

**Meeting Summary**  
**Air Management Study Group Meeting**  
Thursday, May 5, 2022  
9:00 am

Renee Bashel, DNR  
Rob Bermke, Georgia-Pacific  
David Bittrich, TRC Environmental  
James Bridges, DNR  
Noelle Brigham, Marquette University\*  
Philip Bower, DNR  
Patrick Cardiff, Grande Cheese Company  
Michelle Castile, Homeowner  
Michael Cassidy, Kohler Co.  
Chelsea Chandler, Clean Wisconsin\*  
Rebecca Clarke, SORA Sheboygan  
Bill Clendenning, Wood Co Wisconsin Board  
Craig Czarnecki, DNR  
Dave Dettman, Pioneer Metal Finishing LLC  
Donald Gallo, Axley Brynelson LLP  
Joe Gegier, Essity  
Erik Gulbranson, Dairyland Power Coop.  
Gail Good, DNR  
Ashley Gray, DNR  
Bob Greco, WEC Energy Group  
Rob Harmon, AFNA  
Art Harrington, Godfrey & Kahn\*  
Kristin Hart, DNR  
Thomas Henning, Short Elliot Hendrickson Inc.  
Maria Hill, DNR  
Joe Hoch, Alliant Energy  
Linda Karr, UW

Mike Kolb, WEC Energy Group  
Mark Lee, Masonite  
Jeremy Luebke, Short Elliot Hendrickson, Inc.  
Anita Martin, Jefferson County  
Jason Martin, Personal Interest  
Michelle Maxson, Personal Interest  
Caitlin McAleavey, Jefferson County  
Paul Meier, UW  
James Mertes, WTBA\*  
Rita Neff, Manitowoc Public Utilities  
Bill Nelson, Godfrey & Kahn  
Todd Palmer, Michael Best\*  
Katie Praedel, DNR  
Maria Redmond, Wisconsin Office of  
Clean Energy and Sustainability  
Brad Sims, Exxon Mobil Corp.  
Jasmine Sodemann, Gannett Fleming Inc.  
Sheri Stach, DNR  
Patti Stickney, Short Elliott Hendrickson, INC.  
Steve Stretchberry, WEC Energy Group  
Troy Stucke, Charter Steel  
Steve Tasch, Trinity Consultants  
Peter Tomasi, F&L  
Mark Thimke, Personal Interest  
Jason Treutel, DNR  
Kate Verbeten, GBMSD  
Jeremiah Yee, DHS

\*AMSG Member

**Action Items**

**Next AMSG Meeting.** The next study group meeting will be held on **Thursday, August 4** at 9 a.m.

**Meeting Summary**

**Opening remarks and agenda repair**

Gail Good opened the meeting. Craig ran through some Zoom procedures.

## **Proposed Guidance, rules and legislative update**

### DNR Guidance

Landfill Guidance is being developed as a collaboration between Waste and Air programs. The document is in the final review stages and is expected to be posted for public review soon.

DNR finalized response to comments on Nonroad Engine Testing Operations.

### Proposed/Final DNR Rules

The VOC RACT rule has completed legislative review and is with the Legislative Reference Bureau. It will be published May 31 with an effective date of June 1. The rule applies to ozone nonattainment areas classified as Moderate or above beginning with the 2008 standard. This currently applies to Sheboygan County and eastern Kenosha County. It will apply to the Milwaukee nonattainment area when it is reclassified to Moderate.

The 2015 Ozone NAAQS rule was published February 29 with an effective date of March 1. It has been sent to EPA for incorporation into the State Implementation Plan (SIP). There are no new impacts from the rule at this time.

Emissions Inventory Reporting rule is in Legislative review. It has completed committee review and will move to Joint Committee for Review of Administrative Rules (JCRAR) in May.

NOx RACT rule is in the rule drafting phase.

Scope statement for Compliance Demonstration rule has been completed and sent to the Governor's office for signature. Once signed, this will start the 30-month clock to scope statement expiration.

### Proposed EPA rules and guidance

The Environmental Protection Agency (EPA) proposed approval of redesignation requests for the Indiana and Illinois portions of the Chicago-Naperville nonattainment areas to attainment.

EPA proposed disapproval of ozone transport state implementation plans in multiple regions including regions 5, 6 and 7 which include states that are linked to Wisconsin nonattainment monitors.

EPA proposed new heavy-duty engine and vehicle standards for NOx and greenhouse gas emissions for model years 2027 and beyond.

EPA proposed to remove Title 5 affirmative defense provisions from the code of federal regulations. This is related EPA's return to their 2015 position on Startup/Shutdown/Malfunction provisions in state implementation plans.

EPA proposed a Federal Implementation Plan (FIP) addressing Ozone Transport for the 2015 Ozone National Ambient Air Quality Standards (NAAQS).

EPA proposed determinations of attainment for the 2008 and 2015 ozone NAAQS.

#### Finalized EPA rules/guidance

The light duty vehicle standards rule was finalized by the National Highway Traffic Safety Administration. Impacts Corporate Average Fuel Economy (CAFE) Standards for model years 2024-2026.

EPA provided final approval for redesignation requests for three Wisconsin nonattainment areas: The Kenosha portion of the Chicago-Naperville area for the 2008 Ozone NAAQS, and Manitowoc and Door County areas for the 2015 Ozone NAAQS.

#### **NR428 Listening Session**

The Air Management Program is moving ahead with the NR 428 NOx RACT update. A listening session will be held on May 31 from 1:30 -3:00 in person at the Milwaukee Service Center with a Zoom virtual option.

The goals of rule:

- Ensure clear and consistent implementation of RACT rule
- Clarify exemption and emission limitation applicability
- Address emissions averaging requirements
- Clarify compliance and monitoring requirements

#### **Public Involvement Web Updates**

These new pages were developed in response to suggestions on improvements from permit holders and the public. The updates include:

- [New landing page](#) with tools and examples that explain the public participation processes for air permitting including, tips for how to look at documents, and flow charts and explanations of the steps in the permitting process. More resources will be added as the program develops the website and gets feedback
- [New table that provides access to permit applications recently received](#) and currently under review by the department.
- [Updated public notice page](#) with easier access to the documents available for public comment, deadlines for submitting comments, hearing dates, and links to the permit writer email for easy delivery of public comments.
- [New table of final permit decisions](#) with links to response to comment documents and final permit decisions.

All documents are still available on the program's [permit search webpage](#) as well.

## **Annual Network Plan**

On May 11, 2022, the Air Management program made available for public review the federally required "[Wisconsin Department of Natural Resources 2023 Air Monitoring Network Plan](#)." Wisconsin is required to submit an annual network plan to EPA that shows the siting and operation of each monitor meets the requirements of 40 CFR Part 58. The plan proposes DNR recommended changes to the ambient monitoring network based on monitor history, population distribution and modifications to federal monitoring requirements. Responses to the plan are gathered through public comments, a public meeting and EPA approval. This plan certifies that the state has met all federal ambient air monitoring requirements.

2023 proposed changes include the shut-down of SO<sub>2</sub> monitors at the Green Bay East and Madison East sites. Both monitors meet federal requirements for shutdown due to the SO<sub>2</sub> emission reductions in both areas and very low monitored concentrations. The Milwaukee UWM Park and Ride site Ozone monitor will change operation from year-round to seasonal. Start-up and shut down of industrial monitors includes some associated with facilities that shut down or met their monitoring requirements.

## **Bipartisan Infrastructure**

The Bipartisan Infrastructure law is once in a lifetime funding to improve transportation, safe drinking water, and work focusing on emerging contaminants. The department has an internal team to manage this and includes outreach for communities. While Air Management is not receiving funding directly, the program does have a role as there are aspects that can improve air quality in Wisconsin.

The Clean School Bus Program is supported by federal funding administered by EPA over the next five years (FY 2022-2026). \$5 billion in funding will be split with half focused on zero emission school buses (electric) and the other half for clean school buses (which can also include electric). The funding will include both vehicle replacement and charging/fuel infrastructure. This will fund between 1,000-2,500 electric school buses in Midwest states. The application period is anticipated to open in May.

The Wisconsin Department of Transportation (DOT) will be receiving federal funding over the next five years (FY 2022-2026). Funding will be used for a variety of projects. Of note for air quality is funding that will be received for the Congestion Mitigation and Air Quality Program (CMAQ). This funding focuses on nonattainment areas by targeting reductions in emissions related to traffic congestion, improving fuel technologies and reducing the overall number of motorized vehicle trips and miles traveled. Air Management provides support in evaluation and scoring process for these applications.

An AMMSG Member mentioned DOT is working on a plan that is required to be funded and will provide outreach for Electric Vehicle (EV) charging stations. Jason Treutel, Air Management Air Quality Planning and Standards Section Chief will work with the member to gather more information.

It was also mentioned by members that it was important to understand what DNR plans to do to comment on this funding. Air Management responded saying Hanna Brown is the contact, and Sarah Barry is also involved.

Others asked about the CMAQ funding, whether standards will be set and what the plan will be.

A member asked if DNR has given any thought to taking these infrastructure reductions to offset the

requirements in the Federal FIP, and if they could be used for mobile source credits in nonattainment areas. DNR responded there is no mechanism to do that at this time. The member mentioned other jurisdictions have done it and will send info along to Air Management.

### **Member Updates:**

Joe Hoch mentioned the Wisconsin Utilities Association is interested in the transport FIP, recent memo from EPA on Title V funding, upcoming changes on NR438 especially related to PM2.5 and additional guidance for the upcoming reporting, including automation of Emission Inventory reporting. Maria Hill indicated Air Management will be making streamlining and reporting updates for PM2.5 in the Air Reporting System (ARS). Details on the updates will be shared at the Federation of Environmental Technologists (FET) session in October and before next year's reporting kickoff.

Joe Hoch mentioned Alliant Energy recently held the ribbon cutting for the West Riverside location, their million trees by 2030 program in Wisconsin and Iowa and Public Service Commission of Wisconsin approval for additional solar.

Art Harrington mentioned he will share his newsletter article on the DOT electrification plan; EV charging and heavy-duty truck charging are big issues. He will also share information with DNR for DNR's interactions with DOT on the Bipartisan Infrastructure Law.

Noelle Brigham indicated she is teaching an air quality engineering course. She appreciates the updates provided at the Air Management Study Group meeting and integrates them into her course and the educational environment.

### **Clean Energy Plan** (Presenter: Maria Redmond - Director of Wisconsin Office of Sustainability and Clean Energy)

Maria Redmond gave a presentation on the first ever clean energy plan (CEP) for the state. Most of Wisconsin's emissions are Carbon Dioxide (CO<sub>2</sub>) coming from transportation and electrical generation (EG). The CEP provides a road map to reduce carbon in EG. The goal is carbon free EG by 2050. There is a collaboration with the department in reviewing reported and estimated emissions from industry.

Maria highlighted the cost of inaction, which includes climate impacts, health impacts (disproportionate impact on communities of color), energy costs, and workforce. Engagement includes 14 agencies across the state, and there will be continued engagement going forward, as all communities need a voice.

The Clean Energy Plan has three core values: ensure a just and equitable transition, job creation, and shared responsibilities among all levels of government. Main strategies in the plan include accelerating clean energy technology deployment, maximizing energy efficiency, modernizing buildings and industry and innovating transportation.

The Office of Sustainability and Clean Energy is encouraging involvement in the effort. Contact information includes [osce@wisconsin.gov](mailto:osce@wisconsin.gov) and [www.OSCE.wi.gov](http://www.OSCE.wi.gov).

## **Electric Vehicle Study** (Presenter: Paul Meier – UW Center for Sustainability and Global Environment)

Paul Meier provided background and results on a study done to analyze the impacts on emissions of NO<sub>x</sub>, SO<sub>2</sub>, PM, ammonia, VOCs and CO<sub>2</sub> from zero emission vehicles (ZEVs).

The study looks at emissions from 2016 and projects through 2032. The project looked at two scenarios 13% (EPA projection) and 40% (high boundary case) of the vehicle miles traveled by 2032 using ZEVs. The study included tailpipe emissions and emissions from the electrical generating sector.

The results of the study, comparing EV scenarios to the baseline case, predict the largest decreases in emissions for ammonia, PM and VOCs, with more moderate decreases in NO<sub>x</sub> and CO<sub>2</sub> emissions. Overall, SO<sub>2</sub> emissions increase somewhat due to shift from tailpipe to electrical generating sector emissions.

## **Ozone topics**

Enhanced Ozone Monitoring (EOM) is required for areas that are in non-attainment for the Ozone NAAQS and are classified as Moderate or above. EOM occurs between May and September 30 to allow for ozone pre-cursors to be measured during the highest ozone concentration days. This allows the data analysts and planning section to more fully understand emissions as they relate to elevated ozone concentrations. DNR works with specialized equipment in non-traditional ways to measure pre-cursors where and when it is most useful. DNR also works with research partners to advance the science of understanding meteorology related to ozone concentrations near the great lakes.

The EPA recently issued final approval for the redesignation of three nonattainment areas in Wisconsin to attainment. These include Kenosha County for the 2008 ozone standard, and Manitowoc and Door counties for the 2015 ozone standards.

These redesignations are timely, as EPA has also recently proposed bump ups for nonattainment areas for the 2008 and 2015 standards. Due to the redesignations, no areas in Wisconsin will be bumped up to Severe for the 2008 standard and only Kenosha, Milwaukee and Sheboygan nonattainment areas will be bumped to Moderate for the 2015 standard.

Impacts of the bump up to Moderate will include a New Source Review offset ratio increase to 1.15:1 and VOC/NO<sub>x</sub> RACT requirements. While the later will have little new impact on Kenosha and Sheboygan nonattainment areas, DNR is actively evaluating potential impacts for the Milwaukee nonattainment area which has not been at the Moderate classification since the 1997 standard and whose area was enlarged due to the ozone remand action in 2021.

The EPA proposed a transport rule for the 2015 Ozone NAAQS (Good Neighbor Rule) on February 28, 2022. This addresses transport obligations for 26 states including Wisconsin whose state implementation plans were recently disapproved. The EPA's federal implementation plan (FIP) requires emission reduction from power plants and certain industrial sources in 25 states.

An ozone transport FIP has direct impact on Wisconsin. EPA modeling established significant linkages between Wisconsin nonattainment monitors and emissions from Michigan, Ohio, Indiana, Missouri, Texas and Arkansas. Modeling done by EPA shows that other states contribute 42-48% to ozone in

Wisconsin nonattainment areas. Wisconsin cannot meet the 2015 attainment dates without significant emission reductions in upwind states.

The Transport FIP is modeled to provide some near-term improvements at Wisconsin monitors, but the overall impact is relatively small. In 2023 the FIP is anticipated to reduce ozone by 0.1 ppb and in 2026 this increases to 0.6 ppb reduction. Kenosha and Sheboygan County nonattainment areas are anticipated to continue to have nonattainment concerns in 2026, even with the improvements made by this rule.

The DNR is concerned that this rule does not require upwind states to reduce emissions sufficiently to address their impacts in Wisconsin which places a larger burden on Wisconsin sources. It is greatly concerning that the Sheboygan monitor is not included through all steps of EPA's analysis due to a screening process that removes the monitor despite it being projected to have the highest ozone concentration in the Midwest. DNR is actively working to verify EPA's assumptions about Wisconsin sources.

The EPA comment period on the rule is open through June 21, 2022. The DNR will be holding a public meeting to provide an overview of the FIP and answer questions from stakeholders on May 11 from 9:00-10:00 a.m.

Question from attendee: Can you clarify, if Wisconsin contributes up to 15% and other states up to 48%, what's the balance? Answer: the balance is made up from emissions we cannot control, e.g., biogenics, forest fires, etc.

Question from attendee: Arkansas has 1% contribution to receptors elsewhere, so what's the concern here? Answer: Arkansas is linked as a contributor to others states besides Wisconsin so it is included in the rule. However, the missing linkage between Arkansas and Wisconsin nonattainment monitors demonstrates the consequence of not appropriately including the Sheboygan monitor in the analysis.

Art Harrington acknowledged the Air for the Door and Kenosha County redesignations. Appreciate all the hard work.

Question from attendee: Why does Wisconsin contribute to Illinois but not Michigan? Answer: EPA uses a 4-step process. Step 1 models attainment in 2023 and beyond for all Michigan monitors while modeling indicates maintenance concerns for several monitors in Illinois. Only the Illinois monitors with maintenance concerns meet the criteria to be considered in Step 2 and beyond.

Question from attendee: EPA filtering process that excluded Sheboygan. What options does DNR have for reconsideration? Answer: Air Management has had conversations with EPA and they are aware of the concern, but has not committed to responding at this time. DNR will continue to promote consideration of important monitors like Sheboygan. EPA will conduct additional modeling for the final rule.

Question from attendee: Lots of questions, concerns and comments, and plans to attend meeting May 11. Comment deadline of June 6 – fair number have asked the deadline be extended. Answer: Since timeline prompted by consent decree, EPA may be reluctant to extend further than the recent extension to June 21. For Wisconsin, interested in action sooner rather than later due to impacts of upwind transport.

Question from attendee: I understand EPA's 4 step process, but disappointed to see Wisconsin emissions reductions are very little. Partial remedy. Answer: This is based on stationary sources and WI needs reductions from additional sources like the mobile sector.

Question from attendee: Are LADCO states collectively reviewing the FIP proposal? Any collective LADCO comments anticipated? Answer: LADCO is involved in emission inventory analysis and understanding secondary impacts of the rule on sources.

Question from attendee: Will EPA address inaccuracies in the model? Answer: EPA has committed to considering feedback on the modeling and factoring in the next round of modeling that will be used to support the final FIP action.

Question from attendee: If EPA implements FIP, I have concerns that FIP would not allow for state corrections. Answer: using EPA modeling Wisconsin contributes to other states. Could look at a SIP at a later time but it would need to be as stringent as the FIP to be approvable.

### **AMSG Membership**

The Air Management Study Group was formed in 2013. While individual members have come and gone, member representation has stayed the same since AMSG was formed. As the 10-year mark of AMSG approaches, the timing is right to review membership. DNR provided the current membership with a survey and reviewed responses with the group at a meeting in March. Existing members and DNR will meet again May 24 from 9:00 to 10:00 a.m. to finalize membership. Expect an invitation on this from Craig soon.

### **Clean Air Month**

Each May, the Air Management Program reflects on the accomplishments of the last year to celebrate Clean Air Month and the clean air we breathe. Wisconsin's air quality has been improving since the implementation of the Clean Air Act in 1970 and continues to improve.

The program released the most recent annual Air Quality Trends report in October 2021. The report includes air monitoring data through 2020. Since the early 2000's fine particle concentrations have dropped more than 35 percent. Since 2002 industrial source emissions of volatile organic compounds (VOCs) have dropped 39%. And emissions of sulfur dioxide have dropped 92 percent.

While seven Lake Michigan shoreline counties are not currently meeting national standards, the region has seen a 25% average reduction in ozone concentrations since 2001.

These improvements are due in part to the implementation of a variety of federal and state pollution control programs, and cleaner burning and more efficient fuel combustion from both highway vehicles and electric utilities.

As part of our Clean Air month celebrations, Air Management updated the Air monitoring display inside the Sanderling Nature Center at Kohler Andrae State Park. The high-quality posters installed describe the role Lake Michigan plays with ozone transport, what ozone is, what the equipment is and what it

does. Air Management also added an Air Quality Index (AQI) chart, and on the railings you'll see blue flip boards which ask questions on the front about air quality, and you find your answer by flipping the board open. Visitors can also go up the roof to get a closer look at the air quality monitor and get a great view of Lake Michigan. We're all very happy and excited to have this display finally finished.

Air will also have social media posts going out all month long on Facebook, Twitter and LinkedIn. Our first post went out Monday May 2 announcing the beginning of Clean Air Month.

Additional resources are posted to the [updated Clean Air Month webpage](#). This includes a link to our new public involvement page, a link to the Enhanced Ozone Monitoring video and the Committed to Clean Air video series, clean air bingo card and various links to stay air aware, including links to the interactive air quality data map, trends reports, the Wisconsin AQM mobile app, and how to sign up to receive news and notifications right to your smart phone.

The next Air Management Study Group meeting is scheduled for Thursday, August 4.