

Small Business Advisor | February 2013

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Live Chat on DNR Green Tier Program

DNR Wants You!

Join our chat on February 6 and learn how we're helping Wisconsin manufacturers improve their environmental and economic performance.

The DNR's new Office of Business Support and Sustainability is reaching out to manufacturers across Wisconsin. Mark McDermid, DNR manufacturing sector specialist, is hosting an on-line chat for businesses and manufacturers.

The chat is scheduled to start at 11 a.m. on February 6. Go to the [DNR's web site](#) to enter the chat – click on the link in the box on the right hand side of the page. Visit the DNR's web site to for more information about the [Office of Business Support & Sustainability](#).

Retrospective Review of DNR Rules Affecting Small Business - Phase 2 Final Report Now Complete

On February 22, 2012, Governor Walker issued Executive Order #61 requiring all state agencies to identify existing rules hindering job creation and small business growth. The goal was to recommend changes that would reduce the burden on job creators while maintaining the intent of the statutes behind the rules. DNR examined all existing rules and determined which were suitable for repeal, modification, or exemption, in order to lessen the burden on Wisconsin small businesses without creating a negative impact on public health or the environment.

The review was split into two phases. Phase 1 was designed to identify obsolete rules for repeal and recommended repealing 11 rule chapters and modifying two rules. Phase 2 was a deeper look at all 3,700+ pages of administrative code and provided opportunities for public input.

The final Phase 2 Report was completed in December 2012. The Phase 2 Report recommends the repeal or modification of 26 rules and one statute. You can view the Phase 1 and Phase 2 reports and learn more about the rules review process on DNR's website: <http://dnr.wi.gov/business/rulesreview.html>.

Implementation of these recommendations may occur through the ordinary rule making process or through action by the state legislature.



EPA Issues Final Adjustments to the Air Toxics Standards for Industrial, Commercial and Institutional Boilers at Area Source Facilities

In March 2011, the Environmental Protection Agency (EPA) promulgated a final rule regulating hazardous air pollutants (HAPs) emitted by industrial, commercial and institutional (ICI) boilers operating at area source facilities. However, the agency later proposed a reconsideration of certain elements of the rule. On December 20, 2012, the EPA finalized and reissued the final rule.

The rule regulates mercury, toxic metals, acid gases and toxic organic compounds such as furans and dioxins, and applies to facilities operating fossil fuel and biomass boilers that are considered area sources. An area source is a facility that does not emit or have the potential to emit 10 or more tons per year of any individual HAP or 25 or more tons per year of all combined HAPs. However, any source which burns solid waste is subject to HAP emission requirements under the Commercial and Industrial Solid Waste Incinerator (CISWI) rule rather than the ICI rule. The EPA has also finalized the Non-Hazardous Secondary Materials (NHSM) rule, which specifies whether certain fuels are considered hazardous waste. The adjustments maintain extensive public health protections while increasing the rule's flexibility and addressing concerns raised by stakeholders.

For more information or to see if this rule applies to your facility, visit the DNR small business webpage at <http://dnr.wi.gov/topic/CompAssist/sb/AirRegs.html>, and look for the Combustion-Boilers section under the process specific tab. There, you can find links to factsheets summarizing changes to the rule as well as other helpful information.



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- To contact the Small Business Clean Air Assistance Program staff, call 1-855-889-3021 (toll free) or send an email to DNRCleanAir@wisconsin.gov.
 - To subscribe to the Small Business Advisor, visit <http://dnr.wi.gov/topic/AirQuality/News.html#tabx2> and click to select it from the Subscriptions list.