



Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Wisconsin Public Service Corporation (WPSC) – Weston Plant, Air Pollution Control Operation Permit No. 737009020-P10 and Air Pollution Control Construction Permit Revision No. 03-RV-248-R5

Case Nos. DNR-13-062, DNR-13-064
and DNR-13-065

NOTICE OF TELEPHONE PREHEARING CONFERENCE

The Wisconsin Public Service Corporation – Weston Plant, 2501 Morrison Avenue, Rothschild, Marathon County, Wisconsin, FID 737009020, submitted to the Department of Natural Resources (DNR) a permit application, including plans and specifications for revision of Construction Permit No. 03-RV-248-R4 and renewal of Operation Permit No. 737009020-P02 for operation of an electric generation facility.

- Air pollution Control Permit No. 737009020-P10, for operation of a part 70 air pollution source.
- Air pollution Control Permit No. 03-RV-248-R5, for revision of construction permit 03-RV-248-R4.

On September 2, 2011, the DNR made a preliminary determination that the application met state and federal air pollution control requirements and that the permit should be approved. A public notice of the preliminary determination was published on September 14, 2011. The DNR received comments on this preliminary determination and the original draft permit from September 14, 2011 through October 14, 2011. The DNR reviewed the public comments received and made changes to the draft permit as deemed appropriate. Because some of the changes made to the draft permit based on the public comments received seemed significant, the DNR felt an additional 30 day comment period on those significantly changed sections of the draft permit was warranted. On January 30, 2013, the DNR then prepared an addendum to the preliminary determination that described the significant changes to the draft permit resulting from the public comments received. A second public notice of the addendum to the preliminary determination was published on February 4, 2013, and additional comments were received on the addendum. On August 27, 2013, the DNR issued Final Air Pollution Control Operation Permit No. 737009020-P10 and Air Pollution Control Construction Permit Revision No. 03-RV-248-R5.

The DNR received and granted Petitions for Contested Case Hearings from Attorney Linda Benfield on behalf of the Wisconsin Public Service Corporation; Attorney Elizabeth Wheeler on behalf of Clean Wisconsin; and Attorney David Bender on behalf of the Sierra Club pursuant to Wis. Stat. § 285.81(1) on the issues specified in the Petitions.

On February 28, 2014, the Wisconsin Public Service Corporation requested revisions to the Weston 4 permit and Title V permit. The DNR requested more information, and Wisconsin Public Service Corporation made a submittal related to the requested revisions dated April 14, 2014.

On May 21, 2014, the DNR filed a Request for Hearing with the Division of Hearings and Appeals.

NOTICE IS HEREBY GIVEN that pursuant to Wis. Stat. §§ 285, 285.81 and 227.42 and Wis. Admin. Code chs. NR 400-499, the State of Wisconsin Division of Hearings and Appeals will initiate a telephone prehearing conference in regard to the above matter on **Thursday, June 12, 2014 at 10:00 a.m.** Any person, organization or governmental unit wishing to become a party to this proceeding must appear at the conference in person or by an authorized representative. To so participate, said persons must write to the Division of Hearings and Appeals in care of the undersigned and indicate a phone number where they can be reached at the above mentioned time. If necessary, the purpose of the prehearing conference will be to identify parties to the proceeding, to simplify the issues which may be contested at the hearing, establish a discovery schedule and set a date for hearing. No testimony will be heard at the prehearing conference; however, a date may be set for the hearing on the merits at the conference.

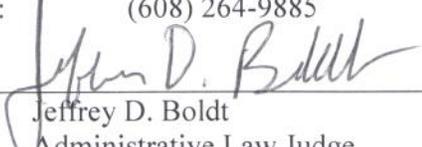
When the hearing is held it will be a Class 1 contested case pursuant to Wis. Stat. § 227.01(3)(a), and the fair play provisions of Wis. Stat. ch. 227 will apply. The procedures relating to contested cases set forth in Wis. Admin. Code ch. NR 2 will be followed. The procedure that will be followed at the public hearing will closely resemble that normally followed at a court hearing. All parties are advised that they have the right to seek the aid and assistance of legal counsel and to be represented by legal counsel at the public hearing.

Pursuant to the Americans With Disabilities Act, reasonable accommodations will be made to any qualified individual upon request. Please call the Division of Hearings and Appeals at (608) 266-3865 with specific information on your request prior to the date of your scheduled prehearing or hearing.

Dated at Madison, Wisconsin on May 28, 2014.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
5005 University Avenue, Suite 201
Madison, Wisconsin 53705
Telephone: (608) 266-7709
FAX: (608) 264-9885

By: _____


Jeffrey D. Boldt
Administrative Law Judge