

## **Notice of Preliminary Hearing on Statement of Scope**

The Department of Natural Resources (DNR) will hold a preliminary public hearing on Statement of Scope SS 070-25 which affects chapters NR 419 to 425. These are related to the incorporation of reasonably available control technology requirements for sources of volatile organic compound air emissions (Board Order AM-15-25). In accordance with s. 227.136, Wis. Stats., the DNR is seeking public comment and feedback on the Statement of Scope at the time and virtual location shown below.

### **Hearing Information**

Date: December 18, 2025

Time: 9:00 a.m.

Virtual Location Link:

- [Register for Hearing](#)
- [Join Online via Zoom](#)
- Call in: 13052241968
- Meeting ID: 8152532384#

### **Rule Information**

The objective of chapters NR 419 to 425 is to implement federal requirements limiting emissions of ozone-forming substances to meet Clean Air Act requirements and protect air quality in ozone nonattainment areas.

Per the federal Clean Air Act (CAA), an ozone nonattainment area is initially classified according to the degree by which ozone levels within the area exceed the federal ozone standard. To protect public health, regulatory requirements in the nonattainment area become more stringent with each successive classification (Marginal, Moderate, Serious, Severe, and Extreme).

CAA sections 182(b)(2), (c), (d), and (e) require states with areas that are classified as Moderate or above to implement Reasonably Available Control Technology (RACT) requirements to limit emissions of an ozone precursor called volatile organic compounds (VOC). VOC RACT requirements apply to two groups of emissions sources: source categories for which the U.S. Environmental Protection Agency (EPA) has issued Control Techniques Guidelines (CTGs), and all other sources that emit VOC at or above the major source threshold, also known as “non-CTG major sources,”

The DNR anticipates that portions of chapters NR 419 to 425, Wis. Adm. Code, that are related to the control of VOC emissions may be revised as part of the proposed rulemaking. Additional rule changes or clarifications that are reasonably related to the stated objective may be pursued.

### **Non-CTG VOC RACT**

Without the proposed VOC RACT rules for non-CTG major sources, the state will not have a federally approvable VOC RACT program and the state’s nonattainment areas will be ineligible for redesignation to attainment, even if ozone concentrations are below the standard. This can impact economic growth as nonattainment areas would continue to be under stricter regulations. The DNR expects that the proposed non-CTG major source VOC RACT rules may impact the state’s air quality by reducing emissions of ozone-forming VOCs from stationary sources.

## CTG VOC RACT

The DNR will assess the five CTGs that are not currently incorporated into Wisconsin Administrative Code (Shipbuilding and Ship Repair Operations; Aerospace Manufacturing and Rework Operations; Fiberglass Boat Manufacturing; Oil and Natural Gas Industry; and Automobile and Light-Duty Truck Assembly Coatings) and determine whether any should be included. If it is deemed necessary to incorporate any CTGs, the DNR will propose rule language to do so.

### **Accessibility**

For the hearing or visually impaired, non-English speakers, or those with other personal circumstances which might make communication at the meeting/hearing difficult, the DNR will, to the maximum extent possible and with reasonable advance notice, provide aids including an interpreter, or a non-English, large-print, or recorded version of hearing documents. To access these resources, please contact the email address or phone number listed below as soon as possible.

### **Appearances at the Hearing and Submittal of Written Comments**

The public has the opportunity to testify at the hearing. Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, either use the Zoom link above prior to the day of the hearing or download and complete the fillable [hearing appearance form](#) and send it to Emma Cleveland at [Emma.Cleveland@wisconsin.gov](mailto:Emma.Cleveland@wisconsin.gov).

Comments on the proposed scope statement must be received on or before December 18, 2025. Written comments may be submitted by U.S. mail, email, or through the internet and will have the same weight and effect as oral statements presented at the public hearing.

Written comments and any questions on the proposed scope statement should be submitted to:

Department of Natural Resources  
Attn: Emma Cleveland  
Bureau of Air Management (AM/7)  
PO Box 7921, Madison WI 53707-7921

The scope statement is available to review on the DNR's [Proposed Permanent Administrative Rules](#) webpage.

Send email comments to: [DNRAdministrativeRulesComments@wisconsin.gov](mailto:DNRAdministrativeRulesComments@wisconsin.gov)

The scope statement can be reviewed, and comments may be made on the [Wisconsin State Legislature](#) webpage.