



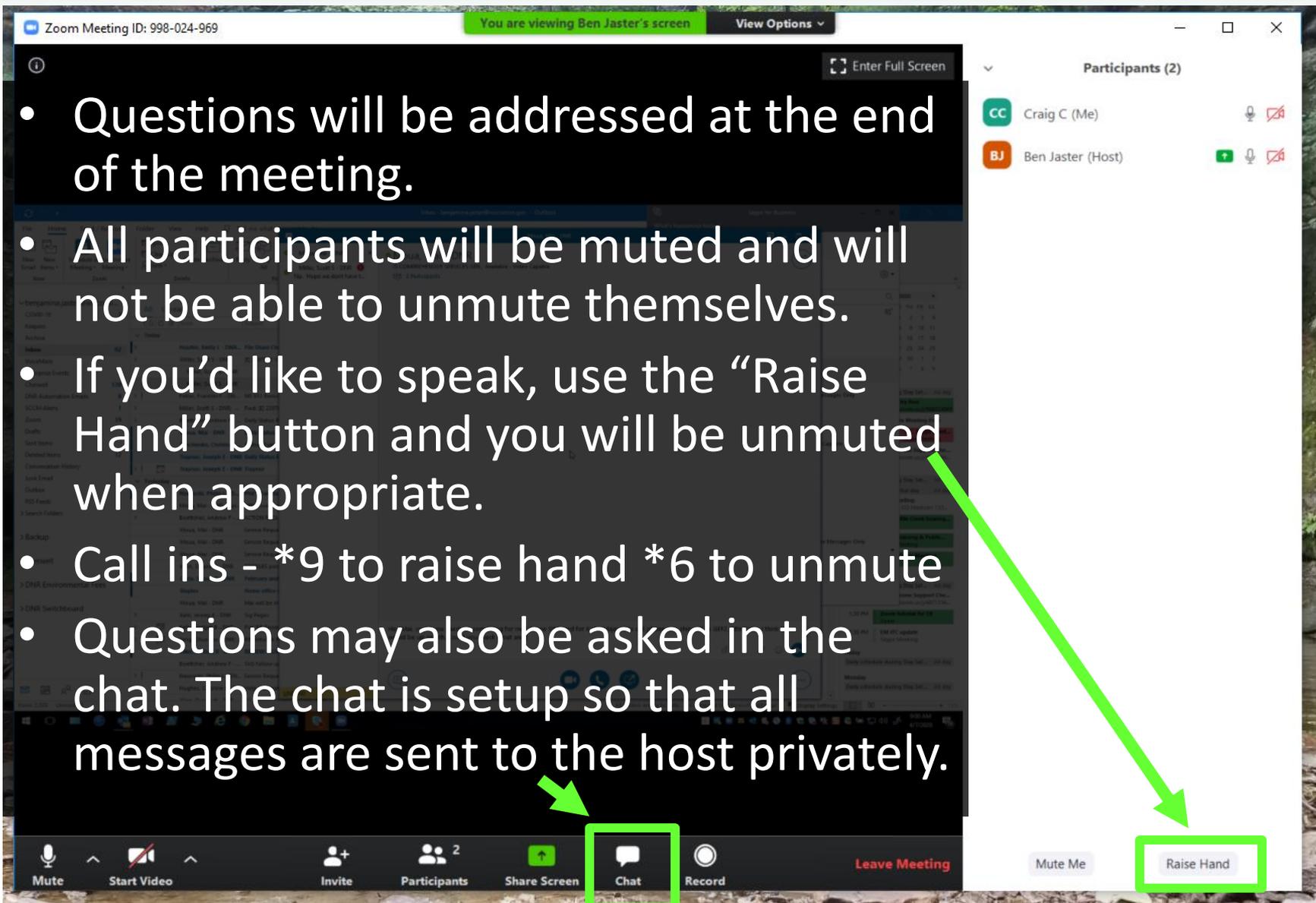
Zoom Guidelines

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 at the end of the meeting.
- All participants will be muted and will not be able to unmute themselves.
- If you'd like to speak, use the "Raise Hand" button and you will be unmuted when appropriate.
- Call ins - *9 to raise hand *6 to unmute
- 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.
- 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
- Hiring update
- Proposed guidance, rules and legislative update
- Proposed state legislation
- Supervisor/Staff Reassignments
- Ethylene Oxide Webpage
- Member updates
- Federal and State Guidance Plans
- Ozone topics
- Permit Processing
- COVID Update

Air Management Study Group Quarterly Meeting

Madison
August 20, 2020

Hiring Update

Gail Good

Air Program Director

Proposed Guidance and Rules Legislative Update

Kristin Hart

Permits and Stationary Source Modeling Section Chief

David Bizot

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	Early 2021
Regulation of Non-road and Motive Engine Testing Operations	Guidance on the stationary source status of different engine testing operations	2021
Next Day Deviations	Guidance on meeting next day deviation requirements	Fall/Winter 2020
Handling insignificant emissions units in emissions inventory reporting	Guidance on reporting if emissions from insignificant emissions units	2021
DNR Guidance in Public Comment	Description	Date Posted
None		
Finalized DNR Guidance	Location	Final Date
Insignificant Emissions Units	https://dnr.wi.gov/news/input/documents/guidance/final/20200713/AM-20-0085-C.pdf	July 13, 2020

Proposed DNR Rules

Proposed DNR rule	Description	Phase
AM-24-12b Permit Streamlining	Changes to improve operational efficiency and to simplify the permitting processes administered under chs. NR 406 and 407, while remaining consistent with the Clean Air Act (CAA).	Anticipate publishing on Sep 28 with Oct 1 effective date.
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.	Drafting rule and EIA
AM-10-19 2015 Ozone NAAQS	Incorporates the 2015 ozone NAAQS into state rule. Scope statement approved by NRB in June 2019.	Drafting rule and EIA

Proposed EPA Rules/Guidance

Proposed EPA rule/guidance	Docket	Comments due
Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces	EPA-HQ-OAR-2018-0195	7/6/20
Proposal to Maintain the Ozone National Ambient Air Quality Standards	EPA-HQ-OAR-2018-0279	10/01/20

Finalized EPA Rules/Guidance

Finalized EPA rule/guidance	Link	Date finalized
Guidance on Plantwide Applicability Limitation Provisions Under the New Source Review Regulations	https://www.epa.gov/sites/production/files/2020-08/documents/pal_guidance_final_signed.pdf	08/05/2020
Misc. Metal Parts and Products Surface Coating NESHAP – 40-CFR-Part 63 Subpart M MMM	https://www.federalregister.gov/documents/2020/07/08/2020-05908/neshap-surface-coating-of-automobiles-and-light-duty-trucks-miscellaneous-metal-parts-and-products	07/04/2020
Plastic Parts Surface Coating NESHAP – 40-CFR-Part 63 Subpart P PPP	https://www.federalregister.gov/documents/2020/07/08/2020-05908/neshap-surface-coating-of-automobiles-and-light-duty-trucks-miscellaneous-metal-parts-and-products	07/04/2020
Organic Liquid Distribution (non-gasoline) NESHAP – 40-CFR-Part 63 Subpart E EEE	https://www.federalregister.gov/documents/2020/07/07/2020-05900/national-emission-standards-for-hazardous-air-pollutants-organic-liquids-distribution-non-gasoline	07/07/2020

Finalized EPA Rules/Guidance

Finalized EPA rule/guidance	Link	Date finalized
Printing, Coating and Dyeing of Fabrics and other Textiles NESHAP – 40-CFR-Part 63 Subpart OOOO	https://www.federalregister.gov/documents/2020/07/08/2020-05908/neshap-surface-coating-of-automobiles-and-light-duty-trucks-miscellaneous-metal-parts-and-products	07/08/2020
Surface Coating of Metal Furniture NESHAP – 40-CFR-Part 63 Subpart RRRR	https://www.federalregister.gov/documents/2020/07/08/2020-05908/neshap-surface-coating-of-automobiles-and-light-duty-trucks-miscellaneous-metal-parts-and-products	07/08/2020
Paper and Other Web Coating NESHAP – 40-CFR-Part 63 Subpart JJJJ	https://www.federalregister.gov/documents/2020/07/09/2020-05854/national-emission-standards-for-hazardous-air-pollutants-paper-and-other-web-coating-residual-risk	07/09/2020
Lime Manufacturing NESHAP – 40-CFR-Part 63 Subpart AAAAA	https://www.federalregister.gov/documents/2020/07/24/2020-12588/national-emission-standards-for-hazardous-air-pollutants-lime-manufacturing-plants-residual-risk-and	07/24/2020

Finalized EPA Rules/Guidance

Finalized EPA rule/guidance	Link	Date finalized
Integrated Iron and Steel NESHAP – 40 CFR Part 63 Subpart FFFFF	https://www.federalregister.gov/documents/2020/07/13/2020-09753/national-emission-standards-for-hazardous-air-pollutants-integrated-iron-and-steel-manufacturing	07/13/2020
Miscellaneous Organic Chemical Manufacturing NESHAP – 40 CFR Part 63 Subpart FFFF	https://www.federalregister.gov/documents/2020/08/12/2020-12776/national-emission-standards-for-hazardous-air-pollutants-miscellaneous-organic-chemical?utm_campaign=subscription+mailing+list&utm_source=federalregister.gov&utm_medium=email	08/12/2020
Plywood and Composite Wood Products NESHAP – 40 CFR Part 63 Subpart DDDD	https://www.federalregister.gov/documents/2020/08/13/2020-12725/national-emission-standards-for-hazardous-air-pollutants-plywood-and-composite-wood-products	08/14/2020
Miscellaneous Coating Manufacturing NESHAP – 40 CFR Part 63 Subpart HHHHH	https://www.federalregister.gov/documents/2020/08/14/2020-13439/national-emission-standards-for-hazardous-air-pollutants-miscellaneous-coating-manufacturing	08/14/2020

State Draft and Final Legislation

Draft legislation	Link

Final legislation	Link

Supervisor/Staff Reassignments

Gail Good

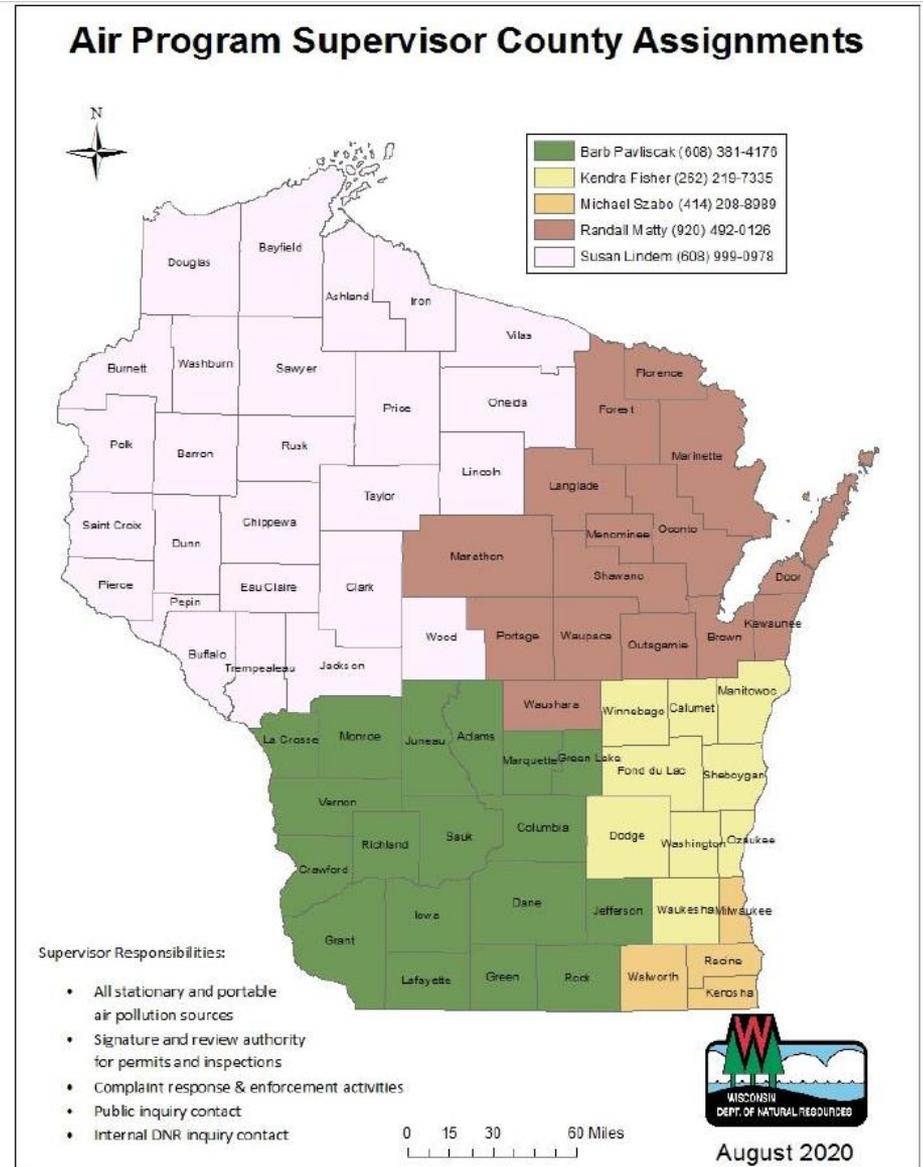
Air Program Director

Andy Stewart

Field Operations Director

Supervisor Reassignments

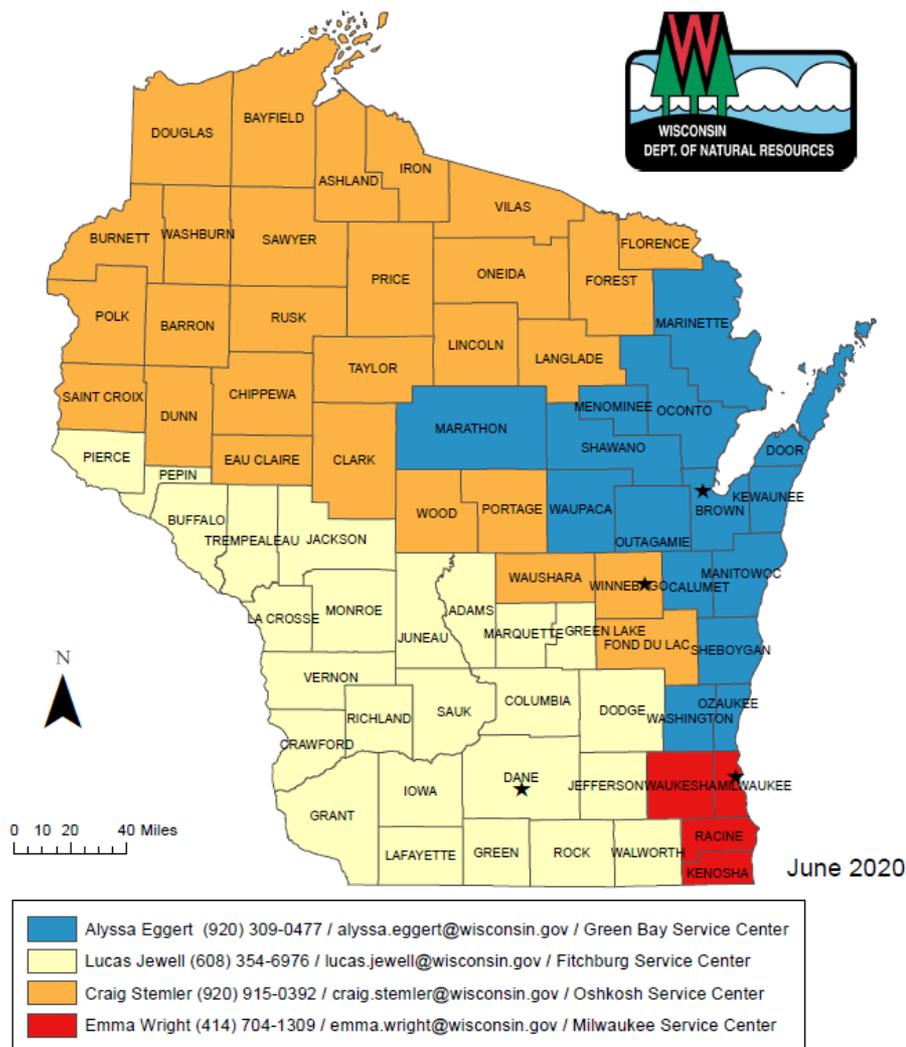
The air program has redistributed county assignments for permit and compliance supervisors. This will improve equality in source numbers and complexity, providing the sources and public with more access to permit and compliance assistance.



Minor Source Reassignments

The air program now has two additional engineers assigned to small source compliance. This has resulted in fewer sources and a more manageable geographical area for each engineer, providing the sources and public with more access to compliance assistance.

Small Source Air Compliance Assistance by County





CMS Source Reassignments

Source Reassignments

The air program has reassigned supervisor and staff responsibilities following a number of personnel changes. These reassignments will ensure that sources and the public will have an easy point of contact for assistance and information.

Regional Air Management Supervisor responsibilities can be found:

- On revised *Air Program Supervisor County Assignment Map*
<https://dnr.wi.gov/topic/AirQuality/documents/Supervisors.pdf>

Compliance Engineer responsibilities can be found:

- By using *DNR staff directory* on the DNR website and searching by "air" in the subject line for statewide or for particular county
- By using the *permits search website* for any facility and clicking on the DNR Air Contacts tab
- For individual companies, by logging in the DNR Switchboard and checking under *Review Facility Contacts*

Ethylene Oxide Webpage

Katie Praedel

Air Monitoring Section Chief

Maria Hill

Compliance, Enforcement and Emissions Inventory Section Chief

Ethylene Oxide

- OIG recommended EPA provide communities surrounding 25 high priority ethylene oxide-emitting facilities with a forum for information exchange.
- One facility in Wisconsin was listed – Evonik Corporation in Milton.
- Wisconsin has regulated EtO for decades under ch. 445.
- Evonik emissions have dropped significantly over the past 10 years.

YEAR	ETO REPORTED EMISSIONS (LBS/YEAR)
2019	111.45
2018	167.3
2017	348.6
2016	239.6
2015	638.4
2014*	792.4
2013*	580.6
2012*	1,641.0

*indicates years included in NATA risk



Ethylene Oxide Webpage

- The air program worked with EPA to determine a coordinated path forward to communicate with the community surrounding the Evonik facility.
- Given COVID 19 restrictions for in person correspondence DNR and EPA prioritized Website development.

Ethylene Oxide Webpage

- Background information
- Information on Evonik
- Monitoring data
- Inspection and Compliance reports
- Enforcement and Compliance history



» TOPIC » AIR QUALITY

ETHYLENE OXIDE

Ethylene oxide (EtO) is a flammable, colorless gas used to make other chemicals necessary in the production of a range of products, including antifreeze, textiles, plastics, detergents and adhesives. Ethylene oxide also is used to sterilize equipment and plastic devices that cannot be sterilized by steam, such as medical equipment.

Ethylene oxide in the air can come from different types of sources, including industries such as chemical manufacturers and sterilizers.

EVONIK CORPORATION

Evonik Corporation, located at 337 Vincent Street in Milton, WI, is a chemical manufacturing plant. Previously, the facility was also known as Air Products Performance and Tomah Products. This location has held an active air permit since 1990. The DNR inspected Evonik in May 2018 and found no evidence of noncompliance.

Evonik manufactures specialty chemicals, primarily sold as components to formulators and commonly known as surfactants. Surfactants are compounds that lower the surface tension between two liquids, a liquid and a gas or a liquid and a solid. The resulting products are used as components in household, industrial and institutional cleaners as well as mining, roof coatings, asphalt and other industrial applications. This facility is regulated under

[Wisconsin's state air toxics rule \(NR445\)](#), and the state has worked with the this location since 2010 to reduce emissions and obtain the best annual emission estimates for ethylene oxide (EtO).



Air quality
View Current Air Quality
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Air Quality Monitoring
Air Pollutants and Standards

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Questions and Resources

- Ethylene Oxide Website link:
<https://dnr.wisconsin.gov/topic/AirQuality/EtO.html>

Member Updates

Federal and State Guidance Plans

James Bonar-Bridges

Air and Hazardous Waste Attorney

Kristin Hart

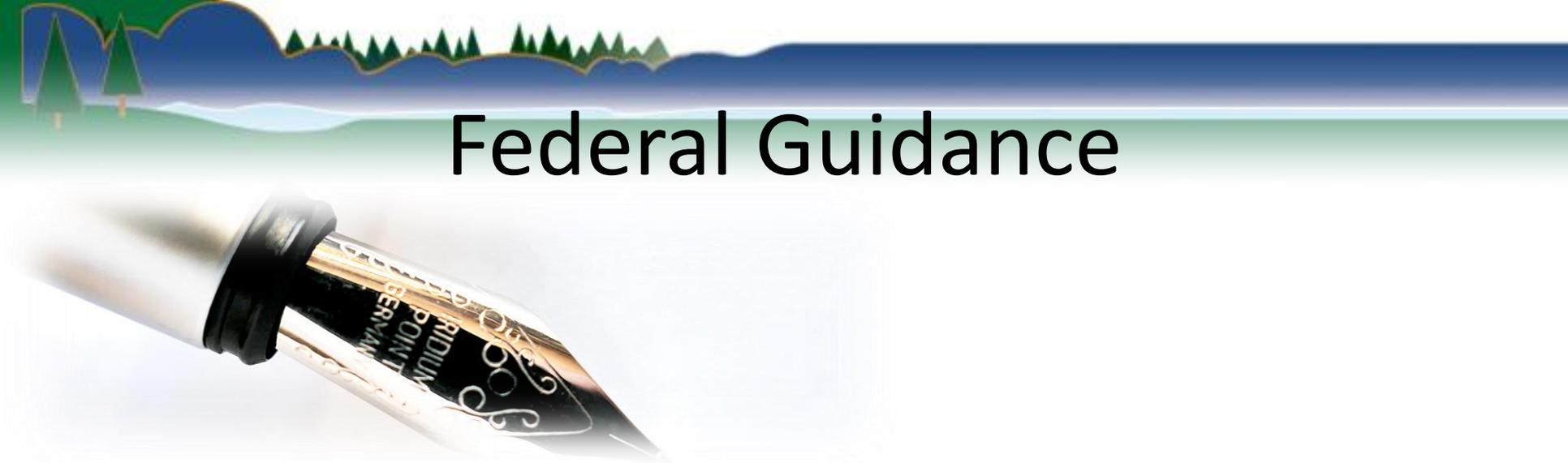
Permits and Stationary Source Modeling Section Chief



Federal Guidance

Federal Executive Orders – EOs 13891 and 13892 (October 9, 2019)

- Both define guidance as “an agency statement of general applicability, intended to have future effect on the behavior of regulated parties, that sets forth a policy on a statutory, regulatory, or technical issue, or an interpretation of a statute or regulation.” Exempts rules, internal guidance, and internal agency legal opinions.
- [EO 13891](#) requires each agency to create a searchable database of all current guidance documents and to rescind all documents that are no longer up-to-date (originally by February 5, 2020, but extended to June 27, 2020).
- [EO 13892](#) is about the use of guidance in an enforcement context, and is focused on eliminating “unfair surprise” to regulated entities.



Federal Guidance

Federal Executive Orders – EOs 13891 and 13892 (October 9, 2019)

- On May 22, 2020, EPA published a proposed rule in the federal register implementing both EOs: “[EPA Guidance; Administrative Procedures for Issuance and Public Petitions.](#)” 85 FR 31104.
- **As of today, EPA has identified and uploaded 1914 guidance documents related to the [Office of Air and Radiation.](#)**

State Guidance

Wisconsin Supreme Court Decision - SEIU v. Vos (July 9, 2020)

- The second opinion (J. Kelly) held that two parts of the legislation relating to agency publications (ss. 227.05 and ss. 227.112) were unconstitutional infringements by the legislature into core executive functions.
- The definition of a “guidance” document at s. 227.01(3m) was left intact, as was the ability for persons to seek declaratory rulings from courts on the validity of guidance documents (and rules) in s. 227.40.





State Guidance

Next Steps

- Certified State Guidance:
<https://dnr.wisconsin.gov/news/input/GuidanceFinal>
 - The Air Program will continue to take stakeholder feedback on updated or new guidance.
 - **OnBase**[®]by Hyland– Look for a new permanent location for Air Program Guidance in early 2021.
- The air program is conducting a review of commonly cited federal guidance to ensure that nothing has been revoked.
- If the program cites or has cited to federal guidance that is not among the 1914 documents currently on EPA's website, that situation will need to be addressed on a case-specific basis.

Ozone Update

David Bizot

Air Quality Planning and Standards Section Chief

Katie Praedel

Air Monitoring Section Chief



Ozone nonattainment area redesignations

Area	Submitted	Status (as-of July 10, 2020)
2015 Ozone – Door County (p)	Jan 27, 2020	Finalized/effective on Jun 10.
2008 Ozone – Kenosha County (p)	Jan 21, 2020	Area recorded apparent reviolation in July (2018-20 data); this pauses EPA’s redesignation.
2008 Ozone – Inland Sheboygan County	Oct 9, 2019	Finalized/effective on July 10.
2008 Ozone – Shoreline Sheboygan County	Feb 11, 2020	Finalized/effective on July 10.

Status of the 2020 Ozone Season

Top Four 8-Hour Average Ozone Concentrations – as of **August 17, 2020**

site	Concentrations (ppb)				2020 Critical values		Days at/above C.V.		Current 2018-2020 "design value"
	1st high	2nd high	3rd high	4th high	2008 std	2015 std	2008 std	2015 std	
Newport	85	79	76	75	87	72	0	4	72
Chiwaukee Prairie	104	81	79	78	82	67	1	16	74
Kenosha WT	84	79	78	78	82	67	1	11	74
Manitowoc	80	79	73	69	86	71	0	3	70
Milw SER	93	82	78	75	99	84	0	1	68
Bayside	93	82	81	74	91	76	1	3	70
Grafton	91	81	81	73	87	72	1	4	71
Harrington Beach	88	81	76	71	89	74	0	3	70
Racine Payne & Dolan	94	84	80	77	84	69	2	8	73
Sheboygan Kohler Andrae	89	86	78	76	77	62	3	14	75
Elkhorn	81	77	76	74	96	81	0	1	68

2008 NAAQS: 75 ppb
2015 NAAQS: 70 ppb

Exceeds the 2015 NAAQS critical value or standard

Exceeds the 2008 NAAQS critical value or standard

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.



2020 ozone data implications

- 2008 ozone NAAQS – 3-state Chicago area
 - Currently “serious” classification with attainment date of July 20, 2021.
 - Area will not attain based on 2018-2020 preliminary data – reviolation of an Illinois monitor.
 - Bump-up to “severe” anticipated in late 2021.
 - Attainment date July 20, 2027 (based on 2024-2026 data).
- 2015 ozone NAAQS – violations in areas of WI, IL, IN, OH, MI
 - Currently “marginal” classification with attainment date of Aug 20, 2021.
 - Areas will not attain based on 2018-2020 preliminary data.
 - Bump-up to “moderate” anticipated in late 2021.
 - Attainment date Aug 20, 2023 based on (2020-2022 data).



Selected regional/state ozone activities

- 6-state regional discussions at Air Director level re: coordinated ozone planning and actions (regional ozone charter).
 - Take coordinated action on mobile source emissions
 - Evaluate the cost-effectiveness and impacts of different emissions reduction strategies
 - Support improvements in ozone modeling
 - Adopt a longer-term planning horizon
- Coordinated 3-state Chicago-area attainment planning
 - Includes new ozone modeling based on updated modeling platform.
 - Ensure all states meet requirements for serious areas and are planning for severe.
- Three major LADCO contract efforts to help inform downstream decisions:
 - Ozone-NO_x-VOC sensitivity analysis, using LMOS2017 data
 - NO_x and VOC control programs cost effectiveness/impact update
 - Evaluation of ozone modeling sensitivity to NO_x and VOC emissions reduction



Selected regional/state ozone activities

- NASA HAQ project (LADCO-NASA-NOAA-UW-DNR) to evaluate use of satellite data to improve ozone photochemical modeling results.
- EOM/LMOS data analysis activities
 - Several LMOS2017 papers in development
- State ozone strategic framework to guide/coordinate actions to address ozone nonattainment.



Selected regional/state ozone activities

- Enhanced ozone monitoring update
 - Monitoring is fully underway
 - Partnership with researchers at Chiwaukee
 - UW Eau Claire drone study concluded
 - Pandora and wind lidar on-going
 - Ozone precursor sampling scheduled (1/6 day) and episodic



Ozone transport/CAA sec. 110(a)(2)(D)

- 2015 ozone NAAQS:
 - EPA’s action on regional 2015 ozone NAAQS “Good Neighbor” SIPs is past due.
- 2008 ozone NAAQS:
 - Several court cases determined that EPA has not met its obligations to promulgate a complete remedy for transport for this NAAQS. The CSAPR Close-out Rule has been vacated.
 - EPA must finalize a final rule completely addressing transport by March 15, 2021.



Clean Wisconsin v. EPA

- Consolidated court challenge to 2015 ozone NAAQS designations in several states.
- EPA had asked for a voluntary remand some county designations back to agency: Milwaukee, Ozaukee, Waukesha, Washington, Racine, Manitowoc, and Kenosha.
 - EPA was defending other designations, including Door and Sheboygan.
- On July 10, 2020, the D.C. Circuit Court of Appeals decision remanded designations back to EPA for some areas of Colorado, Michigan, Missouri, Illinois, and Wisconsin - including all of the Wisconsin area designations.
- We are waiting for EPA to respond to this decision and will provide additional information when requested.
- The state's 2015 designations remain in effect.

Permit Processing

Kristin Hart

Permits and Stationary Source Modeling Section Chief



Construction Permitting

- Program goals for action on construction permit applications
 - Emphasis on good communication
 - Discuss permit timing up front
 - Confirm estimated date for issuance with permittee
- Overarching goal: meet the timing needs of the applicant while ensuring that all public participation requirements are met

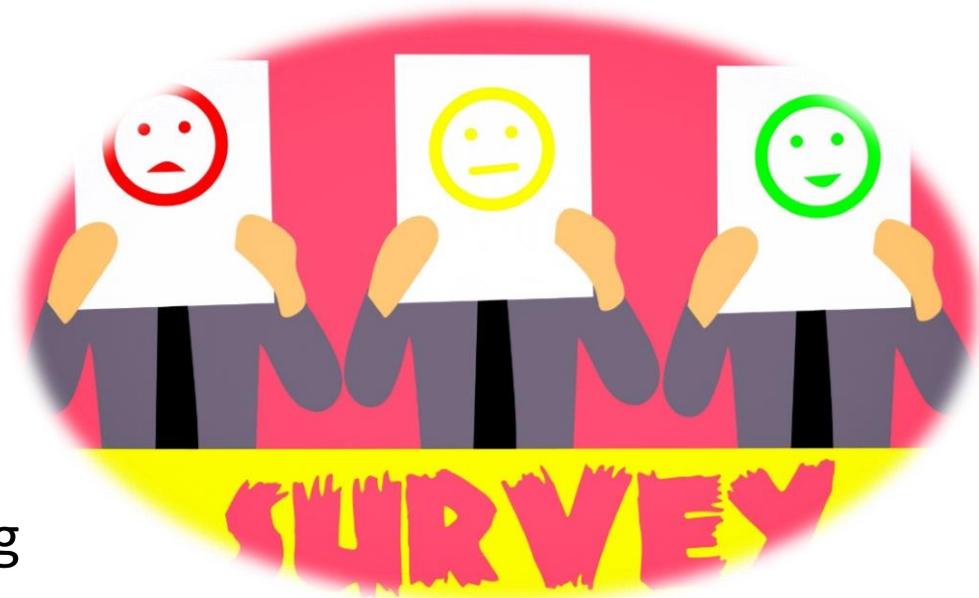


Operation Permitting

- Program goals for action on operation permit applications
 - Emphasis on quick action to determine if information is missing
 - Obtain complete application including
 - MTE and PTE Calculations
 - Updates to applicable NESHAPs and NSPS
 - Updates to CAM Plans when applicable
- Overarching goal: Issue Title V renewals prior to expiration of the previous permit

Title V Survey

- Feedback from permitted TV sources
 - Experiences with application preparation
 - Feedback on permit processing and issuance
 - Insights on how the operation permit is used by the permittee
 - Suggestions for improving permit processes or formats
- Look for surveys to start rolling out in the fall



COVID-19 Update

Gail Good



Inspection Expectations for EPA Partner Agencies During Covid-19 Letter (July 20, 2020)

- Off-site inspections are "encouraged" - including remote virtual evaluations
- States must still send inspection data to the EPA compliance system (ICIS)
- States should not alter their FFY20 CMS commitment plan based on Covid-19 issues only



2020 Meeting Dates

- November 11, 2020