

Air Management Advisory Group Quarterly Meeting

Dec 4, 2025



Hybrid Meeting Guidelines

- Please sign in if attending in person.
- Attendees in the room can raise their hand and will be called on.
- Online attendees should use the raise hand feature and will be called upon by the meeting host
- 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, unless called on by the host.

Air Management Advisory Group Quarterly Meeting Agenda

- Hiring/Admin Update
- Proposed guidance, rules and legislative update
- ARS Compliance Webinar
- Ozone Topics
- Member Updates
- Title V Program
- 2026 Priority Topics and Meeting Dates

Hiring and Admin Update

Gail Good, Air Management Program Director

Construction permitting program updates

Engineering Recruitment

- 4 new construction permit writers began with Program on December 1
 - Sawyer Dobson; Maria Hill; Eli Rodeheaver; Laura Rodriguez Alvarez

Review of construction permit-related applications

- Review of all construction permit revision applications and most exemption applications paused in fall 2023
- Review of all types of applications has now resumed
- Review prioritization
 - Construction permits
 - Exemption applications
 - Revision applications

Proposed Guidance, Rules and Legislative Update

Ron Binzley, Permits and Stationary Source Modeling Section Manager

Brianna Denk, Air Quality Planning and Standards Section Manager

Maria Hill, Compliance, Enforcement & Emissions Inventory Section Manager

Proposed/Final DNR Rules

Proposed DNR rule	Description	Phase
AM-10-23 NSR Fee Rule	Updates to construction permit fees to assure compliance with Clean Air Act requirements and to meet business needs of permitted sources. NR410 Rulemaking Wisconsin DNR	Signed by Governor: 10/30
AM-15-25 VOC RACT Rule	Updates to VOC regulations in ch. NR 419 through NR 425 to ensure compliance with federal VOC RACT requirements are met.	Hearing on Scope of Rulemaking: 12/18

VOC RACT Background

- The Clean Air Act requires states that are classified as Moderate non-attainment or above to implement Reasonably Available Control Technology (RACT) to limit emissions of VOCs.
- VOC RACT applies to two groups of emissions sources.
 1. Source categories for which the EPA issues Control Technique Guidelines (CTGs)
 2. Other sources that emit VOCs at or above the major source threshold known as “non-CTG major sources”
- WI has VOC regulations on the books since before the 1990 Clean Air Act Amendments.
 - Some of the rules and emissions limits have not been updated since as early as 1986.
 - These rules are incomplete and out of date.
- In 2023, EPA sent a letter stating Wisconsin’s rules are not RACT equivalent and are not approvable.

VOC RACT Rulemaking

- Purpose of this rulemaking:
 - Meet Federal requirements - approvable VOC RACT program.
 - Limit emissions of ozone-forming VOCs and protect air quality in nonattainment areas.
 - Streamline and modernize chapters NR 419 through 425 Wis. Adm. Code.
- Consequences of not proceeding with this rulemaking:
 - Nonattainment areas will be ineligible for redesignation even if air quality meets the standard.
 - Some sources located in nonattainment areas may be under controlling VOCs.

Public Input Opportunities

- The DNR will host a preliminary hearing on the scope of this rulemaking on December 18, 2025.
- Stakeholder engagement on rule language will occur once the scope statement is approved by the Natural Resources Board in January 2026.
 - Overview of EPA CTG and non-CTG model rules.
 - Take input on streamlining opportunities in NR 419 through 425.

EPA Rules/Guidance

EPA Action	Link	Status
Rule: National Emission Standards for Hazardous Air Pollutants: Polyether Polyols Production Industry: Removal of Affirmative Defense	90 FR 42323	Rule effective on 9/2
Proposed Rule: Reconsideration of the Greenhouse Gas Reporting Program	90 FR 44591	Public comment period closed
Proposed Rule: Renewable Fuel Standard (RFS) Program: Standards for 2026 and 2027, Partial Waiver of 2025 Cellulosic Biofuel Volume Requirement, and Other Changes; Supplemental Notice of Proposed Rulemaking	90 FR 45007	Public comment period closed
Proposed Rule: Regional Haze State Plan Requirements Rule Revision (Request for Information)	90 FR 47677	Accepting comments through 12/1
Proposed Rule: Phasedown of Hydrofluorocarbons: Reconsideration of Certain Regulatory Requirements Promulgated Under the Technology Transitions Provisions of the American Innovation and Manufacturing Act of 2020	90 FR 47999	Public comment period closed
Proposed Rule: National Emission Standards for Hazardous Air Pollutants: Secondary Lead Smelting Technology Review	90 FR 47268	Public comment period closed
Proposed Rules: National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors: Residual Risk and Technology Review; Withdrawal of Proposed Revisions to Standards for Periods of Malfunction	90 FR 50814	Accepting comments through 12/26

2024 Secondary SO₂ NAAQS

- On December 11, 2024, the EPA revised the secondary SO₂ NAAQS to 10 ppb, starting the designation recommendation process.
 - December 11, 2025: Governor's designation recommendations due
 - December 11, 2026: EPA's final area designations due
- Most recent SO₂ monitoring data at all monitors in the state range from 0 and 1 ppb, far below the revised secondary NAAQS of 10 ppb.
- A recommendation of full state attainment will be submitted under the Governor's signature prior to the deadline.
- Long-term attainment of the revised secondary standard is expected.

2024 PM2.5 NAAQS

- On February 7, 2024, EPA finalized a revision to the PM2.5 NAAQS initiating a two-year area designations process.
- In the March 2025 deregulatory agenda, EPA indicated it would reconsider the 2024 PM NAAQS revision.
- On November 24, the EPA responded to ongoing litigation in the D.C. Circuit Court filing a motion to vacate the 2024 PM NAAQS.
- The 2024 PM NAAQS remains in effect until the Court acts on this motion.

Air Management Program Webinar

Craig Czarnecki, Air Management Outreach Coordinator

Annual Webinar Summary

Topics covered:

- [Emissions inventory updates](#)
- Transition from WAMS to MyWisconsinID.
- Compliance and stack testing updates relative to the revised ch. NR 439, Wis. Adm. Code and new [Compliance with Air Regulations](#) webpage.
- How DNR manages large development projects that involve multiple DNR programs

~475 attendees

Slides and recording posted to [EI Tutorials Page](#)

Ozone Topics

Brianna Denk, Air Quality Planning and Standards Section Manager

Ben Wolf, Air Monitoring Section Manager

Air Monitoring Highlights

- Ozone season wrap up: 99+% data completion on the season across all 32 stations
- Longest down time was nine days at Lake Dubay due to a shelter replacement
- Major projects this year:
 - New air quality web map with improved navigation & user experience including advisory banner, news box and “orange or above” AQI filter
 - Upgraded infrastructure: Four aging air monitoring shelters replaced across the state w/ new shelters
 - Two Ho-Chunk PM2.5 Stations added to Wisconsin’s PQA0 & web map

Status of the 2025 Ozone Season

Top Four 8-Hour Average Ozone Concentrations – as of **November 1, 2025**

Wisconsin Sites	Concentrations (ppb)				2025 Critical Values (2008 NAAQS)	Days at/above Critical Values (2008 NAAQS)	2025 Critical Values (2015 NAAQS)	Days at/above Critical Values (2015 NAAQS)	Preliminary 2023-2025 "Design Value" (2015 NAAQS)
	1st high	2nd high	3rd high	4th high					
Bayside	79	77	75	75	79	1	64	14	74
Beloit	73	68	67	65	81	0	66	3	70
Chiwaukee	78	78	76	75	64	24	49	82	79
Columbus	73	67	66	66	84	0	69	1	70
Elkhorn	74	73	73	69	80	0	65	7	72
Grafton	77	73	73	71	78	0	63	13	73
Harrington Beach	78	78	74	72	76	2	61	20	74
Jefferson	72	66	66	63	83	0	68	1	69
Kenosha-WT	77	77	77	77	75	6	60	32	76
Kewaunee	72	69	69	67	86	0	71	1	69
Madison East	69	69	66	65	84	0	69	2	69
Manitowoc	75	69	67	64	88	0	73	1	68
Milwaukee-Upark	73	73	72	72	86	0	71	4	71
Newport	73	70	70	70	88	0	73	1	70
Racine	77	76	76	75	74	5	59	36	76
Sheboygan-Haven	74	70	70	69	87	0	72	1	70
Sheboygan-KA	88	76	75	74	70	9	55	40	77
Waukesha	75	70	69	69	82	0	67	5	71

2015 NAAQS: 70 ppb	Non-Attainment for 2015 NAAQS	Reached 2015 Critical Value	Exceeded 2015 Standard
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Note: 2025 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.

Ozone NAAQS Exceedances

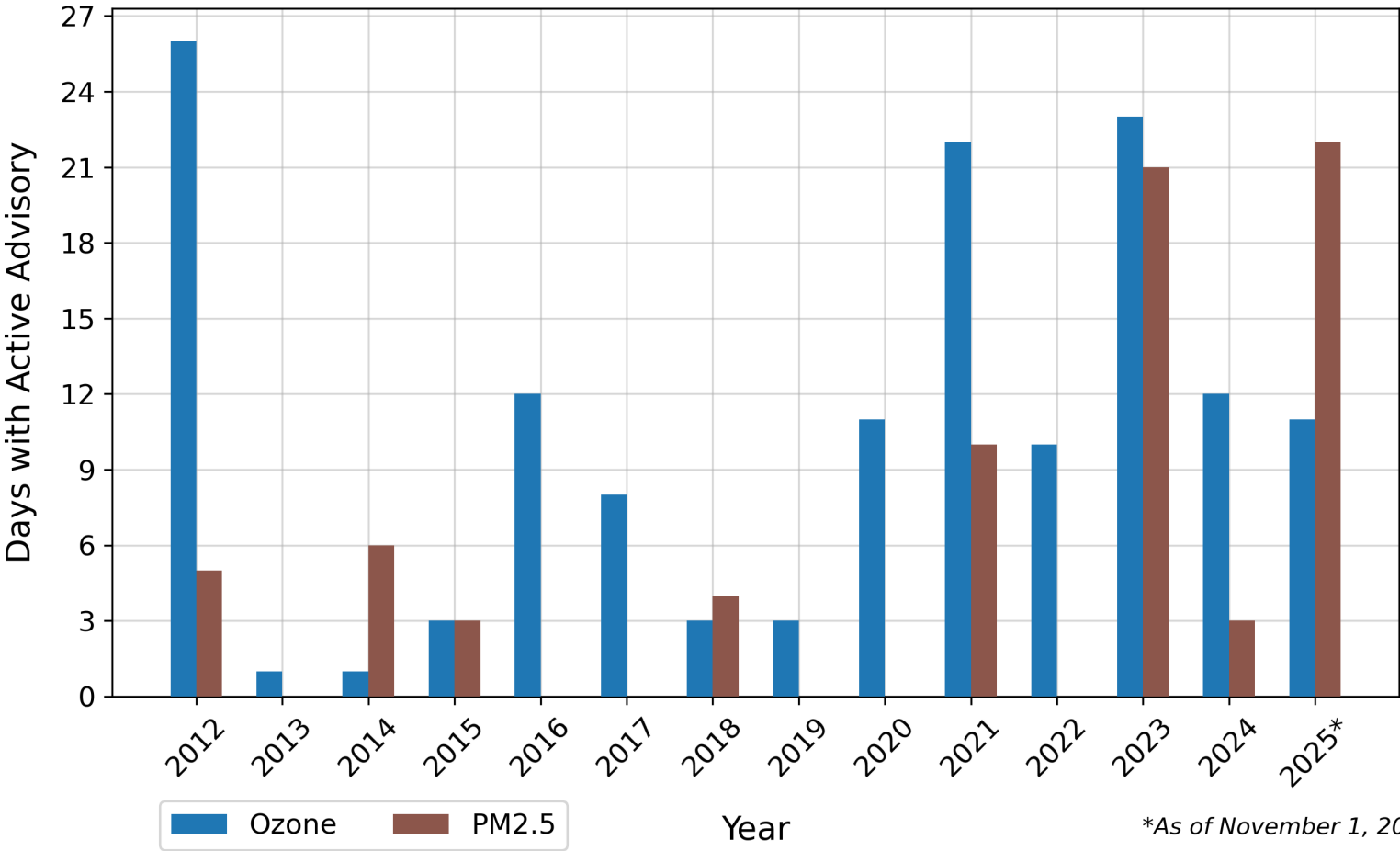
	2023	2024	2025
Number of days with MDA8 > 85 for at least 1 monitor	6	2	1
Total number of exceedances (MDA8 > 70) across all monitors	330	67	69
Highest MDA8 across all monitors	112 ppb (Sheboygan-KA)	95 ppb (Sheboygan-KA)	88 ppb (Sheboygan-KA)
Average exceedance concentration across all monitors	77.1 ppb	76.0 ppb	74.0 ppb

MDA8 = Maximum Daily 8-Hour Average

Ozone Air Quality Advisories

Year	2023	2024	2025
Ozone Total AQA Issuances	20	12	11
Ozone Spring (Mar-May) AQA Issuances	7	1	0
Ozone Total Days with Active AQA	23	12	11
Ozone Spring (Mar-May) Days with Active AQA	7	1	0

Count of Total Ozone and PM2.5 Days with Active Air Quality Advisory by Year in WI

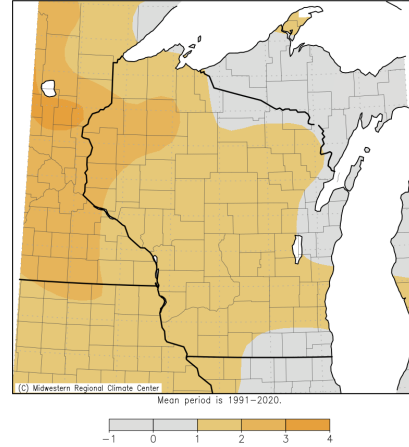


*As of November 1, 2025

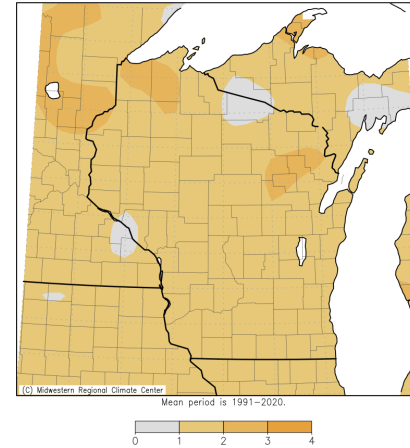
2025 Meteorology

- Compared to a 30-year climatology (1991-2020), daily average temperatures were above average in the 2025 ozone season. Temperatures along the lakeshore were closer to average.
- Temperatures in spring and fall 2025 were cooler than 2024.
- Summer 2025 temperatures were very similar to summer 2024 temperatures.

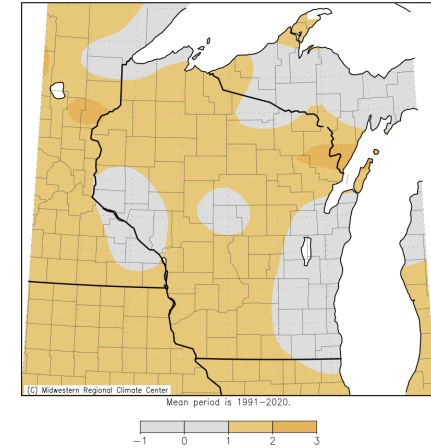
Average Temperature (°F): Departure from Mean
May 1, 2023 to September 30, 2023



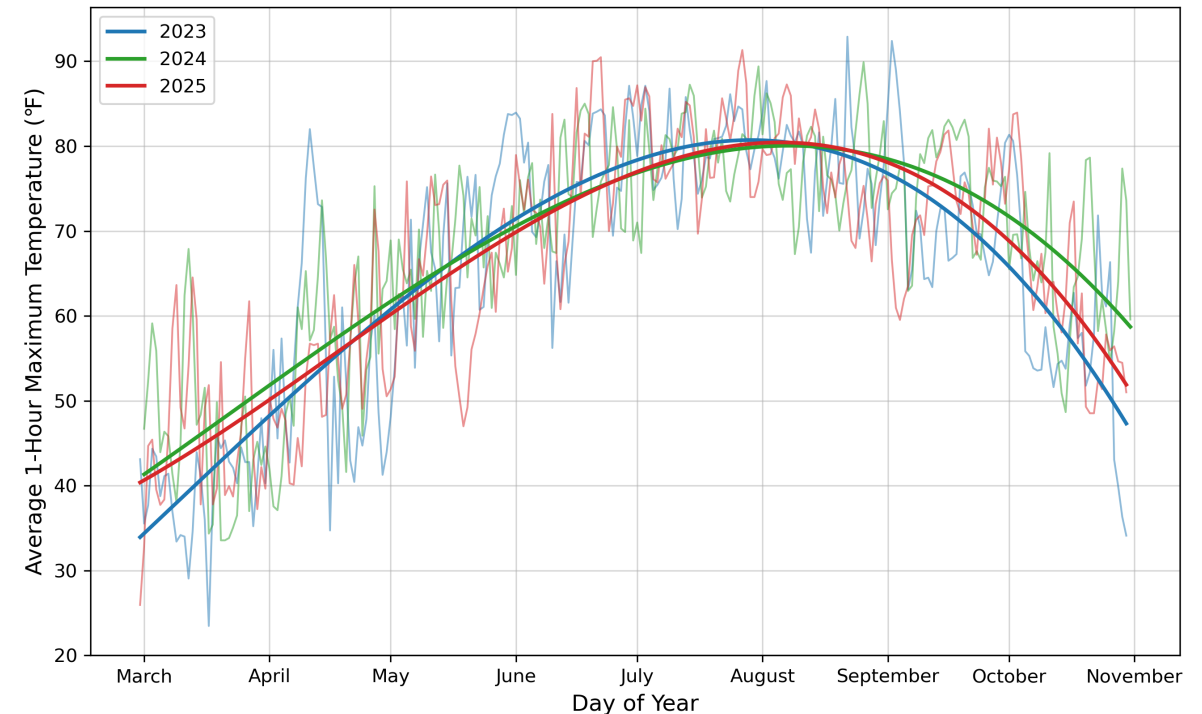
Average Temperature (°F): Departure from Mean
May 1, 2024 to September 30, 2024



Average Temperature (°F): Departure from Mean
May 1, 2025 to September 30, 2025



Average Maximum 1-Hour Temperature During Ozone Season



Ozone Updates

Litigation- Serious Reclassification

- Serious reclassification rule was stayed.
- While the stay is in effect, the Moderate nonattainment area requirements will remain in place.
- Case currently being held in abeyance.

Petition for Reconsideration

- In August 2021, DNR filed petition requesting EPA reconsider its revised 2015 ozone nonattainment areas.
- On November 19, 2025, EPA denied DNR's petition for reconsideration.

Member Updates

Title V Program

Ron Binzley, Permits and Stationary Source Modeling Section Manager

Gail Good, Air Management Program Director

Purpose and scope of Title V program

- Title V of the Clean Air Act (CAA) requires each state to develop and implement a comprehensive operating permit program for major sources
- Title V permits facilitate compliance with the CAA by consolidating into a single document all federally enforceable applicable requirements
- For each facility with a Title V permit, compliance with an up-to-date permit is deemed compliance with the act (CAA Section 504(f))
- To assure program adequacy, the CAA requires fees to be assessed on sources to cover activities associated with the Title V program

Activities included in the Title V program

Federal requirement	Associated activities
Preparing generally applicable regulations or guidance regarding the permit program or its implementation or enforcement	<ul style="list-style-type: none">• Reviewing and commenting on federal rules (e.g., MACT Team, comment development)• Title V related rulemaking (e.g., NR 428, NR 439)• Policy forms/FAQs/ACT sheets/websites
Reviewing and acting on any application for a permit, permit revision, or permit renewal, including the development of an applicable requirement as part of the processing of a permit, or permit revision or renewal	<ul style="list-style-type: none">• Review of permit, renewal and revision applications<ul style="list-style-type: none">• Case-by-case technology determinations (MACT, LACT)• Development of preliminary determination and drafting of permits• Internal reviews of documents• Meeting public participation requirements (e.g., hearings)• Responding to comments on draft/proposed permits• Defending permits in litigation, as necessary
Implementing and enforcing the terms of any part 70 permit (not including any court costs or other costs associated with an enforcement action), including adequate resources to determine which sources are subject to the program	<ul style="list-style-type: none">• Compliance inspections (FCE, PCE); meeting inspection commitments• Compliance reports (CMR)• Submittal tracking and review, including entry into WARP (compliance certification, federal reporting, etc.)• Complaint response• Enforcement actions (LONs, etc.)• Compliance assistance

Activities included in the Title V program

Federal requirement	Associated activities
General administrative costs of running the permit program, including the supporting and tracking of permit applications, compliance certification, and related data entry	<ul style="list-style-type: none">• Management of program (e.g., supervision)• Data management<ul style="list-style-type: none">• Compliance and enforcement data tracking, including closures and revocation• Compliance monitoring electronic submittal system assistance (Switchboard)• Compliance and enforcement data assurance• Compliance and enforcement data transfer to EPA (ICIS)• Compliance and enforcement data system programming and maintenance (WARP)• Document development (application forms, checklists, etc.)• Permit processing (e.g., public notice, permit issuance)• Staff training and knowledge transfer (permit writers, compliance engineers, support staff)
Emissions and ambient monitoring	<ul style="list-style-type: none">• Compliance emissions testing<ul style="list-style-type: none">• Stack test witnessing• Stack test plan/report review• Waiver review• Source specific monitoring

Activities included in the Title V program

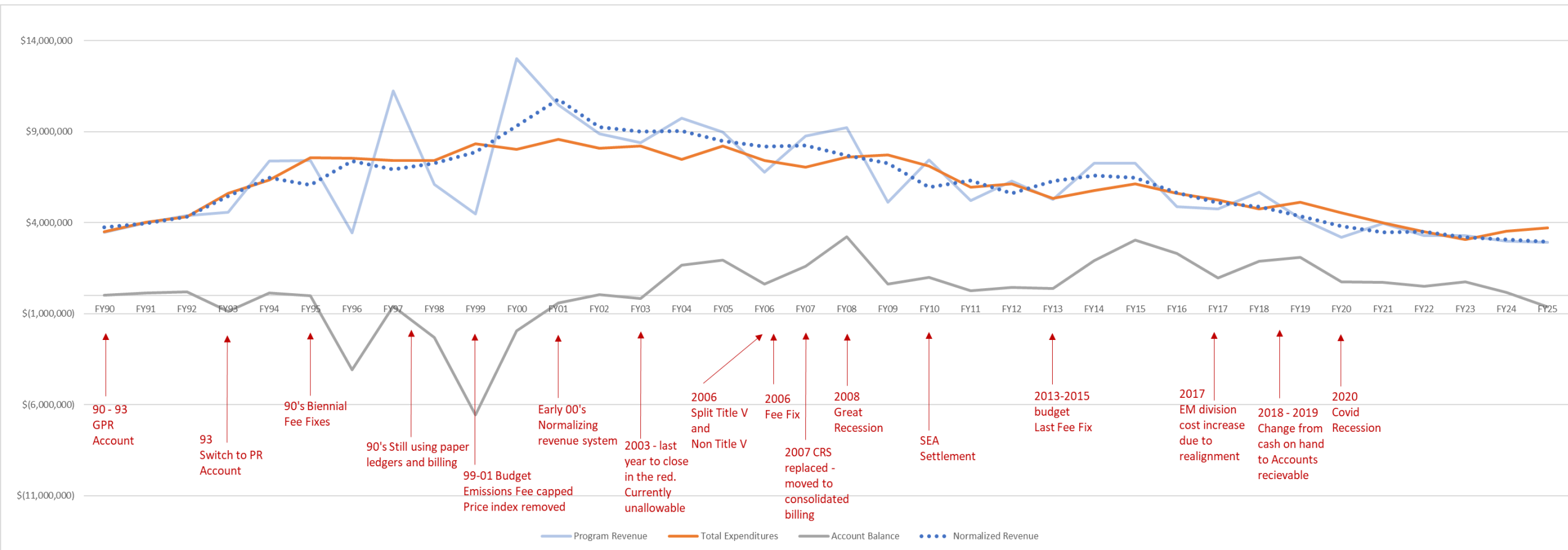
Federal requirement	Associated activities
Modeling, analyses, or demonstrations	<ul style="list-style-type: none">• Air dispersion modeling• Other demonstrations made in support of permit issuance
Preparing inventories and tracking emissions	<ul style="list-style-type: none">• Emissions inventory data collection and tracking<ul style="list-style-type: none">• Data quality assurance• Data transfer to EPA• Billing process and closures
Providing direct and indirect support to sources under the Small Business Stationary Source Technical and Environmental Compliance Assistance Program contained in section 507 of the Act in determining and meeting their obligations under this part	<ul style="list-style-type: none">• Support and maintain DNR Small Business Assistance Program

Title V workload analysis

The program recently completed a workload analysis for Title V activities based on the activities list in the previous slides

- This analysis estimated the cost per Title V source for carrying out activities associated with the Title V program
- The analysis also estimated the number of FTE needed to fully carry out the Title V program, under the assumption that the number of permitted Title V sources will remain relatively constant

Title V – Financial history



Figures are not adjusted for inflation

Impacts now

- Had been drawing down New Source Review (NSR) cash balance, which necessitated restricting work on construction permits
- Assistance with NSR account has necessitated the halting of all Title V permit work
- Compliance inspections
 - Implemented alternate plan, with EPA approval, to focus work
- Limited ability to do work needed to bring nonattainment areas back into attainment, due to required permit work
 - Not competitive in attracting business to the state
- Very limited ability to do necessary rule work

Decline – Title V Renewal Permits

Date	Backlog Percentage
FY19	10%
FY20	15%
FY21	19%
FY22	21%
FY23	27%
FY24	39% (40 permits issued)
FY25	44% (30 permits issued)
FY26	45.1%

Potential Future Impacts

- Title V program not meeting legal requirements necessitating EPA takeover
 - Loss of Title V program
 - Loss of federal highway funds
 - Inability to locate business in nonattainment areas
- Inability to support enforcement actions
- Legal risk to sources

Consequences if inadequacy is not addressed

- Negative impacts to public health and safety
- Significantly reduced compliance and awareness of issues or violations
- Inability to provide compliance assistance
- Greater potential for third party litigation
- Negative impacts to business/financial decisions
- Potential sanctions including withholding federal transportation funding and 2:1 offset ratios in nonattainment areas
- Increased vacancies
- EPA intervention

Current Title V Fee Schedule

Current and Proposed Base and Emissions Fees		
Total Emissions	Current base fee	Current emissions per ton fee
1 – 10 tons	\$900	\$35.71
11 – 25 tons	\$1,300	\$35.71
26 – 50 tons	\$1,600	\$35.71
51 – 80 tons	\$2,300	\$35.71
>80 tons	\$3,000	\$35.71

Current and Proposed Category Fees	
Category Fee (federal program applicability)	Current fee
MACT	\$960
NSPS	\$960
PSD/NAA NSR	\$1,500
Private Coal EGU	\$46,980

Issues

- The current fees do not generate sufficient revenue to cover Title V program operations
- The current fee structure could be improved
 - Small number of higher-emitting sources provide most program revenue
 - Most sources do not pay fees sufficient to cover the activities associated with their Title V permit
 - Not all fees reflect the workload associated with the activities they are charged for

Solution

- Increases in fee amounts are needed to generate revenue sufficient to cover all Title V program activities.
- Workload analysis will show that changes in fee structure to better align fees with complexity of work would also be appropriate.
- Potential updates could include:
 - Implementing a permit application fee, similar to other states
 - Implementing a single base fee
 - Increasing NSPS and MACT fees and charge per review
 - Increasing the current per ton fee
 - Adding inflationary adjustment
 - Periodic fee sunset, similar to other states

What is next – Title V

- Title V fees can only be increased through a biennial budget request
- The program is currently working with a third party tasked with reviewing fees and providing recommendations for future fee structures
- The program must work on a concept paper for increased fees, due May 2026
- AMAG member expertise needed to work on concepts for fee increase
- Title V Fees group to assemble and meet prior to May 2026 to make recommendations

2026 Priority Topics and Meeting Dates

Gail Good, Air Management Program Director

2026 Priority Topics

- Emerging Federal Regulation
 - Emerging Contaminants (PFAS)
 - Federal permit actions
 - PM2.5 NAAQS
 - Long term planning – deregulatory agenda/grant funding
- Ongoing Efforts
 - 2015 ozone NAAQS implementation
 - Ozone transport
 - SIP submittals and redesignation requests
 - Air quality monitoring data updates
 - Air quality modeling updates
 - Federal Rulemaking
 - State Rulemaking (e.g., NR 410, VOC RACT)
- Opportunities
 - Program efficiencies and automation opportunities
 - Goals and vision of DNR
 - Working with other states and organizations

2026 Program Meeting Dates

- Thu. March 5, 2026
- Tue. June 9, 2026
- Thu. Sept. 17, 2026

CONNECT WITH US

Next Meeting AMAG Meeting

Thu. March 5, 2026



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OFF THE RECORD"