

3. It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(g) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(25) "Potential to emit" means the maximum capacity of a stationary source to emit an air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit an air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(26) "Secondary emissions" means emissions which occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purposes of this chapter, secondary emissions must be specific, well defined, quantifiable, and impact the same general areas as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(27) (a) "Significant" means, in reference to a net emissions increase or the potential of a source to emit any of the air contaminants in Table A, a rate of emissions that would equal or exceed any of the rates in Table A.

Table A
Pollutant and Emissions Rate

1. Carbon monoxide: 100 tons per year (tpy)
2. Nitrogen oxides: 40 tpy
3. Sulfur dioxide: 40 tpy
4. Particulate matter: 25 tpy
5. PM10: 15tpy
6. Ozone: 40 tpy of volatile organic compounds
7. Lead: 0.6 tpy
8. Asbestos: 0.007 tpy
9. Beryllium: 0.0004 tpy
10. Mercury: 0.1 tpy
11. Vinyl chloride: 1 tpy
12. Fluorides: 3 tpy

- 13. Sulfuric acid mist: 7 tpy
- 14. Hydrogen sulfide (H₂S): 10 tpy
- 15. Total reduced sulfur (including H₂S): 10 tpy
- 16. Reduced sulfur compounds (including H₂S): 10 tpy

(b) Volatile organic compounds do not include the following compounds: methylene chloride, methyl chloroform, methane, ethane, and freon 113.

(c) "Significant" means, in reference to a net emissions increase or the potential of a source to emit an air contaminant subject to regulation under the federal clean air act that par. (a) does not list, any emissions rate.

(d) Notwithstanding par. (a), "significant" means any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct within 10 kilometers of a Class I area, and have an impact on such area equal to or greater than 1 ug/m³ (24-hour average).

(28) "Stationary source" means any building, structure, facility or installation and any facility, building, structure, equipment, vehicle or action which emits or may emit any air contaminant subject to regulation under the federal clean air act.

Note: The ambient air increments contained in 40 CFR 51.24 have previously been promulgated in s. NR 404.04.

History: Cr. Register, January, 1987, No. 373, eff. 2-1-87; am. (27) (a) Register, December, 1988, No. 396, eff. 1-1-89.

NR 405.03 Restrictions on area classifications. (1) All of the following areas which were in existence on August 7, 1977, shall be Class I areas and may not be redesignated by the department:

- (a) International parks,
- (b) National wilderness areas which exceed 5,000 acres in size,
- (c) National memorial parks which exceed 5,000 acres in size, and
- (d) National parks which exceed 6,000 acres in size.

(2) Any other area, unless otherwise specified in the legislation creating such an area, is initially designated Class II, but may be redesignated as provided in this chapter.

(3) The following areas may be redesignated only as Class I or II:

(a) An area which as of August 7, 1977, exceeded 10,000 acres in size and was a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore; and

(b) A national park or national wilderness area established after August 7, 1977, which exceeds 10,000 acres in size.

History: Cr. Register, January, 1987, No. 373, eff. 2-1-87.