



Michigan Department of Environmental Quality  
Air Quality Division

## **Michigan Air Quality Permit Regulations**

### **A Citizen's Guide to Obtaining An Air Use Permit**

For more than two decades the Michigan Air Pollution Act, recently incorporated into the Natural Resources and Environmental Protection Act (Act 451), has served to protect the state's air resource. The act provides the Michigan Department of Environmental Quality Air Quality Division with the authority to act on applications for permits to install and operate equipment or processes which may emit air contaminants. The goal of the air permitting program is to permit industrial operations while preventing air pollution problems.

Approximately 1000 applications are received each year. The application review consists of a technical evaluation by the Permit Section engineers and a site evaluation by the Compliance Section district staff. An approved permit to install allows for construction and operation of the equipment. Larger sources subject to the operating permit program need to apply for a renewable operating permit by dates specified in the rules.

#### **Who must apply for permits to install?**

Any person who installs, constructs, reconstructs, relocates or alters any process, fuel-burning equipment, or air pollution control equipment must obtain a permit issued by the Department of Environmental Quality prior to installation or alteration. Existing sources installed before 1967 are not required to apply unless equipment or production processes are modified. Certain operations are specifically exempted from the permit process. Contact your local Air Quality District Office for assistance in determining applicability.

#### **When should I submit the application?**

Since the Air Pollution rules require an approved permit prior to installation or construction, an application should be submitted as soon as possible, allowing time for review and action before planned installation. Approval of an application does not necessarily obligate you to install the equipment if plans change. Site selection is a very important part of the application and early discussion with district staff is advised, especially for larger projects.

#### **How long does the permit review process take?**

Generally, the review process for a permit to install takes 30 to 60 days once a complete application is received. If a public hearing takes place, an additional 30 to 60 days may be required. If a permit application is expected to be complex or controversial, a pre-application meeting with the Air Quality Division staff may be requested.

#### **What information do I submit with my application?**

Permit applications must include data on the proposed equipment, site description, exhaust configuration and exhaust gas flow rate, operating schedule, fuels and fuel burning devices and air pollutants to be discharged. An evaluation of a permit application is a complex process and may require additional submissions, such as a technical and economic evaluation of alternate processes and air pollution control equipment, toxicity data or an environmental assessment report.

### **Why is the site selection important?**

It is very important to locate a facility in a location which will minimize air quality impacts, such as dust and odors, to surrounding neighbors. Additionally, site selection must be such that the proposed emissions do not exceed the federal standards for a particular area. Site selection will be evaluated by district staff. Questions may be directed to them at the addresses listed on the back of this pamphlet.

### **Will my permit application be approved?**

After internal processing is completed, the Air Quality Division develops the necessary permit conditions and stipulations to insure that the proposed plant will operate in an environmentally safe and acceptable manner. The Air Quality Division issues the permit for most routine and non-controversial sources, that is, sources for which there appears to be no opposition. If the application is a very large pollution source or a controversial activity, a public comment period and a public hearing will be held before the Department Director takes final action on the permit application.

### **What are the penalties for failure to obtain or comply with a permit?**

State law provides that a person who fails to obtain or comply with a permit may be subject to a civil fine of \$10,000 per violation per day, as well as criminal misdemeanor provisions. Also, any person found to have knowingly released or caused a release of air contaminants that place another person in imminent danger of death or serious injury, may be subject to criminal felony provisions.

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To receive additional information, a permit application, or detailed instructions for submitting a complete application, please contact a permit engineer at:

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION  
CONSTITUTION HALL, NORTH 3<sup>RD</sup>, 525 WEST ALLEGAN STREET  
P.O. BOX 30260, LANSING MI 48909  
(517) 373-7023

OR contact the district office in your area.

**INTERNET HOMEPAGE:** <http://www.michigan.gov/deqair>