

SECTION 54. 144.392 (4) (b) (intro.) of the statutes is amended to read:

144.392 (4) (b) *Availability.* (intro.) The department shall make available for public inspection in each area where the stationary source would be constructed, reconstructed, replaced, or modified ~~or operated~~ the following:

SECTION 55. 144.392 (5) (a) (intro.) of the statutes is amended to read:

144.392 (5) (a) *Distribution of notice required.* (intro.) The department shall distribute a notice of the proposed construction, reconstruction, replacement, or modification ~~or operation~~, a notice of the department's analysis and preliminary determination, a notice of the opportunity for public comment and a notice of the opportunity to request a public hearing to:

SECTION 56. 144.392 (5) (b) (intro.) of the statutes is amended to read:

144.392 (5) (b) *Announcement required.* (intro.) The department shall circulate an announcement sheet containing a brief description of the proposed construction, reconstruction, replacement, or modification ~~or operation~~, a brief description of the administrative procedures to be followed, the date by which comments are to be submitted to the department and the location where the department's analysis and preliminary determination are available for review to:

SECTION 57. 144.392 (6) of the statutes is amended to read:

144.392 (6) *PUBLIC COMMENT.* The department shall receive public comments on the proposed construction, reconstruction, replacement, or modification ~~or operation~~ and on the analysis and preliminary determination for a 30-day period beginning when the department gives notice under sub. (5) (c).

SECTION 58. 144.392 (7) (a) of the statutes is amended to read:

144.392 (7) (a) *Hearing permitted.* The department may hold a public hearing on the construction permit application if requested by a person, any affected state or the U.S. environmental protection agency within 30 days after the department gives notice under sub. (5) (c). A request for a public hearing shall indicate the interest of the party filing the request and the reasons why a hearing is warranted. The department shall hold the public hearing within 60 days after the deadline for requesting a hearing if it deems that there is a significant public interest in holding a hearing.

SECTION 59. 144.392 (8) (a) of the statutes is amended to read:

144.392 (8) (a) *Criteria; considerations.* The department may approve the construction permit application and issue a construction permit according to the criteria established under s. 144.393 after consideration of the comments received under subs. (6) and (7) and after consideration of the environmental impact as required under s. 1.11.

144.392 (title) Construction permit application and review.

SECTION 49. 144.392 (1) of the statutes is repealed.

SECTION 50. 144.392 (1m) of the statutes is amended to read:

144.392 (1m) *APPLICANT NOTICE REQUIRED.* A person who is required to obtain or who seeks ~~an air pollution control~~ a construction permit shall apply to the department for a permit to construct, reconstruct, replace, or modify ~~or operate~~ the stationary source.

SECTION 51. 144.392 (2) of the statutes is amended to read:

144.392 (2) *PLANS, SPECIFICATIONS AND OTHER INFORMATION.* Within 20 days after receipt of the application the department shall indicate the plans, specifications and any other information necessary to determine if the proposed construction, reconstruction, replacement, or modification ~~or operation~~ will meet the requirements of ss. 144.30 to 144.426 and 144.96 and rules promulgated under these sections.

SECTION 52. 144.392 (3) (intro.), (a) and (b) of the statutes are amended to read:

144.392 (3) *ANALYSIS.* (intro.) The department shall prepare an analysis regarding the effect of the proposed construction, reconstruction, replacement, or modification ~~or operation~~ on ambient air quality and a preliminary determination on the approvability of the construction permit application, within the following time periods after the receipt of the plans, specifications and other information:

(a) (title) *Major source construction permits.* For ~~major source~~ construction ~~or new operation~~ permits for major sources, within 120 days.

(b) (title) *Minor source construction permits.* For ~~minor source~~ construction ~~or new operation~~ permits for minor sources, within 30 days.

SECTION 53. 144.392 (3) (c) of the statutes is repealed.

SECTION 60. 144.392 (8) (b) 1 of the statutes is renumbered 144.392 (8) (b) and amended to read:

144.392 (8) (b) *Time limits.* The department shall act on a construction ~~or new operation~~ permit application within 60 days after the close of the public comment period or the public hearing, whichever is later, unless compliance with s. 1.11 requires a longer time. For ~~an attainment area new~~ a major source that is located in an attainment area, the department shall complete its responsibilities under s. 1.11 within one year.

SECTION 61. 144.392 (8) (b) 2 of the statutes is repealed.

SECTION 62. 144.392 (9) of the statutes is amended to read:

144.392 (9) MINING HEARING. If a hearing on the ~~air pollution control~~ construction permit is conducted as a part of a hearing under s. 144.836, the notice, comment and hearing provisions in that section supersede the provisions of subs. (4) to (8).