

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION ANNUAL PROGRAM REPORT - FISCAL YEAR 2008**

This year-end report from the Department of Environmental Quality (DEQ), 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 141 full-time equated positions performed enforcement, compliance, and permitting activities. From that total, 69 full-time equated positions (approximately 50 percent) performed these activities in the Title V Program as defined in Section 5501 of Act 451. Additionally, approximately 11 additional FTEs performed Title V support activities. The other 72 full-time equated positions (approximately 50 percent) performed enforcement, compliance, and permitting activities in the non-Title V Program.

**B) Permits to Install:**

- i. There were 650 permit to install applications received in FY08.
- ii.

Permits to Install - Final Actions	Total Number
Final action taken on applications and permits.	1,386
Applications approved.	592
Applications denied.	5
Applications and permits voided (98 of which were due to issuance of Renewable Operating Permits [ROPs]).	878

iii.

Approved Permits to Install	Total Number
Number required to complete public participation before final action.	27
Number <b>not</b> required to complete public participation before final action.	565

iv. The average number of final permit actions per reviewer (full-time equated) is 63.

Permits to Install		Percentage	Total Number
v.	Applications reviewed for administrative completeness within 10 days of receipt by the DEQ.	94.7%	616
vi.	Applications reviewed for technical completeness within 30 days of receipt by the DEQ.	85.9%	558
vii.	Applications submitted to the DEQ that were administratively complete as received.	85.5%	556
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.	93.9%	556

**C) Renewable Operating Permit (ROP) Program:**

- i. A total of 74 ROP applications were received in FY08.
- ii.

<b>ROP - Final Actions</b>	<b>Total Number</b>
Final action taken on ROP applications.	84
Applications approved.	80
Applications denied.	0
Applications voided (withdrawn by the applicant).	4

<b>ROP</b>		<b>Percentage</b>	<b>Total Number</b>
iii.	Permit applications initially processed within the required time.	45	11
iv.	Permit renewals processed within the required time.	43	69
	Permit modifications processed within the required time.	100	86
v.	Permit applications re-opened by the DEQ.	100	1
vi.	General permits issued by the DEQ.	0	0

**D)** There were 388 Violation Notices sent during FY08.

**E)** Penalty money collected from all consent order and judgments was \$946,070.

**F)** Enforcement actions that included payment of penalty:

<b>Company Name</b>	<b>Corrective Actions</b>
Stelmi America, Inc.	Consent Order, AQD No. 20-2007
Lee 8 Storage Partnership	Consent Order, AQD No. 21-2007
Coding Products, Inc.	Consent Order, AQD No. 22-2007
Michigan Consolidated Gas-Belle River	Consent Order, AQD No. 23-2007
Michigan South Central Power	Consent Order, AQD No. 24-2007
Rex Carriers, Inc.	Administrative Fine Order, AQD No. 25-2007
Trenton Associates	Consent Order, AQD No. 26-2007
Metal & Mining	Consent Order, AQD No. 27-2007
Crystal Aggregates	Consent Order, AQD No. 28-2007
Kraft Foods Global	Consent Order, AQD No. 29-2007
Battle Creek Health Systems	Consent Order, AQD No. 30-2007
Robert Bailey Contractors, Inc.	Consent Order, AQD No. 31-2007
Michigan Sugar Co., Sebewaing	Consent Order, AQD No. 1-2008
Bent Tube	Consent Order, AQD No. 2-2008
Koyo Corporation	Consent Order, AQD No. 3-2008
U.S. General, Hart-Dole Inouye	Consent Order, AQD No. 4-2008
F & R Consultants (Detroit Airport)	Consent Order, AQD No. 6-2008
H Industries	Consent Order, AQD No. 7-2008
Ottawa Lake Co Op Elevator	Consent Order, AQD No. 8-2008
White Pine Electric Power	Consent Order, AQD No. 9-2008
T. J. Fiore Crushed Concrete	Consent Order, AQD No. 10-2008
Depor Industries	Consent Order, AQD No. 11-2008
<i>(continued on next page)</i>	

<b>Company Name</b> <i>(continued)</i>	<b>Corrective Actions</b> <i>(continued)</i>
Gene Brow & Sons	Consent Order, AQD No. 12-2008
Tiara Yachts	Consent Order, AQD No. 13-2008
Richfield Landfill	Consent Order, AQD No. 14-2008
Auto Alliance International	Consent Order, AQD No. 15-2008
Area Construction	Consent Order, AQD No. 16-2008
VIP Professional Dry Cleaners	Consent Order, AQD No. 17-2008
TriChor, Inc.	Consent Order, AQD No. 18-2008
N D Industries	Consent Order, AQD No. 19-2008
Michigan Sugar Co., Croswell	Consent Order, AQD No. 20-2008
Michigan Sugar Co., Carrollton	Consent Order, AQD No. 21-2008
Precision Coatings	Consent Order, AQD No. 22-2008
Michigan Sugar Co., Caro	Consent Order, AQD No. 23-2008
State Line Farms	Consent Order, AQD No. 24-2008

- G)** The total number of inspections was 1,594. The number of inspections done for ROP sources was 265. The number of inspections of non-ROP sources was 1,329.
- H)** A total of 1,185 complaints were received during FY08. All complaints were logged, prioritized, evaluated, and resolved according to the DEQ'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 56 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:

<b>Enforcement</b>	<b>Total Number</b>
Hearings	1
Civil Actions	1
Consent Orders	9
Administrative Orders	0
Emergency Orders	0

- J)** Revenue in the fund at the end of the fiscal year was \$1,866,595.

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

**AIR QUALITY DIVISION EXPENDITURES BY FUND AND PROGRAM FUNCTION:**

<b>Program Function</b>	<b>General Fund</b> 42%	<b>EPA Grants</b> 22%	<b>Air Fees</b> 36%	<b>Total</b> 100%
Permit Section	<b>\$2,478,357</b> (25%)	<b>\$135,082</b> (3%)	<b>\$231,648</b> (3%)	<b>\$2,845,088</b> (12%)
Enforcement Unit	<b>\$455,018</b> (5%)	<b>\$66,941</b> (1%)	<b>\$702,221</b> (8%)	<b>\$1,224,180</b> (5%)
Field Operations	<b>\$2,931,137</b> (30%)	<b>\$1,047,299</b> (20%)	<b>\$6,706,317</b> (78%)	<b>\$10,684,754</b> (45%)
Air Quality Evaluation Section	<b>\$2,094,168</b> (21%)	<b>\$3,417,256</b> (66%)	<b>\$347,294</b> (4%)	<b>\$5,858,720</b> (25%)
Administration	<b>\$1,905,540</b> (19%)	<b>\$511,792</b> (10%)	<b>\$625,548</b> (7%)	<b>\$3,042,881</b> (13%)
<b>Total AQD Expenditures (4 quarters)</b>	<b>\$9,864,220</b> (100%)	<b>\$5,178,370</b> (100%)	<b>\$8,613,028</b> (100%)	<b>\$23,655,623</b> (100%)
Revenues Allotted (4 quarters)*	<b>\$10,374,911</b>	<b>\$5,836,477</b>	<b>\$9,361,900</b>	<b>\$25,573,288</b>

\* The revenue allotment identified above represents a hundred percent of the estimated revenue to be collected from each funding source in Fiscal Year 2008. The EPA grants expenditures do not include indirect costs.

Note that additional Non-Air Quality fee expenditures were as follows: Environmental Science and Services Division \$257,933; DEQ and DIT Indirect \$1,335,527. Michigan Economic Development Corporation, Small Business Ombudsman expenditure of \$36,363 is included in the Administration total above.