



September 19, 2023

FID NO.: 128122940
EXEMPTION NO.: 23-DMM-114-EXM

Elizabeth Anderson
Director of Operations
Generac Power Systems
900 N Parkway Street
Jefferson, WI 53549-1338

SUBJECT: Request for an exemption from construction permitting based on controlled actual emissions under s. NR 406.04(1q), Wis. Adm. Code, for the construction of a laser cutter and welding operation

Dear Elizabeth Anderson:

The Department of Natural Resources has received the air pollution control construction permit exemption request regarding the proposed construction of laser cutting and welding operations at a small engine assembly and test facility located in Jefferson, Wisconsin.

PROJECT DESCRIPTION

Generac Power Systems (Generac) is proposing to construct a laser cutter and welding operations at the 900 N Parkway Street, Jefferson, Wisconsin location. These activities will be used to support the manufacture and assembly of ride-on and stand-on electric lawn mowers. Emissions from the laser cutter and welding operations will be controlled by a filter and exhausted inside the building.

ELIGIBILITY AND APPROVAL

Based on the information provided and the assumptions laid out in the department's exemption analysis memo, the proposed project has been determined to be exempt from construction permit requirements under s. NR 406.04(1q), Wis. Adm. Code. This determination is based on the following:

- (a) Generac Power Systems has a facility-wide operation permit under ch. NR 407, Wis. Adm. Code.
- (b) Actual emissions from the project do not exceed any of the following levels:
 1. 1,666 pounds in any month averaged over any consecutive 12-month period for each of the following air contaminants: particulate matter, nitrogen oxide, sulfur dioxide, PM₁₀, carbon monoxide and volatile organic compounds. The potential to emit of each pollutant is less than 1,666 pounds per month averaged over any consecutive 12-month period. Therefore, the expected actual emissions are below this threshold.
 2. 10 pounds in any month averaged over any consecutive 12-month period for lead. The potential to emit of lead is less than 10 pounds per month averaged over any consecutive 12-month period. Therefore, the expected actual emissions of lead are below this threshold.
- (c) The project does not require a new BACT or LAER determination under ch. NR 445, Wis. Adm. Code. The only pollutants emitted by the project with a BACT or LAER requirement in column (i) of Table A of s. NR 445.07, Wis. Adm. Code, are chromium (VI) and nickel. Emissions of these pollutants are exempt from s. NR 445.07, Wis. Adm. Code, under s. NR 445.07(5)(d)2., Wis. Adm. Code, if Generac demonstrates that the source is in compliance with applicable occupational safety and health administration requirements. These

processes have not been constructed yet, so the facility is not able to demonstrate this at this time. The chromium (VI) PTE is 0.0007 pounds per hour and 6 pounds per year and the nickel PTE is 10 pounds per year. These emissions are exhausted inside the building, so it is expected at least 50% of these emissions will settle within the building. The preliminary determination for the most recently issued permit for the facility, 21-NCW-093 indicates that there are no other non-exempt sources of these pollutants. Therefore, the chromium (VI) and nickel PTE are less than the s. NR 445.07, Table A threshold values and the proposed laser cutter and welding operations are not subject to ch. NR 445, Wis. Adm. Code, BACT or LAER.

- (d) The project is not subject to new permitting requirements under ch. NR 405 or NR 408, Wis. Adm. Code.
- (e) Generac Power Systems submitted to the department a complete application for an operation permit revision, or an updated application for an operation permit, which includes each new, modified, replaced, relocated or reconstructed emissions unit prior to commencing construction, modification, replacement, relocation or reconstruction. This application contains proposed monitoring of any control equipment used to limit actual emissions in accordance with s. NR 439.055, Wis. Adm. Code. The department received the operation permit application related to this exemption on September 1, 2023.
- (f) Generac Power Systems submitted to the department a claim of exemption from construction permitting requirements prior to commencing construction.
- (g) Any newly constructed emissions unit is not subject to an emission limitation or emission standard under section 111 or 112 of the Act, excluding section 112 (d) (5) or (r) and excluding engines certified to meet the emission standards in 40 CFR part 60, subpart IIII or JJJJ for each fuel used. Any modified, replaced, relocated, or reconstructed emissions unit is not subject to any new emission limitation or emission standard or other requirement for the emissions unit under section 111 or 112 of the Act, excluding section 112 (d) (5) or (r) and excluding engines certified to meet the emission standards in 40 CFR part 60, subpart IIII or JJJJ for each fuel used.

Under s. NR 406.04(1q)(e)2., Wis. Adm. Code, Generac Power Systems is required to commence monitoring of any control equipment for emissions units associated with the project and maintain any records necessary to demonstrate compliance with any applicable emission limitation upon startup of the emissions units associated with this project. Compliance demonstration, monitoring and recordkeeping for demonstrating compliance shall include:

- Use of filters to control particulate matter emissions from the laser cutter and welding operations whenever these processes are in operation and exhausting the emissions inside the building.
- Inspecting the filters at least once per day of operation or monitoring and recording the pressure drop across each filter at least once for every 8 hours of source operation or once per day, whichever yields the greater number of measurements.

Note that this opinion is also based upon a presumption that this project is not a portion of any other projects, which together may be subject to construction permitting.

Although this project has been determined to be exempt under ch. NR 406, Wis. Adm. Code, it is still subject to all applicable requirements in chs. NR 400 – 499, Wis. Adm. Code and any other applicable federal, state or local regulations, including the annual emission reporting requirements of s. NR 438.03, Wis. Adm. Code.

If you have any questions regarding this matter, please feel free to contact me at David.Minkey@wisconsin.gov or (920) 585-0277.

Sincerely,

Dave Minkey
Air Management Engineer-Adv

cc: Bill Pearce (Generac) – e-copy