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# JESSE KREMER

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STATE REPRESENTATIVE • 59<sup>TH</sup> ASSEMBLY DISTRICT

*Testimony before the Assembly Committee on Federalism & Interstate Relations  
State Representative Jesse Kremer  
November 21, 2017*

Good morning Chairman Vorpapel and Federalism Committee members. I would like to thank you for holding a hearing on a couple of our bills in a package of "No Growth Zone" reforms. The issues that we will be discussing today provide unnecessary regulatory burdens on local businesses and stifle growth in certain areas of the state.

It is important to understand that, although these bills are clean air related, neither AB587 nor AB588 are intended to lower the regulatory level of air pollutants.

Let me begin by briefly addressing AB587, the DNR's rules regarding hazardous air pollutants. We currently regulate 293 more potential air pollutants than the federal government. Of these 293 pollutants, only 94 were actually emitted based on the most recent Legislative Audit Bureau report.

This bill is a simple review of rules, similar to the REINS Act – a public accountability and transparency measure. In short, the regulations related to state monitored air pollutants will sunset every ten years and can be re-visited by the DNR, using current scientific data, to re-promulgate rules that should remain in effect. It should be noted that the federal government uses a similar process, but on a five year rotation. In essence, AB587 will align Wisconsin's regulation of air pollutants more closely to the federal regulatory review process.

I thank you for this opportunity to testify before the committee today and urge your support for the State Air Emissions Rules Review, Assembly Bill 587.



# DUEY STROEBEL

STATE SENATOR • 20<sup>TH</sup> DISTRICT

## Testimony on AB 587

November 21, 2017

Good morning Chairman Vorpagel and members of this committee. The two bills before you today are important reforms aimed at reducing the regulatory burden imposed on Wisconsin's farmers, entrepreneurs and small business owners. Today I am speaking on AB 587, but as a co-sponsor of AB 588, I strongly support that piece of legislation.

According to the Legislative Audit Bureau the state of Wisconsin regulates 293 air pollutants that are not regulated by the federal government. A total of 481 air pollutants are regulated at the state and federal level in our state. When the Audit Bureau reviewed these regulations they found that only 94 of the 293 exclusively state regulated pollutants are actually emitted.

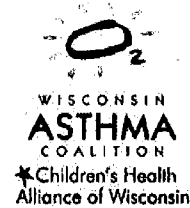
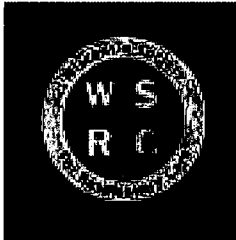
Since these regulations were put in place there have been major changes to the administrative rule-making process. In early 2011 the legislature brought more clarity to the process by requiring economic impact statements for proposed rules and mandating that the governor and department secretaries sign off on scope statements before rules are drafted. More recently, this legislature enacted the REINS Act, which gives the legislature a greater role in the review of costly proposed regulations.

These significant changes to the administrative rules process, combined with the fact that 68% of state regulated air pollutants are not emitted, strongly suggest that it is time to review these regulations. Regulation must intersect with reality, and AB 587 requires the DNR to re-promulgate all state air pollutant rules using the reformed administrative rules process. A process that is good for new rules is a process that is also good for the review of existing rules. Additionally, AB 587 requires that re-promulgated and future state air pollutant regulations expire every 10 years, thus triggering another round of review.

The review process contained in AB 587 is not a unique concept for air quality regulations. The federal Clean Air Act requires the Environmental Protection Agency to review National Ambient Air Quality Standards (NAAQS) every 5 years. Providing for a once-a-decade review of state air regulations guarantees that the state must assess regulations in light of new data and ongoing technological developments.

To be clear, nothing about this bill changes how Wisconsin implements federally mandated air regulations, and nothing in this bill bars the DNR from promulgating state air regulations.

Small businesses and entrepreneurs who may need to obtain emissions permits for their operations are forced, under the current structure, to assess whether or not they meet one of three standards, all of which may apply under the current patchwork of regulation. Having the DNR review this structure on a regular basis will result in needed analysis as to which regulations are necessary and which should be modified.



November 21, 2017

To: Honorable members of the Assembly Committee on Federalism and Interstate Relations

Dear Committee members,

This letter is to express our concern about bills that were recently introduced that will significantly reduce air quality in Wisconsin. As public health organizations, we work to support healthy communities with clean air, clean drinking water, and limited exposure to unhealthy toxic substances. Senate Bills 457, 459, 463 and 466 and Assembly Bills 555, 558, 587, and 588 will collectively reduce air quality and increase the potential for negative health impacts in Wisconsin. We are writing to ask you to oppose these proposals.

Senate Bill 459 and Assembly Bill 587 would require the Department of Natural Resources to identify and repeal all state-level protections for air pollutants. Not only does it require these protections to be repealed, any standards put in place to replace them would be sunset after ten years. Every year, over a million pounds of air pollutants are released in Wisconsin that fall under our state-level Hazardous Air Pollutant protections. This proposal will likely impact public health in the neighborhoods of facilities using these chemicals, with children, the elderly and those with existing respiratory problems at the greatest risk.

Senate Bills 457 and 463 and Assembly Bills 555 and 558 would loosen vehicle emissions limits in Southeast Wisconsin, an area with a long history of non-attainment and related public health impacts. The final proposal in the package, Senate Bill 466 and Assembly Bill 588, would prohibit the DNR from collecting and reporting on air monitoring data at the Kohler-Andrea State Park. There are currently two air monitoring sites in Sheboygan County. Getting rid of a monitor will not change the fact that there are elevated levels of air pollutants people nearby breathe in. The area in Sheboygan County along the Lake Michigan coast has had increasing

levels of air pollution in recent years, which makes this proposal especially concerning for those with compromised respiratory systems. Discarding the monitor totally removes the one and only tool those residents have to receive warnings on high pollution days.

Air quality alert days happen every summer in communities in Wisconsin. Under these proposals we could see an increase in the number of days children will be at risk for asthma attacks and emergency department visits. Air quality trends in Wisconsin have been improving in recent years. We should not reverse the progress we have made by increasing human exposure to toxic air pollutants. Please support safe and healthy communities in Wisconsin by opposing Senate Bills 457, 459, 463 and 466 and Assembly Bills 555, 558, 587, and 588.

Respectfully,

American Lung Association in Wisconsin  
Wisconsin Asthma Coalition  
Children's Health Alliance of Wisconsin  
Wisconsin Society for Respiratory Care  
Gundersen Medical System  
Wisconsin Allergy Society



**To: Members of the Senate Committee on Elections and Utilities**  
**Date: November 21, 2017**  
**From: Sarah Barry, Director of Government Relations**  
**Re: Opposition to AB 587 & AB 588, Air Quality Reduction Proposals**

*Clean Wisconsin is a non-profit environmental advocacy group focused on clean water, clean air and clean energy issues. We were founded forty-seven years ago as Wisconsin's Environmental Decade and we have 20,000 members and supporters around the state.*

### **Assembly Bill 587, Air Quality Protection Reduction**

This proposal will require Wisconsin to remove critical protective standards for emissions of hazardous air pollutants in the state. In 1988 Wisconsin created rules to protect communities from unsafe exposure to known pollutants. In 2004, these rules were revisited and updated with the support of a broad coalition of stakeholders, including business and industry. These protections have functioned well in Wisconsin, reducing unhealthy exposure to airborne hazards in a reasonable and functional way. Many other states, including our neighbors in Minnesota, Michigan, and Ohio, also have robust state-level standards of air pollutants that, as our DNR pointed out during a 2004 revision process, "plug important gaps in the federal hazardous air pollution rules."

There is a common interplay between federal and state regulations. While the federal government sets limits for air emissions that impact the entire country, they often allow states to set limits on pollutants when there are local or regional considerations. As our DNR pointed out, ammonia and mineral spirits (stoddard solvents) are not regulated under the federal program. Emissions of these two pollutants in Wisconsin exceed one million pounds each annually. These pollutants are regulated under NR 445 for their acute non-cancer health effects and, in the case of ammonia, for chronic health impacts.

Our DNR also highlighted the fact that that the federal-level protections may not address the most dangerous air pollution emissions in Wisconsin. This is because those federal standards frequently apply only to very large facilities with tall exhaust towers and other measures to reduce public exposure. It is the state-level protections that provide safety for people who may be exposed to the pollution from smaller facilities that often are located near residential neighborhoods and have fewer measures in place, and therefore can pose a far greater public exposure and health risk.

The state protections for air pollutants are based on information from the American Conference of Governmental Hygienists, the National Toxicology Program, and the International Agency for Review of Carcinogens. These pollutants are identified as dangerous to human health in unsafe exposure amounts. Health effects include irritation of eyes and respiratory tract, headaches and nausea, increased cancer risk, and central nervous system and non-respiratory body organ effects. Under this proposal, the Wisconsin Legislative Council estimates that there will no longer be protections on 358 hazardous air pollutants in

the state. Children, the elderly, people with respiratory illness, and you and I--we all should be free to breathe clean air, maintain personal property value, live in healthy, thriving communities, and support our local economies.

Our state-level air pollution rules have proven to be highly effective: protecting the public from health threats of hazardous pollution, without being burdensome to businesses and industry. A facility does not test for all pollutants. Instead they can rely on existing information about chemicals that are known to be emitted by their industry and make emission estimates based on that information. If estimates show the facility would be regulated, the facility then can choose to conduct tests to improve the emissions estimate if desired. Facilities can comply with the protections in a variety of ways, many of which do not involve installing a control device. For example, a facility can:

- Reformulate or substitute materials to avoid producing a regulated air pollutant
- Use clean-burning fuels
- Alter processes to reduce emissions
- Raise stack height to achieve greater dispersion

This proposal may also remove critical reporting requirements, including all requirements from those potentially dangerous smaller sources that are near residential areas, as well as removing all requirements for facilities to report emissions levels to the state. This would leave our DNR and the public with much less information about what is being emitted in local communities and how those emissions could be impacting health and wellbeing. We won't know what we don't know, and with all the information we have now about air pollutant exposure we should not defy common sense and go back to the drawing board by repealing these protections.

*We urge you to oppose Assembly Bill 587.*

### **AB 588, Air Monitoring Prohibition**

This proposal seeks to eliminate the collection of air quality data at the Kohler-Andrae State Park in Sheboygan County. This air monitoring site is part of a regional effort to manage ozone pollution in the Lake Michigan region. It is considered of high importance by the Lake Michigan Air Directors Consortium (LADCO); a group that includes Wisconsin, Illinois, Indiana, Michigan, Ohio, and Minnesota, wherein members cooperate on technical assessments and studies of regional air quality problems.

Ozone air pollution is a very serious public health issue - it can cause shortness of breath and coughing, inflame and damage airways, aggravate lung diseases such as asthma, emphysema, and chronic bronchitis, increase the frequency of asthma attacks, and can even continue damaging lungs after symptoms disappear. Even relatively low levels of ozone can have adverse health effects. Scientific analysis has also concluded that ozone exposure may increase the risk of developing asthma in the first place, as well as increase the risk of premature death from heart or lung disease.

Children, people with asthma or lung disease, older adults, and people who are outdoors during high pollution periods are at highest risk adverse health effects from ozone, although it has effects across the

population. For example, in Wisconsin asthma affects about 550,000 residents, including 1 in 13 children, and leads to over 18,500 emergency department visits, 5,000 hospitalizations, and an estimated cost of over \$100 million a year.

The Kohler-Andrae site is specifically designed to determine whether air quality in the area meets the requirements of the National Ambient Air Quality Standard to protect health, to detect elevated pollutant levels of ozone, and to provide pollutant levels for the daily air quality reporting and alerts that allow people to avoid exposure during the worst days. Those air quality alert days happen every summer in communities in Wisconsin, including in Sheboygan County, when children and others with asthma or other respiratory illness stay inside because the air is unsafe.

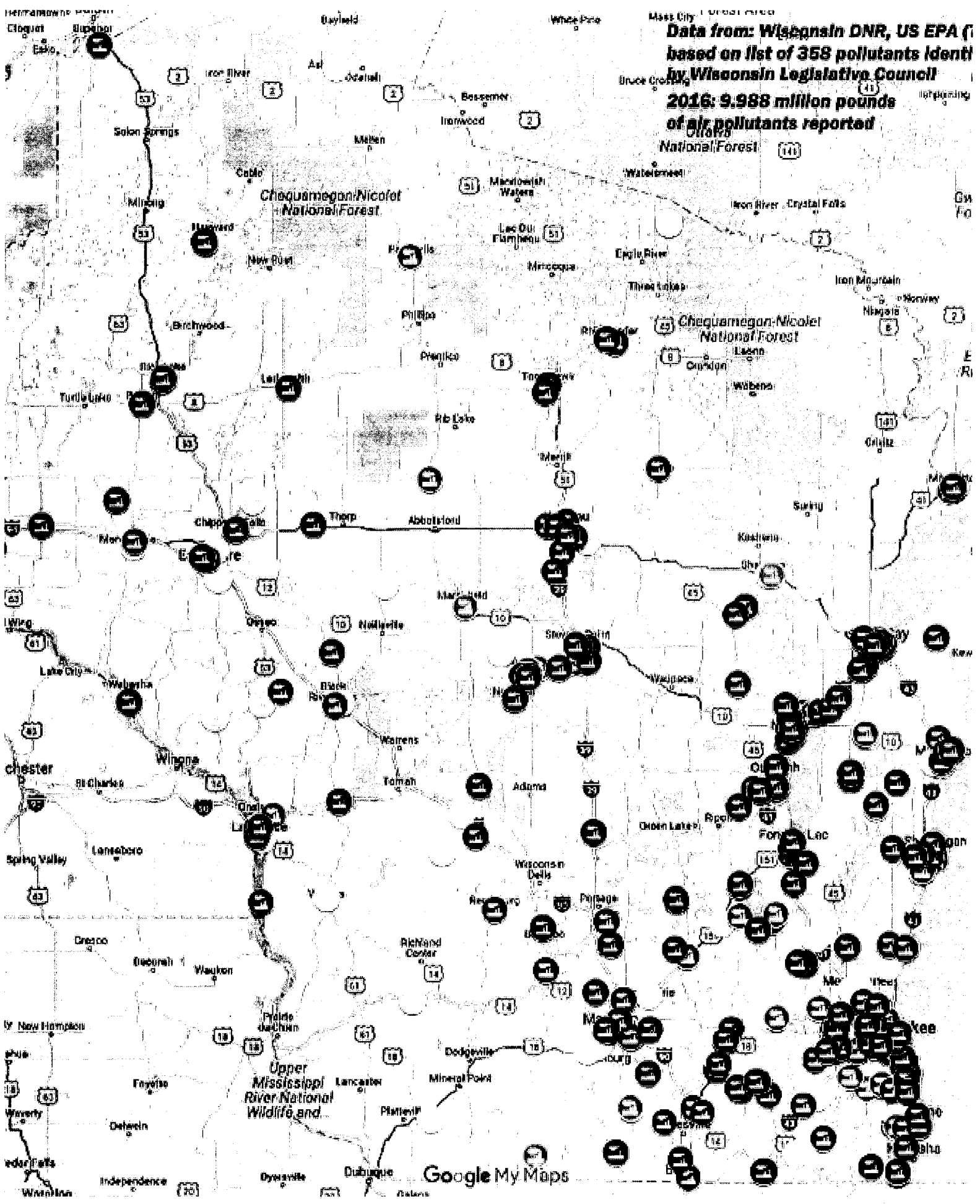
There is no question that ozone pollution is a regional problem in eastern Wisconsin and around Lake Michigan. Precursors to ozone pollution come from many places, including both local sources and sources outside of the state. While the Clean Air Act works to ensure that air quality is safe in a local area, those outside regional sources are also monitored, and held accountable for their contributions by regulations like the federal Cross-State Air Pollution Rule. This accountability is possible because of data from monitors like Kohler-Andrae, which was placed in a location where it could best measure regional ozone pollution.

Because of where the monitor was placed, it was not intended to measure peak ozone levels and exposures. Instead, its regional focus means that data the monitor provides is more akin to "background levels" of pollution; different local conditions can cause the ozone levels in those areas to be higher or lower. For example, additional local sources of pollution like vehicle traffic in an urban area or from an industrial facility would not be captured by the Kohler-Andrae monitor. What the data from that site has shown is that those background levels are already unsafe in Sheboygan County in areas close to the lakeshore like the City of Sheboygan.

It is critical that members of the public have information about what they are breathing and how it can impact health. Removing a monitor will not change the fact that there are elevated and unsafe levels of air pollutants in a community.

***It does not make sense to have less information about air quality in Wisconsin and we urge you to oppose Assembly Bill 588.***





**Data from: Wisconsin DNR, US EPA (based on list of 358 pollutants identified by Wisconsin Legislative Council)**  
**2016: 9.988 million pounds of air pollutants reported**  
 National Forest

Google My Maps

**re-Regulated Hazardous Air Emissions would not be limited anymore under AB587 and SB**

<http://www.cleanwisconsin.org/map-of-toxic-air-emissions/>



**Oppose AB 587 & AB 588  
Testimony of Jennifer Giegerich  
Wisconsin League of Conservation Voters  
November 21, 2017**

Good morning. I am Jennifer Giegerich, Legislative Director for Wisconsin League of Conservation Voters. Thank you for this opportunity to testify on AB 587 & AB 588.

Wisconsinites deserve to breathe clean air. Unsafe levels of pollution can cause premature death for those with existing respiratory and pulmonary health conditions. Long-term exposure to unsafe levels of pollution can permanently damage the lungs and hearts of children. It is the responsibility of the DNR to set state standards for pollutants when general federal standards are not sufficient to protect Wisconsin citizens. When unsafe levels of pollution are recorded, Wisconsin is required to develop plans to reduce all sources of air pollution in the area.

We are here today because the two bills before you, AB 587 & AB 588 would undermine the state's ability to protect public health and ensure that our communities are meeting basic health standards.

AB 587 would prevent the DNR from protecting the public from air pollution by striking all state standards for air pollutants. The DNR would then be subjected to a very long and complicated process to reinstate state air pollution standards and then sunset those standards every 10 years. This needlessly undercuts protections for public health.

AB 588 would prohibit the DNR from including the air monitoring site located at Kohler-Andrae State Park in the air quality data submitted to EPA because it shows unhealthy level of pollution in Sheboygan County. By hiding the evidence of unhealthy air pollution, this bill would attempt to artificially show compliance with federal Clean Air Act standards and thus allow for more pollution in the area

The natural question is, "Why would these bills be necessary? and "Who benefits when the state decides to not enforce public health standards or abandon them altogether?"

In recent years, it has become routine for the legislature to introduce legislation to rollback so-called "unnecessary" or "redundant" regulations in the name of making it easier for businesses to operate in Wisconsin. But, that is only acceptable if the original intent, to limit harmful pollution exposure into the environment, is maintained. In some cases, there is a newer technology or practice that can accomplish the same standard. In some cases, necessary data can be collected in new ways that simplify the regulatory process for companies.

In the case of these two bills, it is obvious that there is no intent to maintain public health protections, but they merely are to remove requirements of the state to protect air quality. And that is completely unacceptable. If the state of Wisconsin fails to protect us, there is no way for the public to protect ourselves. One does not get to erect 'clean air zones' on our own property. The government regulates air pollution because we all share the air. It the responsibility of the state to do that for everyone. And, it is especially necessary for the state to protect the most vulnerable.

As an organizational representative of WLCV, I am here testifying for the organization. But, I also must admit that this issue has taken on a personal meaning for me. In March, I was diagnosed with triple negative breast cancer. I needed to start an aggressive chemotherapy treatment, followed by surgery and radiation. Overnight, I went from a very healthy, active adult, to someone who had to endure a lot of painful and repeated medical care to survive.

I have completed all my cancer treatment and I am thankful to have all my tests come back showing that the cancer is gone. One thing I was not prepared for is living with the newfound fear that my cancer can come back and not knowing what caused it. I don't have any family history and I don't carry any of the genes that are associated with my cancer. Researchers don't yet know what is causing the aggressive triple negative breast cancer in so many women, but they suspect things in the environment. You have constituents in your district who have to live with this same reality and they deserve your support.

The pollutants on the state air list are scientifically vetted and proven to have impacts on our community. There are known carcinogens on that list, as well as pollutants that can cause respiratory distress for people with already compromised immune systems.

The truth is Wisconsin needs to be doing so much more to ensure the safety of our environment. Why the legislature would consider such a drastic measure as delisting known air pollutants just to make things "easier" for business or literally hiding the evidence of a community not meeting a public health standard is appalling. You need to stand up for your constituents and reject AB 587 & AB 588.

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*Wisconsin League of Conservation Voters is a nonprofit, nonpartisan organization dedicated to encouraging lawmakers to champion conservation policies that effectively protect Wisconsin's public health and natural resources. For more information, contact Legislative Director Jennifer Giegerich at [jennifer@conservationvoters.org](mailto:jennifer@conservationvoters.org) or 608-208-1130.*

## **Jeff Myers' Comments on 2017 Assembly Bill 587 11/21/2017**

Hello. My name is Jeff Myers. I am a life-long Wisconsin resident. I am here to present my perspective on 2017 Assembly Bill 587/Senate Bill 459.

This bill asks the DNR to find any Wisconsin air pollution regulation that is not in federal regulations and to repeal them. There is so much history in the basis for the existing air pollution regulations that it is not reasonable or rational to just repeal something without knowing the basis and history for why it was there to begin with.

A case in point is the ability to address air toxics through a state only program and its importance for public health.

I am an expert in air pollution toxicology. I have been the Wisconsin DNR air program toxicologist for 28 years. I am here on my own behalf and not here as part of my work duties nor on behalf of my employer. I speak as a professional scientist and as an expert in the field of hazardous air pollutants.

If this bill is passed, emissions of hazardous air pollutants will go up. If emissions go up, exposures increase and therefore, Wisconsin residents will be at greater risk of adverse health effects. That would be unfortunate for the state of Wisconsin and all of its residents. Wisconsin needs to have an air toxics program if it wants to keep protecting its citizens from the toxic effects of air pollutants. The federal program has many holes in it and the state program ONLY covers sources and pollutants that are not addressed by the federal program.

Air toxics regulations have a long history in Wisconsin. Due to public concern in the early 1980s, a Hazardous Emissions Task Force was established. The task force, whose members were from industry, academia, government agencies and environmental groups published a report in 1985 that made recommendations for establishing the first air toxics regulations in Wisconsin. Those regulations became effective in October of 1988. The regulations were deliberately established to prevent problems, regardless of whether a pollutant was actually emitted in Wisconsin or not. This is the basis of preventive medicine – as we all know; an ounce of prevention is worth a pound of cure.

Those first regulations were controversial and several industrial groups sued the Department. The lawsuit was eventually settled. The Department's authority for its air toxics program was affirmed in 1990.

In November 1990, the federal clean air act amendments were signed into law. Part of those regulations addressed air toxics. A list of 187 hazardous air pollutants and a list of source categories were established. Major sources of air toxics are those that emit 10 tons of a single pollutant or a total of 25 tons of two or more listed pollutants.

**Why is the federal air toxics program not sufficient?**

The EPA definition of major source was made without regard to the toxicity of the pollutants emitted. Ten tons of some hazardous air pollutants could cause harm to a substantial number of people. In some cases, EPA established regulations for smaller/area sources of air pollution. But in many cases, these regulations did not fully address health impacts from sources that exist in the "real world".

The federal air toxics program does not address all hazardous air pollutants nor does it always address smaller sources of air pollution nor does the federal program always reduce risks to acceptable levels.

Like many other states who also have their own state air toxics programs, Wisconsin continued to enhance its air toxics programs after 1990. The most recent of those updates was in 2004.

The 2004 rule revision was the result of four years of extensive discussions with stakeholders that started in 1999: (17 official technical advisory group meetings) and numerous outreach to industries all over the state, public hearings and legislative review. The need for a state only rule was evident even fourteen years after adoption of the clean air act amendments of 1990.

Thousands of hours, and many discussions and negotiations have occurred during the process of crafting a rule that works for Wisconsin and protects public health with a minimum number of pages of regulations and a negotiated level of regulatory burden.

If this bill passes, many companies will remove existing pollution controls or otherwise increase emissions of hazardous air pollutants such as benzene, formaldehyde, dioxins and diesel exhaust. In addition, if this bill passes, the reporting of hazardous air pollutant emissions will cease as it is not required by federal law. Since you can't manage what you don't measure, this means that any ability of our state to understand what is being emitted into the air will also be eliminated.

**Is this what you really want?**

**More emissions of hazardous air pollutants being emitted?**

**To not even know what is being emitted into the air?**

**This bill is going in the wrong direction.**



**John Muir Chapter**

Sierra Club - John Muir Chapter

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**Statement of the Sierra Club's John Muir Chapter in opposition to  
Assembly Bill 587  
November 21, 2017**

Chairman Vorpapel and members of the committee, my name is Bill Davis. I am the Chapter Director for the John Muir Chapter of the Sierra Club. I would like to thank you for the opportunity to provide comments in opposition to Assembly Bill 587. The John Muir Chapter represents over 18,000 members and an additional 30,000+ supporters living throughout the state. We work to provide opportunities for Wisconsinites to enjoy nature and advocate for the fair and rational management of our common resources so that all Wisconsin residents have access to the clean air, water and land they need for their health, safety and well-being as well as to move our economy forward.

The John Muir Chapter is opposed to AB 587 because it will remove pollution criteria that are currently protecting public health, hampers the public's right to know what substances are being discharged in their environment, and it disregards the fundamental structure of the Clean Air Act.

This bill will remove air pollution standards for over 350 substances. These substances are being regulated because of their ability cause human health problems. The Department of Natural Resources relied on the substance research of agencies such as the American Conference of Governmental Hygienists, the National Toxicology Program and the International Agency for Review of Carcinogens in choosing the substances to be regulated by the Wisconsin. The "state" substances regulated in Wisconsin are on the list because they cause a variety of human health effects from cancer to irritation of the eyes and respiratory tract. These impacts are particularly problematic for our most vulnerable populations; the young, the sick and the elderly. Combined in 2016, millions of pounds of these chemicals were released in Wisconsin.

These regulations are important not just because they limit the amount of harmful substances released into the air we breathe but because that is also a source of information available to the public to allow them to protect themselves. If you have a child with asthma, when choosing a new place to live for instance it is useful to be able to see whether there are facilities emitting pollutants that would aggravate that condition that would be nearby. By eliminating these standards the AB 587 also removes the reporting and hence this information would not be available to the public though the pollution will still be there. This is an instances where what we don't know can definitely hurts us.

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The John Muir Chapter is proud to be a member of



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The Wisconsin air regulations are also forward thinking in that they recognize the ever changing nature of business and manufacturing processes. Our list includes substances that are not currently being released at levels that require permit limits. These standards give industry the information they need to plan if their processes change so that they will be discharging a regulated substance. It also protects public health by limiting any new source of pollutant to reduce the chance it will cause health impacts.

Finally, under the Clean Air Act the federal government set standards for substances that have national impact and left to the states to regulate pollutants that are relevant to them. This is what Wisconsin has done.

It is for these reasons we urge the committee to oppose AB 587.

Thank you again for the opportunity to testify.



WISCONSIN MANUFACTURERS & COMMERCE

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**TESTIMONY BEFORE THE ASSEMBLY COMMITTEE ON FEDERALISM  
AND INTERSTATE RELATIONS IN SUPPORT OF ASSEMBLY BILL 587**

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Chairman Vorpapel and Committee Members:

Thank you for the opportunity to testify today. My name is Lucas Vebber and I am the General Counsel and Director of Environmental and Energy Policy at Wisconsin Manufacturers & Commerce (WMC). WMC is Wisconsin's Chamber of Commerce and Manufacturers' Association. With members of all sizes and throughout all sectors of Wisconsin's economy, we are the largest business trade association in the state. Since our founding in 1911 we have been committed to making Wisconsin the most competitive state in the nation in which to do business. I am here today to testify in support of Assembly Bill 587.

This legislation deals with Wisconsin-specific regulations that go above and beyond what is mandated by federal law. The federal Clean Air Act regulates a number of air pollutants both as criteria pollutants and as hazardous air pollutants. Wisconsin law requires the Department of Natural Resources (DNR) to regulate all federally mandated pollutants and allows DNR to be more stringent and regulate additional air pollutants beyond what is mandated by federal law. Wisconsin has done this by adding hundreds of additional hazardous air pollutants on top of what is required by federal law, many of which are not even emitted by sources in Wisconsin.

Importantly, this legislation in no way changes DNR's ability to set Wisconsin-specific hazardous air pollution standards that go above and beyond what is required to comply with the Clean Air Act. This bill simply requires that when DNR does so, they revisit those Wisconsin-specific standards every ten years. Once passed, DNR would be required to review and re-promulgate the existing standards, and then repeat that process every decade with full public involvement to ensure a transparent process.

With these simple reforms the only thing that will change in Wisconsin law is to add more public involvement in the regulatory process.

Thank you for the opportunity to testify, I would be happy to answer any questions that you may have today.



### **Testimony of Mr. Tony Urso on AB 587**

Good morning members of the Assembly Committee on Federalism and Interstate Relations. I'm here today to testify in support of AB 587.

Wisconsin has made great steps forward in reforming its administrative rules process. But these reforms, begun in 2011 and continued most recently with the passage of the REINS Act, do not impact existing administrative rules. AB 587 is a common-sense piece of legislation that will ensure existing air quality regulations at the Department of Natural Resources receive scrutiny in light of the reformed regulatory process.

Government regulation must be based on fact and reality. Nearly 300 air pollutants are regulated in Wisconsin even though the Clean Air Act and other federal mandates do not require us to regulate them. A minority of these 300 substances are actually emitted in our state, raising questions about whether or not we should spend so much space in the administrative code regulating something that's obviously not a big deal in Wisconsin.

The rolling 10-year review of all air quality regulations makes sense because technology changes over time. Even the Clean Air Act requires the EPA to regularly review air quality regulations. Technology changes over time, industrial and commercial processes change over time, the environment changes over time, and it is important that when necessary, regulation change over time.