

BEFORE THE
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PUBLIC HEARING
AM-04-06

NOTICE IS HEREBY GIVEN that pursuant to ss. 227.11(2)(a), 227.14 (1m) and 285.11(1) and (6), Stats., interpreting s. 285.11(6), Stats., the Department of Natural Resources will hold a public hearing on the creation of ch. NR 433 and s. NR 484.04(11m) Wis. Adm. Code, relating to the best available retrofit technology (BART) requirements for visibility protection.

The Department is proposing a rule to address BART related State Implementation Plan (SIP) revisions which are required by the federal regional haze rule. The Federal regulations require all states, including Wisconsin, to develop State Implementation Plans to address visibility impairment in mandatory Class I Federal Areas (Class I Areas) by December 2007. One of the provisions of the federal regulations is the application of BART requirements to major stationary sources that meet certain criteria relating to amount and type of emissions, installation date and source category. The proposed rule requires that the affected facilities perform an engineering analysis for the BART determination which shall be based on an analysis of the best systems of continuous emission control technology available and associated emission reductions achievable for each source subject to BART. This analysis is to be performed on a source-by-source basis taking into account the criteria provided by the federal regulation. The net effect of the proposed rule would be to examine potential emission control technologies for SO₂, NO_x and particulate matter from approximately 10 power plants and 4 pulp and paper mills that meet the criteria in the federal regulations and to determine BART for those emission sources.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to s. 227.114, Stats., it is not anticipated that the proposed rule will have a direct economic impact on small businesses. The requirements to emission units owned and operated by electric utilities and paper manufacturers may increase the cost of their products and therefore may have an indirect impact on small businesses through higher electricity costs or the costs of paper products.

NOTICE IS HEREBY FURTHER GIVEN that the Department has made a preliminary determination that this action does not involve significant adverse environmental effects and does not need an environmental analysis under ch. NR 150, Wis. Adm. Code. However, based on the comments received, the Department may prepare an environmental analysis before proceeding with the proposal. This environmental review document would summarize the Department's consideration of the impacts of the proposal and reasonable alternatives.

NOTICE IS HEREBY FURTHER GIVEN that the hearings will be held on:

Tuesday, March 13, 2007 Marathon County Public Library, Wausau Room, 300 N. First Street,
Wausau, WI at 1:00 p.m.

Thursday, March 15, 2007 Room 140-141, DNR Southeast Region Headquarters, 2300 North Dr.
Martin Luther King Jr. Dr., Milwaukee, WI at 1:00 p.m.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Robert Eckdale at (608) 266-2856 or by e-mail to Robert.Eckdale@wisconsin.gov with specific information on your request at least 10 days before the date of the scheduled hearing.

The proposed rule and supporting documents, including the fiscal estimate may be reviewed and downloaded and comments electronically submitted at the following Internet site:
<http://adminrules.wisconsin.gov>. (Search this Web site using the Natural Resources Board Order No.

AM-04-06.) Written comments on the proposed rule may be submitted via U.S. mail to Mr. Farrokh Ghoreishi, Bureau of Air Management, P.O. Box 7921, Madison, WI 53707 or by e-mail to Mr. Ghoreishi at Farrokh.Ghoreishi@wisconsin.gov. Comments may be submitted until March 19, 2007. Written comments whether submitted electronically or by U.S. mail will have the same weight and effect as oral statements presented at the public hearings. If you do not have Internet access, a personal copy of the proposed rule and supporting documents, including the fiscal estimate may be obtained from Robert Eckdale, Bureau of Air Management, P.O. Box 7921, Madison, WI 53707 or by calling (608) 266-2856.

Dated at Madison, Wisconsin February 2, 2007

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Scott Hassett
Scott Hassett, Secretary

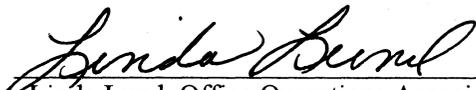
Publication to appear in:
The DNR will publish in:
Wisconsin State Journal
PO Box 8056
Madison, WI, 53708-8056
On Friday, February 9, 2007

Location and date of hearing:

Tuesday, March 13, 2007
Marathon County Public Library
Wausau Room, 300 N. First St.
Wausau, WI at 1:00 p.m.

&

Thursday, March 15, 2007
Room 140-141, DNR Southeast REgion
Headquarters
2300 N. Dr. Martin Luther King Jr. Dr.
Milwaukee, WI at 1:00 p.m.



Linda Lund, Office Operations Associate
Bureau of Air Management
608-264-9206

Subscribed and sworn to before me

this 6th day of February, 2007



Notary Public, State of Wisconsin

My commission expires: is permanent.

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Linda Lund, being first duly sworn on oath deposes and says that said person is employed as a Office Operations Associate, by the State of Wisconsin Department of Natural Resources; that on the 9th day of 8th, February, said person deposited in the United States mail at Madison, Dane County, Wisconsin, copies of the notice for public hearing to the above entitled action, securely enclosed in envelopes, the postage duly prepaid and one copy addressed to each of the following at his/her respective last known address:

Pamela Blakley, Chief- AR-18J
US EPA - Region 5
77 West Jackson Boulevard
Chicago, IL 60604

Janice Kelb
PO Box 146
Brokaw, WI 54417

Michael Huenick
Env. Tech. & Engineering Corp.
13020 Bluemound Rd.
Elm Grove, WI 53122

Gene Mayernick
Mayernick Assoc., Inc.
PO Box 201
North Prairie, WI 53153-0201

James O'Connor
Kent & O'Connor Incorporated
1990 M. Street NW STE 340
Washington, DC 20036

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851 E. Glen Avenue
Milwaukee, WI 53217

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Environmental Monitoring & Tech. Inc.
8100 North Austin Ave
Morton Grove, IL 60053-3203

Dennis Greil
Bay Environmental Strategies
529 S. Jefferson St. - STE 10
Green Bay, WI 54301

Clean Wisconsin
122 State Street STE 200
Madison, WI 53703-2500

Environmental Law Society, UW Law School
975 Bascom Mall
Madison, WI 53706

Bro. Don Balentine
It's About Time, Ltd.
PO Box 090062
Milwaukee, WI 53209

Mike Mayan
RMC Env.
PO Box 216
Rosendale, WI 54974

Bruce Nilles
Sierra Club
122 W. Washington St.- STE 830
Madison, WI 53703

Mark Larson
2310 Pinehurst Drive
Middleton, WI 53562-2541

Blake Trimbell
8256 Starr Grass Drive
Madison, WI 53719-4479

Dave Bender
Garvey & Stoddard SC
634 W Main Street
Ste 200
Madison, WI 53703-2697

Dane County Library Service
201 W. Mifflin St.
Madison, WI 53703-2597

County Clerk, Dane County
210 Martin Luther King, Jr. Blvd.
Room 112
Madison, WI 53703-3342

Deforest Times-Tribune
PO Box 585
De Forest, WI 53532

Mayor, City of Madison
210 Martin Luther King Jr Blvd
Madison, WI 53709

Mt. Horeb Mail
PO Box 88
Mount Horeb, WI 53572

County Executive, Dane County
210 Martin Luther King, Jr. Blvd.
Room 421
Madison, WI 53703-3345

Oregon Observer
PO Box 26
Oregon, WI 53575

Dane County Board
210 Martin Luther King Jr Blvd
Madison, WI 53709

Stoughton Courier-Hub
135 W Main St. STE-102
Stoughton, WI 53589

Unit Director
The Community Analysis and Planning Division
City County Building
210 Martin Luther King Blvd.-RM 362
Madison, WI 53703

The Independent
33 N. Main St.
Deerfield, WI 53531

GLIFW Commission
P.O. Box 9
Odanah, WI 54861-0009

Waunakee Tribune
PO Box 128
Waunakee, WI 53597

Ho-Chunk Tribe
PO Box 667
Black River Falls, WI 54615

WDLB/WLJY Radio
1712 N. Central Ave.
Marshfield, WI 54449

Capital Times
City Desk Box 8060
Madison, WI 53708

WIBA
Radio Park
PO Box 99
Madison, WI 53701

Belleville Recorder
PO Box 50
Belleville, WI 53508-0050

WISM
PO Box 2058
Madison, WI 53701

Cambridge News
201 W. North St.
Cambridge, WI 53523

WORT
118 Bedford St.
Madison, WI 53703

Dane Co. News-Sickle & Arrow
1126 Mills St.
Black Earth, WI 53515

WTDY AM/FM
PO BOX 2058
Madison, WI 53701

WISC TV
7025 Raymon Rd.
Madison, WI 53711

Wisconsin State Journal
PO Box 8058
Madison, WI 53708

WKOW TV
5727 Tokay Blvd
Madison, WI 53719

WMTV
615 Forward Dr.
Madison, WI 53711

Milwaukee Journal Sentinel
119 Martin Luther King Jr. Blvd. STE LL
Madison, WI 53703-3355

Tom Steidl, LS/5

DNR Hearing and Meeting Calendar, CE/6

Annmarie Kutzke, LS/5

Others:

Milwaukee Journal Sentinel
333 W. State St. Box 661
Milwaukee, WI 53201-0661

Daily Herald
220 First Ave. South Box 8090
Wausau, WI 54402-1286

Hometown News, LP
PO Box 645
Sun Prairie, WI 53590-0264

Middleton Times Tribune
6826 Union Avenue
PO Box 6
Middleton, WI 53562

Don Sutton
Illinois
PO Box 19276
Springfield, IL 62794

Catherine Fitzsimmon
Iowa
7900 Hickman Road, Suite 1
Urbandale, IA 50322