

Chapter NR 409

RELOCATION OF PORTABLE SOURCES

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NR 409.01 Applicability; purpose. (1) **APPLICABILITY.** This chapter applies to all portable sources of air contamination which are required under s. 144.391, Stats., to have an operation permit and departmental approval prior to relocation.

(2) **PURPOSE.** This chapter is adopted under ss. 144.31 and 144.391, Stats., to establish conditions under which departmental approval is required for the relocation of portable sources and the procedures followed by the department in approving the relocations.

History: Cr. Register, September, 1986, No. 369, eff. 10-1-86; am. (2), Register, May, 1992, No. 437, eff. 6-1-92.

NR 409.02 Definitions. The definitions contained in ch. NR 400 apply to the terms used in this chapter.

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

NR 409.025 Permit requirement. No person may cause, allow or permit the relocation of a portable source to a new site without first obtaining an air pollution control permit unless the portable source is exempt from the requirement to obtain a permit under ch. NR 406 or the portable source is an approved relocated source under s. 144.391 (5), Stats.

History: Renum. from NR 154.055 (1) (intro.) and am. Register, September, 1986, No. 369, eff. 10-1-86; am. Register, May, 1992, No. 437, eff. 6-1-92.

NR 409.03 Relocation approvals. (1) The owner or operator of a portable source operating under a permit issued under s. 144.391, Stats., shall request approval from the department for relocation of the source to a different site upon forms supplied by the department.

(2) In applying for relocation approval an applicant may request approval of more than one site. If more than one site is approved, the portable source may be relocated from one approved site to another approved site without the submission of an additional site change form to the department. However, the department shall be notified of any such relocation to another approved site prior to the commencement of operations thereon.

(3) The department shall approve, approve with conditions or deny a request for relocation of a portable source in writing within 30 days after receipt of a completed site change form submitted to the department.

History: Renum. from NR 154.055 (2) and (4), cr. (1) and am. (3), Register, September, 1986, No. 369, eff. 10-1-86.

NR 409.04 Relocation approval criteria. The department shall approve relocation of a portable source to a different site if:

(1) The source meets the requirements of s. 144.391 (5) (a), Stats.; and

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(2) Operation at the proposed new site will not cause nuisance conditions.

History: Renum. from NR 154.055 (3) (intro.) to (b) and am., Register, September, 1986, No. 369, eff. 10-1-86.