

94-DAA-263-
DP



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, District Director

Southeast District Headquarters
2300 N. Dr. ML King, Jr. Drive, Box 12436
Milwaukee, WI 53212-0436
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March 11, 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FILE CODE: 4530-1
FID# 268011370

Paul Neylon
Vice President
Briggs & Stratton Corp.
W156 N9000 Pilgrim Road
Menomonee Falls, WI 53051-9002

Dear Mr. Neylon:

Your application for a air pollution control operation permit has been processed in accordance with s. 144.392, Stats.

The enclosed permit is issued to provide authorization for your source to operate parts washing equipment in accordance with the requirements and conditions set forth within Parts I and II of the permit. Please read it carefully. This permit expires 60 months after the day this permit is issued.

A copy of this permit should be available at the source for inspection by any authorized representative of the Department. Questions about this permit should be directed to the Southeast District Air Program, 2300 North Martin Luther King, Jr. Drive, P.O. Box 12436, Milwaukee, WI 53212, phone (414) 263-8535.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statues establish time periods within which requests to review Department decisions must be filed.

To request a contested case hearing pursuant to s. 144.403, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for a contested case hearing on the Secretary of the Department of Natural Resources. Any such petition for hearing shall set forth specifically the issue sought to be reviewed, the interest of the petitioner, the reasons why a hearing is warranted and the relief desired.

*Quality Natural Resources Management
Through Excellent Customer Service*



For judicial review of a decision pursuant to ss. 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

This notice is provided pursuant to s. 227.48(2), Stats.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

Gerald Bevington

Gerald Bevington
Construction Permit Section Supervisor
Southeast District Office

Enclosure

cc: Air Enforcement Branch - EPA, Region V
D. Johnston-AM/7

DA/flc

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BEFORE THE DEPARTMENT OF NATURAL RESOURCES
AIR MANAGEMENT PROGRAM
FINDINGS OF FACT
CONCLUSIONS OF LAW
AND DECISION

Findings of Fact

The Department of Natural Resources (DNR) finds that:

- 1) Briggs & Stratton Corporation, W156 N9000 Pilgrim Road, Menomonee Falls, Wisconsin, has applied for an air pollution control operation permit. The authorized representative of the facility is Paul Neylon, Vice President.
- 2) Briggs & Stratton Corporation submitted an air pollution control permit application and plans and specifications and any additional information describing the air pollution source on August 22, 1994, October 4, 1995, November 1, 1995, November 8, 1995, and November 30, 1995.
- 3) DNR has reviewed Briggs & Stratton Corporation's air permit application, plans, specifications and other information available to DNR.
- 4) DNR has prepared a analysis and a Preliminary Determination on the approvability of the permit application.
- 5) This permit is for the elective operation of an air pollution source.
- 6) DNR has complied with the procedures set forth in s. 144.392, Stats.
- 7) The proposed air pollution source meets all of the applicable criteria in s. 144.393, Stats.
- 8) DNR has complied with the requirements of s. 1.11, Stats., and ch. NR 150, Wis. Adm. Code.

Conclusions of Law

DNR concludes that:

- 1) DNR has authority under s. 144.31(1)(a), Stats., to promulgate rules contained in chs. NR 400-499, Wis. Adm. Code, including but not limited to rules containing emission limits, compliance schedules and compliance determination methods.
- 2) DNR has the authority under ss. 144.31(1)(a), (e), and (f), 144.375 (4) and (5) and 144.394, Stats., and chs. NR 400-499, Wis. Adm. Code, to establish emission limits for source of air pollution.

- 3) DNR has the authority to issue air pollution control permits and to include conditions in such permits under ss. 144.391, 144.392, 144.393 and 144.394, Stats.
- 4) The emission limits included in this permit are authorized by ss. 144.394, Stats., and chs. NR 400-499, Wis. Adm. Code.
- 5) DNR is required to comply with s. 1.11, Stat., and ch. NR 150, Wis. Adm. Code, in conjunction with issuing an air pollution control permit.

Decision

Briggs & Stratton Corporation is authorized to operate parts washing equipment as described in plans and specifications dated August 22, 1994, October 4, 1995, November 1, 1995, November 8, 1995, November 30, 1995, and in conformity with the emission limits, monitoring, recordkeeping and reporting requirements and specific and general conditions set forth in this permit.

AIR POLLUTION CONTROL OPERATION PERMIT

EI FACILITY NO. 268011370

PERMIT NO. 94-DAA-263-OP

STACK NO.(S). S90

SOURCE NO.(S). P90

THIS OPERATION PERMIT EXPIRES 60 MONTHS FROM THE DATE OF ISSUANCE.

In compliance with the provisions of Chapter 144, Wis. Stats., and Chapters NR 400 to NR 499, Wis. Adm. Code,

Name of Source: Briggs & Stratton Corporation

Street Address: W156 N9000 Pilgrim Road
Menomonee Falls, Wisconsin

Responsible Official & Title: Paul Neylon, Vice President

is authorized to operate parts washing equipment described in the plans and specifications dated August 22, 1994, October 4, 1995, November 1, 1995, November 8, 1995, November 30, 1995, and in conformity with the conditions herein.

The authorization requires compliance by the permit holder with the emission limitations, monitoring requirements and other terms and conditions set forth in Parts I and II hereof.

Dated at Milwaukee, Wisconsin this 11 day of March, 1995.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By Gerald Bevington
Gerald Bevington, Supervisor
Air Management Program

PART I

APPLICABLE LIMITATIONS

Specific Conditions For Metal Washing Equipment

1. Briggs & Stratton Corp. shall use metal parts cleaning solutions in the water-based parts washers which contain no more than 166 pounds of volatile organic compounds (VOC) each month. Compliance with this requirement shall be determined on the basis of average monthly VOC content of cleaning solutions over any twelve consecutive months. Briggs & Stratton Corp. shall maintain written records to demonstrate compliance with this condition. The records must contain at minimum: the actual VOC content of each material used, the amount of each material used each month, and the total amount of VOC contained in all materials used each month. The compliance demonstration records shall be kept for at least five years and be made available to the Department upon request. Ref. Sec. 144.394 (7), Wis. Stats., Sec. NR439.04 & .05, Wis. Adm. Code, NR407.09 (1) (c) 2., Wis. Adm. Code.
2. The Department certifies a VOC emission reduction of 23 tons as a result of the removal of solvent based metal parts cleaning equipment and its replacement by water based parts cleaning equipment and continued compliance with the provisions of this elective operating permit. Quantification and use of this emission reduction is subject to applicable state and federal requirements and to subsequent rule development by the Department.
3. With the exception of Department 765 (Grinders), all cold cleaning dip tanks at the Menomonee Falls facility shall be used exclusively for activities that are associated with the maintenance and cleaning of machine parts or tools, and for activities relating to periodic quality assurance and inspection of manufactured parts. In addition to the aforementioned activities, those tanks used in conjunction with Department 765 (Grinders) shall be used for batch-wise cleaning of parts that are manufactured or processed only by that Department. (This condition was elected by Briggs & Stratton Corp., to assure that parts from manufacturing operations cleaned in the solvent based parts washers before the replacement of that equipment would not be transferred to the existing cold cleaners.)
Ref. Sec. 144.394(7), Wis. Stats.
4. Briggs & Stratton Corp. shall submit compliance monitoring reports beginning on March 1, 1997 and every six months thereafter. Each report shall cover the period from January 1 to June 30 or July 1 to December 31.
Ref. Sec. NR439.03(1)(b), Wis. Adm. Code.
5. Briggs & Stratton Corp. shall submit compliance certification reports beginning March 1, 1997 and every twelve months thereafter. Each report shall cover the period from January 1 to December 31 of the previous year.
Ref. Sec. NR439.03(1)(c), Wis. Adm. Code.