



Discussion of Potential Rule Approaches

Agriculture Waste Air Emissions Advisory Group

April 7, 2010

Presentation

- Existing rule language in NR 445, Wis. Adm. Code
- New section in NR 445, Wis. Adm. Code
- New chapter in NR 400 series
- Rule Development
- Permits

Existing Language in NR 445

- Background
 - Applicability thresholds and standards for hazardous air pollutants
 - Regulates both carcinogens and non-carcinogens
 - Preventive in nature
 - Identifies endpoint, provides flexibility in how compliance is achieved

Existing Language in NR 445

- Current Status
 - Hydrogen sulfide & ammonia are primary hazardous air pollutants associated with agricultural waste
 - Emissions from agricultural waste are exempt from meeting standards until July 31, 2011
 - Sources of emissions after July 31, 2011 would be required to demonstrate compliance with emission standards in Table A if over table thresholds

Existing Language in NR 445

- Current Status (cont.) – Table A
 - Hydrogen sulfide:
 - Threshold - 0.749 lbs/hr
 - Standard (24 hr ave) - 418 micrograms/meter³
 - Threshold - 17,769 lbs/yr
 - Standard (annual) -100 micrograms/meter³
 - Ammonia:
 - Threshold - 0.935 lbs/hr
 - Standard (24 hr ave) - 335 micrograms/meter³
 - Alternative means of compliance:
 - Best management practices as approved by the department

New Section in NR 445

- Concept
 - Move all language related to emissions from agricultural sources into a stand alone section within NR 445
 - Create new language to allow compliance alternatives not currently listed in rule
- Potential Advantages
 - Schedules, standards and compliance language in one place
 - Allows use of existing regulatory framework in NR 445 where appropriate

New Chapter in NR 400 Series

- Concept
 - Move all language related to emissions and permitting for agricultural sources into a new chapter
 - Create new language to allow compliance alternatives not currently listed in rule
- Potential Advantages
 - Schedules, standards, compliance and permitting language in one place
 - Makes future changes to air regulation for agricultural sources easier to make and understand

Rule Development

- Anticipate changes will need to be made to current language
- Any change will follow existing rule development procedures allowing for full public participation
 - Proposal
 - Public hearings
 - Public comment

Permits - Construction & Operation

- Exemptions:
 - Specific (based on type of operation)
 - General (based on emissions)
- Types:
 - Registration (standard permit for sources with low annual emissions)
 - General (standard permit for specific industry or process)
 - Source specific (individual permit for significant sources of emissions)

Take Home Message

- Existing regulatory language
 - can provide a framework for future requirements
 - is not the only alternative that can be considered
- Rule development is not part of advisory group's charge
- Any/all changes to existing requirements will go through full public process

Contact Information

- Andrew Stewart, Chief
Permits & Stationary Source Modeling Section
608.266.6876
andrew.stewart@wisconsin.gov
- Jeff Myers, Toxicologist
Environmental Analysis & Outreach Section
608.266.2879
jeff.myers@wisconsin.gov