

## SUMMARY OF NR 438 AND NR 455 REVISIONS

In July 2004, revisions to the WDNR Air Toxics Rule (NR 445) became effective. The rule revisions *add a large number of new "Hazardous Air Pollutants"* to the NR 445 list, as well as *reduce the regulatory thresholds* for many of the previously listed chemicals. The changes also result in new chemicals and reporting thresholds for the WDNR Annual Air Emissions Inventory (NR 438). To comply with the revised Air Toxics Rule all industrial facilities will need to complete a review of materials and processes to determine if they generate hazardous air emissions. Because there are many new chemicals and lower reporting thresholds, it is very likely air permits and Annual Emissions Inventory Reports will now be required for facilities that have not previously needed to report.

A brief summary of what is required for Wisconsin Industry includes:

- 1) All hazardous air emissions will need to be evaluated for the NR 438 Reports that are due March 1, 2005.
- 2) All potential Hazardous Air Pollutants will need to be re-defined and compared to revised NR 445 and NR 438 Tables and regulatory thresholds.
- 3) A due diligence review and compliance strategy will need to be documented and compliance with NR 445 limits documented. If necessary new air permits and permit compliance requirements will be issued.

Review of the Revised NR 445 rule and guidance documentation indicates that compliance is a multi-step process. A chart showing the review and implementation steps is attached. The first step in this review needs to be started soon, and includes:

- 1) Review known or potential sources of hazardous air emissions
- 2) Estimate actual and potential emissions
- 3) Compare emission estimates to revised NR 445 and NR 438 Table Values.
- 4) Outline reporting needs and a compliance strategy

Contact [Dave Griffin](#) or [Larry Boehm](#) for further information or assistance.

