

**MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT
AIR QUALITY DIVISION ANNUAL PROGRAM REPORT - FISCAL YEAR 2009**

This year-end report from the Department of Natural Resources and Environment (DNRE), Air Quality Division (AQD), is required to detail emissions control fund appropriations. The information is organized as directed by Section 5522 (9) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451).

A) A total of 140 full-time equated positions performed enforcement, compliance, and permitting activities. From that total, 72 full-time equated positions performed these activities in the Title V Program as defined in Section 5501 of Act 451. The other 65 full-time equated positions performed enforcement, compliance, and permitting activities in the non-Title V Program.

B) Permits to Install:

- i. There were 535 permits-to-install applications received in fiscal year (FY) 2009.
- ii.

Permits to Install - Final Actions	Total Number
Final action taken on applications and permits.	1,335
Applications approved.	449
Applications denied.	1
Applications and permits voided (82 of which were due to issuance of Renewable Operating Permits).	885

iii.

Approved Permits to Install	Total Number
Number required to complete public participation before final action.	12
Number not required to complete public participation before final action.	437

iv. The average number of final permit actions per reviewer (full-time equated) is 64.

Permits to Install		Percentage	Total Number
v.	Applications reviewed for administrative completeness within 10 days of receipt by the DNRE.	91.0 %	487
vi.	Applications reviewed for technical completeness within 30 days of receipt by the DNRE.	79.1 %	423
vii.	Applications submitted to the DNRE that were administratively complete as received.	88.6 %	474
viii.	Applications for which a final approval was taken within 60 days of receipt of a technically complete application for those not required to complete public participation or within 120 days if public participation was required.	94.0 %	422

C) Renewable Operating Permit (ROP) Program:

- i. A total of 57 ROP applications were received in FY 2009.
- ii.

ROP - Final Actions	Total Number
Final action taken on ROP applications.	73
Applications approved.	71
Applications denied.	0
Applications voided (withdrawn by the applicant).	2

ROP	Percentage	Total Number
iii. Permit applications initially processed within the required time.	71 %	7
iv. Permit renewals processed within the required time.	44 %	64
Permit modifications processed within the required time.	44 %	43*
v. Permit applications re-opened by the DNRE.	100 %	2
vi. General permits issued by the DNRE.	n/a	n/a

* NOTE: Due to a focus on assessments for multiple coal-fired power projects, support staff was unable to finalize draft ROPs and send them to U.S. Environmental Protection Agency for the 45-day review. Of the 98 applications received, 22 were approved, 8 voided, and 13 are on hold to be incorporated into the ROP at renewal. Due to a reduction in force (RIF), 55 applications have been placed on hold.

D) There were 375 Violation Notices sent during FY 2009.

E) Penalty money collected from all consent order and judgments was \$898,909.

F) Enforcement actions that included payment of penalty:

Company Name	Corrective Actions
Veterans Admin. Medical Center	Consent Order AQD No. 25-2008
Stahlin Enclosures/Robroy Industries	Consent Order AQD No. 26-2008
Oakland Transportation	Consent Order AQD No. 27-2008
Intertape Polymer Group	Consent Order AQD No. 28-2008
Great Lakes Environmental Services	Consent Order AQD No. 29-2008
University of Michigan	Consent Order AQD No. 30-2008
Faurecia Automotive Seating	Consent Order AQD No. 31-2008
Durcon, Inc.	Consent Order AQD No. 32-2008
SEMCO Energy	Consent Order AQD No. 33-2008
National Standard Company	Consent Order AQD No. 1-2009
Blue Diamond Steel Casting	Consent Order AQD No. 2-2009
Martin Products	Consent Order AQD No. 3-2009
Muskegon Development	Consent Order AQD No. 4-2009
Michigan State University	Consent Order AQD No. 5-2009
Reilly Plating Co./M-LOK, Inc.	Consent Order AQD No. 6-2009
Z Technologies Co.	Consent Order AQD No. 7-2009
MPI Research Inc.	Consent Order AQD No. 8-2009
Smurfit Stone Container	Consent Order AQD No. 9-2009
<i>continued on next page</i>	

Company Name	Corrective Actions
Fiber By-Products	Consent Order AQD No. 10-2009
Ford Motor Co., Sterling Plant	Consent Order AQD No. 11-2009
Ace Companies dba Harbor Light	Consent Order AQD No. 12-2009
City of Escanaba	Consent Order AQD No. 13-2009
Beal, Inc.	Consent Order AQD No. 14-2009
JIMCO Airport West	Consent Order AQD No. 15-2009
Ventra Evert LLC	Consent Order AQD No. 16-2009
Paw Paw Plating, Inc.	Consent Judgment No. 09-321-CE

- G)** The total number of inspections was 1,662. The number of inspections done for ROP sources was 282. The number of inspections of non-ROP sources was 1,380.
- H)** A total of 1,012 complaints were received during FY09. All complaints were logged, prioritized, evaluated, and resolved according to the DNRE's AQD procedures. A complaint is considered resolved if the problem has been abated, a Violation Notice requesting a compliance program has been sent, the district staff was not able to verify the problem, or the complaint was not under the AQD's jurisdiction and a referral was made to the appropriate agency. An on-site inspection was conducted for approximately 57 percent of the complaints. A telephone call or letter followed up the other complaints.
- I)** The following represents the number of contested case hearings and civil actions initiated and completed, and the number of voluntary consent orders, administrative penalty orders, and emergency orders entered or issued for Title V sources:

Enforcement	Total Number
Hearings	0
Civil Actions	0
Consent Orders	15
Administrative Orders	0
Emergency Orders	0

- J)** Revenue in the fund at the end of the fiscal year was \$1,702,409.

The information on the following page is required by Section 5522 of Act 451.

AIR QUALITY DIVISION EXPENDITURES BY FUND AND PROGRAM FUNCTION:

Program Function	General and Other Funds Total (See Chart Below) 41%	EPA Grants 23%	Air Fees 36%	Total 100%
Permit Section	\$2,551,821 (26%)	\$289,880 (6%)	\$59,966 (1%)	\$2,901,667 (13%)
Enforcement Unit	\$425,699 (5%)	\$29,124 (1%)	\$673,323 (8%)	\$1,128,146 (5%)
Field Operations	\$2,951,790 (30%)	\$1,110,904 (22%)	\$7,100,636 (84%)	\$11,163,330 (46%)
Air Quality Evaluation Section	\$2,328,553 (24%)	\$3,265,290 (66%)	\$256,347 (3%)	\$5,850,190 (25%)
Administration	\$1,507,486 (15%)	\$246,263 (5%)	\$387,713 (4%)	\$2,141,462 (11%)
Total AQD Expenditures	\$9,765,349 (100%)	\$4,941,461 (100%)	\$8,477,985 (100%)	\$23,184,795 (100%)
Revenues Appropriated	\$ 10,453,107	\$ 5,817,500	\$ 9,082,900	\$ 25,353,507

GENERAL AND OTHER FUNDS DETAILS:

Program Function	General Fund	Refined Petroleum Fund	Dry Cleaning License Fees	Oil & Gas	Env. Response Fund	Total
Permit Section	\$2,339,586	\$186,425		\$25,810		\$2,551,821
Enforcement Unit	\$343,750	\$81,949				\$425,699
Field Operations	\$1,526,074	\$1,064,893	\$206,624	\$48,198	\$106,001	\$2,951,790
Air Quality Evaluation Section	\$1,380,363	\$948,190				\$2,328,553
Administration	\$1,264,320	\$236,019	\$6,757	\$390		\$1,507,486
Total AQD Expenditures	\$6,854,093	\$2,517,476	\$213,381	\$74,398	\$106,001	\$9,765,349
Revenues Appropriated	\$7,160,000	\$2,864,800	\$213,407	\$108,200	\$106,700	\$10,453,107

Note that additional Non-Air Quality fee expenditures were as follows: Environmental Science and Services Division \$340,116; DNRE and the Department of Information Technology Indirect \$1,341,360; and Civil Services charges, \$145,649. Michigan Economic Development Corporation, Small Business Ombudsman, expenditure of \$28,012 is included in the Administration total above.