

# State of Wisconsin



2013 Senate Bill 371

Date of enactment: **December 13, 2013**  
Date of publication\*: **December 14, 2013**

## 2013 WISCONSIN ACT 91

AN ACT to create 285.27 (3m) of the statutes; relating to: nitrogen oxide emission standards for certain simple cycle combustion turbines.

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

**SECTION 1.** 285.27 (3m) of the statutes is created to read:

**285.27 (3m) EXEMPTION FROM STANDARDS FOR CERTAIN COMBUSTION TURBINES.** (a) In this subsection, "combustion turbine" means a simple cycle combustion turbine.

(b) The performance standards promulgated by the department under NR 428.04 (2) (g) 1. a. and 2. a., Wis. Adm. Code, do not apply to a combustion turbine that undergoes a modification on or after February 1, 2001 if all of the following apply:

1. The department and the federal environmental protection agency find that the owner or operator of the combustion turbine has satisfactorily demonstrated that equipping the turbine with a dry low nitrogen oxide combustion system is not technologically or economically feasible or a dry low nitrogen oxide combustion system

is not commercially available from the manufacturer of the combustion turbine.

2. The federal environmental protection agency concurs, in writing, with the department's finding under subd. 1.

3. The owner or operator of the combustion turbine controls nitrogen oxide emissions during operation of the combustion turbine by injecting water into the combustion turbine according to the manufacturer's specifications.

4. The concentration of nitrogen oxide emitted from the combustion turbine does not exceed 25 parts per million dry volume, corrected to 15 percent oxygen, on a 30 day rolling average basis during combustion of gaseous fuels and does not exceed 65 parts per million dry volume, corrected to 15 percent oxygen, on a 30 day rolling average basis during combustion of distillate fuels.

(c) The department shall determine whether a combustion turbine undergoes a modification under par. (b) in accordance with NR 428.04 (1), Wis. Adm. Code.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."