

Meeting Summary
Air Management Advisory Group Meeting

Thursday, June 1, 2023

9:00 am

Henry Anderson, UW School of Medicine
and Public Health

David Bittrich, TRC Environmental

Phillip Bower, DNR

Noelle Brigham, A.O. Smith Corporation

Michelle Castile, Homeowner

Joe Cebe, Forest County Potawatomi

Rebecca Clarke, SORA

Natalene Cummings, Forest County
Potawatomi*

Craig Czarnecki, DNR

Brianna Denk, DNR

Bryant Esch, Wisconsin Cast Metals
Association*

Ciaran Gallagher, Clean Wisconsin*

Donald Gallo, Gallo Law LLC

Gail Good, DNR

Bob Greco, Wisconsin Utilities Association*

Tracey Holloway, UW Atmospheric and
Oceanic Sciences

Art Harrington, Godfrey and Kahn*

Kristin Hart, DNR

Curtis Hedman, WI DHS*

Marcus Hellenbrand, DNR

Maria Hill, DNR

Joe Hoch, Alliant Energy*

Ashley Gray, DNR

Nathan Kilger, Bad River Band of Lake
Superior Chippewa

Mike Kolb, WEC Energy Group

*AMSG member

Austin Lesmeister, Excel Energy

Max Levins, DNR

Jason Martin, Foth Infrastructure and
Environment

Jim Mertes, WTBA*

Jordan Munson, DNR

Rita Neff, Manitowoc Public Utilities

Jessica Palmer, Tetra Tech

Todd Palmer, Michael Best*

Brad Pierce, UW Space Science and
Engineering Center

Katie Praedel, DNR

Maria Redmond, WI Office of Sustainability
and Clean Energy

Brenda Sargent, MGE

Khenzer Senat, Metropolitan Milwaukee
Assoc. of Commerce

Brad Sims, Exxon Mobil

Andrea Simon, Interested Party

Sheri Stach, DNR

Pat Stevens, AMAG Co-Chair, Wisconsin
Paper Council*

Patti Stickney, SEH

Steve Stretchberry, WEC Energy Group
Craig Summerfield, WMC*

John Tadelski, SCS Engineers

Steve Tasch, Trinity Consultants

Mark Thimke, Interested Party

Mitchell Wiedenbeck, DNR

Meeting Summary

Opening remarks and agenda repair

Program Director Gail Good opened the meeting. Craig Czarnecki ran through meeting procedures.

Staffing Updates

- Kristin Hart – DNR Air Management Field Operations Director
- Brianna Denk – Acting AQPS Section Chief
- Jordan Munson – Acting Permitting Section Chief
- Pat Stevens – AMAG Co-Chair
- Natelene Cummings – Forest County Potawatomi

Proposed Guidance, rules and legislative update

Proposed/Final DNR Rules

AM-05-21 Proposed Revisions to ch. NR 428 – NO_x Reasonably Available Control Technology (RACT) – public comment period was open through June 7. A public hearing was held May 31.

AM-05-22 Proposed revisions to ch. NR 439 - related to reporting, recordkeeping, testing, inspection and demonstration of compliance – this remains in the rule drafting period. Air Management has held several Stakeholder Advisory Committee Meetings to gather feedback. Two more meetings are [scheduled for early June](#). The program is considering the incorporation of federal changes in SSM to the 439 rule prior to finalization.

Kristin add Non CTG VOC RACT here. Here is link to letter:

https://widnr.widen.net/s/x65q5zs8f6/responsewisnonctg_ract

Proposed EPA rules/guidance

Startup, Shutdown, Malfunction - DNR continues to analyze EPA responses to remedies other states are proposing. DNR is planning to hold stakeholder meetings in September to help understand how the EPA's proposed disapproval of Wisconsin's State Implementation Plan and various options for remedies could affect stakeholders.

DNR also noted that pre-rule analysis is underway to address Clean Air Act requirements to control VOC emissions from major sources located in nonattainment areas classified as

moderate or above. Reasonably available control technology (RACT) rules meet this requirement for many source categories. For VOC emissions that are not controlled by RACT rules, states must demonstrate that RACT equivalent controls are in place. This demonstration is a necessary element of ozone nonattainment areas. EPA will be unable to approve DNR's required attainment plans, or redesignate ozone areas to attainment when air quality standards are met without such a demonstration. DNR has been working with EPA on approvable methods to make this demonstration. EPA provided DNR with a written response concluding that rule making may be necessary. [EPA letter](#).

Finalized EPA rules/guidance

Miscellaneous Coating Manufacturing NESHAP - Addressed previously unregulated inorganic HAP metal emissions by setting MACT standards for emission sources of metal HAP. The compliance date for affected facilities that commenced construction or reconstruction on or before June 7, 2022 is specified in 40 CFR s. 63.7995 as no later than February 22, 2024.

Good Neighbor Plan for the 2015 Ozone NAAQS – being published Monday June 5, listening session will be provided by the DNR.

Legislative Update

Gail Good shared recent Joint Finance Committee Actions that impact Air Management.

Environmental Justice (EJ) Update

Environmental Justice as EPA defines it, has two pieces: providing for meaningful engagement by all people, and assuring fair treatment of all people by taking actions that do not cause a disproportionate impact.

The program has taken several steps to address environmental justice in air permitting.

Engagement

- Website updates to make it easier understand the air permit process and access documents available for review. DNR is also reviewing EPA guidance including
 - [EPA Legal Tools to Advance Environmental Justice | US EPA](#),
 - [EJ and Civil Rights in Permitting - Frequently Asked Questions | US EPA](#)
 - [EJ in Air Permitting - Principles for Addressing Environmental Justice Concerns in Air Permitting | US EPA](#)
 - [Executive Order on Revitalizing Our Nation's Commitment to Environmental Justice for All | The White House](#)

Next steps:

- DNR has formed a workgroup focused on the construction permit process to assure environmental justice is appropriately addressed. This project is kicking off in July and is expected to wrap up with recommendations next fall.
- Work will continue on updating DNR's web pages and outreach materials to provide information in other formats and languages where needed

Member Updates:

Todd Palmer, Michael Best & Friedrich LLP – Attended a bar association meeting on transport, speaking on this topic for Wisconsin.

Bryant Esch, Wisconsin Cast Metals Assoc. – watching closely NR 439 revision process, no other updates.

Curtis Hedman – The Wisconsin Department of Health has been asked to quality assure the Madison community monitoring grant on Children's Health. They are excited to be part of the effort.

Tracey Holloway, UW Madison – Working with city of Madison on their low-cost monitoring network, NASA Health (how satellite data can be applied to air quality monitoring) meeting every six months, members or nonmembers are welcome/encouraged to join the meetings. More information is included on the [HAQAST website](#).

Ciaran Gallagher, Clean Wisconsin – submitted comments on the proposed PM NAAQS and on the Power Plant rules.

Craig Summerfield, WMC – also monitoring NR 439 revision process, appreciation for department time and effort.

Bob Greco, WEC Energy Group – looking forward to working with the department on GHG rules.

Pat Stevens, Wisconsin Paper Council – NR 439 process has been helpful, time up front will save time later in process, appreciate the effort. Recommends DNR use this method with other rules it will be proposing.

Guest Updates:

Maria Redmond – Clean Energy plan was recently released, negotiating with EPA on priorities for climate pollution reduction strategies and working to obtain some of the federal grant money.

Ozone topics

Spring Ozone Season 2023

Began sampling on April 1, 2023 at most sites. As of June 1, there have been seven Advisories for ozone and two for PM2.5.

The main driver for high ozone concentrations in Wisconsin is transported emissions from large upwind urban areas (like Chicago). Because ozone formation is partially dependent on meteorological conditions (warm temperatures, sunshine), some variation is expected year-to-year. However, the number of spring ozone air quality advisories issued in 2020 through 2023 were all above average. The ozone standard was lowered from 75 parts per billion (ppb) to 70 ppb in late 2015 meaning that some increase in air quality advisories would be expected.

To continue to understand ozone precursors the program's Enhanced Ozone Monitoring (EOM) season began May 1 of this year.

An attendee asked why the monitor in Door County was greyed out. There are Wi-Fi service issues in that location that should be resolved shortly. The analyzer is collecting data and it is being manually retrieved on a daily basis.

Due to temperature differences between the lake and the land, it is common to observe ozone exceedances slightly inland as compared to on the lake shore. Temperature differences between inland and lakeshore monitors has been 20 degrees C.

An attendee asked if there were concerns of the Ozone Nonattainment Area expanding? The designation process was described, with special note that nonattainment areas are identified at the time of a new standard and do not grow larger with additional data after designation.

Preliminary Design Values

A design value is a statistic that describes the air quality status of a given location relative to the level of the NAAQS. For ozone, the U.S. EPA defines the Design Value as the 4th-highest daily maximum 8-hour average concentration, averaged over a 3-year period. As of June 1, 2023 several monitoring sites have recorded exceedances of the design values for the 2015 Ozone Standard. The data has not yet been quality assured or certified, thus is subject to change.

Impacts on Ozone Nonattainment

Moderate area attainment date for 2015 NAAQS is August 3, 2024. Reclassification to Serious will be based on 2021-23 design values.

Timeline:

- Moderate area attainment date: August 3, 2024
- Serious reclassification: Spring 2025

Major source threshold: 50 tons per year

[For current ozone design values on the DNR webpage, click here.](#)

[Click here for an external webpage that allows you to see a map of the current ozone design values.](#)

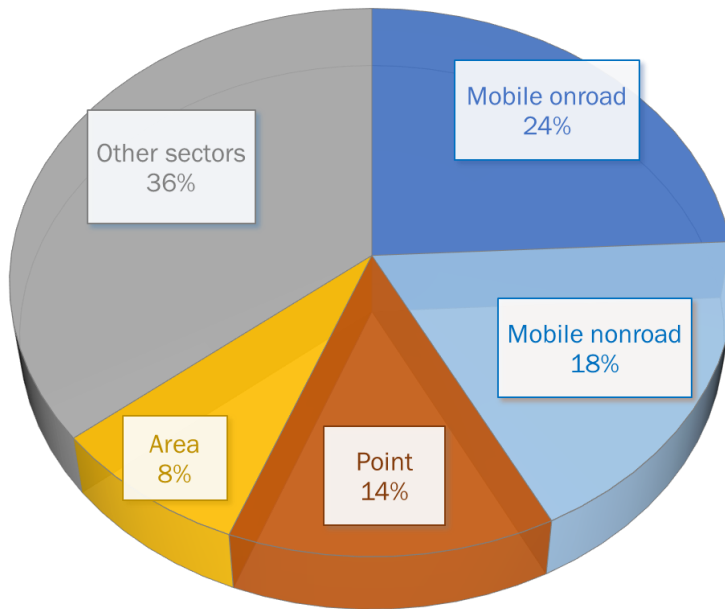
Question from attendee: Racine was on a path to attainment. This information seems to change that. Are there exceptional events that would keep this on track? There is an exceptional events process. All data will be reviewed and considered relative to its regulatory significance as well as the exceptional events process.

2015 Final 'Good Neighbor Plan'

On March 15 EPA finalized the 'Good Neighbor Plan' for the 2015 ozone standard. The NOx Allowance trading program for fossil fuel-fired power plants starts later this year, and includes Wisconsin. The NOx Emissions Standards for nine large industries begins in 2026 and does not include Wisconsin.

The Good Neighbor plan does not reduce Volatile Organic Compound (VOC) or mobile source emissions. It includes an analysis of all Wisconsin nonattainment monitors. EPA's 2023 modeling continues to underpredict lakeshore ozone. The Good Neighbor Plan will have minimal air quality impact benefits for Wisconsin's nonattainment areas.

The figure below summarizes the contributions to Wisconsin ozone levels by emissions sector. Federally-controlled mobile sources comprise most of controllable emissions (42%). State control is limited to area and point sources (22%).



Source: LADCO 2016bcc ozone attainment planning modeling (Mar 2022).

*Other Sectors includes things like biogenic emissions, fires, international emissions, and boundary conditions.

Regional and National Ozone Research Projects – Presenter: Brad Pierce, Director, UW Madison Space Science and Engineering Center

Brad Pierce is the Director of the Space Science and Engineering Center (SSEC) at the University of Wisconsin-Madison. Previously he was a physical scientist at NOAA and worked as a research scientist at NASA. He has more than 25 years of experience in the design, development and execution of global atmospheric models. He has been integral in the acquisition of research and resources to understand air quality in the Midwest. Brad discussed the highly technical research efforts that he has advocated for through partnerships with NASA, EPA, NOAA, LADCO and Viking Cruises.

Brad provided a review of several research field campaigns for 2023 including

- Coastal Urban Plume Dynamics Study (CUPIDS)
- Atmospheric Emissions and Reactions Observed from Megacities to Marine Areas (AEROMMA)
- Synergistic TEMPO Air Quality Science (STAQS) TEMPO satellite will monitor air quality during the daylight hours in geostationary orbit

Next AMAG Meeting. The next study group meeting will be held on **Thursday, September 7** at 9 a.m.