

ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
RENUMBERING, AMENDING AND CREATING RULES

The Wisconsin Natural Resources Board proposes an order to **renumber** NR 428.02(1); to **amend** NR 428.04(2)(g)1.(intro.) and 428.06(2)(a); and to **create** NR 428.02(1) and 428.04(2)(g)4. relating to the control of emissions of nitrogen oxides.

AM-25-03

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 227.11(2)(a) and 285.11(1) and (6), Stats.

Statutes interpreted: s. 285.11(6), Stats. The State Implementation Plan developed under that provision is revised.

This rule establishes a new categorical limit for nitrogen oxides (NO_x) emissions from a unit which is fired by biologically derived gaseous fuel. This rule revision is necessary to clarify that this category of emission units is subject to a specific emission limit and not to the emission limit for natural gas fired units.

In addition, this rule package clarifies the applicability of s. NR 428.06(2)(a) to only utility boilers as defined by NR 428.05(3)(a).

SECTION 1. NR 428.02(1) is renumbered NR 428.02(1m).

SECTION 2. NR 428.02(1) is created to read:

NR 428.02(1) "Biologically derived gaseous fuel" means a gaseous fuel resulting from biological processing of a carbon-based feedstock.

SECTION 3. NR 428.04(2)(g)1.(intro.) is amended to read:

NR 428.04(2)(g)1.(intro.) 'Gaseous fuel-fired units.' ~~No~~ Except as provided in subds. 3. and 4., no person may cause, allow or permit nitrogen oxides to be emitted from a gaseous fuel-fired combustion turbine in amounts greater than those specified in this subdivision.

SECTION 4. NR 428.04(2)(g)4. is created to read:

NR 428.04(2)(g)4. 'Units fired by a biologically derived gaseous fuel.' No person may cause, allow or permit nitrogen oxides to be emitted from a biologically derived gaseous fuel fired combustion turbine in amounts greater than those specified in this subdivision.

a. 35 parts per million dry volume (ppmdv), corrected to 15% oxygen, on a 30-day rolling average basis for a simple cycle combustion turbine.

b. 35 parts per million dry volume (ppmdv), corrected to 15% oxygen, on a 30-day rolling average basis for a combined cycle combustion turbine.

SECTION 5. NR 428.06(2)(a) is amended to read:

NR 428.06(2)(a) Except as provided in par. (b), units subject to s. NR 428.05(3)(a) may participate in an ozone season NO_x emission averaging program for purposes of demonstrating compliance with ozone season NO_x emission limitations in NR 428.05(3) during the ozone seasons of calendar years 2003 and later.

SECTION 6. EFFECTIVE DATE. This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

SECTION 7. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on September 24, 2003.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)