 2, 1987, issued by the Wisconsin Department of Natural Resources to the Berlin Foundry Company, limiting the emissions and operation of fuel burning equipment at the facility in Berlin, Green Lake County, Wisconsin.

(AAA) An Administrative Order (86-424021180-N01), dated and effective er 30, 1986, issued by the Wisconsin Department of Natural Resources to the Berlin Tanning and Manufacturing Company, limiting the emissions and operation of fuel burning equipment at the facility in Berlin, Green Lake County, Wisconsin.

(BBB) An Administrative Order (86-128003700-N01), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to the Carnation Company-Pet Food and Cereal Division, limiting the emissions and operation of Boilers #21 and 22 at the facility in Jefferson, Jefferson County, Wisconsin.

(CCC) An Administrative Order (86-154008030-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Frank Brothers, Incorporated, limiting the emissions and operation of fuel burning equipment at the facility in Milton, Rock County, Wisconsin.

(DDD) An Administrative Order (86-154002860-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the General Motors Corporation, limiting the emissions and operation of Boilers #21, 22, 23, 24, and 25 at the facility in Janesville, Rock County, Wisconsin.

(EEE) An Administrative Order (86-154004290-N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to George Hormel and Company, limiting the emissions and operation of Boilers #20, 21 and 22 at the facility in Beloit, Rock County, Wisconsin.

(FFF) An Administrative Order (86-999019320-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Rock Road of Wisconsin, limiting the emissions and operation of fuel burning equipment at the facility in Janesville, Rock County, Wisconsin.

(GGG) An Administrative Order (86-609037440-N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Jacob Leinenkugel Brewing Company, limiting the emissions and operation of Boiler #20 at the facility in Chippewa Falls, Chippewa County, Wisconsin.

(HHH) An Administrative Order (86-609037660-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Northern Wisconsin Center for the Developmentally Disabled, limiting the emissions and operation of Boilers #20, 21, 22, and 23 at the facility in Chippewa Falls, Chippewa County, Wisconsin.

(III) An Air Pollution Control Permit (MIN-04-80-10-028), dated and effective June 19, 1981, issued by the Wisconsin Department of Natural Resources to Lynn Protein, limiting the operation of Boiler #21 at the facility in Clark County, Wisconsin.

(JJJ) A letter from Thomas Woletz to Dale Sleiter, dated and effective on September 9, 1986, that details the conditions of the compliance plan for the Lynn Protein facility in Clark County, Wisconsin.

(KKK) An Administrative Order (86-618022350-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Uniroyal Tire Company, Incorporated, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in Eau Claire, Chippewa County, Wisconsin.

(LLL) An Administrative Order (86-618027080-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin Eau Claire Heating Plant, limiting the emissions and operation of Boilers #20 and 21 at the facility in Eau Claire, Chippewa County, Wisconsin.

(MMM) An Administrative Order (86-618026530-N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Waste Research and Reclamation Company, limiting the emissions and operation of Boilers #20 and 21 at the facility in Eau Claire, Chippewa County, Wisconsin.

(NNN) An Administrative Order (86-632028430-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the G. Heileman Brewing Company, limiting the emissions and operation of Boilers #20, 21, 24, and 25 at the facility in LaCrosse, LaCrosse County, Wisconsin.

(OOO) An Administrative Order (86-632028210-J01), dated and effective November 26, 1986, issued by the Wisconsin Department of Natural Resources to the Trane Company-Main Complex, limiting the emissions and operation of Boilers #20, 21, 22, 23, and 24 at the facility in LaCrosse, LaCrosse County, Wisconsin.

(PPP) An Administrative Order (86-632023590-J01), dated and effective November 26, 1986, issued by the Wisconsin Department of Natural Resources to the Trane Company-Plant 6, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in LaCrosse, LaCrosse County, Wisconsin.

(QQQ) An Administrative Order (86-632028100-J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin-LaCrosse, limiting the emissions and operation of fuel burning equipment at the facility in LaCrosse, LaCrosse County, Wisconsin.

(RRR) An Administrative Order (86-642028860-N01), dated and effective December 23, 1986, issued by the Wisconsin Department of Natural Resources to the Golden Guernsey Dairy, limiting the emissions and operation of fuel burning equipment at the facility in Sparta, Monroe County, Wisconsin.

(SSS) An Elective Operating Permit (87-JBG-079), dated and effective March 9, 1988, issued by the Wisconsin Department of Natural Resources to the Dairyland Power Cooperative, limiting the emissions and operation of Boiler

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#20 at the facility in Genoa, Vernon County, Wisconsin.

(ii) Additional information.

(A) On June 9, 1992, Wisconsin DNR submitted its SO₂ maintenance plan for the City of Madison, Dane County.

(B) On June 12, 1992, Wisconsin DNR submitted its SO₂ maintenance plan for the City of Milwaukee, Milwaukee County.

(64) On November 17, 1987, the Wisconsin Department of Natural Resources submitted Wisconsin's Rule Natural Resources (NR) 439.03—Reporting; NR 439.09—Inspections; and NR 484.04—Code of Federal Regulation Provisions.

(i) Incorporation by reference.

(A) Wisconsin revised rules NR 439.03, NR 439.09 and NR 484.04, Wisconsin's Administrative Code, effective October 1, 1987.

(65) On March 13, 1989, and May 10, 1990, Wisconsin Department of Natural Resources (WDNR) submitted rule packages AM-2-88 and AM-22-88, respectively, as revisions to its state implementation plan for particulate matter. AM-2-88 was published in December, 1988, and became effective on January 1, 1989. AM-2-88 modifies Chapter NR, Sections 400.02, 404.02, 405.02, 406.04, and 484.03 of the Wisconsin Administrative Code (WAC). AM-22-88 was published in September, 1989, and became effective on October 1, 1989. AM-22-88 modifies Chapter NR, Sections 404.04 and 484.03 of the WAC.

(i) Incorporation by reference.

(A) The rule packages revise NR 400.02, 404.02, 404.04, 405.02, 406.04, and 484.03 of the Wisconsin Administrative Code.

(ii) Additional information.

(A) A January 22, 1993, letter from D. Theiler, Director, Bureau of Air Management, WDNR, provides additional information responding to USEPA's proposed disapproval of the SIP revision, and contains WDNR's commitment to using only test methods approved by USEPA.

(66)-(68) [Reserved]

(69) On November 18, 1992, the State submitted rules regulating volatile organic compound emissions from gasoline dispensing facilities' motor vehicle fuel operations.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Chapter NR 420 Control of Organic Compound Emissions from Petroleum and Gasoline Sources; Section 420.02 Definitions, Sections NR 420.02(8m), (24m), (32m), (38m), (39m); Section NR 420.045 Motor Vehicle Refueling; published in Wisc. Admin. Code in January 1993, and took effect on February 1, 1993.

(B) Wisconsin Administrative Code, Chapter NR 425 Compliance Schedules, Exceptions, Registration and Deferrals for Organic Compound Emissions Sources in Chapters 419 to 424; Section 425.035 Throughput Reporting and Compliance Schedules for Motor Vehicle Refueling; published in Wisc. Admin. Code in January 1993, and took effect on February 1, 1993.

(C) Wisconsin Administrative Code, Chapter NR 439 Reporting, Record-keeping, Testing, Inspection and Determination of Compliance Requirements; Section NR 439.06(3)(c); Section NR 439.06(3)(i); published in the Wisc. Admin. Code in January 1993, and took effect on February 1, 1993.

(D) Wisconsin Administrative Code, Chapter NR 484 Incorporation by Reference; Section 484.05(1) Test Method 21 in appendix A of 40 CFR part 60 is incorporated by reference; Section NR 484.06(2) Other Materials (introduction); Section NR 484.06(2) (u) and (v) were created to incorporate San Diego Air Pollution Control District Test Procedures TP-91-1 and TP-91-2; incorporated by reference in Wisc. Admin. Code in January 1993, and took effect on February 1, 1993.

(E) Wisconsin Administrative Code, Chapter NR 494 Enforcement and Penalties for Violation of Air Pollution Control Provisions; renumbered Sections NR 494.025 and 494.03 to NR 494.03 and 494.05; Section NR 494.04 Tagging Gasoline Dispensing Equipment; published in the Wisc. Admin. Code in January 1993 and took effect on February 1, 1993.

(ii) Additional materials.

(A) Stage II Vapor Recovery SIP Program Description dated November 15, 1992.

(B) Letter from WDNR dated March 29, 1993, citing State authority under Sections NR 144.98, 144.99, 144.423, and

144.426, Wisc. Admin. Code, to enforce the Stage II program.

(C) Packet of public education materials on Stage II distributed by WDNR.

(70) On July 2, 1993, the State of Wisconsin submitted a requested revision to the Wisconsin State Implementation Plan (SIP) intended to satisfy the requirements of section 182 (a)(3)(B) of the Clean Air Act as amended in 1990. Included were State rules establishing procedures for stationary sources throughout the state to report annual emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_x) as well as other pollutants.

(i) Incorporation by reference. Wisconsin Administrative Code, Chapter NR 438, Air Contaminant Emission Reporting Requirements, published in the Wisconsin Register, May 1993, effective June 1, 1993.

(71) [Reserved]

(72) On November 18, 1992 and January 21, 1993, the State of Wisconsin submitted a Small Business Stationary Source Technical and Environmental Assistance Program for incorporation in the Wisconsin State Implementation Plan as required by Section 507 of the Clean Air Act. Included in the State's submittal were portions of 1991 Wisconsin Act 269 and 1991 Wisconsin Act 302.

(i) Incorporation by reference.

(A) Section 15.157(10)—small business environmental council—91-92 Wis. Stats., Effective date: May 14, 1992.

(B) Section 144.36—small business stationary source technical and environmental compliance assistance program—91-92 Wis. Stats., Effective date: May 14, 1992.

(C) Section 144.399(2)(c)—fees—91-92 Wis. Stats., Effective date: July 1, 1992.

(D) Section 560.03(9)—business and industrial development—91-92 Wis. Stats., Effective date: May 14, 1992.

(E) Section 560.11—small business environmental council—91-92 Wis. Stats., Effective date: May 14, 1992.

(F) Section 560, Subchapter III—permit information center—91-92 Wis. Stats., Effective date: November 17, 1983.

(G) Section 96—nonstatutory provisions; development—91 WisAct 302, 1991 Laws of Wisconsin. Effective date May 14, 1992.

(ii) Other material.

(A) Program description.

(73) Revisions to the ozone State Implementation Plan (SIP) were submitted by the Wisconsin Department of Natural Resources on September 22, 1993, and January 14, 1994. These rules replace the 154 series stationary source VOC regulations previously contained in Wisconsin's ozone SIP with 400 series regulations which are consistent with the current Wisconsin Administrative Code. These rules are only being approved as they apply to the ozone SIP.

(i) Incorporation by reference. The following chapters of the Wisconsin Administrative Code are incorporated by reference.

(A) Chapter NR 400: AIR POLLUTION CONTROL DEFINITIONS. NR 400.01 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 400.02 as published in the (Wisconsin) Register, June, 1993, No. 450, effective July 1, 1993.

(B) Chapter NR 419: CONTROL OF ORGANIC COMPOUND EMISSIONS, except for NR 419.07. NR 419.01, 419.02, 419.03, 419.04 and 419.06 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 419.05 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(C) Chapter NR 420: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM PETROLEUM AND GASOLINE SOURCES. NR 420.01 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 420.02 and 420.045 as published in the (Wisconsin) Register, January, 1993, No. 445, effective February 1, 1993. NR 420.03 and 420.04 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 420.05 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992.

(D) Chapter NR 421: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM CHEMICAL, COATINGS AND RUBBER PRODUCTS MANUFACTURING. NR 421.01 as published in the (Wisconsin) Register, February, 1990, No. 410, Effective March 1, 1990. NR

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421.02, 421.03, 421.05 and 421.06 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 421.04 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992.

(E) Chapter NR 422: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM SURFACE COATING, PRINTING AND ASPHALT SURFACING OPERATIONS. NR 422.01, 422.05, 422.06, 422.07, 422.08, 422.085, 422.09, 422.10, 422.11, 422.12, 422.13, 422.155 and 422.16 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 422.02, 422.03, 422.04, 422.14 and 422.15 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(F) Chapter NR 423: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM SOLVENT CLEANING OPERATIONS. NR 423.01 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 423.02 as published in the (Wisconsin) Register, January, 1987, No. 385, effective February 1, 1988. NR 423.03, 423.04, and 423.05 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(G) Chapter NR 424: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM PROCESS LINES. NR 424.01 and 424.03 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 424.02 as published in the (Wisconsin) Register, April, 1988, No. 388, effective May 1, 1988. NR 424.04 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(H) Chapter NR 425: COMPLIANCE SCHEDULES, EXCEPTIONS, REGISTRATION AND DEFERRALS FOR ORGANIC COMPOUND EMISSION SOURCES IN CHS. NR 419 TO 424. NR 425.01 and 425.02 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 425.03, 425.04 and 425.05 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 425.035 as published in the (Wisconsin) Register, January, 1993, No. 445, effective February 1, 1993.

(I) Chapter NR 439: REPORTING, RECORDKEEPING, TESTING, INSPECTION AND DETERMINATION OF

COMPLIANCE REQUIREMENTS. NR 439.01 and 439.085 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992. NR 439.02, 439.03, 439.04, 439.05, 439.055, 439.06, 439.07, 439.075, 439.09, 439.095 and 439.11 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 439.08 as published in the (Wisconsin) Register, May, 1993, No. 449, effective June 1, 1993. NR 439.10 as published in the (Wisconsin) Register, September, 1987, No. 381, effective October 1, 1987.

(J) Chapter NR 484: INCORPORATION BY REFERENCE. NR 484.01 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992. NR 484.02 as published in the (Wisconsin) Register, September, 1986, No. 369, effective October 1, 1986. NR 484.03 as published in the (Wisconsin) Register, May, 1993, No. 449, effective June 1, 1993. NR 484.04, 484.05 and 484.06 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 484.08 and 484.09 as published in the (Wisconsin) Register, October, 1992, No. 442, effective November 1, 1992.

(74) On November 24, 1992, the State of Wisconsin requested a revision to the Wisconsin State Implementation Plan (SIP) to maintain the National Ambient Air Quality Standards for SO₂ in Douglas County Wisconsin. Included were State orders and permits limiting emissions from CLM Corporation lime kilns and requiring Continuous Emission Monitoring Systems on these kilns.

(i) Incorporation by reference.

(A) Wisconsin Order AM-91-816A issued by WDNR to CLM Corporation on June 13, 1991. Wisconsin Administrative Order NWD-89-08 issued by the WDNR to CLM Corporation on December 20, 1989.

(75) On November 15, 1992, January 15, 1993, July 28, 1993, and January 14, 1994 the State of Wisconsin submitted emergency and permanent rules for issuance of New Source Review permits for new and modified air pollution sources in nonattainment areas, as required by section 182(a)(2)(c) of the Clean Air Act. The emergency rules have now been superseded by the permanent rules to clarify and specify the

NSR requirements that sources must meet under the Clean Air Act. Also submitted were portions of 1991 Wisconsin Act 302.

(i) Incorporation by reference.

(A) NR 400—Wisconsin Administrative Code, Air Pollution Control, Effective date January 1, 1994.

(B) NR 406—Wisconsin Administrative Code, Construction Permits, Effective date January 1, 1994.

(C) NR 408—Wisconsin Administrative Code, Nonattainment Area Major Source Permits, Effective date June 1, 1993.

(D) NR 490—Wisconsin Administrative Code, Procedures for Noncontested Case Public Hearings, Effective date January 1, 1994.

(E) Section 144.30—91-92 Wisconsin Statutes. Effective date May 14, 1992.

(F) Section 144.391—91-92 Wisconsin Statutes. Effective date May 14, 1992.

(G) Section 144.392—Construction permit application and review, 91-92 Wisconsin Statutes. Effective date May 14, 1992.

(H) Section 144.393—91-92 Wisconsin Statutes. Effective date May 14, 1992.

(i) Section 144.394—Permit conditions, 91-92 Wisconsin Statutes. Effective date May 14, 1992.

(ii) Additional material.

(A) Wisconsin's Emergency NSR regulations. Effective date November 15, 1992.

(B) On December 12, 1994, Donald Theiler, Director, Bureau of Air Management, WDNR sent a letter to USEPA clarifying Wisconsin's interpretation of "any period of 5 consecutive years." Wisconsin interprets the term as referring to the five-year period including the calendar year in which the increase from the particular change will occur and the four immediately preceding years.

(76) On January 14, 1994, the State of Wisconsin submitted its rules for an Operating Permits program intended to satisfy federal requirements for issuing federally enforceable operating permits.

(i) Incorporation by reference.

(A) NR 407—Wisconsin Administrative Code, Operating Permits, Effective date January 1, 1994.

(77) On November 15, 1993, the State of Wisconsin submitted a revision to

the State Implementation Plan (SIP) for the implementation of an employee commute options (ECO) program in the Milwaukee-Racine, severe-17, ozone nonattainment area. This revision included Chapter NR 486 of the Wisconsin Administrative Code, effective October 1, 1993, and Wisconsin Statutes sections 144.3712, enacted on April 30, 1992 by Wisconsin Act 302.

(i) Incorporation by reference.

(A) Chapter NR 486 of the Wisconsin Administrative Code, effective October 1, 1993.

(B) Wisconsin Statutes, section 144.3712, enacted on April 30, 1992 by Wisconsin Act 302.

(78) On November 15, 1993, the State of Wisconsin submitted a revision to the State Implementation Plan (SIP) for the implementation of a motor vehicle inspection and maintenance (IM) program in the Milwaukee-Racine and Sheboygan ozone nonattainment areas. This revision included 1993 Wisconsin Act 288, enacted on April 13, 1994, Wisconsin Statutes Sections 110.20, 144.42, and Chapter 341, Wisconsin Administrative Code Chapter NR 485, SIP narrative, and the State's Request for Proposal (RFP) for implementation of the program.

(i) Incorporation by reference.

(A) 1993 Wisconsin Act 288, enacted on April 13, 1994.

(B) Wisconsin Statutes, Sections 110.20, 144.42, and Chapter 341, effective November 1, 1992.

(79) On October 21, 1994, the Wisconsin Department of Natural Resources (WDNR) submitted a plan modifying the SO₂ emission limits applicable to Rhinelander Paper Company facility, located in the City of Rhinelander, Oneida County, Wisconsin.

(i) Incorporation by reference.

(A) A Consent Order (AM-94-38), effective August 22, 1994 issued by the Wisconsin Department of Natural Resources (WDNR) and signed by Donald F. Theiler for the WDNR and Melvin L. Davidson for the Rhinelander Paper Company. Rhinelander Paper Company is located in Rhinelander (Oneida County), Wisconsin. This Order limits the overall SO₂ emissions from the Rhinelander Paper Company, and imposes more stringent SO₂ limits for the

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source's stoker and cyclone boilers and vapor compression evaporator. Sampling and testing of fuel, as well as monitoring criteria are documented within the Order.

(B) A letter dated August 29, 1994 from the WDNR to Jerry Neis of Rhinelander Paper Company, requesting clarification for sampling methodologies for all fuel and the source of the sludge used as a fuel source.

(C) A response letter dated October 19, 1994 from Jerome T. Neis of Rhinelander Paper Company to the WDNR, detailing sampling methodologies for all fuel and clarifying the source of the sludge used as a fuel source.

(80) [Reserved]

(81) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 30, 1994, and supplemented on July 15, 1994. This revision consists of volatile organic compound regulations which establish reasonably available control technology for yeast manufacturing, molded wood parts or products coating, and wood door finishing.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(7), (34) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 422.02(12e), (18m), (24s), (27m), (33d), (34m), (46m), and (51) as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(B) NR 422.03(intro.) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 422.03 (8) and (9) as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(C) NR 422.04(1)(a) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(D) NR 422.132 as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(E) NR 422.135 as created and published in the (Wisconsin) Register, Au-

gust, 1994, No. 464, effective September 1, 1994.

(F) NR 424.02 (3), (4), (5), (6), and (7) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(G) NR 424.05 as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(H) NR 439.04(5)(a)(intro.) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(I) NR 439.075(2)(a)4. as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(J) NR 439.09(7m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994. NR 439.09(9)(b) as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(K) NR 439.095 (1)(e) and (5)(e) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(L) NR 484.05(9) as renumbered from NR 484.05(2), amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(82) Revisions to the ozone State Implementation Plan (SIP) were submitted by the Wisconsin Department of Natural Resources on April 17, 1990, and June 30, 1994, and supplemented on July 15, 1994. Included in these revisions is a volatile organic compound (VOC) regulation which establishes reasonably available control technology (RACT) for screen printing facilities. Additionally, the State submitted current negative declarations for pre-1990 Control Technology Guideline (CTG) categories for which Wisconsin does not have rules as well as a list of major sources affected by the 13 CTG categories that USEPA is required to issue pursuant to sections 183(a), 183(b)(3) and 183(b)(4) of the Clean Air Act (Act).

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

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(A) NR 422.02(11m), (21s), (41p), (41s), (41v) and (42m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994. NR 422.02(32) as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(B) NR 422.03(4m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(C) NR 422.145 as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(D) NR 439.04(4)(intro.), (5)(a)1. and (5)(a)2. as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(ii) Additional material.

(A) On April 17, 1990, and June 30, 1994, Wisconsin submitted negative declarations for the following source categories: Leaks from petroleum refinery equipment; Manufacture of synthesized pharmaceutical products; Manufacture of pneumatic rubber tires; Automobile and light duty truck manufacturing; Fire truck and emergency response vehicle manufacturing; Manufacture of high-density polyethylene, polypropylene, and polystyrene resins, a.k.a. polymer manufacturing; Leaks from synthetic organic chemical and polymer manufacturing equipment; Air oxidation processes at synthetic organic chemical manufacturing industries; and Equipment leaks from natural gas/gasoline processing plants. These negative declarations are approved into the Wisconsin ozone SIP.

(B) On June 30, 1994, Wisconsin submitted a list of facilities subject to the post-enactment source categories listed in Appendix E to the General Preamble. 57 FR 18070, 18077 (April 28, 1992). The list included facilities covered by the source categories cleanup solvents, offset lithography, plastic parts coating, and wood furniture coating. This list is approved into the Wisconsin ozone SIP.

(83) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 14, 1995. This revision is a volatile organic compound (VOC) regulation which requires con-

trols on facilities that perform autobody refinishing operations.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(intro.) and (47), 422.03(1) and (3) and 484.05(1) as amended and published in the (Wisconsin) Register, August, 1995 and effective September 1, 1995.

(B) NR 422.02 (1), (1x), (3m), (12d), (33j), (34s), (34v), (37s), (42n), (47e) and (49m) and 422.095 as created and published in the (Wisconsin) Register, August, 1995 and effective September 1, 1995.

(C) NR 422.02(1s) as renumbered from 422.02(1) and published in the (Wisconsin) Register, August, 1995 and effective September 1, 1995.

(84) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on February 17, 1995, and supplemented on June 14, 1995. This revision consists of a volatile organic compound regulation that requires controls for gasoline storage tank vent pipes.

(i) Incorporation by reference. The following section of the Wisconsin Administrative Code is incorporated by reference.

(A) NR 420.035 as created and published in the (Wisconsin) Register, July, 1994, No. 463, effective August 1, 1994.

(85) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on April 12, 1995, and supplemented on June 14, 1995, and January 19, 1996. This revision consists of a volatile organic compound regulation that requires the control of emissions from traffic markings.

(i) Incorporation by reference. The following section of the Wisconsin Administrative Code is incorporated by reference.

(A) NR 422.02(16e), (42q), (42s) and (47m) as created and published in the (Wisconsin) Register, July, 1994, No. 463, effective August 1, 1994.

(B) NR 422.17 as created and published in the (Wisconsin) Register, July, 1994, No. 463, effective August 1, 1994.

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(86) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on April 12, 1995, and supplemented on June 14, 1995, and January 19, 1996. This revision consists of a volatile organic compound regulation that requires additional controls on solvent metal cleaning operations. This rule is more stringent than the RACT rule it is replacing.

(i) Incorporation by reference. The following section of the Wisconsin Administrative Code is incorporated by reference.

(A) NR 423.02(10) as renumbered from NR 423.02(9), amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 423.02(11) as renumbered from NR 423.02(10) and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 423.02(9) and (12) as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(B) NR 423.03 as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(C) NR 425.03(12)(a)7. as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(87) The state of Wisconsin requested a revision to the Wisconsin State Implementation Plan (SIP). This revision is for the purpose of establishing and implementing a Clean-Fuel Fleet Program to satisfy the federal requirements for a Clean Fuel Fleet Program to be part of the SIP for Wisconsin.

(i) Incorporation by reference.

(A) Chapter 487 of the Wisconsin Administrative Code, effective June 1, 1995.

(B) Wisconsin Statutes, section 144.3714, enacted on April 30, 1992, by Wisconsin Act 302.

(88) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 30, 1994, and supplemented on July 15, 1994. This revision consists of volatile organic compound regulations which establish reasonably available control technology for iron and steel foundries.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 419.02(1s), (1t), (1u), (3m) and (6m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(B) NR 419.08 as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(89) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on May 12, 1995, and supplemented on June 14, 1995 and November 14, 1995. This revision consists of volatile organic compound regulations which establish reasonably available control technology for lithographic printing facilities.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(6), (18s), (21e), (24p), (24q), (28g), (37v), (41y) and (50v) as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(B) NR 422.04(4) as amended and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(C) NR 422.142 as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(D) NR 439.04(5)(d)1.(intro.) as renumbered from 439.04(5)(d)(intro.), amended, and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(E) NR 439.04(5)(d)1. a. and b. as renumbered from 439.04(5)(d)1. and 2., and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(F) NR 439.04(5)(d)2 as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(G) NR 439.04(5)(e)(intro.) as amended and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(H) NR 439.06(3)(j) as created and published in the (Wisconsin) Register,

June, 1995, No. 474, effective July 1, 1995.

(I) NR 484.04(13m), (15e) and (15m) as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(J) NR 484.10(39m) as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(90) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on May 12, 1995 and later supplemented on June 14, 1995. This revision consists of volatile organic compound regulations which establish reasonably available control technology for facilities that perform wood furniture coating operations.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(3e),(7m), (16g), (16i), (16k), (41w), (42o), (42u), (50e), (50m) and (52) as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(B) NR 422.02(47) as amended and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(C) NR 422.125 as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(D) NR 422.15(1)(intro.) as amended and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(91) The State of Wisconsin requested a revision to the Wisconsin State Implementation Plan (SIP). This revision is for the purpose of satisfying the rate-of-progress requirement of section 182(b) and the contingency measure requirement of section 172(c)(9) of the Clean Air Act (Act) which will aid in ensuring the attainment of the national ambient air quality standard (NAAQS) for ozone.

(i) Incorporation by reference.

(A) Wisconsin Statutes, sections 144.31(1)(e) and (f), enacted on April 30, 1992, by Wisconsin Act 302.

(92) On October 18, 1995, the Wisconsin Department of Natural Resources submitted a revision to the

State Implementation Plan for general conformity rules. The general conformity SIP revisions enable the State of Wisconsin to implement and enforce the Federal general conformity requirements in the nonattainment or maintenance areas at the State or local level in accordance with 40 CFR part 93, subpart B—Determining Conformity of General Federal Actions to State or Federal Implementation Plans.

(i) Incorporation by reference.

(A) NR 489, as created and published in the (Wisconsin) Register, September, 1995, number 477, effective October 1, 1995.

(93) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on December 11, 1995 and later supplemented on January 12, 1996. This revision consists of a volatile organic compound regulation that establishes reasonably available control technology for facilities that use industrial adhesives.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(1e), (1m) and (28j) as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(B) NR 422.127 as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(C) NR 422.132(1)(c) as repealed, recreated and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(94) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on November 17, 1995. This revision consists of a site-specific revision for the GenCorp Inc.-Green Bay facility. This revision is required under Wisconsin's federally approved rule, NR 419.05. The storage requirements contained in NR 419.05 specifically require floating roofs, vapor condensation systems, and vapor holding tanks, or an equally effective alternative control method approved by the Wisconsin Department of Natural Resources and U.S. EPA. The GenCorp

Inc.-Green Bay facility has chosen to utilize a pressure vessel storage tank with a vapor balance system, as specified in Permit 95-CHB-407 which was issued on August 29, 1995. This pressure vessel will be used for the storage of acrylonitrile that will be used to manufacture styrene-butadiene-acrylonitrile latex.

(i) Incorporation by reference. The following sections of the Wisconsin air pollution construction permit 95-CHB-407 are incorporated by reference.

(A) The permit condition requiring a pressure vessel storage tank with a vapor balance system for the styrene-butadiene-acrylonitrile latex manufacturing process, as created and published Wisconsin Permit 95-CHB-407, August 29, 1995 and effective August 29, 1995.

(95) On March 15, 1996, Wisconsin submitted a site-specific SIP revision in the form of a consent order for incorporation into the federally enforceable ozone SIP. This consent order establishes an alternate volatile organic compound control system for a cold cleaning operation at the General Electric Medical Systems facility located at 4855 West Electric Avenue in Milwaukee.

(i) Incorporation by reference. The following items are incorporated by reference.

(A) State of Wisconsin Consent Order AM-96-200, dated February 20, 1996.

(B) September 15, 1995 letter from Michael S. Davis, Manager—Air and Chemical Management Programs, General Electric Medical Systems to Denese Helgeland, Wisconsin Department of Natural Resources, along with the enclosed system diagram. (This letter is referenced in Consent Order AM-96-200.)

(96)-(97) [Reserved]

(98) On November 6, 1996, the State of Wisconsin submitted rules pertaining to requirements under the Prevention of Significant Deterioration program. Wisconsin also submitted rule packages as revisions to the state implementation plans for particulate matter and revisions to the state implementation plans for clarification changes.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code (WAC) are incor-

porated by reference. Both rule packages, AM-27-94 and AM-9-95, were published in the (Wisconsin) Register in April 1995, No. 472, and became effective May 1, 1995. AM-27-94 modifies Chapter NR, Sections 400.02(39m), 404.05, 405.02, 405.07, 405.08, 405.10, 405.14, and 484.04 of the WAC. AM-9-95 modifies Chapter NR, Sections 30.03, 30.04, 400 Note, 400.02, 400.03, 401.04, 404.06, 405.01, 405.02, 405.04, 405.05, 405.07, 405.08, 405.10, 406, 407, 408, 409, 411, 415, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 429, 436, 438, 439, 447, 448, 449, 484, 485, 488, 493, and 499 of the WAC.

(99) On February 26, 1999, the State of Wisconsin submitted a site-specific revision to the sulfur dioxide (SO₂) SIP for Murphy Oil USA located in Superior (Douglas County), Wisconsin. This SIP revision was submitted in response to a January 1, 1985, request for an alternate SO₂ emission limitation by Murphy Oil, in accordance with the procedures of Wisconsin State Rule NR 417.07(5) for obtaining alternate emission limits, as was approved by EPA in paragraph (c)(63) of this section.

(i) Incorporation by reference.

(A) Air Pollution Control Operation Permit No. 95-SDD-120-OP, issued by the Wisconsin Department of Natural Resources (WDNR) to Murphy Oil USA on February 17, 1999.

(ii) Additional material.

(A) Analysis and Preliminary Determination for the Proposed Operation Permit for the Operation of Process Heaters and Processes Emitting Sulfur Dioxide for Murphy Oil, performed by the WDNR on September 18, 1998. This document contains a source description, analysis of the alternate emission limitation request, and an air quality review, which includes the results of an air quality modeling analysis demonstrating modeled attainment of the SO₂ NAAQS using the alternate emission limit for Murphy Oil.

(100) On October 30, 1998, Wisconsin submitted a source-specific State Implementation Plan revision for Uniroyal Engineered Products, Inc., located in Stoughton, Wisconsin. The State supplemented the original submittal with Consent Order Number AM-99-900 on February 17, 2000. This source-specific variance relaxes volatile organic compound reasonably

available control technology requirements for Uniroyal.

(i) Incorporation by reference.

(A) Consent Order Number AM-99-900, issued by the Wisconsin Department of Natural Resources to Uniroyal Engineered Products on February 17, 2000.

(101) On November 15, 1992, the state of Wisconsin submitted a revision to the Wisconsin State Implementation Plan for ozone establishing an enhanced motor vehicle inspection and maintenance program in Southeast Wisconsin. The state made several supplements to the original plan, dated January 15, 1993, November 15, 1993, July 28, 1994, February 13, 1996, July 3, 1997, August 11, 1998, December 30, 1998, December 22, 2000, and July 27, 2001. This revision included Wisconsin statutes providing authorities for implementing the program, Wisconsin Administrative Rules, the contract between the state of Wisconsin and the vehicle testing contractor, schedules for implementation, and technical materials related to test equipment specifications, reports, and quality assurance procedures.

(i) Incorporation by reference.

(A) Wisconsin Statutes, Section 110.20, effective January 1, 1996, Section 285.30, effective January 1, 1997.

(B) Wisconsin Administrative Code, Chapter NR 485, effective February 1, 2001.

(C) Wisconsin Administrative Code, Chapter TRANS 131, effective June 1, 2001.

(102) On February 9, 2001 the Wisconsin Department of Natural Resources submitted a site specific SIP revision in the form of a February 5, 2001 Environmental Cooperative Agreement for incorporation into the federally enforceable State Implementation Plan. The Cooperative Agreement establishes an exemption for pre-construction permitting activities for certain physical changes or changes in the method of operation at the Wisconsin Electric Power Company, Pleasant Prairie Power Plant located at 8000 95th Street, Pleasant Prairie, Wisconsin. This Environmental Cooperative Agreement expires on February 4, 2006.

(i) Incorporation by reference.

The following provisions of the Environmental Cooperative Agreement between the Wisconsin Electric Power Company and the Wisconsin Department of Natural Resources signed on February 5, 2001: The provisions in Section XII.C. Permit Streamlining concerning Construction Permit Exemption for Minor Physical or Operational Changes. These provisions establish a construction permit exemption for minor physical or operational changes at the Wisconsin Electric Power Company Pleasant Prairie Power Plant. This Environmental Cooperative Agreement expires on February 4, 2006.

(103) On December 27, 2000, Wisconsin submitted a one-hour ozone attainment demonstration plan as a revision to the Wisconsin State Implementation Plan (SIP). Supplements to the December 27, 2001 plan were submitted on May 28, 2001, June 6, 2001, and August 29, 2001.

(i) Incorporation by reference.

(A) NR 400.02 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(B) NR 422.02 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(C) NR 422.04 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(D) NR 422.083 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(E) NR 422.135 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(F) NR 423.02 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(G) NR 423.035 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(H) NR 428.01 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(I) NR 428.02 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(J) NR 428.04 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(K) NR 428.05 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

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(L) NR 428.07 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(M) NR 428.08 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(N) NR 428.09 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(O) NR 428.10 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(P) NR 428.11 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(Q) NR 439.04(5)(a) as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(R) NR 439.096 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(S) NR 484.04 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(T) A Consent Order, No. AM-00-01, signed and effective September 7, 2000. The Order, issued by the Wisconsin Department of Natural Resources, establishes Reasonably Available Control Requirements for ink manufacturing operations at Flint Ink, located in Milwaukee.

(ii) Additional material.

(A) A letter from Lloyd Eagan, to Cheryl Newton dated May 28, 2001, providing clarifications and a commitment relative to the state's one-hour ozone SIP revision submittal.

(B) A letter and attachments from Lloyd Eagan to David Ullrich, dated June 6, 2001 providing supplemental information for the state's reasonably available control measures analysis.

(104) A revision to the Wisconsin State Implementation Plan for ozone was submitted on February 1, 2001. It contained revisions to the state's regulations that control volatile organic compound emissions from automobile refinishing operations. A portion of these regulations were renumbered and submitted on July 21, 2001.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative code are incorporated by reference.

(A) NR 406.04 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(B) NR 407.03 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(C) NR 419.02 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(D) NR 422.095 as published in the (Wisconsin) Register August, 2001, No. 548, effective September 1, 2001.

(E) NR 484.10 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(105) On November 17, 2000, WDNR submitted a request to redesignate the villages of Rothschild and Weston and the Township of Rib Mountain, all located in central Marathon County, Wisconsin from primary and secondary SO₂ nonattainment areas to attainment of the SO₂ NAAQS. EPA identified modeling and enforceability issues during the technical review of this submittal. On October 17, 2001, WDNR sent to EPA a supplemental submittal addressing the technical deficiencies.

(i) Incorporation by reference.

(A) A Consent Order identified as AM-01-600 for Weyerhaeuser Company, issued by WDNR and signed by Scott Mosher for the Weyerhaeuser Company on May 29, 2001, and Jon Heinrich for WDNR on August 16, 2001.

(B) A Consent Order identified as AM-01-601 for Wisconsin Public Service Corporation's Weston Plant, signed by David W. Harpole for the Wisconsin Public Service Corporation on July 12, 2001, and Jon Heinrich for WDNR on August 16, 2001.

(106) Wisconsin submitted a revision to its State Implementation Plan for ozone on December 22, 2000. The rule requires major stationary sources of volatile organic compounds in the Milwaukee nonattainment area to pay a fee to the state if the area fails to attain the one-hour national ambient air quality standard for ozone by 2007.

(i) Incorporation by reference. The following section of the Wisconsin Administrative code is incorporated by reference: NR 410.06 as created and published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(107) On June 12, 2002, the Wisconsin Department of Natural Resources submitted a site specific revision to its

SIP for emissions from Northern Engraving Corporation's Holmen and Sparta facilities in the form of an Environmental Cooperative Agreement for incorporation into the federally enforceable State Implementation Plan. It consists of portions of the Environmental Cooperative Agreement which supersede portions of rules in the State Implementation Plan. The Cooperative Agreement establishes an exemption for pre-construction permitting activities for certain physical changes or changes in the method of operation at the Northern Engraving Corporation's Holmen and Sparta facilities.

(i) Incorporation by reference.

(A) The following provisions of the Environmental Cooperative Agreement between Northern Engraving Corporation (NEC) and the Wisconsin Department of Natural Resources signed on June 10, 2002: Section XI of the Environmental Cooperative Agreement (Operational Flexibility and Variances) and Part IA. of Appendix C.3: Specific Permit Conditions under the Environmental Cooperative Agreement for NEC's Sparta facility.

(108) On December 16, 2002, Lloyd L. Eagan, Director, Wisconsin Department of Natural Resources, submitted revised rules to allow use of NO_x emissions averaging for sources subject to NO_x emission limits in the Milwaukee-Racine area. The revised rules also establish a NO_x emissions cap for sources that participate in emissions averaging, consistent with the emissions modeled in Wisconsin's approved one-hour ozone attainment demonstration for the Milwaukee-Racine area. The rule revision also creates a new categorical emissions limit for new integrated gasification combined cycle units.

(i) Incorporation by reference.

(A) NR 428.02(6m) as published in the (Wisconsin) Register, November 2002, No. 563 and effective December 2, 2002.

(B) NR 428.04(2)(g)(3) as published in the (Wisconsin) Register, November 2002, No. 563 and effective December 2, 2002.

(C) NR 428.06 as published in the (Wisconsin) Register, November 2002, No. 563 and effective December 2, 2002.

(109) On October 7, 2002, the Wisconsin Department of Natural Resources

submitted a State Implementation Plan (SIP) revision for the control of emissions of particulate matter (PM) in the state of Wisconsin. This revision will allow certain state designated nonattainment areas for total suspended particulates (TSP) to be redesignated to attainment while retaining the emission limits and control requirements which helped lower PM concentrations in those areas. Specifically, EPA is approving into the PM SIP certain provisions to chapter NR 415, Wisconsin Administrative Code, and repealing sections NR 415.04(5), NR 415.05(5) and NR 415.06(5).

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 415.035 as created and published in the (Wisconsin) Register, October 2001, No. 550, effective November 1, 2001.

(B) NR 415.04(2)(intro.), NR 415.04(3)(intro.), NR 415.04(3)(a), NR 415.04(4)(intro.), NR 415.04(4)(b), NR 415.05(3)(intro.), NR 415.06(3)(intro.), NR 415.06(4), and NR 415.075(3)(intro.) as amended and published in the (Wisconsin) Register, October 2001, No. 550, effective November 1, 2001.

(110) On June 27, 2003, the Wisconsin Department of Natural Resources (WDNR) submitted a site specific revision to its state implementation plan for emissions from Northern Engraving Corporation's (Northern Engraving) Galesville and West Salem facilities in the form of operating permit conditions, based upon an Environmental Cooperative Agreement reached between WDNR and Northern Engraving for incorporation into the federally enforceable State Implementation Plan (SIP). An exemption for pre-construction permitting activities for certain physical changes or changes in the method of operation at the Northern Engraving Corporation's Galesville and West Salem facilities is established. Specific permit conditions for these two facilities are incorporated by reference in the SIP.

(i) Incorporation by reference.

(A) Specific Permit Conditions under the Environmental Cooperative Agreement for Northern Engraving Corporation's (NEC) Galesville facility contained in Part I.A. of Wisconsin Air Pollution Control Operation Permit NO. 662008930-F02 issued April 26, 2002 to NEC, 1200 West Gale Avenue, Galesville, Trempealeau County, Wisconsin. This permit expires April 26, 2007.

(B) Specific Permit Conditions under the Environmental Cooperative Agreement for Northern Engraving Corporation's (NEC) West Salem facility contained in Part I.A. of Wisconsin Air Pollution Control Operation Permit NO. 632024800-F01 issued June 23, 2003 to NEC, 600 Brickl Road, West Salem, La Cross County, Wisconsin. This permit expires June 23, 2008.

(111) On May 25, 2004, Lloyd L. Eagan, Director, Wisconsin Department of Natural Resources, submitted a revision to its rule for control of nitrogen oxide (NO_x) emissions as a revision to the Wisconsin State Implementation Plan. The revision modifies language to clarify which sources are eligible to participate in the NO_x emission averaging program to demonstrate compliance as part of the one-hour ozone attainment plan approved by EPA for the Milwaukee-Racine and Sheboygan ozone nonattainment areas (Kenosha, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha counties). The rule revision also creates a separate limit for new combustion turbines burning biologically derived gaseous fuels. The new NO_x categorical limit for newly installed combustion turbines burning biologically derived fuel applies only to new sources located in Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha counties in southeastern Wisconsin.

(i) Incorporation by reference. Wisconsin rules NR 428.02(1) and (1m); NR 428.04(2)(g)(1); NR 428.04(2)(g)(4); and NR 428.06(2)(a) as published in the (Wisconsin) Register, December 2003, No. 576 and effective January 1, 2004.

(112) On May 18, 2005, Wisconsin Department of Natural Resources submitted a source specific State Implementation Plan revision. Serigraph, Inc. in Washington County is seeking

to use an alternative volatile organic compounds control device. Serigraph, Inc. will use a biofilter to control volatile organic compound emissions from sources in its Plant 2. This is considered an equivalent control system under section NR 422.04(2)(d) of the Wisconsin Administrative Code because it will reliably control emissions at or below the level of the applicable emission limits, Wisconsin Administrative Code section NR 422.145.

(i) Incorporation by reference. Department of Natural Resources Findings of Fact, Conclusions of Law, and Decision AM-04-200 dated November 24, 2004.

(113) Approval—On July 28, 2005, Wisconsin submitted General and Registration construction and operation permitting programs for EPA approval into the Wisconsin SIP. EPA also is approving these programs under section 112(1) of the Act. EPA has determined that these permitting programs are approvable under the Act, with the exception of sections NR 406.11(1)(g)(2), 407.105(7), and 407.15(8)(b), which Wisconsin withdrew from consideration on November 14, 2005. Finally, EPA is removing from the state SIP NR 406.04(1)(c) and 407.03(1)(c), the exemption for certain grain storage and processing facilities from needing to obtain a construction or operation permit, previously approved in paragraphs (c)(75) and (c)(76) of this section.

(i) Incorporation by reference.

(A) NR 406.02(1) through (4), amended and published in the (Wisconsin) Register, August 2005, No. 596, effective September 1, 2005.

(B) NR 406.04(1) (ce), (cm) and (m) (intro.), 406.11(1) (intro.) and (c), 407.03(1) (ce) and (cm), 407.05(7), 407.15 (intro.) and (3), 410.03(1)(a)(5), and 484.05(1) as amended and published in the (Wisconsin) Register, August 2005, No. 596, effective September 1, 2005.

(C) NR 407.02(3) and 407.10 as repealed, recreated and published in the (Wisconsin) Register, August 2005, No. 596 effective September 1, 2005.

(D) NR 400.02(73m) and (131m), 406.02(1) and (2), 406.04(2m), 406.11(1)(g)(1), 406.11(3), 406.16, 406.17, 406.18, 407.02(3m), 407.105 (1) through (6), 407.107, 407.14 Note, 407.14(4)(c), 407.15(8)(a), and 410.03(1)(a)(6) and (7) as

created and published in the (Wisconsin) Register, August 2005, No. 596, effective September 1, 2005.

(114) On April 11, 2006, Wisconsin submitted revised regulations that match 40 CFR 51.100(s)(1), as amended at 69 FR 69298. As a result, the compounds, 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane, 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl)hexane, 1,1,1,2,3,3,3-heptafluoropropane, and methyl formate, are added to the list of “nonphotochemically reactive hydrocarbons” or “negligibly photochemically reactive compounds” in NR 400.02(162)(a)45. to 48. Companies producing or using the four compounds will no longer need to follow the VOC rules for these compounds. Section NR 400.02(162)(b) was added for the compound t-butyl acetate. It is not considered a VOC for emission limits and content requirements. T-butyl acetate will still be considered a VOC for the recordkeeping, emissions reporting, and inventory requirements. Wisconsin also added and modified sections of NR 424.05, its VOC control requirements for yeast manufacturing facilities. Wisconsin’s requirements are the same as the federal requirements in the national emission standards for hazardous air pollutants for nutritional yeast manufacturing.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code § NR 400: Air Pollution Control Definitions, Section 2: Definitions, Subsection 162: “Volatile organic compound,” and § NR 424: Control of Organic Compound Emissions from Process Lines, Section 5: Yeast Manufacturing, Subsection 2: Emission Limitations, and Subsection 5: Test Methods and Procedures. The regulations were effective on January 1, 2006.

(115) On April 25, 2006, Wisconsin submitted source specific SIP revision to revise its State Implementation Plan (SIP) for the control of volatile organic compounds (VOC) from synthetic resin manufacturing operations. The revision consists of language contained in an Administrative Decision (AM-05-200), dated February 24, 2005, approving the use of a high efficiency thermal oxidizer as an equivalent control system or approach to meet VOC RACT emis-

sion control requirements for Cook Composites and Polymers Company located in Saukville, Wisconsin, in Ozaukee County.

(i) Incorporation by reference.

(A) The Administrative Decision (AM-05-200), dated February 24, 2005, issued by the Wisconsin Department of Natural Resources, establishes VOC RACT for Cook Composites and Polymers Company synthetic resin manufacturing facility located in Saukville, Wisconsin, in Ozaukee County.

(116) A revision to the State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 19, 2007. This revision consists of regulations to meet the requirements of the Clean Air Interstate Rule.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference: NR 432.01 “Applicability; purpose”; NR 432.02 “Definitions”; NR 432.03 “CAIR NO_x allowance allocation”; NR 432.05 “CAIR NO_x ozone season allowance allocation”; NR 432.06 “Timing requirements for allocations of CAIR NO_x allowances and CAIR NO_x ozone season allowances”; and NR 432.07 “CAIR renewable units”, as created and published in the (Wisconsin) Register, July, 2007, No. 619, effective August 1, 2007.

(117) On May 1, 2007, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to renumber and amend NR 406.03, to amend NR 410.03(intro.) and to create NR 406.03(2) and NR 410.03(1)(bm) Wis. Admin. Code, effective June 1, 2007. This revision allows WDNR to issue a waiver to a source allowing it to commence construction prior to a construction permit being issued. This provision is only allowed for minor sources which meet specific criteria. These revisions also revise Wisconsin’s fee provisions to allow a fee to be charged for the waiver. EPA has determined that this revision is approvable under the Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 406.03 as published in the (Wisconsin) Register, May 2007, No. 617, effective June 1, 2007.

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(B) NR 410.03(intro.) and NR 410.03(1)(bm) as published in the (Wisconsin) Register, May 2007, No. 617, effective June 1, 2007.

(118) On March 28, 2008, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to repeal NR 407.02(6)(b)4 to 7; to renumber NR 400.02(162)(a)49; to amend NR 406.04(2m)(b), 406.15(3)(a), 407.02(4)(b)27, 407.10(4)(a)2, and 410.03(4); to create NR 400.02(162)(a)49, 406.04(2m)(b)(note), 407.02(3e), and 407.10(4)(a)2(note), Wis. Admin. Code, effective May 1, 2008. These revisions revise Wisconsin's rules to incorporate Federal regulations into the Wisconsin Administrative Code, to clarify construction permit requirements under general permits, revise portable source relocation requirements, and to amend rule language to streamline the minor revision permit process to allow construction permits to be issued concurrently with operation permits. EPA has determined that this revision is approvable under the Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 400.02 Definitions. NR 400.02(162)(a)49 and NR 400.02(162)(a)50, as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(B) NR 406.04 Direct sources exempt from construction permit requirements. NR 406.04(2m)(b) and NR 406.04(2m)(b)(note), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(C) NR 406.15 Relocation of portable sources. NR 406.15(3)(a), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(D) NR 407.02 Definitions. NR 407.02(3e), and NR 407.02(4)(b)27, as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(E) NR 407.10 General operation permits. NR 407.10(4)(a)2 and NR 407.10(4)(a)2(note), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(F) NR 410.03 Application fee. NR 410.03(4), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(119) On May 25, 2006, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision relating to changes to chs. NR 405 and 408 for incorporation of Federal changes to the air permitting program. The rule revision being approved in this action has been created to approve rule AM-06-04, the NSR Reform provisions that were not vacated by the DC Circuit Court in *New York v. EPA*, 413 F.3d 3 (DC Cir. 2005). The rule revision also repeals NR 405.02(1)(d), (24m), (27)(a)8., 17 and 18 and 408.02(27). EPA has determined that this revision is approvable under the Clean Air Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 405.01 Applicability; purpose. NR 405.01(1) and (2), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(B) NR 405.02 Definitions. NR 405.02(1), (2m), (8), (11), (11c), (11e), (11j), (12), (20m), (21), (24), (24j), (25b), (25d), (25e), (25f), (25i), and (27m) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(C) NR 405.025 Methods for calculation of increases in actual emissions, as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(D) NR 405.16 Source obligation. NR 405.16(3) and (4) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(E) NR 405.18 Plant-wide applicability limitations (PALs), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(F) NR 408.02 Definitions. NR 408.02(1), (2m), (4), (5), (11), (11e), (11m), (11s), (13), (13m), (20), (21)(a)1.(intro), (23), (24m), (25s), (28e), (28j), (28m), (28s), (29m), and (32m) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(G) NR 408.025 Methods for calculation of increases in actual emissions, as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(H) NR 408.06 Emissions offsets. NR 408.06(10), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(I) NR 408.10 Source obligation. NR 408.10(5) and (6), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(J) NR 408.11 Plant-wide applicability limitations (PALs), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(ii) Additional material.

(A) NR 484.04 Code of federal regulations appendices. NR 484.04(21), and (27m) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(120) On May 25, 2006, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to renumber and amend NR 410.03(1)(b); to amend 410.03(intro.) and to create NR 406.035, 406.04(1f) and (1k), 406.07(3), 406.11(1m), 410.03(1)(a)8. to 10. and (b)(intro.) and 2. to 4. relating to changes to chs. NR 406 and 410, the state air permitting programs, with Federal changes to air permitting program and affecting small business. The rule revision being approved in this action has been created to update Wisconsin's minor NSR construction permit program to include changes to implement some of the new elements of the Federal NSR Reform rules for sources that meet certain requirements within the new major NSR permitting requirements. EPA has determined that this revision is approvable under the Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 406.035 Establishment or distribution of plant-wide applicability limitations, as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(B) NR 406.04 Direct sources exempt from construction permit requirements. NR 406.04(1f) and NR 406.04(1k),

as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(C) NR 406.07 Scope of permit exemption. NR 406.07(3), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(D) NR 406.11 Construction permit revision, suspension and revocation. NR 406.11(1m), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(E) NR 410.03 Application fee. NR 410.03(intro.), NR 410.03(1)(a) 8 to 10, NR 410.03(1)(b), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(121) On September 11, 2009, the Wisconsin Department of Natural Resources submitted a State Implementation Plan revision request. The state's ambient air quality standards were revised to match the 2006 Federal ambient air quality standards for particulate matter (PM₁₀ and PM_{2.5}).

(i) *Incorporation by reference.* The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 404.02 Definitions. NR 404.02(4e) "PM_{2.5}" as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

(B) NR 404.04 Ambient Air Quality Standards. NR 404.04(8) "PM₁₀: PRIMARY AND SECONDARY STANDARDS." and NR 404.04(9) "PM_{2.5}:"

PRIMARY AND SECONDARY STANDARDS" as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

(ii) *Additional material.*

(A) NR 484.03 Code of federal regulations. NR 484.03(5) in Table 1 as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

(B) NR 484.04 Code of federal regulations appendices. NR 484.04(6), (6g), and (6r) in Table 2, as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

[37 FR 10902, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2570, see the List of CFR

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Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.2571 Classification of regions.

The Wisconsin plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Duluth (Minnesota)-Superior (Wisconsin) Interstate	I	II	III	III	III
North Central Wisconsin Intrastate	II	III	III	III	III
Lake Michigan Intrastate	II	III	III	III	III
Southeast Minnesota-La Crosse (Wisconsin) Interstate	II	IA	III	III	III
Southern Wisconsin Intrastate	II	III	III	III	III
Southeastern Wisconsin Intrastate	I	II	III	III	I
Rockford (Illinois)-Jamesville-Beloit (Wisconsin) Interstate	II	III	III	III	III
Metropolitan Dubuque Interstate	I	III	III	III	III

[37 FR 10902, May 31, 1972, as amended at 39 FR 16348, May 8, 1974; 45 FR 2322, Jan. 11, 1980]

§ 52.2572 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Wisconsin's plans for the attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the Ozone portion of the State Implementation Plan depends on the adoption and submittal of RACT requirements on: (1) Group III Control Techniques Guideline sources within 1 year after January 1st following the issuance of each Group III control technique guideline; and (2) major (actual emissions equal or greater than 100 tons VOC per year) non-control technique guideline sources in accordance with the State's schedule contained in the 1982 Ozone SIP revision for Southeastern Wisconsin.

[49 FR 8923, Mar. 9, 1984]

§ 52.2573 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the plan does not provide for public availability of emission data.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the

Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator,