

Meeting Summary
Air Management Study Group Meeting

Thursday, February 20, 2020

9:00 am

Room G09, State Natural Resources Building (GEF2)
101 S. Webster St., Madison, WI

Attendees

Frank Acevedo, EPA*+	Joseph Hoch, Alliant Energy*
Charmagne Ackerman, EPA+	Tracey Holloway, UW*
Renee Bashel, DNR	Emily Houtler, DNR
Scott Blankman, Clean Wisconsin+*	Erik Hoven, Dairyland Power Coop
Dave Bittrich, TRC	Jeff Jaeckels, MGE*
David Bizot, DNR	Mike Kolb, WEC Energy Group
Phil Bower, DNR	Anita Martin, Citizen
Rebecca Clarke, SORA	Margaret Neff, Manitowoc Public Utilities
Michael Cloyd, EPA+	Todd Palmer, Michael Best and Friedrich*
Craig Czarnecki, DNR	Brad Pierce, UW
Steve Dunn, Alliant Energy	Katie Praedel, DNR
Kevin Garstka, DNR	John Roth, DNR
John Gibbons, Tetra Tech, Inc.	Brad Sims, Exxon Mobil
Gail Good, DNR	Renee Smits, Spectrum Engineering
Bob Greco, WEC Energy Group	Andy Stewart, DNR
Rob Harmon, Amcor	Patti Stickney, SEH
Kristin Hart, DNR	Steve Tasch, Trinity Consultants
Art Harrington, Godfrey and Kahn*	Mark Thimke, Foley and Lardner
Curtis Hedman, DHS*	Ken Yass, Geosytneec
Maria Hill, DNR	

*AMSG member
+ Skype attendee

Action Items

Next AMSG Meeting. The next study group meeting will be held on **Thursday, June 4, 2020** at 9 a.m. at the State Natural Resources Building (GEF 2), Room G09, 101 S. Webster St., Madison.

Meeting Summary

Opening remarks and agenda repair

Gail Good, Air Program Director acknowledged the large turnout and thanked everyone for coming. Good said the agenda for the meeting was full and included topics from a number of guest speakers.

Hiring Update

Andy Stewart, Air Program Field Operations Director provided a hiring update. Stewart said the program has made many hires due to a wave of recent retirements. The Program hired eight new engineers, who will be doing compliance, permitting and stack testing. Some program staff have transitioned to compliance work as well. The new staff are going through training sessions in addition to being mentored by more experienced staff. Stewart announced that Rick Wulk, Northern Region Supervisor retired in January. His work is being covered by two other supervisors in northern Wisconsin. Stewart noted the supervisor map has been updated and if anyone had any questions, they can contact Andy directly.

Proposed Guidance and Rules Legislative Update

The Air Program continues to put guidance out for review and public comment as part of Act 369. The program has finalized 76 pieces of guidance at this point. The program has more to do, but is pausing to evaluate how the remaining documents to ensure they are guidance and to address potential revisions and updates. The process has been working well so far and the program will continue to provide updates at future AMSG meetings.

Proposed DNR Rules

AM 24-12B Permit Streamlining Rule Part Two was signed by the governor and is currently in legislative review. The rule makes changes to improve operational efficiency and to simplify the permitting processes administered under chs. NR 406 and 407. After a legislative committee hearing on the rule, the program was asked to consider modifying pieces of the rule including returning some language to its original form, including some definitions and exclusion for modification and some other record keeping clarifications. The program will get the proposed rule back to the Natural Resources Board in April after making the modifications.

AM-20-18 VOC RACT is in the drafting process. The rule updates three RACT rules in ch. NR 422 to meet current EPA guidelines for miscellaneous metal and plastic parts coatings, and miscellaneous industrial adhesives. A public meeting is being held at 1pm on this same day to discuss the draft rule and provide an overview of what the revisions will cover.

AM-10-19 is in the drafting process. This rule proposal incorporates the 2015 ozone NAAQS into state rule ,and make other changes related to ozone standard implementation. The Natural Resources Board approved the scope statement in June 2019.

Proposed EPA Rules/Guidance

The comment period closed on February 20 on the Environmental Protection Agency's (EPA) rulemaking effort known as the Cleaner Trucks Initiative. The rulemaking would establish new emission standards for oxides of nitrogen (NO_x) and other pollutants for highway heavy-duty trucks.

Comments are due March 6 for EPA's proposed actions related to the attainment date for two Sheboygan areas classified as "Moderate" for the 2008 ozone standard. First EPA is proposing to determine that inland Sheboygan County attained the standard by the July 20, 2019 attainment date. Second, EPA is proposing to reclassify the shoreline Sheboygan County nonattainment area to "serious" for failing to attain by the attainment date.

Comments are due March 10 for EPA's proposed International Transport of Air pollution draft guidance, which describes how states can address the transport of emissions from international sources.

Comments are due March 27 on EPA's draft guidance for ozone and fine particulate matter permit modeling.

Comments are due March 16 for EPA's draft guidance for plantwide applicability limitation provisions under the new source review regulations.

EPA finalized updates and revisions to the Wisconsin Title V Operation permit program. The Air Program commented on this rule back in 2016. The revisions were submitted to update the Title V program since the final approval of the program in 2001 and to change the permit fee schedule for subject facilities.

State Draft and Final Legislation

The agency has been actively engaged at the capital discussing PFAS legislation.

Affordable Clean Energy (ACE) Rule

The Air Program held public meetings with utilities in September and February. During this period, the Program developed an implementation approach to the ACE rule state plan due in July 2022.

The ACE rule effects 13 units at seven facilities in the state.

The Program's implementation approach includes information like purpose, a description of how submittal meets rule requirements, the approach and methodology used, unit-by-unit summary information, public participation and conclusions. Unit-level standards of performance would be established through permits.

The Air Program intends to hold public meetings and discussions with sources as needed. Permit applications are due April 2021, the state plan must be submitted by July 2022 and the compliance schedule for affected electric generating units begins July 2024.

The Air Program is creating a website on the ACE rule where the latest information will be posted. The site is expected to be ready this spring.

The program is also engaging with other states on their processes to develop ACE rule plans.

AMSG Member Updates

Tracey Holloway, University of Wisconsin is leading a NASA team to make their air quality satellite data more usable. The team is kicking off a series of free webinars with topics ranging from how to use free tools from NASA to measure NO₂, to climate change and health impacts. Learn more on the [HAQAST website](#).

Holloway is also working with EPA to organize meetings with the focus of strengthening the use of NASA data for EPA rule-making and decision making.

Art Harrington, Godfrey and Kahn S.C. said he is involved in an effort to with a group called ACES, which is focused on the expansion of electric car use and its impact on mobile source emissions. UW Madison and UW Milwaukee are involved, and if anyone is interested in learning more, they can contact Art.

Jeff Jaeckels from Madison Gas and Electric said the utility is working on its decarbonization strategy and ways it can meet those goals. MGE is working with UW to look at decarbonization strategies for 2050.

Frank Acevedo, from EPA provided an update on staffing changes at Region V. Frank provided contact information and an organizational chart for the Air and Radiation Division, which can be found on the [AMSG page](#), under the information column of this meeting.

Todd Palmer, Michael Best and Friedrich LLP provided a federal litigation update. In 2019, federal courts issued 33 reported decisions interpreting the Clean Air Act. Palmer highlighted topics including the Once in, always in policy, the ACE rule, 2008 ozone NAAQS, 2015 ozone NAAQS and Wisconsin Act 369.

2020 Goals and Vision for DNR

Good introduced Darsi Foss, Environmental Management Division Director and Bart Sponseller Environmental Management Division Deputy Director to highlight the divisions goals, vision and priorities.

Foss began, saying the senate voted to confirm Preston Cole as DNR Secretary on February 19.

Foss said Governor Evers declared 2019 the “Year of Clean Drinking Water” which opened a dialogue that came from both sides of the aisle and included much discussion at the local level on clean drinking water issues across the state.

Foss says about 700 years of experience have left the Air Program recently, due to a number of retirements. The division and program have a big focus on recruiting to fill vacated positions and employee retention to keep those positions filled.

Foss says ozone continues to be a focus of the program and division. The division is working with other states and organizations like the Lake Michigan Air Directors Consortium (LADCO) to tackle air quality issues like ozone.

Regarding PFAS, Foss said the Air Program is not in the thick of things yet, but studies have indicated that air is a transport pathway for PFAS. Communities in North Carolina and West Virginia that are upriver from sources had municipal wells impacted via air pathways. DNR, like all agencies across the country are waiting for EPA to move forward with stack testing methods of PFAS.

The Clean Air Act lists EtO (Ethylene Oxide) has a Hazardous Air Pollutant. EPA recently updated its risk value for EtO and is working with industry, state, local and tribal air agencies to address this chemical.

The program has had the Wisconsin’s Air Toxics rule (NR 445, Wis. Adm. Code) in place since 1988. The program has identified three manufacturers and one sterilizing facility in Wisconsin reporting EtO emissions. Visits have been conducted at each facility to continue gathering information and quantifying emissions.

Environmental Management Deputy Director Bart Sponseller added that Secretary Cole is very focused on customer service. The department has a Leadership Academy sponsored project that is developing customer service training for staff. Sponseller says the Air Program excels at customer service, as staff consistently respond to questions in a timely manner. Sponseller also highlighted the important of the Air Management Study Group and its members. He thanked everyone for their participation, and expressed gratitude for the valuable feedback on rules and guidance that has been provided at these meetings.

Ozone topics

2017 Lake Michigan Ozone Study (LMOS)

Brad Pierce, Director of the UW Space Science and Engineering Center presented the results of the 2017 Lake Michigan Ozone study (LMOS). The study was initiated by DNR and LADCO, and included involvement from a large group of federal partners, universities and others to measure air quality over Lake Michigan.

The study took place during the summer of 2017. Pierce said the study included numerous instruments deployed over a one-month period to better understand the lake breeze and chemical mechanisms that lead to ozone.

During the study NASA aircraft coordinated 20 different flights along the lakeshore and over the lake itself. During those flights, instruments measured NO₂ columns spanning from Zion, Illinois, up to Sheboygan, Wisconsin.

Pierce said projects like this one will continue in collaboration with DNR and LADCO to study causes of elevated ozone along Lake Michigan.

Find more information on the [LMOS](#) webpage.

Find the LMOS [preliminary finding report here](#).

Enhanced Ozone Monitoring

Katie Praedel, Air Monitoring Section Chief said the program is using the 2017 LMOS to inform what data will be useful going forward.

Wisconsin is required to have an enhanced ozone monitoring plan because of the Sheboygan bump-up of non-attainment to moderate for the 2008 standard. Due to this, the monitoring group has been implementing the Enhanced Ozone Monitoring Plan since March 2019.

The program sees this as a long-term study to use available monitoring techniques and strategies to better understand unique lakeshore ozone issues.

The federal requirements of enhanced ozone monitoring are purposefully flexible to allow for states that have ozone issues to determine what monitoring would be most useful to inform strategies aimed at addressing those issues.

The Program sees the enhanced ozone monitoring requirement as a great opportunity to better understand the unique factors that influence our lake shore ozone concentrations and potentially allow us to develop strategies to address those issues in the future.

The Enhanced Ozone Monitoring Team has been working with staff from the Air Quality Planning and Standards section to determine what data the monitoring team can provide that will be the most useful in helping to answer the big questions related to our lakeshore ozone issues. The program has divided the long-term evolving plan into three phases.

Phase 1 began in May 2019 and concluded in October 2019. The largest component of Phase 1 has been the deployment of the Mobile Air Monitoring Laboratory (MAML). It has extensive monitoring

capabilities to measure all criteria pollutants (with the exception of lead) as well as ozone precursor samples remotely triggered, according to elevated ozone forecasts.

The MAML was new for 2019 and differs from traditional air monitoring sites in that its highly mobile and easily moved to new locations based on evolving knowledge from the long-term study. During the 2019 Ozone season Phase 1 of the Enhanced Ozone Monitoring Plan had the MAML located at the Grafton and Chiwaukee monitoring sites.

Phase 2 is currently underway. The program will be using the structure of the Kenosha water tower to support ozone monitoring at different levels of the vertical column. The program also plans on partnering with EPA and NASA on the use of Pandoras, ground level instruments with the ability to measure NO₂ in the vertical column.

Phase 3 acts as a parking lot for the ideas generated during the planning process. For example, there is the potential to utilize the structure of lighthouses and great lakes ferries and ships to monitor ozone precursors over the lake.

Data from DNR Enhanced Ozone Monitoring, LMOS2017, and historical records are in a state of constant analysis in support of program policy objectives. Current staff work includes looking at precursor trends since the 1990s to determine if NO_x and VOC ratios have changed over time, reviewing meteorological buoy data to see how overwater data relates to monitored ozone values, and assessing 2019 Enhanced Ozone Monitoring VOC samples for trends.

The program is adding a full-time data analyst and developing more rigorous plans to analyze, archive and make available ozone-related data.

Ozone Nonattainment Areas Update

The program has submitted redesignation requests for portions of three counties, since the areas are meeting applicable NAAQS based on certified 2017-2019 data.

The program submitted a redesignation request for partial Door County for the 2015 NAAQS on January 27. The program also submitted redesignation requests for partial Kenosha County on January 26 and Shoreline Sheboygan County on February 11 for the 2008 NAAQS.

The Air Program is in close coordination with EPA on these requests. All requests must complete federal notice and comment rulemaking before they are made final. The program is collaborating with EPA to ensure all Clean Air Act requirements for redesignation are met.

Air Quality Modeling

John Roth, Stationary Source Modeling Policy Coordinator provided an update on air quality modeling. On February 10, 2020 EPA released a draft ozone/fine particulate matter (PM2.5) modeling guidance for comment. The document provides recommendation on addressing single source impact to ozone and PM2.5. The department is currently reviewing the document and may provide comment to EPA by the March 27 deadline. Roth said this guidance does not create anything new or impact how the state is currently operating.

Background concentrations are levels that are added to a modeling exercise to provide total impact to ambient air. In 2007, a workgroup identified background concentrations as an issue for modeling. By 2008, the current methodology was defined and used with 2001-2006 data. In 2014 PM2.5 background concentrations were updated. In 2017 Nitrogen dioxide and sulfur dioxide were updated. After the 2020 census data is released, backgrounds will be updated in 2021 to 2018-2020 data with revised geographic regions.

Roth then explained the Ambient air policy. Ambient air is defined to be where the general public has access. There was a 1980 exclusion to ambient air for land owned or controlled by the sources where access is precluded by a fence or physical barrier. In 2019, the exclusion was updated, stating ambient air is for land owned or controlled by the source where the source employs measures, that may include physical barriers, that are effective in precluding access by the general public. The 2019 exclusion provides additional support for existing practice, especially for prevention of significant deterioration projects. The program already excludes areas from ambient air considering other physical measures besides fencing, so the updated policy will have minimal impact on modeling analyses in Wisconsin.

Inspection/Compliance Consistency

Maria Hill, Compliance, Enforcement and Emissions Inventory Section Chief highlighted some current initiatives coming out of the compliance section. The section is conducting more courtesy calls, which occur outside of regular inspections. During these courtesy calls, compliance engineers can assist facilities with things like permit requirements, compliance demonstration responsibilities, and get a better understanding of how a permit is working for the facility.

The compliance section will also be conducting partial compliance evaluations for more complex facilities or facilities with a history of noncompliance. This initiative divides up the permitted processes over a couple site visits rather than doing everything in one site visit. This serves as a chance for a facility to correct or develop inadequate areas prior to a review of all processes.

The section is also working towards more paperless options with electronic reporting and e-Signature. These paperless options increase transparency, and make the reporting process quicker and more convenient. To date more than 1,800 permitted facilities are using e-reporting while another 590

permitted facilities are using e-Signature. Automated response notifications are sent from the program to the facilities once an electronic report is received.

The section is improving consistency of compliance approach across the state. This includes new compliance inspection report template. Links to the new report template can be found on the [AMSG page](#), under the information column of this meeting. The program is holding regular in-person meetings and trainings for compliance staff, along with weekly state-wide discussions to cover all enforcement actions taking place. These discussions include all regional supervisors, the legal team, the compliance policy coordinator, the field operations director, section chiefs and the compliance inspectors with new noncompliance issues. These calls take place every Thursday.

2020 AMSG Priority Topics

Gail Good summarized the 2020 priority topics for AMSG. The complete list of topics can be found in the February meeting PowerPoint and on the [AMSG webpage](#).