

Chapter NR 468

EMISSION STANDARDS FOR HAZARDOUS AIR
POLLUTANTS FOR MISCELLANEOUS PROCESSES

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NR 468.01 Applicability; purpose. (1) **APPLICABILITY.** This chapter applies to miscellaneous sources of hazardous air pollutants including perchloroethylene dry cleaning, petroleum solvent dry cleaning, sterilization facilities, chromic acid anodizing, decorative chromium electroplating, hard chromium electroplating, halogenated solvent cleaners, plywood and particle board manufacturing, and pulp and paper production, and to their owners and operators.

(2) **PURPOSE.** This chapter is adopted under ss. 144.31 and 144.375 (5), Stats., to establish source categories for sources of hazardous air pollutants and to establish emission standards for these source categories in order to protect air quality.

History: Cr. Register, June, 1995, No. 474, eff. 7-1-95.

NR 468.02 Definitions. The definitions contained in ch. NR 400 apply to the terms used in this chapter. In addition, the definitions contained in individual sections of this chapter apply to the terms used in those sections.

History: Cr. Register, June, 1995, No. 474, eff. 7-1-95.

NR 468.20 Perchloroethylene dry cleaning facilities. (1) **APPLICABILITY.** (a) The provisions of this section apply to the owner or operator of each dry cleaning facility that uses perchloroethylene.

(b) Each dry cleaning system that commences construction or reconstruction on or after December 9, 1991, shall be in compliance with the provisions of this section beginning on July 1, 1995 or immediately upon startup, whichever is later, except for dry cleaning systems constructed or reconstructed before September 22, 1993, which shall comply with sub. (3) (b) beginning on September 23, 1996, and shall comply with other provisions of this section by July 1, 1995.

Note: Dry cleaning systems installed before the date the federal rule became effective, September 22, 1993, are required under s. NR 423.04 (3) to use a carbon adsorption system or equivalent.

(c) Each dry cleaning system that commenced construction or reconstruction before December 9, 1991, shall comply with subs. (3) (c), (d), (i), (j), (k), (l) and (m), (4) (d) and (5) (b), (d) 1. to 4. and (e) beginning on July 1, 1995, and shall comply with other provisions of this section by September 23, 1996.

(d) Each existing dry-to-dry machine and its ancillary equipment located in a dry cleaning facility that includes only dry-to-dry machines and each existing transfer machine system and its ancillary equipment, as well as each existing dry-to-dry machine and its ancillary equipment, located in a dry cleaning facility that includes both transfer machine systems and dry-to-dry machines is exempt from subs. (3), (4) and (5), ex-

cept subs. (3) (c), (d), (i), (j), (k), (l) and (m), (4) (d) and (5) (b), (d) 1. to 4. and (e), if the total perchloroethylene consumption of the dry cleaning facility is less than 530 liters (140 gallons) per year. Consumption is determined according to sub. (4) (d).

(e) Each existing transfer machine system and its ancillary equipment located in a dry cleaning facility that includes only transfer machine systems is exempt from subs. (3), (4) and (5), except subs. (3) (c), (d), (i), (j), (k), (l), and (m), (4) (d) and (5) (b), (d) 1. to 4. and (e), if the perchloroethylene consumption of the dry cleaning facility is less than 760 liters (200 gallons) per year. Consumption is determined according to sub. (4) (d).

(f) If the total yearly perchloroethylene consumption of a dry cleaning facility determined according to sub. (4) (d) is initially less than the amounts specified in par. (d) or (e), but later exceeds those amounts, the existing dry cleaning systems in the dry cleaning facility must comply with subs. (3), (4) and (5) by 180 calendar days from the date that the facility determines it has exceeded the amounts specified, or by September 23, 1996, whichever is later.

(g) A dry cleaning facility is a major source if the facility emits or has the potential to emit more than 9.1 megagrams per year (10 tons per year) of perchloroethylene to the atmosphere. In lieu of measuring or determining a facility's potential to emit perchloroethylene emissions, a dry cleaning facility is a major source if:

1. It includes only dry-to-dry machines and has a total yearly perchloroethylene consumption greater than 8,000 liters (2,100 gallons) as determined according to sub. (4) (d); or

2. It includes only transfer machine systems or both dry-to-dry machines and transfer machine systems and has a total yearly perchloroethylene consumption greater than 6,800 liters (1,800 gallons) as determined according to sub. (4) (d).

(h) A dry cleaning facility is an area source if it does not meet the conditions of par. (g).

(i) If the total yearly perchloroethylene consumption of a dry cleaning facility determined according to sub. (4) (d) is initially less than the amounts specified in par. (g), but then exceeds those amounts, the dry cleaning facility becomes a major source and all dry cleaning systems located at that dry cleaning facility must comply with the appropriate requirements for major sources under subs. (3), (4) and (5) by 180 calendar days from the date that the facility determines it has exceeded the amount specified, or by September 23, 1996, whichever is later.

(j) All coin-operated dry cleaning machines are exempt from the requirements of this section.

(2) DEFINITIONS. As used in this section, terms not defined in this subsection have the meanings given in ch. NR 400. In addition, the following definitions apply to the terms used in this section.

(a) "Ancillary equipment" means the equipment used with a dry cleaning machine in a dry cleaning system including, but not limited to, emission control devices, pumps, filters, muck cookers, stills, solvent

or operator shall perform the following calculation on the first day of every month:

1. Sum the volume of all perchloroethylene purchases made in each of the previous 12 months, as recorded in the log described in sub. (5) (d) 1.

2. If no perchloroethylene purchases were made in a given month, then the perchloroethylene consumption for that month is zero gallons.

(e) The total sum calculated in par. (d) is the yearly perchloroethylene consumption at the facility.

(5) **RECORDKEEPING AND REPORTING REQUIREMENTS.** In addition to complying with s. NR 439.04 (1) and (2), the owner or operator of a dry cleaning facility shall meet the following requirements:

(b) Each owner or operator of a dry cleaning facility shall submit to the department by registered mail, on or before the 30th day following the compliance dates specified in sub. (1) (b) or (c), a notification of compliance status providing the following information and signed by a responsible official who shall certify its accuracy:

Note: If more than one compliance date under sub. (1) (b) or (c) applies to a facility, the notification of compliance status is due by 30 days after each of the applicable dates.

1. The name and address of the owner or operator;
2. The address representing the physical location of the dry cleaning facility;
3. A brief description of the type of each dry cleaning machine at the dry cleaning facility;
4. The yearly perchloroethylene solvent consumption limit based upon the yearly solvent consumption calculated according to sub. (4) (d);

Note: The owner or operator of each facility complies with subd. 4. by stating which of the annual perchloroethylene consumption volumes in sub. (1) (d), (e) or (g) 1. or 2. is applicable to the facility for any exemption or major source determination under sub. (1).

5. Whether or not facility is in compliance with each applicable requirement of sub. (3); and

6. A statement that all information contained in the notification is accurate and true.

(c) Each owner or operator of an area source dry cleaning facility that exceeds the solvent consumption limit reported in par. (b) shall submit to the department by registered mail, on or before the dates specified in sub. (1) (f) or (i), a notification of compliance status providing the following information and signed by a responsible official who shall certify its accuracy:

1. The new yearly perchloroethylene solvent consumption limit based upon the yearly solvent consumption calculated according to sub. (4) (d);

2. Whether or not the facility is in compliance with each applicable requirement of sub. (3); and

3. A statement that all information contained in the notification is accurate and true.

(d) Each owner or operator of a dry cleaning facility shall keep receipts of perchloroethylene purchases and a log of all the following information, and maintain such information on site for a period of 5 years and show it upon request to a representative of the department:

1. The volume of perchloroethylene purchased each month by the dry cleaning facility as recorded from perchloroethylene purchases. If no perchloroethylene is purchased during a given month then the owner or operator would enter zero gallons into the log.

2. The calculation and result of the yearly perchloroethylene consumption determined on the first day of each month as specified in sub. (4) (d).

3. The dates when the dry cleaning system components are inspected for perceptible leaks, as specified in sub. (3) (k) or (l), and the name or location of dry cleaning system components where perceptible leaks are detected.

4. The dates of repair and records of written or verbal orders for repair parts to demonstrate compliance with sub. (3) (m) and (n).

5. The date and temperature sensor monitoring results, as specified in sub. (4), if a refrigerated condenser is used to comply with sub. (3) (a) or (b).

6. The date and colorimetric detector tube monitoring results, as specified in sub. (4), if a carbon adsorber is used to comply with sub. (3) (a) 2. or (b) 3.

(e) Each owner or operator of a dry cleaning facility shall retain onsite a copy of the design specifications and the operating manuals for each dry cleaning system and each emission control device located at the dry cleaning facility.

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NR 468.30 Industrial process cooling towers. (1) APPLICABILITY. The provisions of this section apply to the owners and operators of all new and existing industrial process cooling towers that are operated with chromium-based water treatment chemicals on or after September 8, 1994, and are either major sources or are integral parts of facilities that are major sources.

(2) DEFINITIONS. As used in this section, terms not defined in this subsection have the meanings given in ch. NR 400. In addition, the following definitions apply to the terms used in this section:

(a) "Chromium-based water treatment chemicals" means any combination of chemical substances containing chromium used to treat water.

(b) "Construction" means the onsite fabrication, erection or installation of an industrial process cooling tower.

(c) "Cooling tower" means an open water recirculating device that uses fans or natural draft to draw or force air through the device to cool warm water by direct contact.

(d) "Existing industrial process cooling tower" means any industrial process cooling tower on which construction or reconstruction commenced on or before August 12, 1993.

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(e) "Industrial process cooling tower" means any cooling tower that is used to remove heat that is produced as an input or output of a chemical or industrial process, as well as any cooling tower that cools a chemical or industrial process in combination with any heating, ventilation or air conditioning system.

Note: Cooling towers that only cool heating, ventilation and air conditioning systems and that are operated with hexavalent chromium-based water treatment chemicals are regulated by 40 CFR 749.68.

(f) "Initial startup" means the initiation of recirculation water flow within the cooling tower.

(g) "Major source" means any stationary source, or group of stationary sources, that is located on one or more contiguous or adjacent properties and is under common control of the same person or persons under common control, that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of any hazardous air pollutant which has been listed pursuant to section 112 (b) of the act (42 USC 7412 (b)) or 25 tpy or more of any combination of these hazardous air pollutants.

(h) "New industrial process cooling tower" means any industrial process cooling tower on which construction or reconstruction commenced after August 12, 1993.

(i) "Reconstruction" means the replacement of components of an industrial process cooling tower to such an extent that the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable new industrial process cooling tower.

(j) "Water treatment chemicals" means any combination of chemical substances used to treat water in cooling towers, including corrosion inhibitors, antiscalants, dispersants and any other chemical substances used to treat cooling tower water.

(3) STANDARDS. (a) No owner or operator of an existing industrial process cooling tower may use chromium-based water treatment chemicals in any industrial process cooling tower on or after March 8, 1996.

(b) No owner or operator of a new industrial process cooling tower may use chromium-based water treatment chemicals in any industrial process cooling tower on or after September 8, 1994, or on or after the date of the initial startup, whichever is later.

(4) RECORDKEEPING AND REPORTING REQUIREMENTS (a) *Initial notification.* Owners or operators of industrial process cooling towers that have an initial startup before September 8, 1994 shall submit, by registered mail, an initial notification to the department no later than October 1, 1996. Owners or operators of industrial process cooling towers that have an initial startup on or after September 8, 1994 shall submit, by registered mail, an initial notification no later than October 1, 1996, or 12 months after initial startup, whichever is later. The initial notification shall provide the following information and be signed by a responsible official who shall certify its accuracy:

1. The name and address of the owner or operator.

2. The address representing the physical location of the industrial process cooling tower.

3. A statement that the initial notification is being submitted as required by this section.

4. A description of the type of water treatment program used in the industrial process cooling tower, including the chemical name of each corrosion inhibitor ingredient used; the average concentration of those corrosion inhibitor ingredients maintained in the cooling water; and a copy of the material safety data sheet for each water treatment chemical or chemical compound used in the industrial process cooling tower.

(b) *Notification of compliance status.* Each owner or operator of an industrial process cooling tower shall submit to the department, by registered mail, a notification of compliance status on or before the 60th day following the date that the industrial process cooling tower is brought into compliance with sub. (3). The notification of compliance status shall:

1. Be signed by a responsible official who shall also certify the accuracy of the report.

2. Certify that the industrial process cooling tower or towers are in compliance with sub. (3).

3. Include the information required in par (a)4.

4. Include the following statement: "I certify that no chromium-based water treatment chemicals have been introduced since [the initial compliance date] into any industrial process cooling tower located within the facility for any purpose."

(c) *Prior notification under federal regulation.* If the owner or operator of an industrial process cooling tower has submitted the notification required by par. (a) or (b) to the administrator under 40 CFR 63.405 prior to the effective date of this section October 1, 1995, that notification shall be deemed to meet the applicable requirements of par. (a) or (b).

(d) *Records retained at facility.* Each owner or operator of an industrial process cooling tower shall retain copies of the notifications required under pars. (a) and (b) at the facility for a minimum of 5 years. The notifications shall be made available to department staff on request during normal business hours.

History: Cr. Register, September, 1995, No. 477, eff. 10-1-95.