



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

AUG 14 2007

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steven A. Schultz, Executive Director
Madison Gas and Electric Company
P.O. Box 1231
Madison, Wisconsin 53701-1231

Re: Notice of Violation
Madison Gas and Electric Company
Madison, Wisconsin

Dear Mr. Schultz:

This is to advise you that the United States Environmental Protection Agency ("U.S. EPA") has determined that the Madison Gas and Electric Company ("MGE") has violated the Clean Air Act ("the Act") and associated federal pollution control requirements at its West Campus Cogeneration ("WCC") Facility located at 515 Madison Street, Madison, Wisconsin. A list of the requirements violated is provided below. We are today issuing to you a Notice of Violation ("NOV") for these violations.

The Act requires the development of Primary and Secondary National Ambient Air Quality Standards to protect public health and welfare. To attain and maintain these standards, each State is required to develop a federally enforceable implementation plan. The WCC Facility's air pollution control permit, issued under the federally enforceable Wisconsin State Implementation Plan, prohibits particulate matter emissions of greater than 0.249 pounds per hour from the diesel engine generator. The purpose of such limits is to help protect the public from unhealthy exposures to particulate matter. Particulate matter, in particular fine particulate matter, contributes to respiratory problems, lung damage and premature deaths.

The U.S. EPA finds that MGE has violated the above listed federally enforceable permit condition. These violations constitute violations of the Act. Section 113 of the Act gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

Section 113 of the Act provides you with the opportunity to request a conference with us about the violations identified in attached NOV. This conference will provide you a chance to present

information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Constantinos Loukeris. You may call him at (312) 353-6198 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Stephen Rothblatt". The signature is stylized and cursive, with a long horizontal stroke extending to the left.

Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: Tom Roushar, Supervisor
Wisconsin Department of Natural Resources

Factual Background

4. MGE owns and operates the WCC Facility located at 515 Walnut Street, Madison, Wisconsin. The WCC Facility includes a diesel engine generator.
5. Condition (B)(1)(a) of Part I of Permit 02-RV-98 limits emissions of particulate matter from the diesel engine generator to 0.249 pounds per hour.
6. MGE provided the results of all stack tests conducted on the diesel engine generator in the last three years in response to the U.S. EPA's Information Requests under Section 114 of the Act, 42 U.S.C. 7414, dated April 16 and 23, 2004.

Violations

7. Based on the results of the stack tests provided by MGE pursuant to the U.S. EPA Information Requests, MGE violated the diesel engine generator's particulate matter emissions limit of 0.249 pound per hour, as specified in Permit 02-RV-98, on the following dates:
 - A. April 13, 2005
 - B. September 7, 2005
 - C. December 8, 2005
 - D. December 9, 2005
 - E. December 20, 2005
 - F. December 21, 2005
 - G. February 21, 2006
8. The above cited violations constitute violations of the Section 113(a) of the Act, 42 U.S.C. § 7413.

Environmental Impact of Violations

Violations of the particulate matter standards increase public exposure to unhealthy particulate matter. Particulate matter, especially fine particulate, contributes to respiratory problems, lung damage and premature death.

8/14/2007
Date


Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation, No. EPA-5-07-WI-10, by

Certified Mail, Return Receipt Requested, to:

Steven A. Schultz, Executive Director
Madison Gas and Electric Company
P.O. Box 1231
Madison, Wisconsin 53701-1231

I also certify that I sent copies of the Notice of Violation by first class mail to:

Tom Roushar, Supervisor
Wisconsin Department of Natural Resources
South Central Region
3911 Fish Hatchery Road
Madison, Wisconsin 53711

on this 15th day of August, 2007.

Shanee Rucker

Shanee Rucker, Secretary
AECAS(MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0185 9358