

## Recordkeeping: What's Involved and Why It's Important

Nearly every business that generates air pollution is required to maintain records of its activities under rules enforced by the Wisconsin Department of Natural Resources (DNR) Bureau of Air Management. Even if exempt from air pollution permits or requirements, a business must maintain records to show that it continues to operate within the exemption criteria. The business is then expected to use those records to determine if its operations increase to such an extent that it becomes affected by one or more of the air pollution rules. If that occurs, the business must comply with the requirements as soon as possible.

### Which rules require periodic recordkeeping?

When a rule applies to a facility, there are certain recordkeeping requirements to follow which show DNR that the facility is complying with the applicable elements.

Some might assume, if a business is exempt from a rule, that it does not have to do anything; however, this is not the case. Facilities are often required to keep records that show DNR they are maintaining their exempt status. Many recordkeeping requirements are found in ch. NR 439, Wisconsin Administrative Code (Wis. Adm. Code). Others may be in a specific section of the code that applies, like permit exemptions or coating limits.

### Permit exemptions

The permit rules have categories for general, specific and actual emissions based exemptions. If a business can meet one of these exemptions, then it does not have to submit a permit application and obtain a permit.

Because the general exemptions are based on the maximum theoretical emissions—assuming the worst case design capacity for the operation—they only require one-time calculations to demonstrate a facility meets the exemption. The specific and actual emissions based exemptions are based on normal operations (emissions, material usage or throughput).

Since a business may have spikes or steady increases in its normal operations, it must maintain periodic records demonstrating that it maintains exempt status at all times. As soon as a business sees increases in operations that may cause it to exceed an exemption, it should apply for a permit. Operating above the exemption levels without a permit would be a violation of the permit rules, in chs. NR 406 and 407, Wis. Adm. Code.

### Emissions or material usage caps in permits

Many businesses take a cap on their emissions or material throughput or usage in order to avoid certain requirements. Use of such caps requires the business to maintain records showing that it stays below the level that would trigger the requirement.

For example, DNR has volatile organic compound (VOC) rules that limit the VOC content of inks, coatings, paints, adhesives, etc., depending on the type of process at the business. By taking a cap on VOC emissions and staying below specified exemption levels, the business does not have to meet the content limits in the rule. These caps have to be met at least on a monthly basis, even though the exemptions are written in terms of annual emissions.

In another example, a business might cap emissions to achieve “synthetic minor” source status. A source with maximum theoretical emissions greater than the major source levels, but actual emissions below the thresholds, can become a “synthetic minor” if it caps emissions below the major source levels. This allows the source to avoid

the more onerous requirements applied to major sources. In this case, the emissions capped can be any of the criteria pollutants (particulate matter, nitrogen oxides, sulfur dioxide), VOCs or hazardous air pollutants. These caps also have to be met on a monthly basis.

Another possible cap is one taken to keep emissions below a level where the facility could exceed a national ambient air quality standard based on the results of a computer model. For information on the emissions modeling process, check our factsheet on *Modeling Emissions for Air Pollution Permits* (<https://dnr.wi.gov/files/pdf/pubs/sb/sb116.pdf>). Caps taken to resolve modeling issues may be for short time frames (such as a 1-hour standard) and therefore could require short-term records.

If business operations approach the level where a cap may be exceeded, the owner/operator should begin talking with the facility's DNR air permit contact about revising the permit. This is very important when a cap is taken to keep the source at synthetic minor status, because once the cap is exceeded, the business is technically a major source, and additional penalties may apply to violations of its permit.

### Frequency of records

The frequency with which a business is required to do recordkeeping will depend on the type of cap taken or the way an exemption is stated in the rule. For example, if you take a cap to meet a 1-hour standard, you may have to record your material usage every hour.

Many of the permit exemptions are based on the level of operations or emissions during a month. In this case, the business would be required to record information every month, but may be allowed to average the values over each 12-month period. This monthly recordkeeping period, with the allowed 12-month averaging, is the longest time period a business would likely be allowed to keep records. Other rule exemptions require daily records, averaged over a weekly or monthly period.

### Assistance with recordkeeping

The Small Business Environmental Assistance Program (SBEAP) has spreadsheets available to help you set up your records and perform the calculations to demonstrate compliance with the exemptions or caps. The Exemptions webpage has example spreadsheets for the "MTE Emissions Calculations" or "Actual Emissions Calculations" on the different tabs here <https://dnr.wi.gov/topic/SmallBusiness/Exemptions.html>. For emissions caps, visit our Compliance web site at <https://dnr.wi.gov/topic/SmallBusiness/Compliance.html> and look for the spreadsheet on "Monthly VOC Emission Records and Calculations" under the "Air" tab. You can also contact SBEAP staff (see below) for assistance with your recordkeeping program.

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