



CR 81-91

State of Wisconsin / DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) ss

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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. A-25-81 was duly approved and adopted by this Department on July 29, 1982. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 10th day of November, 1982.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

1-1-83

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES

.....
In the matter of amending section :
NR 154.13(13)(a); and creating section :
NR 154.13(13)(e) of the Wisconsin :
Administrative Code pertaining to the :
control of organic compound emissions :
.....

A-25-81

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Analysis Prepared by Department of Natural Resources

Section 1 -- Effective April 1, 1981, extensive revisions were made to section NR 154.13, Wisconsin Administrative Code. These revisions required renumbering many provisions and cross-citations throughout the section. Inadvertently an incorrect renumbering was enacted in sub. (13)(a). Subsection (13)(a) is therefore amended to correct this error. The correction is a partial fulfillment of the Department's commitment to the U.S EPA for approval of the State Implementation Plan. The amendments to sub. (13)(a) also include minor style and format changes as well as wording to provide clarity.

Section 2 -- Creation of section NR 154.(13)(e), Wisconsin Administrative Code provides for exempting the use of methylene chloride and methyl chloroform (1,1,1, Trichloroethane) from most of the requirements of section NR 154.13. In addition to the provisions of the created paragraph, the provisions of this section which would still apply to users of the two compounds are the general prohibition against causing air pollution and the general restrictions on spillage and careless use and handling of the compounds. As per recommendation of the Natural Resources Board, par. (e) also provides for sources using the compounds (in excess of 0.5 tons, combined in one year) to register their usage with the Department by February 1 of the following year. In addition to tracking usage of the compounds, this requirement would expedite regulation of the compounds if this became so desired.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 144.31, 144.38 and 227.014, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby amends and adopts rules interpreting section 144.31(1)(f), Wisconsin Statutes and revising the State Implementation Plan (SIP) developed under that provision, as follows:

Section 1. NR 154.13(13) (title) and (a) are amended to read:

(13) EXCEPTIONS, REGISTRATION AND DEFERRALS. (a) Exceptions for certain organic compounds. 1. For sources on which construction or modification is commenced on or before August 1, 1979, the provisions of subs. (2)(c), ~~(3)(e)~~ (3)(f) and (11)(a) shall do not apply to the storage, transfer, use or application of saturated halogenated hydrocarbons, perchloroethylene or acetone.

2. In addition, none of the provisions of this section shall The requirements of this section do not apply to the use or application of insecticides, pesticides or herbicides or to the use or emission of trichlorotrifluoroethane (freon 113), ethane or methane.

Section 2. NR 154.13(13)(e) is created to read:

(e) Registration of certain solvents, exemption. 1. Except for the provisions of sub. (1)(a) and (b), and this paragraph, this section does not apply to the use of methylene chloride and methyl chloroform.

2. Any person operating a source which has total combined emissions of methylene chloride and methyl chloroform in excess of 0.5 tons in a calendar year shall register the solvent use with the department by February 1 of the year following such use.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on July 29, 1982.

The rules contained herein shall take effect as provided in s. 277.026(1)(intro.), Stats.

Dated at Madison, Wisconsin November 10, 1982

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besaliny
Carroll D. Besaliny, Secretary