

Meeting Summary
Air Management Study Group Meeting

Thursday, November 10, 2022

9:00 am

Renee Bashel, DNR	Nathan Kilger, Bad River Band of Lake Superior
David Beattie, Superior Refinery	Chippewa
Dan Bell, Alliant Energy	Jeremy Luebke, Geosyntec Consultants
Rob Bermke, Georgia-Pacific	Jason Martin, Foth
David Bittrich, TRC Environmental	Kimberly Novak, WRMCA
Philip Bower, DNR	Rita Neff, Manitowoc Public Utilities
Chelsea Chandler, Clean Wisconsin*	Katie Praedel, DNR
Rebecca Clarke, SORA	Brenda Sargent, MGE
Megan Corrado, DNR	Sean Schnepfer, John Deere
Craig Czarnecki, DNR	Cherish Schwenn, WRMCA
Kendra Fisher, DNR	Jasmine Sodemann, Gannett Fleming Inc.
Joe Geiger, Essity Professional Hygiene	Sheri Stach, DNR
Gail Good, DNR	Jim Steineke, The Welch Group
Ashley Gray, DNR	Patrick Stevens, Wisconsin Paper Council*
Bob Greco, WEC Energy Group	Patti Stickney, Short Elliot Hendrickson Inc.
Mark Hammers, SCS Engineers	Troy Stucke, Charter Steel
Rob Harmon, AFNA	Steve Stretchberry, WEC Energy Group
Kristin Hart, DNR	Craig Summerfield, WMC
Curtis Hedman, WI DHS*	Steven Tasch, Trinity Consultants
Maria Hill, DNR	Mark Thimke, Personal Interest
Joe Hoch, Alliant Energy*	Jason Treutel, DNR
Erik Hoven, Dairyland Power Cooperative	Kate Verbeten, Green Bay Metropolitan
Jodi Jensen, Wisconsin Transportation Builders Association	Sewerage District
	Ken Yass, Geosyntec
	James Zumstein, Jefferson County

*AMSG member

Action Items

Next AMSG Meeting. The next study group meeting will be held on **Thursday, March 2** at 9 a.m.

Meeting Summary

Opening remarks and agenda repair

Air Management Program Director Gail Good opened the meeting. Craig ran through Zoom procedures.

Proposed Guidance, rules and legislative update

DNR Guidance

DNR has finalized landfill gas and air emissions guidance for municipal solid waste landfill owners and operators. The guidance was updated to incorporate the new federal air standards and describes what areas are handled by the Waste program vs the Air program. The document was posted for public comment on July 6, 2022. The comment period closed on July 27, 2022. Two comments were received and addressed. The final guidance is now available on the [Air Management policy and guidance webpage](#).

Proposed/Final DNR Rules

NOx RACT – Rule drafting phase. The department drafting and review process of the updated rule language is nearing completion. The next phase for preparing materials for the Economic Impact Analysis will be starting shortly with the notice period expected to occur around February 2023.

Compliance Demonstration Rule (NR-439) - The Natural Resources Board (NRB) approved the scope statement at the September board meeting. The rule is going through stakeholder input and rule drafting. An informational meeting for all stakeholders was held Oct. 24. Additional stakeholder meetings have been scheduled. Outreach is scheduled to be completed by the end of the year and then the rule will move into the Rule Drafting phase. [Link includes the Stakeholder Input Session slides and online submittal option.](#)

Proposed EPA rules/guidance

Accidental Release Prevention Requirements – DNR provided a brief comment on the accidental release and prevention requirements. The comment supported the preventive approach and noted additional costs of implementation to air programs.

Non-Rulemaking Docket – EPA is seeking input as it develops a proposed rule. Docket will close March 7, 2023.

Reconsideration of Fugitive Emissions Rule – EPA extended the time for submitting comments to Feb. 14, 2023. The reconsideration repeals a 2008 rule and affects the way fugitive emissions are included in determining if a project is a major modification under PSD and nonattainment area major NSR regulations.

PM NAAQS rule – Rule shared with OMB for interagency review. EPA intends to sign the rule soon afterward, possibly in the next week or two. DNR plans to hold an informational session a few weeks after it is published in federal register.

Finalized EPA rules/guidance

Determination of Attainment by the Attainment date for the 2015 ozone standard was published on Oct. 7, 2022 with an effective date of Nov. 7, 2022. This final action results in the three ozone nonattainment areas in Wisconsin as well as many others in the nation to change classification from Marginal to Moderate. More details are provided in the Ozone Updates topic.

EPA issued a final rule containing amendments to the Maximum Achievable Control Technology (MACT) for Major Source Industrial, Commercial, and Institutional Boilers and Process Heaters (Boiler MACT). It published on Oct. 6, 2022, with an effective date of Dec. 5, 2022. EPA estimates the rule will reduce particulate matter (a surrogate for metallic hazardous air pollutants) by 586 tons per year and sulfur dioxide by 1,141 tons per year.

Guidance for Ozone and Fine Particulate Matter Permit Modeling was released in July 2022. More details are included under the Modeling Guidance update topic.

Title V and Environmental Justice

EPA created the [Office of Environmental Justice and External Civil Rights \(OEJECR\)](#) on Sept. 24, 2022. The creation of this office elevates EPA's environmental justice work. The office has a commitment to examine and address the disproportionate burden on underserved communities. The creation of this office is a large investment in terms of staffing and resources. More than 200 employees are part of this office at EPA regions across the country and at EPA headquarters.

[EPA's Legal Tools to Advance Environmental Justice page](#) is an updated and expanded compilation of legal authorities available to EPA for identifying and addressing the disproportionate impact of pollution on underserved and overburdened communities.

The DNR is focused on our understanding of the requirements and application, involving both environmental justice and civil rights. There will be more to come from Air Management on this topic and DNR will provide updates at future AMSG meetings.

DERA and Clean School Bus Awards

DERA (Diesel Emissions Reduction Act, 2010) provides funding for various clean diesel grant programs. This includes state grants and federal grants for tribal and insular groups and the national school bus rebate program. Eligible projects are not the same across grant programs, but national and state grants are similar.

Historically, Wisconsin primarily funded school bus projects. In 2019 this was updated to include other nonroad vehicles including transit buses, cargo handling, construction vehicles and nonroad engines.

The application period for approximately \$360,000 in state grant funding opened October 25, 2022. <https://dnr.wi.gov/Aid/CleanDiesel.html>. Applications are due by December 9, 2022. Questions regarding this funding opportunity can be directed to DNRCleanDiesel@wisconsin.gov.

ARS and Emissions Inventory Webinar

Air Management will host a one-hour webinar on Thursday, Dec. 8 to walk through the Air Reporting System (ARS) and highlight the updates (approximately 30 minutes) and answer questions from attendees. This is an opportunity for ARS users to view and learn about the system updates prior to reporting season opening and to ask any initial questions they may have.

[Visit this link](#) to register to attend the webinar. Also, an email invite through Gov Delivery will go out on this webinar to all permitted sources, as well as announcements thru LinkedIn, AirNews, and the Small Business Advisor. If the number of attendees exceeds the allowable limit, a second webinar will be scheduled for the afternoon of Dec. 8. For those unable to attend, the same information will be presented at the January FET meeting.

Expanding E-Services

DNR now has an EPA CROMERR approved-signature process for air permit applications. The process is similar to existing e-signature for compliance certifications and requires the facility's responsible official to obtain a user ID and password through the Switchboard. This initial set up process may take several days so consider signing up early to assure permit applications are not delayed.

E-pay for construction permit fees has also been updated. A section has been added to permit application Form 4530-100 to specify how the application fee will be paid. Fees paid by sending a check with application forms, check can be sent separately, or the applicant can request an invoice allowing for credit/debit card, ACH or e-check payment options.

Federal Funding

Bipartisan Infrastructure Law (BIL)

The EPA received \$5 billion in Bipartisan Infrastructure Law Funding to replace existing school buses with zero-emission and low-emission models. All school districts were eligible to apply, however, EPA created criteria for priority school districts. This included Tribal schools, rural districts and high-need school districts in low-income areas. In September, EPA announced it would double its first year of available funding from \$500 million to almost \$1 billion. Recipients were announced at the end of September.

The Wisconsin awardees include:

- 19 school districts across the state, including two schools serving tribal students
- \$25.8 million for 73 buses
- 64 electric buses, 59 charging stations and 9 propane buses

Inflation Reduction Act (IRA)

Air Management is tracking information on the Inflation Reduction Act (IRA). Currently, there are many unknowns. From what the program has seen, the amount of time for different elements of the Act varies with some going through September 2031. The list of potential recipients is broad ranging and will include EPA, state, local and tribal agencies, nonprofits, manufacturing facilities, port authorities and more.

On Nov. 4, EPA announced opportunities for public engagement on air quality and climate projects addressing clean energy, transportation, methane emissions, and super-pollutants programs funded by the IRA. EPA's engagement strategy for these IRA programs includes requesting public comment; soliciting expert input on program design; launching stakeholder listening sessions; and creating a [one-stop shop for information](#) on program implementation.

EPA's Request for Information (RFI) seeks broad stakeholder feedback and responses to a [range of questions](#) on six non-regulatory dockets. Comments are due Jan. 18, 2023. The RFI and more information on how to comment are available [here](#).

American Rescue Plan (ARP)

There were two different types of funding distributed primarily through the American Rescue Plan for air agencies. The first was a direct award, issued in August 2022 in the amount of \$200,000 for Wisconsin. This funding is already being used for network upgrades to meet state cybersecurity requirements and upgrade existing equipment replacements

The other piece of funding that was made available through ARP (and later partially supplemented by IRA) was the competitive award funding. EPA recently selected 132 projects in 37 states, to receive a total of \$53.4 million to conduct ambient air monitoring of pollutants in communities across the country with environmental and health outcome disparities stemming from pollution and the COVID-19.

Three air monitoring projects in Wisconsin will receive funding through this grant opportunity. DNR will use existing infrastructure and institutional knowledge to do a hyper-local study in the Milwaukee area.

Children's Hospital of Wisconsin will focus on asthma trigger reductions in the same geographic location as the DNR monitoring study in Milwaukee.

The City of Madison will be investigating use of PurpleAir sensors on streetlights to inform local air quality.

Air Management recognized the need to better understand, from an air quality perspective, certain areas of the state where citizens have historically been disproportionately impacted by air pollution.

The Milwaukee Sixteenth Street Health Center and Milwaukee DNR Southeast Region Office will serve as baseline monitors for the larger community-based project

Modeling Guidance Updates

New modeling guidance was released by EPA on July 29, 2022. The guidance applies only to major Prevention of Significant Deterioration (PSD) air quality reviews. The guidance lays out the air quality analysis methodology for precursor pollutants to ozone and fine particulate matter. The guidance does not affect which pollutants are subject to Best Available Control Technology (BACT).

This new guidance could result in additional time for the air quality analysis portion of an application review. If any direct or precursor of PM_{2.5} or ozone emissions results in a significant increase, all components must be considered in the assessment. Two examples:

- Example - if a project is major for Sulfur Dioxide (SO₂), because SO₂ and Nitrogen Dioxide (NO₂) are precursors of PM_{2.5}, direct PM_{2.5} and NO₂ would also need to be modeled.
- Example - If a project is major for Oxides of Nitrogen (NO_x), because NO_x is considered a precursor of both PM_{2.5} and ozone, an analysis for VOC (also a precursor of ozone) as well as SO₂ and PM_{2.5} would be needed.

For PSD projects, the applicant is required to submit the modeling analysis. To help keep projects on schedule, submit protocols for modeling to [John Roth](#) for review prior to running and submitting application to DNR.

PFAS Manuscript

DNR partnered with the Wisconsin State Lab of Hygiene (WSLH) on the publication of an academic journal outlining a 2020 Wisconsin PFAS in Precipitation Study. [Atmospheric transport](#) and processing of per- and polyfluoroalkyl substances (PFAS) leads to deposition and accumulation of these compounds in terrestrial and aquatic ecosystems, however, measurements of PFAS flux and deposition rates remain sparse and underdeveloped.

In 2020, precipitation samples, along with an array of QA/QC samples were collected from eight National Trends Network (NTN) sites across Wisconsin through the National [Atmospheric Deposition](#) Program (NADP). Weekly precipitation samples were analyzed for a suite of 34 PFAS compounds to provide measurements of speciated PFAS concentrations and deposition fluxes in the Upper [Great Lakes Region](#).

Study highlights:

- 89 precipitation samples were collected across Wisconsin and analyzed for 34 PFAS compounds.
- The sums of quantified PFAS concentrations were typical of background levels.
- Differences among regional PFAS compound profiles indicate possible source influences.
- Yearly flux calculations provide first estimates of PFAS wet-deposition rates for Upper Midwest.

The DNR compared the concentrations of PFAS in Wisconsin rainwater to other areas of the U.S., as well as other states and regions surrounding the Great Lakes. PFAS levels were comparatively small compared to all other U.S. studies and indicate an average “background” level of total summed PFAS concentrations at all eight sites.

Average PFOA and PFOS concentrations across all samples were 0.21 ng/L, and 0.12 ng/L respectively.

PFAS concentrations in the collected rainwater samples are far below the DNR’s recommended groundwater standards of 20 ng/L for PFOA and PFOS individually or combined. No single site had statistically higher or lower levels of total PFAS than any other; i.e. all of the sites showed roughly the same levels of summed PFAS concentrations.

Though bulk concentrations were about the same across all sites, the presence of certain PFAS species was noticeably higher at certain sites than at others. PFOA concentrations were significantly higher at the Marinette and Baraboo sites than all other sites, and 6:2 FTSA concentrations were significantly higher at the Marinette site than all other sites.

Complete details of the study and its results have been published through the journal Atmospheric Environment. A link to the abstract can be found here: [PFAS concentrations and deposition in precipitation: An intensive 5-month study at National Atmospheric Deposition Program – National trends sites \(NADP-NTN\) across Wisconsin, USA - ScienceDirect](#)

The journal article is available by email request to Katie.Praedel@wisconsin.gov or via subscription to Atmospheric Environment.

Member Updates

A Wisconsin Paper Council (WPC) representative noted that there are a lot of air regulatory issues affecting mills right now that WPC is closely following, including the transport rule, the risk management plan provisions and fugitive emissions rule. They also asked how the PFAS study might translate into the regulatory structure in the future. DNR responded that the study is strictly research and is not directly linked to any regulatory effort. The goals of the study are to improve understanding of how PFAS behaves in different media and how PFAS in rainwater affects deposition into the Great Lakes.

A utilities representative announced they would be participating in the NR439 listening session on Nov. 16. They are waiting for the final transport rule and interested in the risk management plan provisions and fugitive emissions rule. They are also waiting to hear more from EPA on the methane rule and the GHG rule as well as EPA's proposal on the PM NAAQS.

The Wisconsin Manufacturing and Commerce representative asked for clarification on the PFOS and PFOA slides. He also asked about how rainwater concentrations relate to other water standards. DNR responded that precipitation data is not comparable to drinking water because they are non-regulatory guidelines designed to protect all people from health risks associated with harmful substances relative to drinking water consumption. The study is to increase understanding of how PFAS concentrations in rainwater behave and correlate to surface waters.

The member also asked about when the transport rule will be final.

DNR noted that EPA signed a consent decree to have the rule signed by March 2023 and it is not expected to be finalized before then. Similarly, EPA has an agreement to finalize updated modeling along with a final disapprovals on transport plan submittals in mid-December.

WMC also gave a shout out to the [business friend of the community awardees](#).

The representative from Clean Wisconsin shared a new energy study that is available on a pathway to carbon neutral, net zero economy. Report is available on [Clean Wisconsin's website](#).

Ozone topics

Ozone season concluded at all monitoring sites, off-season maintenance and certification has already begun. Preliminary 2020-2022 design values show monitors in each of the three remaining 2015 ozone nonattainment areas continue to exceed the standard, though 4th high values for 2022 are lower in some cases.

Recent sector and regional source apportionment modeling from the Lake Michigan Air Director's Consortium indicate that:

- Mobile sources make up a growing percentage of ozone precursor emissions 39-45%
- Point sources make up 13-14%
- Wisconsin's share of emissions is 2-5%
- IL/IN combined share of emissions is 39-46%

For this reason, DNR continues to be very engaged on national efforts to control vehicle emissions and to address transport.

Nonattainment areas and permits

2015 ozone nonattainment areas - as of Nov. 7, 2022 the areas are classified as moderate nonattainment for ozone.

Emission Reduction Credits (ERCs) can be used to offset emission increases from projects subject to nonattainment area (NAA) major new source review (NNSR). [DNR's ERC Registry page](#) assists facilities looking for emissions offsets to meet NNSR permitting requirements.

VOC RACT is required for sources covered by EPA's Control Techniques Guidelines (CTGs) in Moderate (and higher) ozone nonattainment areas.

The following new RACT Standards apply to sources located in the ozone nonattainment areas classified as moderate or higher:

- [NR 422.084](#) (Plastic parts coating – part 2) - [Factsheet for ss. NR 422.083 and 422.084 \(AM-466\)](#)
- [NR 422.128](#) (Use of adhesives – part 2)- [Factsheet for ss. NR 422.127 and 422.128 \(AM-409\)](#)
- [NR 422.151](#) (Miscellaneous metal parts and products – part 2) - [Factsheet for ss. NR 422.15 and 422.151 \(AM-456\)](#)

The DNR [Nonattainment area mapping tool](#) is available to determine if the facility is in an area that must meet NOx or VOC RACT in ss. NR 428.22, 422.083, 422.128 or 422.151, Wis. Adm. Code. Reach out to [Kristin Hart](#) where there are questions., The [Small Business Environmental Assistance Program](#) also has resources available.

Trends Report and StoryMap

Air Management released its annual Air Quality trends report in early October. The report includes state monitoring data through 2021 for air pollutants regulated under the federal [Clean Air Act](#), including ground-level ozone, particle pollution, sulfur dioxide, nitrogen dioxide and carbon monoxide. Although concentrations of these pollutants have generally decreased in all regions of the state since monitoring began, Wisconsin faces tough challenges in continued reductions now and into the future. In recent years, the trends report shows that some pollutants have recorded slight increases in concentrations or plateaued reductions.

While trends in ozone concentrations have flatlined in recent years, ozone values have improved substantially since monitoring began in the early 2000s. The Lake Michigan shoreline region has seen a 25% average reduction in ozone concentrations between 2001 and 2021. With these reduced ozone concentrations, the EPA announced in spring 2022 that the eastern half of Kenosha County is meeting the 2008 ozone standard. All Wisconsin ozone monitors are now meeting the 2008 ozone standard.

However, due to ozone transport from areas south of Wisconsin, combined with lakeshore meteorological dynamics, seven lakeshore counties remain in nonattainment for the 2015 standard. As a result, 33% of Wisconsin's population lives in an ozone nonattainment area.

Some report highlights include:

- Reducing sulfur dioxide (SO₂) in an area near Rhinelander by implementing new emission control measures.
- The reduction means the entire state now meets the EPA SO₂ standard.
- Overall, statewide concentrations have decreased by 88% since the early 2000s.

As part of its effort to communicate air quality improvements over time, the DNR released the interactive [2022 Wisconsin Air Quality Trends Storymap](#). Katie Praedel gave a demonstration of the StoryMap, which illustrates Wisconsin's air quality trends for each criteria pollutant over the last 20 years.

AMSG Membership

Gail Good announced a few changes that will be made as a result of discussions with study group members. Changes include a name change to Air Management Advisory Group (AMAG), membership will increase from 14 to 15, will add tribal and foundry representation, and annual discussions will take place on membership with members and AMAG leads. Participants are outlined in the charter and will provide an opportunity to rotate membership and ensure participation and specific representation.

Finalizing representation and memberships will be the next steps. Good will call members regarding participation in the upcoming year. A member co-chair will also be selected to help coordinate the workings of the group.

2023 Priority Topics

- **Emerging federal regulation**
 - Emerging contaminants (PFAS)
 - Federal permit actions
 - Long term planning at the federal level
 - Climate initiatives
 - Environmental justice
- **Ongoing efforts**
 - 2015 ozone NAAQS implementation
 - Ozone transport

- SIP submittals and redesignation requests
- Regional haze
- Rulemaking
- **Opportunities**
 - Transparency in information
 - Goals and vision of DNR
 - Working with other states and organizations

2023 Meeting Dates

Air Management is suggesting a one-month shift in 2023 meeting dates.

The proposed meeting dates for 2023:

- March 2
- June 1
- September 7
- December 7

Specific meeting times and locations will be posted to the [Air Management Study Group webpage](#), under the “Upcoming Meetings” tab.