

**BEFORE THE  
DEPARTMENT OF NATURAL RESOURCES**

**Notice of Public Hearing  
Proposed Revision to Wisconsin's State Implementation Plan (SIP) Relating to ch. NR 405, Wis.  
Adm. Code.**

**NOTICE IS HEREBY GIVEN** that pursuant to ss. 285.11(5) and (6) and 285.23(2) and (4), Wis. Stats., and ch. NR 401, Wis. Adm. Code, the Wisconsin Department of Natural Resources (WDNR) will hold a public hearing concerning the proposed revision of Wisconsin's State Implementation Plan (SIP) developed under s. 285.11(6), Wis. Stats..

**Date and Time**

January 7, 2016  
9:00 AM

**Location**

State Natural Resources Building (GEF II)  
Room 713  
101 South Webster Street  
Madison, Wisconsin 53703

The hearing location is accessible to individuals with disabilities. Reasonable accommodations including informational material in an alternative format will be provided for qualified individuals with disabilities upon request. To make a request, contact Ms. Kristin Hart using the contact information provided below. A request must include specific information and be received at least 10 days before the date of the scheduled hearing.

**Availability of the Proposed SIP Documents**

Background information and proposed documents related to the SIP can be found at <http://docs.legis.wisconsin.gov/2015/proposals/sb144> or hard copies, free of charge, by contacting Ms. Kristin Hart as indicated below.

**Background**

2015 Wisconsin Act 33, effective July 3, 2015, modified rule provisions in ch. NR 405, Wis. Adm. Code., relating to construction permit requirements for stationary sources that emit greenhouse gases. The rule provisions affected by Act 33 had been promulgated by the WDNR based on an Environmental Protection Agency (EPA) interpretation of certain provisions of the Clean Air Act, which is no longer valid under the Supreme Court's decision in *Utility Air Regulatory Group v. EPA*, 134 S. Ct. 2427 (2014). The modifications to ch. NR 405, Wis. Adm. Code, made under 2015 Wisconsin Act 33 were published in the Wisconsin Administrative Register, No. 715B on July 27, 2015, and became effective on August 1, 2015.

**Action Subject to Comment**

The Department is soliciting comment on the proposed submittal of those rule provisions in ch. NR 405, Wis. Adm. Code, as affected by 2015 Wisconsin Act 33 to the EPA as a revision to Wisconsin's State Implementation Plan.

**Agency Contact and Submitting Comment**

Comments on the proposed SIP submittal should be received on or before January 11, 2016. Written comments may be submitted by U.S. mail, fax, or email and will have the same weight and effect as oral statements presented at the public hearing.

Questions or requests related to the hearing and written comments or questions on the proposed action to request a revision to the Wisconsin SIP should be submitted to:

Kristin Hart  
Department of Natural Resources  
Bureau of Air Management (AM/7)  
101 S Webster St, Madison, WI 53703

Phone: (608) 266-6876

Fax: (608) 267-0560

E-mail: [Kristin.Hart@wisconsin.gov](mailto:Kristin.Hart@wisconsin.gov)