



January 6, 2012

Ms. Susan Hedman  
 Regional Administrator  
 U.S. Environmental Protection Agency  
 77 West Jackson Boulevard, R-19J  
 Chicago IL 60604-3507

Subject: Revisions to Wisconsin’s State Implementation Plan for Protection of Visibility

Dear Ms. Hedman:

The Wisconsin Department of Natural Resources (WDNR) hereby submits Chapter NR 433, Protection of Visibility by Application of Best Available Retrofit Technology (BART), and Section NR 484.04 (11m), Wis. Adm. Code, for approval and incorporation into Wisconsin’s State Implementation Plan (SIP). These rules relate to the identification of sources subject to the BART requirements for visibility protection and the determination of BART for those sources in accordance with the federal Regional Haze Rule (64 FR 35714 and 70 FR 39104). The following table provides a summary of state actions related to development of these rules.

**Table 1:** History of Rule Development for the BART Requirements

Action	Public Hearing Authorization Granted by the Wisconsin NRB	Public Hearing(s) Conducted	Rule Adopted by the Wisconsin NRB	Rules Published	Rules Effective
<b>Adopt:</b> Chapter NR 433 Section NR 484.04 (11m)	January 24, 2007 (Agenda Item 3.A.3) AM-04-06	March 13, 2007 (Wausau, WI) <sup>1</sup> March 15, 2007 (Milwaukee, WI) <sup>2</sup>	January 22, 2008 (Agenda Item 3.A.2)	June 30, 2008	July 1, 2008
<b>Revise:</b> Sections NR 433.05(1)(a)4. and NR 433.06(1)(intro.), (b)1., and (c)	March 16, 2010 (Agenda Item 3.A.4) AM-06-09	April 26, 2010 (Madison, WI) <sup>3</sup>	August 11, 2010 (Agenda Item 3.A.6)	November 30, 2010	December 1, 2010

<sup>1</sup> Wausau Room, Marathon County Public Library, 300 North First Street, Wausau, WI

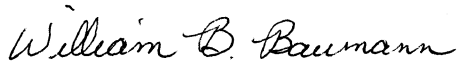
<sup>2</sup> Room 140-141, WDNR Southeast Region Headquarters, 2300 North Dr. Martin Luther King Jr. Dr., Milwaukee, WI

<sup>3</sup> Room G09, WDNR Building, 101 South Webster Street, Madison, WI  
 NRB – Natural Resources Board

The WDNR has the legal authority under Wisconsin law to adopt and implement these requested SIP revisions. Section 227.11 (2) (a), Wis. Stats., gives state agencies general rulemaking authority. Section 285.11 (1), Wis. Stats., authorizes the WDNR to develop rules consistent with ch. 285, Wis. Stats. Section 285.11 (6), Wis. Stats., authorizes the WDNR to develop and revise the SIP for prevention, abatement, and control of air pollution.

In accordance with the April 6, 2011 McCabe Memo, one paper copy of the SIP revision documents is enclosed. In addition, an electronic copy of these documents is provided as well on an enclosed CD. If you have any questions regarding this submittal, please feel free to call either Joseph Hoch at 608-267-7543 or Ralph Patterson at 608-267-7546.

Sincerely,



William B. Baumann, Acting Director  
Bureau of Air Management

cc: Patrick Stevens – AD/8  
Joseph Hoch – AM/7  
Ralph Patterson – AM/7  
Cheryl Newton – U.S. EPA Region V (A-18J), 77 West Jackson Boulevard, Chicago, IL 60604  
Douglas Aburrano – U.S. EPA Region V (AR-18J), 77 West Jackson Boulevard, Chicago, IL 60604  
Jacqueline Nwia – U.S. EPA Region V (AT-18J), 77 West Jackson Boulevard, Chicago, IL 60604

**Summary of Attachments: Hard Copy and Electronic**

Attachment 1 – U.S. EPA SIP checklist

Attachment 2 – Chapter NR 433, Wis. Adm. Code, as amended

Attachment 3 – Section NR 484 (11m), Wis. Adm. Code

Attachment 4 – Proof of public hearing, including public hearing notice, for BART rules adoption. Copy of legal notice from February 9, 2007 *Wisconsin State Journal*

Attachment 5 – Background for AM-04-06 and public comments received for BART rules adoption – summary and response

Attachment 6 – Proof of public hearing, including public hearing notice, for BART rules revision. Copy of legal notice from March 22, 2010 *Wisconsin State Journal*

Attachment 7 – Background for AM-06-09 and public comments received for BART rules revision – summary and response