



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

SEP 24 2007

REPLY TO THE ATTENTION OF

(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 Amended Notice of Violation
Madison Gas and Electric Company
Madison, Wisconsin

Dear Mr Schultz:

This is to advise you that the U.S. Environmental Protection Agency (EPA) is amending the Notice of Violation (NOV) issued to you on August 14, 2007, to correct two errors. The first corrects the reference to "Midwestern Gas and Electric." The second corrects the reference to the date of your response to U.S. EPA's Clean Air Act Section 114 Information Request contained in Paragraph No 6 of the NOV.

EPA looks forward to discussing the NOV with you. If you have any questions regarding the amended NOV, feel free to contact Constantinos Loukeris, of my staff, at (312) 353-6198

Sincerely yours,

A handwritten signature in cursive script that reads "Mary P. Tyson".

 Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc. Tom Roushar, Supervisor
Wisconsin Department of Natural Resources

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)
)
Madison Gas and Electric Company) **NOTICE OF VIOLATION**
Madison, Wisconsin)
) EPA-5-07-WI-10
Proceedings Pursuant to)
the Clean Air Act,)
42 U.S.C. §§ 7401 *et seq.*)
)

NOTICE OF VIOLATION

Madison Gas and Electric Company (you or MGE) owns or operates the West Campus Cogeneration Facility (WCC) at 515 Walnut Street, Madison, Wisconsin. The U.S. Environmental Protection Agency (EPA) is sending this Notice of Violation (NOV) to you for violations of the Wisconsin State Implementation Plan (SIP). A list and explanation of the violated requirements is provided below. The listed violations constitute violations of the Clean Air Act (the Act).

Section 113 of the Act, 42 U.S.C. § 7413, provides you with the opportunity to request a conference with us to discuss the violations identified in this 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 the facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

Explanation of Violations

The following regulatory and permit background, factual background, and violations are relevant to this NOV:

Regulatory and Permit Background

1. Wis. Admin. Code NR Chapter 406, "Construction Permits," was incorporated into the federally enforceable Wisconsin SIP at 60 *Fed. Reg.* 3543.
2. Wis. Admin. Code NR Chapter 405, "Prevention of Significant Deterioration," was incorporated into the federally enforceable Wisconsin SIP at 64 *Fed. Reg.* 28745.
3. The Wisconsin Department of Natural Resources issued MGE an air pollution control permit to construct and operate the WCC Facility on September 23, 2003 (Permit 02-RV-98), under Wis. Admin. Code NR Chapters 405 and 406.

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 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, 2007

Violations

7. Based on results of the stack test 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 deaths.

9/24/07
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

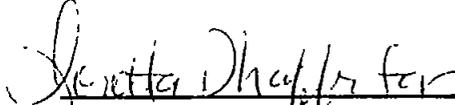
Certified Mail, Return Receipt Requested, to:

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 25 day of Sept, 2007


Shanee Rucker, Secretary
AECAS, (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 70010520000001842099