

AIR MANAGEMENT PROGRAM FACT SHEET



The Public's Guide to the Air Permit Process

May 2023

The public plays an important role in the air permit process. After an air permit application is reviewed by the Wisconsin Department of Natural Resources (DNR), the DNR notifies the public when the draft permit materials are made available for public review and comment. This fact sheet provides the information and resources to better understand the permit process and how to view and comment on draft permit applications.

What is an air permit?

An air pollution control permit is a legal document issued by the DNR to a facility that emits air pollution. An air permit contains all air pollution regulations and requirements that apply to the listed equipment, operations and activities. This includes the methods the facility will use to show compliance with the regulations. Air permits are required for businesses statewide unless the facility is exempt from permitting under [chs. NR 405 – NR 408, Wis. Adm. Code](#). Facilities are required to meet specified air emissions limitations, monitor equipment and operations and maintain appropriate records to prove continuous compliance.

All facilities in Wisconsin are required to comply with all state and federal air rules and regulations, regardless of whether they have an air permit or are exempt from permitting.

How does the DNR decide whether to issue an air permit?

After receiving a complete permit application, the DNR conducts an analysis, and prepares a preliminary determination document and a draft permit. The DNR also considers any comments received during the public review process. The DNR may issue a final permit if it finds the facility will meet all applicable state and federal requirements. For more detailed information, review the [Air Construction Permit Process](#) document and flowchart or the [Air Operations Permit Process](#) document and flowchart.

Public involvement in the air permit process

The air permit process includes an opportunity for public review and comment. There are many ways the public can get involved.

Proposed rules and guidance documents

All proposed rules, guidance, instructions, or other documents affecting how the DNR implements rules and regulations are available for public comment. All items out for public comment are posted on the DNR's [Air Regulations, Policies and Guidance Public Notice](#) page (<https://dnr.wisconsin.gov/topic/AirQuality/Input.html>). This webpage includes all upcoming public meetings, hearings and notices, as well as guidance out for public comment.

Draft permit applications and permits

When the DNR receives an air permit application, the application materials are made available to the public on

the DNR's [Air Permit Applications Received](https://apps.dnr.wi.gov/warp_ext/apps_received.aspx) page (https://apps.dnr.wi.gov/warp_ext/apps_received.aspx). The applications remain on the page until the DNR's review is complete and the DNR provides a public notice that the preliminary determination, draft permit materials and permit application are available on the [Air Permit Public Notices](https://apps.dnr.wi.gov/warp_ext/public_notice.aspx) page (https://apps.dnr.wi.gov/warp_ext/public_notice.aspx). The posting of the public notice starts the 30-day period during which the public can submit comments on the draft permit documents to the DNR.

Draft permit materials available for review and public comment can also be found through:

- [DNR's Air Permit public notice](https://dnr.wi.gov/cias/am/amexternal/public_notice.aspx) website (https://dnr.wi.gov/cias/am/amexternal/public_notice.aspx)
- DNR's [Air Permit Serach Tool](https://dnr.wisconsin.gov/topic/AirPermits/Search.html), the program's online permit tracking system (https://dnr.wisconsin.gov/topic/AirPermits/Search.html)
- [DNR's online hearings and meetings calendar](https://dnr.wisconsin.gov/calendar) (https://dnr.wisconsin.gov/calendar)
- Legal ads in the [Wisconsin State Journal](http://wna.eclipping.org/wna/legals/) (http://wna.eclipping.org/wna/legals/)
- Emailed public notices - Add an email address to the public notice email list by submitting a request to DNRAIRNOTIFICATION@wisconsin.gov or contacting a permit processor at (608) 267-0560.
- DNR sends a public notice for posting to the local library.

The posting of the public notice begins the 30-day period during which the public can submit comments on the draft permit documents to the DNR.

Public hearings and public meetings

A [public meeting](#) may be held at any time during the permit process to provide information on projects, like a proposal to build a new facility or to expand an existing site. Public meetings may be organized by anyone. The DNR, the facility proposing a new project, a neighborhood organization or other group, or even a concerned citizen can request a public meeting.

When the DNR schedules a public informational meeting, a public notice is posted on the [DNR's online hearings and meetings calendar](https://dnr.wisconsin.gov/calendar) (https://dnr.wisconsin.gov/calendar) and on the [Air Regulations, Policies and Guidance public notice page](https://dnr.wisconsin.gov/topic/AirQuality/Input.html) (https://dnr.wisconsin.gov/topic/AirQuality/Input.html).

A [public hearing](#) is a formal public proceeding held to receive comments on draft permit materials. Any person may request a public hearing, if one is not already scheduled, by submitting a written request to the DNR permit writer specified in the public notice associated with the draft permit. A request for a public hearing must be submitted within 30 days of the public notice posting date. If a hearing is requested during the public comment period, a hearing notice is published with the date, time and location of the hearing. A public hearing will be held no later than 60 days after the end of the comment period. (Refer to flowcharts)

During the hearing the DNR explains the proposed action and summarizes the DNR's review of the application. The remainder of the meeting serves as an opportunity for the public to submit comments on the draft permit materials. Comments can be provided during the hearing either verbally or in writing. For more information on public hearings, review the 30-day public comment period section of the Air Construction Permit Process or the Air Operation Permit Process documents.

To learn more about public input opportunities for air permit reviews, refer to the public notice or visit the [Air Permits](http://dnr.wi.gov/topic/airpermits/) webpage (http://dnr.wi.gov/topic/airpermits/).

Comments on permit decisions and documents

The public can comment on and appeal final permit decisions. Petitions to appeal the final permit decision must meet the requirements of [s. 285.81\(2\), Wis. Statutes](#) and be filed within 30 days of permit issuance. To learn more on this process, review the [Air Permit Decisions – Notice of Appeals Right](#) document.

Environmental Justice:

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys:

- the same degree of protection from environmental and health hazards
- equal access to the decision-making process to have a healthy environment in which to live, learn, and work

The DNR aims to incorporate environmental justice into all air permit decisions. For more information on environmental justice, visit EPA's [Environmental Justice](https://www.epa.gov/environmentaljustice) webpage (<https://www.epa.gov/environmentaljustice>).

For more information:

Become involved and stay informed on DNR air permits and the air permit process:

- Read permit documents (e.g. the permit application, the draft permit, and preliminary determination) available on DNR's [Air Permit Search Tool](#) website, or the [Air Permits Public Notice](#) webpage.
- Contact the permit writer listed in the public notice with questions.
- Submit written comments to the address provided in the public notice and/or attend a public hearing.
- Visit [DNR's Air Permit Public Involvement webpage](#) (<https://dnr.wisconsin.gov/topic/AirPermits/Process.html>) to view:
 - [air permit applications received](#) by the DNR
 - air permits out for [public comment](#)
 - [final air permit decisions](#)
 - [air construction permit process](#)
 - [air operation permit process](#)
 - and more
- Review the [Air Management Data Viewer](#) (<https://dnr.wisconsin.gov/topic/AirPermits/AMDV.html>) to search for facilities throughout the state
- Learn about [air quality sensors](#) for citizen scientists (<https://dnr.wi.gov/topic/AirQuality/Monitor.html>)
- Visit DNR's [Air Education and Outreach](#) (<https://dnr.wisconsin.gov/topic/AirQuality/Outreach.html>) webpage for links to DNR's air quality publications, K-12 education resources and the multimedia tab filled with short air quality videos and the program's podcast.
- Scroll through the [Do a little, Save a Lot](#) (<https://dnr.wisconsin.gov/topic/AirQuality/ItAllAddsUp.html>) seasonal tips for reducing your impact on air emissions.

For more information, comments or questions on the DNR's Air Management permit process contact: DNRAMAirPermit@Wisconsin.gov.

For questions on how to submit comments on a specific permit, how to request a public hearing or meeting, or for other questions about a specific permit visit DNR's [Air Permit Public notice webpage](#) (https://dnr.wi.gov/cias/am/amexternal/public_notices.aspx) and contact the permit writer specified on the public notice.

DISCLAIMER — The Wisconsin Department of Natural Resources (DNR) is committed to promoting diversity, fairness, equity and the principles of environmental justice. We ensure that we do not discriminate in employment, programs, decisions, actions or delivery of services. If you have questions or to request information in an alternative format (large print, Braille, audio tape, etc.), please contact us at 888-936-7463 or <https://dnr.wi.gov/About/Nondiscrimination>



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