

Meeting Summary

Air Management Advisory Group Meeting
Thursday, June 5, 2025

Renee Bashel, Interested party
Rob Bermke, Georgia-Pacific
John Binder, SORA
Ron Binzley, DNR
David Bittrich, TRC Environmental
Phillip Bower, DNR
Noelle Brigham, A.O. Smith Corp*
Joe Cebe, Forest County Potowatomi
Molly Collins, American Lung Assoc.
Megan Corrado, DNR
Craig Czarnecki, DNR
Brianna Denk, DNR
Bryant Esch, WI Cast Metals Assoc.*
Ciaran Gallagher, Clean Wisconsin*
Eric Gulbranson, Dairyland Power Coop.
Don Gallo, Gallo Law, LLC
Gail Good, DNR
Ashley Gray, DNR
Jeremy Gruse, Custom Fiberglass Molding
Lindsay Haas, DNR
Art Harrington, Godfrey and Kahn*
Allison Hawkins, Michael Best
Jodi Jansesn, WTBA
Adam Jordahl, WMC*

Maria Hill, DNR
Joe Hoch, WUA*
Tracey Holloway, UW*
Scott Karbon, Manitowoc Public Utilities
Nathan Kilger, Bad River Band of Lake Superior
Chippewa
Mike Kolb, WEC Energy Group*
Brittany Keyes, Healthy Climate WI
Ashley Korner, WEC
Jeremy Luebke, Geosyntec Consultants
Violet Marshall, Interested party
Jason Martin, Foth Infrastructure and
Environment
Marcus Mussey, UW Madison EHS
Bill Nelson, Godfrey and Kahn*
Randy Poelma, Ho-Chunk Nation*
Jessica Palmer, Tetra Tech
Brenda Sargent, MGE
Brad Sims, Exxon Mobil
Troy Stucke, Charter Mfg.
John Tadelksi, SCS Engineers
Steve Tasch, Trinity Consultants
Kate Verbeten, Green Bay Sewerage District
Jeremiah Yee, DHS

*AMAG member

Meeting Summary

Opening remarks and agenda repair

Program Director Gail Good opened the meeting. Craig Czarnecki ran through meeting procedures.

Hiring and Administrative Update

Bart Sponseller is the new Division Administrator as of February.

Kristin Hart retired in May from the program and the Field Operations Director position.

Environmental Management Division Priorities

Bart Sponseller, EM Division Administrator spoke on two overarching priorities for all programs.

1. Budget/staffing

The president's proposed budget would zero out the division's federal funds. The division is assessing implications.

Many of the Division programs are underfunded, especially for permitting.

2. PFAS

This a governor's priority that touches multiple programs in the Division. The current focus is on detecting PFAS and then working to get temporary water to those with PFAS in their water supply to cut off the exposure. Eventually, this work could lead to drilling new wells and working with public water supplies to ensure safe drinking water.

Program Priorities:

Air Management:

1. Ozone nonattainment – This is a core focus as the state moves from moderate to serious ozone non-attainment. A concern for ozone nonattainment is that the EPA has not done enough to address ozone transport.
2. Budget – On Saturday, May 31, the DNR concluded our participation in the Department of Homeland Security BioWatch program due to lack of funding.
3. Tailpipe standard roll back – The rollback of the tailpipe emissions standards will affect ozone levels in Wisconsin. Mobile sources are the top source of ozone forming pollutants and Wisconsin was relying on those rollbacks to reach the standard.

Drinking water and ground water:

1. Nitrates and lead – There is no safe level of lead in drinking water. Lead lines are a source of lead in drinking water in cities and small municipalities.

Remediation and Redevelopment:

Brownfields work is focused on vapor intrusion, which can be particularly impactful to women of childbearing age. Vapor intrusion occurs when pollutants in contaminated groundwater and soil filter up through cracks in the soil and buildings, and enters buildings and structures and occupants then breathe it in.

Office of great waters:

This office addresses the Great lakes and Mississippi River. Through a partnership in Milwaukee a dredged material management facility is being built for the containment of contaminated sediment in Milwaukee's waterways

Water Quality:

There is a focus in on nitrogen and phosphorus because they are impairing waterways due to contamination. The contamination is causing algal blooms, limiting access for the public to recreate on certain waterways with these issues.

Waste

The emerging issue is the management of emerging waste streams such as lithium ion batteries, which can lead to fires that are hot and difficult to manage.

Two other emerging waste stream concerns are solar panels and turbine blades. Solar panels contain hazardous waste (metals) and turbine blades are large and the State does not have landfill space for them. Additionally, they are hard to recycle due to the epoxies used on them and how they are constructed.

Questions:

Are budget and EPA funds statutory or discretionary?

Answer: Title 5 funds would remain, they are funded through permitting fees. The 105 grant the DNR receives for air monitoring would be cut if the president's proposed budget goes through. We will just have to wait and see.

Question: The rollback of mobile emissions is inequitable and unfair. The majority of emissions come from mobile sources; emissions in Chicago are coming from tailpipes. If the reductions go away, the state will need to make up for them and that may impact permit holders further.

Answer: The DNR does not regulate tailpipe emissions, EPA does. The state is relying on these reductions to help Wisconsin attain the standard. Brianna: the Transportation conformity group discussed the modeling and technical info used for SIP and transportation plans and how they would need to be adjusted. Emissions assumptions are in SIPs and Transportation plans, and we would need to adjust them.

Proposed Guidance, rules and legislative update

Proposed/Final DNR Rules

[NR 439 Compliance Demonstration Rule](#) - Updates to NR 439 testing, monitoring, recordkeeping, reporting requirements for compliance. The Legislative Reference Bureau published the NR 439 board order on May 5, 2025, with an estimated effective date of July 1. Air Management is developing internal documentation, so program compliance engineers understand the new rule. The revised requirements will be put into permits going forward. Sources can comply with either their permit requirements or the revised rule upon the effective date.

Rule updates will be effective July 1, 2025.

[NR 410 New Source Review Fee Rule](#) - Updates to construction permit fees to assure compliance with Clean Air Act requirements and to meet business needs of permitted sources. Air Management will present the rule to the Natural Resources Board for adoption in Fall 2025.

EPA Rules/Guidance

Three (3) California Vehicle Emission Program Waivers – The House and Senate adopted joint Congressional Review Act (CRA) resolutions of disapproval for EPA waivers allowing California to

implement its own vehicle emission standards using its CAA Section 209 authority, and to states adopting California programs under CAA Section 177. The waivers are for Advanced Clean Cars II, Advanced Clean Trucks and the Low-NOx Heavy-Duty Engine and Vehicle Omnibus.

[Major MACT to Area \(MM2A\) Revisions](#) – The House and Senate adopted a joint CRA resolution of disapproval of EPA’s 2024 revisions to the “Major MACT to Area” (MM2A) air toxics permitting rule. The Biden Administration’s 2024 MM2A Revisions Rule sought to make the regulation more protective by requiring sources that emit seven persistent, bioaccumulate HAPs to continue to comply with major-source standards even if they reclassify as area sources.

Annual Network Plan

The Wisconsin Air Monitoring Network Plan is an annual report required under the EPA’s Code of Federal Regulations (40 CFR 58 § 58.10(a)(1)). The goals of this plan are to demonstrate that the DNR air monitoring network meets current federal monitoring requirements, to detail any changes proposed, provide specific information on each monitoring site, and to provide the opportunity for the public comment on air monitoring activities conducted by the DNR.

Responses to the plan are gathered through a 30-day public comment period, which closes June 27, a public meeting (June 11) and EPA approval. The plan is submitted to the EPA prior to July 1. The EPA is required to approve or disapprove of the plan within 120 days of submittal.

2025 Network Updates

Changes to the air monitoring network are intended to improve the effectiveness of the DNR’s monitoring efforts. The completed changes proposed in last year’s plan include: shutdown of SO₂ monitoring at the Potawatomi tribal site. Ho-Chunk Tribal Nation joined Wisconsin’s air monitoring network, adding two PM_{2.5} sites located in Black River Falls and Monroe counties. Finally, meteorological parameters were added to the existing Eau Claire site.

Industrial monitors and special purpose monitors associated with enhanced ozone monitoring can be started or shutdown as needed.

2026 Proposed Changes

Policy and funding are the influencing factors in each years proposed network changes. Most changes are implemented after the EPA approves the network plan.

Proposed network changes for the 2026 network plan include: adding meteorological parameters at Milwaukee 16th St site. Additionally, CO monitoring at Chiwaukee Prairie site as part of the EOM plan will not be extended into the 2025 ozone season. It has been determined that the CO data collected has been of limited use for better understanding Wisconsin’s unique lakeshore ozone formation.

Ben Wolf shared a graph that builds upon the previous three-year PM_{2.5} Annual Design Values by displaying the three years of annual PM_{2.5} 24 hr. mean concentrations used to create the most recent design value.

The graph shows, the annual 24 hr. mean for all PM_{2.5} monitoring stations across Wisconsin was significantly higher in 2023 due to the impacts from the Canadian wildfire smoke events of that year.

Even though many of the annual PM_{2.5} 24 hr. mean concentrations across the state were above 9 ug/m³ in 2023, none of the design values exceeded the NAAQS after being averaged over three years.

Clean Air Month

Each May, the program recognizes Clean Air Month by telling the story about the good work the program does and the importance of clean air.

The Clean Air Month events kicked off with updates to the [Clean Air Month website](#) and an Air Quality Awareness Week/Clean Air Month on Facebook.

The program's Clean Air Month news release went out mid-month on May 12.

This year, the outreach team also visited a Madison area elementary school to run through some air quality activities, and how students can help improve air quality.

The winner for the 2025 Air, Air, Everywhere Poetry contest was announced this week! 5th grader, Coral Neeb of Lodi Elementary school in Lodi, WI is this year's winner! You can read Coral's poem and the two runner's up on the [Poetry contest webpage](#).

Members Update

The Wisconsin Utilities Association representative said things are active on the EPA front. WUA is expecting proposals to come out on MATS rule and 111 standards. The recent court decision will affect background concentrations and incorporate that into permit work.

Phill Bower: the DNR is working with DOJ on potential to review.

Question: How long is turnaround time to issue a construction permit?

Ron: At this time, from receiving a permit application to construction permit issuance is approximately nine months.

The Ho-Chunk Nation representative said the DNR has been great to work with during their air quality monitor install. The tribes are also looking at how the federal cuts may impact them. Air quality monitoring looks to be funded at this time.

An AMAG member said WE Energies is ready to spend \$9 billion over next few years for facilities in Mt. Pleasant and Kenosha. Air Permitting and staffing issues in the bump-up area is a huge issue. Serious non-attainment permitting issues will have a lot of implications that this group has no control over.

An AMAG member said the budget process at the capitol is the work focus now.

The UW representative said they will be attending the annual Air and Waste Management conference the week of June 9 in North Carolina. They will be presenting the critical review on their air quality article on satellite data which is online now. They are also working with the smoke console used to support states to evaluate exceptional events demonstrations. It uses the Google Earth engine and has been shared with air quality managers throughout the U.S. They are working with the American Lung Association and EPA to get annual average PM_{2.5} data into the hands of those who use the data. If

interested in annual average of PM2.5 data, contact Tracey Holloway. Tracey is also involved in a business engagement on air quality and energy topics for the Nelson Institute's Nelson Enterprise. The introduction to Air Quality class at UW – Madison needs a professor. And UW-Madison has a number of graduating seniors on the job market.

An AMAG member said Wisconsin is a foundry heavy state and there is a lot of uncertainty in the industry. It is also a global industry so costs may increase as there are concerns about getting material. The foundry industry is also air permit heavy and permitting issues could be a problem for the industry. Some foundries have been bringing in scrap metal to melt down, which uses a lot of energy, because they cannot get material.

A member thanked Ron and northeast region staff for their help and guidance on an air abatement issue.

Question for Tracey: Have you heard of or been involved with EMBER? Tracey: No, she will look into it.

EPA Regulatory Agenda

On March 12, 2025, the EPA announced it will reconsider many air regulations. Brianna listed a number of regulations that are of interest to AMAG.

NAAQS: The EPA announced plans to withdraw the Good Neighbor Plan rule. Wisconsin is challenging the Good Neighbor Plan in court. The DNR is monitoring this closely.

PM2.5 NAAQS: The EPA intends to revisit 2024 PM2.5 NAAQS

Exceptional Events: The EPA intends to revisit this rule, and work with states to ease the regulatory burdens associated with prescribed fires.

Regional Haze: The EPA is planning to review and restructure the regional haze program. The EPA will be making policy determinations on state specific SIPs.

Mobile Sources: The EPA is reconsidering light-duty, medium-duty, and heavy-duty vehicle emissions standards. This suite of rules has largest impact on NOx emissions and ozone impacts in the future.

Greenhouse Gases: Reconsideration of the 2009 Endangerment finding. The finding determined Greenhouse Gases are a threat to public health and therefore should be regulated by the EPA. The EPA is also reconsidering the 111(d) GHG power plant rule.

Resolving the SIP backlog: SIP backlog is a longstanding issue. EPA notes there are currently 685 SIPs unresolved nationally. Wisconsin's SIP backlog is currently very small.

Reconstituting the Science Advisory Board and Clean Air Scientific Advisory Committee. This is consistent with recent previous administrations

Reconsideration of the mandatory GHG Reporting Program. This would reconsider the requirement that facilities and suppliers report GHG emissions each year.

Overhauling the Biden Administration's Social Cost of Carbon. This stems from the "Unleashing American Energy" Executive Order directing EPA to reconsider the use of social costs of carbon in permitting and regulatory decisions.

EPA has announced several priorities for Air Permitting policies and programs. These priorities include:

- **Title V Applicable Requirements Rule:** The Biden Administration proposed but did not finalize this rule that would clarify the scope of Applicable Requirements for Title V permitting. **Project Emission Accounting (PEA) Rule Reconsideration:** The Biden Administration proposed but did not finalize revisions to the PEA rule to make it more practicably enforceable. **Prevention of Significant Deterioration (PSD) Paragraph Designation Corrections:** This was a 2024 direct final rule to correct formatting errors in the federal implementing regulations. The EPA is working on a subsequent rule to address errors introduced by the direct final rule.
- **New Source Review (NSR) Participation Requirements:** The Biden Administration EPA began but did not complete a project to develop comprehensive minor NSR program guidance. **“Begin Actual Construction:”** The first Trump administration EPA issued draft guidance on how to interpret “Begin Actual Construction” under the NSR permitting regulations. **Source Reactivation Policy:** In 2023, in a case involving a refinery in the US Virgin Islands, a U.S. appellate court ruled against EPA’s application of its Reactivation Policy, i.e., when a permanently shutdown source is restarted. Trump Administration may revise reactivation policy in light of court decision.
- **Actual-to-Projected Actual Implementation Policy:** In 2017, the first Trump Administration EPA issued a memorandum indicating that EPA will no longer “second-guess” a company’s pre-construction emission projections. Enforcement would only take place in the context of post-project actual emissions data indicating a major modification. Biden Administration EPA rescinded the memorandum. Second Trump Administration will revisit this matter.

Ozone Topics

The status of the 2025 ozone season was provided, along with some ozone modeling updates.

Serious attainment plans are due Jan 1, 2026. The EPA and LADCO are updating the ozone modeling platform. The previous platform was built on 2016 data. The new platform will be based on 2022 data. This summer we expect to have 2026 modeled design value projections required for attainment planning.

Litigation Update

Good Neighbor Plan

The EPA was granted a voluntary remand of the Good Neighbor Plan. The EPA communicated to the court it intended to:

- Begin rulemaking work for GNP replacement in summer 2025
- Propose a replacement rule in early 2026
- Finalize a replacement rule by summer 2026

Ozone Reclassification to Serious

On Mar 19, 2025, the EPA filed a motion to hold the case in abeyance for 45 days. According to the EPA’s motion, “new leadership is in the process of familiarizing itself with the issues presented in this case.” The court granted the EPA’s motion on March 24 and stayed (paused) the proceedings pending a further court order. The EPA must file its next status report with the court by June 11, 2025.

Next AMAG Meeting. The next study group meeting will be held on **Thursday, Sept 11** at 9 a.m.