

Air Management Study Group Quarterly Meeting

February 3, 2022

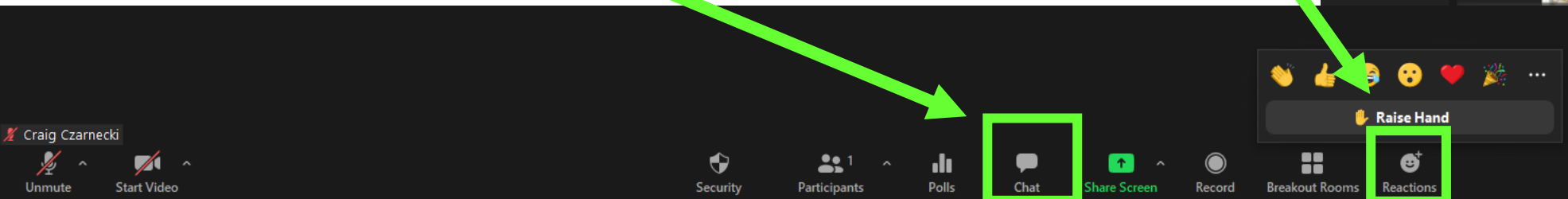
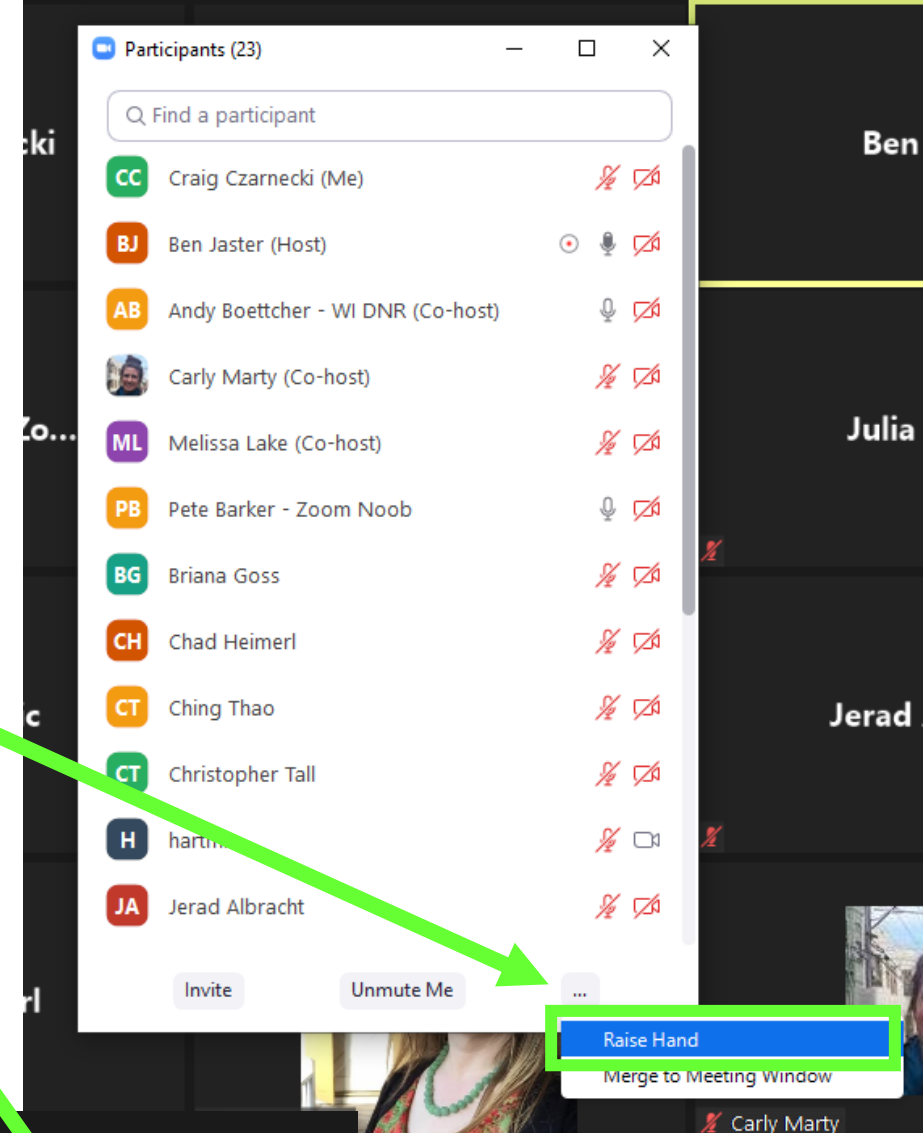
Zoom Guidelines

Hello Everyone,

We've developed some guidelines for this meeting, in the hopes of making this a smooth and enjoyable experience for all. Thank you in advance for your understanding.

Zoom Guidelines

- Questions will be addressed throughout the meeting.
- All participants will be muted during the meeting.
- If you'd like to speak, use the "Raise Hand" button and you will be unmuted when appropriate.
- Questions may also be asked in the chat. The chat is setup so that all messages are sent to the host privately.



Zoom Guidelines

- The host will attempt to respond to all messages received, but some messages may be missed.
- Participants will join the meeting with their video disabled. We ask that you keep your video disabled for the duration of the meeting.

Zoom Guidelines

- We ask for patience while the Air Program conducts this meeting with this setup.
- Zoom technical support: **support.zoom.us**

Air Management Study Group Quarterly Meeting Agenda

- Opening remarks & agenda review
- Proposed guidance, rules and legislative update
- Proposed state legislation
- Administration Update
- NR439 Update
- Switchboard Error Messaging
- EPA Fall Unified Agenda
- Emission Reduction Credits
- Member Updates
- PM2.5 Strategy Summary
- Nonattainment Area Update
- AMSG Membership

Proposed Guidance and Rules Legislative Update

Kristin Hart, Permits and Stationary Source Modeling Section Chief

Jason Treutel, Air Quality Planning and Standards Section Chief

DNR Guidance

DNR Guidance in Drafting Phase	Description	Target Date
Municipal Solid Waste Landfills	Updates to guidance for MSW Landfills	Spring 2022
DNR Guidance in Public Comment	Description	Date Posted
None		
DNR Guidance in Final Review Phase		Target Posted
None		
Finalized DNR Guidance	Location	Final Date
Response to comment on Nonroad and Motive Engine Testing operations	TSD will not be finalized	Response to Comments to be posted

Proposed/Final DNR Rules

Proposed DNR rule	Description	Phase
AM-20-18 VOC RACT Revisions	Updates RACT rules in ch. NR 422 to meet current EPA Guidelines for Miscellaneous Metal and Plastic Parts Coatings, and Miscellaneous Industrial Adhesives, and other updates.	In Legislative review CR 20-088 (wisconsin.gov)
AM-10-19 2015 Ozone NAAQS	Incorporates the 2015 ozone NAAQS into state rule and makes related updates.	With Legislative Reference Bureau for publication CR 21-022 (wisconsin.gov)
AM-31-19 Emissions inventory reporting	Revises NR 438 to align with federal Air Emissions Reporting Rule requirements, resolves inconsistencies between state and federal emissions reporting, and addresses ambiguities in current rule.	In Legislative review CR 21-072 (wisconsin.gov)
AM-05-21 NOx RACT Rule	Updates RACT rules in NR 428 to address implementation issues that have been identified since previous NR 428 revisions in 2001 & 2007	Rule Drafting

Proposed EPA Rules/Guidance

Proposed EPA rule/guidance	Docket	Comments due
Clean Air Citizen Suit: 2015 Ozone Transport SIPs	EPA-HQ-OGC-2021-0692	11/15/2021
2015 Ozone Transport Rule	EPA-HQ-OAR-2021-0668	11/26/2021
Rhinelanders SO2: Finding of Failure to Attain by the Attainment Date	EPA-R05-OAR-2021-0451	11/26/2021
NESHAP for Paint Stripping and Misc Surface Coating Area Sources - 40 CFR Part 63 Subpart HHHHHH	EPA-HQ-OAR-2021-0016	12/20/2021
Oil and Gas NSPS, Emissions Guidelines for Methane	EPA-HQ-OAR-2021-0317	01/31/2022
NESHAP for Dry Cleaning Facilities - 40 CFR part 63 subpart M	EPA-HQ-OAR-2005-0155	02/10/2022

Finalized EPA Rules/Guidance

Finalized EPA rule/guidance	Link	Date finalized
Addition of 1-bromopropane to the Clean Air Act Section 112 HAP list	2060-AS26	02/04/2022
NESHAP - Municipal Solid Waste Landfills Technical corrections - 40 CFR Part 63 subpart AAAA	EPA-HQ-OAR-2002-0047	Prepublication available 01/18/22
Revised 2023 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions Standards	EPA-HQ-OAR-2021-0208	December 30, 2021

Administration Updates

Gail Good, Acting Division Administrator, Environmental Management; Director, Air Management

Bart Sponseller, Deputy Division Administrator, Environmental Management

NR439 Rule Review

Maria Hill, Compliance and Emissions Inventory Section Chief

NR 439 Rule Review

Phase 1

- Review team completed an initial review of NR 439 and conducted stakeholder listening sessions.
- All details from these activities have been organized, grouped, and documented.

Phase 2

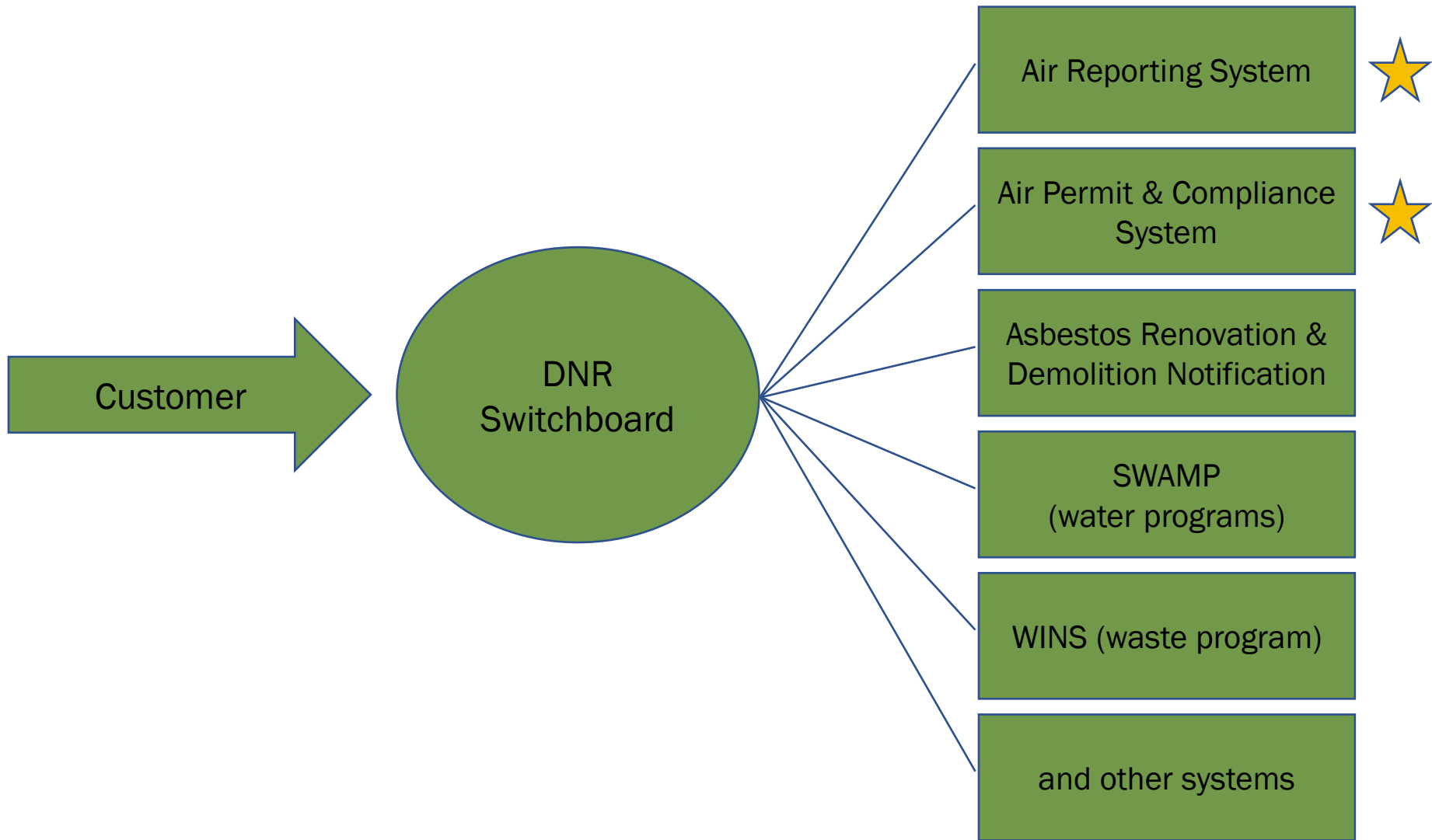
- During the second half of fiscal year 2022, the team will continue NR 439 review for consistency and redundancy with Part 70 and 407.09 requirements while drafting a scope statement.

Phase 3

- During fiscal year 2023 (assuming scope approval), begin rule drafting and conduct NR 439 review for new modernization opportunities; 1. monitoring, 2. recordkeeping, 3. reporting.
- Collaborate with stakeholders on rule drafting.

Switchboard Error Messaging

Sheri Stach, Business and IT Support Section Chief



EPA Fall Unified Agenda

Jason Treutel, Air Quality Planning and Standards Section Chief

Kristin Hart

Permits and Stationary Source Modeling Section Chief

EPA's Fall 2021 Unified Agenda - Highlights

Rule	Proposal Date	Final Date	Notes
CAFÉ Preemption	Jun 2021	Nov 2022	DNR commented on this proposal; Final published in December
Passenger Car and Light Truck Corporate Average Fuel Economy Standards	Oct 2021	Mar 2022	Program commented on the proposed rule
Heavy-Duty Engine and Vehicle Standards	Jan 2022	Dec 2022	
Fuel Efficiency and GHG Standards for Medium and Heavy-Duty Vehicles	Sep 2022	TBD	

EPA's Fall 2021 Unified Agenda - Highlights

Rule	Proposal Date	Final Date	Notes
CAA Section 111 Implementing Regulations for State Plans	Dec 2021	Sep 2023	Implementing guidelines for 111 state plans included in the final ACE Rule were vacated. EPA is intending to propose a replacement.
Amendments to the NSPS for GHG Emissions From New, Modified, Reconstructed Stationary Sources: EGUs	Jun 2022	Jun 2023	
2015 Ozone Transport Rule	Jul 2022	Jul 2023	Regulation of NOx from EGU and non-EGU stationary sources to address 2015 transport requirements
2008 Ozone NAAQS- Reclassification	Dec 2021	Feb 2022	“Bump-up” to severe for 2008 ozone NAA’s (Kenosha- Chicago).
2015 Ozone NAAQS- Reclassification	Dec 2021	Feb 2022	“Bump-up” to moderate for 2015 ozone NAA’s (including areas revised in July 2021).
PM2.5 NAAQS	Aug 2022	Mar 2023	EPA expected to lower at least one of the existing PM _{2.5} standards

EPA's Fall 2021 Unified Agenda - Highlights

Rule	Proposal Date	Final Date	Notes
NSPS for Crude Oil and Natural Gas Facilities: Review of Policy and Technical Rules	Nov 2021	Oct 2022	Program commented on the proposal
NESHAP: Coal- and Oil-Fired Electric Utility Steam Generating Units-Revocation of the 2020 Reconsideration, and Affirmation of the Appropriate and Necessary Supplemental Finding	Nov 2021	Sep 2022	This rule is also known as the Mercury and Air Toxics Rule (MATS)
Review of Final Rule: Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act	Jun 2022	Jun 2023	Rule being reconsidered under EO 13990.
NESHAP - Ethylene Oxide Commercial Sterilization and Fumigation	Jun 2022	Oct 2022	

Other Proposals Expected from EPA

Planned Rule/Guidance	Description	Expected Date
Review of actual to projected actual applicability test memo	Memo said EPA should not second guess applicability determinations and would focus on actual emissions in the 5-10 years post project. EPA reviewing memo under EO 13990	Winter 2022
NSR reactivation policy	EPA's policy is a rebuttable presumption that a source that has been idle for 2 or more years is permanently shut down.	EPA is considering action to update this policy
Project emissions accounting rule	Major new source review rule covers how project-related emissions increases and decreases can be considered. EPA plans to initiate a discretionary rulemaking to address some of the concerns raised by petitioners	EPA proposal expected Spring 2022

Other Proposals Expected from EPA

Planned Rule/Guidance	Description	Planned Date
Fugitive emissions rule:	2008 rule exempted non-listed source categories from considering fugitive emissions in determining if a modification is major. Review to address longstanding petition for reconsideration.	Proposed rule expected Spring 2022
Ozone and PM2.5 modeling guidance	Draft guidance issued Feb. 2020 but never finalized. A review of the draft is required under EO 13990.	EPA expects to finalize guidance this spring

Emission Reduction Credits

Kristin Hart
Permits and Stationary Source Modeling Section Chief

Jason Treutel
Air Quality Planning and Standards Section Chief

ERC Registry Website

- Overview of ERCs
 - [Air Program Fact Sheet: Emission Reduction Credits \(AM-611\)](#)
- [Form 4500-198](#): Reduction Credits Notification of Interest to Generate Emission Reduction Credits
- List of banked ERCs contained in elective operation permits
- List of emissions reductions that may potentially be used as ERCs
- ERC contact information

Why Create an ERC Registry?

The Wisconsin ERC Registry website helps businesses identify offsets in nonattainment areas and facilitates communication between parties interested in ERC transactions.

- ERC Registry was developed to help NNSR applicants find and communicate with sources making reductions.
- Once the connection is made, DNR works with all parties to coordinate timing of applications and permit work.
- DNR does not broker or otherwise participate in ERC transactions.

Outreach is Critical: Sources may not be aware of the opportunity to generate ERCs.

Who has the opportunity to create ERCs?

Any facility located in a nonattainment area that emit the nonattainment pollutant can generate ERCs

Facility actions that can become ERCs:

- Facility closure
- Facility relocation
- Equipment shutdown
- Equipment replacement
- Adding control equipment
- Curtailment of operations
 - Reformulation of coatings or solvents
 - Alternate fuels
 - Alternate raw materials



Next Steps

- Continue reaching out to facilities in the nonattainment areas about the opportunity to generate ERCs
- ERC Project Phase II
 - Establish clear processes for creating and banking ERCs and for using ERCs as offsets in major nonattainment area permitting
 - Draft forms to make it easy to apply for the necessary permits
 - Create processes to coordinate timing of permit applications and ERC generation
 - Draft forms to facilitate the transfer of credits between buyer and seller
- Completion and roll out of Phase II expected by the end of February

Member Updates

PM_{2.5} Strategy Summary

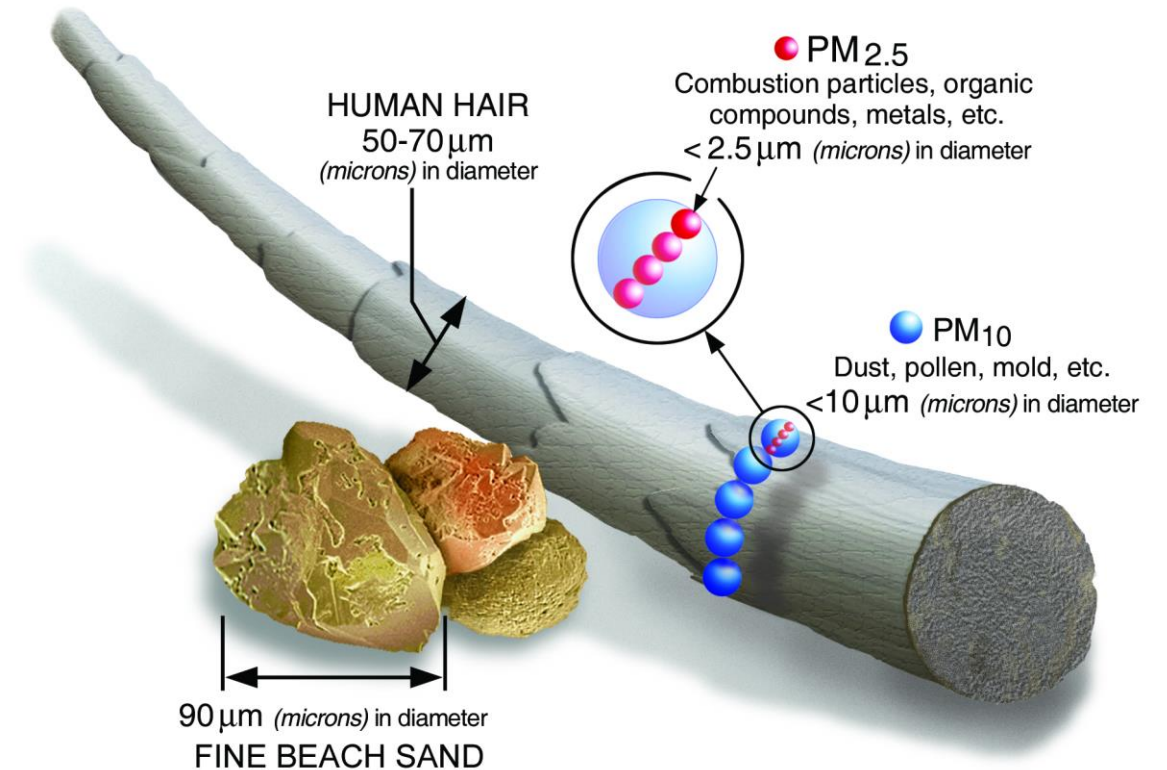
Katie Praedel, Monitoring Section Chief

Kristin Hart, Permits and Stationary Source Modeling Section Chief

Maria Hill, Compliance Enforcement and Emission Inventory Section Chief

PM_{2.5} Strategy Outline

- DNR PM_{2.5} Permit Strategy Review
- Wisconsin's PM_{2.5} Emission Inventory Reporting
- Federal Funding for PM_{2.5}



PM_{2.5} Strategy Review

Basis of DNR's regulatory strategy for PM_{2.5}

- PM_{2.5} is a regional pollutant and air quality is protected by regulating precursor pollutants (SO₂ and NO_x)
- In air permit reviews, PM_{2.5} emissions are calculated for combustion and high temperature processes. Low temperature operations such as crushing and material handling do not emit PM_{2.5}
- DNR uses a “weight of evidence approach” to make a finding for permit reviews that PM_{2.5} directly emitted from a source does not cause or exacerbate a violation of the PM_{2.5} NAAQS or ambient air increment

PM_{2.5} Strategy Review

DNR's PM_{2.5} strategy was finalized and implemented in 2016. The air program did a review of the latest studies and literature

- Conducted a literature review of new studies (including EPA studies) on the sources and concentrations of fine particles
- Looked at national monitoring data and trends
- Reviewed other states and countries PM_{2.5} regulatory strategies
- Reviewed information related to EPA's NAAQS review of the PM_{2.5} standard

PM_{2.5} Strategy Review

Findings:

- Results of the review of latest studies on PM_{2.5} mirror previous findings
 - Direct emissions of PM_{2.5} from stationary sources do not cause or exacerbate violation of NAAQS
 - Direct emissions of PM_{2.5} from a stationary source come from high temperature operations and not from low temperature operations like mechanical crushing or material handling
- PM_{2.5} ambient air concentrations from dust resuspension along roadways and from agricultural soil abrasion

PM_{2.5} Strategy Review

Recommendations

- No changes to Wisconsin's strategy for regulating PM_{2.5} in air permits.
 - For operation and minor construction permits reviews, continue to use a qualitative approach for making the finding under 285.63, Wis. Adm. Code, that PM_{2.5} emissions from a stationary source will not cause or exacerbate a violation of an ambient air quality standard.
- Continue to review information and studies on ambient concentrations of PM_{2.5} from dust resuspension along roadways and agriculture soil abrasion.
- Follow EPA and CASAC on their decision to retain or revise PM_{2.5} NAAQS and respond appropriately.
- Continue to protect the PM_{2.5} NAAQS by regulating precursor pollutants.

PM_{2.5} Emissions Inventory Reporting Project

- 2020 emissions data was reviewed for consistency with the PM_{2.5} strategy
- Emission factors for PM_{2.5} were reviewed for all emission units for all sources using the assigned source classification codes (SCC).
- Updates beginning with the 2022 emissions inventory will include:
 1. identifying SCCs that were determined to have PM_{2.5} emissions through our project that are reported as zero
 2. identifying SCCs that were determined to not have PM_{2.5} emissions through our project that are reported as something other than zero
 3. querying for SCCs that are newly used in ARS that were not reviewed with respect to the PM_{2.5} strategy
- Next step for the department is to conduct outreach on updates to the annual reporting system (ARS) for emissions inventory.

PM_{2.5} Federal Funding

- PM_{2.5} Strategy Review funded by US EPA PM_{2.5} grant
- American Rescue Plan (ARP) funding
 - Direct Awards to Air Agencies for Continuous Monitoring of PM_{2.5} and Other Common Air Pollutants
 - Grant Competition for Community Monitoring

Nonattainment Area Updates

Jason Treutel, Air Quality Planning and Standards Section Chief

Kristin Hart, Permits and Stationary Source Modeling Section Chief

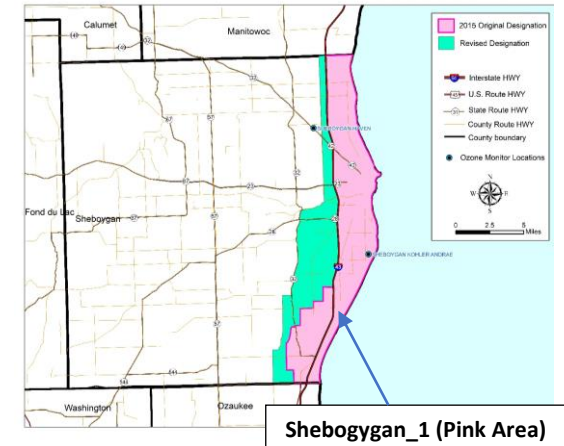
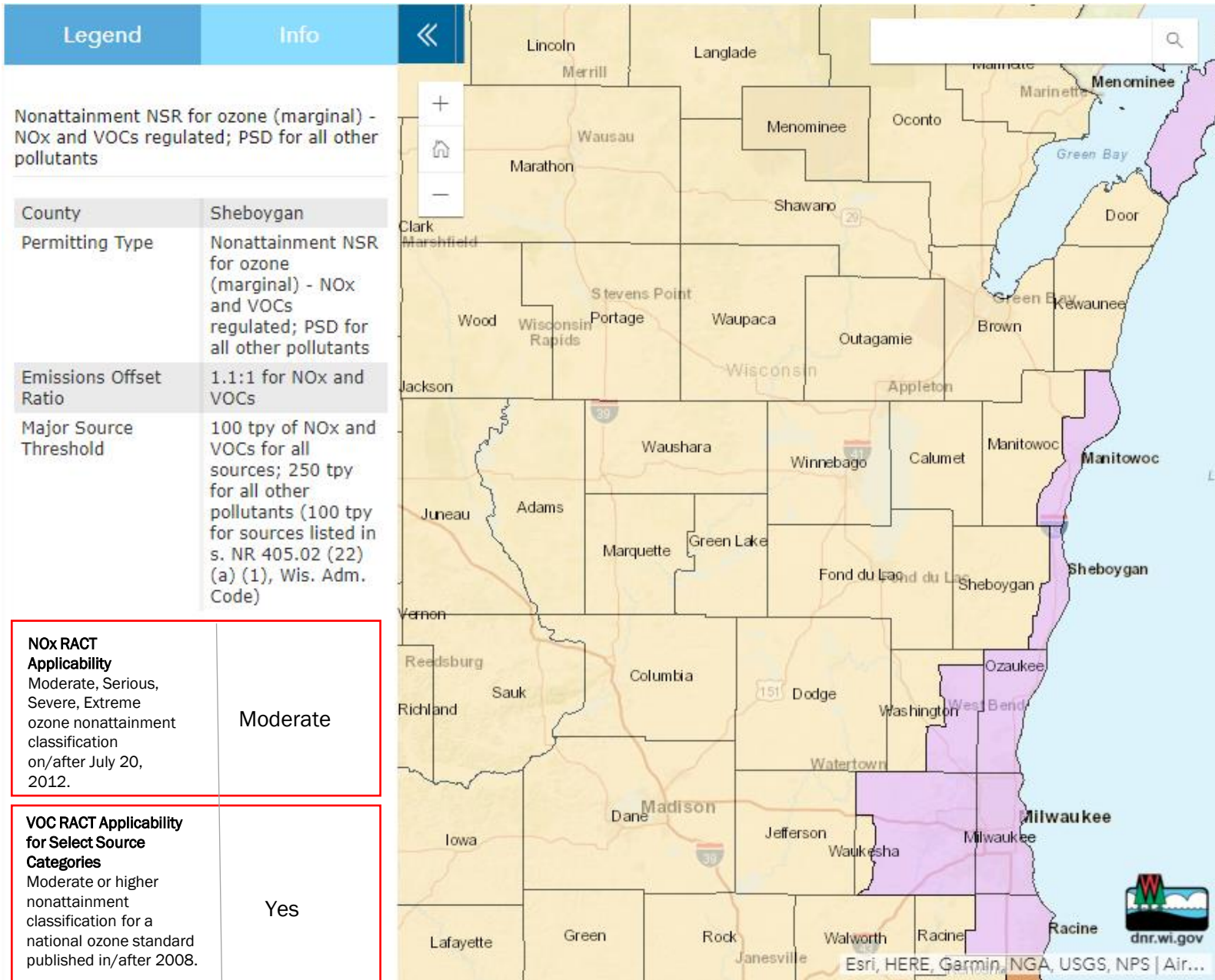
Preview to Nonattainment History Project

- To redesignate a nonattainment area back to attainment, DNR is not only required to show monitored concentrations of air pollutants meet the NAAQS, but also that Reasonably Available Control Technology (RACT) has been implemented in the area
- DNR has revised rules updating RACT to include applicability language that assures the rules will apply appropriately with any EPA nonattainment area designations.
- This allows DNR to act quickly on redesignation requests when monitoring shows areas have come back into attainment

Preview to Nonattainment History Project

To understand whether a RACT rule applies, DNR and facilities must have access to the nonattainment history of an area

- RACT is required in ozone nonattainment areas that are or have been classified as moderate, serious, severe, or extreme.
- If an area is subsequently redesignated to attainment, RACT must continue to apply so the area doesn't slide back into nonattainment.



Sheboygan Shoreline

- DNR Nonattainment area permitting page will be updated
- Users can click anywhere on the map and boxes with the nonattainment history will appear

Project timeline

- The website updates to the nonattainment area permitting map are expected to be completed by April of 2022



Ozone Redesignation Requests

- Manitowoc 2015 Ozone Redesignation Request – Submitted 10/29/2021 (2018-2020 data)
- Kenosha 2008 Ozone Redesignation Request – Submitted 12/3/2021 (2019-2021 data)
- Door County-Revised 2015 Ozone Redesignation Request – Submitted 1/5/2022 (2019-2021 data)
- Expeditious submittals were made possible through early certification of data by monitoring group and EPA; expedited legislative review; and support of our stakeholders

Initial Look at 2022 Ozone Season

Top Four 8-Hour Average Ozone Concentrations – as of **December 31, 2021**

Wisconsin Sites	Concentrations (ppb)				Estimated 2022 Critical values ¹		Current 2019-2021 2015 NAAQS "DV"
	1st high	2nd high	3rd high	4th high	2008 std	2015 std	
Bayside	77	74	73	72	82	67	70
Chiwaukee	80	80	79	79	71	56	74
Grafton	79	74	73	72	83	68	71
Harrington Beach	77	74	74	73	84	69	70
Kenosha-Water Tower	81	81	75	72	78	63	72
Newport	78	76	73	70	83	68	70
Racine	78	78	78	78	73	58	73
Sheboygan - Kohler Andrae	78	77	75	73	79	64	72

2008 NAAQS: 75 ppb
2015 NAAQS: 70 ppb

2015 NAAQS: Reached critical value or exceeded standard
2008 NAAQS: Reached critical value or exceeded standard

¹ Critical Values for the 2022 ozone season were estimated based on preliminary 2019-2021 Design Values.

Note: Data have not yet been QA'ed or certified and are subject to change. Values are only shown for monitors that exceeded their critical value at least once.

*Highest DV monitor in Chicago area is a 75

*Lowest Critical value for Chicago NAA for 2015 std is Chiwaukee at 56 ppb, but other Chicago monitors are also in the upper 50's.

PM_{2.5} NAAQS

- 2006 NAAQS - Milwaukee area (Milwaukee, Racine, Waukesha) designated nonattainment for the 24-hour standard
 - Redesignated to attainment 2/18/2014
 - DNR is working on 2nd 10-year maintenance plan
 - Public hearing scheduled for 3/10/2022
- 2012 NAAQS – All areas of Wisconsin determined to be in attainment 6/1/2014
- PM_{2.5} NAAQS is being considered for revision
 - Current information suggests an annual standard in the 8-10 ug/m³ range may be chosen

PM_{2.5} Preliminary Design Values

Monitors of interest for potential new PM_{2.5} NAAQS – as of **December 31, 2021**

Site Name	Annual PM _{2.5} values (µg/m ³)				24-hour PM _{2.5} values (µg/m ³)			
	2019	2020	2021*	Design Value*	2019	2020	2021*	Design Value*
Appleton	8	7.3	9.0	8.1	26.4	19.3	28.1	25
Eau Claire	7.7	7.6	9.4	8.2	22.3	16.7	31.4	23
Madison East	8	8	9.0	8.3	21.4	18.4	25.1	22
Milw-16th St	7.4	9	10.2	8.9	21.5	21.2	27.4	23
Milw-College Ave NR	8.4	8	9.7	8.7	22	17.6	25.6	22
Potosi	8.4	8.2	9.7	8.8	24.6	19.5	26.3	23
Waukesha	9.3	8.7	10.1	9.4	24	19.4	26.9	23

*Preliminary data

Annual PM_{2.5} standards: 12 µg/m³

24-hour PM_{2.5} standard: 35 µg/m³

2010 SO₂ NAAQS

- Rhinelander 2010 SO₂ nonattainment area redesignation request EPA final approval and effective date occurred on 1/12/2022
 - 75% reduction in monitored SO₂ concentrations at Rhinelander
- With this redesignation Wisconsin is fully in attainment with the 2010 SO₂ NAAQS
 - 92% reduction in statewide emissions since 2002
 - Cooperative effort between DNR, EPA, industrial facilities and stakeholders
 - This lengthy effort involved: attainment plan development; revising facility operation conditions; updating associated permits; demonstrating attainment through stationary source modeling and operation of air quality monitors

AMSG Membership

Gail Good
Air Management Program Director

Process

- Kickoff member meeting set for February 23, 2022 at 2pm
 - Second and third meeting to be discussed and added
- Members will receive revised charter to review by February 9, 2022
 - Edits address and clarify participation, responsibilities, and co - chair identification
- Discussion to include addition of members to ensure representation as well as specific mechanics of co-chair role

CONNECT WITH US

Next Meeting

Thursday May 5, 2022



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