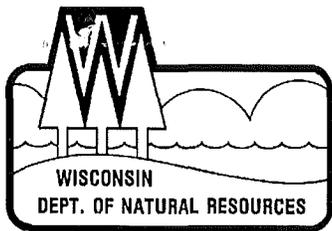


CR 93-206



George E. Meyer
Secretary

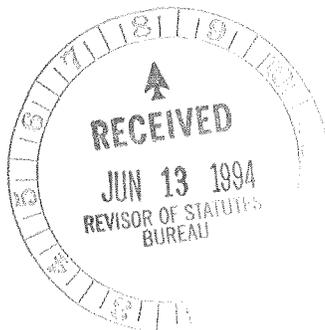
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, 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-49-93 was duly approved and adopted by this Department on April 28, 1994. 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 hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 9th day of June, 1994.

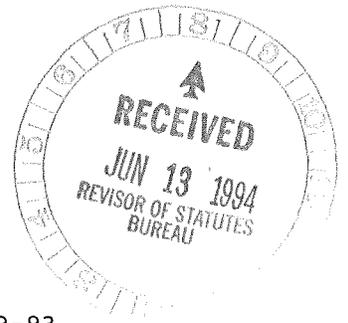
George E Meyer
George E. Meyer, Secretary

(SEAL)

8-1-94



ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
CREATING RULES



.....
IN THE MATTER of creating NR 422.02(16e), .
(42e), (42s), (47m) and 422.17 of the .
Wisconsin Administrative Code pertaining .
to the regulation of organic compound .
emissions from traffic marking material. .
.....

AM-49-93

Statutory authority: ss. 144.31(1)(a) and (f), and 227.11(2)(a), Stats.

Statutes interpreted: s. 144.31(1)(f), Stats. The State Implementation Plan developed under that provision is revised.

The proposed rule is created to require the application of traffic marking material with low VOC content in the effort to abate ground level ozone pollution in southeastern Wisconsin.

This rule proposal is part of the 15% Volatile Organic Compound (VOC) Reduction Plan, the second of three major State Implementation Plan (SIP) revisions required for the control of ozone in nonattainment areas of Wisconsin. The 15% VOC Reduction Plan was submitted to U.S. EPA in November, 1993.

SECTION 1. NR 422.02(16e), (42e), (42s) and (47m) are created to read:

NR 422.02(16e) "Field-reacted traffic marking material" means a liquid traffic marking material, such as epoxy or polyester, which consists of resin, pigments, and a hardening agent, and which is mixed at the time of application and designed to harden quickly.

(42e) "Stripe-kilometer" means one 10-centimeter-wide solid stripe of traffic marking material that is 1.0 kilometer long.

(42s) "Stripe-mile" means one 4-inch-wide solid stripe of traffic marking material that is 1.0 mile long.

(47m) "Traffic marking material" means any substance, either solid or liquid at time of application, used to provide lane delineation or other traffic guidance or information on paved surfaces. Markings provided by traffic marking material include, but are not limited to, centerlines, edgelines, lane lines, turn arrows, parking stall markings, crosswalks, curb markings, railroad markings and airport taxi and runway markings.

SECTION 2. NR 422.17 is created to read:

NR 422.17 APPLICATION OF TRAFFIC MARKING MATERIALS. (1) APPLICABILITY.

This section applies after April 30, 1996, to the application of traffic marking material on any paved surface during the ozone season in Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington and Waukesha counties.

(2) RESTRICTED MATERIALS. During the ozone season, no person may cause, allow or permit the application of traffic marking material which exceeds the following limits:

(a) Except as provided in par. (b), for traffic marking material that is measurable as a liquid at the time of application, a VOC content of 91 grams per liter of coating or 0.76 pounds per gallon of coating, excluding water.

(b) For field-reacted traffic marking material, or for traffic marking material that is not measurable as a liquid at the time of application, a VOC emission rate of 3.6 kilograms per stripe-kilometer or 12.2 pounds per stripe-mile.

(3) RECORDKEEPING. (a) In addition to the applicable reporting and recordkeeping requirements of ss. NR 439.03 and 439.04, any person who applies traffic marking material and is subject to this section shall retain records sufficient to document the following:

1. Types and amounts of traffic marking materials purchased annually.
2. The VOC content or emission rate of each type of traffic marking material applied, either in grams per liter or pounds per gallon or kilograms per stripe-kilometer or pounds per stripe-mile.
3. Monthly quantities of each type of traffic marking material applied.
4. The counties in which each marking material was applied.

(b) The documentation required in par. (a) shall be kept for a period of 3 years after the traffic marking material is applied.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on April 28, 1994.

The rule 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 6-9-94.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

(SEAL)

