

Report to
Legislative Council Rules Clearinghouse
NR 460 and 469, Wis. Adm. Code
Natural Resources Board Order No. AM-31-07

Wisconsin Statutory Authority

ss. 227.11(2)(a), 227.14(1m)(a), 285.11(1) and 285.27(2)(a), Stats., interpreting ss. 285.11(6) and 285.27(2)(a), Stats.

Federal Authority

71 FR 20446, 72 FR 27437 and 72 FR 25138

Court Decisions Directly Relevant

None

Analysis of the Rule - Rule Effect - Reason for the Rule

The U.S. Environmental Protection Agency published amendments to the NESHAP general provisions and to the NESHAP for halogenated solvent cleaning operations. Section 285.27(2)(a), Stats., requires the Department to promulgate NESHAP into the administrative code. The amendments to the general provisions revise the language relating to startup, shutdown and malfunction plans and add force majeure as a reason for being unable to meet a performance test deadline. The amendments to the halogenated solvent cleaning rule add control requirements for continuous web cleaning machines, add a facility-wide standard and exempt small sources from the requirement to obtain an operating permit.

Agency Procedures for Promulgation

Public hearing, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

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