

ORDER OF THE STATE OF WISCONSIN  
NATURAL RESOURCES BOARD REPEALING, RENUMBERING,  
RENUMBERING AND AMENDING, AMENDING AND CREATING RULES

The Wisconsin Natural Resources Board adopts an order to **repeal** NR 400.02(61m), 405.02(5), 405.04(3), 415.09(1)(a) to (e), 417.06(3), 417.07(6)(a)1. to 5. and (b) to (d) and (9), 418.025(2)(intro.) and (a) to (e), 418.03(2)(intro.) and (a) to (e), 418.04(2)(a) to (e), 418.05(2), (3)(a) to (e), 418.06(2)(b) to (e), 418.07(2)(intro.) and (a) to (e), 421.04(4), 422.05(3), 422.09(2)(c), (3)(a), (c), (e), (f) and (h) and (4)(a), (c) and (e), 423.03(6)(b)1. to 5., 424.03(2)(b)1. and 2., 425.03(2)(a)1. to 5. and (b), (3)(a)1. to 7., (c)2., (d)1. to 4., (e)1. to 6. and (f), (4)(a)1. to 5. and (b), (5)(a)1. to 4., (b) and (c) and (6)(b)1. to 3., 439.095(2)(a) and (b), 447.02(4), 484.03(5) and (6), 484.11(1)(c), 485.045(1)(a), 488.06(1)(d) Note and 493.02(2); to **renumber** NR 400.02(100)(u), 411.02(6) and Note, 418.06(2)(f), 419.02(1m), (1p), (1s), (1t), (1u), (2), (3), (3c), (3e), (3m), (4), (6), (6m) and (7), 420.02(28), 421.02(2e) to (13), 422.02(1e) to (6), (7m) to (11m), (12d) to (33j), (34) to (47e), (48) to (52) and 499.07(2)(a) to (m); to **renumber and amend** NR 417.07(6)(a)(intro.), 418.025(2)(f), 418.03(2)(f), 418.07(2)(f), 419.02(8), 422.02(7), (12), (33m) and (47m), 424.03(2)(b)(intro.), 425.03(2)(a)(intro.), (4)(a)(intro.) and (5)(a)(intro.) and 499.07(2)(n)(intro.); to **amend** NR 30.03(2)(f), 30.04(2)(f), 400 Note, 400.02(41), (77), (79), (90) and (100)(t), 400.03(2), 401.04, 404.04(2)(a)1. and 2. and (6), 404.06(1)(a) and (4)(b), 405.01(2) Note, 405.02(1)(d), (2)(intro.), (3)(intro.) and (a), (4)(a)(intro.), 1. and 2. and (b)1. and 2., (7), (12), (21)(intro.), (b)3. and 5.a. and b., 6. and 8.a., (22)(a)1. and 2., (24)(d), (25g)(b) and (d), (25m)(a) and (c), (25s)(intro.) and (a), (27)(c) and (28), 405.04(1)(a) and (e), (4)(intro.) and (a), 405.05(1), (4)(intro.), (5) and (6), 405.07(3), (4)(intro.) and (b)27. and (5), 405.08(3), 405.10(4), 405.14(1), (2) and (4) 405.15(2)(d), 406.04(1)(intro.), (g), (h), (j) and (2)(intro.), (c), (f)3m., (h) and (i), (4)(a)6., 406.11(1)(f), 407.03(1)(g), (h), (o), (2)(b) and (4), 407.05(4)(c)1. and Table 2 footnote 8, 407.09(4)(a)3.c., 408.02(4), (20)(e)5.a. and b. and (21)(intro.), 409.02(76)(intro.), 409.06(8)(d), 415.02(5), 415.04(1)(b), (2)(a)(intro.), (b)(intro.) and (c)(intro.), (3)(a) and (4)(b), 415.05(2), 415.07(1)(a)(intro.), (b)(intro.) and 2., 415.075(2)(a)5., 415.08(1), 415.09(1)(intro.) and (3), 417.01(1), 417.02(intro.), 417.06(1) and (2), 417.07(7)(a)(intro.) and 1. to 3., 418.01(1), 418.04(1)(a)2. and (2)(intro.), 418.05(3)(intro.) and (4)(intro.), 418.06(2)(intro.), 419.02(intro.), 420.02(intro.), 420.03(1)(b), 420.035(2)(b) and (3)(c), 420.04(2)(a)(intro.) and 2., 420.045(1)(a), (b)(title), (c), (d)1.(intro.) and (e) and (10)(intro.), 421.02(intro.), 421.05(2)(a)(intro.), (2)(e)1. and 2., 421.06(2)(e)1. and 2., 422.03(intro.), (2), (3), (4), (4m)(b) and (c) and (5)(intro.), 422.04(1)(a), (2)(intro.) and (3)(b)(intro.), 422.132(1)(intro.) and (2)(b), 422.14(2)(c)(intro.), 423.02(intro.), 423.03(4)(intro.) and (m), (5)(intro.), (6)(a)(intro.) and (b)(intro.) and (9), 424.03(1)(a)3. and 4., 425.03(3)(a)(intro.), (b), (d)(intro.), (e)(intro.), (6)(b)(intro.), (7)(e), (7m)(intro.) and (a) and (8), 425.035(2)(f) and (3)(a)3. Note, 425.04(1)(b), 426.04, 429.02(intro.) and (1), 436.02(intro.), 436.05(2)(b) and (5), 438.03(1)(b) and Table 1, 439.03(1)(c) and (4)(a)(intro.), 439.075(2)(a)(intro.) and 4., 439.095(2)(intro.), 445.01(1), 445.02(intro.), (2) and (6), 445.04(3)(c)6., (4r)(a)Note and (b)4., (6)(a)(intro.), (b)4. and Tables 2, 3 and 5, 445.05(3)(a) and (c)7., (4r)(b)4. and (6)(bm)4.(intro.), (c) and (e), 447.02(intro.), (16) and (18) Note, 447.07(3)(a) and (d)(intro.), 447.12(3)(b) Note, 447.16(2) 447.18(1) Note, 448.02(intro.), 448.04(2), 449.02(intro.), 449.09(6)(a)3. and 4., (d)2. and (e)1.(intro.), 449.12(3)(a) and (b)5., 484.04(18), 484.05(3), 484.11(1)(a), 488.02(2) Note, 488.03(3)(b) Note, 488.04(3) Note, 488.08, 488.11(1)(b), 493.02(intro.), 493.04(2) and (3), 499.06(2)(intro.), (e) and (g) and 499.07(2)(intro.); and to **create** NR 400.02(53s) Note, (100)(u) and (v), 405.02(21m), (22m), 406.04(7), 419.02(10), 421.05(2)(e)3., 421.06(2)(e)3., 422.03(7), 424.03(2)(c), 425.03(14), 436.05(2)(bm) and 484.04(18m) relating to clarification and cleanup changes in NR 30 and throughout the NR 400 series.

AM-9-95

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 144.31(1)(a), 144.391(6) and 227.11(2)(a), Stats.

Statutes interpreted: s. 144.31(1)(f), Stats. The State Implementation Plan developed under that provision is revised.

These rule changes affect Wisconsin's existing environmental protection air pollution control rules. Changes affecting most elements of the air pollution control program are made, including; definition of terms, permitting, compliance schedules, emission testing, emission limitations, emission monitoring and incorporation by reference. These changes also affect diverse source categories and pollutants. However, these changes are of a cleanup nature, and are intended to correct errors in content or style, or to improve consistency or clarify existing policy or procedures.

The consent of the Attorney General and the Revisor of Statutes will be sought for the incorporation by reference of two appendicies in Title 40 of the Code of Federal Regulations containing test methods and the incorporation by reference of a previously approved document from the American Conference of Governmental Industrial Hygienists for two additional citations.

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SECTION 185. NR 499.06(2)(intro.), (e) and (g) are amended to read:

NR 499.06(2)(intro.) A shift operator's duties and responsibilities include, but are not limited to, all of the following:

(e) Communicating the operational status of the facility with the relieving shift operator at shift turnover; and

(g) For facilities without pollution control devices that do not require a chief facility operator, ~~the shift operator shall perform~~ performing the duties and responsibilities in sub. (1).

SECTION 186. NR 499.07(2)(intro.) is amended to read:

NR 499.07(2) TRAINING PROGRAM REQUIREMENTS. Training programs shall meet the requirements of this section and be approved by the department under s. NR 499.08. Training programs shall include, at a minimum, 24 hours of instruction for shift operators and an additional 8 hours of instruction for chief facility operators. ~~Training programs for operators shall include, at a minimum, instruction on the following subjects:~~

(a) Training programs for shift operators shall include, at a minimum, instruction on the following

subjects:

SECTION 187. NR 499.07(2)(a) to (m) are renumbered 499.07(2)(a)1. to 13.

SECTION 188. NR 499.07(2)(n)(intro.) is renumbered 499.07(2)(b)(intro.) and amended to read:

NR 499.07(2)(b)(intro.) In addition to covering the subjects in par. (a), training programs for chief facility operators shall include instruction on the following subjects:

SECTION 189. CROSS-REFERENCE CHANGES. In the sections of the code listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C.

A Code section	B Old Cross-Reference	C New Cross-Reference
NR 404.02(4m)	ch. NR 484 (1st ref.)	s. NR 484.04
NR 404.02(4m)	ch. NR 484 (2nd ref.)	s. NR 484.03
NR 404.02(8)	ch. NR 484	s. NR 484.04
NR 404.02(11)	ch. NR 484	s. NR 484.04
NR 404.04(5)	ch. NR 484	s. NR 484.04
NR 404.04(8)(b)3.	ch. NR 484	s. NR 484.04
NR 404.06(2)	ch. NR 484	s. NR 484.04
NR 404.06(3)(b)	ch. NR 484	s. NR 484.03
NR 405.02(8)	ch. NR 484	s. NR 484.05
NR 405.11(1)(e)	ch. NR 484	s. NR 484.04
NR 405.11(3)	ch. NR 484	s. NR 484.04
NR 406.02(3)	ch. NR 484	s. NR 484.05
NR 408.02(5)	ch. NR 484	s. NR 484.05
NR 410.02(4)	ch. NR 484	s. NR 484.05
NR 415.07(2)(a)4.	ch. NR 484	s. NR 484.11
NR 415.075(3)(c)	ch. NR 484	s. NR 484.04
NR 421.02(2e)	ch. NR 484	s. NR 484.05
NR 421.02(11e)	ch. NR 484	s. NR 484.05
NR 421.02(12m)	ch. NR 484	s. NR 484.04
NR 421.04(3)(c)1.	ch. NR 484	s. NR 484.11
NR 421.04(3)(c)2.	ch. NR 484	s. NR 484.05
NR 421.05(2)(e)	ch. NR 484	s. NR 484.04
NR 421.06(2)(e)	ch. NR 484	s. NR 484.04
NR 422.02(21m)	ch. NR 484	s. NR 484.11
NR 422.15(1)(intro.)	ch. NR 484	s. NR 484.05
NR 445.02(9m)	ch. NR 484	s. NR 484.04
NR 445.04(1)(a)1.	ch. NR 484	s. NR 484.11
NR 445.04(1)(a)2.	ch. NR 484	s. NR 484.11
NR 445.04(1)(b)	ch. NR 484	s. NR 484.11
NR 445.04(2)(a)	ch. NR 484	s. NR 484.11
NR 445.04(2)(b)	ch. NR 484	s. NR 484.11
NR 445.04(4)(a)1.	ch. NR 484	s. NR 484.11

NR 445.04(4)(a)2.	ch. NR 484	s. NR 484.11
NR 445.04(4)(b)	ch. NR 484	s. NR 484.11
NR 445.05(1)(a)1.	ch. NR 484	s. NR 484.11
NR 445.05(1)(a)2.	ch. NR 484	s. NR 484.11
NR 445.05(1)(b)	ch. NR 484	s. NR 484.11
NR 445.05(2)(a)	ch. NR 484	s. NR 484.11
NR 445.05(2)(b)	ch. NR 484	s. NR 484.11
NR 445.05(4)(a)1.	ch. NR 484	s. NR 484.11
NR 445.05(4)(a)2.	ch. NR 484	s. NR 484.11
NR 445.05(4)(b)	ch. NR 484	s. NR 484.11
NR 445.06(4)	ch. NR 484	s. NR 484.11
NR 446.02(10m)	ch. NR 484	s. NR 484.04
NR 447.02(1)(a)	ch. NR 484	s. NR 484.04
NR 447.02(27)	ch. NR 484	s. NR 484.04
NR 447.02(36)	ch. NR 484	s. NR 484.04
NR 447.04(2)(c)	ch. NR 484	s. NR 484.06
NR 447.09(1)(a)	ch. NR 484	s. NR 484.04
NR 447.12(4)(a)2.	ch. NR 484	s. NR 484.03
NR 447.13(1)(a)4.	ch. NR 484	s. NR 484.03
NR 447.14(2)(a)2.	ch. NR 484	s. NR 484.03
NR 447.15(1)(a)1.	ch. NR 484	s. NR 484.10
NR 447.17(2)(a)2.	ch. NR 484	s. NR 484.03
NR 448.04(4)(a)1.	ch. NR 484	s. NR 484.04
NR 448.04(4)(a)2.	ch. NR 484	s. NR 484.04
NR 449.07(2)(h)3. a.	ch. NR 484	s. NR 484.04
NR 449.07(2)(h)3. b.	ch. NR 484	s. NR 484.04
NR 449.07(3)	ch. NR 484	s. NR 484.04
NR 449.09(6)(intro.)	ch. NR 484	s. NR 484.04
NR 449.09(6)(a)(intro.)	ch. NR 484	s. NR 484.04
NR 449.09(6)(b)	ch. NR 484	s. NR 484.04
NR 449.09(6)(c)(intro.)	ch. NR 484	s. NR 484.04
NR 449.09(6)(d)1.	ch. NR 484	s. NR 484.04
NR 449.10(3)(a)	ch. NR 484	s. NR 484.04
NR 449.10(3)(b)	ch. NR 484	s. NR 484.04
NR 449.12(3)(intro.)	ch. NR 484	s. NR 484.04
NR 449.12(3)(b)(intro.)	ch. NR 484	s. NR 484.04

**SECTION 190. TERMINOLOGY CHANGES.**

Wherever the term "appendix A of subpart F" appears in the following sections of the code, the term "Appendix A to Subpart F" is substituted: NR 447.02(1)(a) and (b), (16), (27) and (36) and 447.09(1)(a) and (b).

Wherever the term "BTU" or "btu" appears in the following sections of the code, the term "Btu" is substituted: NR 408.02(21)(e)7. and 8., 417.07(2)(a) to (d), (g)1. and 2., (3)(a) and (b), (e)1. and 2., (5)(c) and (g), 418.03(1)(a), (b)(intro.), 1., 2.a. to c., 418.05(1)(c)1. and 2., (d)1. to 3., (e)1. and 2., (f)1., (g)1., (4)(a) and (b), 418.06(1)(a) and (b), 418.07(1)(a)1. and 2., 418.08(1)(a)1. and 2., 438.04(3)(e)7. and 440.686(6)(e).

Wherever the term "CFC Program" appears in the following sections of the code, the term "NR 488 Program" is substituted: NR 488.05(1)(b) Note, 488.07(2) Note, 488.09(2) Note and (3) Note and 488.10(1) Note.

Wherever the term "record keeping" appears in the following sections of the code, the term "recordkeeping" is substituted: NR 447.01(2), 447.03(2)(b)2., 447.05(2)(c)2., 447.08(8) and 447.10(2)(c)2.

Wherever the term "start-up" appears in the following sections of the code, the term "startup" is substituted: NR 447.16(1)(intro.) and 447.18(2)(intro.), (3)(a) and (b), (4)(a)(intro.), (6)(a) and (8).