

CR 87-161

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

RECEIVED

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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-42-87 was duly approved and adopted by this Department on January 28, 1988. 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 16th
day of March, 1988.


Bruce B. Braun, Deputy Secretary

(SEAL)

5-1-88

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

.....
IN THE MATTER of repealing ss. NR 400.02(14) and (91), 406.02(1), 406.04(1)(m) to (o), and 410.02(7);
of renumbering NR 406.02(3) to (5), (7) and (9),
406.04(3) (title), (a) and (b), and 410.02(1), (4)
and (5); of renumbering and amending NR 400.02(98),
406.02(6), and 406.04(3) (intro.) and (c) and (7)
(title), (a) to (c); of amending NR 400.02(59) and
(69), 405.10(1), 406.01(1) and (2), 406.04 (title),
(1) (intro.), (e) and (f), (2) (intro.)
and (g) and (4)(a) (intro.) , 406.05 and
410.02(3); of repealing and recreating NR 406.02(2),
410.03 and 410.04; and of creating NR 400.02(47e),
(55e) and (80s), 406.02(1), (3) to (5), (7), (9) and
(11), 406.04(4)(e)(intro.) and 406.06 of the
Wisconsin Administrative Code relating to fees for
air pollution control permits, permit requirements
for indirect sources, and incremental growth
provisions for direct and indirect sources requiring
permits.
.....

AM-42-87

ANALYSIS PREPARED BY DEPARTMENT OF NATURAL RESOURCES

Statutory authority: ss. 144.31(1)(a), (e) and (f), 144.399 and 227.11, Stats.

Statutes interpreted: ss. 144.31 (1)(a), (e) and (f) and 144.399, Stats.

Chapter NR 410 specifies the fees mandated under s. 144.399, Wis. Stats., and s. 110(a)(2)(K) of the federal Clean Air Act to cover the costs of the state's air pollution control permit program. The present fee schedule fails to recover the reasonable costs associated with this program, and the changes to ch. NR 410 contained in this order specify a new schedule of fees intended to do so.

The order also includes changes proposed for ch. NR 406 to clarify incremental growth provisions for direct and indirect sources required to apply for air pollution control permits, and to update, correct and revise permit requirements for indirect sources. Definitions related to the indirect source provisions are created, repealed or revised in both ch. NR 406 and ch. NR 400, or relocated from one chapter to the other. Definitions are also relocated from ch. NR 410 to ch. NR 400.

Chapter 405 is being amended to incorporate by reference the most recent version of a federal document which has been revised.

SECTION 1. NR 400.02(14) is repealed.

SECTION 2. NR 400.02(47e) and (55e) are created to read:

NR 400.02(47e) "Intersection" has the meaning given in s. 340.01(25), Stats.

(55e) "Modified indirect source" means an indirect source the modification of which is commenced after July 1, 1975, or after the date of issuance of the last air pollution control permit or plan approval to the source, whichever is later.

SECTION 3. NR 400.02(59) and (69) are amended to read:

NR 400.02(59) "New indirect source" means an indirect source, the construction ~~or modification~~ of which is commenced after July 1, 1975.

(69) "Person" means means any individual, corporation, company, cooperative, ~~owner~~, operator, tenant, lessee, syndicate, partnership, co-partnership, firm, association, trust, estate, public or private institution, joint stock company, political subdivision of the state of Wisconsin, state agency, interstate agency, federal agency, or any legal successor, representative, agent or agency of the foregoing.

SECTION 4. NR 400.02(80s) is created to read:

NR 400.02(80s) "Road" means the entire width between boundary lines of any way open to the public for vehicular travel.

SECTION 5. NR 400.02(91) is repealed.

SECTION 6. NR 400.02(98) is renumbered 406.02(12) and as renumbered is amended to read:

NR 406.02(12) "Traffic volume" means the number of vehicles that pass a particular point on ~~the roadway~~ a road or highway during a specific time period. ~~Volume can be expressed in terms of daily traffic or annual traffic as well as on an hourly basis.~~

SECTION 7. NR 405.10(1) and (5) are amended to read:

NR 405.10(1) All estimates of ambient concentrations required under this section shall be based on the applicable air quality models, data bases, and other requirements specified in the Guidelines on Air Quality Models (Revised) (OAQPS 1.2-080, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, N.C. 27711, ~~April-1978~~ July 1986). ~~Incorporated~~ The publication is incorporated by reference in sub. (6).

(5) Methods like those outlined in the Workbook for the Comparison of Air Quality Models (U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, N.C. 27711, May 1978) should be

used to determine the comparability of air quality models. ~~Incorporated~~ This publication is incorporated by reference in sub. (6).

SECTION 8. NR 406.01 (1) and (2) are amended to read:

NR 406.01(1) APPLICABILITY. This chapter applies to all air contaminant sources which may be required under s. 144.391, Stats., to obtain a construction or modification and new operation permit, unless the source is exempt permits. In accordance with s. 144.391(6), Stats., this chapter exempts sources of certain sizes and types from the requirement to obtain a permit under a provision of this chapter. This chapter also applies to air contaminant sources authorized to obtain an elective operation permit under s. 144.391, Stats.

(2) PURPOSE. This chapter is adopted under ss. 144.31, 144.391(6), 144.393, 144.394 and 144.396, Stats., to exempt types of stationary sources ~~from approval criteria to be used by the department~~ from the requirement to obtain an air pollution control permit and to establish permit requirements for construction or modification and new operation permits.

SECTION 9. NR 406.02(1) is repealed.

SECTION 10. NR 406.02(2) is repealed and recreated to read:

NR 406.02(2) "Intersection boundary" means a line surrounding an intersection which is drawn to include the peak hour queue for each intersection approach and the area on either side of each such queue within a distance of one queue length, measured perpendicular to the queue.

SECTION 11. NR 406.02(3), (4) and (5) are renumbered 400.02(17m) and (43m) and 406.02(1).

SECTION 12. NR 406.02(6) is renumbered 400.02(46s) and amended to read:

NR 400.02(46s) "Indirect source" means any stationary source which conveys motor vehicles or which attracts or may attract mobile source activity and thus indirectly causes the emission of any air contaminant. Such indirect sources include, but are not limited to highways and roads; parking facilities; retail, commercial and industrial facilities; recreation, amusement, sports and entertainment facilities; airports; office and government buildings; ~~apartment-and-condominium-buildings;~~ and educational educational facilities.

SECTION 13. NR 406.02(7) and (9) are renumbered 406.02(6) and (10).

SECTION 14. NR 406.02(3), (4), (5), (7), (9) and (11) are created to read:

NR 406.02(3) "Metropolitan county" means a county which has been designated as either a metropolitan statistical area or a primary metropolitan

statistical area by the U.S. department of commerce, national bureau of standards in Federal Information Processing Standards Publication 8-5, October 31, 1984. The 19 Wisconsin counties which have been so designated are the counties of Brown, Calumet, Chippewa, Dane, Douglas, Eau Claire, Kenosha, La Crosse, Marathon, Milwaukee, Outagamie, Ozaukee, Racine, Rock, Sheboygan, St. Croix, Washington, Waukesha and Winnebago.

Note: See Federal Information Processing Standards Publication 8-5, 1984 October 31, Metropolitan Statistical Areas (including CMSAs, PMSAs, and NECMAs), U.S. department of commerce, national bureau of standards. Copies of this publication are available for inspection in the offices of the department of natural resources, secretary of state and revisor of statutes, Madison, Wisconsin, or may be obtained for personal use from the national technical information service, U.S. department of commerce, Springfield, VA 22161.

(4) "Modified intersection" means an intersection which will have at least part of the new roadway surface, which is within the new intersection boundary, on land currently used for roadway within the boundary of an existing intersection.

(5) "Modified road or highway segment" means a road or highway segment which will have at least part of its roadway surface located on land currently used for roadway. In addition, a proposed road, ramp or lane which will carry traffic in only one direction shall be considered a modified road or highway segment if it will be less than one half mile in length and will not create a new traffic movement.

(7) "New road or highway segment" means a road or highway segment which will have its roadway surface located entirely on land not currently used for roadway and which is not a modified road or highway segment.

(9) "Peak hour queue" means the line of waiting vehicles produced during the highest hour of traffic volume measured, estimated or projected for a given year, at a location where traffic flow is restricted.

(11) "Road or highway segment" means a continuous length of road or highway outside of intersection boundaries. If the road or highway crosses the boundary between a metropolitan county and a non-metropolitan county, the portion on each side of this boundary is a separate road or highway segment.

SECTION 15. NR 406.04 (title) and (1)(intro.) are amended to read:

NR 406.04 (title) DIRECT SOURCES EXEMPT FROM CONSTRUCTION OR MODIFICATION AND NEW OPERATION PERMIT REQUIREMENTS. (1) SPECIFIC CATEGORIES OF EXEMPT SOURCES. The following categories of stationary direct sources are exempt from the requirement to obtain a construction or modification and new operation permit unless the construction, reconstruction, replacement, relocation or modification of the source is prohibited by any permit, plan approval or special order applicable to the source or the source is required to obtain a permit because of incremental growth as determined under sub.

(7){e}:

SECTION 16. NR 406.04(1)(e) is amended to read:

NR 406.04(1)(e) Storage tanks ~~of~~ containing petroleum liquid or ~~nonvolatile~~ organic compounds which are not VOCs with a maximum capacity of not more than 40,000 gallons ~~of petroleum liquid or of organic compounds which are not VOCs.~~

SECTION 17. NR 406.04(1)(f) is amended to read:

NR 406.04(1)(f) VOC storage tanks with a maximum capacity of not more than 10,000 gallons ~~of volatile organic compounds.~~

SECTION 18. NR 406.04(1)(m) to (o) are repealed.

SECTION 19. NR 406.04(2)(intro.) is amended to read:

NR 406.04(2) GENERAL CATEGORY OF EXEMPT SOURCES. In addition to the specific categories of exempt sources identified in sub. (1), no construction or modification and new operation permit is required prior to commencing construction, reconstruction, replacement, relocation or modification and operation of a direct source if:

SECTION 20. NR 406.04(2)(g) is amended to read:

NR 406.04(2)(g) The source is not required to obtain a permit because of incremental growth as determined under sub. (7)~~(e)~~.

SECTION 21. NR 406.04(3) (title) and (intro.) are renumbered 406.04(4)

(title) and (intro.) and as renumbered are amended to read:

NR 406.04(4) (title) EXEMPT MODIFICATIONS OF EXISTING SOURCES. In The following are in addition to the exempt modifications listed in s. 144.391(4), Stats.~~;~~~~no-~~

~~construction-or-modification-and-new-operation-permit-is-required-prior-to-commencing-modification-of-a-source-which-is-modified-by-the-addition-of-a--new-emissions-unit-or-by-any-other-modification-if:~~

SECTION 22. NR 406.04(3)(a) and (b) are renumbered 406.04(4)(e)1. and 2.

SECTION 23. NR 406.04(3)(c) is renumbered 406.04(4)(e)3. and amended to read:

NR 406.04(4)(e)3. The source is not required to obtain a permit because of incremental growth as determined under sub. (7)(e).

SECTION 24. NR 406.04(4)(a) (intro.) is amended to read:

NR 406.04(4)(a) Use of alternate fuel or raw material. ~~In-addition-to the-exempt-modifications-listed-in-s.-144-391(4), Stats.;~~~~no~~ No construction or modification and new operation permit is required for a source to use an alternate fuel or raw material which the source is designed to burn or use if:

SECTION 25. NR 406.04(4)(e)(intro.) is created to read:

NR 406.04(4)(e) Addition of new emissions unit or other modification. No construction or modification and new operation permit is required prior to commencing modification of a source which is modified by the addition of a new emissions unit or by any other modification if:

SECTION 26. NR 406.04(7)(title), (a) and (b) are renumbered 406.07(title), (1) and (2) and 406.07(title), as renumbered, is amended to read:

NR 406.07 (title) SCOPE OF PERMIT EXEMPTION.

SECTION 27. NR 406.04(7)(c) is renumbered 406.04(7) and as renumbered is amended to read:

NR 406.04(7) INCREMENTAL GROWTH. Subsequent to May 1, 1983, if a person constructs or modifies a stationary direct source in increments which individually are exempt from the requirement for a permit under this ~~chapter~~ section, the person is required to obtain a construction or modification and new operation permit for the source prior to commencing construction or modification of the increment which, in combination with the other increments occurring since July 1, 1975 or since the date of the last ~~construction-or-modification-and-new-operation~~ air pollution control permit or plan approval issued to the stationary source, whichever is later, will:

(a) Emit sulfur dioxide, carbon monoxide or nitrogen oxides at a rate of more than 9 pounds per hour for each pollutant emitted, without considering pollution control equipment;

(b) Emit particulate matter or organic compounds at a rate of more than 5.7 pounds per hour for each pollutant emitted, without considering pollution control equipment; or

(c) Emit any of the following air contaminants at a rate greater than the applicable emission rate listed:

1. Fluorides, 3 tons per year;
2. Hydrogen sulfide, 10 tons per year;
3. Reduced sulfur compounds, 10 tons per year;

4. Total reduced sulfur, 10 tons per year;
5. Vinyl chloride, 1 ton per year.

SECTION 28. NR 406.05 (title) and 406.05 are amended to read:

NR 406.05 (title) ELECTIVE OPERATION PERMITS. The department may issue elective ~~operating~~ operation permits for air contaminant sources in accordance with ss. 144.391 and 144.392, Stats.

SECTION 29. NR 406.06 is created to read:

NR 406.06 INDIRECT SOURCES EXEMPT FROM CONSTRUCTION OR MODIFICATION AND NEW OPERATION PERMIT REQUIREMENTS. (1) SPECIFIC CATEGORIES OF EXEMPT SOURCES. The following categories of indirect sources are exempt from the requirement to obtain a construction or modification and new operation permit unless the construction, reconstruction, replacement, relocation or modification of the source is prohibited by any permit, plan approval or special order applicable to the source or the source is required to obtain a permit because of incremental growth as determined under sub. (3).

(a) Indirect sources with associated parking. If the indirect source will not be a road or highway project, no permit is required if the source will be:

1. A new indirect source located in a metropolitan county with a parking capacity of less than 1000 cars in its associated parking areas.

2. A modified indirect source located in a metropolitan county with a parking capacity increase of less than 1000 cars in its associated parking areas.

3. A new indirect source located outside the metropolitan counties with a parking capacity of less than 1500 cars in its associated parking areas.

4. A modified indirect source located outside the metropolitan counties with a parking capacity increase of less than 1500 cars in its associated parking areas.

(b) Road and highway projects. If it is located outside the metropolitan counties, no permit is required for any new road or highway segment which will carry less than 4 lanes of traffic, for any new intersection each leg of which will carry less than 4 lanes of traffic, or for any modified road or highway segment or modified intersection which will have less than 2 additional lanes of traffic. In addition, no permit is required for any road or highway project which will meet all of the following criteria for location and anticipated traffic volumes within 10 years after construction or modification:

1. A peak hour volume of less than 1200 vehicles per hour on any new road or highway segment or new intersection leg located in a metropolitan county.

2. An increase in the peak hour volume of less than 1200 vehicles per hour on any modified road or highway segment located in a metropolitan county.

3. A peak hour volume of less than 1800 vehicles per hour on any new road or highway segment or new intersection leg located outside the metropolitan counties.

4. An increase in the peak hour volume of less than 1800 vehicles per hour on any modified road or highway segment located outside the metropolitan counties.

5. A maximum shift in the nearest roadway edge of less than 12 feet toward any potential receptor location within the new intersection boundary for any modified intersection.

(c) Application of screening technique. If a road or highway project is not exempt from permit requirements under par. (b), a person may apply for permit exemption by submitting the results of an approved screening analysis

based on a line source dispersion model. The screening technique used must have been reviewed and approved by the department and the analysis must use receptor locations which have been approved by the department for each project as adequate to show the worst case ambient concentrations of carbon monoxide to which the public may be exposed. If the screening analysis results indicate that no receptor location will be exposed to more than 75% of any ambient air quality standard for carbon monoxide, no permit is required.

(2) EXEMPT MODIFICATION OF EXISTING SOURCES. In addition to the exempt modifications listed in s. 144.391(4), Stats., no construction or modification and new operation permit is required for the resumption of operation of an indirect source after a period of closure if the source meets all the conditions specified in s. NR 406.04(4)(c).

(3) INCREMENTAL GROWTH. If a person constructs or modifies an indirect source in increments which individually are exempt from the requirement for a permit under this section, the person is required to obtain a construction or modification and new operation permit for the source prior to commencing construction or modification of the increment which, in combination with the other increments occurring since July 1, 1975, or since the date of the last air pollution control permit or plan approval issued to the source, whichever is later, will cause the applicable permit exemption criteria specified in sub. (1) to be exceeded.

SECTION 30. NR 410.02(1) is renumbered 400.02(5e).

SECTION 31. NR 410.02(3) is amended to read:

NR 410.02(3) "Environmental assessment" has the meaning designated given in s. NR 150.02(8)(9).

SECTION 32. NR 410.02(4) and (5) are renumbered 400.02 (53e) and (53s).

SECTION 33. NR 410.02(7) is repealed.

SECTION 34. NR 410.03 and 410.04 are repealed and recreated to read:

NR 410.03 APPLICATION FEE. Except as provided under s. 144.399(3)(a), Stats., any person required or authorized under s. 144.391, Stats., to obtain an air pollution control permit shall pay an application fee, consisting of the sum of the basic fee under sub. (1) and any additional fees under sub. (2). Any person required under s. NR 406.04(1)(i) or (4)(d) to obtain a determination of exemption from the department shall pay the basic fee under sub. (1).

(1) BASIC FEES. (a) Except as provided in pars. (c) and (d), each person who applies for and is issued an air pollution control permit for which an application fee is authorized shall pay a basic fee according to the following amounts:

1. \$1,300 if the permit is for the construction or replacement of a direct minor source or for the construction of a new indirect minor source.

2. \$500 if the permit is for the elective operation of a new or modified direct source.

3. \$1,000 if the permit is for the modification of a direct or indirect minor source.

4. \$3,000 if the permit is for the modification of a direct or indirect major source.

5. \$4,500 if the permit is for the construction, reconstruction or replacement of a direct major source.

6. \$5,000 if the permit is for the construction of a new indirect major source.

(b) Any person requiring a determination of exemption under s. NR 406.04(1)(i) or (4)(d) or petitioning for an alteration to a permit under ch. NR 491 shall pay the following amounts:

1. \$400 for a determination of exemption made under s. NR 406.04(1)(i) or (4)(d); and

2. \$200 for a permit alteration granted under ch. NR 491.

(c) The basic fees in par. (a) shall be reduced by \$100 if the permit applicant publishes the class 1 newspaper notice required under s. 144.392(5)(c), Stats.

(d) Any person who applies for an air pollution control permit for the operation, construction, replacement, modification, or reconstruction of a source shall submit \$500 with the application. This \$500 may not be refunded unless the department determines that a permit is not required. When a fee is required under sub. (b), only the amount not required to cover the fee will be refunded.

(e) When an air pollution control permit application is received for the construction, replacement, reconstruction, operation, or modification of a direct source where the basic emissions unit, which is not a portable source, is to be installed at one specified facility and, in the same application, a request is also made to modify air pollution control permits for other sources

at different locations to include the same basic emission units, and all the sources for which modification is requested are under common ownership or control, the permit applicant shall pay the basic fee specified in par. (a) plus the additional fees in sub. (2). The fee for modifying each additional permit at different locations shall be \$200 each plus the fees in sub. (2) except when the action specified in sub. (2) has been completed for one location and a separate action as set forth in sub. (2) is not required for each modification at each different location. When an action covered under sub. (2) must be completed for applications at more than one location, the fee in sub. (2) shall be charged for each time the action is completed.

(2) ADDITIONAL FEES. In addition to the basic fees prescribed in sub. (1)(a) and (e), each person who applies for and is issued an air pollution control permit for which an application fee is authorized shall pay the following fees in the amounts indicated:

(a) \$100 per basic emissions unit requiring review and analysis if the permit application requires the review and analysis of 2 or more basic emission units.

(b) \$300 if the permit application is for a direct, nonattainment area source.

(c) \$1,400 if the permit application is for a direct source which requires an emission offset, a growth accommodation credit under s. 144.393(7), Stats., or the determination of a net emissions increase under ch. NR 405.

(d) \$1,000 per best available control technology (BACT) or lowest achievable emission rate (LAER) determination if the permit application is for a direct source which requires a BACT or LAER determination.

(e) \$200 if the permit application is for a direct minor source or minor modification to a direct major source whose projected air quality impact requires a detailed air quality modeling analysis.

(f) \$1,400 if the permit application is for any direct source which is not a direct minor source or minor modification to a direct major source and whose projected air quality impact requires a detailed air quality modeling analysis.

(g) \$500 if the permit application is for a direct source which may emit a toxic or hazardous substance listed in s. NR 406.04(2)(e) or chs. NR 445 to 484.

(h) \$750 if the permit application is for a direct source for which the department requires a stack test prior to the department's issuance of a release for permanent operation. The \$750 shall be refunded in the event the department determines that the tests are not required and, therefore, are not performed.

(i) \$400 if the permit application is for a direct source which requires an environmental assessment under ch. NR 150.

(j) \$500 if the permit application is for the modification of a direct major source whose net increase in emissions of any of the following pollutants would equal or exceed any of the following rates:

1. Carbon monoxide: 100 tons per year
2. Nitrogen oxides: 40 tons per year

3. Sulfur dioxide: 40 tons per year
4. Particulate matter: 25 tons per year
5. Volatile organic compounds: 40 tons per year
6. Lead: 0.6 tons per year
7. Asbestos: 0.007 tons per year
8. Beryllium: 0.0004 tons per year
9. Mercury: 0.1 tons per year
10. Vinyl chloride: 1 ton per year
11. Fluorides: 3 tons per year
12. Sulfuric acid mist: 7 tons per year
13. Hydrogen sulfide (H_2S): 10 tons per year
14. Total reduced sulfur (including H_2S): 10 tons per year
15. Reduced sulfur compounds (including H_2S): 10 tons per year

(k) \$500 if a public hearing is held at the request of the applicant or their agent.

(l) \$100 if the permit application is for a direct source which requires an emission limit determination under s. NR 424.03(2)(c)2.

(m) When the permit applicant requests in writing that the permit be issued in a shorter time interval than the time interval set forth in s. 144.392, Stats., and the department is able to comply with the request, the following fees shall apply:

1. \$1,000 for an application for a direct source which is not subject to review under ch. NR 405 if the permit is issued within 50 days of receipt of a complete application.

2. \$2,000 for an application for an indirect source or for a source which is subject to review under ch. NR 405 if the permit is issued within 60 days of receipt of a complete application.

3. \$1,000 for an application which is subject to review under ch. NR 405 if the permit is issued within 90 days of receipt of a complete application.

(3) PAYMENT. The department shall mail a billing statement for the required application fee to the person applying for the permit at the time the permit is issued. The application fee shall be paid within 30 days of the date of the billing statement. The department may not issue the release for permanent operation of the source until the department receives full payment of the application fee.

NR 410.04 IMPLEMENTATION AND ENFORCEMENT FEE. (1) FEE REQUIRED. Any person who owns or operates a direct air contaminant source for which an air pollution control permit has been issued shall pay an annual fee for the implementation and enforcement of the permit conditions according to the amount established in sub. (2).

(2) AMOUNT OF FEE. The amount of the annual implementation and enforcement fee shall be:

(a) \$1,000 per year for a direct major source;

(b) \$500 per year for a direct minor source which has potential uncontrolled emissions of any regulated pollutant in excess of 100 tons per year; or

(c) \$200 per year for a direct minor source which has potential uncontrolled emissions of any regulated pollutant equal to or less than 100 tons per year.

(3) PAYMENT. The department shall mail billing statements annually to persons owning or operating air contaminant sources for which the payment of an implementation and enforcement fee is required. Persons required to pay an implementation and enforcement fee shall pay the fee within 30 days of the date of the billing statement.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on January 28, 1988.

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.

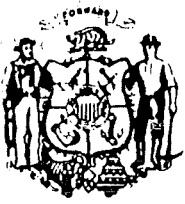
Dated at Madison, Wisconsin March 15, 1988

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

8675W



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

March 16, 1988

File Ref: 1020

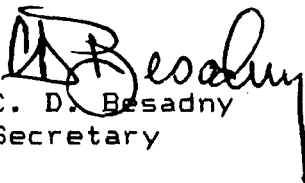
Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 702
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. AM-42-87. 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.