

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

August 10, 1983

IN REPLY REFER TO: 8300

Mr. Valdus V. Adamkus
Regional Administrator
U.S. Environmental Protection Agency
230 South Dearborn Street
Chicago, IL 60604

Dear Mr. Adamkus:

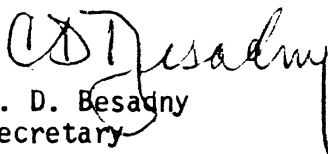
The Wisconsin Department of Natural Resources is currently in the process of revising state regulations for new source performance standards and for hazardous air pollutants. In 1976 Wisconsin received delegation of authority to implement and enforce the Standards of Performance for New Stationary Sources (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAPS) then in effect, but the state has not sought delegation for the standards which have been developed since then. As part of the 1983 air grant agreement, Wisconsin is committed to request delegation of authority to implement and enforce the current Federal NSPS and NESHAPS by August 15, 1983, and to revise its regulations accordingly.

Although the process is nearly completed, it is unlikely that Wisconsin's rule revisions can take effect by the time the request for full authority is due. However, as an alternative the state is requesting at this time that U.S. EPA delegate partial responsibility to the Wisconsin Department of Natural Resources to implement both existing and future NSPS and NESHAPS. This responsibility would be carried out in a manner similar to the partial delegation which the state has received for the Prevention of Significant Deterioration Program. This request is made with the provision that the state will automatically be given full authority for implementing and enforcing a NSPS or NESHAPS upon notification to U.S. EPA that the Department has promulgated a state code setting forth the standard in question.

With this request, I believe that most of the NSPS and NESHAPS programs can immediately be transferred to the state, thereby satisfying the grant commitment.

Please contact Mr. Ronald Van Mersbergen of your staff or Peter Flaherty of our Bureau of Legal Services if you have questions about this request.

Sincerely,


C. D. Besadny
Secretary

cc: Don Theiler - AIR/3
Dean Packard - AIR/3
Esther Chapman - AIR/3
2303J

Peter Flaherty - LEG/5
Dave Kee - U.S. EPA, Region V
Ron Van Mersbergen - U.S. EPA, Region V