



WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

AM-19-0045

DOCUMENT TITLE

Registration Permit Compliance Checklist

PROGRAM/BUREAU

Air Management

STATUTORY AUTHORITY OR LEGAL CITATION

Section 285.60, Wisconsin Statutes; Chapters NR 406 and NR 407, Wisconsin Administrative Code

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

November 25, 2019

DATE FINALIZED

December 23, 2019

No comments were received during the comment period 25NOV2019 to 16DEC2019

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

December 18, 2019

Signature

Date

Registration Permits Compliance Checklist ¹

Item	Frequency	Due Date	Report Required	Documents Needed	Resources/Comments
<i>The following tasks should be done by all facilities soon after receiving coverage under a Registration Permit:</i>					
Read your Registration Permit	At least once	Within 2 weeks of receipt	No	Not applicable	Coverage letter sent to Responsible Official with link to permit. Download a copy http://dnr.wi.gov/topic/AirPermits/Options.html – found on the Registration tab.
Request access to the DNR Switchboard, if you do not already have it.	One time	Before December 31 of the year of Registration Permit coverage ²	No	No	Create a WAMS user ID and request access through DNR's electronic Switchboard: http://dnr.wi.gov/topic/switchboard/ The WAMS ID is required for the submittal of compliance documents, including the Air Emissions Inventory, compliance certification, stack test results, and others. Review instructions on how to submit electronic documents: https://dnr.wi.gov/topic/AirPermits/ComplianceReports.html .
Documented search of applicable requirements for safe harbor under s. NR 407.105(7), Wis. Adm. Code. Safe harbor can allow your facility some protection from enforcement.	One time	As soon after coverage under the Registration Permit as possible	No	Written record of search methods and search results required by DNR, for facility to be covered by safe harbor	If you had an old air permit, it will list all applicable air pollution requirements for the emissions units covered by the permit. If not, review the Annual Monitoring Summary and Checklist (Form 4530-179) under Section A.2 for suggestions on rules that might apply depending on your operations and activities. DNR's Small Business Environmental Assistance Program can help small businesses. http://dnr.wi.gov/topic/smallbusiness/ Links to current air pollution regulations can be found at: http://dnr.wi.gov/topic/AirQuality/Rules.html

¹ Additional requirements not listed on this compliance checklist may apply to facilities covered under the Type G Registrations Permits.

² DNR staff adds basic information to the air emissions inventory based on the facility description. Please check this information for accuracy and add other necessary information.

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<p>Set up a compliance demonstration and recordkeeping plan for each applicable requirement the facility is subject to. Common items to keep records of:</p> <ul style="list-style-type: none"> • Stack parameters • Calculation methods • Material throughputs • Control device monitoring results • Calibration of control device monitoring instruments 	<p>One time. Update as equipment or materials are added or changed</p>	<p>As soon after coverage under the Registration Permit as possible</p>	<p>No</p>	<p>It is recommended that you have a written plan for facility staff. Plan not required by DNR</p>	<p>If you had old air permits, they are a good place to start for developing a compliance and recordkeeping plan.</p> <p>DNR's Small Business Environmental Assistance Program can help small businesses. http://dnr.wi.gov/topic/smallbusiness/</p> <p>Chapter NR 439 contains many compliance requirements. Links to this air pollution regulation can be found at: http://docs.legis.wisconsin.gov/code/admin_code/nr/400/439.pdf</p>
<p>Check to see if facility is in a category under Area Source NESHAPs.</p>	<p>One time</p>	<p>Each rule has specific notification and compliance dates</p>	<p>If you are subject to one of the standards, Yes</p>	<p>Initial Notification that you are subject to the Area Source NESHAPs Compliance Notification¹ Annual Compliance Certification (some)</p>	<p>USEPA's toxics website has fact sheets and final rules. If your facility is in one of the listed source categories, download the rule. Relevant information is usually in the last 3 or 4 pages of the rule. Search for "Am I subject to this Subpart?" https://www.epa.gov/stationary-sources-air-pollution/nationalemission-standards-hazardous-air-pollutants-neshap-9</p> <p>Additional information on submitting the initial and compliance notifications can be found under "When must sources comply with a NESHAP?": http://dnr.wi.gov/topic/AirQuality/HAPFAQ.html</p>

¹ Initial Notification and Compliance Notifications shall be sent to the US EPA through their Electronic Reporting Tool (ERT) and some may also need to be submitted to the DNR – check <http://dnr.wi.gov/topic/AirQuality/HAPFAQ.html> for more information on where to submit a notification.

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<p>Make a list of the control device parameter ranges for each control device.</p> <p>(Facilities without control devices do not need to do this.)</p>	<p>One time, at a minimum.</p> <p>Update as equipment is added or changed.</p>	<p>As soon after coverage under the Registration Permit as possible</p>	No	<p>Keep the list of parameter ranges on site</p>	<p>Control device parameters that must be monitored and recorded are in Condition E.8 Table 2 of the Type A, B and G Registration Permits, or Condition E.12 of the Type C Registration Permit.</p> <p>Section NR 439.055 contains specific requirements for control device monitoring. Links to this rule can be found at: http://docs.legis.wisconsin.gov/code/admin_code/nr/400/439.pdf</p>
<p>Prepare a malfunction prevention and abatement plan for your equipment as required in NR 439.11.</p>	<p>Update every 5 years</p>	<p>Upon installation of new equipment</p>	No	<p>Keep plans on site for review</p>	<p>Section NR 439.11 contains specific requirements for malfunction prevention and abatement plans. Links to this air pollution regulation can be found at: http://docs.legis.wisconsin.gov/code/admin_code/nr/400/439.pdf</p>
<p>The following tasks need to be done each year so you can submit compliance certifications and annual inventory reports:</p>					
<p>Perform compliance audit to determine compliance status with each applicable requirement²</p>	<p>At least annually</p>	<p>Prior to submitting Compliance Certification</p>	No	<p>Keep documents used to determine compliance</p>	<p>Use your facility's compliance demonstration and recordkeeping plan. It may help to go through the Monitoring Summary and Checklist (Form 4530-179) as a guide for elements to evaluate for compliance status.</p> <p>DNR's Small Business Environmental Assistance Program can help small businesses http://dnr.wi.gov/topic/smallbusiness/</p>

² Additional environmental audits are required for facilities covered under the Type G Registration Permits. Please contact the Green Tier Program for more details.

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Calculate actual emissions ³ of PM ₁₀ , sulfur dioxide, nitrogen oxides, carbon monoxide, VOC, hazardous air pollutants, and lead.	Annually for ROP A and ROP C; Monthly for ROP B and ROP G	Prior to submitting Compliance Certification	No	Keep records of data used to make calculations and samples of how calculations were made	The Registration Permit Application Guides contain information on calculating facility wide actual annual emissions. The guides as well as copies of the final permits are available at: http://dnr.wi.gov/topic/AirPermits/Options.html on the Registration tab.
Item	Frequency	Due Date	Report Required	Documents Needed	Resources/Comments
Calculate emissions from individual process lines if necessary. For example: demonstrate RACT exemptions, LACT 10 ton/yr limit, and NR 445	Frequency determined by individual applicable requirement.	Prior to submitting Compliance Certification	Where indicated in the rules	Keep records of data used to make calculations and samples of how calculations were made	DNR's Small Business Environmental Assistance Program links to calculation worksheets and fact sheet are available for a number of regulations: http://dnr.wi.gov/topic/SmallBusiness/Compliance.html
Submit annual air emissions inventory through the Air Reporting System (ARS).	Annually	March 1 st	Yes If emissions are below reporting thresholds, submit Under Threshold Notification (UTN).	Use DNR's On-line reporting system for completing either the air emission inventory report or the UTN	Establish a WAMS user ID and request access through DNR's electronic Switchboard http://dnr.wi.gov/topic/switchboard/ Air Emissions Inventory Homepage: http://dnr.wi.gov/topic/airemissions/ Chapter NR 438 contains reporting requirements and thresholds. Links to this air pollution regulation can be found at: http://docs.legis.wisconsin.gov/code/admin_code/nr/400/438.pdf

³ Facilities using air pollution control devices shall meet the minimum control efficiencies listed in the Registration Permit. If the control efficiencies are above the minimum required, facilities still need to use the control efficiencies listed in the Registration Permit for the calculation of actual emissions.

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Submit Annual Compliance Certification	Annually ⁴	March 1 st – ROP A, B, and G June 30 th – ROP C For previous calendar year	Yes Upload combined report in Switchboard and sign electronically ⁵	Use DNR's Comp. Cert and Permit Summary Deviation Form (Forms 4530-178) or similar, and upload using the DNR's Switchboard	Forms and instructions available at: http://dnr.wi.gov/files/PDF/forms/4500/4530-178.pdf and https://dnr.wi.gov/topic/AirPermits/documents/4530178Instructions.pdf For information on electronic submittal and e-signature: https://dnr.wi.gov/topic/AirPermits/Tutorials.html https://dnr.wi.gov/files/pdf/pubs/am/AM536.pdf For additional information about Air Compliance Submittal Actions and uploading documents electronically: https://dnr.wi.gov/topic/AirPermits/ComplianceReports.html
Submit Summary of Monitoring ⁶	Annually	March 1 st – ROP A, B, and G June 30 th – ROP C Previous calendar year	Yes Upload combined report in Switchboard	Combine the Annual Compliance Certification and the Summary of Monitoring, and upload as single document using the DNR's Switchboard	The ROP Monitoring Summary/Checklist (Form 4530-179) can be submitted to satisfy this requirement. The document can be found here: http://dnr.wi.gov/files/PDF/forms/4500/4530-179.pdf For additional information about Air Compliance Submittal Actions and uploading documents electronically: https://dnr.wi.gov/topic/AirPermits/ComplianceReports.html
Pay annual Emission Fees \$400 per year	Annually	June 30 th	No	Enclose stub from your bill with the check	Rules governing emission fees are found in the Wisconsin Statutes, s. 285.69. Links to the Statutes are available at: https://docs.legis.wisconsin.gov/statutes/statutes/285.pdf

⁴ If the facility had permits revoked prior to coverage under the Registration Permit, the facility should submit compliance certification and monitoring reports regarding compliance with the old permit conditions covering the time period that the old permit was in effect. Facilities covered under the ROP A and ROP C must begin submitting the compliance certification and monitoring reports after the first full calendar year of coverage.

⁵ The compliance certification report can be uploaded in Switchboard by any authorized personnel, however, only the Responsible Corporate Official in record can certify the accuracy of the report using the e-signature.

⁶ Facilities that submit Form 4530-178 are exempt from the submittal of a separate annual summary of monitoring.

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These tasks will need to be done if circumstances warrant:					
Submit name change in case of change of ownership or legal control	Upon change	Within 30 calendar days of the change	Yes	Yes	Submit information to the ROP Program Coordinator at DNRamROPSairpermit@wisconsin.gov .
Update the name and contact information of corporate officials	Upon change	Immediately	Yes	Send updated information to the Registration Permits Coordinator or update using the DNR Switchboard	Submit information to the ROP Program Coordinator at DNRamROPSairpermit@wisconsin.gov . Required contact information includes: name, title, phone number, mail address, and e-mail address. Training video on how to change facility contacts. Related tutorials: https://dnr.wi.gov/topic/AirEmissions/Tutorials.html .
Facilities that are required to model – Report change that triggered modeling. Submit modeling results	With annual compliance certifications	March 1 st The year after the change was made	Yes	Use Part 1 of the ROP Modeling Assessment Attachment (Form 4530-156A)	Submit modeling results as part of the Annual Compliance Certification Monitoring Report. The Registration Permit Modeling Assessment Attachment is available at: http://dnr.wi.gov/files/PDF/forms/4500/4530156A.pdf
Portable sources ⁷ only – Submit relocation notices	Upon relocation	At least 20 days prior to relocation.	Yes	Letter or use DNR form 4500-025 and submit using DNR Switchboard.	Submit information through Switchboard. Form: http://dnr.wi.gov/files/PDF/forms/4500/4500-025.pdf For additional information about Air Compliance Submittal Actions and uploading documents electronically: https://dnr.wi.gov/topic/AirPermits/ComplianceReports.html

⁷ A portable source is one that emits air pollution while standing still but is capable of being moved from place to place such as portable diesel generators, asphalt plants, and stone crushers.

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***DISCLAIMER** —This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.*

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