

construction and operation permit application as required by the conditions of I.A.5.a. and the following conditions are met: (s. 299.80(2)(h) and (4)(b), Wis. Stats.)

(a) The permittee shall submit two copies of the following information to the Department of Natural Resources, La Crosse Area Office, 3550 Mormon Coulee Road, Room 104, La Crosse, WI, 54601 or other location specified by the Department, 14 calendar days prior to the date of initial operation:

(i) Information identifying all applicable requirements from the Wisconsin Statutes, Wisconsin Administrative Code, and the Act for the proposed equipment;

(ii) A quantification of the air pollution emissions that would result from the proposed project;

(iii) A computer dispersion modeling analysis showing the National Ambient Air Quality Standards will be protected if the proposed project results in an increase in potential particulate matter, sulfur dioxide, nitrogen oxide, and/or carbon monoxide emissions.

(iv) A computer dispersion modeling analysis showing the Acceptable Ambient Concentrations will be protected if the proposed project results in an increase in emissions of any hazardous air pollutant listed in ch. NR 445, Wis. Adm. Code so that the resulting facility total emissions of the hazardous air pollutant are above the corresponding Table Value(s) OR results in the emission of any hazardous air pollutant listed in ch. NR 445, Wis. Adm. Code that was not previously emitted, at a rate greater than its corresponding Table Value(s); and

(v) An analysis showing the proposed project will not cause the total facility wide potential emissions of particulate matter, sulfur dioxide, nitrogen oxides or carbon monoxide to exceed 100 tons per year. Any proposed new or relocated source that will result in the facility wide potential emissions of any one of these pollutants exceeding 100 tons per year is not eligible for this waiver. If the facility wide potential emissions of any one of the pollutants would be greater than 100 tons per year as the result of a proposed project, the permittee shall comply with the construction permit requirements outlined in ch. NR 406, Wis. Adm. Code and the significant operation permit revision requirements of s. NR 407.13, Wis. Adm. Code.³ (ss. 299.80(10) and (11)(b), Wis. Stats.)

³ This requirement is necessary because if the potential emissions of particulate matter, sulfur dioxide, nitrogen oxide or carbon monoxide emissions exceed 100 tons, the facility would be

(b) The Department has 14 calendar days from the date that all the information outlined in (a) is received to request additional information or object to the proposed project. If the Department requests additional information during the original 14 calendar day period the Department shall have an additional 7 calendar days from the date of receipt of the information to request additional information or object to the proposed project. Under no scenario shall the Department have less than 14 days to review original submittal. If the Department does not respond within 14 calendar days from the date that all the information outlined in (a) is submitted, or within 7 days from the date that any additional information requested by the Department is submitted, whichever is later, the permittee may commence initial operation of the proposed equipment. The Department may provide written approval to commence initial operation of the proposed equipment prior to the end of the 14 calendar day period. If this is the case the permittee may commence initial operation upon receipt of this written approval. (ss. 299.80(2)(h) and (11)(b), Wis. Stats.)

(3) *Alternate Scenario #3:* The permittee may initially operate new process equipment prior to obtaining a construction permit provided the permittee submits a complete construction and operation permit application as required by the conditions of I.A.5.a. and the following conditions are met: (s. 299.80(2)(h) and (4)(b), Wis. Stats.)

(a) The Department provides written approval to commence initial operation of the proposed equipment. This written approval shall only be provided after the Department completes an air quality dispersion modeling analysis to ensure that the national ambient air quality standards and acceptable ambient concentrations will be protected while the proposed equipment is operating; (s. NR 406.09, Wis. Adm. Code)

(b) The permittee shall comply with any specific conditions included in the Department's written approval to commence initial operation;

(4) The permittee shall continue to comply with all the requirements of Part I.A. of this permit so long as the

considered a major source for Part 70 purposes and would be required to obtain either a Part 70 source permit or a synthetic minor, non-Part 70 source permit containing conditions that limit the potential emissions of all criteria pollutants to less than 100 tons per year.

cooperative agreement is in affect.⁴ (s. 299.80(2)(h) and (4)(b), Wis. Stats.)

(5) Nothing in this section or in any Cooperative Agreement between the Department and the permittee shall be construed as a guarantee that the Department will issue an air pollution control construction and operation permit for a proposed project. The decision on whether to approve a permit application will be made according to the requirements of chapters NR 400 through NR 499, Wis. Adm. Code and s. 285.60 through 285.69, Wis. Stats. If the Department denies a permit application pursuant to ss 285.61 through 285.64, Wis. Stats. all costs and risks associated with installing and operating the proposed equipment shall be incurred solely by the permittee. In the event that the construction and operation permit application for the proposed project is denied, the permittee shall cease construction and/or operation of the equipment in question immediately.

2. Item: (*Sparta Only—Processes P32, P33, P56, P42, and P44*) Waiver from the requirements for Processes P32, P33, P56, P42 and P44 at the Sparta facility to comply with the reasonable available control technology (RACT) requirements for controlling volatile organic compound emissions. *Previous Requirements Superseded by this Agreement (source of the requirement):*

(1) *3 Roll Coating Machines P32:* Requirement to limit volatile organic compound emissions from a miscellaneous metal parts or products coating line using baked or specially cured coating technology to not more

⁴ By continuing to comply with the facility-wide emission limitations outlined in Part I.A., the net emissions increase from any new sources or relocation of any existing sources from other facilities will not exceed the major stationary source levels of s. NR 405.02(22)(a), Wis. Adm. Code triggering Prevention of Significant Deterioration (PSD) Requirements. The existing facility potential emissions of all criteria pollutants are less than 250 tons per year and the facility is not included in the source categories listed in s. NR 405.07(4), Wis. Adm. Code, therefore the existing facility is a synthetic minor source for PSD purposes. Note: This facility is not located in an area designated nonattainment. Also, by continuing to comply with the facility wide emissions limitations, the potential emissions increase from any new sources or relocated existing sources will not exceed 100 tons per year after controls for any criteria pollutant. Therefore none of the changes will be considered a Type II action requiring an environmental assessment. Finally, by continuing to comply with the facility wide emission limitations, the facility would not become a major source for Part 70 purposes for either volatile organic compound or hazardous air pollutant emissions. Requirement I.A.5.a.(1)(g) of this permit requires that any changes that result in potential facility wide emissions of particulate matter, sulfur dioxide, nitrogen oxide or carbon monoxide emissions exceeding 100 tons per year follow permit issuance requirements of chapters NR 406 and NR 407, Wis. Adm. Code.