

144.391 (3m) GENERAL OPERATION PERMITS. The department may, by rule, specify types of stationary sources that may obtain general operation permits. A general operation permit may cover numerous similar stationary sources. A general operation permit shall require any stationary source that is covered by the general operation permit to comply with ss. 144.392 to 144.399. The department shall issue a general operation permit using the procedures and criteria in ss. 144.3925 to 144.399.

SECTION 40. 144.391 (4) of the statutes is repealed.

SECTION 41. 144.391 (4m) of the statutes is created to read:

144.391 (4m) PERMIT FLEXIBILITY. The department shall allow a person to make a change to an existing source that has an operation permit, or for which the person has submitted a timely and complete application for an operation permit, for which the department would otherwise first require an operation permit revision, without first requiring a revision of the operation permit if the change is not a modification, as defined by the department by rule, and the change will not cause the existing source to exceed the emissions allowable under the operation permit, whether expressed as an emission rate or in terms of total emissions. Except in the case of an emergency, a person shall notify the department and, for permits required under the federal clean air act, the administrator of the federal environmental protection agency in writing at least 21 days before the date on which the person proposes to make a change to an existing source under this subsection. A person may not make a proposed change to an existing source if the department informs the person before the end of that 21-day period that the proposed change is not a change authorized under this subsection. The department shall promulgate rules establishing a shorter time for advance notification of changes under this subsection in case of emergency.

SECTION 42. 144.391 (5) (a) (intro.) of the statutes is amended to read:

144.391 (5) (a) *Approved relocated source.* (intro.) A source is an approved relocated source if all of the following requirements are met:

SECTION 43. 144.391 (5) (a) 4 of the statutes is amended to read:

144.391 (5) (a) 4. The owner or operator of the source provides written notice to and receives approval from the department at least 20 days prior to relocation and the department does not object to the relocation.

SECTION 44. 144.391 (5) (a) 5 of the statutes is amended to read:

144.391 (5) (a) 5. The source in its new location meets all applicable emission limitations and any visibility requirements in the department's rules and does

SECTION 37. 144.391 (1) and (2) of the statutes are repealed and recreated to read:

144.391 (1) NEW OR MODIFIED SOURCES. (a) *Construction permit.* 1. Except as provided in sub. (6), no person may commence construction, reconstruction, replacement or modification of a stationary source unless the person has a construction permit from the department.

2. A construction permit may authorize the initial operation of a stationary source for a period specified in the permit to allow testing of the stationary source's equipment and monitoring of the emissions associated with the equipment.

(b) *Operation permit.* Except as provided in par. (a) 2 or sub. (6), no person may operate a new source or a modified source unless the person has an operation permit from the department.

(2) EXISTING SOURCES. (a) *Operation permit requirement.* Except as provided in sub. (6) or s. 144.3925 (7), no person may operate an existing source after the operation permit requirement date specified under s. 144.374 (1) unless the person has an operation permit from the department.

(b) *Elective operation permit.* A person may apply for an operation permit for one or more points of emission from an existing source for which an operation permit is not required. No person may operate a stationary source under an emission reduction option program unless the person has an operation permit from the department. If a person elects to apply for an operation permit under this paragraph, the election may not be withdrawn and the stationary source may not be operated without the operation permit beginning on the date that the operation permit is first issued.

SECTION 38. 144.391 (3) of the statutes is repealed.

SECTION 39. 144.391 (3m) of the statutes is created to read:

1991 Assembly Bill 1055

not violate an ambient air increment or ambient air quality standard.

SECTION 45. 144.391 (5) (a) 6 of the statutes is created to read:

144.391 (5) (a) 6. The source is not an affected source as defined in 42 USC 7651a (1).

SECTION 46. 144.391 (5) (b) of the statutes is amended to read:

144.391 (5) (b) *Exempt from additional permits.* Notwithstanding subs. (1) and (2) ~~and (3)~~, no additional permit is required if a source is an approved relocated source.

SECTION 47. 144.391 (7) of the statutes is created to read:

144.391 (7) COMPLIANCE. A person who obtains a permit under this section shall comply with all terms and conditions of the permit.