

April 25, 2024

Ms. Olivia Salmon – AM/7
Bureau of Air Management
Wisconsin Department of Natural Resources
PO Box 7921 Madison, WI 53703
Olivia.Salmon@wisconsin.gov

Re: Comments On Chapter NR 439 Reporting, Recordkeeping, Testing, Inspection, and Determination of Compliance Requirements

Dear Ms. Salmon,

Thank you for the opportunity to review and provide comments on Chapter NR 439, Reporting, Recordkeeping, Testing, Inspection, and Determination of Compliance Requirements. PRINTING United Alliance appreciates the effort that the Wisconsin Department of Natural Resources dedicated to communicating with stakeholders, soliciting feedback on the rule and the proposed changes, and responding to the comments and suggested revisions.

As background, PRINTING United Alliance represents the interests of facilities engaged in producing a wide variety of products through screen printing, digital imaging, flexographic, and lithographic print processes. The print industry is comprised primarily of small businesses, with approximately 95 percent of the printing industry falling under the definition of a small business as described by the Small Business Administration.

In reviewing the proposed revisions to NR 439, there are several areas that require additional revision. The areas are identified below:

NR 439.03 Reporting

- NR 439.03 (3)(m) requires immediate notification of hazardous air spills. However, there is no definition of a hazardous substance or what constitutes an air spill. Is there a threshold for release that triggers reporting? NR 445.16 applies to "Persons possessing or controlling a hazardous substance" but does not define hazardous substance.

In addition, there is no definition for what constitutes immediate and that needs to be defined. What is a hazardous substance air spill?

- NR 439.03 (7) requires a printing or coating operation that uses an "in-line" averaging approach for compliance to notify the DNR that they are using the provision as identified in NR 422.04. The requirement to notify the DNR should be deleted as it poses an administrative burden that is not necessary. If a source is using NR 422.04 for compliance, it is incumbent upon the source to be able to demonstrate how it is achieving compliance when they are inspected. The

notification provision is not related to compliance certification which is required under NR 439.03 (4)(m).

NR 439.04 Recordkeeping

- NR 439.04 (4)(a-d) requires sources that are excluded due to their emissions being less than the applicability threshold to compile extensive records and maintain them. This provision needs to be revised to make it easier for small sources to demonstrate they are excluded from regulation as this poses a significant administrative and technical burden that is difficult for small sources to meet. One approach to ease the burden is to allow sources to use EPA's guidance Potential to Emit (PTE) Guidance for Specific Source Categories found at <https://www.epa.gov/sites/default/files/2015-07/documents/lowmarch.pdf> as a basis for determining applicability. The guidance includes an approach that allows a source to use material use as a basis for determining applicability and have been incorporated into the ROP C permit for printing operations.


Another approach would be to allow sources to group similar materials into categories and use a VOC or HAP content of the highest individual material in the category to represent the category. For example, some printing operations can use hundreds of inks per year in small quantities and having to track the use of each one of them is quite a burden for a facility that may only have 10-20 employees. It is very time-consuming, and these facilities do not have the resources to undertake such an exercise.

It is not clear why only certain printing input materials (primarily flexo/gravure) specifically mentioned and no other input materials for other source categories? This provision should be written more generically, covering a wider range of sources, and not just printing (graphic arts) sources - See the new proposed (e).

- NR 439.04 (5)(a) requires detailed per line recordkeeping for certain printing and coating sources. Please delete the reference to 422.145 as there are no per line or individual unit VOC emission limits contained in it. There are limits for VOC content for ink systems and this requirement imposes a recordkeeping requirement that is not necessary and is very burdensome.
- NR 439.04 (5)(e) requires detailed per line recordkeeping for certain printing and coating sources. Please delete the reference to 422.145 as there are no per line or individual unit VOC emission limits contained in it. There are limits for VOC content for ink systems and this requirement imposes a recordkeeping requirement that is not necessary and is very burdensome. In addition, this requirement is redundant with NR 439.04 (5)(a).

Thank you for the opportunity to comment on Chapter NR 439, Reporting, Recordkeeping, Testing, Inspection, and Determination of Compliance Requirements. If you have any questions regarding my comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Gary A Jones". The signature is written in a cursive style with a large initial "G" and a long horizontal stroke at the end.

Gary A. Jones
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