

(t) A combination of emission units which consists of not more than one each of the following specific categories of sources:

1. Fuel burning equipment otherwise exempt under par. (a);
2. Equipment designed to incinerate solid wastes otherwise exempt under par. (b);
3. Storage tanks of organic compounds with a combined total tankage capacity of not more than 40,000 gallons if not more than 10,000 gallons of the storage tanks' capacity is used for storage of volatile organic compounds; and
4. Only one of the other specific category exemptions listed in pars. (c), (d) and (g) to (s).

(u) Emergency electric generators powered by internal combustion engines which are fueled by gaseous fuels, gasoline or distillate fuel oil with an electric output of less than 3,000 kilowatts.

(v) Any quarry, mine or other facility where nonmetallic minerals are extracted that is not a ledge rock quarry or industrial sand mine.

(w) Ledge rock quarries with actual production of less than 25,000 tons per month on a rolling 12 month average, or with actual operation of less than 365 days per 5 year period.

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

(y) Fixed sand and gravel plants and fixed crushed stone plants with capacities of 25 tons per hour or less.

(z) Portable sand and gravel plants and portable crushed stone plants with capacities of 150 tons per hour or less.

(2) GENERAL CATEGORY OF EXEMPT SOURCES. In addition to the specific categories of exempt sources identified in sub. (1), no operation permit is required for a direct source if the source is not a part 70 source and:

(a) The maximum theoretical emissions from the source for sulfur dioxide or carbon monoxide do not exceed 9.0 pounds per hour for each air contaminant;

(b) The maximum theoretical emissions from the source for particulate matter, nitrogen oxides or organic compounds do not exceed 5.7 pounds per hour for each air contaminant;

(bm) The maximum theoretical emissions from the source for lead do not exceed 0.13 pounds per hour;

(c) The source will not emit any of the air contaminants listed in s. NR 405.02 (27) (a) at a rate greater than the applicable emission rate listed in s. NR 405.02 (27) (a);

(d) The maximum theoretical emissions from the source for any hazardous air contaminant listed in Table 1, 2, 3, 4 or 5 of s. NR 445.04 do not exceed the emission rate listed in the table for the hazardous air contaminant for the respective stack height; and

(e) The source will not have maximum theoretical emissions of any single hazardous air pollutant as defined by s. 112 (b) of the act (42 USC

7412 (b)) that equal or exceed 10 tons per year or cumulative maximum theoretical emissions of all the hazardous air pollutants defined by s. 112 (b) of the act (42 USC 7412 (b)) that equal or exceed 25 tons per year;

(f) The source is not subject to any standard or regulation under section 111 of the act (42 USC 7411); and

(g) The source is not subject to any standard or regulation under section 112 of the act (42 USC 7412).

(3) **SPECIFIC CATEGORIES OF EXEMPT INDIRECT SOURCES.** The following categories of indirect sources are exempt from the requirement to obtain an operation permit:

(a) *Existing sources.* All indirect sources on which construction or modification commenced on or prior to November 15, 1992.

(b) *Road and highway projects.* All indirect sources which are road or highway projects.

(c) *Indirect sources with associated parking.* If the indirect source will not be a road or highway project, no operation permit is required if the source will be:

1. An indirect source located in a metropolitan county with a parking capacity of less than 1000 cars in its associated parking areas.
2. An indirect source located in a metropolitan county with a parking capacity increase of less than 1000 cars in its associated parking areas.
3. An indirect source located outside the metropolitan counties with a parking capacity of less than 1500 cars in its associated parking areas.
4. An indirect source located outside the metropolitan counties with a parking capacity increase of less than 1500 cars in its associated parking areas.

(4) **CONDITIONS FOR SPECIFIC EXEMPTIONS.** In order to be eligible for a specific exemption under sub. (1) (d), (g), (h), (o), (s) or (sm), the owner or operator of a direct stationary source shall keep and maintain records of materials used, emissions or production rates, whichever is appropriate, that are adequate to demonstrate that the source qualifies for the exemption. The owner or operator of a direct stationary source shall begin keeping these records no later than January 1, 1994 or the date that the source commences operation, whichever is later, and maintain them for a minimum of 5 years. After January 1, 1994, any direct stationary source that ever exceeds any level listed in sub. (1) (d), (g), (h), (o), (s) or (sm) is not eligible for the exemption under that subsection.

(5) **EXEMPTIONS FROM PERMIT REQUIREMENTS FOR INDIRECT SOURCES.** Pursuant to s. 144.393 (4) (a), Stats., the permit requirements in s. 144.393 (2) (b) and (3) (a), Stats., do not apply to indirect sources.

History: Cr. Register, December, 1984, No. 348, eff. 1-1-85; cr. (2) (bm), r. and rec. (2) (d), am. (2) (e), Register, September, 1988, No. 393; eff. 10-1-88; am. (1) (a) (intro.), 1. to 3., (b), (g), (h), (o), (2) (a), (b), (bm), (c) 1. and 5., (d) and (e), Register, May, 1992, No. 437, eff. 6-1-92; am. (1) (intro.), (a) (intro.) and 5., (b) to (e), (2) (intro.), (a) to (c), cr. (1) (sm), (sq) and (u), (2) (f), (g), (3) to (5), r. (2) (c) 1. to 5., r. and rec. (2) (e), Register, December, 1993, No. 466, eff. 1-1-94; cr. (1) (v) to (z), Register, June, 1994, No. 462, eff. 7-1-94; am. (1) (sm) (intro.), 1. to 3., r. 5., renum. 6. to 10. to be 5. to 9. and am. 7. and 9., Register, September, 1994, No. 465, eff. 10-1-94; am. (2) (d), Register, December, 1994, No. 468, eff. 1-1-95.