

Report to
Legislative Council Rules Clearinghouse
NR 422, Wis. Adm. Code
Natural Resources Board Order No. AM-18-13

Wisconsin Statutory Authority

Sections 227.11(2)(a), 285.11(1) and (6), and 285.17, Stats.

Federal Authority

There are no existing or proposed federal statutes or regulations for lithographic printing operations. Clean Air Act Section 172 (c)(1) requires states to implement Reasonably Available Control Technology (RACT) for existing sources in nonattainment areas. RACT has been defined as “the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.” 44 FR 53726, 53761 (Sep. 17, 1979). The United States Environmental Protection Agency (EPA) published an updated Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing in 2006. This CTG provides state air pollution control authorities with guidance for developing RACT for lithographic printing facilities. If the proposed changes are adopted, the requirements in s. NR 422.143, Wis. Adm. Code, will be consistent with the requirements in EPA’s 2006 CTG.

Comparison of Adjacent States

There are no specific state rules for lithographic printing operations for the states of Iowa, Michigan, and Minnesota. The state of Illinois includes similar requirements for lithographic printing operations (Title 35, Section 219.405 through 219.411) to the requirements in s. NR 422.143, Wis. Adm. Code with the proposed changes.

Court Decisions Directly Relevant

None.

Analysis of the Rule - Rule Effect - Reason for the Rule

This rule making action is to clarify and streamline the existing Wisconsin Administrative Code requirements for lithographic printing facilities in ss. NR 422.142 and NR 422.143, Wis. Adm. Code.

The proposed revisions include revising the definitions for a few terms in NR 422.02, Wis. Adm. Code., changing the rule applicability of ss. NR 422.142 and

422.143, Wis. Adm. Code, clarifying the associated monitoring and recordkeeping requirements, and eliminating the periodic stack testing requirements for small sources.

This rule making action will have little to no economic impact on small businesses. The affected facilities may have reduced compliance costs due to the clarifications of the rule and the removal of periodic stack test requirements for small sources.

Agency Procedures for Promulgation

The department will hold a hearing on November 5, 2018 at 2:00 PM in Room 163 at DNR Waukesha Service Center. The hearing will be followed by board adoption during winter 2018 followed by a request for the governor's signature and legislative review.

Description of any Forms (attach copies if available)

None.

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