



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE **21-072**

AN ORDER to repeal NR 438.04 (1) (Note), (2) (c), (e), (g), and (h) and (6); to renumber NR 438.02 (1); to renumber and amend NR 438.03 (1) (b) Table 1; to amend NR 438 (title), 438.01 (2), 438.03 (1) (a) and (am) 1., (b), (c), and (d), (2), (3), (4), (5) (a), (b), and (c), and (6), 438.04 (1) and (2) (intro.), (b) and (f), and 484.06 (4) Table 4D Row (a); to repeal and recreate NR 438.02 (2), 438.04 (2) (d), (3), (4), and (5); and to create 400.03 (4) (jp), 438.02 (1a), (1c), (1g), (1i), (1k), (1m), (1o), (1q), (1s), (1u), (3), and (4), and 438.03 (1) (af) and (am) 3. and (5) (a) (Note), relating to the incorporation of a PM2.5 emissions reporting requirement, alignment of state and federal emissions reporting terminology, updates to reflect current emissions reporting procedure, and affecting small business.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

09-20-2021 RECEIVED BY LEGISLATIVE COUNCIL.

10-12-2021 REPORT SENT TO AGENCY.

MSK:BK

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES ☒ NO ☐

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES ☒ NO ☐

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES ☐ NO ☒

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES ☐ NO ☒

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES ☒ NO ☐

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES ☐ NO ☒

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES ☐ NO ☒