

Appendix 2A

Public and FLM Comments and DNRE Responses

(The following 3 pages contain the DNRE notice of the second public comment period, which was held in May 2010, as published in DNRE's biweekly Calendar of Events.)



MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT
PO BOX 30473
LANSING MI 48909-7973

ENVIRONMENTAL CALENDAR

May 24, 2010

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT

On October 8, 2009, Governor Granholm issued Executive Order 2009-45, creating the Department of Natural Resources and Environment (DNRE) to protect and conserve Michigan's air, water and other natural resources, effective January 17, 2010. The new department will assume the powers and functions of the former Department of Natural Resources and the former Department of Environmental Quality. More information about DNRE programs may be found at www.michigan.gov/dnre.

ENVIRONMENTAL
ASSISTANCE CENTER
800-662-9278
E-mail: deq-ead-env-assist@michigan.gov

The DNRE Environmental Assistance Center (EAC) is available to provide direct access to environmental programs, answers to environmental questions, referrals to technical staff, and quick response. Questions on any items listed in the calendar can be referred to the EAC.

PUBLICATION SCHEDULE

The calendar is published every two weeks, on alternate Mondays, by the Michigan Department of Natural Resources and Environment. We welcome your comments.

CALENDAR LISTSERV

You may subscribe to receive the DNRE Calendar electronically by sending an E-mail to the listserv at LISTSERV@LISTSERV.MICHIGAN.GOV and in the body of the message type Subscribe, DNRE-CALENDAR, and your name.

INTERNET ACCESS
www.michigan.gov/deqcalendar

The calendar is available on the DNRE Web site in pdf format. Access the calendar at www.michigan.gov/deqcalendar.

TIMETABLE FOR DECISIONS

No decision listed in the DNRE Calendar will be made prior to seven days after the initial Calendar publication date.

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ENVIRONMENTAL CALENDAR

May 24, 2010

AIR QUALITY
DIVISION
See Map - Statewide

www.michigan.gov/deq/proposedconsentorders. Submit written comments to Richard Taszreak, Michigan Department of Natural Resources and Environment, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909. Written comments must be received by June 23, 2010. If a request is received in writing by June 23, 2010, a public hearing will be scheduled. Information Contact: **Richard Taszreak**, Air Quality Division, 517-335-4826. Decision-maker: **G. Vinson Hellwig**, Air Quality Division Chief.

MICHIGAN'S REGIONAL HAZE STATE IMPLEMENTATION PLAN (SIP), revised for Michigan's two Class I areas, Isle Royale National Park and Seney Wilderness Area. The Air Quality Division will hold a public comment period through June 23, 2010. This public comment period meets the public participation requirements for a SIP submittal. The Regional Haze SIP can be viewed on the Web at www.michigan.gov/deq/0,1607,7-135-3310-142916--,00.html. If requested by June 23, 2010, a hearing will be held June 29, 2010 (see June 29 listing in this calendar). Written comments should be sent to the Michigan Department of Natural Resources and Environment, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Lorraine Hickman. Information Contact: **Cindy Hodges**, Air Quality Division, 517-335-1059.

Proposed Settlements of Contested Cases

NONE

Administrative Rules Promulgation

NONE

Announcements

NONE

Public Hearings and Meetings

Note: Persons with disabilities needing accommodations for effective participation in any of the meetings noted in this Calendar should call or write the appropriate meeting information contact listed below at least a week in advance to request mobility, visual, hearing, or other assistance.

MAY 26, 2010

DEADLINE FOR PUBLIC COMMENT REGARDING EAGLE VALLEY RECYCLE AND DISPOSAL FACILITY (SRN: N3845), ORION, OAKLAND COUNTY, for the proposed approval of a draft renewal of a Renewable Operating Permit (ROP) for the operation of a municipal solid waste landfill. The draft permit is intended to simplify and clarify the facility's applicable requirements and will not result in any air emission changes at the stationary source. The ROP public notice documents can be viewed on the web at www.deq.state.mi.us/aps/. The responsible official of the stationary source is Charles Cassie, 36600 29 Mile Road, Lenox, Michigan 48048. Comments on the draft permit are to be submitted to James Voss, Michigan Department of Natural Resources and Environment, Air Quality Division, Southeast Michigan District Office, 27700 Donald Court, Warren, Michigan 48092-2793. The decision-maker for the permit is Teresa Seidel, Southeast Michigan District Supervisor. If requested in writing by May 26, 2010, a public hearing may be scheduled. Information Contact: **James Voss**, Air Quality Division, 313-456-4687.

MAY 26, 2010

DEADLINE FOR PUBLIC COMMENT REGARDING FORD MOTOR COMPANY, DEARBORN, WAYNE COUNTY. Written comments are being accepted on a proposed Consent Order to administratively resolve alleged air pollution violations. You may obtain copies of the proposed Consent Order and Staff Activity Report on the Web at www.michigan.gov/deq/proposedconsentorders. Submit written comments to Thomas Hess, Michigan Department of Natural Resources and Environment, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909. Written comments must be received by May 26, 2010. If a request is received in writing by May 26, 2010, a public hearing will be scheduled. Information Contact: **Thomas Hess**, Air Quality Division, 517-335-4615.

Karen M. Cummins, Site Services Manager, 26701 Telegraph Road, Southfield, Michigan 48034-2091. Comments on the draft permit are to be submitted to Iranna Konanahalli, Michigan Department of Natural Resources and Environment, Air Quality Division, Southeast Michigan District Office, 27700 Donald Court, Warren, Michigan 48092-2793. The decision-maker for the permit is Teresa Seidel, Southeast Michigan District Supervisor. If requested in writing by June 23, 2010, a public hearing may be scheduled. Information Contact: *Iranna Konanahalli*, Air Quality Division, 586-753-3741.

JUNE 23, 2010

DEADLINE FOR PUBLIC COMMENT REGARDING CITY ENVIRONMENTAL SERVICES INC. OF WATERS (SRN: N5988), FREDERIC, CRAWFORD COUNTY, for the proposed approval of a draft renewal of a Renewable Operating Permit (ROP) for the operation of a municipal solid waste landfill. The draft permit is intended to simplify and clarify the facility's applicable requirements and will not result in any air emission changes at the stationary source. The ROP public notice documents can be viewed on the web at www.deq.state.mi.us/aps/. The responsible official of the stationary source is James Palmer, District Manager, 11375 Sherman Road, Frederic, Michigan 49733. Comments on the draft permit are to be submitted to Rob Dickman, Michigan Department of Natural Resources and Environment, Air Quality Division, Cadillac District Office, 120 West Chapin Street, Cadillac, Michigan 49601. The decision-maker for the permit is Janis Denman, Cadillac District Supervisor. If requested in writing by June 23, 2010, a public hearing may be scheduled. Information Contact: *Rob Dickman*, Air Quality Division, 231-876-4412.

JUNE 23, 2010

DEADLINE FOR PUBLIC COMMENT REGARDING GLEN'S SANITARY LANDFILL (SRN: N3261), MAPLE CITY, LEELANAU COUNTY, for the proposed approval of a draft renewal of a Renewable Operating Permit (ROP) for the operation of a municipal waste landfill. The draft permit is intended to simplify and clarify the facility's applicable requirements and will not result in any air emission changes at the stationary source. The ROP public notice documents can be viewed on the web at www.deq.state.mi.us/aps/. The responsible official of the stationary source is James Palmer, District Manager, 518 East Traverse Highway, Maple City, Michigan 49664. Comments on the draft permit are to be submitted to Rob Dickman, Michigan Department of Natural Resources and Environment, Air Quality Division, Cadillac District Office, 120 West Chapin Street, Cadillac, Michigan 49601. The decision-maker for the permit is Janis Denman, Cadillac District Supervisor. If requested in writing by June 23, 2010, a public hearing may be scheduled. Information Contact: *Rob Dickman*, Air Quality Division, 231-876-4412.

JUNE 23, 2010

DEADLINE FOR PUBLIC COMMENT REGARDING MICHCON MILFORD COMPRESSOR STATION (SRN: B7221), MILFORD, OAKLAND COUNTY, for the proposed approval of a draft renewal of a Renewable Operating Permit (ROP) for the operation of four 4,000 horsepower natural gas fired compressor engines. The draft permit is intended to simplify and clarify the facility's applicable requirements and will not result in any air emission changes at the stationary source. The ROP public notice documents can be viewed on the web at www.deq.state.mi.us/aps/. The responsible official of the stationary source is Olukayode Dawodu, Manager of Transmission and Storage Operations, 12700 30 Mile Road, Washington, Michigan 48095. Comments on the draft permit are to be submitted to Rebecca Loftus, Michigan Department of Natural Resources and Environment, Air Quality Division, Southeast Michigan District Office, 27700 Donald Court, Warren, Michigan 48092. The decision-maker for the permit is Teresa Seidel, District Supervisor. If requested in writing by June 23, 2010, a public hearing may be scheduled. Information Contact: *Rebecca Loftus*, Air Quality Division, 586-753-3735.

JUNE 23, 2010

DEADLINE FOR PUBLIC COMMENT REGARDING MICHIGAN'S REGIONAL HAZE STATE IMPLEMENTATION PLAN (SIP), revised for Michigan's two Class I areas, Isle Royale National Park and Seney Wilderness Area. This public comment period meets the public participation requirements for a SIP submittal. The Regional Haze SIP can be viewed on the Web at www.michigan.gov/deq/0,1607,7-135-3310-142916--,00.html. If requested by June 23, 2010, a hearing will be held June 29, 2010 (see June 29 listing in this calendar). Written comments should be sent to the Michigan Department of Natural Resources and Environment, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Lorraine Hickman. Information Contact: *Cindy Hodges*, Air Quality Division, 517-335-1059.

JUNE 23, 2010

DEADLINE FOR PUBLIC COMMENT REGARDING NJT ENTERPRISES, LLC (SRN: N1316), STERLING HEIGHTS, MACOMB COUNTY, for the proposed approval of a draft renewal of a Renewable Operating Permit (ROP) for the operation of a spray coating line and interior/exterior

General Summary of Comments from the 2010 Public Comment Period and DNRE Responses

Three sets of comments were received: one from the Forest Service (FS), a joint set from the Fish and Wildlife Service (FWS) and National Park Service (NPS), and one set from the Environmental Protection Agency (EPA).

Comment: Two comments (FS and EPA) expressed a concern for how the reasonable progress goals (RPGs) will account for BART. The reasonable progress goals are based on modeling runs that do not reflect BART determinations in Michigan and other states. While future haze levels are difficult to predict, especially due to uncertainties regarding utility control requirements and control levels, the EPA will expect Michigan to establish reasonable progress goals that reflect at least an approximation of BART control levels. There is still no statement in the State Implementation Plan (SIP) as to when remodeling will be done that shows the effect of BART determinations such as Lafarge and other sources in Michigan and elsewhere. How will the RPGs in the SIP be revised to reflect the implementation of BART in Michigan and other states?

Response: The DNRE will redo modeling to include BART when we have definite emissions information based on final Lafarge controls. This data is scheduled to be available no later than 2016. Other BART sources in other states are expected to have controls in place by this date as well, allowing for revised modeling for RPGs (see Section 5.1).

Comment: The FS commented that Michigan should include details on current controls on electric generating units (EGUs) and controls being installed, by date and by level of emissions reductions expected. As discussed later in their letter, they are particularly interested in planned controls for the top contributing sources as illustrated in Tables 10.3.2a-d.

Response: The DNRE has added information on EGU controls to Section 5.3 of the SIP document.

Comment: Two comments (FS and FWS/NPS) questioned how Michigan responded to the MANE-VU ask. According to the Regional Haze Rule, such consultations are not expected to result in agreement on everything, but the areas of agreement and disagreement that occur via consultation are to be documented in the SIP. They found some lengthy meeting notes but no list of specific areas of agreement and disagreement between Michigan and MANE-VU. Their questions include: 1) Much of the material is dated (was from 2007). What happened after that? 2) Is MANE-VU satisfied that the stacks they identified in Michigan are controlled adequately? 3) What is planned for control of those stacks and of those projects, how many are in enforceable documents?

Response: LADCO and MANE-VU continued discussions on a CAIR replacement rule and ICI boilers and sent ask letters to the EPA. The joint letter shows areas of agreement between LADCO and MANE-VU and the other two separate LADCO and MANE-VU letters indicate areas of disagreement. These letters have been included in the SIP

in Appendix 3D. The DNRE had no specific dialogue with MANE-VU to address whether MANE-VU was satisfied with controls on stacks identified by MANE-VU.

Comment: The FWS and the NPS commented that the Regional Haze Rule requires that RPGs be established to protect the 20% cleanest days (i.e., visibility on the cleanest days cannot degrade). The SIP assumes that RPGs are met, despite data showing that the cleanest days are in fact getting dirtier. (See Table 5.2b, Haze Results). Therefore, progress in meeting regional haze goals is not demonstrated in the plan as it is currently drafted.

Response: The DNRE believes that there are several reasons that could explain the cleanest days showing degradation. Modeling is not an exact science and a reasonable interpretation of the modeling is that there is little expected change in the clean day visibility levels. Also growth for ammonia was assumed for 2018, and no controls on ammonia emissions were added. Any assumptions regarding levels of ammonia emissions are estimates at best. In addition, BART controls were generally not modeled which also may improve the visibility. Recent measured visibility values are actually below the modeled values, indicating the models may be over-predicting the actual values. More detail on this issue is included in Section 5.2 of the SIP.

Comment: The FWS/NPS requested more information in several areas:

- Modeling that was performed, the tools used, and a description of model performance establishing the level of confidence in the results, should be included in the SIP narrative.
- **Response:** This information is provided in Appendix 5A starting on page 47.
- More information based upon the IMPROVE monitoring data, which illustrates the importance of sulfate, nitrate, and organic carbon to visibility impairment, and how Michigan is using these data to define its emission control priorities.
- **Response:** Over time, as the DNRE continues to evaluate the haze problem in Michigan, we will determine whether our emission control priorities need to be revised.
- More discussion regarding all emission inventories, the inventory development methods, and the assumptions made with all iterations in inventory development.
- **Response:** The emissions inventory is thoroughly discussed in Appendix 8A. In addition the modeling inventory is discussed in Appendix 5A starting on page 51.

Comment: The EPA commented that given the regional nature of regional haze, Michigan's test for significance, based on whether a state contributes 5% of the regional haze, is too exclusive a test. Although the EPA does not specify a particular test of significance for states to use, the alternative contemplated by Michigan, based on whether a state contributes 2% of the regional haze, likely provides a better indicator of whether a state has a contribution that warrants addressing.

Response: The DNRE disagrees. As explained in Appendix 1A, the back trajectory and modeling results showed that states contributing 2% (or more) make up about 90 to 95% of total light extinction, whereas states contributing 5% (or more) make up about

75-80% of total light extinction. Since this is the first planning period for regional haze, we believe that focusing on a 5% grouping of states is adequate. In future years this will be re-evaluated and a larger impacting group of states may be appropriate.

Comment: The EPA commented that they do not agree that the Midwest Regional Planning Organization (RPO) is dormant. In any case, the DNRE should note that LADCO continues to perform work on regional haze and other related air pollution issues, currently based primarily on state funding.

Response: The DNRE removed this language from Section 3.1 of the SIP. The RPO has no federal funding for regional haze activities. The DNRE acknowledges that LADCO is an integral part of the DNRE's modeling and other related activities. However, modeling priorities continue to focus on PM_{2.5} and ozone.

Comment: The EPA commented that the discussion of factors to be considered in defining BART lists instead the statutory factors for evaluating reasonable progress. The Clean Air Act has a set of five factors for BART that differs somewhat from the four factors listed on page 7.

Response: On page 7, the discussion is about reasonable progress factors. There is no discussion about the BART factors in this section.

Comment: The FS questions why Michigan did not ask for emission reductions from the other contributing states shown in Table 10.2.3.a.

Response: Several states contributing to Michigan Class I areas were planning emission reductions in their states. Therefore, the DNRE did not deem it necessary to ask for additional reductions.

Comment: The FS noted that efforts spent to achieve compliance with the PM_{2.5} and ozone ambient standards don't preempt compliance with other parts of the Clean Air Act (i.e., regional haze). The nonattainment areas are generally in the opposite end of the state from the Class I areas so the sources determined to have the most contribution to the state's nonattainment problems may not be the same ones who contribute the most to visibility impairment in the Class I areas.

Response: Some large sources of visibility-impairing emissions, EGUs, will achieve reductions under CAIR and the new proposed Clean Air Transport Rule (CATR), and some are located in ozone and PM_{2.5} nonattainment areas. Therefore, improvements from these sources to address the ozone and PM_{2.5} nonattainment areas will have an effect on visibility.

Comment: The FS commented that to support Regional Haze SIPs, a large amount of resources were spent to produce technical information such as the list of most culpable sources in Tables 10.3.2.a and b. While a broad cap and trade system such as CAIR can improve visibility at the Class I areas, Tables 10.3.2.a and b show that the most benefit will be seen from reductions at specific plants. Yet after presenting the technical information, no explanation is given as to what pollution controls are planned for any of these sources (and how much of the planned projects are included in any enforceable documents), or whether Michigan asked any of the specified sources to implement

controls, including asking the contributing states (e.g., Minnesota and Wisconsin) regarding their sources in the tables.

Response: Most of the sources in Tables 10.3.2.a and b are either BART-subject or EGUs subject to CAIR and the proposed CATR. Information on EGU controls has been added to Section 5.3. The DNRE is still evaluating the proposed CATR to determine how EGUs will be affected. Several states contributing to Michigan Class I areas were planning emission reductions in their states. Therefore, the DNRE did not deem it necessary to ask for additional reductions.

Comment: The FS commented that Michigan notes that the majority of EGUs whose emissions significantly affect Isle Royale and Seney are subject to CAIR and may be subject to the CAIR replacement rule. However, the DNRE is assuming that the CAIR replacement rule will still be deemed a substitute for BART. What if CAIR or its replacement does not end up representing BART?

Response: The DNRE is carefully reviewing the proposed CATR, the CAIR replacement rule, to determine how EGUs will be affected. If the Regional Haze Rule is changed to not allow this substitution, Michigan will re-evaluate whether additional controls on EGUs are appropriate.

Comment: The FS commented that Figure 10.3.2b clearly shows that the uniform rate of progress (URP) is achievable. The EC/R concluded that additional controls on EGUs beyond CAIR are economically feasible.

Response: The DNRE is currently analyzing the proposed CATR rule that the EPA considers to be the first Phase of EPA-required EGU controls. Additional controls on EGUs will be addressed by the EPA as the second phase of CATR, which the EPA will promulgate following the phase I rule currently proposed.

Comment: The FS commented that Michigan states, "Some of the largest EGUs, such as DTE's Monroe power plant and Consumer Energy's Campbell plant, have installed or are in the process of installing CAIR-compliant controls. EGUs in other states that have been shown to impact Michigan's Class I areas (see Section 10.3.2 of this document) also are expected to install and operate CAIR-compliant controls." In a cap and trade system, how does Michigan know what level of controls constitutes a compliant system? A source can buy and bank allowances instead of installing controls. Also please give more specifics on the control plans for these and the other plants identified in Tables 10.3.2.a and b.

Response: Since haze is a regional problem, cap and trade should still lower emissions that will result in improved visibility. However, with the proposed CATR rule, trading is limited. The DNRE is evaluating the proposed CATR to determine how EGUs will be affected. The DNRE added a table showing the installed controls for EGUs in Section 5.3 of the SIP.

Comment: The FS commented that Michigan states, "Since all EGUs are subject to CAIR and since the Regional Haze Rule has allowed CAIR to equal BART, the DNRE believes that no further controls on EGUs should be considered as reasonable for purposes of regional haze at this time. This includes any EGUs that are not specifically

BART-subject, since controls beyond BART should not be considered reasonable under regional haze.” It appears that under Michigan’s assumption that the new CAIR will be a substitute for BART, they also assume it will be a substitute for reasonable progress. This is incorrect. Reasonable progress is a separate requirement from BART in the Regional Haze Rule and requires separate analysis and justification. Reasonable progress must result from consideration of a four-factor analysis. The relationship between CAIR and BART is not part of a four factor analysis.

Response: Section 10.3.2 was revised. The reasonable progress analysis in the Haze SIP document accounts for all controls currently expected to be implemented by 2018. We believe EGUs will be controlled via the CATR and by any additional future controls we determine to be necessary to meet the NAAQS.

Comment: The FS commented that Michigan states, “The control levels evaluated by the LADCO contractor, EGU 1 and EGU 2, both provide more emission reductions than achieved by CAIR at costs that could be seen as reasonable. However, CAIR clearly is intended by the EPA to address reasonable controls for EGUs in terms of the Regional Haze SIP. To require EGU 1 and/or EGU 2 levels of control for haze reasonable progress goes beyond what the EPA intends, and the DNRE does not believe such controls are reasonable.” We are unclear what EPA intention is being referred to here. As stated above, reasonable progress is a separate requirement from BART.

Response: As stated above, the reasonable progress analysis in the Haze SIP document accounts for all controls currently expected to be implemented by 2018. We believe EGUs will be controlled via the CATR and by any additional future controls we determine to be necessary to meet the NAAQS. However, the DNRE has removed this language from Section 10.3.2 of the SIP because we are evaluating the CATR controls to determine how EGUs will be affected.

Comment: The FS commented that Michigan states, “The RPG is set at the visibility level shown to result from the application of all the elements of the DNRE’s long-term strategy, along with all currently known controls being applied by other states. However, several of these control measures include CAIR controls that currently are being revised by the EPA.” This is not correct since it is our understanding that the RPGs in the SIP do not include the affect of non-EGU BART determinations in Michigan and surrounding states. How and when will this deficiency be corrected?

Response: The DNRE will redo modeling to include BART when we have definite emissions information based on final Lafarge controls. This data is scheduled to be available no later than 2016. Other BART sources in other states are expected to have controls in place by this date as well, allowing for revised modeling for RPG (see Section 5.1).

Comment: The FS commented that Michigan states, “The control levels evaluated by ECR, EGU 1 and EGU 2, both provide more emission reductions than achieved by CAIR. However, CAIR clearly is intended by the EPA to address reasonable controls for EGUs in terms of the Regional Haze SIP. To require EGU 1 and/or EGU 2 levels of control for haze reasonable progress goes beyond what EPA intends, and the DNRE does not believe such controls are reasonable for this phase of the reasonable progress

determination. Future determinations of reasonable progress may re-evaluate controls that are tighter than were addressed in the CAIR program.” Again, as stated above, reasonable progress is a separate requirement from BART.

Response: As stated above, CAIR and CATR are expected to address haze. However, the DNRE has removed this language from Section 10.3.2 of the SIP because we are evaluating the CATR controls to determine how EGUs will be affected.

Comment: The FS commented that the discussion regarding the state’s Mercury/Multi-pollutant Rules shows that DNRE can go beyond CAIR to require SO₂ and NO_x controls as it chose to do in this instance to encourage mercury reductions.

Response: The DNRE allowed co-benefit mercury reductions from proposed NO_x and SO_x reductions at the choice of the EGUs. These reductions are not mandatory.

Comment: The FS questioned how new emission sources, especially new major sources under New Source Review, will show they are not negatively affecting the RPG?

Response: New sources with emissions impacting Seney and Isle Royale take haze into consideration via modeling submitted in a New Source Review permit application, which is reviewed by FLMs.

Comment: The FS stated they are eager to implement the draft smoke management plan (SMP) and are curious to learn when it will be finalized.

Response: The SMP is nearly completed, only requiring a few more signatures.

BART

Comment: The FS wanted the Q/d analysis to include all three main visibility-impairing pollutants, including particulate (PM₁₀). It is unclear if their approach would make any difference in the number of facilities in Michigan that moved on to the next step in the subject to BART analysis because the Q (including PM₁₀) of each of the sources in Table 1 of the Appendix 9B is not listed.

Response: All EGUs in Michigan have particulate control either by ESP or baghouses. Analysis of species contributions indicated that SO₂ and NO_x were the primary pollutants contributing to visibility impairment, thus were the only pollutants modeled in the Q/d analysis.

Comment: The FWS and NPS commented that DNRE must evaluate particulate emissions from EGUs subject to BART. While BART guidance allows states to conclude that reductions of sulfates and nitrates regulated under the Clean Air Interstate Rule (CAIR) are better than BART, this does not include particulate emissions from these sources. Also, for the sources for which BART determinations were performed, the three yearly deciviews improvements were averaged for comparisons of Pre- and Post-BART visibility improvements (see Table 9.3a, BART Controls and Comparison of Visibility-Impairing Pollutant Impacts on Class I Areas). They do not agree with averaging deciviews for comparison.

Response: Particulate emissions were evaluated via sensitivity tests. Sensitivity tests showed that primary particulate emissions play only a very minor role in long-range transport contributing to haze, see Section 9.1 for additional detail. Regional sulfates and nitrates account for nearly all predicted long-range anthropogenic haze. Modeling guidance for determining BART applicability is very specific and does not include annual averaging to determine BART eligibility. However, once a facility is determined to be BART eligible, the states have modeling discretion on how to determine the effectiveness of control strategies. During these control sensitivity modeling runs, the averaging of annual results was used to provide guidance on the effectiveness of proposed controls.

Comment: The EPA commented that although the regional haze rule provides for CAIR where applicable to satisfy the BART requirement with respect to SO₂ and NO_x from electric generating units, the EPA is reconsidering this guidance. Therefore, they would not necessarily agree that it is “EPA’s position” that CAIR satisfies pertinent BART requirements. Similarly, Michigan should avoid statements as to whether EPA does or doesn’t intend for CAIR to “address reasonable controls for [electric generating units] in... Regional Haze SIPs.”

Response: The DNRE has removed this language from Section 10.5.2 of the SIP and is evaluating the CATR proposal in relation to EGUs.

Comment: The EPA commented that Michigan must submit the documents that are to provide for federal enforceability of specific limits representing BART. Even if these limits are already federally enforceable, Michigan must submit these documents for inclusion in the docket for EPA’s rulemaking on Michigan’s prospective SIP submittal and for incorporation by reference as part of Michigan’s SIP.

Response: The DNRE believes it has met this requirement by including appropriate permit language and references. For Lafarge, the BART reductions are currently contained in a consent order, and will be rolled into an NSR permit in the future.

Empire Mine

Comment: Comments from EPA and the FS were concerned that the BART-subject emission unit at the Empire facility is permanently shut down and reflected in an enforceable document.

Response: The facility is permanently decommissioned as per Title V permit, Renewable Operating Permit (ROP) No. MI-ROP-B1827-2008. The decommissioned Kiln # 1 is not included in the Title V permit issued July 1, 2008. Kiln # 1 was included in NSR permit to install No 494-87B that was voided on November 6, 2000, as part of the Title V permit procedure for. ROP #199600365, issued November 6, 2000. It will require a new approved NSR permit to restart Kiln # 1.

Lafarge

Comment: The FWS/NPS commend Lafarge for its proposed BART decisions. Lafarge proposed BART that is generally consistent with the control equipment already committed to under the Lafarge Global Settlement/Consent Decree – Alpena Facility (Consent Decree). Lafarge proposed that BART should consist of Selective Non-Catalytic Reduction (SNCR) for NO_x control at all five cement kilns, along with wet flue gas desulfurization (FGD) for SO₂ control for the two kilns in Kiln Group 6. The DNRE included as BART Dry Absorption Additions (DAA) for SO₂ controls for the three kilns in Kiln Group 5 as required by the Consent Decree. They note that low NO_x burners (LNB) are proposed for all five kilns, but this control equipment is not included in the definition of BART. The DNRE should consider the inclusion of LNB as BART and explain in the SIP the decision as to its inclusion or exclusion.

Response: The DNRE considers that all the controls, for NO_x, SO₂ and PM, as stated in the Global settlement, are included as BART.

Comment: The FWS/NPS commented that the Consent Decree requires a 12-month rolling average emission limit for NO_x of 4.89 lb NO_x/ton of clinker, with the provision that a 30-day rolling average emission limit will be developed at a later date. Retrofitted 30-day rolling average emission rates in the range of 2.0 lb NO_x/ton of clinker and lower can be attained by using SNCR/LNB on pre-calciner kilns. The 35 to 40% removal efficiency using SNCR and LNB on a long dry kiln might account for the higher emission limit, but more discussion and calculations should be provided to justify the higher emission limit as is indicated will be done in the SIP.

Response: The DNRE considers that all the controls, for NO_x, SO₂ and PM, as stated in the Global settlement, meet BART requirements. The 30-day rolling average NO_x emission limits will be established following the installation of SNCR on the five kilns. These are scheduled to be operating on enforceable milestones of the Consent Decree, ranging from October 1, 2011 to March 1, 2012. Comparison of 30-day average feasible limits can then be made to the 30-day average limits set through the Global settlement's requirements.

Comment: The EPA commented that the consent decree that Michigan is relying on to require BART level controls specifies interim emission limits but also provides for testing to determine final emission limits. At that point the consent decree will be replaced by a permit that Michigan is expected to issue. Although the interim limit may suffice for current haze SIP purposes, Michigan needs to describe how it intends for the ultimate limit to become enforceable by the State and by EPA and to become part of the SIP, to replace the consent decree before the consent decree expires. If Michigan intends to rely on a Title V permit to provide for federal enforceability of the replacing limits, Michigan will need to address questions about whether it has authority to define a BART limit in a Title V permit rather than having the Title V permit simply compile a limit established elsewhere. As a general matter, Title V permits do not offer a proper mechanism for setting new limits.

Response: The BART reductions currently contained in the consent order will be rolled into a NSR permit in the future. At that time the NSR permit will be submitted to EPA to be made part of the BART SIP.

New Page – Escanaba Paper (NP)

Comment: The FS said in regards to the recovery furnace, NP states they already have installed staged combustion but offered no data to indicate how well it is operating.

Response: According to NP, the company is responsible for operating the recovery furnace in a manner that is both safe and environmentally responsible. The recovery furnace as an emission unit is regulated for, among other pollutants, total reduced sulfur (TRS) and particulate. A CEMS is installed and operated to continuously monitor TRS emissions. Likewise, a continuous opacity monitoring system is installed to continuously monitor opacity as a surrogate indicator for particulate emissions. Poor combustion within the furnace will yield poor char bed formation, incomplete oxidation of TRS, and fuming, which yields high particulate carryover out of the furnace. Each of these parameters, among others, is monitored to indicate adequate and proper combustion is occurring.

Comment: The FWS/NPS suggested that regarding the recovery furnace, low-temperature oxidation was not considered as a NO_x control alternative. It has never been used on a recovery furnace, but is commercially available and has been successfully applied to, and permitted for, industrial processes (e.g., Minnesota Steel PSD permit). It would be ideally suited to the relatively cool exhaust here. EPC should show why it is not applicable to its recovery furnace.

Response: NP has stated that to the best of their knowledge, this technology has not been applied to any recovery furnace in the pulp and paper industry. The ability to apply low-temperature oxidation technology is likely to be extremely different on a recovery furnace than the type of furnace referenced in the comment. Although both are furnaces, they are vastly different.

Comment: The FS, FWS/NPS, and EPA comment that there is no basis for rejecting control options for the boilers because "...visibility modeling does not indicate it will result in a significant visibility improvement (i.e., at least 0.5 deciviews)." The BART guidelines provide no such basis for rejecting control options.

Response: The DNRE accepts that the information in the SIP document, submitted by NP, adequately supports the BART determination.

Comment: The FS commented that in the BART guidelines EPA states that the threshold of perceptibility is 0.5 deciviews and not 1 as proposed by NP. The installation of control for one pollutant (NO_x) on just one BART subject unit at NP improved visibility by 0.4 deciviews. NP thinks this is small, the FS sees it as very large in and of itself and when added to other controls at the facility would lead to an even more significant improvement in air quality at Seney.

Response: The DNRE accepts that the information in the SIP document, submitted by NP, adequately supports the BART determination.

Comment: All three commenters stated that to be consistent with other BART analyses the interest rate and expected equipment life for the low NO_x burner (LNB) analysis for Boiler No. 8 should be 15 years and 7% versus 10 years and 10%. If this change is made the average cost-effectiveness is \$2900 per ton. They also questioned what an employee needs to do for 0.5 hour per shift, for three 8-hour shifts per day, for an LNB? If that cost is removed then the average cost effectiveness is \$2,100 per ton and is not excessive.

Response: The DNRE accepts that the information in the SIP document, submitted by NP, adequately supports the BART determination.

Comment: The FWS/NPS commented that NP proposed that no additional controls could be justified as BART, based on lack of technical feasibility or cost-effectiveness. It was claimed that serious space limitations at Boiler No. 8 would require adding fans and a new stack to accommodate several of the BART alternatives. Adding these costs to each BART alternative caused all cost estimates to be excessive, except possibly low NO_x burners (LNB) at \$3,600 per ton of NO_x removed. The DNRE should confirm that lack of space is an issue at Boiler No. 8.

Response: The DNRE accepts that the information in the SIP, submitted by NP, adequately supports the BART determination.

Comment: Comments from the FS stated that based on current fuel prices (#6 fuel oil at \$1.5 per gallon and natural gas at \$6 per 1000 cubic feet, see: www.eia.doe.gov/dnav/) it is actually a cost savings to operate Boiler No. 8 on natural gas versus the \$482,502 annual cost shown in the BART analysis.

Response: NP cost figures are based on 2006 prices, and NP states that there is no guarantee that the natural gas prices will remain low in the future. The DNRE accepts that the information in the SIP document, submitted by NP, adequately supports the BART determination.

Comment: All three commenters stated that the SNCR BART analysis for Boiler No. 9 (a wood/natural gas fired, 250,000 pound per hour boiler) appears to be flawed. The MANE-VU document notes an example, "Installing SNCR to achieve 0.15 lb/MMBtu NO_x emissions on a 300,000 pound per hour wood boiler: Capital \$1.5 million; operating \$0.1 million/yr." NP's total capital cost is \$4.4 million and operating cost is \$1.1 million. This large discrepancy should be explained. NP also again uses an expected equipment life of 10 years and an interest rate of 10%, which the commenters believe should be 15 years and 7%, respectively.

Response: The DNRE accepts that the information in the SIP document, submitted by NP, adequately supports the BART determination.

Comment: The FS stated the assumed fuels are important to the BART analysis. Are the fuels burned in the No. 9 boiler limited by an enforceable document to only bark and natural gas?

Response: Presently only bark and natural gas are being used as fuel for the No. 9 boiler. However, the limitation for burning wood bark, natural gas, as well as paper core is given in the ROP No. MI-ROP-A0884-2008.

St. Mary's Cement (SMC)

Comment: All three commenters disagreed with SMC's determination that a selective, non-catalytic reduction system is technically infeasible and not cost-effective. There does not appear to be documentation describing why SMC has insurmountable problems operating an SNCR system in winter. Also, four other cement plants are proposing SNCR as BART. These are Ash Grove Cement in Montana, CEMEX in Colorado, Holcim Cement in Montana, and Lafarge North America in Washington. The average cost-effectiveness range of \$900-1200 per ton, as reported in the MANE-VU document for SNCR, further suggests the cost effectiveness of SNCR. In addition, the 10% control efficiency that SMC assumed for SNCR appears too low and is among the lowest performing in the industry. The Lafarge BART analysis, which is planning to install a number of SNCR systems at its plant for year-round operation, for example, states the "...expected control effectiveness of SNCR (on the order of 30 to 40 percent based on publicly available data)." Other efficiencies are variously reported at 85%, 80%, 47%, and 25-50%. SMC should consider an examination of its SNCR system seeking improvement in its operating efficiency.

Response: The DNRE accepts that the information in the SIP document, submitted by SMC, adequately supports the BART determination.

Comment: The FS, FWS/NPS, and EPA stated that the cost estimate for the SNCR system (\$ 7,568 per ton) is too high for SMC.

- a. The MANE-VU document showed an average cost-effectiveness range of \$900-1200 per ton. This is the same reference document SMC used for their sulfur dioxide control costs. Appendix F notes the average cost-effectiveness range down to \$1,000 per ton. This report had limited data since it was from 2004. As more SNCR systems have been applied the costs will likely have come down. Furthermore, other reported SNCR installation ranging from \$498-\$713/ton (Lafarge, MI) to \$1400-\$2300/ton (Ellis County Texas Study).
- b. It is not clear which facility from Appendix F was used to arrive at a capital cost \$1.37M, with an additional cost of \$400,000 for winterization. The need for the winterization cost is unsupported.
- c. They didn't believe a new SNCR system will need five cleanout events per year, so this cost item can be reduced or removed.
- d. The 10-year equipment life assumed is too short. Appendix F assumes 15 years as does the EPA's document: Alternative Control Techniques Document-NOx Emissions from Cement Manufacturing, EPA-453/R-94-004.
- e. The very low 10% control efficiency assumption, a somewhat inflated capital cost, a 10-year, rather than 15-year, amortization factor, along with an excessive assumption for the cost of annual operation, all contribute to the unrealistic high cost per ton.

- f. SMC claimed that the cold winter climate of Michigan made proper temperature control for SNCR difficult. SNCR has been successfully operated without significant efficiency impairment in many cold climates.
- g. Higher control efficiency assumptions on a new SNCR along with more realistic cost functions may result in a feasible retrofitted installation.

Response: The DNRE accepts that the information in the SIP document, submitted by SMC, adequately supports the BART determination.

Comment: Comments from the FWS/NPS cite The Portland Cement Association report¹ that a relatively inexpensive but effective NO_x control technique is a “high pressure air injection system” (also called a mixing air system) that can be installed on the kiln. Mixing air systems have shown significant emissions reduction up to 48% on the 13 kilns operating with this technology. This should have been considered among the BART NO_x control alternatives.

Response: The DNRE accepts that the information in the SIP document, submitted by SMC, adequately supports the BART determination.

Comment: The FWS/NPS state the proposed NO_x emission limit of 6.5 lb NO_x/ton of clinker is lenient compared to the 2.8 lb NO_x/ton of clinker emission limit for pre-calciner kilns and the Lehigh kiln in Iowa that is subject to 2.8 lb NO_x/ton of clinker.

Response: The DNRE accepts that the information in the SIP document, submitted by SMC, adequately supports the BART determination.

Comment: The FWS/NPS comment that the fifth BART factor, namely the visibility impact analysis of each BART alternative, was not presented, probably on the assumption that the high cost per ton dropped each alternative from consideration. After more reasonable costs are determined as discussed above, visibility impact analysis should be performed to assess the potential visibility improvement associated with each control alternative. Since the maximum impact of this facility on the Seney Wilderness Area is a relatively large 5.257 deciviews, this analysis becomes more important.

Response: The DNRE accepts that the information in the SIP document, submitted by SMC, adequately supports the BART determination.

Comment: The FWS/NPS comment regarding SO₂ control, wet FGD was considered with a cost-effectiveness estimate of \$9,258 per ton and was dismissed due to the high cost. A wet limestone forced oxidation (LSFO) scrubber system was not considered by SMC. These systems demonstrate high removal efficiencies (e.g., 81 to 90%). The Lafarge cement plant in Michigan has proposed the LSFO as BART at a reasonable cost (\$1,087/ton SO₂). The LSFO alternative should be considered and the costs should be examined.

Response: The DNRE accepts that the information in the SIP document, submitted by SMC, adequately supports the BART determination.

¹ “Summary of Control Techniques for Nitrogen Oxide” by Zephyr Environmental Corporation for the Portland Cement Association, 2008, p. 2.

Smurfit-Stone Container Corporation

Comment: The FWS/NPS commented that a permit or other enforceable document should be provided to Smurfit-Stone Container Corporation stating that all permit limitations for the facility are zero.

Response: The Company is in the process of bankruptcy. However, it has been determined that the permits have not been voided. Therefore Smurfit has been added back into this SIP document.

The DNRE has agreed that controls installed at Smurfit-Stone Container Corporation and planned for installation represent BART. If the company comes out of bankruptcy or is bought by some other company, a new NSR permit will be required to be submitted and approved by DNRE to make the BART controls legally enforceable at that time.

Tilden Mining Company (TMC)

Comment: The EPA and FS commented that the only taconite plants in the US are located in Minnesota and Michigan. The same company that operates Tilden operates facilities in Minnesota. Early on in the regional haze consultations, Michigan agreed to mirror what Minnesota did in their SIP with their taconite facilities to ensure consistency. When comparing the two SIPs they found omissions in Michigan's SIP. The DNRE should thoroughly review what is contained in Minnesota's Regional Haze SIP and revise the determination for Tilden to make it consistent with Minnesota.

(<http://www.pca.state.mn.us/index.php/air/air-quality-and-pollutants/general-air-quality/minnesota-regional-haze-plan.html>)

Response: The DNRE accepts the company's claim their operations are different enough from the facilities in Minnesota to warrant a different approach in the BART determination.

Comment: The EPA and FS suggested that the control technology information in the Tilden BART submittal is completely out of date. In April, USS Minntac installed a low-NOx main burner firing solid fuels in its furnace. Extensive CFD work done by a number of companies in Minnesota has shown that burner designs that lower the flame temperature can reduce NOx formation in taconite furnaces. Low-NOx burners are also being designed for a new taconite plant, Essar Steel, to be built near Nashwauk that will fire natural gas. Essar was originally permitted to install LoTOx to control NOx and mercury. In a separate permitting action for a different taconite facility the MPCA has determined that LoTOx is technically and economically feasible. Babcock Power has made a proposal to a Minnesota taconite plant to pilot test its RSCR system to determine how well it will work.

Response: The projects and technologies described above were not selected or proposed for BART, but rather were proposed primarily as projects to be studied, and were agreed to be completed as part of PSD permitting (not BART) or enforcement situations. None of the technologies and projects described above have been established for BART at taconite plants in Minnesota.

Comment: The EPA and FS suggested that in regards to sulfur dioxide, the MPCA determined that the addition of a scrubber at the United Taconite plant that burns primarily coal was technically and economically feasible. In doing so, the MPCA had to correct the cost figures submitted by the same consultant who submitted Tilden's BART analysis. They saw no evidence presented that would indicate that a similar conclusion is not justified for Tilden.

Response: The DNRE accepts that the information in the SIP, submitted by TMC, adequately supports the BART determination. According to TMC, the facility-specific circumstances and evaluations completed for Tilden do not warrant further wet scrubber evaluations to make a BART determination. TMC's wet scrubber (absorber) evaluation shows costs to be \$6,000/ton of sulfur dioxide removed. TMC states that the implementation of a wet scrubber (absorber) would have negative environmental effects by increasing the sulfur constituent loading in water.

Comment: The EPA and FS commented that other items included in the Minnesota's Regional Haze SIP that are missing from the Michigan SIP include requirements to install NO_x and SO₂ CEMs by November 2008, and a pilot testing program of potential NO_x control strategies starting in July 2011.

- a. The FS commented multiple times on Minnesota's RH SIP that stack testing/ PEMS (predictive emission monitoring systems) are not appropriate for these sources since the taconite plants will be attempting to find methods to reduce emissions and in doing so need real-time emissions information. It should also be noted that taconite plants produce NO_x emissions on the scale of utilities which are required to install CEMs. CEMs have been operated by a number of taconite plants for years and no insurmountable operating problems have been established.
- b. Tilden is unique among the taconite plants in the US in that it processes hematite and magnetite. The oxidation of magnetite produces significant heat versus hematite. It is this difference that led the EPA to subcategorize the taconite MACT standard and set a different limit for Tilden. It is also this difference that should compel Michigan to require CFD modeling, low-NO_x main burner design, and pilot testing of NO_x controls on this line.

Response: The DNRE accepts that the information in the SIP, submitted by TMC, adequately supports the BART determination.

Comment: The EPA and FS commented that Tilden's revised BART scenario, which shows that SO₂ alone does not cause visibility impairment to Class I areas, is inconsistent with EPA policy and therefore is not an adequate basis for concluding that the current Title V permit limits for SO₂ emissions of 28,800 lbs per day should be considered BART. They also disagreed that Tilden should be allowed to go back and model pollutant by pollutant at an individual BART-subject emission unit in an attempt to exempt certain pollutants from the unit, as was done for sulfur dioxide at Tilden Furnace 1. The EPA memo dated July 19, 2006 from Joseph Paisie that is included in New Page's BART analysis states, "Because of the complexity and nonlinear nature of atmospheric chemistry and chemical transformation among pollutants, the EPA does not generally recommend that CALPUFF be used on a pollutant specific basis to

determine whether a source meets the threshold test for BART.” Also it goes on to state, “Because the task of predicting the impacts of PM on visibility is a relatively straight-forward exercise, unlike predicting the impacts of SO₂ and NO_x, we would recommend the use of CALPUFF on a pollutant specific basis to model only the impact of PM emissions on visibility.”

Response: There appears to be a misunderstanding of the modeling runs that were completed as part of the Tilden BART analysis. The Tilden modeling is consistent with the EPA memo cited. Multi-pollutant CALPUFF runs were performed to evaluate visibility impacts, not single pollutant runs as implied in the comments. Two baseline scenarios were evaluated reflecting the range of fuels at Tilden, natural gas (high NO_x emissions, low SO₂ emissions) and coal (low NO_x emissions, high SO₂ emissions). Further, the significantly lower impact of the coal-fueled run was only one factor that contributed to the BART determination for SO₂.

Comment: The FS disagreed with the assertion in Tilden’s BART analysis that, “The CALPUFF model is conservative, resulting in an over prediction of impacts. This modeled high impact from the BART eligible sources is 0.72 dV, which is below perceptible levels of one to two dV. Real impacts to the Class I areas from Tilden are expected to be even less than these modeled impacts.” The perceptibility threshold is not 1 to 2 deciviews it is 0.5 deciview. Also, the EPA goes into detail regarding a number of reasons why the CALPUFF modeling analysis may not be conservative (see FR Vol. 70, No. 128 p. 39119).

Response: According to the Winter/April 1993 IMPROVE newsletter (IMPROVE Vol. 2 No. 1), “...a 1 to 2 dV difference corresponds to a small visibility perceptible change in scene appearance where the assumptions used to develop the dV scale are met.” The BART guidelines identify the 0.5 dV as a threshold for requiring a BART determination. The language in question does not affect the conclusion of the analysis, that Tilden impacts are very small. Given the emissions assumptions (operating at maximum rates 8,760 hours per year), “The real impacts to the Class I areas from Tilden are expected to be even less than these modeled impacts...” still applies even without the other elements of the quote.

(The following 3 pages contain the DNRE notice of the second public comment period which was held in October 2008 as published in DNRE’s bi-weekly Calendar of events.)



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
 PO BOX 30473
 LANSING MI 48909-7973

CALENDAR

September 29, 2008

ENVIRONMENTAL ASSISTANCE CENTER
 800-662-9278
 E-mail: deq-ead-env-assist@michigan.gov

The DEQ Environmental Assistance Center (EAC) is available to provide direct access to DEQ environmental programs, answers to environmental questions, referrals to DEQ technical staff, and quick response. Questions on any items listed in the DEQ Calendar can be referred to the EAC.

PUBLICATION SCHEDULE

The DEQ Calendar is published every two weeks, on alternate Mondays, by the Michigan Department of Environmental Quality. We welcome your comments.

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TIMETABLE FOR DECISIONS

No decision listed in the DEQ Calendar will be made prior to seven days after the initial Calendar publication date.

TIPS FOR CITIZEN INPUT

Refer to the "Public Involvement Handbook, A Citizens Guide" to increase the effectiveness of your input into DEQ programs. Access the handbook at www.michigan.gov/deq and click on "Get Involved, Programs for Citizens."

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**PART I:
ENVIRONMENTAL ISSUES, PERMITTING AND RELATED REGULATIONS**

Permit Decisions Before the Office of the Director

**AIR QUALITY
DIVISION**
See Map - ❶

EES COKE BATTERY, LLC, RIVER ROUGE, WAYNE COUNTY, proposed Permit to Install application for a 5 percent increase in production of metallurgical coke on an annual basis from the existing by-product recovery coke oven battery. Additionally, the 5 percent increase in production of metallurgical coke on an annual basis from the existing by-product recovery coke oven battery will require revisions to Renewable Operating Permit (ROP) No. 199600332. This public comment period meets the public participation requirements for a future administrative amendment to the ROP. The facility is located at Zug Island, River Rouge, Michigan. The responsible official for the source is Gary Gross, General Manager, P.O. Box 18309, River Rouge, Michigan. New Source Review and ROP public notice documents can be viewed at www.michigan.gov/deqair. If a public hearing is requested in writing by September 26, 2008, an informational session and public hearing will be held September 30, 2008, (see September 30 listing in this calendar). Written comments and/or a request for a public hearing should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Mary Ann Dolehanty, Acting Permit Section Supervisor. Information Contact: **Randal Telesz**, Air Quality Division, 517-373-7089. Decision-maker: **G. Vinson Hellwig**, Air Quality Division Chief.

**AIR QUALITY
DIVISION**
See Map - ❷

SIETSEMA FARMS FEEDS, INC., HOWARD CITY, MONTCALM COUNTY: Written comments are being accepted until October 28, 2008, on a proposed Permit to Install application for installation and operation of a gasification facility to produce steam and electricity from turkey manure/litter. The facility is located at 19117 Lake Montcalm Road, Howard City, Michigan. Public notice documents can be viewed at www.deq.state.mi.us/aps/cwerp.shtml. A public hearing will be held on October 28, 2008 (see October 28 listing in this calendar). Written comments should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Mary Ann Dolehanty, Acting Permit Section Supervisor. Information Contact: **Paul Schleusener**, Air Quality Division, 517-335-6828. Decision-maker: **Lynn Fiedler**, Acting Air Quality Division Assistant Chief.

**AIR QUALITY
DIVISION**
See Map - ❸

WOLVERINE POWER SUPPLY COOPERATIVE, INC., ROGERS CITY, PRESQUE ISLE COUNTY: Written comments are being accepted until November 24, 2008, on a draft permit for the proposed installation and operation of a 600-megawatt coal-fired steam electric power plant. The facility would be located within the Oglebay-Norton Quarry property, Rogers Township, Michigan. New Source Review public notice documents can be viewed at www.michigan.gov/deqair. An informational session will be held on October 1, 2008 (see October 1 listing in this calendar). Additional informational sessions and public hearings will be held on October 29, 2008 and on October 30, 2008 (see the October 29 and October 30 listings in this calendar). Written comments should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Mary Ann Dolehanty, Acting Permit Section Supervisor. All statements received by November 24, 2008, will be considered by the decision-maker prior to final action. Information Contact: **Melissa Byrnes**, Air Quality Division, 517-373-7065. Decision-maker: **G. Vinson Hellwig**, Air Quality Division Chief.

Other Decisions Before the Office of the Director

**AIR QUALITY
DIVISION**
See Map - Statewide

MICHIGAN'S REGIONAL HAZE STATE IMPLEMENTATION PLAN (SIP), proposed for Michigan's two Class I areas, Isle Royale National Park and Seney Wilderness Area. The Air Quality Division will hold a public comment period through October 29, 2008, meets the public participation requirements for a SIP submittal. The Regional Haze SIP can be viewed on the Web at www.michigan.gov/deqair. If requested by October 29, 2008, a hearing will be held November 3, 2008 (see November 3 listing in this calendar). Written comments should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Sheila Blais. Information Contact: **Cindy Hodges**, Air Quality Division, 517-335-1059.

	<p>Chris Hare, Acting District Supervisor. If requested in writing by October 29, 2008, a public hearing may be scheduled. Information Contact: <i>Jennifer Lang</i>, Air Quality Division, 989-686-8025, Extension 8254.</p>
<p>OCTOBER 29, 2008</p>	<p>DEADLINE FOR PUBLIC COMMENT REGARDING VECTOR PIPELINE L. P., HIGHLAND COMPRESSOR STATION (SRN: N6838), HIGHLAND, OAKLAND COUNTY, for the proposed approval of a draft permit for the renewal of a Renewable Operating Permit (ROP) for the operation of two natural gas fired turbines and a natural gas fired emergency generator. The draft permit is intended to simplify and clarify the facility's applicable requirements and will not result in any air emission changes at the stationary source. The ROP public notice documents can be viewed on the Web at www.michigan.gov/deqair. The responsible official of the stationary source is Belinda Feriis, General Counsel, Chief Compliance Officer & Corporate Secretary, 38705 Seven Mile Road, Suite 490, Livonia, Michigan 48152. Comments on the draft permit are to be submitted to Sebastian G. Kallumkal, Michigan Department of Environmental Quality, Air Quality Division, Southeast Michigan District Office, 27700 Donald Court, Warren, Michigan 48092. The decision-maker for the permit is Teresa Seidel, Southeast Michigan District Supervisor. If requested in writing by October 29, 2008, a public hearing may be scheduled. Information Contact: <i>Sebastian G. Kallumkal</i>, Air Quality Division, 586-753-3738.</p>
<p>OCTOBER 29, 2008 5:00 P.M. – 6:30 P.M. INFORMATIONAL SESSION 7:00 P.M. – PUBLIC HEARING and OCTOBER 30, 2008 4:00 P.M. – 5:30 P.M. INFORMATIONAL SESSION 6:00 P.M. – PUBLIC HEARING</p>	<p>INFORMATONAL SESSIONS AND PUBLIC HEARINGS REGARDING WOLVERINE POWER SUPPLY COOPERATIVE, INC., ROGERS CITY, PRESQUE ISLE COUNTY: Written comments are being accepted on a draft permit for the proposed installation and operation of a 600-megawatt coal-fired steam electric power plant. The facility would be located within the Oglebay-Norton Quarry property, Rogers Township, Michigan. New Source Review public notice documents can be viewed at www.michigan.gov/deqair. The informational sessions and public hearings will be held in the Rogers City High School Gymnasium, 1033 West Huron Avenue, Rogers City, Michigan. On October 29, 2008, a public hearing will be held starting promptly at 7:00 p.m. Prior to the hearing, an informational session will be held in an open-house format from 5:00 p.m. until 6:30 p.m. Staff will be available to answer questions. The public hearing will follow at 7:00 p.m. An additional public hearing will be held on October 30, 2008, starting promptly at 6:00 p.m. Prior to the hearing, an informational session will be held in an open-house format from 4:00 p.m. until 5:30 p.m. Staff will be available to answer questions. The public hearing will follow at 6:00 p.m. Written comments should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Mary Ann Dolehanty, Acting Permit Section Supervisor. All statements received by November 24, 2008 will be considered by the decision-maker prior to final action. Information Contact: <i>Melissa Byrnes</i>, Air Quality Division, 517-373-7065.</p>
<p>NOVEMBER 3, 2008 1:00 p.m.</p>	<p>TENTATIVELY SCHEDULED PUBLIC HEARING REGARDING MICHIGAN'S REGIONAL HAZE STATE IMPLEMENTATION PLAN (SIP), proposed for Michigan's two Class I areas, Isle Royale National Park and Seney Wilderness Area. This public comment period meets the public participation requirements for a SIP submittal. The Regional Haze SIP can be viewed on the Web at www.michigan.gov/deqair. If requested by October 29, 2008, a public hearing will be held in the Constitution Hall, Lillian Hatcher Conference Room, 3rd Floor North, 525 West Allegan Street, Lansing, Michigan. Those interested may contact the Air Quality Division at 517-335-1059 on October 30, 2008, to determine if a hearing was requested and will be held. Information Contact: <i>Cindy Hodges</i>, Air Quality Division, at 517-335-1059.</p>
<p>NOVEMBER 24, 2008</p>	<p>DEADLINE FOR PUBLIC COMMENT REGARDING WOLVERINE POWER SUPPLY COOPERATIVE, INC., ROGERS CITY, PRESQUE ISLE COUNTY, on a draft permit for the proposed installation and operation of a 600-megawatt coal-fired steam electric power plant. The facility would be located within the Oglebay-Norton Quarry property, Rogers Township, Michigan. New Source Review public notice documents can be viewed at www.michigan.gov/deqair. Written comments should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Mary Ann Dolehanty, Acting Permit Section Supervisor. All statements received by November 24, 2008, will be considered by the decision-maker prior to final action. Information Contact: <i>Melissa Byrnes</i>, Air Quality Division, 517-373-7065.</p>

General Summary of Comments from the 2008 Public Comment Period and DNRE Responses

Comment: Several comments addressed issues with BART for non-EGUs, such as:

- being incomplete;
- adjusting RPGs when BART is complete;
- some clarifications in the current SIP for Q/d calculations;
- a specific date when BART determinations will be made.

Response: The BART portion of the Regional Haze SIP will not be completed until fall of 2009. When it is completed, the DNRE will remodel using the BART emission reductions to see how the Reasonable Progress Goals are affected. The SIP will also include additional details about the Q/d calculations.

Comment: Several comments addressed issues with BART for EGUs such as:

- a specific date when BART determinations will be made;
- BART for particulate emissions;
- SIP relies on CAIR to satisfy BART for EGUs.

Response: With the possible CAIR vacatur, there is a great deal of uncertainty in dealing with EGUs. EGUs have been informed that, should CAIR be vacated they will be required to submit BART analyses. The SIP and all the modeling based on CAIR has been proceeding for several years. To completely redo the whole SIP and modeling based on a variety of possible EGU scenarios is not reasonable. However, the DNRE will be discussing control options with the EGUs, including possible BART controls, over the next few months. The DNRE has determined that primary particulates from EGUs are not significant and this is explained in greater detail in the SIP document.

Comment: Comments from the FS recommended including details on current controls on EGUs, controls being installed, by what date and by what level of emissions reductions are expected.

Response: The DNRE is working on assembling this data, considering uncertainty with the CAIR rule. The DNRE will include this in the BART submittal in 2009.

Comment: Several comments indicated that the DNRE did not respond to the EC/R report that indicated cost effective controls for EGUs and other non-EGUs.

Response: The DNRE addressed this issue in Part 10.5.2 of the SIP document.

Comment: The EPA suggested that the DNRE should consider lowering the state to state contribution threshold to below 5%.

Response: The DNRE disagrees. As explained in Appendix 1A to this SIP, the back trajectory and modeling results showed that states contributing 2% (or more) make up about 90-95% of total light extinction, whereas states contributing 5% (or more) make up only about 75-80% of total light extinction. Since this is the first planning period for regional haze, we believe that focusing on a 5% grouping of states is adequate. In

future years this will be re-evaluated and a larger impacting group of states may be appropriate.

Comment: Comments from the FS recommended including emissions summaries for 2012 and 2018 as well as 2005.

Response: The DNRE agrees; however, modeling was only done for 2009 and 2018. Therefore emission summaries for 2009 and 2018 were included in the SIP.

Comment: Comments from the FS suggests some clarifications as well as indicating missing appendices.

Response: The DNRE agrees with and has added these clarifications and included the missing appendices.

Comment: Comments from the FLMs suggest that Michigan's SIP assumes RPGs are met even though the 20% best days at Seney are getting worse.

Response: The DNRE believes that this should not be an issue of concern; there are several reasons that could explain this including modeling or growth factors. More detail is included in the SIP.

(The following 3 pages contain the DNRE notice of the first public comment period which was held in November 2007 as published in the DNRE's biweekly Calendar of Events.)



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
 PO BOX 30473
 LANSING MI 48909-7973

CALENDAR

October 29, 2007

◆ ENVIRONMENTAL ASSISTANCE CENTER
 800-662-9278
 E-mail: deq-ead-env-assist@michigan.gov

The DEQ Environmental Assistance Center (EAC) is available to provide direct access to DEQ environmental programs, answers to environmental questions, referrals to DEQ technical staff, and quick response. Questions on any items listed in the DEQ Calendar can be referred to the EAC.

◆ PUBLICATION SCHEDULE

The DEQ Calendar is published every two weeks, on alternate Mondays, by the Michigan Department of Environmental Quality. We welcome your comments.

◆ CALENDAR LISTSERV

You may subscribe to receive the DEQ Calendar electronically by sending an Email to the listserv at LISTSERV@LISTSERV.MICHIGAN.GOV and in the body of the message type Subscribe, DEQ-CALENDAR, and your name.

◆ INTERNET ACCESS
www.michigan.gov/deqcalendar

The DEQ Calendar is available on the DEQ World Wide Web site in pdf and html format. Access the calendar at www.michigan.gov/deqcalendar.

◆ TIMETABLE FOR DECISIONS

No decision listed in the DEQ Calendar will be made prior to seven days after the initial Calendar publication date.

◆ TIPS FOR CITIZEN INPUT

Refer to the "Public Involvement Handbook, A Citizens Guide" to increase the effectiveness of your input into DEQ programs. Access the handbook at www.michigan.gov/deq and click on "Get Involved, Programs for Citizens."

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<p>AIR QUALITY DIVISION See Map – No. 6</p>	<p>Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909. Written comments must be received by November 14, 2007. If a request is received in writing by November 14, 2007, a public hearing will be scheduled. Information Contact: Tom Andrzejewski, Air Quality Division, 517-373-0134. Decision-maker: G. Vinson Hellwig, Air Quality Division Chief.</p>
<p>AIR QUALITY DIVISION See Map – No. 6</p>	<p>CRYSTAL AGGREGATES, LLC, COPEMISH, MANISTEE COUNTY. Written comments are being accepted on a proposed Consent Order to administratively resolve alleged air pollution violations. You may obtain copies of the proposed Consent Order and Staff Activity Report on the Web at www.michigan.gov/deqair. Submit written comments to Malcolm Mead-O'Brien, Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909. Written comments must be received by November 28, 2007. If a request is received in writing by November 28, 2007, a public hearing will be scheduled. Information Contact: Malcolm Mead-O'Brien, Air Quality Division, 517-241-2094. Decision-maker: G. Vinson Hellwig, Air Quality Division Chief.</p>
<p>AIR QUALITY DIVISION See Map – No. 6</p>	<p>KRAFT FOODS GLOBAL, INC., BATTLE CREEK, CALHOUN COUNTY. Written comments are being accepted on a proposed Consent Order to administratively resolve alleged air pollution violations. You may obtain copies of the proposed Consent Order and Staff Activity Report on the Web at www.michigan.gov/deqair. Submit written comments to Tom Andrzejewski, Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909. Written comments must be received by November 28, 2007. If a request is received in writing by November 28, 2007, a public hearing will be scheduled. Information Contact: Tom Andrzejewski, Air Quality Division, 517-373-0134. Decision-maker: G. Vinson Hellwig, Air Quality Division Chief.</p>
<p>AIR QUALITY DIVISION Statewide</p>	<p>MICHIGAN'S REGIONAL HAZE STATE IMPLEMENTATION PLAN (SIP): proposed for Michigan's two Class I areas, Isle Royale National Park and Seney Wilderness Area. Public comment will be taken through November 29, 2007. This public comment period meets the public participation requirements for a SIP submittal. The Regional Haze SIP can be viewed on the Web at www.michigan.gov/deqair. If requested by November 29, 2007, a hearing will be held December 4, 2007 (see December 4 listing in this calendar). Written comments should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Mary Ann Halbeisen. Information Contact: Cynthia Hodges, Air Quality Division, 517-335-1059. Decision-maker: DEQ Director.</p>
<p>ENVIRONMENTAL SCIENCE AND SERVICES DIVISION See Map – No. 6</p>	<p>CLEAN CORPORATE CITIZEN DESIGNATION, MAHLE POWERTRAIN, LLC, 41000 VINCINTI COURT, NOVI, OAKLAND COUNTY. The Michigan Department of Environmental Quality has received an application for Clean Corporate Citizen (C3) designation from MAHLE Powertrain, LLC, 41000 Vincinti Court, Novi, Michigan as provided for under Administrative Rules R324.1508: Clean Corporate Citizen Program. The C3 program provides incentives for improved environmental protection. Regulated establishments that have demonstrated environmental stewardship can receive C3 designation and public recognition for their efforts and are entitled to certain regulatory benefits. Information Contact: Kelie Bond, Environmental Science and Services Division, 517-241-7969. Decision-maker: DEQ Director.</p>
<p>ENVIRONMENTAL SCIENCE AND SERVICES DIVISION See Map – No. 6</p>	<p>CLEAN CORPORATE CITIZEN DESIGNATION, MAHLE TECHNOLOGY, INC., 23030 HAGGERTY ROAD, FARMINGTON HILLS, OAKLAND COUNTY. The Michigan Department of Environmental Quality has received an application for Clean Corporate Citizen (C3) designation from MAHLE Technology, Inc., 23030 Haggerty Road, Farmington Hills, Michigan as provided for under Administrative Rules R324.1508: Clean Corporate Citizen Program. The C3 program provides incentives for improved environmental protection. Regulated establishments that have demonstrated environmental stewardship can receive C3 designation and public recognition for their efforts and are entitled to certain regulatory benefits. Information Contact: Kelie Bond, Environmental Science and Services Division, 517-241-7969. Decision-maker: DEQ Director.</p>
<p>LAND AND WATER MANAGEMENT DIVISION See Map – No. 6</p>	<p>PROPOSED FILLED BOTTOMLANDS DEED, MACKINAC COUNTY. Proposed filled bottomlands deed to a 0.11-acre parcel of Lake Huron public trust bottomlands in Clark Township, Mackinac County. File LH 476. Contact: Tom Graf, Land and Water Management Division, 517-335-3471. Decision-maker: DEQ Director.</p>

CALENDAR

October 29, 2007

- Office, 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202. The decision-maker for the permit is Teresa Seidel, District Supervisor. If requested in writing by November 28, 2007, a public hearing may be scheduled. Information Contact: **Lee H. Varner**, Air Quality Division, 313-456-4684.
- NOVEMBER 29, 2007** **DEADLINE FOR PUBLIC COMMENT REGARDING EMPIRE IRON MINING PARTNERSHIP (SRN B1827), PALMER, MARQUETTE COUNTY**, for the proposed approval of the Renewable Operating Permit for the company's Palmer facility. This draft permit is a renewal of the original Renewable Operating Permit #199600365 which was issued to the company on November 6, 2000. The equipment included in this proposed ROP renewal is the iron ore pellet manufacturing operations and related material handling equipment. The responsible official of the facility is David B. Blake, General Manager, P.O. Box 38, Palmer, Michigan 49871. The draft permit is intended to simplify and clarify the facility's applicable requirements and will not result in any air emission changes at the facility. The ROP public notice documents can be viewed on the Web at www.michigan.gov/deqair. Comments on the proposed permit are to be submitted to Thomas Maki, Department of Environmental Quality, Air Quality Division, 420 Fifth Street, Gwinn, Michigan 49841. If requested in writing by November 29, 2007, a public hearing will be held on December 6, 2007 (see December 6 listing in this calendar). Information Contact: **Thomas Maki**, Air Quality Division, 906-346-8503.
- NOVEMBER 29, 2007** **DEADLINE FOR PUBLIC COMMENT REGARDING MICHIGAN'S REGIONAL HAZE STATE IMPLEMENTATION PLAN (SIP)**, proposed for Michigan's two Class I areas, Isle Royale National Park and Seney Wilderness Area. This public comment period meets the public participation requirements for a SIP submittal. The Regional Haze SIP can be viewed on the Web at www.michigan.gov/deqair. If requested by November 29, 2007, a hearing will be held December 4, 2007 (see December 4 listing in this calendar). Written comments should be sent to the Michigan Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Mary Ann Halbeisen. Information Contact: **Cynthia Hodges**, Air Quality Division, 517-335-1059.
- NOVEMBER 29, 2007**
9:00 a.m.–12:00 p.m. **MICHIGAN SMALL BUSINESS CLEAN AIR COMPLIANCE ADVISORY PANEL MEETING, LANSING**. The Michigan Department of Environmental Quality is holding a meeting of the Michigan Small Business Clean Air Compliance Advisory Panel (CAP) in Constitution Hall, Katherine Cushman Conference Room, 525 West Allegan Street, Lansing, Michigan. The CAP is a seven-member panel through which members speak freely and openly about air quality matters. The public is encouraged to attend. Individuals needing accommodations for effective participation at the meeting should contact Donna Davis, Environmental Science and Services Division, 517-335-2784, a week in advance to request mobility, visual, hearing or other assistance.
- DECEMBER 4, 2007**
1:00 p.m. **TENTATIVELY SCHEDULED PUBLIC HEARING REGARDING MICHIGAN'S REGIONAL HAZE STATE IMPLEMENTATION PLAN (SIP)**, proposed for Michigan's two Class I areas, Isle Royale National Park and Seney Wilderness Area. This public comment period meets the public participation requirements for a SIP submittal. The Regional Haze SIP can be viewed on the Web at www.michigan.gov/deqair. If requested by November 29, 2007, a public hearing will be held in the Constitution Hall, Lillian Hatcher Conference Room, 3rd Floor North, 525 West Allegan Street, Lansing, Michigan. Those interested may contact the Air Quality Division at 517-335-1059 on November 30, 2007, to determine if a hearing was requested and will be held. Information Contact: **Cynthia Hodges**, Air Quality Division, at 517-335-1059.
- DECEMBER 6, 2007**
10:00 a.m. **TENTATIVELY SCHEDULED PUBLIC HEARING REGARDING EMPIRE IRON MINING PARTNERSHIP (SRN B1827), PALMER, MARQUETTE COUNTY**, for the proposed approval of the Renewable Operating Permit for the company's Palmer facility. This draft permit is a renewal of the original Renewable Operating Permit #199600365 which was issued to the company on November 6, 2000. The equipment included in this proposed ROP renewal is the iron ore pellet manufacturing operations and related material handling equipment. The draft permit is intended to simplify and clarify the facility's applicable requirements and will not result in any air emission changes at the facility. If requested in writing by November 29, 2007, a public hearing will be held at the Department of Environmental Quality District Office, 420 Fifth Street, Gwinn, Michigan. Information Contact: **Thomas Maki**, Air Quality Division, 906-346-8503.

General Summary of Comments from the 2007 Public Comment Period and DNRE Responses

Comment: Comments were received from several groups that supported DNRE's CAIR=BART.

Response: This comment may no longer pertain due to the possible vacatur of CAIR.

Comment: Two comments did not support discontinuing either Class I monitors if federal funding was not met.

Response: The DNRE will look at other options if federal funding is cut.

Comment: DTE Energy encouraged the use of later year base year emissions inventories (2005).

Response: The DNRE agrees and has made appropriate updates.

Comment: Consumers Energy supports the DNRE's Regional Haze SIP in light of the states current economy, the actions being taken by the 1997 PM_{2.5} NAACS, and the fundamental difference of Regional Haze to other criteria pollutants.

Response: The DNRE appreciates the support.

Comment: Consumers Energy suggests DNRE use the glide path diagrams in the body of the SIP submittal.

Response: The DNRE agrees and has made appropriate updates.

Comment: WE Energies supported DNRE's Reasonable Progress approach and provided several references to EPA documents that support our approach.

Response: The DNRE appreciates the support.

Comment: The Little Traverse Bay Bands of Odawa Indians (Tribe) suggests that Michigan should have clearly defined milestones established and fulfilled for the next five decades (to 2064).

Response: The DNRE has had difficulty predicting and setting milestones for the next five and ten years due to many factors beyond our control. The example, RPG in the SIP document shows possible milestones for the next five decades, but clearly this has little meaning in light of the many unknowns over that period of time.

Comment: The Tribe wanted DNRE to discuss the issues with the location of the Isle Royale monitor.

Response: This monitor is located within the boundaries of EPA regulations, but the DNRE did include some discussion of this issue in the SIP document.

FLM Comments

Comment: Several areas in the SIP needed more details or clarification such as:

- Monitoring
- Identifying sources with Q/d and PSAT (AOI)
- No reasonable progress goals for the 20% cleanest days
- Values used to set reasonable progress goals
- Plans for future consultation
- Basis for emissions reductions
- Information analyzed in periodic reports
- Determination of adequacy of the plan
- Contingency measures
- Emissions inventory
- Information on modeling by MRPO
- Wildland fires and smoke management plans

Response: The DNRE has made these corrections/clarifications.

Comment: The values for natural background conditions were incorrect.

Response: The DNRE has made these corrections.

Comment: Absence of information on BART analysis.

Response: The DNRE has not completed its BART analyses, but will provide the FLMs a 60-day comment period when BART analyses are complete. Furthermore with the pending vacatur of CAIR, DNRE is uncertain of the requirements for EGUs, since DNRE originally determined that CAIR=BART.

Comment: Non-health based terminology is problematic.

Response: The Class I areas in Michigan are located in some of the cleanest areas of the state with annual average PM_{2.5} of 5 ug/m³. This is below the 15 ug/m³ NAAQS for PM_{2.5}, which the EPA considers safe. Therefore, reducing haze in the Class I areas is mainly to protect visibility, as the Regional Haze Rule in 40 CFR Part 51, II, states, "Congress adopted the visibility provisions in the CAA to protect visibility in these 'areas of great scenic importance.'"

The same particles that impact haze have health effects and are of greatest concern in PM_{2.5} nonattainment areas. The Haze program is a welfare-based program, not health-based, which is the point the DNRE was making in the earlier version of the SIP document. However, the CAA does not suggest that visibility is less important than other parts of the CAA. Therefore, the DNRE has removed any such language from the SIP.