



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 421**

December 13, 2011 - Offered by Representative TIFFANY.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 18: after "houseboats;" insert "consideration of certain
3 greenhouse gas emissions in determining requirements applicable to a stationary
4 source of air pollution;"

5 **2.** Page 30, line 14: after that line insert:

6 **"SECTION 105r.** 285.60 (3m) of the statutes is created to read:

7 285.60 **(3m)** CONSIDERATION OF CERTAIN GREENHOUSE GAS EMISSIONS. Unless
8 required under the federal clean air act, in determining whether a person is required
9 to obtain a construction permit or an operation permit for a stationary source under
10 this section based on emissions of greenhouse gases, the department may not
11 consider carbon dioxide emissions resulting from the combustion or decomposition
12 of nonfossilized and biodegradable organic material originating from plants,

1 animals, or microorganisms, consistent with 40 CFR 51.166 (b) (48) and the
2 definition of “subject to regulation” in 40 CFR 70.2.”.

3 **3.** Page 31, line 17: after that line insert:

4 “**SECTION 110v.** 285.63 (3m) of the statutes is created to read:

5 285.63 (**3m**) CONSIDERATION OF CERTAIN GREENHOUSE GAS EMISSIONS. Unless
6 required under the federal clean air act, in determining whether a major source is
7 subject to best available control technology under sub. (3) (a) for greenhouse gas
8 emissions, the department may not consider carbon dioxide emissions resulting from
9 the combustion or decomposition of nonfossilized and biodegradable organic
10 material originating from plants, animals, or microorganisms, consistent with 40
11 CFR 51.166 (b) (48) and the definition of “subject to regulation” in 40 CFR 70.2.”.

12 (END)