

## Chapter NR 404

## AMBIENT AIR QUALITY

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History: Chapter NR 155 as it existed on March 31, 1972 was repealed and a new chapter NR 155 was created, Register, March, 1972, No. 195, effective April 1, 1972. Chapter NR 155 was renumbered chapter NR 404, Register, July, 1985.

Note: Air standards are definitions of the characteristics of ambient air quality which, in terms of present day knowledge, need to be maintained in order to protect the public health and welfare and our environment from adverse effects of air pollution.

The purpose of air standards should be viewed as goals or objectives to be achieved by these and other rules of the department, by regional implementation plans, and by enforcement programs of both state and local governments as population, industrial activity and land use changes.

The standards are meaningful for pollution control when applied to achieve and maintain desired air quality as expressed by the standards.

Because of variation in population, transportation, and industrial densities, in addition to variation in terrain and meteorology, equal air quality may not be achieved throughout a region or area.

These standards conform to national ambient air quality standards. They are subject to review as knowledge of the effects of air pollution on health, plant and animal life, property, visibility, and our environment increases.

These standards are promulgated pursuant to ch. 144, Stats., which directs the department of natural resources to undertake a comprehensive program to manage and protect the state's air resources. These rules are one part of that program.

**NR 404.01 Applicability; purpose.** (1) **APPLICABILITY.** The air standards of this chapter apply to the entire state without exception. The ambient air increments of this chapter apply to all attainment areas of the state.

(2) *Purpose.* This chapter is adopted under ss. 144.31 and 144.375, Stats., to establish geographic air regions, air standards and ambient air increments, to specify the methods to be used to measure air quality and to interpret air quality data and to establish guidelines for the application of air standards.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86.

**NR 404.02 Definitions.** In addition to the definitions contained in this section, the definitions contained in ch. NR 400 also apply to the terms used in this chapter.

(1) "Air quality control region" means an area designated under 42 U.S.C. s. 7407 or s. NR 404.03 in which a plan to maintain or achieve air standards is implemented on a regional basis. Air quality control regions include both interstate and intrastate regions.

(2) "Air standard" or "ambient air quality standard" means the specified levels of air quality which are necessary to protect public health and welfare. Ambient air quality standards include primary and secondary air standards.

(3) "Equivalent method" means a monitoring method which has been designated as an equivalent method by the department and which has been published in a list by the department under s. NR 404.06 (4) (a).

(4) "Monitoring method" means a method for sampling and analyzing or for continuously monitoring a discrete parcel of ambient air for an air contaminant. Monitoring methods include reference methods and equivalent methods.

(4m) "PM10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on Appendix J of 40 CFR pt. 50 and designed in accordance with 40 CFR pt. 53 or by an equivalent method.

(5) "Primary air standard" means the level of air quality which provides protection for public health with an adequate margin of safety.

(6) "Quality assurance system" means the system of activities which provides evidence that the quality control systems are performing adequately.

(7) "Quality control system" means the system of activities which are used to control the quality of ambient monitoring or air emissions data, including all activities involved in the collection, processing and analysis of such data.

(8) "Reference method" means a monitoring method which has been specified by the U.S. environmental protection agency in 40 C.F.R. part 50, Appendices A to K or which has been so designated by the department.

(9) "Secondary air standard" means the level of air quality which may be necessary to protect public welfare from unknown or anticipated adverse effects.

(10) "Suspended particulate matter" means any solid or liquid particle dispersed and suspended in air which is capable of being trapped on the filter of a high volume air particulate sampler.

(11) "Total suspended particulates" means particulate matter as measured by the method described in Appendix B of 40 CFR pt. 50.

History: Cr. Register, March, 1972, No. 195, eff. 4-1-72; cr. (intro.), Register, August, 1981, No. 308, eff. 9-1-81; renum. from NR 155.01, r. (5) to (7), renum. (4) to (5) and am., am. (1) to (3), cr. (4) and (6) to (13), Register, July, 1985, No. 355, eff. 8-1-85; renum. from NR 404.01 and am. (intro.), r. (3) and (5), renum. (4) to (13) to be (3), (4), NR 400.02 (64), (5) to (10), Register, September, 1986, No. 369, eff. 10-1-86; cr. (4m) and (11), am. (8), Register, December, 1988, No. 396, eff. 1-1-89.

NR 404.03 Air quality control regions. The following air quality control regions, which include counties in Wisconsin, have been designated:

(1) *Interstate air quality control regions.* (a) The Duluth (Minnesota) - Superior (Wisconsin) Interstate Air Quality Control Region includes the counties of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, and Washburn in Wisconsin, and the counties of Aitkin, Carlton, Cook, Itasca, Koochicong, Lake, and St. Louis in Minnesota.

(b) The Southeast Minnesota - La Crosse (Wisconsin) Interstate Air Quality Control Region includes the counties of Barron, Buffalo, Chipewewa, Clark, Crawford, Dunn, Eau Claire, Jackson, La Crosse, Monroe, Pepin, Pierce, Polk, St. Croix, Trempealeau, and Vernon in Wisconsin,

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and the counties of Blue Earth, Brown, Dodge, Faribault, Fillmore,  
Freeborn, Goodhue, Houston, LeSueur, Martin, Mower, Nicollet, Olm-

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