



State of Wisconsin

CR 87-151

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

File Ref:

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MAR 4 1988  
8:45 am  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN )  
DEPARTMENT OF NATURAL RESOURCES )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. AM-36-87 was duly approved and adopted by this Department on December 17, 1987. 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 here-  
unto set my hand and affixed the  
official seal of the Department at  
the Natural Resources Building in  
the City of Madison, this 13<sup>th</sup>  
day of March, 1988.

*Bruce B. Braun*  
Bruce B. Braun, Deputy Secretary

(SEAL)

5-1-88

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

.....  
IN THE MATTER of creating ss. NR 424.02(2), .  
and 439.06(3)(g), and amending ss. NR 424.02(1), .  
424.04(2) and (3)(c)4., and 439.12(1)(b)1.d., .  
of the Wisconsin Administrative Code pertaining . AM-36-87  
to the establishment of a volatile organic .  
compound emission limitation for aerosol can .  
filling facilities in the counties of .  
Kenosha, Milwaukee, Ozaukee, Racine, .  
Washington and Waukesha. .  
.....

Analysis Prepared by Department of Natural Resources

Authorizing statutes: ss. 144.31(1)(a) and 227.11(2)(a), Stats.

Statutes Interpreted: s. 144.31(1)(f), Stats., and revising the State Implementation Plan developed under that provision.

These amended rules revise the volatile organic compound emission limitation for aerosol can filling operations in the counties of Kenosha, Milwaukee, Ozaukee, Racine, Washington and Waukesha. These six counties are in the southeastern Wisconsin ozone nonattainment area. Volatile organic compounds are major precursors to ozone formation.

These rules were originally developed to meet requirements in the Federal Clean Air Act and are committed to in the Wisconsin 1982 Ozone State Implementation Plan.

These rules are being revised based primarily on new information which more accurately establishes the allowable volatile organic compound emission rate. Additional language has also been included to more precisely describe the method of testing for compliance (flame ionization detection).

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SECTION 1. NR 424.02(1) is amended to read:

NR 424.02(1) "Aerosol can filling facility" means any facility which  
~~inserts-aerosol-propellants-composed-of-butanes,-isobutanes-or-propanes-into~~  
eans operates one or more aerosol can filling lines.

SECTION 2. NR 424.02(2) is created to read:

NR 424.02(2) "Aerosol can filling line" means any process line which inserts aerosol propellants composed of butanes, isobutanes, propanes, or any other VOC into cans.

SECTION 3. NR 424.04(2) and (3)(c)4. are amended to read:

NR 424.04(2) EMISSION LIMITATIONS. ~~No~~ The owner or operator of an aerosol can filling facility ~~may cause, allow, or permit~~ shall install and operate a vapor recovery system or other device approved by the department in order to reduce the amount of VOCs emitted from an aerosol can filling operation to exceed an average of 0.66 grams per can, as line by at least 52% by weight, as compared to uncontrolled VOC emissions from the line. Compliance shall be measured by a flame ionization detector or other device ~~or test~~ approved by the department.

(3)(c)4. Complete construction or installation of equipment modifications within ~~76~~ 14 months.

SECTION 4. NR 439.06(3)(g) is created to read:

NR 439.06(3)(g) To determine compliance with the aerosol can filling VOC emission limit in s. NR 424.04, method 25A in 40 CFR Part 60, Appendix A, incorporated by reference in ch. NR 484. If a flame ionization detector is

used to test compliance with s. NR 424.04, test equipment calibration shall be conducted with propane. During the testing procedure, the flame ionization detector shall continuously measure VOC emissions for a minimum of one hour per aerosol can filling line with the control device not in operation and for a minimum of one hour with the control device in full operation. Production data taken concurrently with the testing procedure shall be used to calculate the VOC emission rates for the tested aerosol can filling line when the control device is not in operation and when the control device is in full operation.

SECTION 5. NR 439.12(1)(b)1.d. is amended to read:

NR 439.12(1)(b)1.d. Compliance emission testing for organic compounds is required for an emission point subject to an emission limitation in s. NR 421.03, 421.04, 422.05, 422.06, 422.07, 422.08, 422.09, 422.10, 422.11, 422.12, 422.13, 422.14, 422.15, 423.05, ~~or~~ 424.03 or 424.04 which uses a control device to achieve compliance with the applicable requirements. This test shall include a determination of the overall control efficiency of the control device on the affected emission point.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on December 17, 1987.

The rules shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin March 1, 1988.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)

7604W.PERM



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

March 1, 1988

File Ref: 1020

Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 702  
30 W. Mifflin Street

RECEIVED

MAR 4 1988

Revisor of Statutes  
Bureau

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. AM-36-87. These rules were reviewed by the Assembly Committee on Environmental Resources and Utilities and the Senate Committee on Urban Affairs, Energy, Environmental Resources and Elections pursuant to s. 227.19, Stats. A summary of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

  
C. D. Besadny  
Secretary

Enc.