

ENVIRONMENTAL ANALYSIS AND DECISION ON THE NEED  
FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS)

Form 1600-1

Rev. 6-2010

Department of Natural Resources (DNR)

Region or Bureau

Type List Designation

**NOTE TO REVIEWERS:** This document is a DNR environmental analysis that evaluates probable environmental effects and decides on the need for an EIS. The attached analysis includes a description of the proposal and the affected environment. The DNR has reviewed the attachments and, upon certification, accepts responsibility for their scope and content to fulfill requirements in s. NR 150.22, Wis. Adm. Code. Your comments should address completeness, accuracy or the EIS decision. For your comments to be considered, they must be received by the contact person before 4:30 p.m., Insert Date.

Contact Person:

Title:

Address:

Telephone Number

Applicant: Cummins Emission Solutions

Address: 1801 US HWY 51-138

Title of Proposal: Air Permit Application

Location: County: Dane City/Town/Village: Stoughton

Township Range Section(s): T5N, R11E, S7

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**PROJECT SUMMARY**

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1. Brief overview of the proposal including the DNR action (include cost and funding source if public funds involved)

Air permitting of potential emissions resulting from internal combustion engine operations, filtration media testing and associated ancillary activities conducted at Cummins Emissions Solutions 1801 US HWY 51-138, Stoughton, Wisconsin.

2. Purpose and Need (include history and background as appropriate)

Cummins Emission Solutions manufactures emission after-treatment equipment for internal combustion engine applications. Engines are operated within test cells at the Stoughton, Wisconsin facility to assess the efficacy of developmental application equipment. As maximum theoretical emissions exceed air pollution control construction & operation permit thresholds, Cummins Emission Solutions is required to obtain a permit from the WDNR for its operations.

3. Authorities and Approvals (list local, state and federal permits or approvals required)

City of Stoughton Conditional Use Permit and WDNR Air Pollution Control Construction & Operation Permit.

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**PROPOSED PHYSICAL CHANGES (more fully describe the proposal)**

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4. Manipulation of Terrestrial Resources (include relevant quantities - sq. ft., cu. yard, etc.)

None

5. Manipulation of Aquatic Resources (include relevant quantities - cfs, acre feet, MGD, etc.)

None

6. Buildings, Treatment Units, Roads and Other Structures (include size of facilities, road miles, etc.)

No additional structures beyond those currently existing are required except for the construction and operation of one (1) new 75 foot AGL exhaust stack and three (3) new evaporative cooling towers of approximately 17 feet in height.

7. Emissions and Discharges (include relevant characteristics and quantities)

8. Other Changes

9. Identify the maps, plans and other descriptive material attached

Attachment Yes County map showing the general area of the project

Attachment USGS topographic map

Attachment Yes Site development plan

Attachment Plat map

Attachment DNR county wetlands map

Attachment Yes Zoning map

Attachment Other - Describe:

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AFFECTED ENVIRONMENT (describe existing features that may be affected by proposal)

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10. Information Based On (check all that apply):

Literature/correspondence (specify major sources)

No existing features will be modified except for the construction of the cooling tower and new exhaust stack at the Cummins Facility.

Personal Contacts (list in item 26)

Field Analysis By:  Author  Other (list in item 26)

Past Experience With Site By:  Other (list in item 26)

11. Physical Environment (topography, soils, water, air)

Cummins Stoughton Facility is located on the south side of Hwy 51/138 on the southwest side of the City of Stoughton. The area is relatively flat with adjacent commercial, transportation and residential development. Air quality levels are in attainment for all pollutants.

12. Biological Environment (dominant aquatic and terrestrial plant and animal species and habitats including threatened/endangered resources; wetland amounts, types and hydraulic value)

None

13. Cultural Environment

a. Land use (dominant features and uses including zoning if applicable)

Land use adjacent and in the vicinity of the facility is commercial, and residential. Hwy 51/138 is developed on both sides and dominated by commercial enterprises. The land use in the vicinity of Hwy 51/138 beyond the commercial corridor is residential. Stoughton has a population of 13,118 and is part of the Madison SMSA.

b. Social/Economic (including ethnic and cultural groups)

As is present in most small towns such as Stoughton the social/economic make-up of the community is varied. While <sup>the</sup> City of Stoughton touts its Norwegian heritage, the community is a mixed ethnic make-up.

c. Archaeological/Historical

There are no know<sup>n</sup> archaeological/historical sites that would be impacted by this project.

14. Other Special Resources (e.g., State Natural Areas, prime agricultural lands)

None that would be impacted by the proposed project.

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ENVIRONMENTAL CONSEQUENCES (probable adverse and beneficial impacts including indirect and secondary impacts)

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15. Physical (include visual if applicable)

The only visual impact would be the existence of the new exhaust stack and cooling towers.

16. Biological (including impacts to threatened/endangered resources)

None

17. Cultural

a. Land Use (including indirect and secondary impacts)

None. The site is essentially already developed.

b. Social/Economic (including ethnic and cultural groups, and zoning if applicable)

None.

c. Archaeological/Historical

None.

18. Other Special Resources (e.g., State Natural Areas, prime agricultural lands)

No impact.

19. Summary of Adverse Impacts That Cannot Be Avoided (more fully discussed in 15 through 18)

None.

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DNR EVALUATION OF PROJECT SIGNIFICANCE (complete each item)

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20. Environmental Effects and Their Significance

a. Discuss which of the primary and secondary environmental effects listed in the environmental consequences section are long-term or short-term.

Visual impact of structures only.

b. Discuss which of the primary and secondary environmental effects listed in the environmental consequences section are effects on geographically scarce resources (e.g. historic or cultural resources, scenic and recreational resources, prime agricultural lands, threatened or endangered resources or ecologically sensitive areas).

None

- c. Discuss the extent to which the primary and secondary environmental effects listed in the environmental consequences section are reversible.

The exhaust stack and cooling tower could always be removed if no longer needed.

21. Significance of Cumulative Effects

Discuss the significance of reasonably anticipated cumulative effects on the environment (and energy usage, if applicable). Consider cumulative effects from repeated projects of the same type. Would the cumulative effects be more severe or substantially change the quality of the environment? Include other activities planned or proposed in the area that would compound effects on the environment.

None of any real significance.

22. Significance of Risk

- a. Explain the significance of any unknowns that create substantial uncertainty in predicting effects on the quality of the environment. What additional studies or analysis would eliminate or reduce these unknowns?

None identified.

- b. Explain the environmental significance of reasonably anticipated operating problems such as malfunctions, spills, fires or other hazards (particularly those relating to health or safety). Consider reasonable detection and emergency response, and discuss the potential for these hazards.

No additional anticipated operating problems as a result of the project.

23. Significance of Precedent

Would a decision on this proposal influence future decisions or foreclose options that may additionally affect the quality of the environment? Describe any conflicts the proposal has with plans or policy of local, state or federal agencies. Explain the significance of each.

No.

24. Significance of Controversy Over Environmental Effects

Discuss the effects on the quality of the environment, including socio-economic effects, that are (or are likely to be) highly controversial, and summarize the controversy.

Controversy, if any, would be minimal as the projects only environmental impact would be on air quality and the permit would establish that air quality impacts would be acceptable.

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ALTERNATIVES

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25. Briefly describe the impacts of no action and of alternatives that would decrease or eliminate adverse environmental effects. (Refer to any appropriate alternatives from the applicant or anyone else.)

A no action alternative would result in Cummins Filtration locating the facility elsewhere.

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SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

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26. List agencies, citizen groups and individuals contacted regarding the project (include DNR personnel and title) and summarize public contacts, completed or proposed).

<u>Date</u>	<u>Contact</u>	<u>Comment Summary</u>
5-14-12	Planning Commission	See attached meeting minutes.



Project Name:                      County:

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PRELIMINARY DECISION

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In accordance with s. 1.11, Wis. Stats., and Ch. NR 150, Wis. Adm. Code, the Department is authorized and required to determine whether it has complied with s. 1.11, Wis. Stats., and ch. NR 150, Wis. Adm. Code.

The Department has made a preliminary determination that the Environmental Impact Statement process will not be required for this action/project. This recommendation does not represent approval from other DNR sections which may also require a review of the action/project.

Signature of Evaluator	Date Signed
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FINAL DECISION

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The public review process has been completed. The Department received and fully considered                      responses to the news release or other notice.

Pursuant to s. NR 150.22(2)a., Wis. Adm. Code , the attached analysis of the expected impacts of this proposal is of sufficient scope and detail to conclude that this is not a major action, and therefore the environmental impact statement process is not required prior to final action by the Department.

The Department has determined that it has complied with s. 1.11, Wis. Stats., and ch. NR 150, Wis. Adm. Code. This decision does not represent approval from other DNR sections which may also require a review of the action/project.

Signature of Environmental Analysis Program Staff	Date Signed
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NOTICE OF APPEAL RIGHTS

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If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. 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 must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.