

State Office of Administrative Hearings and Rules
PO Box 30695, 611 W. Ottawa Street
Lansing, MI 48909-8195
Phone (517) 335-2484 FAX (517) 335-6696

REQUEST FOR RULEMAKING (RFR)

In accordance with MCL 24.239(1): "Before initiating any changes or additions to rules, an agency shall file with the State Office of Administrative Hearings and Rules a request for rulemaking." The agency will complete this form and send an electronic copy to the SOAHR at soahr_rules@michigan.gov. The SOAHR will review the request for rulemaking and send its response to the agency (see last page).

| | |
|----------------------|---|
| Department or agency | Department of Environmental Quality (DEQ) |
| Bureau/Division | Air Quality Division (AQD) |
| Address | P.O. Box 30260, Lansing, MI 48909 |
| Contact person | Carrie Barr, Administrative Rules Coordinator |
| Telephone | 517-373-7069 |
| FAX | 517-373-1265 |

Title of proposed rule(s) or rule set:

Air Pollution Control Rules: Part 1, General Provisions

Rule number(s) or rule set range of numbers:

R 336.1119 and R 336.1122

Estimated timetable for completion:

6 months

Brief description of the proposed rule(s):

Modify the existing definition in Air Pollution Control Rule R336.1119 (e) "Significant" to add a significance threshold for the new PM2.5 pollutant, and amend the existing definition in R336.1122 (f) "Volatile organic compound" by adding to the list of compounds with negligible reactivity.

State or federal statutory or regulatory basis for this proposed rule(s) [include statutory references and public acts, as necessary]:

Sections 5503 and 5512, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, provide for the promulgation of rules.

Problem the proposed rule intends to address/solve:

R336.1119 (e) "Significant" sets emission levels for criteria pollutants that are considered significant for permitting purposes. PM2.5 is a new standard for which the new significance levels are being added to the rule. R 336.1122 (f) "Volatile organic

compound” (VOC) defines which materials are considered VOCs and therefore regulated as such. The definition includes a list of compounds with negligible reactivity and not subject to VOC regulation, and the list needs to be updated periodically as additional materials are approved for the list by the United States Environmental Protection Agency.

Reviewed by the following Departmental Regulatory Affairs Officer (RAO):

Susan Maul, Regulatory Affairs Officer

↓ To be completed by the SOAHR ↓

Reviewed by SOAHR Representative:

Norene Lind, Administrative Rules Manager

SOAHR Response:

| | | |
|----------------------------|-------------------------------------|----------------------|
| Date RFR received: 3-21-11 | | |
| Approval | <input checked="" type="checkbox"/> | |
| Disapproval | <input type="checkbox"/> | Explain: |
| More information needed | <input type="checkbox"/> | Explain: |
| Date RFR approved: 3-22-11 | | SOAHR #: 2011-012 EQ |

(SOAHR-RFR March 2008)