



## 2011 ASSEMBLY BILL 467

1     **AN ACT** *to create* 285.60 (3m) and 285.63 (3m) of the statutes; **relating to:**  
2             consideration of certain greenhouse gas emissions in determining  
3             requirements applicable to a stationary source of air pollution.

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*Analysis by the Legislative Reference Bureau*

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 285.60 (3m) of the statutes is created to read:  
5             285.60 **(3m)** CONSIDERATION OF CERTAIN GREENHOUSE GAS EMISSIONS. Unless  
6             required under the federal clean air act, in determining whether a person is required  
7             to obtain a construction permit or an operation permit for a stationary source under  
8             this section based on emissions of greenhouse gases resulting from the combustion  
9             or decomposition of nonfossilized and biodegradable organic material originating  
10            from plants, animals, or microorganisms, the department may only consider carbon

**ASSEMBLY BILL 467****SECTION 1**

1 dioxide emissions consistent with 40 CFR 51.166 (b) (48) and the definition of  
2 “subject to regulation” in 40 CFR 70.2.

3 **SECTION 2.** 285.63 (3m) of the statutes is created to read:

4 **285.63 (3m)** CONSIDERATION OF CERTAIN GREENHOUSE GAS EMISSIONS. Unless  
5 required under the federal clean air act, in determining whether a major source is  
6 subject to best available control technology under sub. (3) (a) for greenhouse gas  
7 emissions resulting from the combustion or decomposition of nonfossilized and  
8 biodegradable organic material originating from plants, animals, or  
9 microorganisms, the department may only consider carbon dioxide emissions  
10 consistent with 40 CFR 51.166 (b) (48) and the definition of “subject to regulation”  
11 in 40 CFR 70.2.

12

(END)