

Report From Agency

REPORT TO LEGISLATURE

NR 422, Wis. Adm. Code

Board Order No. AM-18-13
Clearinghouse Rule No. CR 18-067

Basis and Purpose of the Proposed Rule

This rule making action is to clarify and streamline the existing Wisconsin Administrative Code requirements for lithographic printing facilities in ss. NR 422.142 and NR 422.143, Wis. Adm. Code.

The proposed revisions include revising the definitions for a few terms in NR 422.02, Wis. Adm. Code., changing the rule applicability of ss. NR 422.142 and 422.143, Wis. Adm. Code, clarifying the associated monitoring and recordkeeping requirements, and eliminating the periodic stack testing requirements for small sources.

The department also proposes to submit the revisions to ss. NR 422.142 and 422.143, Wis. Adm. Code, promulgated through this rulemaking, to EPA for approval and incorporation into Wisconsin's State Implementation Plan (SIP) as required by Section 110 of the Clean Air Act. Pursuant to ss. 285.14(2) and 13.172(3), Wis. Stats., the department is required to provide SIP plans and all the supporting documents to the standing committees of the legislature with jurisdiction over environmental matters (i.e. the Senate Committee on Natural Resources and the Assembly Committee on Environment and Forestry) at least 60 days prior to SIP submittal for EPA's approval. Section 285.11(6), Wis. Stats., authorizes the department to develop and revise a SIP for prevention, abatement, and control of air pollution. This "Report to Legislature" fulfills the 60-day review requirements of s. 285.14(2), Wis. Stats.

Summary of Public Comments

No comments were received during the economic impact solicitation period, the public hearing, or the public comment period.

Modifications Made

None.

Appearances at the Public Hearing

None.

Changes to Rule Analysis and Fiscal Estimate

None.

Response to Legislative Council Rules Clearinghouse Report

All Clearinghouse comments were related to form, style, or placement in administrative code and were incorporated into the rule language as suggested.

Final Regulatory Flexibility Analysis

The department anticipates no additional compliance costs for the affected printing facilities. The department anticipates savings for small business due to the removal of the requirement to conduct periodic stack tests every 48 months for small lithographic printing facilities.

Response to Small Business Regulatory Review Board Report

The Small Business Regulatory Review Board did not prepare a report on this rule proposal.