

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART I**

DRAFT #1 last reviewed/edited by LAE on October 29, 2012

Approved SIP	Rules Implemented by State of Michigan	Comments
<p>Part I. General Provisions R 336.1101 Definitions; A Rule 101 as used in these Rules:</p> <p>(c) "Actual emissions" means the average rate, in tons per year, at which the process or process equipment actually emitted the air contaminant during the preceding 2-year period and which was representative of the normal operation of the process or process equipment. A different time period may be used if the time period can be demonstrated to be more representative of normal operation. Actual emissions shall be calculated using the process's or process equipment's actual operating hours, production rates, and types of materials processed, stored or combusted during the selected time period. The commission may presume that the actual emissions for a process or process equipment shall equal the allowable emissions for such process or process equipment if the allowable emissions are identified in the demonstration for an approved state implementation plan. For any process or process equipment that has not begun normal operations, actual emissions shall equal the allowable emissions. The term "actual emissions" is not applicable in parts 6 and 7 of these rules.</p> <p>(g) "Air-dried coating" means a coating that is dried by the use of air or forced warm air at temperatures up to 90 degrees Celsius (194 degrees Fahrenheit).</p> <p>(i) "Air quality standard" means the concentration and duration of an air contaminant specified by the commission or by the national ambient air quality standards as contained in the provisions of 40 C.F.R. Part 50 (1990), whichever is more restrictive, as the maximum acceptable</p>	<p>Part I. General Provisions R 336.1101 Definitions; A. Rule 101. As used in these rules:</p> <p>(a) "Act" means 1994 PA 451, MCL 324.5503 and 324.5512 et seq.</p> <p>(b) "Actual emissions" means the average rate, in tons per year, at which the process or process equipment actually emitted the air contaminant during the preceding 2-year period and which was representative of the normal operation of the process or process equipment. A different time period may be used if the time period can be demonstrated to be more representative of normal operation. Actual emissions shall be calculated using the process's or process equipment's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period. The department may presume that the actual emissions for a process or process equipment shall equal the allowable emissions for such process or process equipment if the allowable emissions are identified in the demonstration for an approved state implementation plan. For any process or process equipment that has not begun normal operations, actual emissions shall equal the allowable emissions. The term "actual emissions" is not applicable in parts 6 and 7 of these rules.</p> <p>(c) "Adhesion prime" means a coating that is applied to a polyolefin part to promote the adhesion of a subsequent coating. An adhesion prime is clearly identified as an adhesion prime or adhesion promoter on its accompanying material safety data sheet.</p> <p>(d) "Affected states" means all states that are contiguous to the state of Michigan and whose air quality may be affected by a proposed operating permit, operating permit modification, or operating permit renewal or that are within 50 miles of the stationary source for which a permit action is proposed.</p>	<p><u>Definitions; A</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Actual emissions Air-dried coating</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: Air quality standard: uses "commission" in SIP, uses "department" in rules implemented by State of Michigan and references part 50 (1990), where in the Michigan rules it is part 50 (2002) Allowable Emissions: uses "commission" and "department in part (iii);" part (i) references 42 U.S.C. 7401 in the SIP and is not directly referenced in the Michigan rules. Alternate opacity: uses "commission" in SIP and "department" in Michigan Rules</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: Act Adhesion prime Affected states Air-cleaning device Air contaminant Air pollution Air pollution control equipment Alternative method Ambient air Applicable requirement Applicant ASTM Automobile</p>

<p>concentration and duration of that contaminant in the ambient air.</p> <p>(j) "Allowable emissions" means the emission rate calculated using the maximum rated capacity of the process or process equipment, unless there are legally enforceable limits that restrict the operating rate, or the hours of operation, or both, and the most stringent of the following:</p> <p>(i) Any applicable standards pursuant to the clean air act, as amended, 42 U.S.C. 7401 et seq.</p> <p>(ii) Any applicable emission limit specified in these rules, including a limit that has a future compliance date.</p> <p>(iii) Any applicable emission rate specified as a legally enforceable permit condition or voluntary agreement, performance contract, stipulation, or order of the commission, including a rate that has a future compliance date.</p> <p>(k) "Alternate opacity" means that standard for density of emission which is greater than the standard specified in R 336.1301(1) and which is established by the commission for a specific process or process equipment in accordance with the provisions of R 336.1301(4).</p>	<p>(e) "Air-cleaning device" means air pollution control equipment.</p> <p>(f) "Air contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, or any combination thereof.</p> <p>(g) "Air-dried coating" means a coating that is dried by the use of air or forced warm air at temperatures up to 90 degrees Celsius (194 degrees Fahrenheit).</p> <p>(h) "Air pollution" has the same meaning as defined in section 2 of the act.</p> <p>(i) "Air pollution control equipment" means any method, process, or equipment that removes, reduces, or renders less noxious air contaminants discharged into the atmosphere.</p> <p>(j) "Air quality standard" means the concentration and duration of an air contaminant specified by the department or by the national ambient air quality standards as contained in the provisions of 40 C.F.R. part 50 (2002), whichever is more restrictive, as the maximum acceptable concentration and duration of that contaminant in the ambient air.</p> <p>(k) "Allowable emissions" means the emission rate calculated using the maximum rated capacity of the process or process equipment, unless there are legally enforceable limits that restrict the operating rate or the hours of operation, or both, and the most stringent of the following:</p> <p>(i) Any applicable standards pursuant to the clean air act.</p> <p>(ii) Any applicable emission limit specified in these rules, including a limit that has a future compliance date.</p> <p>(iii) Any applicable emission rate specified as a legally enforceable permit condition or voluntary agreement, performance contract, stipulation, or order of the department, including a rate that has a future compliance date.</p> <p>(l) "Alternate opacity" means that standard for density of emission which is greater than the standard specified in R 336.1301(1) and which is established by the department for a specific process or process equipment in accordance with the provisions of R 336.1301(4).</p> <p>(m) "Alternative method," with respect to source sampling, means a method or set of procedures for obtaining source samples which is not a reference test method or an equivalent method and which has been demonstrated, to the department's satisfaction, to, in specific cases, produce results adequate</p>	<p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan:</p> <p>None</p>
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for a performance test.

(n) "Ambient air" means that part of the atmosphere outside of buildings to which the general public has access.

(o) "Applicable requirement" means any of the following as they apply to process or process equipment, including requirements that have been approved as administrative rules under the act pursuant to 1969 PA 306, MCL 24.201 et seq. or promulgated by the United States environmental protection agency through final rulemaking at the time of issuance of a permit under the act and which will become effective during the permit term:

(i) A standard or other requirement provided for in the Michigan state implementation plan, as approved or promulgated by the United States environmental protection agency through rulemaking under title I of the clean air act, that implements the relevant requirements of the clean air act, including any revisions to that plan promulgated in 40 C.F.R. part 52.

(ii) A standard or requirement enacted as a part of the act or promulgated in administrative rules pursuant to the act.

(iii) A term or condition of any permit issued pursuant to the act or regulations approved or promulgated through rulemaking under title I, including parts c or d, of the clean air act.

(iv) A term or condition of an order entered pursuant to the act that is necessary to ensure or demonstrate compliance with any other applicable requirement.

(v) A term or condition of a permit issued by the United States environmental protection agency pursuant to title I, subpart c, of the clean air act.

(vi) A term or condition of any permit issued pursuant to the Wayne county air pollution control ordinance, adopted pursuant to the home rule charter for Wayne county, resolution no. 85-305, as amended by resolution no.89-213.

(vii) A term or condition of an order entered pursuant to the Wayne county air pollution control ordinance, adopted pursuant to the home rule charter for Wayne county, resolution no. 85-305, as amended by resolution no.89-213, that is necessary to ensure or demonstrate compliance with any other applicable requirement.

(viii) A standard or other requirement under the clean air act, including any of the following:

(A) A standard for the performance of new

stationary sources or other requirement under section 111 of the clean air act, including section 111(d).

(B) A standard for hazardous air pollutants or other requirement under section 112 of the clean air act, including any requirement concerning accident prevention under section 112(r)(7) of the clean air act.

(C) A standard or other requirement of the acid rain program under title IV of the clean air act or the regulations promulgated thereunder.

(D) A requirement for enhanced monitoring established pursuant to sections 114 (a)(3) or 504(b) of the clean air act.

(E) A standard or other requirement governing solid waste incineration under section 129 of the clean air act.

(F) A standard or other requirement for consumer and commercial products under section 183(e) of the clean air act.

(G) A standard or other requirement for tank vessels under section 183(f) of the clean air act.

(H) A standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the clean air act, unless the administrator of the United States environmental protection agency has determined that the standard or requirement need not be contained in a renewable operating permit required under title V of the clean air act.

(I) A national ambient air quality standard or increment or visibility requirement under part C of title I of the clean air act, but only as it would apply to temporary sources. Any applicable requirement which results solely from the requirements of the act, the rules promulgated under the act, or the home rule charter for Wayne county, resolution no. 85-305, as amended by resolution no. 89-213, shall not be enforceable under the clean air act.

(p) "Applicant" means a person who owns or operates a stationary source and who files an application for a permit with the department.

(q) "ASTM" means the American society for testing and materials.

(r) "Automobile" means any passenger motor vehicle capable of seating not more than 12 occupants.

History: 1980 AACs; 1981 AACs; 1985 AACs; 1988 AACs; 1989 AACs; 1990 AACs; 1993

<p>R 336.1102 Definitions; B. Rule 102. As used in these rules: (a) "Best available control technology for toxics" or "T-BACT" means the maximum degree of emission reduction which the department determines is reasonably achievable for each process that emits toxic air contaminants, taking into account energy, environmental, and economic impacts and other costs (b) "Best available information" means data which serves as the basis for a risk assessment. Such information may be taken from the scientific literature or the integrated risk information system database maintained by the United States environmental protection agency or from other databases, as appropriate. The term includes other pertinent studies or reports containing data which the department finds to be of adequate quality for use in the risk assessment (c) "Black coating" means a coating which meets both of the following criteria: (i) Maximum lightness: 23 units. (ii) Saturation: less than 2.8, where saturation equals the square root of $A^2 + B^2$. These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, maximum lightness is 33 units. (d) "Blending tank," as it pertains to R 336.1631, means any vessel in which organic resin and solvent or other materials are added to produce a product blend. (e) "Business machine" means a device that uses electronic or mechanical methods to process information, perform calculations, print or copy information or convert sound into electrical impulses for transmission, including devices listed in standard industrial classification numbers 3572, 3573, 3574, 3579, and 3661 and photocopy machines, a subcategory of standard industrial classification number 3861.</p>	<p>AACS; 1995 AACS; 1998-2000 AACS; 2003 AACS.</p> <p>R 336.1102 Definitions; B. Rule 102. As used in these rules: (a) "Best available control technology for toxics" or "T-BACT" means the maximum degree of emission reduction which the department determines is reasonably achievable for each process that emits toxic air contaminants, taking into account energy, environmental, and economic impacts and other costs. (b) "Best available information" means data which serves as the basis for a risk assessment. Such information may be taken from the scientific literature or the integrated risk information system database maintained by the United States environmental protection agency or from other databases, as appropriate. The term includes other pertinent studies or reports containing data which the department finds to be of adequate quality for use in the risk assessment. (c) "Black coating" means a coating which meets both of the following criteria: (i) Maximum lightness: 23 units. (ii) Saturation: less than 2.8, where saturation equals the square root of $A^2 + B^2$. These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, maximum lightness is 33 units. (d) "Blending tank," as it pertains to R 336.1631, means any vessel in which organic resin and solvent or other materials are added to produce a product blend. (e) "Business machine" means a device that uses electronic or mechanical methods to process information, perform calculations, print or copy information or convert sound into electrical impulses for transmission, including devices listed in standard industrial classification numbers 3572, 3573, 3574, 3579, and 3661 and photocopy machines, a subcategory of standard industrial classification number 3861.</p> <p>History: 1981 AACS; 1989 AACS; 1992 AACS; 2002 AACS; 2008 AACS.</p>	<p><u>Definitions: B</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Best available control technology for toxics Best available information Black coating Blending tank Business machine</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved SIP <i>does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: None</p> <p>The approved SIP <i>includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: None</p>
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<p>R 336.1103 Definitions; C. Rule 103. As used in these rules:</p> <p>(a) "Calendar day" means a 24-hour time period which normally is midnight to midnight, but which may, upon written notification to the department, cover a different, consecutive 24-hour time period for a specific process.</p> <p>(e) "Class II hardboard paneling finish" means a finish that meets the specifications of voluntary product standard PS-59-73, as approved by the American national standards institute.</p> <p>(h) "Coating category" means a type of surface coating for which there is a separate emission limit specified in these rules.</p> <p>(i) "Coating line" means an operation which is a single series in a coating process and which is comprised of 1 or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein 1 or more surface coatings are applied and subsequently dried and cured.</p> <p>(j) "Coating of automobiles and light-duty trucks" means the application of prime, primer surfacer, topcoat, and final repair to sheet metal and metallic body components during assembly of a vehicle. Examples of these sheet metal and metallic body components include all of the following:</p> <ul style="list-style-type: none"> (i) bodies (ii) fenders (iii) cargo boxes (iv) doors (v) grill openings <p>(m) "Coating of fabric" means the application of any type of coating to flat sheets of a textile substrate, including the application of coatings by saturation or impregnation.</p> <p>(o) "Coating of large appliances" means the coating of the component metal parts of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other associated products. Examples of these component metal parts include all of the following:</p> <ul style="list-style-type: none"> (i) doors 	<p>R 336.1103 Definitions; C. Rule 103. As used in these rules:</p> <p>(a) "Calendar day" means a 24-hour time period which normally is midnight to midnight, but which may, upon written notification to the department, cover a different, consecutive 24-hour time period for a specific process.</p> <p>(b) "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.</p> <p>(c) "Carcinogen" means any of the following:</p> <ul style="list-style-type: none"> (i) Group A -- Any substance for which there is sufficient evidence from human epidemiological studies to support a causal association between exposure to the agent and cancer. (ii) Group B -- Any substance for which the weight of evidence of human carcinogenicity based on epidemiological studies is limited evidence or for which the weight of evidence of carcinogenicity based on animal studies is sufficient evidence. (iii) Group C -- Any substance for which there is limited evidence of carcinogenicity in animals in the absence of human data and which causes a significant increased incidence of benign or malignant tumors in a single, well-conducted animal bioassay. <p>(d) "Charging period," with respect to coke ovens utilizing larry car charging methodology, means the total time taken between the point at which the coal starts flowing into the oven and the point at which the leveling door and the charging holes are closed with their respective lids after the coal from the larry car hoppers is emptied into the oven being charged through the respective charging holes and the coal has been leveled in the oven. "Charging period," with respect to coke ovens utilizing pipeline charging methodology, means the total time taken from the time at which the coal starts flowing into an oven by opening the preheated coal inlet valve to the time at which the coal flow ends when the inlet valve is closed.</p> <p>(e) "Class II hardboard paneling finish" means a finish that meets the specifications of voluntary product standard PS-59-73, as approved by the American national standards institute.</p> <p>(f) "Clean air act" means chapter 360, 69 stat. 322, 42 U.S.C. §§7401 to 7431, 7470 to 7479, 7491 to 7492, 7501 to 7509a, 7511 to 7515, 7521 to 7525, 7541 to 7545, 7547 to 7550,</p>	<p><u>Definitions; C</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms:</p> <ul style="list-style-type: none"> Calendar day Class II hardboard paneling finish Coating category Coating of automobiles and light-duty trucks Coating of fabric Coating of large appliances Coating of vinyl Component Component in field gas service Component in gaseous volatile organic compound service Component in heavy liquid service Component in light liquid service Component in liquid volatile organic compound service Condenser Conveyorized vapor degreaser <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms:</p> <ul style="list-style-type: none"> Coating Line: the SIP uses "dried <u>and</u> cured," the Michigan rules "dried <u>or</u> cured" Coating of paper: the SIP uses "saturated" and the Michigan rules use "saturation" <p>The approved SIP <i>does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan:</p> <ul style="list-style-type: none"> Capacity factor Carcinogen Charging period Clean air act Clean charge Clear coating Clinical testing of pharmaceuticals Coating of cans Coating of coils Coating of flat wood paneling Coating of metal furniture Coating of plastic parts of automobiles and trucks Coating of plastic parts of business machines Coke battery Coke oven
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<p>(ii) cases (iii) lids (iv) panels (v) interior support parts</p> <p>(q) "Coating of paper" means the application of any decorative, functional, or saturated coating applied across the entire width of any flat sheet or pressure-sensitive tape, regardless of substrate, or applied across a partial width of any flat sheet or pressure-sensitive tape, regardless of substrate, if this partial coverage is not considered to be an operation or series of operations that is included in the definition of graphic arts line in R 336.1107(e). These applications and substrates include paper, fabric, or plastic film; related wet-coating processes on plastic film, including typewriter ribbon, photographic film, and magnetic tape; and decorative coatings on metal foil, including gift wrapping and packaging.</p> <p>(t) "Coating of Vinyl" means any printing, decorative coating, or protective topcoat applied over vinyl-coated fabric or vinyl rolls or sheets. Coating of vinyl does not include the application or plastisoles</p> <p>(dd) "Component" means 1 of the following: (i) As it pertains to the provisions of R 336.1622 "component" means any piece of equipment that has the potential to leak a volatile organic compound and includes all of the following: (A) Pump seals (B) Compressor Seals (C) Seal oil degassing vents (D) Pipeline valves (E) Flanges and other connections (F) Pressure-relief devices (G) Process drains (H) Open ended pipes (ii) As it pertains to the provisions of R 336.1628, "component" means all of the following: (A) Compressor seals (B) Process valves in light liquid or gaseous volatile organic compound service (C) Pressure-relief valves in gaseous volatile organic compound service (D) seals of pumps in light liquid service (iii) As it pertains to the provisions of R 336.1629, "component" means all of the</p>	<p>7552 to 7554, 7571 to 7574, 7581 to 7590, 7601 to 7612, 7614 to 7617, 7619 to 7622, 7624 to 7627, 7641 to 7642, 7651 to 7651o, 7661 to 7661f, and 7671 to 7671q and regulations promulgated under the clean air act.</p> <p>(g) "Clean charge" means furnace charge materials, including molten metal; t-bar; sow; ingot; billet; pig; alloying elements; uncoated/unpainted thermally dried metal chips; metal scrap dried at 343 degrees Celsius (650 degrees Fahrenheit) or higher; metal scrap delacquered/decoated at 482 degrees Celsius (900 degrees Fahrenheit) or higher; other oil and lubricant-free unpainted/uncoated gates and risers; oil and lubricant-free unpainted/uncoated scrap, shapes, or products (for example, pistons) that have not undergone any process (for example, machining, coating, painting) that would cause contamination of the metal (with oils, lubricants, coatings, or paints) and on-site runaround.</p> <p>(h) "Clear coating" means a coating which lacks color and opacity or is transparent and which uses the undercoat as a reflectant base or undertone color.</p> <p>(i) "Clinical testing of pharmaceuticals" means human or animal health studies conducted consistent with applicable government regulations, guidelines, or directions for approval of a pharmaceutical product, such as those monitored by the United States food and drug administration for the purpose of determining any of the following with respect to a drug: (i) Pharmacological action. (ii) Preferred route of administration. (iii) Safe dosage range. (iv) Optimum dosage schedule. (v) Safety and effectiveness. (vi) Product label indications.</p> <p>(j) "Coating category" means a type of surface coating for which there is a separate emission limit specified in these rules.</p> <p>(k) "Coating line" means an operation which is a single series in a coating process and which is comprised of 1 or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein 1 or more surface coatings are applied and subsequently dried or cured.</p> <p>(l) "Coating of automobiles and light-duty trucks" means the application of prime, primer surfacer, topcoat, and final repair to sheet metal and metallic body components during</p>	<p>Cokeside Coking cycle Cold cleaner Commercial location Completed organic resin Compliance plan Control equipment Conventional air-atomizing spray equipment Conveyorized cold cleaner Cutback paving asphalt Cycle of operation</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan:</p> <p>Creditable</p>
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<p>following:</p> <p>(A) Compressor Seals (B) Process valves (C) Pressure-relief valves (D) Pump seals</p> <p>This definition does not include a valve that is not externally regulated, that is, a valve which has no external controls and thus does not have the potential to leak a volatile organic compound.</p> <p>(ee) "Component in field gas service" means a component that processes, transfers, or contains field gas.</p> <p>(ff) "Component in gaseous volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the gaseous phase under actual conditions.</p> <p>(gg) "Component in heavy liquid service" means a component that processes, transfers, or contains heavy liquid.</p> <p>(hh) "Component in light liquid service" means a component that contacts a light liquid containing more than 10% volatile organic compound by weight.</p> <p>(ii) "Component in liquid volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the liquid phase under actual conditions.</p> <p>(jj) "Condenser" means a device that effects the removal of an air contaminant from an exhaust stream by a physical change of state from a vapor to a liquid or solid form.</p> <p>(oo) "Conveyorized vapor degreaser" means any continuous system that transports metallic objects through or over, or through and over, a bath containing organic solvent that is heated to its boiling point for the purpose of cleaning or degreasing.</p> <p>(pp) "Creditable," with respect to a net emissions increase, means all of the following:</p> <p>(i) An increase in actual emission to the extent that the new level of actual emissions exceeds the old level of actual emissions. (ii) A decrease in the actual emission to the</p>	<p>assembly of a vehicle. Examples of these sheet metal and metallic body components include all of the following:</p> <p>(i) Bodies. (ii) Fenders. (iii) Cargo boxes. (iv) Doors. (v) Grill openings. (m) "Coating of cans" means exterior coating and interior spray coating in 2-piece can lines; interior and exterior coating in sheet coating lines for 3-piece cans; side seam spray coating and interior spray coating in can fabricating lines for 3-piece cans; and sealing compound application and sheet coating in end coating lines. (n) "Coating of coils" means the coating of any flat metal sheet or strip that comes in rolls or coils. (o) "Coating of fabric" means the application of any type of coating to flat sheets of a textile substrate, including the application of coatings by saturation or impregnation. (p) "Coating of flat wood paneling" means the factory-finished coating of flat products which are constructed of wood and which are intended for use as interior paneling. This definition does not apply to the coating of flat wood products intended for use as exterior siding, tileboard, cabinets, or furniture components. (q) "Coating of large appliances" means the coating of the component metal parts of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other associated products. Examples of these component metal parts include all of the following:</p> <p>(i) Doors. (ii) Cases. (iii) Lids. (iv) Panels. (v) Interior support parts. (r) "Coating of metal furniture" means the coating of any furniture made of metal and includes the coating of any metal part that is or shall be assembled with other metal, wood, fabric, plastic, or glass parts to form a furniture piece. (s) "Coating of paper" means the application of any decorative, functional, or saturation coating applied across the entire width of any flat sheet or pressure-sensitive tape, regardless of substrate, or applied across a partial width of any flat sheet or pressure-sensitive tape,</p>	
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<p>extent that this decrease meets all of the following provisions:</p> <p>(A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions.</p> <p>(B) The new level of actual emissions is legally enforceable at and after the time that construction of the particular change commences.</p> <p>(C) The decrease in emissions has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.</p> <p>(D) The decrease in emissions has not been used in demonstrating attainment or reasonable further progress toward attainment of the standards.</p> <p>(iii) An increase or decrease that was not part of a permit to install issued pursuant to any applicable federal or state offset rule, which permit is in effect when the increase in actual emissions from the particular change occurs.</p>	<p>regardless of substrate, if this partial coverage is not considered to be an operation or series of operations that is included in the definition of graphic arts line in R 336.1107(e). These applications and substrates include paper, fabric, or plastic film; related wet-coating processes on plastic film, including typewriter ribbons, photographic film, and magnetic tape; and decorative coatings on metal foil, including gift wrapping and packaging.</p> <p>(t) "Coating of plastic parts of automobiles and trucks" means the coating of any plastic part that is or shall be assembled with other parts to form an automobile or truck.</p> <p>(u) "Coating of plastic parts of business machines" means the coating of any plastic part that is or shall be assembled with other parts to form a business machine.</p> <p>(v) "Coating of vinyl" means any printing, decorative coating, or protective topcoat applied over vinyl-coated fabric or vinyl rolls or sheets. Coating of vinyl does not include the application or plastisols.</p> <p>(w) "Coke battery" means a series of coke ovens arranged side by side with an integral heating system.</p> <p>(x) "Coke oven" means a chamber in which coal is destructively distilled to yield coke.</p> <p>(y) "Cokeside," with respect to a coke oven, means that side of the coke oven through which coke is discharged.</p> <p>(z) "Coking cycle" means the time during which coal undergoes destructive distillation in a coke oven. It commences at the end of the charging period and ends at the beginning of the pushing operation, but does not include any decarbonization periods.</p> <p>(aa) "Cold cleaner" means a tank containing organic solvent at a temperature below its boiling point which is used to spray, brush, flush, or immerse a metallic object for the purpose of cleaning or degreasing.</p> <p>(bb) "Commercial location" means a publicly or privately owned place where persons are engaged in the exchange or sale of goods or services and multiple housing units designed for 3 or more families, except for elementary and secondary schools and facilities owned and operated by the state government. A separate building or group of buildings used for the exchange or sale of goods or services and having a single owner and manager constitutes a separate commercial location.</p> <p>(cc) "Completed organic resin" means organic resin solids, solvents, and additives as</p>	
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deliverable for sale or use, including a dry organic resin.

(dd) "Compliance plan" means a description of the compliance status of a source with respect to all applicable requirements for each process or process equipment as follows:

(i) For applicable requirements with which the source is in compliance, a statement that the source will continue to comply with the requirements.

(ii) For applicable requirements that will become effective during the permit term, a statement that the source will meet the requirements on a timely basis.

(iii) For applicable requirements for which the stationary source is not in compliance at the time of permit issuance, a narrative description of how the stationary source will achieve compliance with the requirements.

(ee) "Component" means 1 of the following:

(i) As it pertains to the provisions of R 336.1622, "component" means any piece of equipment that has the potential to leak a volatile organic compound and includes all of the following:

- (A) Pump seals.
- (B) Compressor seals.
- (C) Seal oil degassing vents.
- (D) Pipeline valves.
- (E) Flanges and other connections.
- (F) Pressure-relief devices.
- (G) Process drains.
- (H) Open ended pipes.

(ii) As it pertains to the provisions of R 336.1628, "component" means all of the following:

- (A) Compressor seals.
- (B) Process valves in light liquid or gaseous volatile organic compound service.
- (C) Pressure-relief valves in gaseous volatile organic compound service.
- (D) Seals of pumps in light liquid service.

(iii) As it pertains to the provisions of R 336.1629, "component" means all of the following:

- (A) Compressor seals.
- (B) Process valves.
- (C) Pressure-relief valves.
- (D) Pump seals.

This definition does not include a valve that is not externally regulated, that is, a valve which has no external controls and thus does not have the potential to leak a volatile organic compound.

(ff) "Component in field gas service" means a component that processes, transfers, or

contains field gas.

(gg) "Component in gaseous volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the gaseous phase under actual conditions.

(hh) "Component in heavy liquid service" means a component that processes, transfers, or contains heavy liquid.

(ii) "Component in light liquid service" means a component that contacts a light liquid containing more than 10% volatile organic compound by weight.

(jj) "Component in liquid volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the liquid phase under actual conditions.

(kk) "Condenser" means a device that effects the removal of an air contaminant from an exhaust stream by a physical change of state from a vapor to a liquid or solid form.

(ll) "Control equipment" means air pollution control equipment.

(mm) "Conventional air-atomizing spray equipment" means a device which is designed to atomize and direct fluid material solely through the use of compressed air and which is capable of operating at air pressures of more than 10 pounds per square inch.

(nn) "Conveyorized cold cleaner" means any continuous system that transports metallic objects through a bath containing organic solvent at a temperature below its boiling point for the purpose of cleaning or degreasing.

(oo) "Conveyorized vapor degreaser" means any continuous system that transports metallic objects through or over, or through and over, a bath containing organic solvent that is heated to its boiling point for the purpose of cleaning or degreasing.

(pp) "Cutback paving asphalt" means asphalt cement which has been liquefied by blending with a volatile organic compound and which is used for the purpose of paving or repairing, or paving and repairing, a road surface.

(qq) "Cycle of operation," with respect to continuous emission monitoring systems, means the total time a monitoring system requires to sample, analyze, and record an emission measurement.

History: 1980 AACs; 1981 AACs; 1985 AACs; 1989 AACs; 1990 AACs; 1993 AACs; 1993

<p>R 336.1104 Definitions;D Rule 104. As used in these rules: (a) "Dampened-off coke oven" means a coke oven that is isolated from the coke oven gas collector main y closing every damper valve on all standpipes of that oven during the decarbonization period. (b) "Decarbonization period," with respect to coke ovens, means the time for combusting carbon formed at the oven roof and in the standpipe assembly. The decarbonization period commences when a charging-hole lid or lids or a standpipe lid or lids are removed or opened near the end of the coking cycle and ends with the initiation of the next charging period. (c) "Delivery vessel" means any tank truck, tank-equipped trailer, railroad tank car, or any similar vessel equipped with a storage tank used for the transport of a volatile organic compound from sources of supply to any stationary vessel. (d) "Demolition waste material" means waste building materials that result from demolition operations on houses and commercial and industrial buildings. (e) "Department" means the director of the department of environmental quality or his or her designee. (f) "Difficult-to-monitor component" means a component that can only be monitored by elevating the monitoring personnel more than 6 feet above a support surface. (g) "Dry organic resin" means the organic resin solids from which all liquids have been removed, as deliverable for sale or use. (h) "Dispensing facility" means a location where gasoline is transferred to a motor vehicle tank from a stationary vessel.</p>	<p>AACS; 1995 AACS; 2003 AACS; 2008 AACS.</p> <p>R 336.1104 Definitions; D. Rule 104. As used in these rules: (a) "Decarbonization period," with respect to coke ovens, means the time for combusting carbon formed at the oven roof and in the standpipe assembly. The decarbonization period commences when a charging hole lid or lids or a standpipe lid or lids are removed or opened near the end of the coking cycle and ends with the initiation of the next charging period. (b) "Delivery vessel" means any tank truck, tank-equipped trailer, railroad tank car, or any similar vessel equipped with a storage tank used for the transport of a volatile organic compound from sources of supply to any stationary vessel. (c) "Demolition waste material" means waste building materials that result from demolition operations on houses and commercial and industrial buildings. (d) "Department" means the director of the department of environmental quality or his or her designee. (e) "Difficult-to-monitor component" means a component that can only be monitored by elevating the monitoring personnel more than 6 feet above a support surface. (f) "Dry organic resin" means the organic resin solids from which all liquids have been removed, as deliverable for sale or use. (g) "Dispensing facility" means a location where gasoline is transferred to a motor vehicle tank from a stationary vessel.</p> <p>History: 1980 AACS; 1989 AACS; 1993 AACS; 1998-2000 AACS; 2002 AACS; 2008 AACS.</p>	<p><u>Definitions: D</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Decarbonization Period Delivery vessel Demolition waste material Department Difficult-to-monitor component Dry organic resin Dispensing facility</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved SIP <i>does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: None</p> <p>The approved SIP <i>includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: Dampened-off coke oven</p>
<p>R 336.1105 Definitions; E Rule 105. As used in these rules: (a) "Electrostatic prep coat" means a coating that is applied to a plastic part solely to provide conductivity for the subsequent application of a prime, a topcoat, or other coating through the use of electrostatic application methods. An electrostatic prep</p>	<p>R 336.1105 Definitions; E. Rule 105. As used in these rules: (a) "Electrostatic prep coat" means a coating that is applied to a plastic part solely to provide conductivity for the subsequent application of a prime, a topcoat, or other coating through the use of electrostatic application methods. An electrostatic prep coat is clearly identified as an electrostatic</p>	<p><u>Definitions: E</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Electrostatic prep coat Emission unit Equipment utilized in the manufacturing of synthesized pharmaceutical products</p>

<p>coat is clearly identified as an electrostatic prep coat on its accompanying material safety data sheet.</p> <p>(b) "Emission unit" means any part of a stationary source that emits or has the potential to emit an air contaminant. Examples of emission units include the following:</p> <p>(i) A fossil fuel-fired, steam-generating unit.</p> <p>(ii) A topcoat painting line.</p> <p>(iii) A solid waste incinerator.</p> <p>(iv) A clinker cooler at a Portland cement plant.</p> <p>(v) A process unit at a chemical plant.</p> <p>(c) "Equipment utilized in the manufacturing of synthesized pharmaceutical products" means equipment associated with the storage, transfer, or manufacturing of pharmaceutical products, including raw materials and intermediate products, by chemical synthesis. This definition does not include equipment associated with the manufacturing of pharmaceutical products by fermentation or extraction, the formulation or packaging of bulk pharmaceuticals, or the processing of waste resulting from pharmaceutical synthesis.</p> <p>(d) "Equivalent method," with respect to source sampling, means a method or set of procedures for obtaining source samples that has been demonstrated to the department's satisfaction to have a consistent and quantitatively known relationship to an applicable reference test method.</p> <p>(f) "Excess emissions" means emissions of an air contaminant in excess of any applicable emission limitation.</p> <p>(g) "External floating roof stationary vessel" means an open top stationary vessel equipped with a cover or roof which rests upon and is supported by the liquid being contained and which has a closure seal or seals to reduce the space between the cover or roof edge and the vessel wall.</p> <p>(h) "Extreme environmental conditions" means any of the following:</p> <p>(i) Outdoor weather.</p> <p>(ii) Temperatures consistently above 95 degrees Celsius (203 degrees Fahrenheit).</p> <p>(iii) Detergents.</p> <p>(iv) Abrasive and scouring agents.</p> <p>(v) Solvents.</p> <p>(vi) Corrosive atmospheres.</p> <p>(vii) Other similar harsh conditions.</p>	<p>prep coat on its accompanying material safety data sheet.</p> <p>(b) "Emission unit" means any part of a stationary source that emits or has the potential to emit an air contaminant. Examples of emission units include the following:</p> <p>(i) A fossil fuel-fired, steam-generating unit.</p> <p>(ii) A topcoat painting line.</p> <p>(iii) A solid waste incinerator.</p> <p>(iv) A clinker cooler at a Portland cement plant.</p> <p>(v) A process unit at a chemical plant.</p> <p>(c) "Equipment utilized in the manufacturing of synthesized pharmaceutical products" means equipment associated with the storage, transfer, or manufacturing of pharmaceutical products, including raw materials and intermediate products, by chemical synthesis. This definition does not include equipment associated with the manufacturing of pharmaceutical products by fermentation or extraction, the formulation or packaging of bulk pharmaceuticals, or the processing of waste resulting from pharmaceutical synthesis.</p> <p>(d) "Equivalent method," with respect to source sampling, means a method or set of procedures for obtaining source samples that has been demonstrated to the department's satisfaction to have a consistent and quantitatively known relationship to an applicable reference test method.</p> <p>(e) "Excess air" means any air in excess of the amount of air required for complete combustion of a material as determined by using reference test method 3 of appendix A to the department's rules.</p> <p>(f) "Excess emissions" means emissions of an air contaminant in excess of any applicable emission limitation.</p> <p>(g) "External floating roof stationary vessel" means an open top stationary vessel equipped with a cover or roof which rests upon and is supported by the liquid being contained and which has a closure seal or seals to reduce the space between the cover or roof edge and the vessel wall.</p> <p>(h) "Extreme environmental conditions" means any of the following:</p> <p>(i) Outdoor weather.</p> <p>(ii) Temperatures consistently above 95 degrees Celsius (203 degrees Fahrenheit).</p> <p>(iii) Detergents.</p> <p>(iv) Abrasive and scouring agents.</p> <p>(v) Solvents.</p> <p>(vi) Corrosive atmospheres.</p>	<p>Equivalent method</p> <p>Excess emissions</p> <p>External floating roof stationary vessel</p> <p>Extreme environmental conditions</p> <p>Extreme performance coating</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved SIP <i>does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: Excess air</p> <p>The approved SIP <i>includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: None</p>
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<p>(i) "Extreme performance coating" means a coating which is designed to protect a coated part from extreme environmental conditions and which is applied to a part that, in its use as a finished product, is intended to be subjected to extreme environmental conditions.</p> <p>R. 336.1106 Definitions; F Rule 106. As used in these rules: (a) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands. (b) "fixed roof stationary vessel" means a stationary vessel with a roof connected in a rigid fashion to the side walls of the vessel, a spherically-shaped vessel, or a pressure vessel designed to maintain a specific working pressure. (c) "Flexographic printing" means the application of words, designs, or pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials. (d) "Fossil fuel-fired steam generator" means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer. (e) "Fuel-burning equipment" means a device, contrivance, or equipment used principally, but not exclusively, for the burning of fuel, and all appurtenances thereto, including ducts, breechings, control equipment, fuel-feeding equipment, ash removal equipment, combustion controls, and stacks and chimneys, which equipment is used for indirect heating in which the material being heated is not contacted by, and does not add substance to, the products of combustion. This equipment typically includes that used for all of the following: (i) Heating water to boiling. (ii) Raising steam or superheating steam. (iii) Heating air as in a warm-air furnace.</p>	<p>(vii) Other similar harsh conditions. (i) "Extreme performance coating" means a coating which is designed to protect a coated part from extreme environmental conditions and which is applied to a part that, in its use as a finished product, is intended to be subjected to extreme environmental conditions.</p> <p>History: 1980 AACs; 1981 AACs; 1989 AACs; 1993 AACs; 1994 AACs; 2002 AACs; 2008 AACs.</p> <p>R 336.1106 Definitions; F. Rule 106. As used in these rules: (a) "Federally enforceable" means that a limitation or condition is enforceable by the United States environmental protection agency. Limitations and conditions which are enforceable by the United States environmental protection agency include requirements developed pursuant to 40 C.F.R. parts 60, 61, and 63; requirements within the state implementation plan; any renewable operating permit requirement designated as federally enforceable pursuant to R 336.1213(1)(a); and any permit requirement established pursuant to 40 C.F.R. §52.21, R 336.1220, R 336.1208, or R 336.1201(1)(a). (b) "Field gas" means a feedstock gas entering a natural gas processing plant. (c) "Field testing" means the limited use or distribution of a product to determine the quality of the product, including its suitability for its intended end use. (d) "Fixed roof stationary vessel" means a stationary vessel with a roof connected in a rigid fashion to the side walls of the vessel, a spherically-shaped vessel, or a pressure vessel designed to maintain a specific working pressure. (e) "Flexible coating" means any coating that is required to comply with engineering specifications for impact resistance, mandrel bend, or elongation as defined by the original equipment manufacturer. (f) "Flexographic printing" means the application of words, designs, or pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials. (g) "Fog coat" means a coating that is applied to a plastic part for the purpose of color</p>	<p><u>Definitions; F</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Fixed roof stationary vessel Flexographic printing Fossil fuel-fired steam generator Fuel-burning equipment Fuel gas system Fugitive dust Fugitive emissions</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: : None</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: Federally enforceable Field gas Field testing Flexible coating Fog coat</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: Federal land manager</p>
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<p>(iv) Furnishing process heat that is conducted through vessel walls.</p> <p>(v) Furnishing process heat indirectly through its transfer by fluids.</p> <p>(f) "Fuel gas system" means any system in which gas generated by a petroleum refinery process unit is combusted, including any gaseous mixture of natural gas with such gas, and is not commercially sold.</p> <p>(g) "Fugitive dust" means particulate matter which is generated from indoor processes, activities, or operations and which is emitted into the outer air through building openings and general exhaust ventilation, except stacks. The term also means particulate matter which is emitted into the outer air from outdoor processes, activities, or operations due to the forces of the wind or human activity.</p> <p>(h) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.</p>	<p>matching without masking a molded-in texture. A fog coat shall not be applied at a thickness of more than 0.5 mils of coating solids.</p> <p>(h) "Fossil fuel-fired steam generator" means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.</p> <p>(i) "Fuel-burning equipment" means a device, contrivance, or equipment used principally, but not exclusively, for the burning of fuel, and all appurtenances thereto, including ducts, breechings, control equipment, fuel-feeding equipment, ash removal equipment, combustion controls, and stacks and chimneys, which equipment is used for indirect heating in which the material being heated is not contacted by, and does not add substance to, the products of combustion. This equipment typically includes that used for all of the following:</p> <p>(i) Heating water to boiling.</p> <p>(ii) Raising steam or superheating steam.</p> <p>(iii) Heating air as in a warm-air furnace.</p> <p>(iv) Furnishing process heat that is conducted through vessel walls.</p> <p>(v) Furnishing process heat indirectly through its transfer by fluids.</p> <p>(j) "Fuel gas system" means any system in which gas generated by a petroleum refinery process unit is combusted, including any gaseous mixture of natural gas with such gas, and is not commercially sold.</p> <p>(k) "Fugitive dust" means particulate matter which is generated from indoor processes, activities, or operations and which is emitted into the outer air through building openings and general exhaust ventilation, except stacks. The term also means particulate matter which is emitted into the outer air from outdoor processes, activities, or operations due to the forces of the wind or human activity.</p> <p>(l) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.</p> <p>History: 1980 AACS; 1981 AACS; 1985 AACS; 1989 AACS; 1992 AACS; 2003 AACS.</p>	
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<p>R 336.1107 Definitions; G. Rule 107. As used in these rules: (a) "Gasoline" means any petroleum distillate which has a Reid vapor pressure equal to or greater than 4.0 psia and which is used for automotive fuel. (b) "Geographical site" means contiguous land ownership by 1 landowner. A public right of way, such as a road, railroad, and watercourse, through part of the site, is not considered to break the continuity. Where transmission and fuel delivery rights-of-way or a strip of land that serves no other purpose than as a transportation or materials handling link connects 2 or more otherwise separate geographical sites, the connected sites shall be considered separate geographical sites. (c) "Good engineering practice design" means, with respect to stack heights, the height necessary to ensure that emissions from the stack result in acceptable concentrations of air contaminants in the immediate vicinity of the stationary source as a result of atmospheric downwash, eddies, and wakes which may be created by the stationary source itself, nearby structures, or nearby terrain obstacles and shall not exceed the greatest of the following limits: (i) Two hundred and thirteen feet (65 meters). (ii) Two and one-half times the height of the structure or nearby structure for those stacks for which construction or modification commenced on or before January 12, 1979, if the owner or operator produces evidence that this relationship was actually relied upon in designing the stack to ensure protection against downwash. (iii) The sum of the height of the structure or nearby structure plus 1.5 times the lesser of the height or width of the structure or nearby structure for those stacks for which construction or modification commenced after January 12, 1979. (iv) Such height as an owner or operator of a stationary source demonstrates, to the satisfaction of the department, is necessary through the use of field studies or fluid models after notice and opportunity for public hearing. (d) "Gloss reducer" means a coating that is applied to a plastic part solely to reduce the shine of the part. A gloss reducer shall not be applied at a thickness of more than 0.5</p>	<p>R 336.1107 Definitions; G. Rule 107. As used in these rules: (a) "Gasoline" means any petroleum distillate which has a Reid vapor pressure equal to or greater than 4.0 psia and which is used for automotive fuel. (b) "Geographical site" means contiguous land ownership by 1 landowner. A public right of way, such as a road, railroad, and watercourse, through part of the site, is not considered to break the continuity. Where transmission and fuel delivery rights-of-way or a strip of land that serves no other purpose than as a transportation or materials handling link connects 2 or more otherwise separate geographical sites, the connected sites shall be considered separate geographical sites. (c) "Good engineering practice design" means, with respect to stack heights, the height necessary to ensure that emissions from the stack result in acceptable concentrations of air contaminants in the immediate vicinity of the stationary source as a result of atmospheric downwash, eddies, and wakes which may be created by the stationary source itself, nearby structures, or nearby terrain obstacles and shall not exceed the greatest of the following limits: (i) Two hundred and thirteen feet (65 meters). (ii) Two and one-half times the height of the structure or nearby structure for those stacks for which construction or modification commenced on or before January 12, 1979, if the owner or operator produces evidence that this relationship was actually relied upon in designing the stack to ensure protection against downwash. (iii) The sum of the height of the structure or nearby structure plus 1.5 times the lesser of the height or width of the structure or nearby structure for those stacks for which construction or modification commenced after January 12, 1979. (iv) Such height as an owner or operator of a stationary source demonstrates, to the satisfaction of the department, is necessary through the use of field studies or fluid models after notice and opportunity for public hearing. (d) "Gloss reducer" means a coating that is applied to a plastic part solely to reduce the shine of the part. A gloss reducer shall not be applied at a thickness of more than 0.5 mils of coating solids. (e) "Graphic arts line" means an operation or series of operations in which printing (the</p>	<p><u>Definitions; G</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Gasoline Geographical site Gloss reducer Graphic arts line The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: Good engineering practice design: is only different in a few words that are separated by a "dash" The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: None The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: None</p>
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<p>mils of coating solids.</p> <p>(e) "Graphic arts line" means an operation or series of operations in which printing (the formation of words), designs, or pictures on a substrate by means of partial coverage of the substrate are employed. A graphic arts line may also employ 1 or more coating operations in which a uniform layer of coating is applied either across the entire width of the substrate or across only certain portions of the substrate.</p> <p>R 336.1108 Definitions; H. Rule 108. As used in these rules:</p> <p>(a) "Hardboard" means a panel manufactured primarily from interfelted ligno-cellulosic fibers which are consolidated under heat and pressure in a hot press.</p> <p>(b) "Hardwood plywood" means plywood whose surface layer is a veneer of hardwood</p> <p>(c) "Heavy liquid" means a liquid which is less than 10% evaporated at 150 degrees Centigrade as determined by ASTM method d-86. ASTM d-86 is herein adopted by reference in these rules. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost of \$40.00. A copy may also be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, at a cost of \$40.00.</p> <p>(d) "High bake coating" means a coating which is designed to cure only at temperatures of more than 90 degrees Celsius (194 degrees Fahrenheit).</p> <p>(e) "High-speed dispersion mill" means a mixer that has 1 or more blades which rotate at high speed to disperse coating solids.</p>	<p>formation of words), designs, or pictures on a substrate by means of partial coverage of the substrate are employed. A graphic arts line may also employ 1 or more coating operations in which a uniform layer of coating is applied either across the entire width of the substrate or across only certain portions of the substrate.</p> <p>History: 1980 AACS; 1981 AACS; 1989 AACS; 2002 AACS.</p> <p>R 336.1108 Definitions; H. Rule 108. As used in these rules:</p> <p>(a) "Hardboard" means a panel manufactured primarily from interfelted ligno-cellulosic fibers which are consolidated under heat and pressure in a hot press.</p> <p>(b) "Hardwood plywood" means plywood whose surface layer is a veneer of hardwood.</p> <p>(c) "Heavy liquid" means a liquid which is less than 10% evaporated at 150 degrees Centigrade as determined by ASTM method d-86. ASTM d-86 is herein adopted by reference in these rules. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost of \$40.00. A copy may also be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, at a cost of \$40.00.</p> <p>(d) "High bake coating" means a coating which is designed to cure only at temperatures of more than 90 degrees Celsius (194 degrees Fahrenheit).</p> <p>(e) "High-speed dispersion mill" means a mixer that has 1 or more blades which rotate at high speed to disperse coating solids.</p> <p>History: 1981 AACS; 1989 AACS; 2002 AACS.</p>	<p><u>Definitions: H</u></p> <p>The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms:</p> <p>Hardboard Hardwood plywood Heavy liquid High bake coating High-speed dispersion mill</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: None</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: None</p>
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<p>R 336.1109 Definitions; I. Rule 109. As used in these rules:</p> <p>(a) "Incinerator" means a device specifically designed for the destruction, by burning, of garbage or other combustible refuse or waste material, or both, in which the products of combustion are emitted into the outer air by passing through a stack or chimney.</p> <p>(b) "Indian governing body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing the power of self-government.</p> <p>(c) "Insulation of magnet wire" means the process of coating aluminum or copper electrical wire by application of a nonconductive material, such as varnish or enamel.</p> <p>(d) "Internal floating roof stationary vessel" means a fixed-roof stationary vessel equipped with a cover or roof which rests upon and is supported by the liquid being contained and which has a closure seal or seals to reduce the space between the cover or roof edge and the vessel wall.</p>	<p>R 336.1109 Definitions; I. Rule 109. As used in these rules:</p> <p>(a) "Incinerator" means a device specifically designed for the destruction, by burning, of garbage or other combustible refuse or waste material, or both, in which the products of combustion are emitted into the outer air by passing through a stack or chimney.</p> <p>(b) "Inhalation reference concentration" or "RfC" means a conservative estimate of the daily exposure to the human population, including sensitive subgroups, that is likely to be without appreciable risk of deleterious effect during a lifetime. The inhalation reference concentration is for continuous inhalation exposures and is expressed in units of milligrams per cubic meter (mg/m³).</p> <p>(c) "Initial risk screening level" means the concentration of a possible, probable, or known human carcinogen in ambient air which has been calculated for regulatory purposes, according to the risk assessment procedures in R 336.1229(1), to produce an estimated upper-bound lifetime cancer risk of 1 in 1,000,000.</p> <p>(d) "Initial threshold screening level" means a concentration of toxic air contaminant in the ambient air which is used to evaluate noncarcinogenic health effects from a proposed new or modified process and which is calculated, for regulatory purposes, according to the procedures in R 336.1229(2).</p> <p>(e) "Insulation of magnet wire" means the process of coating aluminum or copper electrical wire by application of a nonconductive material, such as varnish or enamel.</p> <p>History: 1980 AACCS; 1981 AACCS; 1992 AACCS; 2008 AACCS.</p>	<p><u>Definitions; I</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Incinerator Insulation of magnet wire</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved SIP <i>does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: Inhalation reference concentration Initial risk screening level Initial threshold screening level</p> <p>The approved SIP <i>includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: Indian governing body Internal floating roof of stationary vessel</p>
<p>R 336.1112 Definitions; L. Rule 112. As used in these rules:</p> <p>(a) "Light-duty truck" means any motor vehicle which is rated at not more than 8,500 pounds gross vehicle weight and which is designed primarily for the transportation of property, including pickups, vans, and window vans.</p> <p>(b) "Loading facility" means a location where volatile organic compounds are</p>	<p>R 336.1112 Definitions; L. Rule 112. As used in these rules:</p> <p>(a) "Light-duty truck" means any motor vehicle which is rated at not more than 8,500 pounds gross vehicle weight and which is designed primarily for the transportation of property, including pickups, vans, and window vans.</p> <p>(b) "Light liquid," as it pertains to R 336.1628, means a liquid that contains 1 or</p>	<p><u>Definitions; L</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Light-duty truck Loading facility</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in</p>

<p>received from sources of supply and are stored for later delivery to another facility.</p> <p>(c) "Lowest achievable emission rate" means, for any source, that rate of emission which reflects either of the following:</p> <p>(i) The most stringent emission limitation that is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed source demonstrates that such limitations are not achievable.</p> <p>(ii) The most stringent emission limitation that is achieved in practice by such class or category of source, whichever is more stringent.</p> <p>The application of this term shall not permit a proposed new or modified source to emit any pollutant in excess of the amount allowable under 40 C.F.R., part 60 or part 61 as promulgated prior to November 1, 1978.</p>	<p>more volatile organic compounds which have vapor pressures of more than 0.04 psia at 20 degrees Centigrade if the total concentration of the pure volatile organic compounds which have vapor pressures of more than 0.04 psia at 20 degrees Centigrade is equal to or greater than 20%, by weight, of the liquid and if the fluid is a liquid at operating conditions.</p> <p>(c) "Limited evidence," a term of art, means either of the following:</p> <p>(i) In human epidemiological studies, the data indicate that a causal relationship between the agent and human cancer is credible, but that alternative explanations, such as chance, bias, or confounding variables, could not be adequately excluded.</p> <p>(ii) In animal studies, data suggest a carcinogenic effect, but are limited because of any of the following:</p> <p>(A) The studies involve a single species, strain, or experiment and do not meet criteria for sufficient evidence.</p> <p>(B) The experiments are restricted by any of the following:</p> <p>(1) Inadequate dosage levels.</p> <p>(2) Inadequate duration or exposure to the agent.</p> <p>(3) Inadequate period of follow-up.</p> <p>(4) Poor survival.</p> <p>(5) Too few animals.</p> <p>(6) Inadequate reporting.</p> <p>(C) The data show an increase in the incidence of benign tumors only.</p> <p>(d) "Linearized multistage computer model" means a dose-response model which assumes that there are a number of distinct biological stages or changes that must occur for a normal cell to be transformed into a tumor and which assumes the dose-response relationship to be linear at low doses.</p> <p>(e) "Loading facility" means a location where volatile organic compounds are received from sources of supply and are stored for later delivery to another facility.</p> <p>History: 1980 AACS; 1989 AACS; 1990 AACS; 1992 AACS; 2008 AACS.</p>	<p>regard to the following terms:</p> <p>None</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan:</p> <p>Light liquid</p> <p>Limited evidence</p> <p>Linearized multistage computer model</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan:</p> <p>Lowest achievable emission rate</p>
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<p>R 336.1113 Definitions; M. Rule 113. As used in these rules:</p> <p>(a) "Major nonattainment air contaminant" means a nonattainment air contaminant for which the potential to emit is significant for a proposed major offset source or for which there is a significant net emissions increase for a proposed major offset modification.</p> <p>(b) "Major offset modification" means the addition of a process or process equipment or a physical change in, or change in the method of operation of, a process or process equipment at a major offset source which results in a significant net emissions increase of any air contaminant regulated under the clean air act.</p> <p>(c) "Major offset source" means either of the following:</p> <p>(i) A stationary source which has a potential to emit of 100 or more tons per year of any air contaminant regulated under the clean air act.</p> <p>(ii) A particular change at a minor offset source which results in an increase in the potential to emit of 100 or more tons per year of any contaminant regulated under the clean air act.</p> <p>(d) "Malfunction" means any sudden, infrequent and not reasonably preventable failure of a source, process, process equipment, or air pollution control equipment to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.</p> <p>(e) "Manufacturing location" means a place where a person is engaged in the making of goods or wares, including the generation of electricity in the processing of material or primarily in the disposal or treatment of solid or liquid waste. For the purpose of assessing a surveillance fee, "manufacturing location" includes all such places, whether publicly or privately and contained within 1 geographical site, except places owned and operated by the state government. A power plant, as defined in table 42 of R 336.1401, constitutes a separate manufacturing location when used to supply steam or energy to more than 1 other manufacturing or commercial location. In any case, a power plant that has a capacity of more than 500,000 pounds of steam per hour is considered a separate manufacturing location. For a large industrial complex or other unusual cases, the department may</p>	<p>R 336.1113 Definitions; M. Rule 113. As used in these rules:</p> <p>(a) "Malfunction" means any sudden, infrequent and not reasonably preventable failure of a source, process, process equipment, or air pollution control equipment to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.</p> <p>(b) "Market testing and market development" means the limited or general distribution of a product to the consumer to gather information concerning the demand for the product.</p> <p>(c) "Material handling equipment," as referenced in table 31, means a device, contrivance, or equipment used to bag, blend, convey, crush, grind, load, mill, mix, shed, store, transfer, or unload a physical substance.</p> <p>(d) "Material recovery equipment" means any equipment utilized in the transport and recovery of styrene monomer and other impurities from other products and by-products in the manufacture of polystyrene resin by continuous process, including the styrene devolatilizer unit and styrene recovery unit.</p> <p>(e) "Modify" means making a physical change in, or change in the method of operation of, existing process or process equipment which increases the amount of any air contaminant emitted into the outer air which is not already allowed to be emitted under the conditions of a permit or order or which results in the emission of any toxic air contaminant into the outer air not previously emitted. An increase in the hours of operation or an increase in the production rate up to the maximum capacity of the process or process equipment shall not be considered to be a change in the method of operation unless the process or process equipment is subject to enforceable permit conditions or enforceable orders which limit the production rate or the hours of operation, or both, to a level below the proposed increase.</p> <p>(f) "Motor vehicle" means any self-propelled vehicle registered for, or requiring registration for, use on the highway.</p> <p>History: 1980 AACs; 1989 AACs; 1990 AACs; 1992 AACs; 1993 AACs; 1995 AACs; 2002 AACs; 2008 AACs.</p>	<p><u>Definitions; M</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms:</p> <p>Malfunction Market testing and market development Material handling equipment Material recovery equipment Modify Motor Vehicle</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: None</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: Major nonattainment air contaminant Major offset modification Major offset source Manufacturing location Minor offset source</p>
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determine that the complex constitutes more than 1 manufacturing location, based on such factors as separate corporate operating divisions, units, or sections.

(f) "Market testing and market development" means the limited or general distribution of a product to the consumer to gather information concerning the demand for the product.

(g) "Material handling equipment," as referenced in table 31, means a device, contrivance, or equipment used to bag, blend, convey, crush, grind, load, mill, mix, shed, store, transfer, or unload a physical substance.

(h) "Material recovery equipment" means any equipment utilized in the transport and recovery of styrene monomer and other impurities from other products and by-products in the manufacture of polystyrene resin by continuous process, including the styrene devolatilizer unit and styrene recovery unit.

(i) "Minor offset source" means a stationary source which has a potential to emit of less than 100 tons per year for each air contaminant regulated under the clean air act

(j) "Modify" means making a physical change in, or change in the method of operation of, existing process or process equipment which increases the amount of any air contaminant emitted into the outer air which is not already allowed to be emitted under the conditions of a permit or order or which results in the emission of any toxic air contaminant into the outer air not previously emitted. An increase in the hours of operation or an increase in the production rate up to the maximum capacity of the process or process equipment shall not be considered to be a change in the method of operation unless the process or process equipment is subject to enforce-able permit conditions or enforceable orders which limit the production rate or the hours of operation, or both, to a level below the proposed increase.

(k) "Motor vehicle" means any self-propelled vehicle registered for, or requiring registration for, use on the highway.

<p>R 336.1114 Definitions; N. Rule 114. As used in these rules: (a) "Natural finish hardwood plywood panel" means a panel that has its original grain pattern enhanced by essentially transparent finishes frequently supplemented by fillers and toners. (b) "Nonattainment area" means an area designated by the commission as not having attained full compliance with all national ambient air quality standards. Such designation shall be pollutant specific and shall not mean that an area is a nonattainment area for any other pollutant unless so specified. The commission shall maintain a list of designated nonattainment areas and shall update such list when air quality monitoring or modeling data warrant.</p>	<p>R 336.1114 Definitions; N. Rule 114. As used in these rules: (a) "Natural finish hardwood plywood panel" means a panel that has its original grain pattern enhanced by essentially transparent finishes frequently supplemented by fillers and toners. (b) "Natural gas processing plant" means a stationary source where the extraction of natural gas liquids from field gas or the fractionation of the liquids into natural gas products, such as ethane, propane, butane, and natural gasoline, takes place. (c) "Natural gas process unit" means process equipment assembled for the extraction of natural gas liquids from field gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A natural gas process unit may operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products. (d) "Nearby" means, with respect to good engineering practice design stack heights, a distance of up to 5 times the lesser of the height or the width dimension of a structure, but not more than 0.8 kilometers (0.5 miles). The height of the structure is measured from the ground level elevation at the base of the stack. (e) "Nonattainment area" means an area designated as not having attained full compliance with any national ambient air quality standard pursuant to section 107(D) of the clean air act. Such designation shall be air contaminant specific and shall not mean that an area is a nonattainment area for any other air contaminant unless so specified. The department shall maintain a list of designated nonattainment areas and shall update the list when air quality monitoring or modeling data warrant. For certain air contaminants, nonattainment areas are classified for the purposes of applying an attainment date, or for other purposes, in accordance with procedures established pursuant to the clean air act, as amended, 42 U.S.C. §7401 et seq. For ozone nonattainment areas, classifications have been established as follows: (i) Nonclassifiable. (ii) Marginal. (iii) Moderate. (iv) Serious. (v) Severe. (vi) Extreme.</p>	<p><u>Definitions; N</u> <i>The approved SIP has the exact same definitions as the Rules Implemented by State of Michigan in regard to the following terms:</i> Natural finish hardwood plywood panel</p> <p><i>The approved SIP differs from the rules implemented by State of Michigan in regard to the following terms:</i> Nonattainment area: the SIP says it is an area designated "by the commission" but the Michigan rules removed this language; instead of "all," as used in the SIP, the Michigan rules use "any;" The SIP only says "standards," but the Michigan rules add the language "standard pursuant to section 107(D) of the clean air act." The SIP uses the word "pollutant" where the Michigan rules use the word "air contaminant;" the SIP uses the word "commission" where the Michigan rules use the word "department;" the SIP uses the word "such" where the Michigan rules use the word "the;" The Michigan rules add the following paragraph to the definition that is not found in the SIP: "nonattainment areas are classified for the purposes of applying an attainment date, or for other purposes, in accordance with procedures established pursuant to the clean air act, as amended, 42 U.S.C. §7401 et seq. For ozone nonattainment areas, classifications have been established as follows: (i) Nonclassifiable. (ii) Marginal. (iii) Moderate. (iv) Serious. (v) Severe. (vi) Extreme. "</p> <p><i>The approved SIP does not include definitions for the following terms that are included in the rules implemented by the State of Michigan:</i> Natural gas processing plant Natural gas process unit Nearby</p>
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<p>R 336.1115 Definitions; O. Rule 115. As used in these rules:</p> <p>(a) "Offset ratio" means that ratio of emission reductions from sources in-place needed to offset emissions from the proposed major offset source.</p> <p>(b) "Opacity" means the degree to which an emission reduces the transmission of light or obscures an observer's view.</p> <p>(c) "Open burning" means a fire from which the products of combustion are emitted directly into the outer air without passing through a stack or chimney.</p> <p>(d) "Open top vapor degreaser" means a tank that contains organic solvent which is heated to its boiling point for the purpose of cleaning or degreasing metallic objects through the condensation of the hot solvent vapor on the colder object.</p> <p>(e) "Organic compound" means any compound of carbon or mixture of such compounds, excluding all of the following:</p> <p>(i) Carbon monoxide.</p> <p>(ii) Carbon dioxide.</p> <p>(iii) Carbonic acid.</p> <p>(iv) Metallic carbides or carbonates.</p> <p>(v) Boron carbide.</p> <p>(vi) Silicon carbide.</p> <p>(vii) Ammonium carbonate.</p> <p>(viii) Ammonium bicarbonate.</p> <p>(ix) Methane.</p> <p>(x) Ethane.</p> <p>(f) "Organic compound-water separator" means any vessel, device, or piece of equipment which is operated for the recovery of organic compounds from waste water and which, in any 1 day, recovers more than 200 gallons of organic compounds from any equipment that</p>	<p>History: 1980 AACCS; 1981 AACCS; 1989 AACCS; 1990 AACCS; 1993 AACCS; 2003 AACCS; 2008 AACCS.</p> <p>R 336.1115 Definitions; O. Rule 115. As used in these rules:</p> <p>(a) "Opacity" means the degree to which an emission reduces the transmission of light or obscures an observer's view.</p> <p>(b) "Open burning" means a fire from which the products of combustion are emitted directly into the outer air without passing through a stack or chimney.</p> <p>(c) "Open top vapor degreaser" means a tank that contains organic solvent which is heated to its boiling point for the purpose of cleaning or degreasing metallic objects through the condensation of the hot solvent vapor on the colder object.</p> <p>(d) "Oral reference dose" or "RfD" means a conservative estimate of the daily exposure to the human population, including sensitive subgroups, that is likely to be without appreciable risk of deleterious effect during a lifetime. The reference dose is expressed in units of milligrams per kilogram of body weight per day.</p> <p>(e) "Organic compound" means any compound of carbon or mixture of such compounds, excluding all of the following:</p> <p>(i) Carbon monoxide.</p> <p>(ii) Carbon dioxide.</p> <p>(iii) Carbonic acid.</p> <p>(iv) Metallic carbides or carbonates.</p> <p>(v) Boron carbide.</p> <p>(vi) Silicon carbide.</p> <p>(vii) Ammonium carbonate.</p> <p>(viii) Ammonium bicarbonate.</p> <p>(ix) Methane.</p> <p>(x) Ethane.</p> <p>(f) "Organic compound-water separator" means any vessel, device, or piece of equipment which is operated for the recovery</p>	<p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: None</p> <p><u>Definitions: O</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Opacity Open burning Open top vapor degreaser Organic compound Organic compound-water separator Organic solvent Outer air</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: Oral reference dose Organic resin</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: Offset radio</p>
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<p>processes, refines, stores, or handles such compounds with a Reid vapor pressure of more than 0.5 psia.</p> <p>(g) "Organic solvent" means any volatile organic compound that is used as a diluent, thinner, dissolver, viscosity reducer, or cleaning agent or for other similar uses.</p> <p>(h) "Outer air" means air in all space outside of buildings, stacks, or exterior ducts.</p>	<p>of organic compounds from waste water and which, in any 1 day, recovers more than 200 gallons of organic compounds from any equipment that processes, refines, stores, or handles such compounds with a Reid vapor pressure of more than 0.5 psia.</p> <p>(g) "Organic resin" means a solid or semisolid, water insoluble, organic material as listed in standard industrial classification code 2821. The resin has little or no tendency to crystallize and is used as the basic component of plastics or as a component of surface coating formulations.</p> <p>(h) "Organic solvent" means any volatile organic compound that is used as a diluent, thinner, dissolver, viscosity reducer, or cleaning agent or for other similar uses.</p> <p>(i) "Outer air" means air in all space outside of buildings, stacks, or exterior ducts.</p> <p>History: 1980; 1981 AACS; 1989 AACS; 1990 AACS; 1992 AACS.</p>	
<p>R 336.1116 Definitions; P. Rule 116. As used in these rules:</p> <p>(n) "Printed interior panel" means a panel which has its grain or natural surface obscured by fillers and basecoats and upon which a simulated grain or decorative pattern is printed.</p> <p>(q) "Process unit turnaround" means the scheduled shutdown of a refinery process unit for the purpose of inspection or maintenance of the unit.</p> <p>(t) "Publication rotogravure printing" means rotogravure printing upon a substrate that is subsequently formed into any of the following:</p> <ul style="list-style-type: none"> (i) book (ii) magazine (iii) catalog (iv) brochure (v) directory 	<p>R 336.1116 Definitions; P. Rule 116. As used in these rules:</p> <p>(a) "Packaging rotogravure printing" means rotogravure printing upon a substrate that, in subsequent operations, is formed into a packaging product or label, or both.</p> <p>(b) "Paint manufacturing" means the grinding or mixing of a combination of pigments, resins, and liquids to produce a surface coating as listed in standard industrial classification code 2851.</p> <p>(c) "Particulate matter" means any air contaminant existing as a finely divided liquid or solid, other than uncombined water, as measured by a reference test specified in R 336.2004(5) or by an equivalent or alternative method.</p> <p>(d) "Perchloroethylene dry cleaning equipment" means equipment utilized in the cleaning of fabrics for which perchloroethylene (tetrachloroethylene) is the predominant cleaning medium.</p> <p>(e) "Performance test" means the taking of a</p>	<p><u>Definitions; P</u></p> <p>The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms:</p> <p>Printed interior panel Process unit turnaround Pushside</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms:</p> <p>Publication rotogravure printing: the definition in the Michigan rules adds the word "printed" before the word "material," whereas the SIP does not.</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan:</p> <p>Packaging rotogravure printing Paint manufacturing Particulate matter</p>

<p>(vi) newspaper (vii) supplement (viii) other type of material</p> <p>(v) "Pushside," with respect to a coke oven, means that side of the coke oven that is adjacent to the pushing machine.</p>	<p>source sample at a stationary source, employing department-approved methods, to determine either of the following:</p> <p>(i) Compliance with the department's rules, orders, or emission limitations.</p> <p>(ii) Compliance with the conditions of a permit to install or permit to operate.</p> <p>(f) "Permit to install" means a permit issued by the department authorizing the construction, installation, relocation, or alteration of any process, fuel-burning, refuse-burning, or control equipment in accordance with approved plans and specifications.</p> <p>(g) "Permit to operate" means a permit issued by the department authorizing the use of any process, fuel-burning, refuse-burning, or control equipment for the period indicated after it has been demonstrated that it can be operated in compliance with these rules. The requirement to obtain a permit to operate was removed from these rules effective July 26, 1995. Permits to operate issued before that date remain in effect and legally enforceable unless they are voided pursuant to R 336.1201(6).</p> <p>(h) "Person" means any of the following:</p> <p>(i) An individual person.</p> <p>(ii) Trustee.</p> <p>(iii) Court-appointed representative.</p> <p>(iv) Syndicate.</p> <p>(v) Association.</p> <p>(vi) Partnership.</p> <p>(vii) Firm.</p> <p>(viii) Club.</p> <p>(ix) Company.</p> <p>(x) Corporation.</p> <p>(xi) Business trust.</p> <p>(xii) Institution.</p> <p>(xiii) Agency.</p> <p>(xiv) Government corporation.</p> <p>(xv) Municipal corporation.</p> <p>(xvi) City.</p> <p>(xvii) County.</p> <p>(xviii) Municipality.</p> <p>(xix) District.</p> <p>(xx) Other political subdivision, department, bureau, agency, or instrumentality of federal, state, or local government.</p> <p>(xxi) Other entity recognized by law as the subject of rights and duties.</p> <p>(i) "Petroleum" means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal gasification or liquefaction.</p> <p>(j) "Petroleum refinery" means any facility engaged in producing gasoline, kerosene,</p>	<p>Perchloroethylene dry cleaning equipment Performance test Permit to install Permit to operate Person Petroleum Petroleum refinery PM-10 Potential emissions Potential to emit PPM Printed interior panel Process Process equipment Process unit turnaround Production equipment exhaust system Psia Pushing operation</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan:</p> <p>None</p>
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distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum or through redistillation, cracking, or the reforming of unfinished petroleum derivatives.

(k) "PM-10" means particulate matter that has an aerodynamic diameter less than or equal to a nominal 10 micrometers, as measured by a reference test specified in 40 C.F.R. part 51, appendix m.

(l) "Potential emissions" means those emissions expected to occur without control equipment, unless this control equipment is, aside from air pollution control requirements, vital to production of the normal product of the source or to its normal operation. Annual potential emissions shall be based on the maximum annual-rated capacity of the source, unless the source is subject to enforceable permit conditions or enforceable orders that limit the operating rate or the hours of operation, or both. Enforceable agreements or permit conditions on the type or amount of materials combusted or processed shall be used in determining the potential emission rate of a source.

(m) "Potential to emit" means the maximum capacity of a stationary source to emit an air contaminant under its physical and operational design. Any physical or operational limit on the capacity of the stationary source to emit an air contaminant, including air pollution control equipment and restrictions on the hours of operation or the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limit, or the effect it would have on emissions, is legally enforceable. Secondary emissions shall not count in determining the "potential to emit" of a stationary source. For hazardous air pollutants that have been listed pursuant to section 112(b) of the clean air act, quantifiable fugitive emissions shall be included in determining the potential to emit of any stationary source. For all other air contaminants, quantifiable fugitive emissions shall be included in determining the "potential to emit" of a stationary source only if the stationary source belongs to 1 of the following categories:

- (i) Coal cleaning plants that have thermal dryers.
- (ii) Kraft pulp mills.
- (iii) Portland cement plants.
- (iv) Primary zinc smelters.
- (v) Iron and steel mills.

(vi) Primary aluminum ore reduction plants.
(vii) Primary copper smelters.
(viii) Municipal incinerators capable of charging more than 50 tons of refuse per day.
(ix) Hydrofluoric, sulfuric, or nitric acid plants.
(x) Petroleum refineries.
(xi) Lime plants.
(xii) Phosphate rock processing plants.
(xiii) Coke oven batteries.
(xiv) Sulfur recovery plants.
(xv) Carbon black plants that have a furnace process.
(xvi) Primary lead smelters.
(xvii) Fuel conversion plants.
(xviii) Sintering plants.
(xix) Secondary metal production plants.
(xx) Chemical process plants.
(xxi) Fossil fuel boilers (or combination thereof) totaling more than 250,000,000 Btu per hour heat input.
(xxii) Petroleum storage and transfer units that have a total storage capacity of more than 300,000 barrels or petroleum storage vessels that have a capacity of more than 40,000 gallons.
(xxiii) Taconite ore processing plants.
(xxiv) Glass-fiber processing plants.
(xxv) Charcoal production plants.
(xxvi) Fossil fuel-fired steam electric plants of more than 250,000,000 Btu per hour heat input.
(xxvii) Asphalt concrete plants.
(xxviii) Secondary lead smelters and refineries.
(xxix) Sewage treatment plants.
(xxx) Phosphate fertilizer plants.
(xxxi) Ferroalloy production plants.
(xxxii) Grain elevators.
(xxxiii) Stationary gas turbines.
(xxxiv) Stationary sources that are subject to the federal national emission standards for hazardous air pollutants for the following materials:
(A) Asbestos.
(B) Beryllium.
(C) Mercury.
(D) Vinyl chloride.
(n) "PPM" means parts per million, by volume.
(o) "Printed interior panel" means a panel which has its grain or natural surface obscured by fillers and basecoats and upon which a simulated grain or decorative pattern is printed.
(p) "Process" means an action, operation, or a

series of actions or operations at a source that emits or has the potential to emit an air contaminant. Examples of a "process" include any of the following:

- (i) A physical change of a material.
- (ii) A chemical change of a material.
- (iii) The combustion of fuel, refuse, or waste material.
- (iv) The storage of a material.
- (v) The handling of a material.
- (q) "Process equipment" means all equipment, devices, and auxiliary components, including air pollution control equipment, stacks, and other emission points, used in a process.
- (r) "Process unit turnaround" means the scheduled shutdown of a refinery process unit for the purpose of inspection or maintenance of the unit.
- (s) "Production equipment exhaust system" means a device for collecting and removing, from the immediate area, fugitive air contaminants from any process equipment.
- (t) "Psia" means pounds per square inch absolute.
- (u) "Publication rotogravure printing" means rotogravure printing upon a substrate that is subsequently formed into any of the following:
 - (i) Book.
 - (ii) Magazine.
 - (iii) Catalogue.
 - (iv) Brochure.
 - (v) Directory.
 - (vi) Newspaper.
 - (vii) Supplement.
 - (viii) Other type of **printed** material.
- (v) "Pushing operation," with respect to coke ovens, means the movement of the coke from a coke oven into the coke-receiving car.
- (w) "Pushside," with respect to a coke oven, means that side of the coke oven that is adjacent to the pushing machine.

History: 1980 AACS; 1981 AACS; 1985 AACS; 1989 AACS; 1990 AACS; 1993 AACS; 1995 AACS; 1996 AACS; 2003 AACS.

<p>R 336.1118 Definitions; R Rule 118. As used in these rules:</p> <p>(a) "Reactor" means a vessel which may be jacketed to permit temperature control and which is designed to contain materials during chemical reaction.</p> <p>(b) "Reconstruction" means the replacement of components of an existing facility so that the fixed capital cost of the new components is more than 50% of the fixed capital cost that would be required to construct a comparable entirely new emission unit and so that it is technologically and economically feasible to meet the applicable requirement. "Fixed capital cost," as used in this subdivision, means the capital needed to provide all of the depreciable components.</p> <p>(c) "Red coating" means a coating which meets all of the following criteria:</p> <p>(i) Yellow limit: the hue of hostaperm scarlet.</p> <p>(ii) Blue limit: the hue of monastral red-violet.</p> <p>(iii) Lightness limit for metallics: 35% aluminum flake.</p> <p>(iv) Lightness limit for solids: 50% titanium dioxide white.</p> <p>(v) Solid reds: hue angle of -11 to 38 degrees and maximum lightness of 23 to 45 units.</p> <p>(vi) Metallic reds: hue angle of -16 to 35 degrees and maximum lightness of 28 to 45 units. These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, the upper limit is 49 units. The maximum lightness varies as the hue moves from violet to orange. This is a natural consequence of the strength of the colorants, and real colors show this effect.</p> <p>(d) "Reference test method," with respect to source sampling, means a method or set of procedures, as described in appendix A to these rules, for obtaining source samples.</p> <p>(e) "Refinery unit" means a set of components and other equipment which are a part of a basic process operation, such as distillation, hydrotreating, cracking, or reforming of hydrocarbons.</p> <p>(f) "Reid vapor pressure" means the absolute vapor pressure of an organic compound at 100 degrees Fahrenheit as measured by the standard test method set forth in ASTM D-323 or approved equivalent. ASTM D-323 is adopted by</p>	<p>R 336.1118 Definitions; R. Rule 118. As used in these rules:</p> <p>(a) "Reactor" means a vessel which may be jacketed to permit temperature control and which is designed to contain materials during chemical reaction.</p> <p>(b) "Reconstruction" means the replacement of components of an existing facility so that the fixed capital cost of the new components is more than 50% of the fixed capital cost that would be required to construct a comparable entirely new emission unit and so that it is technologically and economically feasible to meet the applicable requirement. "Fixed capital cost," as used in this subdivision, means the capital needed to provide all of the depreciable components.</p> <p>(c) "Red coating" means a coating which meets all of the following criteria:</p> <p>(i) Yellow limit: the hue of hostaperm scarlet.</p> <p>(ii) Blue limit: the hue of monastral red-violet.</p> <p>(iii) Lightness limit for metallics: 35% aluminum flake.</p> <p>(iv) Lightness limit for solids: 50% titanium dioxide white.</p> <p>(v) Solid reds: hue angle of -11 to 38 degrees and maximum lightness of 23 to 45 units.</p> <p>(vi) Metallic reds: hue angle of -16 to 35 degrees and maximum lightness of 28 to 45 units. These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, the upper limit is 49 units. The maximum lightness varies as the hue moves from violet to orange. This is a natural consequence of the strength of the colorants, and real colors show this effect.</p> <p>(d) "Reference test method," with respect to source sampling, means a method or set of procedures, as described in appendix A to these rules, for obtaining source samples.</p> <p>(e) "Refinery unit" means a set of components and other equipment which are a part of a basic process operation, such as distillation, hydrotreating, cracking, or reforming of hydrocarbons.</p> <p>(f) "Reid vapor pressure" means the absolute vapor pressure of an organic compound at 100 degrees Fahrenheit as measured by the standard test method set forth in ASTM D-323 or approved equivalent. ASTM D-323 is adopted by</p>	<p><u>Definitions; R</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms:</p> <p>Reactor Reconstruction Red coating Reference test method Refinery Unit Reid vapor pressure Research and development activities Resist coat Responsible official Rotogravure printing</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms:</p> <p>Repetitive production of a product: the approved SIP says "for batch processes or process equipment" while the Michigan rules say "for purposes other than clinical testing of pharmaceuticals, which meets the following criteria;" The rule in the Michigan version is broken down into two parts, but has essentially the same meaning as the rule that is in the approved SIP.</p> <p>The approved SIP <i>does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan:</p> <p>None</p> <p>The approved SIP <i>includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan:</p> <p>None</p>
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<p>reference in these rules. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$30.00. A copy may also be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959, at a cost as of the time of adoption of these rules of \$30.00.</p> <p>(g) "Repetitive production of a product" means, for batch processes or process equipment, producing 10 or more batches of the product. For continuous processes or process equipment, this phrase means running the process or process equipment for a period of more than 10 times the length of time for the raw materials to become the finished product or 24 hours, whichever is longer.</p> <p>(h) "Research and development activities" means activities conducted for the primary purpose of developing new production processes and products, testing more efficient production processes, or testing methods for preventing or reducing adverse environmental impacts, if the activities are in compliance with both of the following provisions:</p> <p>(i) The activities do not include the production of an intermediate or final product for sale or exchange for commercial profit, except in a de minimis manner.</p> <p>(ii) The activities are conducted at a research or laboratory facility that is operated under the close supervision of technically trained personnel.</p> <p>(i) "Resist coat" means a coating that is applied to a plastic part before metallic plating to prevent deposits of metal on portions of the plastic part.</p> <p>(j) "Responsible official" means, for the purposes of signing and certifying the truth, accuracy, and completeness of permit applications, monitoring and other reports, and compliance certifications, any of the following:</p> <p>(i) For a corporation, a president, secretary, treasurer, or vice-president of the corporation who is in charge of a principal business function or any other person who performs similar policy or decision-making</p>	<p>Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$30.00. A copy may also be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959, at a cost as of the time of adoption of these rules of \$30.00.</p> <p>(g) "Repetitive production of a product" means production, for purposes other than clinical testing of pharmaceuticals, which meets the following criteria:</p> <p>(i) Batch processes or process equipment producing 10 or more batches of product.</p> <p>(ii) Continuous processes or process equipment running for a period of more than 10 times the length of time for the raw materials to become finished product or 24 hours, whichever is longer.</p> <p>(h) "Research and development activities" means activities conducted for the primary purpose of developing new production processes and products, testing more efficient production processes, or testing methods for preventing or reducing adverse environmental impacts, if the activities are in compliance with both of the following provisions:</p> <p>(i) The activities do not include the production of an intermediate or final product for sale or exchange for commercial profit, except in a de minimis manner.</p> <p>(ii) The activities are conducted at a research or laboratory facility that is operated under the close supervision of technically trained personnel.</p> <p>(i) "Resist coat" means a coating that is applied to a plastic part before metallic plating to prevent deposits of metal on portions of the plastic part.</p> <p>(j) "Responsible official" means, for the purposes of signing and certifying the truth, accuracy, and completeness of permit applications, monitoring and other reports, and compliance certifications, any of the following:</p> <p>(i) For a corporation, a president, secretary, treasurer, or vice-president of the corporation who is in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation. The person identified in the preceding sentence may appoint another person as his or her authorized representative under either of the following circumstances:</p> <p>(A) The representative is responsible for the overall operation of 1 or more manufacturing, production, or operating facilities applying for</p>	
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<p>functions for the corporation. The person identified in the preceding sentence may appoint another person as his or her authorized representative under either of the following circumstances:</p> <p>(A) The representative is responsible for the overall operation of 1 or more manufacturing, production, or operating facilities applying for or subject to a permit and either the facilities employ more than 250 persons or have gross annual sales or expenditures of more than \$25,000,000.00.</p> <p>(B) The representative has responsibilities for the overall operation of a source and is approved in advance by the department. A responsible official shall submit a written request for approval from the department to designate an authorized representative pursuant to this paragraph. The department shall respond, in writing, within 30 days of receipt of the request.</p> <p>(ii) For a partnership or sole proprietorship, a general partner or the proprietor.</p> <p>(iii) For a county, city, village, township, state, federal, or other public agency, either a principal executive officer or ranking elected official. For this purpose, a principal executive officer includes the chief executive officer who has responsibility for the overall operations of a principal geographic unit of the agency.</p> <p>(iv) For affected sources under title IV of the clean air act, the designated representative as defined in title IV of the clean air act.</p> <p>(k) "Rotogravure printing" means the application of words, designs, pictures, or surface coating to a substrate by means of a roll printing technique that involves intaglio or recessed image areas in the form of cells.</p>	<p>or subject to a permit and either the facilities employ more than 250 persons or have gross annual sales or expenditures of more than \$25,000,000.00.</p> <p>(B) The representative has responsibilities for the overall operation of a source and is approved in advance by the department. A responsible official shall submit a written request for approval from the department to designate an authorized representative pursuant to this paragraph. The department shall respond, in writing, within 30 days of receipt of the request.</p> <p>(ii) For a partnership or sole proprietorship, a general partner or the proprietor.</p> <p>(iii) For a county, city, village, township, state, federal, or other public agency, either a principal executive officer or ranking elected official. For this purpose, a principal executive officer includes the chief executive officer who has responsibility for the overall operations of a principal geographic unit of the agency.</p> <p>(iv) For affected sources under title IV of the clean air act, the designated representative as defined in title IV of the clean air act.</p> <p>(k) "Rotogravure printing" means the application of words, designs, pictures, or surface coating to a substrate by means of a roll printing technique that involves intaglio or recessed image areas in the form of cells. History: 1980 AACS; 1981 AACS; 1989 AACS; 1992 AACS; 1995 AACS; 1996 AACS; 1997 AACS; 2002 AACS; 2003 AACS.</p>	
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<p>R 336.1119 Definitions; S. Rule 119. As used in these rules:</p> <p>(a) "Shutdown" means the cessation of operation of a source for any purpose</p> <p>(b) "Smoke" means small gas and airborne particles consisting essentially of carbonaceous material in sufficient numbers to be observable.</p> <p>(c) "Source sample" means any raw material, fuel, product, by-product, waste material, exhaust gas, air contaminant, flora, soil, or other such material existing as a gas, liquid, or solid, which is captured, retained, or collected from a stationary source.</p> <p>(d) "Sour condensate" means a condensate that emits sour gas at atmospheric pressure.</p> <p>(e) "Sour crude" means a crude oil that emits sour gas at atmospheric pressure.</p> <p>(f) "Sour gas" means any gas containing more than 1 hydrogen sulfide or more than 10 grains of total sulfur per 100 standard cubic feet.</p> <p>(g) "Specific plate collection area" means the ratio of the total collection area to the total gas volume flow rate in square feet per 1,000 actual cubic feet per minute.</p> <p>(h) "Stack" or "chimney" means a flue, conduit, or duct arranged to conduct a gas stream to the outer air.</p> <p>(i) "Standard conditions" means a gas temperature of 70 degrees Fahrenheit and a gas pressure of 29.92 inches of mercury absolute.</p> <p>(j) "Standpipe assembly," with respect to coke ovens, means the riser, standpipe lid and the gooseneck.</p> <p>(k) "Standpipe assembly emission point," with respect to a coke oven battery equipped with a single collector main, means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, and the second flexible connection wherever located, or another agreed upon connection that is located between the collector main and the gooseneck. With respect to a battery equipped with a charging main and a gas-offtake main in tandem, "standpipe assembly emission point" means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, the flexible connection between the collector main and the gooseneck, the ministandpipe lid, and the flexible connection between the battery top</p>	<p>R 336.1119 Definitions; S. Rule 119. As used in these rules:</p> <p>(a) "Schedule of compliance" means, for purposes of R 336.1201 to R 336.1218, all of the following:</p> <p>(i) For a source not in compliance with all applicable requirements at the time of issuance of a renewable operating permit, a schedule of remedial measures, including an enforceable sequence of actions or operations that specifies milestones, leading to compliance with an applicable requirement, and a schedule for submission of certified progress reports, at least every 6 months. The schedule shall resemble, and be at least as stringent as, a schedule contained in a judicial consent decree or administrative order to which the source is subject. A schedule shall be supplemental to, and shall not sanction noncompliance with, the applicable requirement on which it is based.</p> <p>(ii) For a source in compliance with all applicable requirements at the time of issuance of a renewable operating permit, a statement that the source will continue to comply with the requirements.</p> <p>(iii) With respect to any applicable requirement that has a future effective compliance date that is after the date of issuance and before the date of expiration of the renewable operating permit, the schedule of compliance shall contain a statement that the source will meet the requirement on a timely basis, unless the underlying applicable requirement requires a more detailed schedule.</p> <p>(b) "Secondary emissions" means emissions which occur as a result of the construction or operation of a stationary source, but which do not come from the stationary source itself. Secondary emissions include only emissions that are specific, well-defined, quantifiable, and impact the same general area as the stationary source which causes the secondary emissions. Secondary emissions also include emissions from any off-site support facility which would not otherwise be constructed or increase its emissions except as a result of the construction or operation of the stationary source. Examples of secondary emissions include the following:</p> <p>(i) Emissions from ships or trains coming to or going from a stationary source.</p> <p>(ii) Emissions from any off-site support facility that would not otherwise be constructed or increase its emissions except as a result of the construction or operation of the</p>	<p><u>Definitions; S</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms:</p> <p>Shutdown Smoke Source sample Sour crude Specific plate collection area Stack Standard conditions Standpipe assembly Start-up Stationary vessel Submerged fill pipe Sulfuric acid plant Surface coating Sweet condensate Sweet crude Sweetening facility Sweet gas</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms:</p> <p>Sour condensate: "a" is in the SIP version and has been deleted in the Michigan rules</p> <p>Sour gas: the words "grain of" have been added to the Michigan rule, but do not appear in the SIP.</p> <p>Standpipe assembly emission point: the Michigan rule adds the language "collector main or a double," and "standpipe assembly emission point" means the upper flange, the lower flange, the top lid, the bottom lid, the upper sand seal, the middle sand seal, and the lower base sand seal. With respect to a battery equipped with a jumper pipe ministandpipe,"</p> <p>Stationary source: the SIP says "all of the processes and process equipment," while the Michigan rule says "buildings, structures, facilities or installations which emit or have the potential to emit 1 or more air contaminants;" the SIP only uses the word "adjacent," but the Michigan rule adds the word "contiguous;" the Michigan rule adds more language and modifies the definition that appears in the SIP.</p>
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<p>and the jumper pipe ministandpipe.</p> <p>(l) "Start-up" means the setting in operation of a process or process equipment for any purpose.</p> <p>(m) "Stationary source" means all of the processes and process equipment which are located at 1 or more adjacent properties, are under the control of the same person, and emit or may emit 1 or more air contaminants. Where transmission and fuel delivery rights-of-way or a strip of land that serves no other principal purpose than as a transportation or materials handling link connects 2 or more otherwise separate stationary sources, the connected stationary sources shall be considered as separate stationary sources.</p> <p>(n) "Stationary vessel" means any tank, reservoir, or container used for the storage of any volatile organic compound which is not used to transport such volatile organic compound and in which no manufacturing process or part thereof takes place.</p> <p>(o) "Submerged fill pipe" means any fill pipe that has its discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the vessel or, when applied to a vessel that is loaded from the side, means either of the following</p> <p>(i) Any fill pipe that has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the vessel.</p> <p>(ii) Any fill pipe that has its discharge opening entirely submerged when the liquid level is twice the diameter of the fill pipe above the bottom of the vessel, but in no case shall the top of such submerged fill pipe be more than 36 inches above the bottom of the vessel.</p> <p>(p) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge, but does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.</p> <p>(q) "Surface coating" means any paint, lacquer, varnish, ink, adhesive, or other coating material applied on a surface.</p> <p>(r) "Sweet condensate" means any condensate that is not a sour condensate.</p> <p>(s) "Sweet crude" means any crude oil that is not a sour crude.</p>	<p>stationary source.</p> <p>(c) "Secondary risk screening level" means the concentration of a possible, probable, or known human carcinogen in ambient air which has been calculated, for regulatory purposes, according to the risk assessment procedures in R 336.1229(1), to produce an estimated upper-bound lifetime cancer risk of 1 in 100,000.</p> <p>(d) "Shutdown" means the cessation of operation of a source for any purpose.</p> <p>(e) "Significant" means a rate of emissions for the following air contaminants which would equal or exceed any of the following:</p> <p>(i) Carbon monoxide - 100 tons per year.</p> <p>(ii) Nitrogen oxides - 40 tons per year.</p> <p>(iii) Sulfur dioxide - 40 tons per year.</p> <p>(iv) Particulate matter - 25 tons per year.</p> <p>(v) PM-10 - 15 tons per year.</p> <p>(vi) Volatile organic compounds - 40 tons per year.</p> <p>(vii) Lead - 0.6 tons per year.</p> <p>(f) "Smoke" means small gas and airborne particles consisting essentially of carbonaceous material in sufficient numbers to be observable.</p> <p>(g) "Sour condensate" means a condensate that emits sour gas at atmospheric pressure.</p> <p>(h) "Sour crude" means a crude oil that emits sour gas at atmospheric pressure.</p> <p>(i) "Sour gas" means any gas containing more than 1 grain of hydrogen sulfide or more than 10 grains of total sulfur per 100 standard cubic feet.</p> <p>(j) "Source sample" means any raw material, fuel, product, by-product, waste material, exhaust gas, air contaminant, flora, soil, or other such material existing as a gas, liquid, or solid, which is captured, retained, or collected from a stationary source.</p> <p>(k) "Specific plate collection area" means the ratio of the total collection area to the total gas volume flow rate in square feet per 1,000 actual cubic feet per minute.</p> <p>(l) "Stack" or "chimney" means a flue, conduit, or duct arranged to conduct a gas stream to the outer air.</p> <p>(m) "Standard conditions" means a gas temperature of 70 degrees Fahrenheit and a gas pressure of 29.92 inches of mercury absolute.</p> <p>(n) "Standpipe assembly," with respect to coke ovens, means the riser, standpipe lid, and the gooseneck.</p> <p>(o) "Standpipe assembly emission point," with respect to a coke oven battery equipped with a</p>	<p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan:</p> <p>Schedule of compliance Secondary emissions Secondary risk screening level Significant State-only enforceable Stencil coat Styrene devolatilizer unit Styrene recovery unit Sufficient evidence Synthetic organic chemical and polymer manufacturing plant Synthetic organic chemical and polymer manufacturing process unit</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan:</p> <p>None</p>
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(t) "Sweetening facility" means a facility or process that removes hydrogen sulfide or sulfur-containing compounds, or both, from a sour gas, sour crude oil, or sour condensate stream and converts it to sweet gas, sweet crude, or sweet condensate. The term "sweetening facility" does not include a facility or process that operates in an enclosed system and does not emit hydrogen sulfide to the outer air.
(u) "Sweet gas" means any gas that is not a sour gas.

single collector main or a double collector main, means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, and the second flexible connection wherever located, or another agreed upon connection that is located between the collector main and the gooseneck. With respect to a battery equipped with a charging main and a gas-offtake main in tandem, "standpipe assembly emission point" means the upper flange, the lower flange, the top lid, the bottom lid, the upper sand seal, the middle sand seal, and the lower base sand seal. With respect to a battery equipped with a jumper pipe ministandpipe, "standpipe assembly emission point" means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, the flexible connection between the collector main and the gooseneck, the ministandpipe lid, and the flexible connection between the battery top and the jumper pipe ministandpipe.
(p) "Start-up" means the setting in operation of a process or process equipment for any purpose.
(q) "State-only enforceable" means that the limitation or condition is derived solely from the act and the air pollution control rules and is not federally enforceable. State-only enforceable requirements include R 336.1224, R 336.1225, R 336.1901, any permit requirement established solely pursuant to R 366.1201(1)(b), or any other regulation that is enforceable solely under the act and is not federally enforceable.
(r) "Stationary source" means all buildings, structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have the same 2-digit major group code associated with their primary activity. In addition, a stationary source includes any other buildings, structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have a different 2-digit major group code, but which support the primary activity. Buildings, structures, facilities, or installations, are

considered to support the primary activity if 50% or more of their output is dedicated to the primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. Notwithstanding the provisions of this subdivision, research and development activities, as described in R 336.1118, may be treated as a separate stationary source, unless the research and development activities support the primary activity of the stationary source.

(s) "Stationary vessel" means any tank, reservoir, or container used for the storage of any volatile organic compound which is not used to transport such volatile organic compound and in which no manufacturing process or part thereof takes place.

(t) "Stencil coat" means a coating that is applied over a stencil to a plastic part at a thickness of 1 mil or less of coating solids. Stencil coats are most frequently letters, numbers, or decorative designs.

(u) "Styrene devolatilizer unit" means equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.

(v) "Styrene recovery unit" means equipment performing the function of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as raw material in the manufacturing of polystyrene resin.

(w) "Submerged fill pipe" means any fill pipe that has its discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the vessel or, when applied to a vessel that is loaded from the side, means either of the following:

(i) Any fill pipe that has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the vessel.

(ii) Any fill pipe that has its discharge opening entirely submerged when the liquid level is twice the diameter of the fill pipe above the bottom of the vessel, but in no case shall the top of such submerged fill pipe be more than 36 inches above the bottom of the vessel.

(x) "Sufficient evidence," a term of art, means either of the following:

(i) In human epidemiological studies, that the data indicate that there is a causal relationship between the agent and human cancer.

(ii) In animal studies, the data suggest that there is an increased incidence of malignant tumors or combined malignant and benign tumors in any of the following:

- (A) Multiple species or strains.
- (B) Multiple experiments.
- (C) To an unusual degree in a single experiment with regard to high incidence, unusual site or type of tumor, or early age at onset.

(y) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylated acid, hydrogen sulfide, or acid sludge, but does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(z) "Surface coating" means any paint, lacquer, varnish, ink, adhesive, or other coating material applied on a surface.

(aa) "Sweet condensate" means any condensate that is not a sour condensate.

(bb) "Sweet crude" means any crude oil that is not a sour crude.

(cc) "Sweetening facility" means a facility or process that removes hydrogen sulfide or sulfur-containing compounds, or both, from a sour gas, sour crude oil, or sour condensate stream and converts it to sweet gas, sweet crude, or sweet condensate. The term "sweetening facility" does not include a facility or process that operates in an enclosed system and does not emit hydrogen sulfide to the outer air.

(dd) "Sweet gas" means any gas that is not a sour gas.

(ee) "Synthetic organic chemical and polymer manufacturing plant" means a stationary source where the production, as intermediates or final products, of 1 or more of the following chemicals takes place:

- (i) Methyl tert-butyl ether.
- (ii) Polyethylene.
- (iii) Polypropylene.
- (iv) Polystyrene.
- (v) Synthetic organic chemicals listed in section 489 of 40 C.F.R. part 60, subpart VV, entitled "Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry," which is adopted by reference in R 336.1628(1).

(ff) "Synthetic organic chemical and polymer manufacturing process unit" means all process equipment assembled to manufacture, as

intermediates or final products, 1 or more of the chemicals listed in the definition of synthetic organic chemical and polymer manufacturing plant. A synthetic organic chemical and polymer manufacturing process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product. History: 1980 AACS; 1981 AACS; 1985 AACS; 1989 AACS; 1990 AACS; 1992 AACS; 1993 AACS; 1995 AACS; 1996 AACS; 2003 AACS.

R 336.1120 Definitions; T.

Rule 120. As used in these rules:

(a) "Temporary source" means a stationary source, process, or process equipment that commences operation and is located at a geographic site for not more than 12 consecutive months.

(b) "Texture coat" means a coating that is applied to a plastic part which, in its finished form, consists of discrete raised spots of the coating.

(c) "Thin particleboard" means a manufactured board which is 1/4 of an inch or less in thickness and which is made of individual wood particles that have been coated with a binder and formed into flat sheets by pressure.

(d) "Thinning tank," as it pertains to R 336.1631, means any vessel which receives resin from a reactor and to which solvents or other materials are added to thin the resin.

(e) "Tileboard" means paneling that has a colored, waterproof surface coating.

(f) "Toxic air contaminant" or "TAC" means any air contaminant for which there is no national ambient air quality standard and which is or may become harmful to public health or the environment when present in the outdoor atmosphere in sufficient quantities and duration. For the purpose of this definition, all of the following substances shall not be considered to be toxic air contaminants:

R 336.1120 Definitions; T.

Rule 120. As used in these rules:

(a) "Temporary source" means a stationary source, process, or process equipment that commences operation and is located at a geographic site for not more than 12 consecutive months.

(b) "Texture coat" means a coating that is applied to a plastic part which, in its finished form, consists of discrete raised spots of the coating.

(c) "Thin particleboard" means a manufactured board which is 1/4 of an inch or less in thickness and which is made of individual wood particles that have been coated with a binder and formed into flat sheets by pressure.

(d) "Thinning tank," as it pertains to R 336.1631, means any vessel which receives resin from a reactor and to which solvents or other materials are added to thin the resin.

(e) "Tileboard" means paneling that has a colored, waterproof surface coating.

(f) "Toxic air contaminant" or "TAC" means any air contaminant for which there is no national ambient air quality standard and which is or may become harmful to public health or the environment when present in the outdoor atmosphere in sufficient quantities and duration. For the purpose of this definition, all of the following substances shall not be considered to be toxic air contaminants:

(i) Acetylene.

Definitions; T

The approved SIP has the *exact same definitions* as the Rules Implemented by State of Michigan in regard to the following terms:

Temporary source

Texture coat

Thin particleboard

Thinning tank

Tileboard

Toxic air contaminant

Toxicological interaction

Transfer efficiency

True vapor pressure

The approved SIP *differs* from the rules implemented by State of Michigan in regard to the following terms:

None

The approved SIP *does not include definitions* for the following terms that are included in the rules implemented by the State of Michigan:

None

The approved SIP *includes definitions* for the following terms that are *not included in the rules* implemented by the State of Michigan:

None

<p>(i) Acetylene. (ii) Aluminum metal dust. (iii) Aluminum oxide (nonfibrous forms). (iv) Ammonium sulfate. (v) Argon. (vi) Calcium carbonate. (vii) Calcium hydroxide. (viii) Calcium oxide. (ix) Calcium silicate. (x) Calcium sulfate. (xi) Carbon dioxide. (xii) Carbon monoxide. (xiii) Cellulose. (xiv) Coal dust. (xv) Crystalline silica emissions from any of the following processes: (A) Extraction and processing of all metallic or non-metallic minerals. (B) Sand production, processing, and drying. (C) Asphalt production. (D) Concrete production. (E) Glass and fiberglass manufacturing. (F) Foundries. (G) Foundry residual recovery activities. (H) Any other process if the crystalline silica emissions are less than 10% of the total PM-10 emissions. (xvi) Emery. (xvii) Ethane. (xviii) Graphite (synthetic). (xix) Grain dust. (xx) Helium. (xxi) Hydrogen. (xxii) Iron oxide. (xxiii) Lead. (xxiv) Liquefied petroleum gas (l.p.g.). (xxv) Methane. (xxvi) Neon. (xxvii) Nitrogen. (xxviii) Nitrogen oxides. (xxix) Nuisance particulates. (xxx) Oxygen. (xxxi) Ozone. (xxxii) Perlite. (xxxiii) Portland cement. (xxxiv) Propane. (xxxv) Silicon. (xxxvi) Starch. (xxxvii) Sucrose. (xxxviii) Sulfur dioxide. (xxxix) Vegetable oil mist. (xl) Water vapor. (xli) Zinc metal dust. (g) "Toxicological interaction" means the simultaneous exposure to 2 or more</p>	<p>(ii) Aluminum metal dust. (iii) Aluminum oxide (nonfibrous forms). (iv) Ammonium sulfate. (v) Argon. (vi) Calcium carbonate. (vii) Calcium hydroxide. (viii) Calcium oxide. (ix) Calcium silicate. (x) Calcium sulfate. (xi) Carbon dioxide. (xii) Carbon monoxide. (xiii) Cellulose. (xiv) Coal dust. (xv) Crystalline silica emissions from any of the following processes: (A) Extraction and processing of all metallic or non-metallic minerals. (B) Sand production, processing, and drying. (C) Asphalt production. (D) Concrete production. (E) Glass and fiberglass manufacturing. (F) Foundries. (G) Foundry residual recovery activities. (H) Any other process if the crystalline silica emissions are less than 10% of the total PM-10 emissions. (xvi) Emery. (xvii) Ethane. (xviii) Graphite (synthetic). (xix) Grain dust. (xx) Helium. (xxi) Hydrogen. (xxii) Iron oxide. (xxiii) Lead. (xxiv) Liquefied petroleum gas (l.p.g.). (xxv) Methane. (xxvi) Neon. (xxvii) Nitrogen. (xxviii) Nitrogen oxides. (xxix) Nuisance particulates. (xxx) Oxygen. (xxxi) Ozone. (xxxii) Perlite. (xxxiii) Portland cement. (xxxiv) Propane. (xxxv) Silicon. (xxxvi) Starch. (xxxvii) Sucrose. (xxxviii) Sulfur dioxide. (xxxix) Vegetable oil mist. (xl) Water vapor. (xli) Zinc metal dust. (g) "Toxicological interaction" means the simultaneous exposure to 2 or more hazardous substances which will produce a toxicological response that is greater or less than their</p>	
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<p>hazardous substances which will produce a toxicological response that is greater or less than their individual responses.</p> <p>(h) "Transfer efficiency" means the percentage of coating solids material that leaves the coating applicator and remains on the surface of the product.</p> <p>(i) "True vapor pressure" means the equilibrium partial pressure exerted by a liquid or the sum of partial pressures exerted by a mixture of liquids. For refined petroleum stock (gasolines and naphthas) and crude oil, the "true vapor pressure" may be determined in accordance with methods described in American petroleum institute bulletin MPMS C19 S2, "Manual of Petroleum Measurement Standards, Chapter 19, Evaporative Loss Measurements, Section 2, Evaporative Loss From Floating-Roof Tanks," 1997. American petroleum institute bulletin MPMS C19 S2 is adopted in these rules by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$116.00. A copy may also be obtained from the Global Engineering Documents, HIS Company, 15 Inverness Way East, Englewood, Colorado 80112, at a cost as of the time of adoption of these rules of \$116.00.</p> <p>Rule 336.1121 Definitions; U Rule 121. As used in these rules: R 336.1121 Definitions; U. Rule 121. As used in these rules: (a) "Uncontrolled emissions" means those emissions expected to occur without control equipment, unless such control equipment is, aside from air pollution control requirements, vital to production of the normal product of the process or to its normal operation. Annual uncontrolled</p>	<p>individual responses.</p> <p>(h) "Transfer efficiency" means the percentage of coating solids material that leaves the coating applicator and remains on the surface of the product.</p> <p>(i) "True vapor pressure" means the equilibrium partial pressure exerted by a liquid or the sum of partial pressures exerted by a mixture of liquids. For refined petroleum stock (gasolines and naphthas) and crude oil, the "true vapor pressure" may be determined in accordance with methods described in American petroleum institute bulletin MPMS C19 S2, "Manual of Petroleum Measurement Standards, Chapter 19, Evaporative Loss Measurements, Section 2, Evaporative Loss From Floating-Roof Tanks," 1997. American petroleum institute bulletin MPMS C19 S2 is adopted in these rules by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$116.00. A copy may also be obtained from the Global Engineering Documents, HIS Company, 15 Inverness Way East, Englewood, Colorado 80112, at a cost as of the time of adoption of these rules of \$116.00.</p> <p>History: 1980 AACS; 1981 AACS; 1989 AACS; 1992 AACS; 1995 AACS; 1996 AACS; 1999 AACS; 2002 AACS.</p> <p>R 336.1121 Definitions; U. Rule 121. As used in these rules: (a) "Uncontrolled emissions" means those emissions expected to occur without control equipment, unless such control equipment is, aside from air pollution control requirements, vital to production of the normal product of the process or to its normal operation. Annual uncontrolled emissions shall be based upon the maximum annually rated capacity of the process or process equipment, unless the</p>	<p><u>Definitions; U</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Uncontrolled emissions Unsafe-to-monitor component</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms:</p>
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<p>emissions shall be based upon the maximum annually rated capacity of the process or process equipment, unless the process or process equipment is subject to legally enforceable permit conditions or orders which limit the operating rate or the hours of operation, or both. Legally enforceable permit conditions or orders on the type or amount of materials combusted or processed shall be used in determining the uncontrolled emissions rate of a process or process equipment.</p> <p>(b) "Unsafe-to-monitor component" means a component which, if monitored, would expose monitoring personnel to immediate danger. This definition includes, during the period of November 1 through March 31, a component which is located outside a building and which can only be monitored by elevating the monitoring personnel more than 6 feet above ground level.</p> <p>R 336.1122 Definitions; V. Rule 122. As used in these rules: (a) "Vacuum-metalizing coatings" means topcoats and basecoats that are used in the vacuum-metalizing process. (b) "Vacuum-producing system" means any device that creates a pressure below atmospheric, such as a pump or steam ejector with condenser, including hot wells and accumulators. (c) "Vapor collection system," as it pertains to R 336.1627, means all piping, seals, hoses, connections, pressure-vacuum vents, and any other equipment between and including the delivery vessel and a stationary vessel, vapor processing unit, or vapor holder. (d) "Very large precipitator" means an electrostatic precipitator that has a specific plate collection area of 600 square feet or more per 1,000 actual cubic feet per minute gas flow. (e) "Visible emission" means any emissions that are visually detectable without the aid of instruments.</p>	<p>process or process equipment is subject to legally enforceable permit conditions or orders which limit the operating rate or the hours of operation, or both. Legally enforceable permit conditions or orders on the type or amount of materials combusted or processed shall be used in determining the uncontrolled emissions rate of a process or process equipment.</p> <p>(b) "Unsafe-to-monitor component" means a component which, if monitored, would expose monitoring personnel to immediate danger. This definition includes, during the period of November 1 through March 31, a component which is located outside a building and which can only be monitored by elevating the monitoring personnel more than 6 feet above ground level. History: 1981 AACS; 1989 AACS.</p> <p>R 336.1122 Definitions; V. Rule 122. As used in these rules: (a) "Vacuum-metalizing coatings" means topcoats and basecoats that are used in the vacuum-metalizing process. (b) "Vacuum-producing system" means any device that creates a pressure below atmospheric, such as a pump or steam ejector with condenser, including hot wells and accumulators. (c) "Vapor collection system," as it pertains to R 336.1627, means all piping, seals, hoses, connections, pressure-vacuum vents, and any other equipment between and including the delivery vessel and a stationary vessel, vapor processing unit, or vapor holder. (d) "Very large precipitator" means an electrostatic precipitator that has a specific plate collection area of 600 square feet or more per 1,000 actual cubic feet per minute gas flow. (e) "Visible emission" means any emissions that are visually detectable without the aid of instruments. (f) "Volatile organic compound" means any</p>	<p>None</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: None</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: None</p> <p><u>Definitions; V</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: Vacuum-metalizing coatings Vacuum-producing system Vapor collection system Very large precipitator Visible emission Volatile organic compound</p> <p>The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: None</p> <p>The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: None</p> <p>The approved <i>SIP includes definitions</i> for the following terms that are <i>not</i></p>
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<p>(f) "Volatile organic compound" means any compound of carbon or mixture of compounds of carbon that participates in photochemical reactions, excluding the following materials, all of which have been determined by the United States environmental protection agency to have negligible photochemical reactivity:</p> <ul style="list-style-type: none"> (i) Carbon monoxide. (ii) Carbon dioxide. (iii) Carbonic acid. (iv) Metallic carbides or carbonates. (v) Boron carbide. (vi) Silicon carbide. (vii) Ammonium carbonate. (viii) Ammonium bicarbonate. (ix) Methane. (x) Ethane. (xi) The methyl chloroform portion of commercial grades of methyl chloroform, if all of the following provisions are complied with: <ul style="list-style-type: none"> (A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules. (B) The commercial grade of methyl chloroform contains no stabilizers other than those listed in table 11. (C) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable. (D) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented. (E) The emissions of the commercial grade of methyl chloroform do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11. (F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department. (G) Table 11 reads as follows: <table border="1" data-bbox="81 1638 552 1896"> <thead> <tr> <th colspan="2">TABLE 11</th> </tr> <tr> <th>Commercial grade of methyl chloroform -- allowable ambient air concentrations</th> <th>Ppm1</th> </tr> </thead> <tbody> <tr> <td>Compound</td> <td></td> </tr> <tr> <td>Methyl chloroform</td> <td>3.5</td> </tr> <tr> <td>Tertiary butyl alcohols</td> <td>1.0</td> </tr> <tr> <td>Secondary butyl alcohols</td> <td>1.0</td> </tr> </tbody> </table>	TABLE 11		Commercial grade of methyl chloroform -- allowable ambient air concentrations	Ppm1	Compound		Methyl chloroform	3.5	Tertiary butyl alcohols	1.0	Secondary butyl alcohols	1.0	<p>compound of carbon or mixture of compounds of carbon that participates in photochemical reactions, excluding the following materials, all of which have been determined by the United States environmental protection agency to have negligible photochemical reactivity:</p> <ul style="list-style-type: none"> (i) Carbon monoxide. (ii) Carbon dioxide. (iii) Carbonic acid. (iv) Metallic carbides or carbonates. (v) Boron carbide. (vi) Silicon carbide. (vii) Ammonium carbonate. (viii) Ammonium bicarbonate. (ix) Methane. (x) Ethane. (xi) The methyl chloroform portion of commercial grades of methyl chloroform, if all of the following provisions are complied with: <ul style="list-style-type: none"> (A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules. (B) The commercial grade of methyl chloroform contains no stabilizers other than those listed in table 11. (C) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable. (D) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented. (E) The emissions of the commercial grade of methyl chloroform do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11. (F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department. (G) Table 11 reads as follows: <table border="1" data-bbox="584 1617 1071 1896"> <thead> <tr> <th colspan="2">TABLE 11</th> </tr> <tr> <th>Commercial grade of methyl chloroform -- allowable ambient air concentrations</th> <th>Ppm1</th> </tr> </thead> <tbody> <tr> <td>Compound</td> <td></td> </tr> <tr> <td>Methyl chloroform</td> <td>3.5</td> </tr> <tr> <td>Tertiary butyl alcohols</td> <td>1.0</td> </tr> <tr> <td>Secondary butyl alcohols</td> <td>1.0</td> </tr> <tr> <td>Methylal3</td> <td>10.0</td> </tr> </tbody> </table>	TABLE 11		Commercial grade of methyl chloroform -- allowable ambient air concentrations	Ppm1	Compound		Methyl chloroform	3.5	Tertiary butyl alcohols	1.0	Secondary butyl alcohols	1.0	Methylal3	10.0	<p><i>included in the rules implemented by the State of Michigan:</i> None</p>
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<p>Methylal3 1,2-butylene oxide3</p> <p>1. Parts per million, by volume 2. Averaging time period 3. This compound is a stabilizer (xii) The methyl chloroform portion of commercial grades of methyl chloroform that contain any other stabilizer not listed in table 11 of this rule, if all of the following provisions are complied with: (A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules. (B) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable. (C) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented. (D) The emissions of any compound in the commercial grade of methyl chloroform that is listed in table 11 of this rule do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11. (E) The emission of all compounds in the commercial grade of methyl chloroform that are not listed in table 11 is demonstrated to comply with R 336.1901. (F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department. (xiii) Acetone. (xiv) Cyclic, branched, or linear completely methylated siloxanes. (xv) Parachlorobenzotrifluoride. (xvi) Perchloroethylene. (xvii) Trichlorofluoromethane (CFC-11). (xviii) Dichlorodifluoromethane (CFC-12). (xix) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113). (xx) 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114). (xxi) Chloropentafluoroethane (CFC-115). (xxii) 1,1-dichloro 1-fluoroethane (HCFC-141b). (xxiii) 1, chloro 1,1-difluoroethane (HCFC-142b). (xxiv) Chlorodifluoromethane (HCFC-22).</p>	<p>10.0 0.028 and 0.00041</p>	<p>1,2-butylene oxide31 hour 1 hour annual</p> <p>0.028 and 0.00041</p> <p>1. Parts per million, by volume 2. Averaging time period 3. This compound is a stabilizer (xii) The methyl chloroform portion of commercial grades of methyl chloroform that contain any other stabilizer not listed in table 11 of this rule, if all of the following provisions are complied with: (A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules. (B) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable. (C) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented. (D) The emissions of any compound in the commercial grade of methyl chloroform that is listed in table 11 of this rule do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11. (E) The emission of all compounds in the commercial grade of methyl chloroform that are not listed in table 11 is demonstrated to comply with R 336.1901. (F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department. (xiii) Acetone. (xiv) Cyclic, branched, or linear completely methylated siloxanes. (xv) Parachlorobenzotrifluoride. (xvi) Perchloroethylene. (xvii) Trichlorofluoromethane (CFC-11). (xviii) Dichlorodifluoromethane (CFC-12). (xix) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113). (xx) 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114). (xxi) Chloropentafluoroethane (CFC-115). (xxii) 1,1-dichloro 1-fluoroethane (HCFC-141b). (xxiii) 1, chloro 1,1-difluoroethane (HCFC-142b). (xxiv) Chlorodifluoromethane (HCFC-22). (xxv) 1,1,1-trifluoro 2,2-dichloroethane</p>	<p>1 hour annual</p>
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<p>(xxv) 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123).</p> <p>(xxvi) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124).</p> <p>(xxvii) Trifluoromethane (HFC-23).</p> <p>(xxviii) Pentafluoroethane (HFC-125).</p> <p>(xxix) 1,1,2,2-tetrafluoroethane (HFC-134).</p> <p>(xxx) 1,1,1,2-tetrafluoroethane (HFC-134a).</p> <p>(xxxi) 1,1,1-trifluoroethane (HFC-143a).</p> <p>(xxxii) 1,1-difluoroethane (HFC-152a).</p> <p>(xxxiii) 3,3-dichloro-1, 1,1,2,2-pentafluoropropane (HCFC-225ca).</p> <p>(xxxiv) 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb).</p> <p>(xxxv) 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee).</p> <p>(xxxvi) Difluoromethane (HFC-32).</p> <p>(xxxvii) Ethyl fluoride (HFC-161).</p> <p>(xxxviii) 1,1,1,3,3,3-hexafluoropropane (HFC-236fa).</p> <p>(xxxix) 1,1,2,2,3-pentafluoropropane (HFC-245ca).</p> <p>(xl) 1,1,2,3,3- pentafluoropropane (HFC-245ea).</p> <p>(xli) 1,1,1,2,3- pentafluoropropane (HFC-245eb).</p> <p>(xlii) 1,1,1,3,3- pentafluoropropane (HFC-245fa).</p> <p>(xliii) 1,1,1,2,3,3-hexafluoropropane (HFC-236ea).</p> <p>(xliv) 1,1,1,3,3-pentafluorobutane (HFC365mfc).</p> <p>(xlv) Chlorofluoromethane (HCFC-31).</p> <p>(xlvi) 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a).</p> <p>(xlvii) 1-chlor-1-fluoroethane (HCFC-151a).</p> <p>(xlviii) 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C4F9OCH3 or HFE-7100).</p> <p>(xlix) 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane.</p> <p>(l) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C4F9OC2H5 or HFE-7200).</p> <p>(li) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane.</p> <p>(lii) Methyl acetate.</p> <p>(liii) Perfluorocarbon compounds that fall into the following classes:</p> <p>(A) Cyclic, branched, or linear, completely fluorinated alkanes.</p> <p>(B) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.</p> <p>(C) Cyclic, branched, or linear, completely fluorinated tertiary amines with no</p>	<p>(HCFC-123).</p> <p>(xxvi) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124).</p> <p>(xxvii) Trifluoromethane (HFC-23).</p> <p>(xxviii) Pentafluoroethane (HFC-125).</p> <p>(xxix) 1,1,2,2-tetrafluoroethane (HFC-134).</p> <p>(xxx) 1,1,1,2-tetrafluoroethane (HFC-134a).</p> <p>(xxxi) 1,1,1-trifluoroethane (HFC-143a).</p> <p>(xxxii) 1,1-difluoroethane (HFC-152a).</p> <p>(xxxiii) 3,3-dichloro-1, 1,1,2,2-pentafluoropropane (HCFC-225ca).</p> <p>(xxxiv) 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb).</p> <p>(xxxv) 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee).</p> <p>(xxxvi) Difluoromethane (HFC-32).</p> <p>(xxxvii) Ethyl fluoride (HFC-161).</p> <p>(xxxviii) 1,1,1,3,3,3-hexafluoropropane (HFC-236fa).</p> <p>(xxxix) 1,1,2,2,3-pentafluoropropane (HFC-245ca).</p> <p>(xl) 1,1,2,3,3- pentafluoropropane (HFC-245ea).</p> <p>(xli) 1,1,1,2,3- pentafluoropropane (HFC-245eb).</p> <p>(xlii) 1,1,1,3,3- pentafluoropropane (HFC-245fa).</p> <p>(xliii) 1,1,1,2,3,3-hexafluoropropane (HFC-236ea).</p> <p>(xliv) 1,1,1,3,3-pentafluorobutane (HFC365mfc).</p> <p>(xlv) Chlorofluoromethane (HCFC-31).</p> <p>(xlvi) 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a).</p> <p>(xlvii) 1-chlor-1-fluoroethane (HCFC-151a).</p> <p>(xlviii) 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C4F9OCH3 or HFE-7100).</p> <p>(xlix) 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane.</p> <p>(l) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C4F9OC2H5 or HFE-7200).</p> <p>(li) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane.</p> <p>(lii) Methyl acetate.</p> <p>(liii) Perfluorocarbon compounds that fall into the following classes:</p> <p>(A) Cyclic, branched, or linear, completely fluorinated alkanes.</p> <p>(B) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.</p> <p>(C) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.</p> <p>(D) Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to</p>	
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<p>unsaturations. (D) Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine. (liv) Methylene chloride. The methods described in R 336.2004 and 336.2040 shall be used for measuring volatile organic compounds for purposes of determining compliance with emission limits. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-photochemical reactive compounds may be excluded as volatile organic compounds if the amount of such compounds is accurately quantified and such exclusion is approved by the department.</p>	<p>carbon and fluorine. (liv) Methylene chloride. (lv) 1,1,1,2,2,3,3-heptafluoro-3-methoxypropane (n-C3F7OCH3, HFE-7000). (lvi) 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500). (lvii) 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea). (lviii) Methyl formate (HCOOCH3). (lix) T-butyl acetate is not a volatile organic compound for purposes of volatile organic compound emissions limitations or volatile organic compound content requirements but is a volatile organic compound for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements, which apply to volatile organic compounds and shall be uniquely identified in emission reports. The methods described in R 336.2004 and R 336.2040 shall be used for measuring volatile organic compounds for purposes of determining compliance with emission limits. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-photochemical reactive compounds may be excluded as volatile organic compounds if the amount of such compounds is accurately quantified and such exclusion is approved by the department. History: 1980 AACS; 1985 AACS; 1988 AACS; 1989 AACS; 1993 AACS; 1997 AACS; 2003 AACS; 2008 AACS.</p>	
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<p>R. 336.1123 Definitions; W. Rule 123. As used in these rules: “Waxy, heavy pour crude oil” means any of the following: (i) A crude oil with a pour point of 30 degrees Fahrenheit or higher as determined by the standard test method set forth in ASTM-D-97-66, entitled “Test Method for Pour Point of Petroleum Oils.” (ii) A crude oil containing more than 2.5% N-paraffin content (C-17 to C-40). (iii) A crude oil with a viscosity exceeding 500 seconds universal sayboldt (SUS) at 20 degrees Fahrenheit.</p>	<p>R 336.1123 Definitions; W. Rule 123. As used in these rules: (a) "Waxy, heavy pour crude oil" means any of the following: (i) A crude oil with a pour point of 30 degrees Fahrenheit or higher as determined by the standard test method set forth in ASTM-D97-66, entitled "Test Method for Pour Point of Petroleum Oils." (ii) A crude oil containing more than 2.5% N-paraffin content (C-17 to C-40). (iii) A crude oil with a viscosity of more than 500 seconds universal sayboldt (SUS) at 20 degrees Fahrenheit. (b) "Wayne county permit" means a permit or a certificate of operation issued pursuant to the Wayne county air pollution control ordinance adopted pursuant to the home rule charter for Wayne county, resolution no.85-305, as amended by resolution no. 89-213. (c) "Weight of evidence," a term of art, means a description of the likelihood that a chemical is a human carcinogen based on evaluation of tumor data from human or animal studies and examination of relevant supporting information, including any of the following information: (i) Structure-activity relationships. (ii) Short-term test findings. (iii) Results of appropriate physiological, biological, and toxicological observations. (iv) Comparative metabolism and pharmacokinetic studies. History: 1981 AACS; 1992 AACS; 1995 AACS.</p>	<p><u>Definitions; W</u> The approved SIP has the <i>exact same definitions</i> as the Rules Implemented by State of Michigan in regard to the following terms: None The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: Waxy, heavy pour crude oil: the SIP uses the word “exceeding” while the Michigan rule uses “of more than.” The approved <i>SIP does not include definitions</i> for the following terms that are included in the rules implemented by the State of Michigan: Wayne county permit Weight of evidence The approved <i>SIP includes definitions</i> for the following terms that are <i>not included in the rules</i> implemented by the State of Michigan: None</p>
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CLOSE-UP LOOK AT DIFFERENCES IN LANGUAGE: PART I

Approved SIP	Rules Implemented by State of Michigan	Comments
<p>Part I. General Provisions R 336.1101 Definitions; A Rule 101 as used in these Rules:</p> <p>(i) "Air quality standard" means the concentration and duration of an air contaminant specified by the commission or by the national ambient air quality standards as contained in the provisions of 40 C.F.R. Part 50 (1990), whichever is more restrictive, as the maximum acceptable concentration and duration of that contaminant in the ambient air.</p> <p>(j) "Allowable emissions" means the emission rate calculated using the maximum rated capacity of the process or process equipment, unless there are legally enforceable limits that restrict the operating rate, or the hours of operation, or both, and the most stringent of the following: (i) Any applicable standards pursuant to the clean air act, as amended, 42 U.S.C. 7401 et seq. (ii) Any applicable emission limit specified in these rules, including a limit that has a future compliance date. (iii) Any applicable emission rate specified as a legally enforceable permit condition or voluntary agreement, performance contract, stipulation, or order of the commission, including a rate that has a future compliance date.</p> <p>(k) "Alternate opacity" means that standard for density of emission which is greater than the standard specified in R 336.1301(1) and which is established by the commission for a specific process or process equipment in accordance with the provisions of R 336.1301(4).</p>	<p>Part I. General Provisions R 336.1101 Definitions; A. Rule 101. As used in these rules:</p> <p>(j) "Air quality standard" means the concentration and duration of an air contaminant specified by the department or by the national ambient air quality standards as contained in the provisions of 40 C.F.R. part 50 (2002), whichever is more restrictive, as the maximum acceptable concentration and duration of that contaminant in the ambient air.</p> <p>(k) "Allowable emissions" means the emission rate calculated using the maximum rated capacity of the process or process equipment, unless there are legally enforceable limits that restrict the operating rate or the hours of operation, or both, and the most stringent of the following: (i) Any applicable standards pursuant to the clean air act. (ii) Any applicable emission limit specified in these rules, including a limit that has a future compliance date. (iii) Any applicable emission rate specified as a legally enforceable permit condition or voluntary agreement, performance contract, stipulation, or order of the department, including a rate that has a future compliance date.</p> <p>(l) "Alternate opacity" means that standard for density of emission which is greater than the standard specified in R 336.1301(1) and which is established by the department for a specific process or process equipment in accordance with the provisions of R 336.1301(4).</p>	<p><u>Definitions; A</u> The approved SIP <i>differs</i> from the rules implemented by State of Michigan in regard to the following terms: Air quality standard: uses "commission" in SIP, uses "department" in rules implemented by State of Michigan and references part 50 (1990), where in the Michigan rules it is part 50 (2002) Allowable Emissions: uses "commission" and "department in part (iii);" part (i) references 42 U.S.C. 7401 in the SIP and is not directly referenced in the Michigan rules. Alternate opacity: uses "commission" in SIP and "department" in Michigan Rules</p>
<p>R 336.1103 Definitions; C. Rule 103. As used in these rules:</p>	<p>R 336.1103 Definitions; C. Rule 103. As used in these rules:</p>	<p><u>Definitions; C</u> The approved SIP <i>differs</i> from the rules</p>

(i) "Coating line" means an operation which is a single series in a coating process and which is comprised of 1 or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein 1 or more surface coatings are applied and subsequently dried **and** cured.

(q) "Coating of paper" means the application of any decorative, functional, or **saturated** coating applied across the entire width of any flat sheet or pressure-sensitive tape, regardless of substrate, or applied across a partial width of any flat sheet or pressure-sensitive tape, regardless of substrate, if this partial coverage is not considered to be an operation or series of operations that is included in the definition of graphic arts line in R 336.1107(e). These applications and substrates include paper, fabric, or plastic film; related wet-coating processes on plastic film, including typewriter ribbon, photographic film, and magnetic tape; and decorative coatings on metal foil, including gift wrapping and packaging.

(k) "Coating line" means an operation which is a single series in a coating process and which is comprised of 1 or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein 1 or more surface coatings are applied and subsequently dried **or** cured.

(s) "Coating of paper" means the application of any decorative, functional, or **saturation** coating applied across the entire width of any flat sheet or pressure-sensitive tape, regardless of substrate, or applied across a partial width of any flat sheet or pressure-sensitive tape, regardless of substrate, if this partial coverage is not considered to be an operation or series of operations that is included in the definition of graphic arts line in R 336.1107(e). These applications and substrates include paper, fabric, or plastic film; related wet-coating processes on plastic film, including typewriter ribbons, photographic film, and magnetic tape; and decorative coatings on metal foil, including gift wrapping and packaging.

[implemented by State of Michigan in regard to the following terms:](#)

Coating Line: the SIP uses "dried and cured," the Michigan rules "dried or cured"

Coating of paper: the SIP uses "saturated" and the Michigan rules use "saturation"

R 336.1107 Definitions; G.
Rule 107. As used in these rules:

(c) "Good engineering practice design"

R 336.1107 Definitions; G.
Rule 107. As used in these rules:

(c) "Good engineering practice design" means,

Definitions; G

The approved SIP *differs* from the rules

means, with respect to stack heights, the height necessary to ensure that emissions from the stack result in acceptable concentrations of air contaminants in the immediate vicinity of the stationary source as a result of atmospheric downwash, eddies, and wakes which may be created by the stationary source itself, nearby structures, or nearby terrain obstacles and shall not exceed the greatest of the following limits:

- (i) Two hundred and thirteen feet (65 meters).
- (ii) Two and one-half times the height of the structure or nearby structure for those stacks for which construction or modification commenced on or before January 12, 1979, if the owner or operator produces evidence that this relationship was actually relied upon in designing the stack to ensure protection against downwash.
- (iii) The sum of the height of the structure or nearby structure plus 1.5 times the lesser of the height or width of the structure or nearby structure for those stacks for which construction or modification commenced after January 12, 1979.
- (iv) Such height as an owner or operator of a stationary source demonstrates, to the satisfaction of the department, is necessary through the use of field studies or fluid models after notice and opportunity for public hearing.

R 336.1114 Definitions; N.
Rule 114. As used in these rules:

with respect to stack heights, the height necessary to ensure that emissions from the stack result in acceptable concentrations of air contaminants in the immediate vicinity of the stationary source as a result of atmospheric downwash, eddies, and wakes which may be created by the stationary source itself, nearby structures, or nearby terrain obstacles and shall not exceed the greatest of the following limits:

- (i) Two hundred and thirteen feet (65 meters).
- (ii) Two and one-half times the height of the structure or nearby structure for those stacks for which construction or modification commenced on or before January 12, 1979, if the owner or operator produces evidence that this relationship was actually relied upon in designing the stack to ensure protection against downwash.
- (iii) The sum of the height of the structure or nearby structure plus 1.5 times the lesser of the height or width of the structure or nearby structure for those stacks for which construction or modification commenced after January 12, 1979.
- (iv) Such height as an owner or operator of a stationary source demonstrates, to the satisfaction of the department, is necessary through the use of field studies or fluid models after notice and opportunity for public hearing.

R 336.1114 Definitions; N.
Rule 114. As used in these rules:

implemented by State of Michigan in regard to the following terms:
Good engineering practice design: is only different in a few words that are separated by a “dash”

Definitions; N
The approved SIP *differs* from the rules

(b) "Nonattainment area" means an area designated by the commission as not having attained full compliance with all national ambient air quality standards. Such designation shall be pollutant specific and shall not mean that an area is a nonattainment area for any other pollutant unless so specified. The commission shall maintain a list of designated nonattainment areas and shall update such list when air quality monitoring or modeling data warrant.

R 336.1116 Definitions; P.
Rule 116. As used in these rules:

(e) "Nonattainment area" means an area designated as not having attained full compliance with any national ambient air quality standard pursuant to section 107(D) of the clean air act. Such designation shall be air contaminant specific and shall not mean that an area is a nonattainment area for any other air contaminant unless so specified. The department shall maintain a list of designated nonattainment areas and shall update the list when air quality monitoring or modeling data warrant. For certain air contaminants, nonattainment areas are classified for the purposes of applying an attainment date, or for other purposes, in accordance with procedures established pursuant to the clean air act, as amended, 42 U.S.C. §7401 et seq. For ozone nonattainment areas, classifications have been established as follows:
(i) Nonclassifiable.
(ii) Marginal.
(iii) Moderate.
(iv) Serious.
(v) Severe.
(vi) Extreme.

R 336.1116 Definitions; P.
Rule 116. As used in these rules:

implemented by State of Michigan in regard to the following terms:
Nonattainment area: the SIP says it is an area designated "by the commission" but the Michigan rules removed this language; instead of "all," as used in the SIP, the Michigan rules use "any;" The SIP only says "standards," but the Michigan rules add the language "standard pursuant to section 107(D) of the clean air act." The SIP uses the word "pollutant" where the Michigan rules use the word "air contaminant;" the SIP uses the word "commission" where the Michigan rules use the word "department;" the SIP uses the word "such" where the Michigan rules use the word "the;" The Michigan rules add the following paragraph to the definition that is not found in the SIP: "nonattainment areas are classified for the purposes of applying an attainment date, or for other purposes, in accordance with procedures established pursuant to the clean air act, as amended, 42 U.S.C. §7401 et seq. For ozone nonattainment areas, classifications have been established as follows:
(i) Nonclassifiable.
(ii) Marginal.
(iii) Moderate.
(iv) Serious.
(v) Severe.
(vi) Extreme. "

Definitions; P
The approved SIP differs from the rules

(t) "Publication rotogravure printing" means rotogravure printing upon a substrate that is subsequently formed into any of the following:

- (i) book
- (ii) magazine
- (iii) catalog
- (iv) brochure
- (v) directory
- (vi) newspaper
- (vii) supplement
- (viii) other type of material

(u) "Publication rotogravure printing" means rotogravure printing upon a substrate that is subsequently formed into any of the following:

- (i) Book.
- (ii) Magazine.
- (iii) Catalogue.
- (iv) Brochure.
- (v) Directory.
- (vi) Newspaper.
- (vii) Supplement.
- (viii) Other type of **printed** material.

[implemented by State of Michigan in regard to the following terms:](#)
Publication rotogravure printing: the definition in the Michigan rules adds the word "printed" before the word "material," whereas the SIP does not.

R 336.1118 Definitions; R
Rule 118. As used in these rules:

R 336.1118 Definitions; R.
Rule 118. As used in these rules:

Definitions; R
[The approved SIP differs from the rules](#)

(g) "Repetitive production of a product" means, for batch processes or process equipment, producing 10 or more batches of the product. For continuous processes or process equipment, this phrase means running the process or process equipment for a period of more than 10 times the length of time for the raw materials to become the finished product or 24 hours, whichever is longer.

R 336.1119 Definitions; S.
Rule 119. As used in these rules:

(g) "Repetitive production of a product" means production, for purposes other than clinical testing of pharmaceuticals, which meets the following criteria:
(i) Batch processes or process equipment producing 10 or more batches of product.
(ii) Continuous processes or process equipment running for a period of more than 10 times the length of time for the raw materials to become finished product or 24 hours, whichever is longer.

R 336.1119 Definitions; S.
Rule 119. As used in these rules:

implemented by State of Michigan in regard to the following terms:
Repetitive production of a product: the approved SIP says "for batch processes or process equipment" while the Michigan rules say "for purposes other than clinical testing of pharmaceuticals, which meets the following criteria;" The rule in the Michigan version is broken down into two parts, but has essentially the same meaning as the rule that is in the approved SIP.

Definitions; S
The approved SIP *differs* from the rules

(d) "Sour condensate" means a condensate that emits a sour gas at atmospheric pressure.

(f) "Sour gas" means any gas containing more than 1 hydrogen sulfide or more than 10 grains of total sulfur per 100 standard cubic feet.

(k) "Standpipe assembly emission point," with respect to a coke oven battery equipped with a single collector main, means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, and the second flexible connection wherever located, or another agreed upon connection that is located between the collector main and the gooseneck. With respect to a battery equipped with a charging main and a gas-offtake main in tandem, "standpipe assembly emission point" means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, the flexible connection between the collector main and the gooseneck, the ministandpipe lid, and the flexible connection between the battery top and the jumper pipe ministandpipe.

(m) "Stationary source" means all of the processes and process equipment which are located at 1 or more adjacent properties, are under the control of the same person, and emit or may emit 1 or more air contaminants. Where transmission and fuel delivery rights-of-way or a strip of land that serves no other principal purpose than as a transportation or materials handling link connects 2 or more otherwise separate stationary sources, the connected stationary sources shall be considered as separate stationary sources.

(g) "Sour condensate" means a condensate that emits sour gas at atmospheric pressure.

(i) "Sour gas" means any gas containing more than 1 grain of hydrogen sulfide or more than 10 grains of total sulfur per 100 standard cubic feet.

(o) "Standpipe assembly emission point," with respect to a coke oven battery equipped with a single collector main or a double collector main, means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, and the second flexible connection wherever located, or another agreed upon connection that is located between the collector main and the gooseneck. With respect to a battery equipped with a charging main and a gas-offtake main in tandem, "standpipe assembly emission point" means the upper flange, the lower flange, the top lid, the bottom lid, the upper sand seal, the middle sand seal, and the lower base sand seal. With respect to a battery equipped with a jumper pipe ministandpipe, "standpipe assembly emission point" means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, the flexible connection between the collector main and the gooseneck, the ministandpipe lid, and the flexible connection between the battery top and the jumper pipe ministandpipe.

(r) "Stationary source" means all buildings, structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have the same 2-digit major group code associated with their primary activity. In addition, a stationary source includes any other buildings, structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have a different 2-digit major group code, but which support the primary activity. Buildings, structures, facilities, or installations, are considered to support the primary activity if 50% or more of their output is dedicated to the primary

implemented by State of Michigan in regard to the following terms:

Sour condensate: "a" is in the SIP version and has been deleted in the Michigan rules

Sour gas: the words "grain of" have been added to the Michigan rule, but do not appear in the SIP.

Standpipe assembly emission point: the Michigan rule adds the language "collector main or a double," and "standpipe assembly emission point" means the upper flange, the lower flange, the top lid, the bottom lid, the upper sand seal, the middle sand seal, and the lower base sand seal. With respect to a battery equipped with a jumper pipe ministandpipe,"

Stationary source: the SIP says "all of the processes and process equipment," while the Michigan rule says "buildings, structures, facilities or installations which emit or have the potential to emit 1 or more air contaminants," the SIP only uses the word "adjacent," but the Michigan rule adds the word "contiguous," the Michigan rule adds more language and modifies the definition that appears in the SIP.

activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. Notwithstanding the provisions of this subdivision, research and development activities, as described in R 336.1118, may be treated as a separate stationary source, unless the research and development activities support the primary activity of the stationary source.

R. 336.1123 Definitions; W.
Rule 123. As used in these rules:

R 336.1123 Definitions; W.
Rule 123. As used in these rules:
(a) "Waxy, heavy pour crude oil" means any

Definitions; W.
The approved SIP *differs* from the rules

“Waxy, heavy pour crude oil” means any of the following:

- (i) A crude oil with a pour point of 30 degrees Fahrenheit or higher as determined by the standard test method set forth in ASTM-D-97-66, entitled “Test Method for Pour Point of Petroleum Oils.”
- (ii) A crude oil containing more than 2.5% N-paraffin content (C-17 to C-40).
- (iii) A crude oil with a viscosity **exceeding** 500 seconds universal sayboldt (SUS) at 20 degrees Fahrenheit.

of the following:

- (i) A crude oil with a pour point of 30 degrees Fahrenheit or higher as determined by the standard test method set forth in ASTM-D97-66, entitled "Test Method for Pour Point of Petroleum Oils."
- (ii) A crude oil containing more than 2.5% N-paraffin content (C-17 to C-40).
- (iii) A crude oil with a viscosity **of more than** 500 seconds universal sayboldt (SUS) at 20 degrees Fahrenheit.

[implemented by State of Michigan in regard to the following terms:](#)

Waxy, heavy pour crude oil: the SIP uses the word “exceeding” while the Michigan rule uses “of more than.”

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART II**

Approved SIP	Rules Implemented by State of Michigan	Comments

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART II**

DRAFT #1 last reviewed/edited by LAE on November 7, 2012

Approved SIP	Rules Implemented by State of Michigan	Comments
<p>Part II: Air Use Approval R 336.1201 Permits to install. (1/18/80) Rule 201.</p> <p>(1) A person shall not install, construct, reconstruct, relocate, or alter any process, fuel-burning, or refuse-burning equipment, or control equipment pertaining thereto, which may be a source of an air contaminant, until a permit is issued by the commission. This shall be known as a permit to install and shall cover construction, reconstruction, relocation, and alteration of equipment where such is involved. A person planning to install, construct, reconstruct, relocate or alter any such equipment shall provide the information required in rule 203.</p> <p>(2) If the proposed equipment is of such magnitude that some phases of construction such as site clearing, foundations, and associated structures have to commence before issuance of the permit to install, the person applying for the permit to install may apply to the commission for approval of the location of the proposed equipment. The commission shall act on such application within a reasonable time and shall not approve the proposed location unless it is reasonably convinced that the equipment, when completed, shall be in compliance with the commission's rules and state law. Construction shall not commence without approval of the location.</p> <p>(3) An application for a permit to install may be approved subject to any condition, specified in writing, that is reasonably necessary to assure compliance with these rules.</p> <p>(4) After issuance of the permit to install, trial operation of the equipment is permitted until the commission acts upon the permit to operate.</p> <p>(5) If the installation, reconstruction, relocation, or alteration of the equipment,</p>	<p>Part II: Air Use Approval R 336.1201 Permits to install. Rule 201.</p> <p>(1) Except as allowed in R 336.1202, R 336.1277 to R 336.1290, or R336.2823(15) a person shall not install, construct, reconstruct, relocate, or modify any process or process equipment, including control equipment pertaining thereto, which may emit any of the following, unless a permit to install which authorizes such action is issued by the department:</p> <p>(a) Any air pollutant regulated by title I of the clean air act and its associated rules, including 40 C.F.R. §§51.165 and 51.166, adopted by reference in R 336.1299.</p> <p>(b) Any air contaminant. A person who plans to install, construct, reconstruct, relocate, or modify any such process or process equipment shall apply to the department for a permit to install on an application form approved by the department and shall provide the information required in R 336.1203.</p> <p>(2) The department may issue a permit to install for any of the following reasons:</p> <p>(a) To authorize a person to install, construct, reconstruct, relocate, or modify a process or process equipment pursuant to subrule (1)(a) of this rule.</p> <p>(b) To establish limits on potential to emit. The limits shall comply with the provisions of R 336.1205(1)(a).</p> <p>(c) To consolidate terms and conditions from existing permits to install within a renewable operating permit pursuant to R 336.1214a.</p> <p>(d) To authorize a person to install, construct, reconstruct, relocate, or modify process or process equipment solely pursuant to subrule (1)(b) of this rule or to consolidate state only enforceable conditions within a renewable operating permit when the renewable operating permit is issued pursuant to R 336.1214. This permit may establish terms and conditions that are legally enforceable</p>	<p><u>Rule 201</u> <u>(1)</u></p> <ul style="list-style-type: none"> • The Michigan rules reference other rules at the outset, whereas the federal SIP does not. • The federal SIP uses “alter,” where the Michigan Rules use “modify” • The federal SIP specifies “fuel-burning” and “refuse-burning” where the Michigan Rules do not • The federal SIP says “a source of an air contaminant” where the Michigan rules say “emit any of the following” • The federal SIP says “until” where the Michigan Rules say “unless” • The Michigan rules add the language “which authorizes such action” • The federal SIP uses “commission” where the Michigan rules use “department” • The Michigan rules have a break-down of subrules (a)-(b); this is not present in the federal SIP • The federal SIP contains “This shall be known as a permit to install and shall cover construction, reconstruction, relocation, and alteration of equipment where such is involved.” The Michigan rules do not include this. • The Michigan rules begin subrule (b) with “any air contaminant,” which is not a sentence found in the federal SIP.

for which a permit has been issued, has not commenced within, or has been interrupted for, 18 months, then the permit to install shall become void unless otherwise authorized by the commission as a condition of the permit to install. "Commenced" means undertaking a continuous program of on-site fabrication, installation, erection, or modification, or having entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of construction of the facility to be completed within a reasonable time.

(6) If a permit to install has not been requested within 3 years of the date of approval of the location pursuant to subrule (2), the location shall become void unless otherwise authorized by the commission as a condition of the location approval.

solely pursuant to R 336.1224 to R 336.1232, R 336.1901, or other regulations that are not federally enforceable. Each condition in a permit issued pursuant to this subrule shall be identified as state-only enforceable.

(3) A permit to install may be approved subject to any condition, specified in writing, that is reasonably necessary to assure compliance with all applicable requirements.

(4) If a person decides not to install, construct, reconstruct, relocate, or modify the process or process equipment as authorized by a permit to install, then the person, or the authorized agent pursuant to R 336.1204, shall notify the department, in writing, and upon receipt of the notification by the department, the permit to install shall become void. If the installation, reconstruction, or relocation of the equipment, for which a permit has been issued, has not commenced within, or has been interrupted for, 18 months, then the permit to install shall become void, unless otherwise authorized by the department as a condition of the permit to install.

(5) Upon issuance of a permit to install, the emissions from the process or process equipment allowed by the permit to install shall be included in the potential to emit of the stationary source. Upon the physical removal of the process or process equipment, or upon a determination by the department that the process or process equipment has been permanently shut down, the permit to install shall become void and the emissions allowed by the permit to install shall no longer be included in the potential to emit of the stationary source.

(6) Except as provided in subrule (8) of this rule and R 336.1216, operation of the process or process equipment is allowed by the permit to install. The department may void a permit to install upon any of the following actions:

(a) A new permit to install authorizing the action is approved by the department in accordance with subrule (2)(a), (b), or (d) of this rule, and the new permit to install renders all portions of the old permit obsolete.

(b) All terms and conditions of the permit to install are incorporated into a renewable operating permit, in accordance with the provisions of R 336.1212(5) and R 336.1213, and a source-wide permit to install is issued pursuant to R 336.1214a.

(c) All of the emission units, processes, or process equipment covered by the permit to install are physically removed from the

- The federal SIP says "a person planning to install," while the Michigan Rules say "a person who plans to install..."
- The federal SIP uses "equipment;" the Michigan rules add "process or process [equipment]"
- The federal SIP says "shall provide the information required in rule 203;" the Michigan rules say "shall apply to the department for a permit to install on an application form approved by the department and shall provide the information required in R 336.1203."

Rule 201
(2)

- The federal SIP subrule (2) outlines when a person may apply to the commission for some structures to commence before the issuance of a permit; the Michigan rules outline reasons that the department may rely on in issuing a permit to install.

Rule 201
(3)

- The federal SIP begins with "an application for," which is not present in the Michigan rules.
- The federal SIP says "these rules," where the Michigan rules use "all applicable requirements"

Rule 201
(4)

- The federal SIP allows trial operation of equipment until permit to operate is issued' the Michigan Rules address the procedure for situations where a person decides not to install, etc.

Rule 201
(5)

- The federal SIP provides a time period for which installation must begin; the Michigan rules explain that emissions shall be included in

stationary source or the department makes a determination that the emission units, processes, or process equipment covered by the permit to install have been permanently shut down.

(7) The department may require 1 or both of the following notification requirements as a condition of a permit to install:

(a) Not more than 30 days after completion of the installation, construction, reconstruction, relocation, or modification authorized by the permit to install, unless a different period is specified in the permit to install, the person to whom the permit to install was issued, or the authorized agent pursuant to R 336.1204, shall notify the department, in writing, of the completion of the activity. Completion of the installation, construction, reconstruction, relocation, or modification is considered to occur not later than commencement of trial operation of the process or process equipment.

(b) Within 12 months after completion of the installation, construction, reconstruction, relocation, or modification authorized by the permit to install, or 18 months after the effective date of this rule, whichever is later, unless a different period is specified in the permit to install, the person to whom the permit to install was issued, or the authorized agent pursuant to R 336.1204, shall notify the department, in writing, of the status of compliance of the process or process equipment with the terms and conditions of the permit to install. The notification shall include all of the following:

(i) The results of all testing, monitoring, and recordkeeping performed by the stationary source to determine the actual emissions from the process or process equipment and to demonstrate compliance with the terms and conditions of the permit to install.

(ii) A schedule of compliance for the process or process equipment.

(iii) A statement, signed by the person owning or operating the process or process equipment, that, based on information and belief formed after reasonable inquiry, the statements and information in the notification are true, accurate, and complete.

(8) If evidence indicates that the process or process equipment is not performing in accordance with the terms and conditions of the permit to install, the department, after notice and opportunity for a hearing, may revoke the permit to install consistent with section 5510 of the act. Upon revocation of

the potential to emit, and the policy for what happens when equipment is physically removed.

Rule 201

(6)

- The federal SIP explains that if a permit to install isn't requested within 3 years of the approval of a location, the location becomes void; the Michigan rules provide a detailed explanation that operation of equipment is allowable by the permit to install.

Rule 201

(7)

- There is no part (7) for the federal SIP; the Michigan rules outline requirements that may be conditioned in requesting a permit to install

Rule 201

(8)

- There is no part (8) for the federal SIP; the Michigan rules explain what happens if equipment is not performing within requirements of the permit to install

<p>[No R 336.1201a]</p>	<p>the permit to install, operation of the process or process equipment shall be terminated. Revocation of a permit to install is without prejudice and a person may file a new application for a permit to install that addresses the reasons for the revocation.</p> <p>History: 1980 AACS; 1992 AACS; 1995 AACS; 1996 AACS; 2003 AACS; 2008 AACS</p> <p>R 336.1201a General permits to install. Rule 201a. (1) The department may, after notice and opportunity for public participation pursuant to section 5511(3) of the act, issue a general permit to install covering numerous similar stationary sources or emission units. A general permit to install shall include terms and conditions which are necessary to assure that the stationary source or emission unit will comply with all applicable requirements and shall be consistent with the permit content requirements of R 336.1205(1)(a). The general permit to install shall also identify criteria by which a stationary source or emission unit may qualify for the general permit to install. The department shall grant the terms and conditions of the general permit to install to stationary sources or emission units that qualify within 30 days of receipt by the department of a complete application. An applicant shall be subject to enforcement action if the department later determines that the stationary source or emission unit does not qualify for the general permit to install. (2) A person who owns or operates a stationary source or emission unit that would qualify for a general permit to install issued by the department pursuant to subrule (1) of this rule shall apply to the department for coverage under the terms of the general permit to install or may apply for a permit to install consistent with R 336.1201. The department may require the use of application forms designed for use with a specific general permit to install issued by the department. The application forms shall include all information necessary to determine qualification for, and to assure compliance with, the general permit to install. Without repeating the public participation process pursuant to subrule (1) of this rule, the department may grant a request by a person for authorization to install and operate a stationary source or emission unit pursuant to a general permit to install.</p>	<p><u>Rule 201a</u></p> <ul style="list-style-type: none"> • There is no rule in the federal SIP addressing “general permits to install”
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(3) The department shall maintain, and make available to the public upon request, a list of the persons that have been authorized to install and operate a stationary source or emission unit pursuant to each general permit to install issued by the department.

History: 1996 AACRS; 2003 AACRS..

R. 336.1202 Waivers of approval. (1/18/80) Rule 202.

If the requirement for approval of a permit to install prior to construction will create an undue hardship to the applicant, the applicant may request a waiver to proceed with construction from the commission. The application for a waiver shall be in writing, shall explain the circumstances that will cause the undue hardship, and shall be signed by the owner or his authorized agent. The application shall be acted upon by the commission within 30 days. If a waiver is granted, the applicant shall submit pertinent plans and specifications for approval as soon as is reasonably practical. The applicant, after a waiver is granted, shall proceed with the construction at his own risk; however, no operation shall be authorized until the application for a permit to install has been approved by the commission. After construction, modification, relocation, or installation has begun or has been completed, if the plans, specifications, and completed installations do not meet commission approval, the application for a permit to install shall be denied, unless the alterations required to effect approval are made within a reasonable time as specified by the commission.

R 336.1202 Waivers of approval. Rule 202.

(1) If the requirement for approval of a permit to install before construction will create an undue hardship to the applicant, the applicant may request a waiver to proceed with construction from the department. The application for a waiver shall be in writing, shall explain the circumstances that will cause the undue hardship, and shall be signed by the owner or his or her authorized agent. The application shall be acted upon by the department within 30 days. If a waiver is granted, the applicant shall submit pertinent plans and specifications for approval as soon as is reasonably practical. The applicant, after a waiver is granted, shall proceed with the construction at his or her own risk; however, operation of the equipment shall not be authorized until the application for a permit to install has been approved by the department. After construction, modification, relocation, or installation has begun or been completed, if the plans, specifications, and completed installations do not meet department approval, then the application for a permit to install shall be denied, unless the alterations required to effect approval are made within a reasonable time as specified by the department.

(2) The provisions of subrule (1) of this rule shall not apply to any of the following:

(a) Any activity that is subject to R 336.2802, prevention of significant deterioration regulations, or R 336.2902, nonattainment new source review regulations.

(b) Construction or reconstruction of a major source of hazardous air pollutants as defined in and subject to, national emission standards for hazardous air pollutants for source categories.

(c) Construction or modification as defined in and subject to 40 C.F.R. part 61,

Rule 202

(1)

- The federal SIP does not title this part “(1)” because it is the only part of the rule in the federal SIP.
- The federal SIP uses “prior to” where the Michigan rules use “before”
- The federal SIP uses “commission” where the Michigan rules use “department”
- The federal SIP says “his,” and the Michigan rules alter to “his or her”
- The federal SIP says “no operation shall be authorized...” whereas the Michigan rules say “operation of the equipment shall not be authorized...” (the Michigan rules use “not” instead of “no” and add the words “of the equipment”)
- The federal SIP says the word “has” an extra time where the Michigan rules leave it out.
- The Michigan rules add “then” where the federal SIP leaves it out

Rule 202

(2)

- The federal SIP does not have a subrule (2); the Michigan rules outline exceptions to subrule (1)

<p>R 336.1203 Information required. (1/18/80) Rule 203.</p> <p>(1) An application for a permit to install shall include information required by the commission on the application form or by written notice. If considered by the commission to be pertinent to evaluation of the equipment for which a permit is sought, the information shall include, but is not necessarily limited to, the following:</p> <p>(a) The expected composition of air contaminant stream, both before and after installation of an air-cleaning device, including emission rate, concentration, exhaust gas volume, and exhaust gas temperature.</p> <p>(b) The expected physical and chemical characteristics of air contaminants</p> <p>(c) Details of air pollution control measures and air-cleaning devices, if any, including a description, design parameters, and anticipated performance.</p> <p>(d) The location and elevation of the emission point and other factors relating to dispersion and diffusion of the contaminant in the outer air; the relation of the emission point to nearby structures and window openings; and other information necessary to appraise the possible effects of the air contaminant.</p> <p>(e) The method of disposal of wastes resulting from operation of the process equipment or air-cleaning devices.</p> <p>(f) A plan for reduction of emissions during air pollution alerts, warnings, and emergencies as required by subrule (1) of rule 1307.</p> <p>(g) Information, in a form prescribed by the commission, that is necessary for the preparation of an environmental impact statement if, in the judgment of the commission, the equipment for which a permit is sought may have a significant</p>	<p>national emission standards for hazardous air pollutants, adopted by reference in R 336.1299. For the purpose of this subrule, "activity" means the concurrent and related installation, construction, reconstruction, relocation, or modification of any process or process equipment.</p> <p>History: 1980 AACS; 2003 AACS; 2008 AACS.</p> <p>R 336.1203 Information required. Rule 203.</p> <p>(1) An application for a permit to install shall include information required by the department on the application form or by written notice. This information may include, as necessary, any of the following:</p> <p>(a) A complete description, in appropriate detail, of each emission unit or process covered by the application. The description shall include the size and type along with the make and model, if known, of the proposed process equipment, including any air pollution control equipment. The description shall also specify the proposed operating schedule of the equipment, provide details of the type and feed rate of material used in the process, and provide the capture and removal efficiency of any air pollution control devices. Applications for complex or multiple processes shall also include a block diagram showing the flow of materials and intermediate and final products.</p> <p>(b) A description of any federal, state, or local air pollution control regulations which the applicant believes are applicable to the proposed process equipment, including a proposed method of complying with the regulations.</p> <p>(c) A description in appropriate detail of the nature, concentration, particle size, pressure, temperature, and the uncontrolled and controlled quantity of all air contaminants that are reasonably anticipated due to the operation of the proposed process equipment.</p> <p>(d) A description of how the air contaminant emissions from the proposed process equipment will be controlled or otherwise minimized.</p> <p>(e) A description of each stack or vent related to the proposed process equipment, including the minimum anticipated height above ground, maximum anticipated internal dimensions, discharge orientation, exhaust volume flow</p>	<p>Rule 203 (1)</p> <ul style="list-style-type: none"> The federal SIP uses "commission" where the Michigan rules use "department" The federal SIP says "if considered by the commission to be pertinent to evaluation of the equipment for which a permit is sought, the information shall include, but is not necessarily limited to..." This is removed from the Michigan rules, which instead simply state "this information may include, as necessary, any of ..." <p>Rule 203 (1)(a)</p> <ul style="list-style-type: none"> The federal SIP addresses the expected composition of air contaminant stream; the Michigan rules address a complete description of each emission unit covered by the application <p>Rule 203 (1)(b)</p> <ul style="list-style-type: none"> The federal SIP says "the expected physical and chemical characteristics of air contaminants;" the Michigan rules relate to federal, state, or local are pollution control regulations <p>Rule 203 (1)(c)</p> <ul style="list-style-type: none"> The federal SIP requests details of air pollution control measures; the Michigan rules request quantity of all air contaminants <p>Rule 203 (1)(d)</p> <ul style="list-style-type: none"> The federal SIP regards the location and elevation of emission point; the Michigan rules regard proposes processes to control or minimize emissions <p>Rule 203</p>
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<p>effect on the environment.</p> <p>(h) Data demonstrating the effect of the air contaminant emissions on human health and the environment.</p>	<p>rate, exhaust gas temperature, and rain protection device, if any.</p> <p>(f) Scale drawings showing a plan view of the owner's property to the property lines and the location of the proposed equipment. The drawings shall include the height and outline of all structures within 150 feet of the proposed equipment and show any fence lines. All stacks or other emission points related to the proposed equipment shall also be shown on the drawings.</p> <p>(g) Information, in a form prescribed by the department, that is necessary for the preparation of an environmental impact statement if, in the judgment of the department, the equipment for which a permit is sought may have a significant effect on the environment.</p> <p>(h) Data demonstrating that the emissions from the process will not have an unacceptable air quality impact in relation to all federal, state, and local air quality standards.</p> <p>(2) The department may require additional information necessary to evaluate or take action on the application. The applicant shall furnish all additional information, within 30 days of a written request by the department, except as provided by the following provisions:</p> <p>(a) The applicant may request a longer period of time, in writing, specifying the reason why 30 days was not reasonable for submitting the information.</p> <p>(b) The department may provide written notice to the applicant of an alternate time period for the submittal, either as part of the original request or upon the granting of an extension requested by the applicant.</p> <p>(3) An applicant may reference a permit application previously submitted to the department for the purpose of supplying a portion of the information required by this rule. Any reference to a previously submitted permit application shall clearly identify the permit application number assigned to the previous application by the department. If acceptable to the department, an applicant may also reference other previously submitted information for the purpose of supplying a portion of the information required by this rule.</p> <p>History: 1980 AACS; 2003 AACS.</p>	<p>(1)(e)</p> <ul style="list-style-type: none"> The federal SIP requests a method of disposal wastes; the Michigan rules request a description of the proposed process equipment <p>Rule 203 (1)(f)</p> <ul style="list-style-type: none"> The federal SIP requires a plan for emission reduction during air quality alerts; the Michigan rules require a scale drawing of property and location of proposed equipment <p>Rule 203 (1)(g)</p> <ul style="list-style-type: none"> The federal SIP uses "commission" where the Michigan rules use "department" <p>Rule 203 (1)(h)</p> <ul style="list-style-type: none"> The Michigan rules add the word "that" The federal SIP says "effect of," where the Michigan rules use "emissions from" The Michigan rules have the language "the process will not have an unacceptable" where the federal SIP does not The federal SIP says "contaminant emissions on human health and the environment" where the Michigan rules say "impact in relation to all federal, state and local air quality standards" <p>Rule 203 (2)</p> <ul style="list-style-type: none"> The federal SIP does not include a subrule (2) to this rule
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<p>R 336.1204 Authority of agents. (1/18/80) Rule 204. When a person files plans and specifications as the agent of an owner, the owner shall furnish the agent with a letter of authorization for filing of the plans and specifications, and this letter shall be submitted with plans and specifications.</p>	<p>R 336.1204 Authority of agents. Rule 204. When a person files an application for a permit to install as the agent of an applicant, the applicant shall furnish the department with written authorization for the filing of the application. The authorization shall indicate if the applicant intends that the department contact the agent directly with questions regarding the application and also indicate if the agent is authorized to negotiate the terms and conditions of the permit to install.</p> <p>History: 1980 AACCS; 2003 AACCS.</p>	<p><u>Rule 204</u></p> <ul style="list-style-type: none"> • The federal SIP says “plans and specifications” where the Michigan rules say “an application for a permit to install” • The federal SIP uses the word “owner,” whereas the Michigan rules use the word “applicant” • The federal SIP uses the word “agent” where the Michigan rules use the word “department” • The federal SIP uses the language “a letter of” where the Michigan rules use “written” • The Michigan rules add the word “the” where there is none in the federal SIP • The federal SIP uses the language “plans and specifications, and this letter” where the Michigan rules use “application” • The Michigan rules add the sentence: “The authorization shall indicate if the applicant intends that the department contact the agent directly with questions regarding the application and also indicate if the agent is authorized to negotiate the terms and conditions of the permit to install.”
<p>[No Rule 336.1205]</p>	<p>R 336.1205 Permit to install; approval. Rule 205. (1) The department shall not approve a permit to install for a stationary source, process, or process equipment that meets the definition of a major stationary source or major modification under any part of these rules unless the requirements specified in subdivisions (a) and (b) of this subrule have been met. In addition, except as provided in subrule (3) of this rule, the department shall not approve a permit to install that includes limitations which restrict the potential to emit from a stationary source, process, or process equipment to a quantity below that which would constitute a</p>	<p><u>Rule 205</u></p> <ul style="list-style-type: none"> • There is no rule 205 in the Federal SIP

major source or major modification under any part of these rules unless both of the following requirements have been met:

(a) The permit to install contains emission limits that are enforceable as a practical matter. An emission limit restricts the amount of an air contaminant that may be emitted over some time period. The time period shall be set in accordance with the applicable requirements and, unless a different time period is provided by the applicable requirement, should generally not be more than 1 month, unless a longer time period is approved by the department. A longer time period may be used if it is a rolling time period, but shall not be more than an annual time period rolled on a monthly basis. If the emission limit does not reflect the maximum emissions of the process or process equipment operating at full design capacity without air pollution control equipment, then the permit shall contain 1 of the following:

(i) A production limit which restricts the amount of final product that may be produced over the same time period used in the emission limit and which comports with the true design and intended operation of the process or process equipment.

(ii) An operational limit which restricts the way the process or process equipment is operated and which comports with the true design and intended operation of the process or process equipment. An operational limit may include conditions specifying any of the following:

(A) The installation, operation, and maintenance of air pollution control equipment.

(B) The hours of operation of the stationary source, process, or process equipment, if the hours are less than continuous.

(C) The amount or type of raw materials used by the stationary source, process, or process equipment.

(D) The amount or type of fuel combusted by the stationary source, process, or process equipment.

(E) The installation, operation, and maintenance of a continuous gas flow meter and a continuous emission monitor for the air contaminant for which an enforceable emission limit is required.

(iii) For volatile organic compound surface coating operations where an add-on control is not employed, an emission or usage limit coupled with a requirement to calculate or

<p>R 336.1206 Processing of applications for other facilities. (1/18/80) Rule 206. (1) The commission shall notify the applicant in writing of approval, conditional approval, or denial of an application for a permit to install within 60 days after receipt of the application and information required by rule 203. A copy of a permit approval or</p>	<p>demonstrate daily compliance. (b) A draft permit has been subjected to the public participation process specified in section 5511(3) of the act. The department shall provide a copy of the draft permit to the United States environmental protection agency for review and comment at or before the start of the public comment period. The department shall also provide a copy of each final permit to install issued pursuant to this rule to the United States environmental protection agency. (2) The department shall not approve a permit to install to construct a major source or reconstruct a major source under any applicable requirement of section 112 of the clean air act unless the requirements of subrule (1)(a) and (b) of this rule have been met. In addition, except as provided in subrule (3) of this rule, the department shall not approve a permit to install that includes limitations which restrict the potential to emit of a stationary source, process, or process equipment to a quantity below that which would constitute a major source or modification under any applicable requirement of section 112 of the clean air act unless the requirements of subrule (1)(a) and (b) of this rule have been met. (3) The department may approve a permit to install that includes limitations which restrict the potential to emit of a stationary source, process, or process equipment to a quantity below that which would constitute a major source or major modification under any part of these rules without meeting the requirement of subrule (1)(b) of this rule if the emission limitations restrict the potential to emit of the stationary source, process, or process equipment to less than 90% of the quantity referenced in the applicable requirement.</p> <p>History: 1995 AACS; 1996 AACS; 1998 AACS; 2003 AACS; 2008 AACS.</p> <p>R 336.1206 Processing of applications for permits to install. Rule 206. (1) The department shall review an application for a permit to install for administrative completeness pursuant to R 336.1203(1) within 10 days of its receipt by the department. The department shall notify the applicant in writing regarding the receipt and</p>	<p>Rule 206</p> <ul style="list-style-type: none"> The heading of the federal SIP says “other facilities” where the heading for the Michigan rules says “permits to install” <p>Rule 204 (1)</p> <ul style="list-style-type: none"> The federal SIP outline the procedure for notification after
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denial shall be furnished to the appropriate air pollution control authorities.
(2) When delays will cause undue hardship to an applicant or materially handicap his need for proceeding promptly with the proposed installation, modification, or relocation, a request for priority consideration and the justification therefore shall be submitted. When a priority is granted, the application, if practicable, shall be processed within 15 days after receipt of the request for priority.

completeness of the application.
(2) Except for permit to install applications subject to a public comment period pursuant to R 336.1205(1)(b) or section 5511(3) of the act, the department shall take final action to approve or deny a permit within 60 days of receipt of all information required pursuant to R 336.1203(1) and (2). The department shall take final action to approve or deny a permit to install subject to a public comment period pursuant to R 336.1205(1)(b) or section 5511(3) of the act within 120 days of receipt of all information required pursuant to R 336.1203(1) and (2). For the purpose of this subrule, the time between when the department requests additional information from an applicant and when the applicant actually provides that information shall not be included in the 60-day and 120-day time frames for final action by the department. The failure of the department to act on an application that includes all the information required pursuant to R 336.1203(1) and (2) within the time frames specified in this subrule may be considered a final permit action solely for the purpose of obtaining judicial review in a court of competent jurisdiction to require that action be taken by the department without additional delay.

History: 1980 AACS; 2003 AACS.

R 336.1207 Denial of permits to install. (1/18/10)
Rule 207.

(1) The **commission** shall deny an application for a permit to install if, in the judgment of the **commission**, any of the following conditions exist:
(a) The equipment for which the permit is sought will not operate in compliance with the rules of the **commission** or state law.
(b) Operation of the equipment for which the permit is sought will interfere with the attainment or maintenance of the air quality standard for any air contaminant.
(c) The equipment for which the permit is sought will violate the **provisions** of the clean air act, as amended, 42 U.S.C. §7401 et seq., and particularly the rules promulgated on and before September 1, 1978, in standards of performance for new stationary sources, 40 C.F.R. §60.1 to

R 336.1207 Denial of permits to install. Rule 207.

(1) The **department** shall deny an application for a permit to install if, in the judgment of the **department**, any of the following conditions exist:
(a) The equipment for which the permit is sought will not operate in compliance with the rules of the **department** or state law.
(b) Operation of the equipment for which the permit is sought will interfere with the attainment or maintenance of the air quality standard for any air contaminant.
(c) The equipment for which the permit is sought will violate the **applicable requirements** of the clean air act, as amended, 42 U.S.C. §7401 et seq., including any of the following:
(i) The standards of performance for stationary sources, 40 C.F.R. part 60, adopted by reference in R 336.1299.

application of a permit to install; the Michigan rules outline the procedures for reviewing an application and notifying the applicant of the receipt of the application

Rule 204
(2)

- The federal SIP explains delays causing undue hardship; the Michigan rules outline the procedure of approval or denial of an application

Rule 207
(1)

- The federal SIP uses “commission” where the Michigan rules use “department”

Rule 207
(1)(a)

- The federal SIP uses “commission” where the Michigan rules use “department”

Rule 207
(1)(b)

- No difference

Rule 207
(1)(c)

- The federal SIP uses “provisions” where the Michigan rules use “applicable requirements”
- The Michigan rules break down subrule (c) into parts (i)-(v), where the federal SIP ends part (c) with “and particularly the rules promulgated on and before

§60.275 (July 1, 1978), and national emission standards for hazardous air pollutants, 40 C.F.R. §61.1 to §61.55 (July 1, 1978).

(d) Sufficient information has not been submitted by the applicant to enable the commission to make reasonable judgments as required by subdivisions (a) to (c).

(e) Adequate requested information for preparation of an environmental impact statement is not submitted.

(f) A satisfactory plan for reduction of emissions during air pollution alerts, warnings and emergencies, as required by Rule 203, is not submitted.

(2) When an application is denied, the applicant shall be notified in writing of the reasons therefor. A denial shall be without prejudice to the applicant's right to a hearing before the commission or for filing a further application after revisions are made to meet objections specified as reasons for the denial.

R 336.1208 Permits to operate (1/18/80)
Rule 208.

(1) Before the commission issues a permit to operate and except as otherwise provided in subrule (4) of rule 201, a person shall not operate a process, fuel-burning or refuse-burning equipment, or an air-cleaning device pertaining thereto which may be a source of an air contaminant.

(2) Not more than 30 days after completion of the installation, construction, reconstruction, relocation, or alteration of a process, fuel-burning or refuse-burning equipment, or an air-cleaning device pertaining thereto which may be a source of an air contaminant, the owner or his authorized agent of the process or device shall apply in writing to the commission for a permit to operate. Completion of the installation, construction, reconstruction, relocation or alteration is deemed to occur not later than commencement of a trial operation pursuant to subrule (4) of Rule 201.

(ii) The national emission standards for hazardous air pollutants, 40 C.F.R. part 61, adopted by reference in R 336.1299.

(iii) The requirements of prevention of significant deterioration of air quality, R 336.2801 to R 336.2819 and R 336.2823.

(iv) The requirements of nonattainment new source review, R 336.2901 to R 336.2903, R 336.2907, and R 336.2908.

(v) The requirements for control technology determinations for major sources in accordance with 40 C.F.R. §63.40 to §63.44 and §63.50 to §63.56, adopted by reference in R 336.1299.

(d) Sufficient information has not been submitted by the applicant to enable the department to make reasonable judgments as required by subdivisions (a) to (c) of this subrule.

(2) When an application is denied, the applicant shall be notified in writing of the reasons therefor. A denial shall be without prejudice to the applicant's right to a hearing pursuant to section 5505(8) of the act or for filing a further application after revisions are made to meet objections specified as reasons for the denial.

History: 1980 AACS; 2003 AACS; 2008 AACS.

R 336.1208 Rescinded.

History: 1980 AACS; 1995 AACS.

September 1, 1978, in standards of performance for new stationary sources, 40 C.F.R. §60.1 to §60.275 (July 1, 1978), and national emission standards for hazardous air pollutants, 40 C.F.R. §61.1 to §61.55 (July 1, 1978)."

Rule 207

(1)(d)

- The federal SIP uses "commission" where the Michigan rules use "department"
- The Michigan rules add language at the end:" of this subrule"

Rule 207

(1)(e)

- There is no subrule (e) in the Michigan rules; in the federal rules concern an environmental impact statement

Rule 207

(1)(f)

- There is no subrule (f) in the Michigan rules; the federal SIP discusses a satisfactory plan for reduction of emissions during air pollution alerts

Rule 207

(2)

- The federal SIP says "before the commission" where the Michigan rules use the language "pursuant to section 5505(8) of the act"

Rule 208

- There is no rule 208 in the Michigan rules

(3) The commission shall issue the permit to operate equipment if, in the judgment of the commission, all of the following conditions are met:

(a) The equipment operates in compliance with the rules of the commission, the clean air act, as amended, 42 U.S.C. §7401 et seq., and the rules promulgated on and before September 1, 1978, in standards of performance for new stationary sources, 40 C.F.R. §60.1 to §60.275 (July 1, 1978), and national emission standards for hazardous air pollutants, 40 C.F.R. §61.1 to §61.55 (July 1, 1978).

(b) The equipment does not interfere with the attainment or maintenance of the air quality standard for any air contaminant.

(c) The equipment is completed in compliance with the permit to install and conditions attached to the permit to install.

(4) The permit to operate continues in effect as long as the equipment performs in accordance with the conditions upon which the permit is based. The commission, at any time after notice and opportunity for a hearing, may rescind its permit to operate; and the equipment shall not be operated if evidence indicates that the equipment is not performing in accordance with the conditions upon which the permit is based.

[No R 336.1208a]

R 336.1208a Limiting potential to emit by registration.

Rule 208a.

(1) A major source may limit potential to emit through a registration process if actual emission threshold levels established in this rule are not exceeded. The actual emissions shall be maintained below the threshold levels during every consecutive 12-month period, beginning with the 12-month period immediately preceding the stationary source's registration pursuant to this rule. The stationary source shall maintain actual emissions less than or equal to all of the following emission threshold levels:

(a) Consistent with the criteria in R 336.1211(1)(a)(i) as follows:

(i) Five tons for each consecutive 12-month period of any hazardous air pollutant that has been listed pursuant to section 112(b) of the clean air act.

Rule 208a

- There is no rule 208a in the federal SIP

(ii) Twelve and one-half tons for each consecutive 12-month period of any combination of hazardous air pollutants that have been listed pursuant to section 112(b) of the clean air act.

(iii) Fifty percent of a lesser quantity as the administrator of the United States environmental protection agency may establish by rule for any hazardous air pollutant listed pursuant to section 112(b) of the clean air act. The department shall maintain, and make available upon request, a list of the hazardous air pollutants for which a lesser quantity criteria has been established.

(b) Consistent with the criteria in R 336.1211(1)(a)(ii), 50 tons for each consecutive 12-month period of each of the following:

- (i) Lead.
- (ii) Sulfur dioxide.
- (iii) Nitrogen oxides.
- (iv) Carbon monoxide.
- (v) PM-10.
- (vi) PM 2.5.
- (vii) Ozone.
- (viii) Volatile organic compounds.
- (ix) An air contaminant regulated pursuant to section 111 of title I of the clean air act.
- (x) Class I and class II substances pursuant to title VI of the clean air act.

(2) The owner or operator shall certify that the emission threshold levels listed in subrule (1) of this rule are accepted as legally enforceable limits, that the stationary source was operated in compliance with the limits for the previous 12-month period and will continue to be operated in compliance during each rolling 12-month period in the future, and that the recordkeeping and reporting requirements specified in subrules (5) and (6) of this rule are being met and will continue to be met. The owner or operator of a stationary source may take into account the operation of air pollution control equipment on the potential to emit of the stationary source if the equipment is registered pursuant to this subrule. By registering under this rule, the owner or operator accepts as a legally enforceable requirement that the control equipment shall be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions in accordance with R 336.1910 and in compliance with any malfunction abatement plan required under R 336.1911. Acceptance of the legally enforceable limits restricts the

stationary source's potential to emit to the levels specified in the registration and supersedes any greater emission limits specified in permit terms and conditions. However, acceptance of the legally enforceable limits does not supersede or affect any other requirements of rules, regulations, permit terms and conditions, or any requirements to obtain a permit to install pursuant to R 336.1201.

(3) The owner or operator shall notify the department of the owner's or operator's acceptance of the provisions of this rule as legally enforceable requirements by submitting a registration form required by the department. Within 30 days of receipt, the department shall notify the owner or operator of the stationary source that the department has received a complete registration form. The owner or operator of a stationary source shall be subject to enforcement action if the department later determines that the stationary source did not meet the criteria for limiting its potential to emit pursuant to this rule at the time the registration was submitted. The information specified in all of the following provisions shall be included in a complete registration form for initial certification:

(a) A description of the process or process equipment, including any control equipment pertaining to the process or process equipment and a list of all associated permits issued by the department or Wayne county.

(b) Documentation sufficient to demonstrate that the emissions from the stationary source are in compliance with the criteria in subrule (1) of this rule.

(c) A statement signed by the person owning or operating the process or process equipment certifying to all of the following:

(i) That, based on information and belief formed after reasonable inquiry, the information on the registration form is true, accurate, and complete.

(ii) That all threshold levels specified in subrule (1) of this rule were met during the preceding 12-month period and will continue to be complied with as legally enforceable conditions for the stationary source and that the recordkeeping and reporting requirements of subrules (5) and (6) of this rule are being met and will continue to be met.

(iii) That, during the preceding 12-month period, the air pollution control equipment was maintained and operated in a manner

consistent with good air pollution control practice for minimizing emissions as specified in subrule (2) of this rule and shall continue to be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions as specified in subrule (2) of this rule.

(4) The certification shall be renewed annually by submittal of a registration form in conjunction with the annual report of emissions required under R 336.202. The registration form shall include a statement certifying compliance during each of the 12-month rolling average periods that ended during that calendar year.

(5) Both of the following recordkeeping requirements shall be met:

(a) The owner or operator of the stationary source shall maintain sufficient records to demonstrate that, after considering the effectiveness of registered control equipment, the actual emissions for the entire stationary source are maintained below each emission threshold level. The records shall include, at a minimum, all of the following:

(i) Information on the process and process equipment, including all of the following information:

(A) The equipment type.

(B) A description.

(C) The make and model.

(D) The maximum design process rate or throughput.

(E) The control device type and a description, if any.

(ii) A monthly log of operating hours, each raw material used and its amount, and each product produced and its production rate.

(iii) Purchase orders, invoices, and other documents to support information in the monthly log.

(iv) Calculations of the actual emission levels on a monthly basis for each pollutant or group of pollutants specified in subrule (1) of this rule. The calculations shall include any processes and emissions at the stationary source that must be included in determining the stationary source's potential to emit pursuant to R 336.1116(m). In the absence of valid continuous emission monitoring data or source test data, actual emissions shall be calculated using methods acceptable to the department, including methods specified in part 10 of these rules.

(b) The records shall be kept on file for the most recent 5-year period and shall be readily

available to the department upon request.

(6) Both of the following reporting requirements shall be met:

(a) The owner or operator of the stationary source shall report the actual annual emissions for the 12-month period that is the calendar year, pursuant to R 336.202. Any emissions data that cannot be provided through the annual report on emissions pursuant to R 336.202 shall be kept on file and shall be readily available to the department upon request.

(b) The owner or operator of the stationary source shall, within 30 days of a written request by the department, provide any additional records necessary to demonstrate that the emissions from the stationary source are not more than the applicable quantities set forth in subrule (1) of this rule. The department shall use the records and the data associated with actual emissions that are provided through the annual report on emissions required pursuant to R 336.202 to evaluate the compliance of the stationary source with the emission threshold limitations established in subrule (1) of this rule.

(7) Failure to comply with any provisions of this rule is a violation of this rule. The registration does not serve as a legally enforceable restriction on potential to emit if a violation of this rule occurs.

(8) A stationary source that has registered pursuant to this rule becomes subject to applicable renewable operating permit requirements for a major source pursuant to R 336.1210 if both of the following conditions are met:

(a) The actual emissions from the stationary source exceed the emission thresholds listed in subrule (1) of this rule that are accepted as emission limitations pursuant to subrule (2) of this rule.

(b) The potential to emit of the stationary source exceeds 100% of a major source emission threshold, pursuant to R 336.1211(1).

(9) Within 30 days of exceeding any emission threshold accepted as a limitation pursuant to subrule (2) of this rule, the person owning or operating the stationary source shall notify the department that he or she will take 1 of the following actions:

(a) Submit an application for a renewable operating permit pursuant to R 336.1210.

(b) Submit an application for a permit to install to otherwise obtain legally enforceable

permit limits pursuant to R 336.1201.
(c) Demonstrate to the satisfaction of the department that the potential to emit of the stationary source does not exceed any major source emission threshold specified in R 336.1211(1)(a).
(10) A complete renewable operating permit application shall be received by the department or the permit action to otherwise obtain legally enforceable limits shall be completed within 12 months of the date of exceedance. However, the stationary source may be immediately subject to applicable federal requirements, including a standard promulgated under section 112 of the clean air act.
(11) Nothing in this rule shall prevent any stationary source that has had a renewable operating permit from qualifying to comply with this rule in the future instead of maintaining a renewable operating permit.
(12) Except for being a major source as defined in R 336.1211(1)(a), this rule shall not relieve any stationary source from the requirement of obtaining a renewable operating permit pursuant to R 336.1210. Additional reasons that a stationary source may be required to obtain a renewable operating permit include being defined as an "affected source" pursuant to R 336.1211(1)(b) or being defined as a "solid waste incineration unit" pursuant to R 336.1211(1)(c).
(13) The department shall maintain, and make available to the public upon request, a list of stationary sources registered pursuant to this rule.

History: 1996 AACS; 2012 MR 10, Eff. June 1, 2012.

[No rule 336.1209]

R 336.1209 Use of old permits to limit potential to emit.
Rule 209. (1) A person may use a permit to install or a permit to operate issued before May 6, 1980, or a Wayne county permit issued before a delegation of authority to Wayne county pursuant to section 14f of the act, to limit the potential to emit of a stationary source to a quantity less than the amount which would cause the stationary source to be subject to the requirements of R 336.1210 by complying with the requirements of subrule (2) of this rule, if the permit meets

Rule 209

- There is no rule 209 in the federal SIP

both of the following requirements:

(a) The permit contains emission limits that are less than the maximum emissions of the process or process equipment operating at full design capacity without air pollution control equipment, and the permit contains a production or operational limit consistent with the requirements of R 336.1205(1)(a).

(b) The potential to emit of the stationary source, including the emissions authorized by the permit, is less than the quantity of emissions that would cause the stationary source to be considered a major source pursuant to R 336.1211(1)(a).

(2) Except as provided by subrule (3) of this rule, a person shall meet both of the following requirements to use a permit to install or permit to operate issued before May 6, 1980, or a Wayne county permit issued before a delegation of authority to Wayne county pursuant to section 14f of the act, to limit the potential to emit of a stationary source:

(a) Submit a written notice to the department, on a form provided by the department, of the intent that the terms and conditions of the permit to install, permit to operate, or the Wayne county permit be used to limit the potential to emit of the stationary source under the provisions of this rule. The written notice shall include a certification signed by the person that the stationary source, process, or process equipment is in full compliance with the permit to install, permit to operate, or the Wayne county permit.

(b) Maintain records, conduct monitoring, and submit reports as required by the permit and as required pursuant to any applicable requirement to show that the stationary source, process, or process equipment is operating in compliance with the terms and conditions of the permit and any applicable requirements.

(3) A person need not notify the department pursuant to subrule (2)(a) of this rule if the potential to emit of the stationary source, including the emissions authorized by the permit to install or permit to operate issued before May 6, 1980, or the Wayne county permit issued before a delegation of authority to Wayne county pursuant to section 14f of the act, is less than 50% of the quantity that would cause the stationary source to be considered a major source pursuant to R 336.1211(1)(a).

History: 1995 AACs.

[No Rule 336.1210]

R 336.1210 Renewable operating permits.
Rule 210.

(1) A person shall not operate any emission units located at a stationary source required to obtain a renewable operating permit under R 336.1211, except in compliance with all applicable terms and conditions of a renewable operating permit, unless a timely and administratively complete application for a renewable operating permit has been received by the department in accordance with the following provisions of this rule. The ability to operate the emission units at a stationary source while a timely and administratively complete application is being reviewed and acted upon by the department shall be referred to as the "application shield." The application shield provided by this subrule shall not apply if an application submittal is not timely under the applicable provision of subrules (4) to (9) of this rule or administratively complete under subrule (2) of this rule or an additional information submittal is not timely or complete under subrule (3) of this rule. The loss of the application shield after the applicable time specified in this rule for a person to have filed a timely and administratively complete application for a renewable operating permit is grounds for enforcement action under the act. Any enforcement action pursuant to loss of the application shield shall consider the time period between the applicable deadline and when a person actually submits the required administratively complete application or additional information.

(2) An application submittal, including an application submittal for renewal or modification of a renewable operating permit, shall be considered an administratively complete application if it contains reasonable responses to all requests for information in the permit application form required by the department and a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the application are true, accurate, and complete. The application form required by the department shall be consistent with the requirements of section 5507 of the act, except as provided for general renewable operating permits under R 336.1218. The application form shall also require a certification of compliance with all applicable requirements, a statement of methods used for determining

Rule 210

- There is no rule 210 in the federal SIP

compliance, including a description of monitoring, recordkeeping and reporting requirements, and test methods, and a statement indicating the stationary source's compliance status with any applicable enhanced monitoring and compliance certification requirements of the clean air act. All of the following provisions apply to the administrative completeness of an application for a renewable operating permit:

(a) On and after November 1, 1995, the department shall notify the person who submitted the application for a renewable operating permit and the responsible official, in writing, regarding the administrative completeness of the application submittal. If the application submittal is considered not to be an administratively complete application by the department, then the notification shall specify the deficiency and all supplemental materials required for an administratively complete application. A person's response to a notification by the department of the incompleteness of an application shall include all of the supplemental materials requested by the department in the notification and a certification by the responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the response are true, accurate, and complete. All of the following provisions apply to department notification:

(i) If the department fails to notify a person that an application submittal, including the submittal of any supplemental materials requested by the department under this subdivision, is not administratively complete by the following deadlines, then the submittal shall be considered an administratively complete application as of the date the department received the submittal or the supplemental materials, whichever is later:

(A) By January 5, 1996, or within 60 days of the date the department receives the submittal, whichever is later, if the submittal is received on the paper forms specified by the department.

(B) By November 15, 1995, or within 15 days of the date the department receives the submittal, whichever is later, if the submittal is received in an electronic format specified by the department.

(ii) If a person submits all of the supplemental materials identified in a notification from the department under this subrule, then the

application shall be considered administratively complete.

(iii) Except as provided in paragraph (i) of this subdivision, the date the department receives all information required for an administratively complete application, including all supplemental materials requested by the department under this subdivision, shall be the date of receipt of the administratively complete application.

(b) Any person who fails to submit any relevant facts or who has submitted incorrect information in an application for a renewable operating permit, including an application for renewal or modification of a renewable operating permit, shall, upon becoming aware of the failure or incorrect submittal, promptly submit all supplementary facts or corrected information. Each submittal of any relevant facts or corrected information shall include a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the submittal are true, accurate, and complete.

(c) A person shall promptly provide any additional information necessary for an administratively complete application for any applicable requirements to which the stationary source becomes subject after the date that the person submitted the administratively complete application, but before release of a draft renewable operating permit for public participation under R 336.1214(3). For administratively complete applications submitted under subrule (4)(e) or (f) of this rule, the information required by this subrule may be maintained by the person and submitted to the department in accordance with the following schedule, unless the department specifically requests that information by an earlier date under subrule (3) of this rule:

(i) By January 1, 1998, for all applications for a renewable operating permit required to be submitted under subrule (4)(e) of this rule and for all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from October 16, 1996, to December 15, 1996.

(ii) By January 1, 1999, for all applications for a renewable operating permit required to be submitted under subrule (4)(f) of this rule and for all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from December

16, 1996, to February 28, 1997. Each submittal of any additional information shall include a certification by the responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the submittal are true, accurate, and complete.

(3) After an application for a renewable operating permit has been determined by the department to be administratively complete, the department may require additional information, including information that was not requested on the application form. For the purpose of this subrule, additional information means information necessary to evaluate or take final action on the application, information needed to determine the applicability of any lawful requirement, information needed to enforce any lawful requirement, information needed to address any applicable requirements to which the stationary source becomes subject after the date that the person submitted the administratively complete application, but before release of a draft renewable operating permit for public participation under R 336.1214(3), or information needed to evaluate the amount of the annual air quality fee for the stationary source. A person's response to a request for additional information by the department shall include all of the information requested by the department in the request and a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the response are true, accurate, and complete. The person who submitted the application for a renewable operating permit for a stationary source shall furnish, within 30 days of the date of the request, any additional information requested, in writing, by the department, except as follows:

(a) A 30-day extension for a response shall be granted if the person requests that extension, in writing, during the initial 30-day time period.

(b) The person may request a longer period of time, in writing, specifying the reasons why 60 days was not reasonable for submitting the requested information.

(c) The department shall provide written notice to the person of the date of expiration of any time period for submittal of all requested additional information as a part of any request for additional information or upon

granting a request for an extension. Failure to submit additional information that has been requested in writing by the department by the expiration of the time period specified for response results in the loss of the application shield specified in subrule (1) of this rule.

(4) For a stationary source that is defined as a major source under R 336.1211(1)(a)(i) to (iii) on or before July 26, 1995, an administratively complete application for a renewable operating permit shall be considered timely if it is received by the department on or before the following deadlines:

(a) By February 29, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 0600-0999 (agricultural services), 1500-1799 (construction), 1800-1999, 2000-2039 (food), 2100-2399 (tobacco and textiles), 2400-2499 (lumber and wood), 2950-2999 (asphalt), 3270-3289 (concrete, lime and gypsum products), 5000-5499 (services), or 5600-7499 (services). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(b) By May 15, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 3000-3099 (rubber and miscellaneous plastic), 5500-5599 (auto dealers and gas service), or 7500-7599 (auto repair). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(c) By July 30, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 3400-3599 (fabricated metal). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(d) By October 15, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 1300-1399 (oil and gas), 2051-2099 (bakeries and food), 2500-2599 (furniture), 2650-2699 (paper products), 3600-3699 (electronic), 4000-4899 (transportation),

7600-7999 (services), 8100-9999 (services). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(e) By December 15, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 1000-1299 (mining), 1400-1499 (nonmetallic mineral mining), 2040-2050 (grain mills and cereal), 2700-2799 (printing), 3100-3199 (leather), 3200-3269 (stone, clay, and glass), 3290-3299 (nonmetallic mineral products), 3700-3710 (transportation equipment), 3714-3799 (transportation equipment), 3800-3999 (miscellaneous manufacturing), 4900-4999 (gas, electric and sanitary services), 8000-8099 (medical). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(f) By February 28, 1997, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 2600-2649 (paper mills), 2800-2899 (chemicals), 2900-2949 (petroleum refining), 3300-3399 (primary metal), 3711-3713 (automobile and truck assembly). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(g) Notwithstanding the deadlines specified in subdivisions (a) to (f) of this subrule, a person who owns or operates 2 or more stationary sources that are subject to the provisions of this rule may request, in writing, an alternate schedule for submittal of timely and administratively complete applications for renewable operating permits for those stationary sources. The proposed schedule shall provide that administratively complete applications for the stationary sources shall be submitted between the dates specified in subdivisions (a) to (f) of this subrule. If agreed to in writing by the department, the alternate schedule shall be the basis for determining whether an administratively complete application is timely pursuant to this rule.

(5) For a stationary source that is defined on

July 1, 2011 as a major source solely due to greenhouse gas emissions under R 336.1211(1)(a)(iv), an administratively complete application for a renewable operating permit shall be considered timely if it is received by the department on or before July 1, 2012.

(6) For a stationary source that becomes a major source, as defined by R 336.1211(1)(a)(i) to (iii), after July 26, 1995, an administratively complete application shall be considered timely if it is received by the department not more than 12 months after the stationary source commences operation as a major source. For a stationary source that becomes a major source, as defined by R 336.1211(1)(a)(iv) for greenhouse gas emissions, after July 1, 2011, an administratively complete application shall be considered timely if it is received by the department not more than 12 months after the stationary source commences operation as a major source. For the purposes of this subrule, commencing operation as a major source occurs upon commencement of trial operation of the new or modified emission unit that increased the potential to emit of the stationary source to more than or equal to the applicable major source definition specified in R 336.1211(1)(a).

(7) For a stationary source that is an affected source under title IV of the clean air act, a complete permit application for an initial phase II acid rain permit shall be considered timely if it is submitted by January 1, 1996, for sulfur dioxide and January 1, 1998, for nitrogen oxides.

(8) For renewal of a renewable operating permit, an administratively complete application shall be considered timely if it is received by the department not more than 18 months, but not less than 6 months, before the expiration date of the current renewable operating permit.

(9) For a stationary source that is not a major source under R 336.1211(1)(a), but is otherwise subject to the requirements of this rule under R 336.1211(1), a complete application is considered timely if it is received by the department in accordance with the following provisions, as applicable:

(a) For an affected source under R 336.1211(1)(b), on or before October 1, 1997.

(b) For a solid waste incineration unit under R 336.1211(1)(c), within 12 months of the date of the promulgation of an applicable

requirement under section 129(a) of the clean air act.

(c) For a municipal solid waste landfill under R 336.1211(1)(d), by whichever is the later of the following dates:

(i) November 1, 1998.

(ii) Within 21 months of the effective date of R 336.1931 for implementing the provisions of 40 C.F.R. part 60, subpart Cc.

(iii) Within 15 months of the date the landfill becomes subject to any of the provisions of 40 C.F.R. part 60, subpart WWW.

(10) For modifications to a renewable operating permit, an administratively complete application shall be considered timely if it is received by the department in accordance with the time frames specified in R 336.1216.

(11) Failure to operate in compliance with all terms and conditions of an operating permit is grounds for enforcement action under the act, permit revocation or revision, or denial of a permit renewal application.

(12) Failure to halt or reduce an activity when necessary to comply with an operating permit is grounds for enforcement action.

(13) Submittal of a complete application for a renewable operating permit does not supersede or affect any requirements to obtain a permit to install under R 336.1201.

(14) A person who submits information to the department as a part of an application for a renewable operating permit under a claim of confidentiality, consistent with the requirements of the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, shall submit a copy of the information directly to the United States environmental protection agency.

(15) Except as provided in this subrule, the department shall take final action on each administratively complete application for a renewable operating permit, including an application for permit renewal, within 18 months after the date of receipt by the department of an administratively complete application. The department shall take final action on each timely and administratively complete application for first time issuance of a renewable operating permit for major sources, submitted under subrule (4)(a) to (f) of this rule, in accordance with the following schedule:

(a) By February 28, 1997, for all applications for a renewable operating permit required to be submitted under subrule (4)(a) and (b) of

this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date on or before May 15, 1996.

(b) By February 28, 1998, for all applications for a renewable operating permit required to be submitted under subrule (4)(c) and (d) of this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from May 16, 1996, to October 15, 1996.

(c) By February 28, 1999, for all applications for a renewable operating permit required to be submitted under subrule (4)(e) of this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from October 16, 1996, to December 15, 1996.

(d) By February 28, 2000, for all applications for a renewable operating permit required to be submitted under subrule (4)(f) of this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from December 16, 1996, to February 28, 1997.

History: 1995 AACS; 1996 AACS; 1999 AACS; 2001 AACS; 2012 MR 10, Eff. June 1, 2012.

Editor's Note: An obvious error in R 336.1210 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2012 MR 10. The memorandum requesting the correction was published in *Michigan Register*, 2012 MR 18.

[No Rule 336.1211]

R 336.1211 Renewable operating permit applicability.

Rule 211.

(1) All of the following stationary sources are subject to the requirements of R 336.1210 to obtain, and only operate in compliance with, a renewable operating permit:

(a) Major sources as defined by any of the following criteria:

(i) A major source under section 112 of the clean air act, which is defined as any stationary source or group of stationary sources located within a contiguous area and under common control that emits, or has the

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- There is no rule 211 in the federal SIP

potential to emit, in the aggregate, any of the following:

(A) Ten tons per year of any hazardous air pollutant that has been listed under section 112(b) of the clean air act.

(B) Twenty-five tons per year of any combination of hazardous air pollutants that have been listed under section 112(b) of the clean air act.

(C) A lesser quantity as the administrator of the United States environmental protection agency may establish by rule for any hazardous air pollutant listed under section 112(b) of the clean air act. The department shall maintain, and make available upon request, a list of the hazardous air pollutants for which a lesser quantity criteria has been established. Emissions from any oil or gas exploration or production well, with its associated equipment, and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not the units are in a contiguous area or under common control, to determine whether the units or stations are major sources under this paragraph. For the purpose of this paragraph, the potential to emit of a stationary source for hazardous air pollutants includes fugitive emissions, regardless of the category of the stationary source.

(ii) A stationary source that directly emits, or has the potential to emit, 100 tons per year or more of any of the following:

(A) Lead.

(B) Sulfur dioxide.

(C) Nitrogen oxides.

(D) Carbon monoxide.

(E) PM-10.

(F) PM 2.5.

(G) Ozone.

(H) Volatile organic compounds.

(I) Any air contaminant regulated under section 111 of title I of the clean air act.

(J) Any class I and class II substances under title VI of the clean air act. For the purpose of this paragraph, the fugitive emissions of a stationary source shall not be considered in determining whether the stationary source is a major source, unless the stationary source belongs to 1 of the categories listed in the definition of potential to emit in R 336.1116.

(iii) A major stationary source, as defined in part d of title I of the clean air act and R 336.2901(t), including, for ozone nonattainment areas, stationary sources that

have the potential to emit 100 tons per year or more of volatile organic compounds or oxides of nitrogen in areas classified as marginal or moderate.

(iv) A stationary source that directly emits, or has the potential to emit, greenhouse gas (GHG) emissions that equal or exceed both of the following:

(A) 100,000 tons per year carbon dioxide equivalent (CO₂e) emissions on a global warming potential basis.

(B) 100 tons per year greenhouse gases on a mass basis. For the purpose of this paragraph, the following definitions apply:

(1) GHG is the air pollutant defined as the aggregate group of 6 greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(2) CO₂e shall represent an amount of GHGs emitted, and shall be computed by multiplying the mass amount of emissions in tons per year, for each of the 6 greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at 40 C.F.R. part 98, Table A-1 to subpart A - Global Warming Potentials, adopted by reference in R 336.1299, and summing the resultant value for each to compute a tons per year CO₂e. For purposes of this paragraph, prior to July 21, 2014, the mass of the greenhouse gas carbon dioxide shall not include carbon dioxide emissions resulting from the combustion or decomposition of non-fossilized and biodegradable organic material originating from plants, animals, or micro-organisms (including products, by-products, residues and waste from agriculture, forestry, and related industries, as well as the nonfossilized and biodegradable organic fractions of industrial and municipal wastes, including gases and liquids recovered from the decomposition of non-fossilized and biodegradable organic material). For the purpose of this paragraph, the fugitive emissions of a stationary source shall not be considered in determining whether the stationary source is a major source, unless the stationary source belongs to 1 of the categories listed in the definition of potential to emit in R 336.1116.

(b) Any affected source as defined in section 402 of the clean air act.

(c) Any solid waste incineration unit, as defined in section 129(g) of the clean air act, that is required to obtain a renewable

operating permit under section 129(e) of the clean air act.

(d) Any municipal solid waste landfill that has a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters.

(e) Any Portland cement plant subject to 40 C.F.R. part 63, subpart LLL, national emission standards for hazardous air pollutants from the Portland cement manufacturing industry, adopted by reference in R 336.1299, including both of the following:

(i) Each kiln and each in-line kiln/raw mill at any Portland cement plant, including alkali bypasses, except for kilns and in-line kiln/raw mills that burn hazardous waste and are subject to and regulated under 40 C.F.R. part 63, subpart EEE, national emission standards for hazardous air pollutants from hazardous waste combustors, adopted by reference in R 336.1299.

(ii) Each Greenfield raw material dryer.

(f) Any stationary source in a source category designated by the administrator of the United States environmental protection agency under 40 C.F.R. 70.3, adopted by reference in R 336.1299.

(2) For the purposes of determining the applicability of R 336.1210, the potential to emit of a stationary source shall be the sum of the potential to emit of all process and process equipment located at the stationary source.

(3) The following stationary sources are exempted from the obligation to obtain a renewable operating permit under R 336.1210:

(a) All stationary sources and source categories for which the person owning or operating the stationary source would be required to obtain a permit solely because the stationary source is subject to 40 C.F.R. part 60, subpart AAA, standards of performance for new residential wood heaters, adopted by reference in R 336.1299.

(b) All stationary sources and source categories for which the person owning or operating the stationary source would be required to obtain a permit solely because the stationary source is subject to 40 C.F.R. part 61, subpart M, national emission standard for hazardous air pollutants for asbestos, and 61.145, standard for demolition and renovation, adopted by reference in R 336.1299.

History: 1995 AACS; 1996 AACS; 1998-

<p>[No R 336.1212]</p>	<p>2000 AACS; 2001 AACS; 2008 AACS; 2012 MR 10, Eff. June 1, 2012.</p> <p>R 336.1212 Administratively complete applications; insignificant activities; streamlining applicable requirements; emissions reporting and fee calculations.</p> <p>Rule 212.</p> <p>(1) A timely and administratively complete application for a stationary source subject to the requirements of R 336.1210 shall meet the requirements of R 336.1210(2) and shall contain all information that is necessary to implement and enforce all applicable requirements that include a process-specific emission limitation or standard or to determine the applicability of those requirements.</p> <p>(2) All of the following activities are considered to be insignificant activities at a stationary source and need not be included in an administratively complete application for a renewable operating permit:</p> <p>(a) Repair and maintenance of grounds and structures.</p> <p>(b) All activities and changes pursuant to R 336.1285(a) to (f); however, if any compliance monitoring requirements in the renewable operating permit would be affected by the change, then application shall be made to revise the permit pursuant to R 336.1216.</p> <p>(c) All activities and changes pursuant to R 336.1287(f) to (h); however, if any compliance monitoring requirements in the renewable operating permit would be affected by the change, then application shall be made to revise the permit pursuant to R 336.1216.</p> <p>(d) Use of office supplies.</p> <p>(e) Use of housekeeping and janitorial supplies.</p> <p>(f) Sanitary plumbing and associated stacks or vents.</p> <p>(g) Temporary activities related to the construction or dismantlement of buildings, utility lines, pipelines, wells, earthworks, or other structures.</p> <p>(h) Storage and handling of drums or other transportable containers that are sealed during storage and handling.</p> <p>(i) Fire protection equipment, fire fighting and training in preparation for fighting fires. Prior approval by the department for open burning</p>	<p>Rule 212</p> <ul style="list-style-type: none"> • There is no rule 212 in the federal SIP
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associated with training in preparation for fighting fires is required pursuant to R 336.1310.

(j) Use, servicing, and maintenance of motor vehicles, including cars, trucks, lift trucks, locomotives, aircraft, or watercraft, except where the activity is subject to an applicable requirement. The applicable requirement or the emissions of those air contaminants addressed by the applicable requirement shall be included in a timely and administratively complete application pursuant to R 336.1210. Examples of applicable requirements may include an applicable requirement for a fugitive dust control or operating program or an applicable requirement to include fugitive emissions pursuant to R 336.1211(1)(a)(ii). For the purpose of this subdivision, the maintenance of motor vehicles does not include painting or refinishing.

(k) Construction, repair, and maintenance of roads or other paved or unpaved areas, except where the activities are subject to an applicable requirement. The applicable requirement or the emissions of the air contaminants addressed by the applicable requirement shall be included in a timely and administratively complete application pursuant to R 336.1210. Examples of applicable requirements include an applicable requirement for a fugitive dust control or operating program or an applicable requirement to include fugitive emissions pursuant to R 336.1211(1)(a)(ii).

(l) Piping and storage of sweet natural gas, including venting from pressure relief valves and purging of gas lines.

(3) The following process or process equipment need not be included in an administratively complete application for a renewable operating permit, unless the process or process equipment is subject to applicable requirements that include a process-specific emission limitation or standard:

(a) All cooling and ventilation equipment listed in R 336.1280.

(b) Cleaning, washing, and drying equipment listed in R 336.1281(a) to (f) and (i).

(c) Electrically heated furnaces, ovens, and heaters listed in R 336.1282(a).

(d) All other equipment listed in R 336.1283.

(e) Containers listed in R 336.1284(a), (c), (d), (h), and (j) to (m).

(f) Miscellaneous equipment listed in R 336.1285(h) to (p), (r) to (t), (v) to (ii), (kk), and (ll) except for externally vented

equipment listed in R 336.1285(l)(vi).

(g) All plastic processing equipment listed in R 336.1286.

(h) Surface coating equipment listed in R 336.1287(b), (d), (e), (i), (j), and (k).

(i) All oil and gas processing equipment listed in R 336.1288.

(j) Asphalt and concrete production equipment listed in R 336.1289(a) to (c).

(4) Unless subject to a process-specific emission limitation or standard, all of the following process or process equipment need only be listed in an administratively complete application for a renewable operating permit. The list shall include a description of the process or process equipment, including any control equipment pertaining to the process or process equipment, the source classification code (SCC), and a reference to the subdivision of this subrule that identifies the process or process equipment:

(a) Cleaning, washing, and drying equipment listed in R 336.1281(g), (h), and (j).

(b) Fuel-burning furnaces, ovens, and heaters listed in R 336.1282.

(c) Containers listed in R 336.1284(b), (e), (f), (g), and (i).

(d) Miscellaneous process or process equipment listed in R 336.1285(g), (q), (u), and (jj) and externally vented process equipment listed in R 336.1285(l)(vi).

(e) Surface-coating equipment listed in R 336.1287(a) and (c).

(f) Concrete batch production equipment listed in R 336.1289(d).

(g) Process or process equipment which has limited emissions and which is listed in R 336.1290.

(5) As a part of an application for a renewable operating permit, a person may seek to establish that certain terms or conditions of a permit to install, permit to operate, or order entered pursuant to the act are not appropriate to be incorporated into the renewable operating permit or should be modified to provide for consolidation or clarification of the applicable requirements. An application for a renewable operating permit may include information necessary to demonstrate any of the following:

(a) That a term or condition of a permit to install, permit to operate, or order entered pursuant to the act is no longer an applicable requirement.

(b) That a term or condition of a permit to install, permit to operate, or order entered

pursuant to the act should be modified to provide for consolidation or clarification of the applicable requirement. A person shall demonstrate that the modification results in enforceable applicable requirements which are equivalent to the applicable requirements contained in the original permit or order and that the equivalent requirements do not violate any other applicable requirement.

(c) That the equipment should be combined into emission units different from the emission units contained in a permit to install, permit to operate, or order entered pursuant to the act to provide for consolidation or clarification of the applicable requirement. A person shall demonstrate that the realignment of the emission units results in enforceable applicable requirements which are equivalent to the applicable requirements contained in the original permit or order and that the equivalent requirements do not violate any other applicable requirement.

(6) Beginning with the annual report of emissions required pursuant to R 336.202 and section 5503(k) of the act for calendar year 1995, or the first calendar year after a stationary source becomes a major source as defined by R 336.1211(1)(a), whichever is later, each stationary source subject to the requirements of this rule shall report the emissions, or the information necessary to determine the emissions, of each regulated air pollutant. The information shall be submitted utilizing the emissions inventory forms provided by the department. For the purpose of this subrule, "regulated air pollutant" means all of the following:

(a) Nitrogen oxides or any volatile organic compound.

(b) A pollutant for which a national ambient air quality standard has been promulgated under the clean air act.

(c) A pollutant that is subject to any standard promulgated under section 111 of the clean air act.

(d) A class I or II substance that is subject to a standard promulgated under or established by title VI of the clean air act.

(e) A pollutant that is subject to a standard promulgated under section 112 or other requirements established under section 112 of the clean air act, except for pollutants regulated solely pursuant to section 112(r) of the clean air act. Pollutants subject to a standard promulgated or other requirements established under section 112 of the clean air

act include both of the following:

(i) A pollutant that is subject to requirements under section 112(j) of the clean air act. If the administrator of the United States environmental protection agency fails to promulgate a standard by the date established pursuant to section 112(e) of the clean air act, any pollutant for which a stationary source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to section 112(e) of the clean air act.

(ii) A pollutant for which the requirements of section 112(g)(2) of the clean air act have been met, but only with respect to the specific stationary source that is subject to the section 112(g)(2) requirement.

(7) For the purpose of calculating the annual air quality fee pursuant to section 5522 of the act, the actual emissions of a fee-subject air pollutant from all process or process equipment shall be determined. However, the actual emissions of a feesubject air pollutant from process or process equipment listed pursuant to subrules (2) to (4) of this rule need not be calculated unless either of the following provisions is met:

(a) The process or process equipment is subject to a process-specific emission limitation or standard for the specific fee-subject air pollutant.

(b) The actual emissions from the process or process equipment exceed 10% of significant, as defined in R 336.1119(e), for that air pollutant.

History: 1995 AACS; 1996 AACS; 2001 AACS; 2003 AACS.

[No R 336.1213]

R 336.1213 Content of renewable operating permit.
Rule 213.
(1) Each renewable operating permit shall include all of the following general provisions:

(a) A person shall comply with all conditions of the renewable operating permit. Any permit noncompliance constitutes a violation of the act and is grounds for enforcement action, for permit revocation or revision, or for denial of the renewal of a renewable operating permit. All terms and conditions of a renewable operating permit that are designated in the permit as federally enforceable pursuant to subrule (5) of this rule, are enforceable by the

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administrator of the United States environmental protection agency and by citizens under the provisions of the clean air act.

(b) It shall not be a defense for a person in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(c) The renewable operating permit may be modified, revised, or revoked for cause. The filing of a request by a person for a permit modification, revision, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. This does not supersede or affect the ability of a person to make changes, at the person's own risk, pursuant to R 336.1215 and R 336.1216.

(d) A person shall allow the department or an authorized representative of the department, upon presentation of credentials and other documents as may be required by law and upon stating the authority for and purpose of the investigation, to perform any of the following activities:

(i) Enter, at reasonable times, a stationary source or other premises where emissions related activity is conducted or where records must be kept under the conditions of the permit.

(ii) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

(iii) Inspect, at reasonable times, any of the following:

(A) Any stationary source.

(B) Any emission unit.

(C) Any equipment, including monitoring and air pollution control equipment.

(D) Any work practices or operations regulated or required under the renewable operating permit.

(iv) As authorized by section 5526 of the act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(e) A person shall furnish to the department, within a reasonable time, any information that the department may request, in writing, to determine whether cause exists for modifying, revising, or revoking the permit or to determine compliance with the permit. Upon request, a person shall also furnish to the department copies of any records that are

required to be kept as a term or condition of the renewable operating permit. For information which is claimed by the person to be confidential, consistent with the requirements of 1976 PA 442, MCL 15.231, and known as the freedom of information act, the person may also be required to furnish the records directly to the United States environmental protection agency together with a claim of confidentiality.

(f) A challenge by any person, the administrator of the United States environmental protection agency, or the department to a particular condition or a part of a renewable operating permit shall not set aside, delay, stay, or in any way affect the applicability or enforceability of any other condition or part of the renewable operating permit.

(g) A person shall pay fees consistent with the fee schedule and requirements pursuant to section 5522 of the act.

(h) The renewable operating permit does not convey any property rights or any exclusive privilege.

(i) Federally enforceable permit to install terms and conditions incorporated into the renewable operating permit are identified within the renewable operating permit as being established pursuant to R 336.1201.

(2) Each renewable operating permit shall contain emission limits and standards, including operational requirements and limits that ensure compliance with all applicable requirements at the time of permit issuance. In addition, each renewable operating permit may contain additional limits agreeable to both the applicant and the department, provided that these limits are not contrary to R 336.1213 or the clean air act. The following provisions apply to emission limits and standards:

(a) The renewable operating permit shall specify and reference the underlying applicable requirement for each term or condition and identify any difference in form as compared to the applicable requirement upon which the term or condition is based.

(b) The renewable operating permit shall state that, where an applicable requirement is more stringent than an applicable requirement of regulations promulgated for affected sources under title IV of the clean air act, both provisions shall be incorporated into the permit.

(c) If the state implementation plan allows for

an alternative emission limit that is equivalent to the limit contained in the state implementation plan, any renewable operating permit containing the equivalent alternative emission limit shall contain terms and conditions to ensure that any such emission limit is quantifiable, accountable, enforceable, and based on replicable procedures.

(d) Any term or condition established as a limit on the potential to emit of the stationary source shall be consistent with the requirements of R 336.1205(1)(a). For each such limit on the potential to emit of the stationary source, the permit shall specify and reference any requirements that would otherwise be applicable to the source or emission unit.

(3) The renewable operating permit shall contain terms and conditions necessary to ensure that sufficient testing, monitoring, recordkeeping, reporting, and compliance evaluation activities will be conducted to determine the status of compliance of the stationary source with the emission limitations and standards contained in the renewable operating permit. The following provisions apply to testing, monitoring, recordkeeping, reporting, and compliance evaluation activities:

(a) With respect to testing and monitoring, each renewable operating permit shall contain terms and conditions necessary to ensure compliance with all of the following:

(i) The use of all emissions monitoring and analysis procedures or test methods required by the applicable requirements, including 40 C.F.R. part 64 and any other procedures and methods promulgated pursuant to sections 504(b) or 114(a)(3) of the clean air act. Title 40 C.F.R. part 64 is adopted by reference in R 336.1299. If more than 1 monitoring or testing requirement applies, the permit may specify a streamlined set of monitoring or testing requirements, provided the specified monitoring or testing is adequate to assure compliance at least to the same extent as the monitoring or testing applicable requirements that were not included in the permit as a result of such streamlining.

(ii) Where the applicable requirement does not require periodic testing or instrumental or noninstrumental monitoring, which may consist of recordkeeping designed to serve as monitoring, the use of periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of

the stationary source's compliance with the permit, as reported pursuant to subrule (3)(c) of this rule. The monitoring requirements shall ensure use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement. Recordkeeping provisions shall be sufficient to meet the requirements of subrule (3)(b) of this rule.

(iii) As necessary, requirements concerning the use, maintenance, and, where appropriate, installation of monitoring equipment or methods.

(b) With respect to recordkeeping, each renewable operating permit shall contain terms and conditions necessary to ensure compliance with the recordkeeping requirements specified in the applicable requirements. Each renewable operating permit shall also contain terms and conditions that require, where appropriate, both of the following:

(i) Records of any periodic emission or parametric monitoring that include all of the following information:

- (A) The date, location, time, and method of sampling or measurements.
- (B) The dates analyses of the samples were performed.
- (C) The company or entity that performed the analyses of the samples.
- (D) The analytical techniques or methods used.
- (E) The results of the analyses.
- (F) The related operating conditions or parameters that existed at the time of sampling or measurement.

(ii) Retention of records of all required monitoring data and support information for a period of not less than 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings, or other original data records, for continuous monitoring instrumentation and copies of all reports required by the renewable operating permit.

(c) With respect to reporting and the certification of reports, each renewable operating permit shall contain terms and conditions necessary to insure compliance with the reporting requirements specified in the applicable requirements. Except as provided subdivision (iii)(B) of this subdivision, any document, including reports,

required to be submitted to the department as a term or condition of a renewable operating permit shall include a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Each renewable operating permit shall also contain terms and conditions for all of the following:

(i) The submittal of reports of any required monitoring at least once every 6 months. All instances of deviations from permit requirements during the reporting period shall be clearly identified in the reports. Each report submitted pursuant to this subdivision shall include a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

(ii) The prompt reporting of deviations from permit requirements. Prompt reporting shall be defined as follows, unless otherwise provided in the renewable operating permit:

(A) For deviations that exceed the emissions allowed under the renewable operating permit, prompt reporting means reporting consistent with the requirements of R 336.1912. All reports submitted pursuant to this paragraph shall be promptly certified as specified in paragraph (iii) of this subdivision.

(B) For deviations which exceed the emissions allowed under the renewable operation permit and which are not reported pursuant to R 336.1912 due to the duration of the deviation, prompt reporting means the reporting of all deviations in the reports required by paragraph (i) of this subdivision. The report shall describe reasons for each deviation and the actions taken to minimize or correct each deviation.

(C) For deviations that do not exceed the emissions allowed under the renewable operating permit, prompt reporting means the reporting of all deviations in the reports required by paragraph (i) of this subdivision. The report shall describe the reasons for each deviation and the actions taken to minimize or correct each deviation.

(iii) For reports required pursuant to paragraph (ii) of this subdivision, prompt certification of the reports means either of the following:

(A) Submitting a certification by a responsible official with each report which states that, based on information and belief formed after

reasonable inquiry, the statements and information in the report are true, accurate, and complete.

(B) Submitting, within 30 days following the end of a calendar month during which 1 or more prompt reports of deviations from the emissions allowed under the permit were submitted to the department pursuant to paragraph (ii) of this subdivision, a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information contained in each of the reports submitted during the previous month were true, accurate, and complete. The certification shall include a listing of the reports that are being certified. Any report submitted pursuant to paragraph (ii) of this subdivision that will be certified on a monthly basis pursuant to this paragraph shall include a statement that certification of the report will be provided within 30 days following the end of the calendar month.

(4) With respect to compliance, each renewable operating permit shall contain terms and conditions necessary to ensure each of the following:

(a) Incorporation into the renewable operating permit of a schedule of compliance.

(b) For a stationary source that is not in compliance with all applicable requirements at the time of issuance of a renewable operating permit, the submission of progress reports to the department, consistent with an applicable schedule of compliance, at least semiannually or more frequently if specified in an applicable requirement or by the department in the permit. Progress reports shall contain the information specified in both of the following provisions:

(i) The date or dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and the date or dates when the activities, milestones, or compliance were achieved.

(ii) An explanation of why any dates in the schedule of compliance were not or will not be met and a description of any preventive or corrective measures adopted.

(c) A requirement that, at least annually, or more frequently if specified in an applicable requirement or by the department in the renewable operating permit, the responsible official shall certify, in writing, to the department and to the United States environmental protection agency, that the

stationary source is and has been in compliance with all terms and conditions contained in the renewable operating permit, except for any deviations from compliance that have been or are being reported to the department. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. Each certification of compliance shall include all of the following information:

- (i) The identification of each term or condition of the permit that is the basis of the certification.
- (ii) The compliance status of the stationary source with respect to each identified term or condition.
- (iii) Whether compliance was continuous or intermittent.
- (iv) The methods used for determining the compliance status of the stationary source, currently and over the reporting period consistent with subrules (3)(a), (b), and (c) of this rule.
- (v) Other facts as the department may require in the permit that are necessary to determine the compliance status of the stationary source.

(5) Each renewable operating permit shall provide for the following:

- (a) Each renewable operating permit shall specifically designate as not being enforceable under the clean air act any terms and conditions included in the permit that are not required under the clean air act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements for review by the United States environmental protection agency or affected states under R 336.1214.
- (b) Each renewable operating permit shall specifically designate each federally enforceable applicable requirement previously established in a permit to install pursuant to R 336.1201.

(6) Both of the following provisions apply to permit shields:

- (a) Except as provided in subdivision (b) of this subrule, each renewable operating permit shall include a permit shield provision stating that compliance with the conditions of the permit shall be considered compliance with any applicable requirements as of the date of permit issuance, if either of the following provisions is satisfied:
 - (i) The applicable requirements are included

and are specifically identified in the permit.

(ii) The permit includes a determination or a concise summary of the determination by the department that other specifically identified requirements are not applicable to the stationary source.

(b) Nothing in this subrule or in any renewable operating permit shall alter or affect any of the following:

(i) The provisions of section 303 of the clean air act, emergency orders, including the authority of the administrator of the United States environmental protection agency under that section.

(ii) The liability of an owner or operator of a stationary source for any violation of applicable requirements before or at the time of permit issuance.

(iii) The applicable requirements of the acid rain program, consistent with section 408(a) of the clean air act.

(iv) The ability of the United States environmental protection agency to obtain information from a stationary source pursuant to section 114 of the clean air act.

(7) Each renewable operating permit shall be issued for a fixed term of not more than 5 years. Renewable operating permits that have terms of less than 5 years may be issued with the agreement of the department and the permit applicant. The terms and conditions of a renewable operating permit for affected sources under title IV of the clean air act that address the requirements of title IV shall be issued for a term of 5 years. The date of expiration of the renewable operating permit shall be specified in the permit.

(8) A renewable operating permit shall include terms and conditions that allow a stationary source to switch its operation between reasonably anticipated operating scenarios if the scenarios have been identified by the stationary source in its application and found to be approvable by the department. The terms and conditions shall provide for all of the following:

(a) Require the stationary source, contemporaneously with making a change from one operating scenario to another, to record, in a log at the stationary source, a record of the scenario under which the source is operating.

(b) Extend the permit shield described in subrule (6) of this rule to all terms and conditions under each approved operating scenario.

(c) Ensure that the terms and conditions of each approved alternative scenario meet all applicable requirements.

(9) A renewable operating permit shall include terms and conditions for the trading of emissions increases and decreases among process emission units within the stationary source solely for the purpose of complying with an emissions cap that is established in the permit independent of otherwise applicable requirements, if the terms and conditions have been requested by a person in an application for a renewable operating permit. If a person wishes to include the terms and conditions in a renewable operating permit, the permit application shall include proposed replicable procedures and permit terms that the person believes ensure the emissions trades are quantifiable and enforceable. The terms and conditions shall include those necessary to meet the requirements of subrules (2) to (4) of this rule. The department shall not be required to include in the emissions trading provisions any emission units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades. The permit shall also require compliance with all applicable requirements. Both of the following provisions apply to the trading of emissions increases and decreases among emission units solely for the purpose of complying with an emissions cap:

(a) A written notification to the department and the United States environmental protection agency is required 7 days in advance of any emissions trade under this subrule. The notice shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.

(b) The permit shield described in subrule (6) of this rule shall extend to terms and conditions that allow the increases and decreases in emissions.

(10) In addition to the other requirements of this rule, each renewable operating permit for an affected source under title iv of the clean air act shall include a permit condition prohibiting emissions exceeding any allowances that an affected source lawfully holds as of the allowance transfer deadline pursuant to the federal acid rain program, adopted by reference in R 336.1299. All of the following apply to allowances:

(a) A permit revision shall not be required for increases in emissions that are authorized by allowances acquired pursuant to title IV of the clean air act if the increases do not require a permit revision under any other applicable requirement.

(b) A limit shall not be placed on the number of allowances held by the affected source. The affected source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

(c) Any allowance shall be accounted for according to the procedures established in regulations promulgated under title IV of the clean air act.

(11) A renewable operating permit for a temporary source may authorize emissions from a stationary source at multiple temporary locations. An affected source under title IV of the clean air act shall not be permitted as a temporary source. In addition to the other requirements of this rule, permits for temporary sources shall include all of the following provisions:

(a) Conditions that will assure compliance with all applicable requirements at all authorized locations.

(b) Requirements that the owner or operator notify the department not less than 10 days in advance of each change in location.

(c) Conditions that assure compliance with all other provisions of this rule.

(12) A renewable operating permit shall contain terms and conditions allowing for emission averaging and emission reduction credit trading pursuant to any applicable interstate or regional emissions trading program that has been approved by the administrator of the United States environmental protection agency as a part of Michigan's state implementation plan.

History: 1995 AACS; 1996 AACS; 2001 AACS; 2008 AACS.

[No R 336.1214]

R 336.1214 Approval of a renewable operating permit.
Rule 214.

(1) After the department has received an administratively complete application and all additional information requested by the department pursuant to R 336.1210(3) for a renewable operating permit, significant modification to a renewable operating permit,

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- There is no rule 214 in the federal SIP

or the renewal of a renewable operating permit, the department shall prepare a draft permit and a report that sets forth the applicable requirements and factual basis for the draft permit terms and conditions. The report shall include citations of the applicable requirements, an explanation of any equivalent requirements or other changes included in the draft permit pursuant to R 336.1213(2), and any determination made pursuant to R 336.1213(6)(a)(ii) regarding requirements that are not applicable to the stationary source where the draft permit contains only a summary of the determination.

(2) The person who applied for the renewable operating permit shall be provided with a reasonable period of time, but not less than 7 days nor more than 30 days, to review and comment on the draft renewable operating permit, draft renewable operating permit significant modification, or draft renewable operating permit renewal before the start of the public participation procedure specified in subrule (3) of this rule. If the person and the department cannot agree on the terms and conditions of the draft renewable operating permit, the terms and conditions that the department believes are necessary to comply with the requirements of R 336.1213 shall be incorporated into the draft renewable operating permit and the report required by subrule (1) of this rule shall include a discussion of the person's objections.

(3) Except for modifications qualifying for administrative permit amendment procedures pursuant to R 336.1216(1) or minor permit modification procedures pursuant to R 336.1216(2), the draft renewable operating permit, draft renewable operating permit modification, or the draft renewable operating permit renewal shall be subjected to the following public participation procedure before the department submits a proposed renewable operating permit to the United States environmental protection agency for review pursuant to subrule (6) of this rule:

(a) The department shall provide public notice by publication in a newspaper of general circulation in the area where the stationary source is located or in a state publication designed to give general public notice. Notice shall also be provided to persons on a mailing list maintained by the department, including persons who request, in writing, to be on that list, and to any person who requests, in writing, to be notified of a permit action

involving a specific stationary source.

(b) The notice shall set forth all of the following information:

- (i) The name of the stationary source.
- (ii) The name and mailing address of the responsible official.
- (iii) The mailing address of the department.
- (iv) The activity or activities involved in the proposed permit action.
- (v) The emissions change involved in any permit modification.
- (vi) The name, address, and telephone number of a representative of the department from whom interested persons may obtain additional information, including copies of the draft permit, the report required under subrule (1) of this rule, and, to the extent provided by the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, the application and any other materials available to the department that are relevant to the permit decision.
- (vii) A brief description of the procedures to submit comments.
- (viii) The time and place of any hearing that may be held, including a statement of the procedures to request a hearing, unless a hearing has already been scheduled.

(c) The department shall provide not less than 30 days for public comment and shall give notice of any public hearing not less than 30 days in advance of the hearing.

(d) The department shall keep a record of the commenter's and the issues raised during the public participation process and the records shall be available to the public.

(4) The department shall give notice of each draft permit to any affected state on or before the time that the department provides notice to the public pursuant to subrule (3) of this rule, unless R 336.1216(2) requires the timing of the notice to be different. The department shall notify the administrator of the United States environmental protection agency and any affected state, in writing, of any refusal by the department to accept all recommendations for the proposed permit that the affected state submitted during the public comment period specified in subrule (3)(c) of this rule. The notice shall include the department's reasons for not accepting any recommendation. The department is not required to accept recommendations that are not based on applicable requirements.

(5) After the completion of the public participation procedure specified in subrule

(3) of this rule and the review by affected states specified in subrule (4) of this rule, the department shall prepare a proposed renewable operating permit, proposed renewable operating permit significant modification, or proposed renewable operating permit renewal. If the proposed renewable operating permit differs from the draft renewable operating permit in response to substantial and relevant comments from the public or affected states, the person who applied for the renewable operating permit shall be provided with a reasonable period of time, but not less than 7 days nor more than 30 days, to review and comment on the changes before the transmittal of the proposed renewable operating permit to the United States environmental protection agency for review. If the person and the department cannot agree on the changes to the proposed renewable operating permit, the changes that the department believes are necessary to comply with the requirements of R 336.1213 shall be incorporated into the proposed renewable operating permit and the person's objections shall be included in the information transmitted to the United States environmental protection agency for review.

(6) Except as provided in 40 C.F.R. 70.8(a)(1) and (2), adopted by reference in R 336.1299, and as provided in R 336.1210(14), the department shall transmit a copy of each administratively complete application for a renewable operating permit, including any application for a significant modification to a renewable operating permit or for renewal of a renewable operating permit, all additional information submitted pursuant to R 336.1210(3), the report prepared pursuant to subrule (1) of this rule, and the proposed renewable operating permit to the United States environmental protection agency. The department shall not take a final action to issue a renewable operating permit until 45 days after the United States environmental protection agency has received all the information specified in this subrule and subrule (4) of this rule. If the administrator of the United States environmental protection agency objects, in writing, to the renewable operating permit before the end of the 45-day review period specified in this subrule, the department shall not issue the renewable operating permit until the administrator's objection has been resolved. The department shall follow the procedure specified in 40

C.F.R. 70.8(c), adopted by reference in R 336.1299, to resolve the objection. The application shield provided by R 336.1210(1) shall continue to apply to the stationary source, consistent with the provisions of R 336.1210, until the department takes final action on the renewable operating permit.

(7) The department shall make a final decision to issue or deny a renewable operating permit, a significant modification to a renewable operating permit, or the renewal of a renewable operating permit after completion of the review by the United States environmental protection agency specified in subrule (6) of this rule. The final renewable operating permit shall contain all terms and conditions determined by the department to be necessary pursuant to R 336.1213, after consideration of all comments received during public participation pursuant to subrule (3) of this rule and affected state review pursuant to subrule (4) of this rule, including any terms and conditions necessary to resolve any objection by the administrator of the United States environmental protection agency pursuant to subrule (6) of this rule. The department shall transmit a copy of each final renewable operating permit to the United States environmental protection agency. A person aggrieved by the issuance, denial, modification, or renewal of a renewable operating permit may appeal the final decision as provided in section 5506(14) of the act.

(8) Any person may petition the administrator of the United States environmental protection agency to make an objection regarding a renewable operating permit pursuant to 40 C.F.R. 70.8(d), adopted by reference in R 336.1299. The petition shall be filed within 60 days after the expiration of the administrator's 45-day review period specified in subrule (6) of this rule and 40 C.F.R. 70.8(c), adopted by reference in R 336.1299. The petition shall be based only on an objection to the renewable operating permit that was raised with reasonable specificity during the public comment period provided for in subrule (3)(c) of this rule, unless the petitioner demonstrates that it was impracticable to raise the objection during the public comment period or unless the grounds for the objection arose after the public comment period. A petition for review does not stay the effectiveness of a renewable operating permit or its requirements if the renewable operating permit was issued after the end of the 45-day review period and

<p>[No R 336.1214a]</p>	<p>before the department received an objection by the administrator. If the administrator of the United States environmental protection agency objects to the renewable operating permit as a result of a petition filed pursuant to 40 C.F.R. 70.8(d), adopted by reference in R 336.1299, before the department has issued the renewable operating permit, the department shall not issue the renewable operating permit until the administrator's objection has been resolved. The application shield provided by R 336.1210(1) shall continue to apply to the stationary source, consistent with the provisions of R 336.1210, until the department takes final action on the renewable operating permit. If the administrator of the United States environmental protection agency objects to the renewable operating permit as a result of a petition filed pursuant to 40 C.F.R. 70.8(d) after the department has issued the renewable operating permit, the department shall follow the procedure specified in 40 C.F.R. 70.7(g), adopted by reference in R 336.1299, to resolve the objection.</p> <p>History: 1995 AACS; 1996 AACS; 2001 AACS; 2008 AACS; 2012 MR 10, Eff. June 1, 2012.</p> <p>R 336.1214a Consolidation of permits to install within renewable operating permit. Rule 214a. (1) The department shall issue a source-wide permit to install concurrent with each issuance and renewal of a renewable operating permit pursuant to R 336.1214 and each reissuance of a renewable operating permit pursuant to R 336.1217(2)(b). The source-wide permit to install shall be contained in the same document as the renewable operating permit. The source-wide permit to install shall specifically identify, consolidate, and incorporate all federally enforceable terms and conditions of existing permits to install into the renewable operating permit in accordance with the provisions of R 336.1212(5) and the permit content requirements of R 336.1213. (2) The source-wide permit to install is updated whenever a new process-specific permit to install is incorporated into the renewable operating permit in accordance with the provisions of R 336.1216. (3) Both of the following provisions apply to</p>	<p>Rule 214a</p> <ul style="list-style-type: none"> • There is no rule 214a in the federal SIP
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the incorporation of terms and conditions of a permit to install into a renewable operating permit:

(a) Within the renewable operating permit, each federally enforceable term or condition that originated in a permit to install shall be specifically identified with an applicable requirement citation of R 336.1201(1)(a). This citation is in addition to the R 336.1213(2)(a) underlying applicable requirement citation.

Each term or condition of the renewable operating permit with an applicable requirement citation of R 336.1201(1)(a) shall be considered a term or condition of the source-wide permit to install issued pursuant to this rule.

(b) A federally enforceable term or condition of a renewable operating permit shall be considered a term or condition of the source-wide permit to install issued pursuant to this rule, if it can be reasonably demonstrated that the federally enforceable term or condition originated in a permit to install issued pursuant to R 336.1201. Each term or condition in a renewable operating permit issued before the effective date of this rule with any of the following underlying applicable requirements, identified pursuant to R 336.1213(2)(a), shall be considered a term or condition of the source-wide permit to install issued pursuant to this rule:

(i) R 336.1201, R 336.1201a.

(ii) Title 40 C.F.R. §§63.40 to 63.44 and §§63.50 to 63.56, adopted by reference in R 336.1299.

(iii) R 336.1301(1)(c), R 336.1301(4), and R 336.1331(1)(c).

(iv) R 336.1401(1)(b) and R 336.1403(4).

(v) R 336.1702, R 336.1705, R 336.1706, R 336.1708, R 336.1709, and R 336.1710.

(vi) R 336.2415.

(vii) Title 40 C.F.R. §52.21, adopted by reference in R 336.1299.

(viii) R 336.2801 to R 336.2819 and R 336.2823.

(ix) R 336.2901 to R 336.2903, R 336.2907, and R 336.2908.

(4) The source-wide permit to install replaces all existing permits to install, in accordance with R 336.1201(6)(b). Although the source-wide permit to install and the renewable operating permit are contained in the same document, the source-wide permit to install maintains its own authority under section 5505 of the act. If the renewable operating permit expires or is voided, the source-wide

<p>[No R 336.1215]</p>	<p>permit to install remains in effect, unless the criteria of R 336.1201(6)(a) or (6)(c) are met.</p> <p>(5) State-only enforceable terms and conditions from a permit to install that have been incorporated into a renewable operating permit shall be considered terms and conditions of a state-only enforceable permit to install established pursuant to R 336.1201(2)(d). If the renewable operating permit later expires or is voided, the state-only enforceable permit to install does not expire, nor is it voided, unless the criteria of R 336.1201(6)(a) or (c) are met.</p> <p>(6) Nothing in this rule shall relieve the requirement to obtain a permit to install pursuant to R 336.1201(1) for newly constructed, modified, reconstructed, or relocated process or process equipment that emits an air contaminant.</p> <p>History: 2003 AACCS; 2008 AACCS.</p> <p>R 336.1215 Operational flexibility, emissions trading activities between stationary sources, off-permit changes, and insignificant changes for a renewable operating permit.</p> <p>Rule 215.</p> <p>(1) The following provisions apply to operational flexibility within a stationary source. As provided in 40 C.F.R. §70.4(B)(12), a person may make either of the following changes to process or process equipment within a stationary source covered by a renewable operating permit without a revision to that permit, if the changes are not a modification under any applicable provision of title I of the clean air act and the changes do not exceed the emissions allowable under the renewable operating permit, whether expressed therein as a rate of emissions or in the terms of total emissions, if the person provides written notification to the department and the United States environmental protection agency at least 7 days prior to the change. The permittee and the department shall attach each such notice to their copy of the relevant permit:</p> <p>(a) As provided in 40 C.F.R. §70.2 and 40 C.F.R. §70.4(B)(12)(i), a person may make changes that contravene a specific permit condition, if the changes are not modifications under any provision of title I of the clean air act and the changes do not exceed the emissions allowable under the renewable operating permit, whether expressed therein as</p>	<p><u>Rule 215</u></p> <ul style="list-style-type: none"> • There is no rule 215 in the federal SIP
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a rate of emissions or in terms of total emissions. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring, including test methods, recordkeeping, reporting, or compliance certification requirements. For each such change, the written notification required in this subrule shall include all of the following information:

- (i) A brief description of the change within the stationary source.
- (ii) The date on which the change will occur.
- (iii) Any change in emissions.
- (iv) Any permit term or condition that is no longer applicable as a result of the change.

(b) As provided in 40 C.F.R. §70.4(B)(12)(ii), a person may trade increases and decreases in emissions within the stationary source according to procedures specified by an applicable emissions trading program that has been approved by the administrator of the United States environmental protection agency as a part of Michigan's state implementation plan, if the person has provided written notification to the department and the United States environmental protection agency of the changes at least 7 days prior to the activity taking place.

- (i) The written notification required in this subdivision shall include all information required by the approved state implementation plan, including at a minimum, all of the following information:
 - (A) When the proposed change will occur.
 - (B) A description of each such change.
 - (C) Any change in emissions.
 - (D) The permit requirements with which the stationary source will comply using the emissions trading provisions of the approved state implementation plan for trading within a stationary source.
 - (E) The pollutants emitted subject to the emissions trade.
 - (F) The provisions of the approved state implementation plan, with which the stationary source will comply and which provide for the emissions trade within the stationary source.
- (ii) Compliance with the permit requirements that the stationary source will meet using the emissions trade shall be determined according to the requirements of the approved state implementation plan authorizing the emissions

trade within the stationary source.

(c) For the purposes of this subrule, the emissions allowable under the renewable operating permit include any emission limitation, standard, or condition, including a work practice standard, that is required by an applicable requirement or any emission limitation, standard, or condition, including a work practice standard, that establishes an emissions cap which the source has assumed to avoid an applicable requirement.

(2) The following provisions apply to emission reduction credits trading between stationary sources. As provided in 40 C.F.R. §70.6(A)(8), a person may make any changes without revision to the renewable operating permit where provided for in the renewable operating permit and allowed by an applicable interstate or regional emissions trading program that has been approved by the administrator of the United States environmental protection agency.

(3) The following provisions apply to off-permit changes. as provided in 40 C.F.R. §70.4(B)(14) and (15), a person may make a change at a stationary source covered by a renewable operating permit that is not addressed or prohibited by the renewable operating permit without a revision to the renewable operating permit, if all of the following provisions are met:

(a) The change complies with all applicable requirements and is not a modification under any applicable provision of title I of the clean air act.

(b) If the stationary source is an affected source under title IV of the clean air act, the change is not contrary to any applicable requirement of title IV of the clean air act.

(c) The person shall provide contemporaneous written notification to the department and the United States environmental protection agency of each change. The written notice shall describe the change, including all of the following information:

(i) The date of the change.

(ii) Any change in emissions.

(iii) Any pollutants emitted.

(iv) Any applicable requirement that would apply as a result of the change.

(v) A statement that the notification is being provided pursuant to this subrule.

(d) The person shall keep a record describing changes made at the stationary source that result in emissions of an air contaminant which are subject to an applicable

requirement, but not otherwise regulated under the permit, and the emissions resulting from the changes.

(4) The following provisions apply to insignificant changes. A person may make a change at a stationary source covered by a renewable operating permit that involves the insignificant activities listed pursuant to R 336.1212(2) or that involves the installation, construction, reconstruction, relocation, alteration, or modification of any process or process equipment listed pursuant to R 336.1212 (3) and (4) without a revision to the renewable operating permit, if none of the following provisions apply to the change:

(a) The change would result in a violation of any applicable requirement.

(b) The change would require or modify any of the following:

(i) A case-by-case determination of an emission limitation or other standard.

(ii) For temporary sources, a source-specific determination of ambient air impacts.

(iii) A visibility or increment analysis.

(c) The change would seek to establish or modify an emission limit, standard, or other condition of the renewable operating permit that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject.

(d) The change is a major offset modification or a modification under any applicable requirement of section 111, section 112, or part C of title I of the clean air act.

(5) Changes made pursuant to this rule do not qualify for the permit shield provided by R 336.1213(6).

History: 1995 AACS; 1996 AACS; 2001 AACS.

[No R 336.1216]

R 336.1216 Modifications to renewable operating permits.
Rule 216.

(1) All of the following provisions apply to administrative permit amendments:

(a) An administrative permit amendment is a modification to a renewable operating permit that involves any of the following:

(i) A change that corrects typographical errors.

(ii) A change in the name, address, or phone number of the responsible official or other contact person identified in the application for

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- There is no rule 216 in the federal SIP

the renewable operating permit or a similar minor administrative change at the stationary source.

(iii) A change that provides for more frequent monitoring or reporting.

(iv) A change in the ownership or operational control of a stationary source where the department determines that no other change in the permit is necessary, if a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new persons owning or operating the stationary source has been submitted to the department. The new person owning or operating the stationary source shall also notify the department of any change in the responsible official or contact person regarding the renewable operating permit.

(v) A change that incorporates into the renewable operating permit the terms and conditions of a permit to install issued pursuant to R 336.1201, if the permit to install includes terms and conditions that comply with the permit content requirements contained in R 336.1213, the procedure used to issue the permit to install was substantially equivalent to the requirements of R 336.1214(3) and (4) regarding public participation and review by affected states, the process or process equipment is in compliance with, and no changes are required to, the terms and conditions of the permit to install that are to be incorporated into the renewable operating permit, and both of the following have occurred:

(A) A person has notified the department, in writing, within 30 days after completion of the installation, construction, reconstruction, relocation, or modification of the process or process equipment covered by the permit to install, unless a different time frame is specified by an applicable requirement and required by the permit to install.

(B) Upon completion of all testing, monitoring, and recordkeeping required by the terms and conditions of the permit to install, but not later than 12 months after the date of completion reported in subparagraph (A) of this paragraph unless a different time frame is specified in the permit to install, a person has requested that the contents of the permit to install be incorporated into the renewable operating permit as an administrative permit amendment. The request shall include all of the following:

(1) The results of all testing, monitoring, and

recordkeeping performed by the person to determine the actual emissions from the process or process equipment and to demonstrate compliance with the terms and conditions of the permit to install.

(2) A schedule of compliance for the process or process equipment.

(3) A certification by the responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the request are true, accurate, and complete.

(b) An administrative permit amendment, for changes identified in subdivision (a)(i) to (iv) of this subrule, shall be reviewed and final action taken according to the following procedure:

(i) The department shall take final action to approve or deny the request for an administrative permit amendment within 60 days of the receipt of the request, unless the department requests additional information to clarify the request. If the department requests additional information, the department shall take final action within 60 days of the receipt of the additional information. Upon approval of the request, the change shall be incorporated into the renewable operating permit without providing notice to the public or affected states. The change shall be clearly designated as an administrative permit amendment.

(ii) Upon approval, the department shall transmit a copy of the administrative permit amendment to the person that requested the amendment and the United States environmental protection agency.

(iii) A person may implement the changes identified in the request for an administrative permit amendment, at the person's own risk, immediately upon submittal of the request to the department. After the change has been made, and until the department takes final action as specified in paragraph (i) of this subdivision, a person shall comply with both of the applicable requirements governing the change and the permit terms and conditions proposed in the application for the administrative amendment. If a person fails to comply with the permit terms and conditions proposed in the application for the administrative amendment during this time period, the terms and conditions contained in the renewable operating permit are enforceable.

(iv) The permit shield provided under R

336.1213(6) does not extend to administrative amendments made pursuant to subdivision (a)(i) to (iv) of this subrule.

(c) An administrative permit amendment, for changes identified in subdivision (a)(v) of this subrule, shall be reviewed and final action taken according to the following procedure:

(i) Within 60 days after receipt by the department of all the information required pursuant to subdivision (a)(v)(B) of this subrule, the department shall determine whether the information provides an acceptable demonstration of compliance with the terms and conditions of the permit to install and shall transmit a copy of the information together with the determination and a proposed amended renewable operating permit to the United States environmental protection agency for a 45-day review period pursuant to 40 C.F.R. §70.8(c).

(ii) The department shall not take a final action to approve the administrative permit amendment if the administrator of the United States environmental protection agency objects to its approval, in writing, within 45 days of receipt by the United States environmental protection agency, of the information required in paragraph (i) of this subdivision. The department shall follow the procedure specified in 40 C.F.R. §70.8(c) in response to an objection by the administrator of the United States environmental protection agency.

(iii) A person may make the change authorized by the permit to install immediately after the permit to install has been approved by the department. After the change has been made, and until the department takes final action on the administrative permit amendment as specified in paragraph (ii) of this subdivision, the person shall comply with both the applicable requirements governing the change and the terms and conditions approved as a part of the permit to install. During this time period, the person may choose to not comply with the existing terms and conditions of the renewable operating permit that are modified by the permit to install. However, if the person fails to comply with the terms and conditions of the permit to install during this time period, the terms and conditions contained in the renewable operating permit are enforceable. The permit shield provided under R 336.1213(6) does not apply to the changes until the administrative permit amendment has

been approved by the department.

(d) If the department denies the request for an administrative permit amendment, the department shall notify the person requesting the administrative permit amendment, in writing, that the request has been denied and the reasons for the denial. Any appeal of a denial by the department of an administrative permit amendment shall be pursuant to section 631 of 1961 PA 236, MCL 600.631. The denial of an administrative permit amendment pursuant to subrule (1)(c) of this rule is not a revocation of the permit to install.

(2) All of the following provisions apply to minor permit modifications:

(a) A minor permit modification is a change to a renewable operating permit for which none of the following provisions apply:

(i) The change would violate any applicable requirement.

(ii) The change would significantly affect any existing monitoring, reporting, or recordkeeping requirements contained in the renewable operating permit.

(iii) The change would require or affect any of the following:

(A) A case-by-case determination of a federally enforceable emission limitation or other standard.

(B) For temporary sources, a source-specific determination of ambient impacts.

(C) A visibility or increment analysis.

(iv) The change would seek to establish or affect a federally enforceable term or condition in the renewable operating permit for which there is no corresponding underlying applicable requirement and that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject. Following are examples of the terms and conditions described in this paragraph:

(A) An emissions cap assumed to avoid classification as a modification under any applicable provision of title I of the clean air act.

(B) An alternative emissions limit adopted by the stationary source as part of an early reduction program pursuant to section 112(i)(5) of the clean air act.

(v) The change is defined as a major offset modification or a modification under any applicable requirement of section 111, section 112, or part C of title I of the clean air act. A minor permit modification includes a change authorized by a permit to install issued

pursuant to R 336.1201, if the permit to install includes terms and conditions that comply with the permit content requirement of R 336.1213 and none of the provisions of this subrule apply.

(b) An application requesting a minor permit modification shall contain reasonable responses to all requests for information in the minor permit modification application forms required by the department, including all of the following information:

(i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.

(ii) The proposed changes to the terms and conditions of the renewable operating permit that the person applying for the minor permit modification believes are adequate to address the change and any new applicable requirements.

(iii) A certification by the responsible official which states that the proposed modification meets the criteria for use of minor permit modification procedures and that, based on information and belief formed after reasonable inquiry, the statements and information in the application are true, accurate, and complete.

(iv) Completed forms, supplied by the department, for the department to use to notify the United States environmental protection agency and any affected states.

(c) A minor permit modification shall be reviewed and final action taken according to the following procedure:

(i) Within 5 working days of receipt by the department of an application for a minor permit modification that meets the requirements of subdivision (b) of this subrule, the department shall notify the United States environmental protection agency and any affected states of the requested minor permit modification.

(ii) The department shall notify the administrator of the United States environmental protection agency and the affected state, in writing, of any refusal by the department to accept any recommendations for the minor permit modification that the affected state submitted to the department during the time period for review specified in paragraph (iii) of this subdivision and before final action has been taken on the minor permit modification. The notice shall include the department's reasons for not accepting any recommendation. The department is not

required to accept recommendations that are not based on applicable requirements.

(iii) The department shall not issue a final minor permit modification until after the United States environmental protection agency's 45-day review period or until the United States environmental protection agency has notified the department that the agency will not object to issuance of the minor permit modification. Within 90 days of the department's receipt of an application for a minor permit modification, or 15 days after the end of the United States environmental protection agency's 45-day review period, whichever is later, the department shall take 1 of the following actions and notify, in writing, the person applying for the minor permit modification of that action:

(A) Approve the permit modification as proposed.

(B) Revise the draft minor permit modification, with the consent of the person applying for the minor permit modification, and transmit the revised draft minor permit modification to the United States environmental protection agency. Transmittal of a revised draft minor permit modification to the United States environmental protection agency restarts the 45-day review period specified in this paragraph.

(C) Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures. The notification by the department shall specify why the request does not meet the criteria for a minor permit modification.

(D) Deny the permit modification application for cause. The notification by the department shall specify the reasons for the denial. The appeal of a denial by the department of a minor permit modification shall be pursuant to section 631 of 1961 PA 236, MCL 600.631.

(d) A person may make the change proposed in the application for a minor permit modification, at the person's own risk, immediately after the department has received the application. After the change has been made, and until the department takes final action as specified in subdivision (c)(iii)(A) to (C) of this subrule, a person shall comply with both of the applicable requirements governing the change and the permit terms and conditions proposed in the application for the minor permit modification. During this time

period, a person may choose to not comply with the existing permit terms and conditions that the application for a minor permit modification seeks to modify. However, if the person fails to comply with the permit terms and conditions proposed in the application for the minor permit modification during this time period, the terms and conditions contained in the renewable operating permit are enforceable.

(e) Notwithstanding the restrictions of subdivision (a) of this subrule, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that the approaches have been approved by the administrator of the United States environmental protection agency as a part of Michigan's state implementation plan. The approaches shall identify the specific modifications that can be made using the minor permit modification procedures.

(f) The permit shield under R 336.1213(6) shall not extend to minor permit modifications.

(3) All of the following provisions apply to significant modifications:

(a) A significant modification is a modification to a renewable operating permit which is not an administrative permit amendment pursuant to subrule (1) of this rule, or is not a minor permit modification pursuant to subrule (2) of this rule, and which involves any of the following changes, unless the change is allowed under the terms and conditions of a permit to install that has been approved by the department pursuant to the requirements of subrule (1)(a)(v) of this rule:

(i) A modification under any applicable provision of title I of the clean air act.

(ii) Except as provided pursuant to subrule (1)(c)(iii) of this rule, any change that would result in emissions that exceed the emissions allowed under the renewable operating permit.

The emissions allowed under the permit include any emission limitation, production limit, or operational limit, including a work practice standard, required by an applicable requirement, or any emission limitation, production limit, or operational limit, including a work practice standard, that establishes an emissions cap that the stationary source has assumed to avoid an applicable requirement to which the stationary

source would otherwise be subject.

(iii) The change would significantly affect an existing monitoring, recordkeeping, or reporting requirement included in the renewable operating permit.

(iv) The change would require or modify a case-by-case determination of an emission limitation or other standard, a source-specific determination of ambient air impacts for temporary sources, or a visibility or increment analysis.

(v) The change would seek to establish or modify an emission limitation, standard, or other condition of the renewable operating permit that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject.

(b) An administratively complete application for a significant permit modification shall be limited to address only the process and process equipment that will be affected by the change.

(c) The terms and conditions of a significant permit modification shall meet all the permit content requirements of R 336.1213 for the process and process equipment affected by the change.

(d) The procedure for taking final action on significant permit modification shall follow the requirements of R 336.1214, except that final actions on significant permit modifications shall be taken within 9 months of the receipt by the department of an administratively complete application.

(e) If a significant permit modification is denied, the department shall notify, in writing, the person applying for the modification. The notification of denial shall specify the reasons for the denial. Any appeal of a denial by the department of a significant permit modification shall be pursuant to section 631 of 1961 PA 236, MCL 600.631.

(4) All of the following provisions apply to state-only modifications:

(a) A state-only modification to a renewable operating permit involves changes to terms and conditions in the renewable operating permit that are designated as not enforceable under the clean air act pursuant to R 336.1213(5). If the change results in new applicable requirements that must be enforceable under the clean air act, then the change shall not be a state-only modification.

(b) An application requesting a state-only modification shall contain reasonable

responses to all requests for information in the application forms required by the department, including all of the following information:

- (i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.
- (ii) The proposed changes to the terms and conditions of the renewable operating permit that the person applying for the state-only modification believes are adequate to address the change and any new applicable requirements.
- (iii) A certification by the responsible official which states that the proposed modification meets the criteria for use of the state-only modification procedures and that, based on information and belief formed after reasonable inquiry, the statements and information in the application are true, accurate, and complete.

(c) A state-only modification shall be reviewed and final action taken within 90 days of the department's receipt of an application for the state-only modification. The department shall take 1 of the following actions and notify, in writing, the person applying for the state-only modification of that action:

- (i) Approve the state-only modification as proposed.
- (ii) Revise the draft state-only modification, with the consent of the person applying for the modification, and approve the revised modification.
- (iii) Determine that the requested modification does not meet the criteria for a state-only modification and should be reviewed pursuant to subrule (1), (2), or (3) of this rule. The notification by the department shall specify why the request does not meet the criteria for a state-only modification.
- (iv) Deny the state-only modification application for cause. The notification by the department shall specify the reasons for the denial. The appeal of a denial by the department of a state-only modification shall be pursuant to section 631 of 1961 PA 236, MCL 600.631.

(d) A person may make the change proposed in the application for a state-only modification, at the person's own risk, immediately after the application has been received by the department. After the change has been made, and until the department takes final action as specified in subdivision (c)(i) to (iv) of this subrule, the person shall comply

<p>[No R 336.1217]</p>	<p>with both the applicable requirements governing the change and the permit terms and conditions proposed in the application for the minor permit modification. During this time period, the person may choose, at the person's own risk, to not comply with the existing permit terms and conditions that the application for a state-only modification seeks to modify. However, if the person fails to comply with the permit terms and conditions proposed in the application for the state-only modification during this time period, or if the state-only modification is denied by the department, the terms and conditions contained in the renewable operating permit are enforceable.</p> <p>(e) The permit shield provided under R 336.1213(6) does not apply to the state-only modification until the changes have been approved by the department.</p> <p>History: 1995 AACS; 1996 AACS; 2003 AACS.</p> <p>R 336.1217 Renewals and reopenings of renewable operating permits.</p> <p>Rule 217.</p> <p>(1) All of the following provisions apply to renewals of renewable operating permits:</p> <p>(a) If a timely and administratively complete application for the renewal of a renewable operating permit is submitted, consistent with R 336.1210(8), and timely and complete additional information is submitted, consistent with R 336.1210(3), but the department has failed to take final action to issue or deny the renewal permit before the end of the term of the previous permit, then the existing renewable operating permit shall not expire until the renewal permit has been issued or denied and any permit shield that may be granted pursuant to R 336.1213(6) shall extend beyond the original permit term until the department takes final action on the renewal permit.</p> <p>(b) Renewable operating permits that are being renewed are subject to the same procedural requirements, including the requirements for public participation and for review by affected states and the United States environmental protection agency, and the same provisions for appeal that apply to initial issuance of renewable operating permits pursuant to R 336.1214.</p>	<p><u>Rule 217</u></p> <ul style="list-style-type: none"> • There is no rule 217 in the federal SIP
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(c) Expiration of a renewable operating permit results in the loss of the permit shield provided in R 336.1213(6).

(2) All of the following provisions apply to the reopening for cause of renewable operating permits:

(a) Each renewable operating permit shall include provisions specifying the conditions under which the department shall reopen the renewable operating permit before the expiration of the permit. A permit shall be reopened and revised by the department under any of the following circumstances:

(i) To incorporate new applicable requirements issued or promulgated after the issuance of the renewable operating permit, if 3 or more years remain in the term of the permit. The revision shall occur as expeditiously as practicable, but not later than 18 months after promulgation of the applicable requirement. A revision is not required if the effective date of the new applicable requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended beyond the effective date of the new applicable requirement pursuant to subrule (1)(a) of this rule.

(ii) To incorporate new applicable standards and requirements for affected sources pursuant to title IV of the clean air act.

(iii) If the department determines that the permit contains a material mistake, that information required by any applicable requirement was omitted, or that inaccurate statements were made in establishing the emission limitations or standards or the terms and conditions of the permit.

(iv) If the department determines that the permit must be revised to ensure compliance with the applicable requirements.

(b) Proceedings to reopen and issue a revised renewable operating permit shall follow the same procedures, including the procedures for public participation and for review by affected states and the United States environmental protection agency, and the same provisions for appeal that apply to the initial issuance of a renewable operating permit pursuant to R 336.1214. Any proceeding to reopen and issue a revised renewable operating permit shall affect only those parts of the permit for which cause to reopen exists. The department shall reopen a renewable operating permit as expeditiously as possible after it discovers that

<p>[No R 336.1218]</p>	<p>cause exists to reopen.</p> <p>(c) The department shall not initiate a reopening of a renewable operating permit pursuant to subrule (2)(a) of this rule before providing a notice of intent to reopen the renewable operating permit to the person owning or operating the stationary source. The notice shall be provided not less than 30 days in advance of the date that the renewable operating permit is to be reopened and shall specify the reasons for the reopening.</p> <p>History: 1995 AACS; 2012 MR 10, Eff. June 1, 2012.</p> <p>R 336.1218 General renewable operating permits.</p> <p>Rule 218.</p> <p>(1) The department may, after notice and opportunity for public participation and review by affected states and the United States environmental protection agency consistent with R 336.1214(3), (4), and (6), issue a general renewable operating permit covering numerous similar stationary sources. Any general renewable operating permit shall comply with all requirements applicable to other renewable operating permits and shall identify criteria by which stationary sources may qualify for the general renewable operating permit. The department shall grant the terms and conditions of the general renewable operating permit to stationary sources that qualify. Notwithstanding the permit shield provisions of R 336.1213(6), a person who owns or operates a stationary source shall be subject to enforcement action for operation without a renewable operating permit if the department later determines that the stationary source does not qualify for the general renewable operating permit. The department shall not authorize general renewable operating permits for affected sources under the acid rain program, unless otherwise provided in regulations promulgated under title IV of the clean air act.</p> <p>(2) A person who owns or operates a stationary source that meets the criteria specified in R 336.1211 and who would qualify for a general renewable operating permit issued by the department pursuant to subrule (1) of this rule, shall apply to the department for coverage under the terms of the general renewable operating permit or</p>	<p><u>Rule 218</u></p> <ul style="list-style-type: none"> • There is no rule 218 in the federal SIP
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<p>[No R 336.1219]</p>	<p>shall apply for a renewable operating permit consistent with R 336.1210. The department may, in the general renewable operating permit, provide for applications that deviate from the administrative completeness requirements of section 5d of the act, if the applications meet the requirements of title V of the clean air act and include all information necessary to determine qualification for, and to assure compliance with, the general renewable operating permit. Without repeating the public participation and review by affected states and the United States environmental protection agency required under R 336.1214(3), (4), and (6), the department may grant a request by a person for authorization to operate under a general renewable operating permit, but the granting shall not be a final permit action for purposes of judicial review.</p> <p>History: 1995 AACS.</p> <p>R 336.1219 Amendments for change of ownership or operational control. Rule 219.</p> <p>(1) A person may notify the department, in writing, of a change in ownership or operational control of a stationary source or emission unit authorized by a permit to install or a permit to operate. The notification shall include all of the following information:</p> <p>(a) A description of the stationary source or emission unit affected by the change and a listing of the permits involved in the request.</p> <p>(b) An identification of the new owner or operator and a specific date for the transfer of responsibility, coverage, and liability.</p> <p>(c) A written statement by the new person owning or operating the stationary source or emission unit that the terms and conditions of the permit to install or permit to operate are understood and accepted. Acceptance of the terms and conditions of a permit does not affect the person's ability to subsequently request a modification to the permit to install or permit to operate pursuant to R 336.1201. The new person owning or operating the stationary source shall also notify the department of any change in the contact person regarding the permit.</p> <p>(2) A change in ownership or operational control of a stationary source or emission unit</p>	<p><u>Rule 219</u></p> <ul style="list-style-type: none"> • There is no rule 219 in the federal SIP
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<p>R 336.1220 Construction of sources of volatile organic compounds in ozone non-attainment areas; conditions for approval. (8/21/81) Rule 220.</p> <p>Unless the following conditions are met, the commission shall deny a permit to install for a major offset source of volatile organic compounds proposed for location within an ozone nonattainment area:</p> <p>(a) The proposed equipment shall comply with the lowest achievable emission rate for volatile organic compounds</p> <p>(b) All existing sources in the state owned or controlled by the owner or operator of the proposed source shall be in compliance with all applicable local, state, and federal air quality regulations or shall be in compliance with a consent order or other legally enforceable agreement specifying a schedule and timetable for compliance.</p> <p>(c) Prior to start-up of the proposed equipment a reduction (offset) of the total hourly and annual volatile organic compound emissions from existing sources equal to 110% of allowed emissions for the proposed equipment shall be provided. The emission offset for a source locating in Wayne, Oakland, Macomb, St. Claire, Washtenaw, Livingston and Monroe counties shall be secured from sources in any of those counties. The emission offset for a source locating in any other ozone nonattainment county may be secured from any ozone nonattainment county in Michigan, except Wayne, Oakland, Macomb, St. Claire, Washtenaw, Livingston and Monroe counties.</p> <p>(d) Subdivisions (a) and (c) of this rule do not apply if the allowable emission rates for the proposed equipment are less than 50 tons per year, 1,000 pounds per day, and 100 pounds per hour.</p> <p>(e) This rule does not apply to the emission of the following organic compounds:</p> <p>(i) Methylene chloride.</p> <p>(ii) Methyl chloroform.</p> <p>(iii) Trichlorofluoromethane (CFC-11)</p>	<p>covered by a renewable operating permit shall be made pursuant to R 336.1216(1).</p> <p>History: 1995 AACS; 2003 AACS; 2008 AACS.</p> <p>R 336.1220 Rescinded. History: 1980 AACS; 1981 AACS; 1988 AACS; 1990 AACS; 1993 AACS; 2003 AACS; rescinded 2008 AACS.</p>	<p>Rule 220</p> <ul style="list-style-type: none"> There is no rule 220 in the Michigan rules
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(iv) Dichlorodifluoromethane (CFC-12)
(v) Chlorodifluoromethane (CFC-22)
(vi) Trifluoromethane (FC-23)
(vii) Trichlorotrifluoroethane (CFC-113)
(viii) Dichlorotetrafluoroethane (CFC-114)
(ix) Chloropentafluoroethane (CFC-115)
(x) Any other volatile organic compound for which it can be demonstrated to the commission that it is nonreactive in the formation of ozone.
The compounds specified in paragraphs (i) to (x) of this subdivision shall not be used as an emission offset from sourced in-place to allow for the construction of any major offset source.

R. 336.1221 Construction of sources of particulate matter, sulfur dioxide, or carbon monoxide in or near nonattainment areas; conditions for approval. (7/17/80)

Rule 221.

Unless the following conditions are met, the commission shall deny a permit to install for a major offset source of particulate matter, sulfur dioxide, or carbon monoxide if such source may exacerbate an existing violation of any air quality standard or if such source is proposed for location in a nonattainment area:

(a) The proposed equipment shall comply with the lowest achievable emission rate for the pollutant for which the area is nonattainment.

(b) All existing sources in the state owned or controlled by the owner or operator of the proposed source shall be in compliance with all applicable local, state and federal air quality regulations or shall be in compliance with a consent order or other legally enforceable agreement specifying a schedule and timetable for compliance.

(c) Prior to start-up of the proposed equipment, an emission reduction (offset) from existing sources in the area of the proposed source shall be provided such that, in the commission's judgment, there is a net air quality benefit and reasonable progress toward attainment of the applicable air quality standard. Such offsets shall be on a time frame compatible with the applicable air quality standard. If the proposed

R 336.1221 Rescinded.
History: 1980 AACRS; 1990 AACRS.

Rule 221

- There is no rule 221 in the Michigan rules

equipment is to be located in an area not meeting the applicable health-related air quality standard, the emission reduction shall be not less than 1.2 to 1. If the proposed equipment is to be located in an area not meeting the welfare-related air quality standard, the emission reduction shall be more than 1 for 1. If the offset emissions involve the control of fugitive particulate emissions, the emission reduction shall be not less than 1.5 to 1.

(d) The requirements of subdivision (a) of this rule do not apply to particulate, sulfur dioxide, and carbon monoxide emissions if the increased allowable emissions are less than 50 tons per year and 1,000 pounds per day.

(e) The requirements of subdivision (c) of this rule do not apply to particulate and sulfur dioxide emissions if the increased allowable emissions are less than 50 tons per year and 1,000 pounds per day.

(f) The requirements of subdivision (c) of this rule do not apply to carbon monoxide emissions.

[No R 336.1124]

R 336.1224 T-BACT requirement for new and modified source of air toxics; exemptions. Rule 224.

(1) A person who is responsible for any proposed new or modified emission unit or units for which an application for a permit to install is required by part 2 of these rules and which emits a toxic air contaminant shall not cause or allow the emission of the toxic air contaminant from the proposed new or modified emission unit or units in excess of the maximum allowable emission rate based on the application of best available control technology for toxics (T-BACT), except as provided in subrule (2) of this rule.

(2) The requirement for T-BACT in subrule (1) of this rule shall not apply to any of the following:

(a) An emission unit or units for which standards have been promulgated under section 112(d) of the clean air act or for which a control technology determination has been made under section 112(g) or 112(j) of the clean air act for any of the following:

(i) The hazardous pollutants listed in section 112(b) of the clean air act.

(ii) Other toxic air contaminants that are volatile organic compounds, if the standard promulgated under section 112(d) of the clean air act or the determination made under

Rule 224

- There is no rule 224 in the federal SIP

<p>[No R 336.1225]</p>	<p>section 112(g) or 112(j) of the clean air act controls similar compounds that are also volatile organic compounds.</p> <p>(iii) Other toxic air contaminants that are particulate matter, if the standard promulgated under section 112(d) of the clean air act or the determination made under section 112(g) or 112(j) of the clean air act controls similar compounds that are also particulate matter.</p> <p>(b) An emission unit or units that is in compliance with all of the following:</p> <p>(i) The maximum allowable emissions of each toxic air contaminant from the proposed new or modified emission unit or units is 0.1 pound per hour or less for a carcinogen or 1.0 pound per hour or less for any other toxic air contaminant.</p> <p>(ii) The applicable initial threshold screening level for the toxic air contaminant is more than 200 micrograms per cubic meter.</p> <p>(iii) The applicable initial risk screening level is more than 0.1 micrograms per cubic meter.</p> <p>(c) An emission unit or units which only emits toxic air contaminants that are particulates or VOCs and which is in compliance with BACT or LAER requirements for particulates and VOCs.</p> <p>History: 1998-2000 AACS.</p> <p>R 336.1225 Health-based screening level requirement for new or modified sources of air toxics.</p> <p>Rule 225.</p> <p>(1) A person who is responsible for any proposed new or modified emission unit or units for which an application for a permit to install is required by part 2 of these rules and which emits a toxic air contaminant (TAC) shall not cause or allow the emission of the toxic air contaminant from the proposed new or modified emission unit or units in excess of the maximum allowable emission rate which results in a predicted maximum ambient impact that is more than the initial threshold screening level or the initial risk screening level, or both, except as provided in subrules (2) and (3) of this rule and in R 336.1226.</p> <p>(2) As an alternative to complying with the initial risk screening level in subrule (1) of this rule, a person may instead demonstrate compliance with the secondary risk screening level. For the purpose of complying with the</p>	<p>Rule 225</p> <ul style="list-style-type: none"> • There is no rule 225 in the federal SIP
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secondary risk screening level, the total allowable emissions of the carcinogen from the proposed new or modified emission unit or units and all existing emission units at the stationary source shall not result in a maximum ambient impact that is more than the secondary risk screening level.

(3) If the ambient impacts of a carcinogen occur on industrial property or public roadways, as an alternative to complying with the initial risk screening level or secondary risk screening level in subrule (1) or (2) of this rule, a person may instead demonstrate compliance with either of the following provisions:

(a) The maximum allowable emission rate of the carcinogen from the proposed new or modified emission unit or units results in ambient impacts that meet both of the following requirements:

(i) The maximum ambient impact on industrial property or public roadways is less than or equal to the initial risk screening level multiplied by a factor of 10.

(ii) The maximum ambient impact on all property that is not industrial or a public roadway is less than or equal to the initial risk screening level.

(b) The total allowable emissions of the carcinogen from the proposed new or modified emission unit or units and all existing emission units at the stationary source result in ambient impacts that meet both of the following requirements:

(i) The maximum ambient impact on industrial property or public roadways is less than or equal to the secondary risk screening level multiplied by a factor of 10.

(ii) The maximum ambient impact on all property that is not industrial or a public roadway is less than or equal to the secondary risk screening level.

(4) Any owner or operator who utilizes the alternative criteria provided in subrule (3) of this rule shall notify the department if a change in land use occurs for property determined to be industrial or a public roadway. The notification shall be submitted to the department within 30 days of the actual land use change. Within 60 days of the land use change, the owner or operator shall submit to the department a plan for complying with the requirements of subrule (1) of this rule. The plan shall require compliance with subrule (1) of this rule not later than 1 year after the due date of the plan submittal.

(5) For the purposes of this rule, industrial property includes only property where the activities are industrial in nature, for example, manufacturing, utilities, industrial research and development, or petroleum bulk storage. The term industrial property does not include farms or commercial establishments.

(6) For the purpose of subrules (1), (2), and (3) of this rule, both of the following provisions apply:

(a) All polychlorinated dibenzodioxins and dibenzofurans shall be considered as 1 toxic air contaminant, expressed as an equivalent concentration of 2,3,7,8-tetrachlorodibenzo-p-dioxin, based upon the relative potency of the isomers emitted from the emission unit or units.

(b) If 2 or more toxic air contaminants are present and known to result in toxicological interaction, then the interactive effects shall be considered in establishing initial threshold screening levels, initial risk screening levels, and secondary risk screening levels.

History: 1998-2000 AACs.

[No R 336.1226]

R 336.1226 Exemptions from the health-based screening level requirement.

Rule 226.

The health-based screening level requirement provided in R 336.1225(1) shall not apply to any of the following:

- (a) Emissions of a toxic air contaminant that meet both of the following requirements:
- (i) The emission rate is less than 10 pounds per month and 0.14 pound per hour.
 - (ii) The toxic air contaminant is not a carcinogen or a high concern toxic air contaminant listed in table 20.

Table 20. List of High Concern Toxic Air Contaminants

CHEMICAL NAME CAS NUMBER

2,4,6-trinitrotoluene (TNT) 118-96-7

2-diethylaminoethanol 100-37-8

Acrolein 107-02-8

allyl chloride 107-05-1

alpha chloroacetophenone 532-27-4

alpha-amylase 9000-90-2

antimony compounds¹

Arsine 7784-42-1

barium compounds¹

Biphenyl 92-52-4

Bromine 7726-95-6

chlorine dioxide 10049-04-4

Rule 226

- There is no rule 226 in the federal SIP

chlormadinone acetate 302-22-7
 chlorpyrifos 2921-88-2
 cobalt compounds¹
 Colophony 8050-09-7
 dibromochloropropane 96-12-8
 dibutyltin oxide 818-08-6
 Dichlorvos 62-73-7
 diisocyanate compounds^{1,2}
CHEMICAL NAME CAS NUMBER
 dimethyl sulfate 77-78-1
 glutaraldehyde 111-30-8
 halogenated dimethylhydantoin compounds³
 isocyanate compounds^{1,4}
 maleic anhydride 108-31-6
 manganese compounds¹
 melengesterol acetate 2919-66-6
 mercury compounds¹
 octachlorostyrene 29082-74-7
 osmium tetroxide 20816-12-0
 pentachlorobenzene 608-93-5
 platinum soluble salt 7440-06-4
 selenium compounds¹
 Subtilisins (proteolytic enzymes)⁵
 sulfuric acid (including sulfur trioxide and oleum) 7664-93-9
 tetrachlorobenzene compounds⁶
 thallium compounds¹
 Vanadium pentaoxide 1314-62-1
¹These listings include any unique chemical substance that contains the named chemical (for example, antimony, barium, cobalt, diisocyanate, isocyanate, manganese, mercury, selenium, and thallium) as part of the chemical structure.
² Diisocyanate compounds include compounds with 2 of the isocyanate functional groups (-CNCO).
³ Halogenated dimethylhydantoin compounds includes those compounds with a hydantoin infrastructure (NHCONHCOCH₂) substituted by 2 methyl groups at the 5 position on the ringed structure and halogens at the 1 or 3 position or the 1 and 3 position.
⁴ Isocyanate compounds includes compounds with 1 or more of the isocyanate functional groups (-CNCO).
⁵ Subtilisins (proteolytic enzymes) includes any members of the group of proteolytic enzymes derived from *Bacillus subtilis* or closely related organisms.
⁶ Tetrachlorobenzenes includes compounds that consist of a benzene ring substituted with 4 chlorine atoms.
 (b) An emission unit or units for which standards have been promulgated under section 112(f) of the clean air act for

hazardous air pollutants listed under section 112(b) of the clean air act.

(c) Air contaminants and emission units that are regulated by the following national emission standards for hazardous air pollutants promulgated on or before November 14, 1990, under section 112 of the clean air act, as amended, 42 U.S.C. §7401 et seq:

- (i) Subpart B - National emission standard for radon-222 emissions from underground uranium mines.
- (ii) Subpart C - National emission standards for beryllium.
- (iii) Subpart D - National emission standard for beryllium rocket motor firing.
- (iv) Subpart E - National emission standard for mercury.
- (v) Subpart F - National emission standard for vinyl chloride.
- (vi) Subpart H - National emission standard for radionuclide emissions from department of energy facilities.
- (vii) Subpart I - National emission standard for radionuclide emissions from facilities licensed by the nuclear regulatory commission and federal facilities not covered by subpart H.
- (viii) Subpart J - National emission standard for equipment leaks (fugitive emission sources) of benzene.
- (ix) Subpart K - National emission standard for radionuclide emissions from elemental phosphorus plants.
- (x) Subpart L - National emission standard for benzene emissions from coke-by-product recovery plants.
- (xi) Subpart M - National emission standard for asbestos.
- (xii) Subpart N - National emission standard for inorganic arsenic emissions from glass manufacturing plants.
- (xiii) Subpart O - National emission standard for inorganic arsenic emissions from primary copper smelters.
- (xiv) Subpart P - National emission standard for inorganic arsenic emissions from arsenic trioxide and metallic arsenic production facilities.
- (xv) Subpart V - National emission standard for equipment leaks (fugitive emission sources).
- (xvi) Subpart W - National emission standard for radon-222 emissions from licensed uranium mill tailings.
- (xvii) Subpart Y - National emission standard for benzene emissions from benzene storage vessels.
- (xviii) Subpart BB - National emission

<p>[No R 336.1227]</p>	<p>standards for benzene emissions from benzene transfer operations. (xix) Subpart FF - National emission standards for benzene waste operations. (d) Emissions of a toxic air contaminant if it is demonstrated, on a case-by-case basis, to the satisfaction of the department, that the proposed new or modified emission unit or units will not cause or contribute to a violation of the provisions of R 336.1901. The demonstration shall include all relevant scientific information such as the following: (i) All available information on the health effects of the toxic air contaminant. (ii) The levels at which adverse health or environmental effects have occurred. (iii) Net air quality benefits that would occur as a result of replacing an existing facility. (iv) Actual exposure levels and duration of exposure. (v) The uncertainty in data or analysis. (vi) Other supporting information requested by the department.</p> <p>History: 1998-2000 AACs.</p> <p>R 336.1227 Demonstration of compliance with health-based screening level. Rule 227. (1) Compliance with the health-based screening level provisions of R 336.1225 shall be determined by any of the following: (a) The emission rate of each toxic air contaminant is not greater than the rates determined from the algorithms in table 21. If table 21 provides 2 allowable emission rates for a screening level specific averaging time, then compliance with both emission rates is required. Table 21. Algorithms for determining allowable emission rates (AER)</p> <table border="1"> <thead> <tr> <th>Screening Level (SL) Averaging Time</th> <th>Monthly Emission Rate (pounds per month)^{1,2}</th> <th>24 Hour Emission Rate (pounds per 24 hours)^{1,3}</th> <th>8 Hour Emission Rate (pounds per 8 hours)^{1,4}</th> <th>1 Hour Maximum</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Screening Level (SL) Averaging Time	Monthly Emission Rate (pounds per month) ^{1,2}	24 Hour Emission Rate (pounds per 24 hours) ^{1,3}	8 Hour Emission Rate (pounds per 8 hours) ^{1,4}	1 Hour Maximum						<p>Rule 227</p> <ul style="list-style-type: none"> There is no rule 209 in the federal SIP
Screening Level (SL) Averaging Time	Monthly Emission Rate (pounds per month) ^{1,2}	24 Hour Emission Rate (pounds per 24 hours) ^{1,3}	8 Hour Emission Rate (pounds per 8 hours) ^{1,4}	1 Hour Maximum								

**Emission Rate
(pounds per hour)1,5**

Annual SL X 40 = AER SL X 0.54 = AER

24 hours SL X 0.12 = AER SL X 0.05 = AER

8 hours SL X 0.02 = AER SL X 0.02 = AER

1 hour SL X 0.001 = AER

¹ All screening levels (SL) are in units of
g/m³.

² The constant value of 40 is of lbs / month .
mg / m³

³ The constant value of 0.12 is in lbs / 24hours
.
mg / m³

⁴ The constant value of 0.02 is in of lbs /
8hours .
mg / m³

⁵ The constant values of 0.54, 0.05, 0.02, and
0.001 are in units of lbs / hour .
mg / m³

(b) The emission rate of each toxic air
contaminant is not greater than the rate
determined from the AIR matrix screening
methodology in table 22 or determined by any
other screening method approved by the
department.

(c) The maximum ambient impact of each
toxic air contaminant is less than the
applicable screening level (initial threshold
screening level, initial risk screening level, or
secondary risk screening level) determined
using the maximum hourly emission rate in
accordance with the provisions of R 336.1240
or R 336.1241, or both.

(2) For intermittent emissions, the average
emission rate may be used to determine the
allowable emission rate in subrule(1)(b) of
this rule or the maximum ambient impact in
subrule (1)(c) of this rule, if the average rate is
not less than 10% of the maximum hourly
rate. An average rate that is less than 10% of
the maximum rate may only be used if the
applicant can demonstrate, to the satisfaction
of the department, that the proposed new or
modified emission unit or units will not cause
or contribute to peak exposures that may
result in a violation of the provisions of R
336.1901. Intermittent emissions are
emissions that are not allowed to be emitted
continuously for the entire length of the time
specified in the averaging time for the
appropriate screening level.

(3) Table 22 reads as follows:

Table 22

Ambient Impact Ratio (AIR) Matrix

Description

The ambient impact ratio (AIR) matrix

enables the determination of an emission rate of a toxic air contaminant (TAC) that would cause a maximum predicted ambient air impact equal to a screening level. This emission rate is derived by multiplying the screening level by the appropriate AIR value. Emission rates which do not exceed that rate are determined to be in compliance with the healthbased screening level under R 336.1225. Use of the AIR matrix requires information pertinent to the dispersion characteristics of the emission source, namely, the distance to the nearest secured property line and the height of the stack and the influential building. The AIR matrix shall not be used if any of the following provisions apply:

- (a) the stack height is less than 10 feet.
- (b) if the influential building height is more than 100 feet.
- (c) if there are terrain elevations that are more than 25% of the discharging stack height within a distance of 500 feet from the stack.
- (d) for the analysis of elevated receptors, for example, hospital air intakes. Instructions for the use of the AIR matrix are as follows:

Instructions

1. Determine the height of the discharging stack from ground level in feet (H_s).
2. Determine the height of the influential building in feet (H_b). This is done by first identifying all buildings, including buildings on-site and off-site, located within a distance of 5 times their height from the discharging stack. Then, determine which building is the highest. This is the influential building, with height (H_b) in feet. If the stack is not attached to a building, then a building height 2.5 times lower than the stack height must be assumed.
3. Determine the ratio of the stack height to the influential building height by dividing the stack height, in feet, by the influential building height, in feet, for example, H_s/H_b .
4. Determine the minimum distance, in feet, from the discharging stack to the secured property line. If there is no secured property line, then a distance of 25 feet is used.
5. Determine the appropriate value from the AIR matrix. This is done by selecting the column with the appropriate influential building height and H_s/H_b ratio, and selecting the row with the appropriate minimum distance to the secured property line. If the influential building height is between values in the column headings, then use the lower value or interpolate between values in the column headings. If H_s is less than H_b , then

set the influential building height equal to the stack height and use the 1.25 Hs/Hb column. If Hs/Hb is between 1 and 1.25, then select the 1.25 column. If Hs/Hb is between 1.25 and 1.75, then use the 1.25 column or interpolate between the 1.25 and 1.75 columns. If Hs/Hb is between 1.75 and 2.5, then use the 1.75 column or interpolate between the 1.75 and 2.5 columns. If Hs/Hb is greater than or equal to 2.5, then use the 2.5 column. If the minimum distance to the secured property line is between 2 distances in the row headings, then use the lower value, for example, if the distance is 250 feet, then use the 200 foot distance row in the matrix. The value thus derived from the body of the matrix is the ratio of the annual averaged hourly emission rate divided by the maximum annual ambient impact, in units of (lbs/hr)/(ug/m³). This value is referred to as the annual AIR.

6. The annual averaged hourly emission rate ratio (annual AIR) is adjusted as necessary for shorter averaging times, consistent with the averaging times for the screening levels. This adjustment is done as follows:

$$24\text{-hr AIR (lbs/hr)/(ug/m}^3\text{)} = \text{annual AIR} \times 0.091.$$

$$8\text{-hr AIR (lbs/hr)/(ug/m}^3\text{)} = \text{annual AIR} \times 0.046.$$

$$1\text{-hr AIR (lbs/hr)/(ug/m}^3\text{)} = \text{annual AIR} \times 0.02.$$

7. Determine the maximum emission rate that would comply with the health-based screening level and averaging time. This is done by multiplying the screening level, in ug/m³, by the AIR value for the appropriate averaging time. The result is the highest emission rate, averaged over the averaging time period, that would be in compliance with the screening level. If a source's maximum hourly emission rate does not exceed this, then the screening level would not be exceeded. If the emission is intermittent, then the emission rate can be averaged over the applicable averaging time as long as the averaged emission rate is not less than 10% of the maximum hourly emission rate, as specified in R 336.1227(2).

8. In the special case of TAC emissions from multiple stacks, determine the AIR value for each stack and select the lowest value among them. Then proceed as in step number 7.

Table 22. Ambient Impact Ratio (AIR) Matrix
Annual Averaged Hourly Emission Rate
Ambient Impact Ratios (AIRs) in Units of
(lbs/hr)/(ug/m³) for Toxic Air Contaminants

(TACs) with Annual Averaged Screening Levels

BLDG HT (ft) 10 20 30 40 50

Hs / Hb 1.25 1.75 2.50 1.25 1.75 2.50

1.25 1.75 2.50 1.25 1.75 2.50 1.25 1.75

2.50

Stack Height-> 12.5 17.5 25.0 25.0 35.0

50.0 37.5 52.5 75.0 50.0 70.0 100.0 62.5

87.5 125.0

D 25 0.0085 0.022 0.159 0.032 0.084

0.679 0.075 0.220 1.603 0.152 0.421

2.941 0.263 0.736 4.630

I 50 0.0087 0.022 0.159 0.032 0.084

0.679 0.075 0.220 1.603 0.152 0.421

2.941 0.263 0.736 4.630

S 75 0.0096 0.022 0.159 0.032 0.084

0.679 0.075 0.220 1.603 0.152 0.421

2.941 0.263 0.736 4.630

T 100 0.011 0.023 0.159 0.033 0.084

0.679 0.075 0.220 1.603 0.152 0.421

2.941 0.263 0.736 4.630

A 200 0.020 0.040 0.159 0.042 0.084

0.679 0.082 0.220 1.603 0.157 0.421

2.941 0.266 0.736 4.630

N 300 0.030 0.053 0.178 0.059 0.113

0.679 0.099 0.221 1.603 0.174 0.421

2.941 0.282 0.736 4.630

C 400 0.040 0.065 0.171 0.077 0.140

0.679 0.126 0.268 1.603 0.200 0.421

2.941 0.312 0.736 4.630

E 500 0.051 0.077 0.189 0.094 0.164

0.679 0.153 0.318 1.603 0.243 0.505

2.941 0.351 0.743 4.630

600 0.063 0.091 0.222 0.112 0.188 0.746

0.181 0.368 1.603 0.287 0.588 2.941

0.409 0.838 4.630

F 700 0.075 0.104 0.241 0.130 0.211

0.812 0.208 0.413 1.603 0.328 0.664

2.941 0.468 0.951 4.717

T 800 0.089 0.119 0.257 0.148 0.235

0.768 0.235 0.459 1.608 0.370 0.740

2.941 0.528 1.064 4.803

900 0.103 0.134 0.264 0.167 0.258 0.770

0.261 0.502 1.672 0.411 0.812 2.941

0.585 1.168 4.854

1000 0.119 0.151 0.272 0.187 0.282

0.800 0.289 0.545 1.786 0.452 0.883

2.959 0.644 1.276 4.950

1500 0.209 0.245 0.318 0.290 0.406

1.080 0.428 0.756 1.953 0.654 1.214

3.521 0.924 1.761 5.376

2000 0.311 0.350 0.383 0.408 0.539

1.256 0.573 0.965 2.304 0.861 1.534

3.731 1.205 2.222 5.882

BLDG HT (ft) 60 70 80 90 100

Hs / Hb 1.25 1.75 2.50 1.25 1.75 2.50

1.25 1.75 2.50 1.25 1.75 2.50 1.25 1.75 2.50
Stack Height-> 75.0 105.0 150.0 87.5
122.5 175.0 100.0 140.0 200.0 112.5
157.5 225.0 125.0 175.0 250.0
D 25 0.412 1.114 6.098 0.606 1.656
 8.621 0.839 2.242 8.333 1.126 3.049
 13.514 1.458 3.876 14.286
I 50 0.412 1.114 6.098 0.606 1.656 8.621
 0.839 2.242 8.333 1.126 3.049 13.514
 1.458 3.876 14.286
S 75 0.412 1.114 6.098 0.606 1.656
 8.621 0.839 2.242 8.333 1.126 3.049
 13.514 1.458 3.876 14.286
T 100 0.412 1.114 6.098 0.606 1.656
 8.621 0.839 2.242 8.333 1.126 3.049
 13.514 1.458 3.876 14.286
A 200 0.413 1.114 6.098 0.606 1.656
 8.621 0.839 2.242 8.333 1.126 3.049
 13.514 1.458 3.876 14.286
N 300 0.426 1.114 6.098 0.614 1.656
 8.621 0.845 2.242 8.333 1.129 3.049
 13.514 1.458 3.876 14.286
C 400 0.455 1.114 6.098 0.641 1.656
 8.621 0.868 2.242 8.333 1.147 3.049
 13.514 1.475 3.876 14.286
E 500 0.498 1.114 6.098 0.683 1.656
 8.621 0.909 2.242 8.333 1.185 3.049
 13.514 1.506 3.876 14.286
600 0.545 1.114 6.098 0.741 1.656 8.621
 0.967 2.242 8.333 1.244 3.049 13.514
 1.563 3.876 14.286
F 700 0.625 1.269 6.250 0.808 1.672
 8.621 1.040 2.242 8.333 1.316 3.049
 13.514 1.634 3.876 14.286
T 800 0.705 1.429 6.410 0.901 1.825
 8.621 1.111 2.242 8.333 1.404 3.049
 13.514 1.730 3.876 14.286
900 0.781 1.572 6.579 1.000 2.016 8.621
 1.235 2.488 9.091 1.502 3.086 13.514
 1.832 3.876 14.286
1000 0.861 1.724 6.849 1.101 2.203
 9.091 1.359 2.732 10.000 1.634 3.289
 13.514 1.931 3.876 14.286
1500 1.232 2.404 7.042 1.577 3.106
 9.615 1.953 3.846 11.905 2.358 4.505
 15.152 2.778 5.208 16.129
2000 1.603 3.049 7.353 2.041 3.968
 9.615 2.525 4.808 12.821 3.049 5.618
 16.129 3.597 6.494 18.519

History: 1998-2000 AACS.

[No R 336.1228]

R 336.1228 Requirement for lower emission rate than required by T-BACT and healthbased screening levels.

Rule 228.

The department may determine, on a case-by-case basis, that the maximum allowable emission rate determined in R 36.1224(1), R 336.1225(1), R 336.1225(2), or R 336.1225(3) may not provide adequate protection of human health or the environment. In this case, the department shall establish a maximum allowable emission rate considering all relevant scientific information, such as exposure from routes of exposure other than direct inhalation, synergistic or additive effects from other toxic air contaminants, and effects on the environment.

History: 1998-2000 AACS.

Rule 228

- There is no rule 228 in the federal SIP

[No R 336.1229]

R 336.1229 Methodology for determining health-based screening levels.

Rule 229.

(1) The initial and secondary risk screening levels for a carcinogen shall be determined by any of the following:

(a) The cancer risk assessment screening methodology contained in R 336.1231.

(b) The United States environmental protection agency guidelines for carcinogen risk assessment, United States environmental protection agency, 1986, as adopted by reference in R 336.1299.

(c) Any alternative cancer risk assessment methodology which can be demonstrated to the department to be more appropriate based on biological grounds and which is supported by the scientific data.

(2) The initial threshold screening level shall be determined by either of the following:

(a) The methodology for determining the initial threshold screening level contained in R 336.1232.

(b) Any alternative methodology to assess noncarcinogenic health effects that can be demonstrated to the department to be more appropriate based on toxicological grounds and that is supported by the scientific data.

History: 1998-2000 AACS.

Rule 229

- There is no rule 229 in the federal SIP

<p>[No R 336.1230]</p>	<p>R 336.1230 Informational list for health-based screening levels and T-BACT determinations. Rule 230.</p> <p>For information purposes, the department will maintain up-to-date lists of the following information and will provide the information upon request:</p> <p>(a) Chemical abstract service numbers and the basis for determining each of the following screening levels:</p> <p>(i) Initial threshold screening levels reviewed by the department.</p> <p>(ii) Initial and secondary risk-based screening levels reviewed by the department.</p> <p>(b) Ambient concentrations for toxic air contaminants reviewed by the department under R 336.1226(d) and R 336.1228, the applicable chemical abstract service number, and the basis for any alternative concentration approved under these rules.</p> <p>(c) T-BACT determinations reviewed by the department.</p> <p>History: 1992 AACS; 1994 AACS; 1998-2000 AACS.</p>	<p>Rule 230</p> <ul style="list-style-type: none"> • There is no rule 230 in the federal SIP
<p>[No R. 336.1231]</p>	<p>R 336.1231 Cancer risk assessment screening methodology. Rule 231.</p> <p>(1) The initial risk screening level (IRSL) and the secondary risk screening level (SRSL) shall be determined as follows:</p> <p>$IRSL = [(1 \times 10^{-6}) / (\text{unit risk})]$</p> <p>$SRSL = [(1 \times 10^{-5}) / (\text{unit risk})]$</p> <p>Where:</p> <p>Unit risk = Additional lifetime cancer risk occurring in a population in which all individuals are exposed continuously for life to a concentration of 1 microgram per cubic meter of the chemical in the air they breathe. The unit risk value shall be determined according to the methodology in subrule (2) of this rule.</p> <p>1×10^{-6} = An upper bound lifetime cancer risk of 1 in 1,000,000.</p> <p>1×10^{-5} = An upper bound lifetime cancer risk of 1 in 100,000.</p> <p>(2) Both of the following provisions apply to derivation of unit risk:</p> <p>(a) The unit risk value determined by the United States environmental protection agency according to the guidelines for carcinogen risk assessment, United States</p>	<p>Rule 231</p> <ul style="list-style-type: none"> • There is no rule 231 in the federal SIP

environmental protection agency, 1986, shall be used to estimate risk. This standard is adopted by reference in R 336.1299.

(b) If a unit risk value has not been determined by the United States environmental protection agency, then the unit risk value shall be determined as follows:

$$\text{Unit risk} = q1 *$$

Where:

q1 * = Linear function or slope of the multistage model as derived in subrule (3) of this rule. This parameter is expressed in units of (microgram per cubic meter)⁻¹.

(3) All of the following provisions apply to the derivation of q1 *:

(a) This methodology, based upon animal bioassay data, shall be used when human epidemiology data are not available to estimate increased cancer risk.

(b) Carcinogenesis bioassay data are fit to the multistage model using a linearized multistage computer model. The upper 95% confidence limit on risk at the 1 in 1,000,000 risk level is divided by the maximum likelihood dose at the same level of risk that determines the slope, q1 *. This is taken as an upper bound of the potency of the chemical in inducing cancer at low doses. When the multistage model does not fit the data sufficiently, then data at the highest dose shall be deleted and the model refitted to the rest of the data. This procedure shall be continued until an acceptable fit to the data is obtained. To determine whether a fit is acceptable, the chi-square statistic:

$$\chi^2 = \sum_{i=1}^h \frac{(X_i - N_i P_i)^2}{N_i P_i}$$

$\sum_{i=1}^h$

$\frac{(X_i - N_i P_i)^2}{N_i P_i}$

$\sum_{i=1}^h$

$\sum_{i=1}^h \frac{(X_i - N_i P_i)^2}{N_i P_i}$

$\sum_{i=1}^h \frac{(X_i - N_i P_i)^2}{N_i P_i}$

$\sum_{i=1}^h$

$\sum_{i=1}^h$

(1)

()

is calculated, where Ni is the number of animals in the ith dose group, Xi is the number of animals in the ith dose group with a tumor response, Pi is the probability of a response in the ith dose group estimated by fitting the multistage model to the data, and h is the number of remaining groups. The fit is determined to be unacceptable when chi-square is larger than the cumulative 99% point of the chi-square distribution with f degrees of

freedom, where f equals the number of dose groups minus the number of nonzero multistate coefficients. If a single study in which a chemical induces more than 1 type of tumor is available, then the response for the tumor type predicting the highest estimate of q1* is used for the risk assessment. If 2 or more studies of equal quality are available, but vary in species, strain, sex, or tumor type, then the data set giving the highest estimate of q1* is used for the risk assessment. If 2 or more studies exist which are identical regarding species, strain, sex, and tumor type and are of equal quality, then the geometric mean of the q1* values from these data sets is used. However, where 2 or more significantly elevated tumor sites or types are observed in the same study, extrapolations may be conducted on selected sites or types. These selections shall be made on biological grounds. To obtain a total estimate of carcinogenic risk, animals with 1 or more tumor sites or types that show significantly elevated tumor incidence may be pooled and used for extrapolation. The pooled estimates shall generally be used in preference to risk estimates based on single sites or types. Quantitative risk extrapolations shall generally not be done on the basis of totals that include tumor sites without statistically significant elevations.

(c) To determine the equivalent human dose from animal data, it is assumed that milligram/surface area/day is an equivalent dose between species. To make this adjustment, the parameter q1*, in units of (milligram/kilogram/day)⁻¹, is multiplied by factor (T), where:

$$T = (WH / WA)^{1/3}$$

WH = Average weight of an adult human and assumed to be 70 kilograms.
WA = Body weight of the animal test species in kilograms.

(d) All dose levels input to the model are adjusted to give a lifetime average daily dose. If dosing was only for a fraction of a lifetime, then the total dose is averaged over the entire lifespan.

(e) If the duration of the experiment (Le) is less than the natural lifespan of the test animal (L), then the parameter q1*, is multiplied by the factor (L/Le)³.

(f) If the experimental route of exposure was by oral administration and inadequate pharmacokinetic and metabolism data are available to determine equivalent exposure

levels via inhalation, then the following methodology is used:

(i) Oral bioassay data are used to estimate $q1^*$ as in subdivisions (a) to (e) of this subrule.

The parameter $q1^*$ will be in units of (milligram/kilogram/day)⁻¹.

(ii) To convert the parameter $q1^*$ based upon oral exposure in units of (milligram/kilogram/day)⁻¹ to $q1^*$ based upon inhalation exposure in units of (micrograms per cubic meter)⁻¹, it is assumed that a 70-kilogram person inhales 20 cubic meters of air per day.

Thus:

$$q1^* = (\mu\text{g} / \text{m}^3)^{-1} =$$

$$q1^* (\text{milligram} / \text{kilogram} / \text{day})^{-1}$$

$\frac{\text{kg}}$

$\frac{\text{m}}{70}$

$\frac{20}{3}$

$\times 1000 \mu$

$\frac{\text{mg}}{\text{kg}}$

$\times b$

$\frac{a}{a}$

a

a = Absorption efficiency by the inhalation route of exposure.

b = Absorption efficiency by the oral route of exposure. In the absence of data on absorption efficiencies it is assumed that $a = b$.

(g) If exposure was by inhalation and the carcinogenic agent is an aerosol, then it is assumed the aerosol is deposited proportionally to the volume of air inspired. In the absence of specific deposition data, the daily dose (d) to be used for modeling is determined as follows:

$$D = \text{EEC} \times W$$

I

A

A

Where:

EEC = Experimental exposure concentration in milligrams per cubic meter (mg/m³).

IA = Daily inhalation rate of the experimental animal in cubic meters per day (m³/day).

WA = Body weight of the experimental animal in kilograms (kg).

(h) If exposure was by inhalation and the carcinogenic agent is a gas, then the available data shall be evaluated to determine dose equivalency between humans and experimental animals. In the absence of adequate data, if the carcinogenic agent is a poorly water soluble gas that reaches equilibrium between air breathed and body compartments, then it is assumed that a certain

[No R 336.1232]

concentration in parts per million (ppm) or micrograms per cubic meter (ug/m3) in experimental animals is equivalent to the same concentration in humans.

(4) An annual average time period shall be used for the IRSL and SRSL.

History: 1992 AACS; 1998-2000 AACS.

R 336.1232 Methodology for determining initial threshold screening level.
Rule 232.

(1) The initial threshold screening level (ITSL) for each toxic air contaminant shall be determined as follows:

(a) If an inhalation reference concentration (RfC) can be determined from best available information sources, then the initial threshold screening level equals the inhalation RfC.

(b) If an initial threshold screening level cannot be determined under the provisions of subdivision (a) of this subrule and an oral reference dose (RfD) can be determined through best available information and data are not available to indicate that oral route to inhalation route extrapolation is inappropriate, then the initial threshold screening level is determined as follows:

ITSL = Oral RfD X

m

kg

3 20

70

(c) If an initial threshold screening level cannot be determined under the provisions of subdivision (a) or (b) of this subrule and an occupational exposure level (OEL) exists for the toxic air contaminant, then the initial threshold screening level is determined as follows:

ITSL = OEL divided by 100

Where occupational exposure level is the lowest value of either the national institute of occupational safety and health (NIOSH) recommended exposure level listed in the NIOSH pocket guide to chemical hazards (June 1994) or the time-weighted average or ceiling TLV listed in the 1996 American conference of governmental and industrial hygienists threshold limit value (TLV) booklet. These standards are adopted by reference in R 336.1299.

(d) If an initial threshold screening level cannot be determined under the provisions of

Rule 232

- There is no rule 232 in the federal SIP

subdivision (a), (b), or (c) of this subrule, then the initial threshold screening level may be determined from a 7-day, inhalation, no observed adverse effect level (NOAEL) or lowest observable adverse effect level (LOAEL) as follows:

$$ITSL = [(NOAEL) / (35 \times 100)] \times [(hours\ exposed\ per\ day) / (24\ hours\ per\ day)]$$

$$ITSL = [(LOAEL) / (35 \times 100 \times UF)] \times [(hours\ exposed\ per\ day) / (24\ hours\ per\ day)]$$

Where:

UF = A value from 1 to 10 determined on a case-by-case basis, considering type and severity of effect.

The ITSL may be determined on a case-by-case basis using NOAELs or LOAELs from repeated dose studies other than 7-day studies.

(e) If an initial threshold screening level cannot be determined under the provisions of subdivision (a), (b), (c), or (d) of this subrule, then the initial threshold screening level may be determined from a 7-day, oral, no observed adverse effect level or lowest observable effect level (LOAEL) as follows:

$$ITSL = \frac{35 \times 100 \times NOAEL}{WA \times IA \times a \times b}$$

$$ITSL = \frac{35 \times 100 \times LOAEL}{WA \times IA \times a \times b}$$

Where:

WA = Body weight of experimental animal in kilograms (kg).

IA = Daily inhalation rate of experimental animal in cubic meters/day.

b = Absorption efficiency by the oral route of exposure.

a = Absorption efficiency by the inhalation route of exposure.

UF = A value from 1 to 10 determined on a case-by-case basis, considering type and severity of effect. The ITSL may be determined on a case-by-case basis using NOAELs or LOAELs from repeated dose studies other than 7-day studies.

(f) If an initial threshold screening level cannot be determined under the provisions of subdivision (a), (b), (c), (d), or (e) of this

subrule, then the initial threshold screening level may be determined from an inhalation LC50 that is 4 or more hours in duration as follows:

$$ITSL = [(LC50) / (500 \times 100)]$$

(g) If an initial threshold screening level cannot be determined under the provisions of subdivision (a), (b), (c), (d), (e), or (f) of this subrule, then the initial threshold screening level may be determined from a 1-hour inhalation LC50 as follows:

$$ITSL = [(LC50) / (500 \times 100 \times 40)]$$

(h) If an initial threshold screening level cannot be determined under the provisions of subdivision (a), (b), (c), (d), (e), (f), or (g) of this subrule, then the initial threshold screening level may be determined from an animal oral LD50 as follows:

$$ITSL = [(1) / (500)] \times [(1) / (40)] \times [(1) / (100)] \times [(LD 50(mg/kg) \times WA) / (0.167 \times IA)]$$

Where:

WA = Body weight of experimental animal in kilograms (kg).

IA = Daily inhalation rate of experimental animal in cubic meters/day.

(i) If an initial threshold screening level cannot be determined under the provisions of subdivision (a), (b), (c), (d), (e), (f), (g), or (h) of this subrule, then the initial threshold screening level = 0.1 ug/m³.

(2) The averaging times to be used for initial threshold screening levels are as follows:

(a) If the initial threshold screening level is derived from an occupational exposure level as in subrule (1)(c) of this rule, then the averaging time is 8 hours for initial threshold screening levels based on time-weighted average threshold limit values or recommended exposure levels and 1 hour for initial threshold screening levels based on ceiling threshold limit values or recommended exposure levels.

(b) If the initial threshold screening level is derived as in subrule (1)(a) and (b) of this rule, then the averaging time is 24 hours.

(c) If the initial threshold screening level is derived as in subrule (1)(d), (e), (f), (g), (h), or (i) of this rule, then the averaging time is annual.

(d) The commission may require shorter averaging times if necessary to provide adequate protection from the acute effects of a toxic air contaminant.

History: 1992 AACS; 1998-2000 AACS.

R 336.1240 Required air quality models.
(1/18/80)

Rule 240.

(1) All air quality modeling demonstrations required by the commission or used to support or amend the state implementation plan shall be made using 1 of the following models:

(a) An applicable model cited in the United States environmental protection agency's "Guideline on Air Quality Models", OAQPS, 1.2-080, April 1978.

(b) An applicable alternative model that meets the requirements of subrule (2).

(c) In cases where a plume is influenced by downwash eddies or wakes that may be caused by the source itself, nearby structures, or nearby terrain obstacles, models described in references 16, 17, and 18 in the United States environmental protection agency's "Guideline on Air Quality Models", OAQPS, 1.2-080, April 1978 may be used.

(2) The commission may approve the use of an alternate model if either of the following conditions is met:

(a) The model has been approved by the United States environmental protection agency pursuant to the review and revision contemplated in the United States environmental protection agency's "Guideline on Air Quality Models", OAQPS, 1.2-080, April 1978.

(b) All of the following conditions are met:

(i) A request for utilization of an alternate model is submitted to the commission.

(ii) The applicant demonstrates that the alternate model is comparable to those required by subrule (1)(a), using methods similar to those outlined in the United States environmental protection agency workbook for the comparison of air quality models, OAQPS, April 1977.

(iii) The applicant demonstrates, by comparison with actual ambient monitor sampling results, that the alternate model predicts ambient concentrations as well as an approved model cited in the guideline referenced in subrule (1)(a).

(iv) The alternate model or its algorithms are sufficiently described and documented to enable the commission to duplicate results.

(v) Output from the alternate model is sufficient to enable comparison with any applicable ambient air quality standard.

R 336.1240 Required air quality models.
Rule 240.

All air quality modeling demonstrations required by 40 C.F.R. §52.21, R 336.1220, or used to support or amend the state implementation plan shall be made in accordance with the models and procedures in 40 C.F.R. §51.160(f) and appendix W (2002). The department adopts by reference in these rules the provisions of 40 C.F.R. §51.160(f) and appendix W (2002). A copy of 40 C.F.R. §51.160(f) and appendix W (2002) may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R. §51.160(f) and appendix W (2002) may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$40.00; from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$40.00; or on the United States government printing office internet web site at <http://www.gpo.gov>.

History: 1980 AACS; 1989 AACS; 2003 AACS; 2008 AACS.

Rule 240

(1)

- The Michigan rules do not title this part as (1) because it is the only part of the rule
- The federal SIP says "the commission" where the Michigan rules use "40 C.F.R. §52.21, R 336.1220"
- The federal SIP says "using 1 of the following models:" where the Michigan rules say "in accordance with the models and procedures in 40 C.F.R. §51.160(f) and appendix W (2002)"
- The federal SIP breaks down into subrules (a)-(c) where the Michigan rules incorporate provisions of 40 C.F.R. §51.160(f)

Rule 240

(2)

- The Michigan rules do not have a part (2)

Rule 240

(3)

- The Michigan rules do not have a part (3)

(3) The use of an alternate model approved according to the requirements of subrule (2) may be extended for use by others in other instances, if such other usage is appropriate and has been suitably documented in the prior approval.

R 336.1241 Air quality modeling demonstration requirements. (1/18/80) Rule 241.

All air quality modeling demonstrations required by the commission or used to support or amend the state implementation plan shall be consistent with all of the following requirements:

(a) A 5-year meteorological data base shall be considered when available. A shorter meteorological record may be used in the modeling and subsequent analysis if it can be demonstrated that the shorter record includes the period or periods that cause the highest ambient air quality concentrations.

(b) The use of meteorological data other than that obtained from national weather service stations shall be approved by the commission.

(c) The most representative meteorological data that is reasonably available shall be used in air quality modeling demonstrations.

(d) The receptor grid network shall be sufficiently dense and strategically located to ensure to the satisfaction of the commission that maximum ambient air quality concentrations are predicted.

(e) All ambient air quality monitoring stations specified by the air quality division of the department of natural resources shall be included in the model's receptor grid network.

(f) The modeling demonstration shall not give credit for any stack height that exceeds good engineering practice design, unless such stack height existed prior to December 31, 1970.

R 336.1241 Air quality modeling demonstration requirements. Rule 241.

(1) All air quality modeling demonstrations required by the department which are not subject to R 336.1240 shall follow the procedures and methods referenced in R 336.1240, except for the demonstration may be based on the maximum ambient predicted concentration using the most recent calendar year of meteorological data from a representative national weather service, federal aviation administration station, or site specific measurement station.

History: 1980 AACS; 1989 AACS; 2003 AACS; 2008 AACS.

Rule 240

(1)

- The federal SIP does not title this part "(1)"
- The federal SIP uses "commission" where the Michigan rules use "department"
- The federal SIP breaks down the rule into subrule (a)-(f); the Michigan rules reference Rule 240.

[No R 336.1277]

R 336.1277 New emission units at facilities with plantwide applicability limits; exemption.

Rule 277.

The owner or operator of a facility complying with an actuals PAL, established pursuant to R 336.2823 or R 336.2907, may install a new emissions unit without first obtaining a permit to install under R 336.1201, if all of the following requirements are met:

(a) The new emissions unit will not cause a meaningful change in the nature or quantity of toxic air contaminants emitted from the stationary source unless the new emission unit is otherwise exempt under R 336.1278 to R 336.1290. In determining whether the new emissions unit will cause a meaningful change in the nature or quantity of toxic air contaminants, the following shall apply:

(i) The owner or operator shall demonstrate to the department that a meaningful change in the nature or quantity of toxic air contaminants has not occurred. The owner or operator may devise its own method to perform this demonstration subject to approval by the department. However, if the applicant demonstrates that all toxic air contaminants from a new emissions unit are within the levels specified in R 336.1226 or R 336.1227, then a meaningful change in air contaminants has not occurred.

(ii) If, using the methods described in paragraph (a) of this subdivision, the owner or operator determines that the installation of new emission units will cause a meaningful change in the nature or quantity of toxic air contaminant emissions, then the owner or operator shall obtain a state-only enforceable permit to install under R 336.1201(1)(b).

(iii) A copy of the demonstration required by subparagraph (a) of this paragraph shall be kept on site for the life of the new emissions unit and made available to the department upon request.

(b) The new emissions unit will only emit regulated new source review pollutants, as defined in R 336.2801(nn) and R 336.2901(ee), that are subject to a PAL, unless the new emission unit is otherwise exempt under R 336.1278 to R 336.1290.

(c) The new emissions unit will not be a newly constructed or reconstructed major source of hazardous air pollutants as defined in and subject to 40 C.F.R. §63.2 and §63.5(b)(3), national emission standard for hazardous air pollutants, adopted by reference

Rule 277

- There is no rule 277 in the federal SIP

<p>[No R 336.1278]</p>	<p>in R 336.1299.</p> <p>(d) The installation of the new emissions unit will not cause the violation of any other applicable requirement.</p> <p>(e) The owner or operator shall notify the department of the installation of a new emissions unit using the procedure in R 336.1215(3)(c).</p> <p>History: 2008 AACS.</p> <p>R 336.1278 Exclusion from exemption. Rule 278.</p> <p>(1) The exemptions specified in R 336.1280 to R 336.1290 do not apply to either of the following:</p> <p>(a) Any activity that is subject to prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations.</p> <p>(b) Any activity that results in an increase in actual emissions greater than the significance levels defined in R 336.1119. For the purpose of this rule, "activity" means the concurrent and related installation, construction, reconstruction, relocation, or modification of any process or process equipment.</p> <p>(2) The exemptions specified in R 336.1280 to R 336.1290 do not apply to the construction of a new major source of hazardous air pollutants or reconstruction of a major source of hazardous air pollutants, as defined in and subject to 40 C.F.R. §63.2 and §63.5(b)(3), national emission standards for hazardous air pollutants, adopted by reference in R 336.1299.</p> <p>(3) The exemptions specified in R 336.1280 to R 336.1290 do not apply to a construction or modification as defined in and subject to 40 C.F.R. part 61, national emission standards for hazardous air pollutants, adopted by reference in R 336.1299.</p> <p>(4) The exemptions in R 336.1280 to R 336.1290 apply to the requirement to obtain a permit to install only and do not exempt any source from complying with any other applicable requirement or existing permit limitation.</p> <p>History: 1993 AACS; 1994 AACS; 1995 AACS; 1996 AACS; 1997 AACS; 1998 AACS; 2003 AACS; 2008 AACS.</p>	<p><u>Rule 278</u></p> <ul style="list-style-type: none"> • There is no rule 278 in the federal SIP
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<p>[No R 336.1278a]</p>	<p>R 336.1278a Scope of permit exemptions. Rule 278a. (1) To be eligible for a specific exemption listed in R 336.1280 through R 336.1290, any person owning or operating an exempt process or exempt process equipment shall be able to provide information demonstrating the applicability of the exemption. The demonstration shall be provided within 30 days of a written request from the department. The demonstration may include the following information: (a) A description of the exempt process or process equipment, including the date of installation. (b) The specific exemption being used by the process or process equipment. (c) An analysis demonstrating that R 336.1278 does not apply to the process or process equipment. (2) The records required by this rule shall be provided in addition to any other records required within a specific exemption.</p> <p>History: 2003 AACCS.</p>	<p><u>Rule 278a</u></p> <ul style="list-style-type: none"> • There is no rule 278a in the federal SIP
<p>[No R 336.1279]</p>	<p>R 336.1279 Rescinded. History: 1993 AACCS; 1995 AACCS; 2003 AACCS.</p>	<p><u>Rule 279</u></p> <ul style="list-style-type: none"> • There is no rule 279 in the federal SIP or the Michigan rules
<p>R 336.1280 Permit system exemptions; cooling and ventilating equipment. (1/18/80) Rule 280. The permit system does not apply to any of the following: (a) Cold storage refrigeration equipment. (b) Comfort air conditioning or comfort ventilating systems not designed or used to remove air contaminants generated by, or released from, specific units of equipment. (c) Natural draft hoods or natural draft ventilation not designed or used to remove air contaminants generated by, or released from, specific units of equipment. (d) Water-cooling towers and water-cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers.</p>	<p>R 336.1280 Permit to install exemptions; cooling and ventilating equipment. Rule 280. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following: (a) Cold storage refrigeration equipment. (b) Comfort air conditioning or comfort ventilating systems not designed or used to remove air contaminants generated by, or released from, specific units of equipment. (c) Natural draft hoods or natural draft ventilation not designed or used to remove air contaminants generated by, or released from, specific units of equipment. (d) Water-cooling towers and water-cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers. (e) Funeral home embalming processes and associated ventilation systems.</p>	<p><u>Rule 280</u></p> <ul style="list-style-type: none"> • The heading of the federal SIP says "system" where the Michigan rules say "to install" • The federal SIP uses language "the permit system does not apply to any of the following," where the Michigan rules use "the requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:" <p><u>Rule 280</u> (a)</p> <ul style="list-style-type: none"> • No difference <p><u>Rule 280</u> (b)</p> <ul style="list-style-type: none"> • No difference <p><u>Rule 280</u> (c)</p> <ul style="list-style-type: none"> • No difference <p><u>Rule 280</u> (d)</p> <ul style="list-style-type: none"> • No difference <p><u>Rule 280</u></p>

<p>R 336.1281 Permit system exemptions; cleaning, washing, and drying equipment, (1/18/80) Rule 281.</p> <p>The permit system does not apply to any of the following:</p> <p>(a) Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.</p> <p>(b) Equipment used for portable steam cleaning.</p> <p>(c) Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system or collector serving them exclusively.</p> <p>(d) Equipment used for washing or drying products if no volatile organic compounds are used in the process and no oil or solid fuel is burned.</p> <p>(e) Laundry dryers, extractors, or tumblers for fabrics cleaned with only water solutions of bleach or detergents.</p> <p>(f) Dry-cleaning equipment with a capacity of 100 or less pounds of clothes.</p>	<p>History: 1980 AACS; 1993 AACS; 1995 AACS.</p> <p>R 336.1281 Permit to install exemptions; cleaning, washing, and drying equipment. Rule 281.</p> <p>The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:</p> <p>(a) Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.</p> <p>(b) Equipment used for portable steam cleaning.</p> <p>(c) Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system or collector serving them exclusively.</p> <p>(d) Portable blast-cleaning equipment equipped with appropriately designed and operated enclosure and control equipment.</p> <p>(e) Equipment used for washing or drying materials, where the material itself cannot become an air contaminant, if no volatile organic compounds that have a vapor pressure greater than 0.1 millimeter of mercury at standard conditions are used in the process and no oil or solid fuel is burned.</p> <p>(f) Laundry dryers, extractors, or tumblers for fabrics cleaned with only water solutions of bleach or detergents.</p> <p>(g) Dry-cleaning equipment that has a capacity of 100 or less pounds of clothes.</p> <p>(h) Cold cleaners that have an air/vapor interface of not more than 10 square feet.</p> <p>(i) Sterilization equipment at medical and pharmaceutical facilities using steam, hydrogen peroxide, peracetic acid, or a combination thereof.</p> <p>(j) Portable blast-cleaning equipment used during construction to clean new water tanks or other new structures if the tank or structure is not located closer than the lesser of 750 feet or 5 times the height of the structure to the nearest residential, commercial, or public facility and the abrasive media is a low dusting material that does not contain more than 5% crystalline silica.</p> <p>History: 1980 AACS; 1992 AACS; 1993 AACS; 1995 AACS; 2003 AACS; 2008 AACS.</p>	<p>(e)</p> <ul style="list-style-type: none"> There is no subrule (e) in the federal SIP <p>Rule 281 In the title of the rule, the federal SIP uses “system” where the Michigan rules use “to install” The federal SIP says “The permit system does not apply to any of the following,” where the Michigan rules say “The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:”</p> <p>Rule 281 (a)</p> <ul style="list-style-type: none"> No difference <p>Rule 281 (b)</p> <ul style="list-style-type: none"> No difference <p>Rule 281 (c)</p> <ul style="list-style-type: none"> No difference <p>Rule 281 (d)</p> <ul style="list-style-type: none"> The federal SIP relates to equipment used for washing or drying products where the Michigan rules discuss portable blast-cleaning equipment <p>Rule 281 (e)</p> <ul style="list-style-type: none"> The federal SIP discusses laundry dryers where the Michigan rules discuss equipment used for washing or drying materials. The Michigan rules (e) are similar to the federal SIP (d) but incorporate more specific terms <p>Rule 281 (f)</p> <ul style="list-style-type: none"> The federal SIP discusses dry cleaning equipment where the Michigan rules discuss laundry dryers The Michigan rule (f) is identical language to (e) of the federal SIP. <p>Rule 281 (g)</p> <ul style="list-style-type: none"> There is no subrule (g) in the federal SIP The Michigan rule (g) is identical language to the federal SIP subrule (f) <p>Rule 281 (h)-(j)</p> <ul style="list-style-type: none"> There are no subrules (h)-(j) in the federal SIP
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R 336.1282 Permit **system** exemptions; furnaces, ovens, and heaters. (1/18/80)
Rule 282.

The permit system does not apply to any of the following:

(a) Natural gas-fired, liquefied petroleum gas-fired, or electrically heated furnaces for heat treating glass or metals, the use of which does not involve molten materials.

(b) Porcelain enameling furnaces or porcelain enameling drying ovens and any exhaust equipment exclusively serving the furnaces or drying ovens.

(c) Kilns for firing ceramic ware that are heated exclusively by natural gas, liquefied petroleum gas, any combination thereof, or by electricity, and any exhaust system or collector exclusively serving the kilns.

(d) Blacksmith forges.

(e) Crucible furnaces, pot furnaces, or induction furnaces with a capacity of 1,000 pounds or less each, in which no sweating or distilling is conducted nor any fluxing conducted utilizing free chlorine, chloride and fluoride derivatives, and ammonium compounds.

(f) Sweet gas fuel and no. 1 and no. 2 fuel oil-burning equipment with a maximum heat input of 10,000,000 Btu/hour used for space heating, service water heating, electric power generation, or indirect heating.

(g) Fuel-burning and refuse-burning equipment used in connection with a structure that is designed and used exclusively as a dwelling for not more than 3 families.

(h) All residential cooking equipment.

(i) Bakery ovens and confection cookers where the products are edible and intended for human consumption and any exhaust system or collector exclusively serving the ovens and cookers.

(j) Sour gas-burning equipment, if the actual emission of sulfur dioxide does not exceed 1 pound per hour.

R 336.1282 Permit **to install** exemptions; furnaces, ovens, and heaters.
Rule 282.

The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:

(a) Any of the following processes or process equipment which are electrically heated or which fire sweet gas fuel or no. 1 or no. 2 fuel oil at a maximum total heat input rate of not more than 10,000,000 Btu per hour:

(i) Furnaces for heat treating glass or metals, the use of which does not involve molten materials, oil-coated parts, or oil quenching.

(ii) Porcelain enameling furnaces or porcelain enameling drying ovens.

(iii) Kilns for firing ceramic ware.

(iv) Crucible furnaces, pot furnaces, or induction melting and holding furnaces that have a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.

(v) Bakery ovens and confection cookers where the products are edible and intended for human consumption.

(vi) Electric resistance melting and holding furnaces that have a capacity of not more than 6,000 pounds per batch and 16,000 pounds per day, which melt only clean charge. Fluxing that results in the emission of any hazardous air pollutant shall not occur in the furnace.

(b) Fuel-burning equipment which is used for space heating, service water heating, electric power generation, oil and gas production or processing, or indirect heating and which burns only the following fuels:

(i) Sweet natural gas, synthetic gas, liquefied petroleum gas, or a combination thereof and the equipment has a rated heat input capacity of not more than 50,000,000 Btu per hour.

(ii) Number 1 fuel oil, number 2 fuel oil, distillate oil, the gaseous fuels specified in paragraph (i) of this subdivision, or a combination thereof which contains not more than 0.40% sulfur by weight and the equipment has a rated heat input capacity of not more than 20,000,000 Btu per hour.

(iii) Wood, wood residue, or wood waste which is not painted or treated with wood preservatives, which does not contain more than 25% plywood, chipboard, particleboard, and other types of manufactured wood boards, which is not contaminated with other waste

Rule 282

- The heading of the federal SIP uses “system” where the Michigan rules use “to install”
- The federal SIP uses the language “The permit system does not apply to any of the following:” where the Michigan rules use “The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:”

Rule 282

(a)

- The federal SIP discusses heated furnaces for heat treating glass or metals; the Michigan rules mention this, but break down the rule into more specific subparts (i)-(vi)

Rule 282

(b)

- The federal SIP discusses porcelain enameling furnaces where the Michigan rules discuss fuel-burning equipment used for space heating
- The Michigan rules break down into subparts (i)-(iv)

Rule 282

(c)

- The federal SIP discusses kilns; the Michigan rules discuss fuel burning equipment for dwellings of no more than 3 families

Rule 282

(d)

- The federal SIP says “blacksmith forges” where the Michigan rules say “all residential cooking equipment”

Rule 282

(e)

- The federal SIP discusses crucible furnaces where the Michigan rules discuss smokehouses

Rule 282

(f)

- The federal SIP mentions sweet gas fuel where the Michigan rules discuss blacksmith forges
- Blacksmith forges can be found in the federal SIP in subrule (d)

Rule 282

(g)

- The federal SIP discusses fuel burning equipment for dwellings of no more than 3 families where the Michigan rules discuss sour gas-burning equipment

<p>R 336.1283 Permit system exemptions; testing and inspection equipment. Rule 283.</p> <p>The permit system does not apply to any of the following:</p> <p>(a) Laboratory equipment used exclusively for chemical or physical analysis or experimentation, except equipment used for controlling radioactive air contaminants.</p> <p>(b) Equipment used for hydraulic or hydrostatic testing.</p> <p>(c) Equipment for inspection of metal products.</p>	<p>materials, and the equipment has a rated heat input capacity of not more than 6,000,000 Btu per hour.</p> <p>(iv) Waste oil or used oil fuels which are generated on the geographical site and the equipment has a rated heat input capacity of not more than 500,000 Btu per hour.</p> <p>(c) Fuel-burning and refuse-burning equipment used in connection with a structure that is designed and used exclusively as a dwelling for not more than 3 families.</p> <p>(d) All residential cooking equipment.</p> <p>(e) Equipment, including smokehouses, at restaurants and other retail or institutional establishments that is used for preparing food for human consumption.</p> <p>(f) Blacksmith forges.</p> <p>(g) Sour gas-burning equipment, if the actual emission of sulfur dioxide does not exceed 1 pound per hour.</p> <p>History: 1980 AACS; 1992 AACS; 1993 AACS; 1995 AACS; 2003 AACS.</p> <p>R 336.1283 Permit to install exemptions; testing and inspection equipment. Rule 283. (1) The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:</p> <p>(a) Pilot processes or process equipment utilizing T-BACT used for any of the following:</p> <p>(i) Chemical analysis.</p> <p>(ii) Physical analysis.</p> <p>(iii) Empirical research.</p> <p>(iv) Theoretical research.</p> <p>(v) The development of process or process equipment design and operating parameters.</p> <p>(vi) The production of a product for field testing.</p> <p>(vii) The production of a product for clinical testing of pharmaceuticals.</p> <p>(viii) The production of a product for use as a raw material in the research and development of a different product.</p> <p>(b) Laboratory equipment.</p> <p>(c) Equipment used for hydraulic or hydrostatic testing.</p> <p>(d) Equipment for the inspection of metal, wood, or plastic products.</p> <p>(e) Vacuum pumps for the leak-testing of metal products using helium or nitrogen gas.</p> <p>(f) Process sample valves used to collect material exclusively for testing and inspection.</p> <p>(2) The pilot processes and process equipment</p>	<ul style="list-style-type: none"> • The federal SIP (g) have the same language as the Michigan rules (c) <p>Rule 282 (h)</p> <ul style="list-style-type: none"> • The Michigan rules do not have a subpart (h) • The federal SIP (h) has the same language as the Michigan rule (d) <p>Rule 282 (i)</p> <ul style="list-style-type: none"> • The Michigan rules do not have a subpart (i) <p>Rule 282 (i)</p> <ul style="list-style-type: none"> • The Michigan rules do not have a subpart (j) • The federal SIP (j) uses the same language as the Michigan rule (g) <p>Rule 283</p> <ul style="list-style-type: none"> • The heading of the federal SIP uses "system" where the Michigan rules use "to install" • The federal SIP does not title the first part "(1)" • The federal SIP uses the language "The permit system does not apply to any of the following" where the Michigan rules use the language "The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:" <p>Rule 283 (a)</p> <ul style="list-style-type: none"> • The federal SIP discusses lab equipment for chemical and physical analysis/experimentation where the Michigan rules discuss processes or process equipment utilizing T-BACT <p>Rule 283 (b)</p> <ul style="list-style-type: none"> • The federal SIP says "equipment used for hydraulic testing" where the Michigan rules say "laboratory equipment" • Laboratory equipment is mentioned in the federal SIP subrule (a) <p>Rule 283 (c)</p> <p>The federal SIP says "equipment for</p>
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	<p>excluded from the requirement of R 336.1201(1) pursuant to the provisions of subrule (1)(a) of this rule do not include pilot processes or process equipment used for any of the following:</p> <p>(a) The production of a product for sale, unless such sale is only incidental to the use of the pilot process or process equipment.</p> <p>(b) The repetitive production of a product using the same process or process equipment design and operating parameters.</p> <p>(c) The production of a product for market testing or market development.</p> <p>(d) The treatment or disposal of waste which is designated, by listing or specified characteristic, as hazardous under federal regulations or state rules.</p> <p>History: 1993 AACCS; 1995 AACCS; 1997 AACCS.</p>	<p>inspection of metal products” where the Michigan rules mention equipment used for hydraulic testing</p> <p>The federal SIP (c) is the same as the Michigan rules (b)</p> <p>Rule 283 (d)</p> <ul style="list-style-type: none"> There is no part (d) in the federal SIP The federal SIP (c) is the same as the Michigan rules (d) except the Michigan rules add “wood, or plastic” <p>Rule 283 (e)-(f)</p> <ul style="list-style-type: none"> There are no parts (e)-(f) in the federal SIP <p>Rule 283 (2)</p> <ul style="list-style-type: none"> There is no part (2) in the federal SIP
<p>R 336.1284 Permit system exemptions; containers. (1/18/80)</p> <p>Rule 284.</p> <p>The permit system does not apply to containers, reservoirs, or tanks used exclusively for any of the following:</p> <p>(a) Dipping operations for coating objects with oils, waxes, greases, or natural or synthetic resins containing no organic solvents.</p> <p>(b) Electrolytic plating with, electrolytic polishing of, or electrolytic stripping of, the following metals: brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals.</p> <p>(c) Storage of butane, propane, or liquefied petroleum gas in a vessel with a capacity of less than 40,000 gallons.</p> <p>(d) Storage of lubricating oils.</p> <p>(e) Storage of no. 1 to no. 6 fuel oil as specified in ASTM-D-396-69, gas turbine fuel oils nos. 2-GT to 4-GT as specified in ASTM-D-2880-71, or diesel fuel oils nos. 2-D and 4-D as specified in ASTM-D-975-68. These ASTM methods are herein adopted by reference. Copies may be inspected at the Lansing office of the air quality division of the department of natural resources. Copies may be obtained from the Department of Natural Resources, P.O. Box 30028, Lansing, MI 48909, at a cost of</p>	<p>R 336.1284 Permit to install exemptions; containers.</p> <p>Rule 284.</p> <p>Except as specified in R 336.1278, the requirement of R 336.1201(1) to obtain a permit to install does not apply to containers, reservoirs, or tanks used exclusively for any of the following:</p> <p>(a) Dipping or storage operations for coating objects with oils, waxes, greases, or natural or synthetic resins containing no organic solvents.</p> <p>(b) Storage of butane, propane, or liquefied petroleum gas in a vessel that has a capacity of less than 40,000 gallons.</p> <p>(c) Storage and surge capacity of lubricating, hydraulic, and thermal oils and indirect heat transfer fluids.</p> <p>(d) Storage of no. 1 to no. 6 fuel oil as specified in ASTM-D-396, gas turbine fuel oils nos. 2-GT to 4-GT as specified in ASTM-D-2880, or diesel fuel oils nos. 2-D and 4-D as specified in ASTM-D-975. The ASTM methods are adopted by reference in R 336.1299.</p> <p>(e) Storage of sweet crude or sweet condensate in a vessel that has a capacity of less than 40,000 gallons.</p> <p>(f) Storage of sour crude or sour condensate in a vessel that has a capacity of less than 40,000 gallons if vapor recovery or its equivalent is</p>	<p>Rule 284</p> <ul style="list-style-type: none"> The heading of the federal SIP uses “system” where the Michigan rules use “to install” The federal SIP says “the permit system” where the Michigan rules say “except as specified in R 336.1278, the requirement of R 336.1201(1) to obtain a permit to install” <p>Rule 284 (a)</p> <ul style="list-style-type: none"> The Michigan rules add “or storage” where this language is not present in the federal SIP <p>Rule 284 (b)</p> <ul style="list-style-type: none"> The federal SIP discusses electrolytic plating where the Michigan rules discuss storage of butane, propane or liquefied petroleum <p>Rule 284 (c)</p> <ul style="list-style-type: none"> The federal SIP discusses the storage of butane, propane, or liquefied petroleum, where the Michigan rules discuss storage of thermal oils and heat transfer fluids The language in federal SIP (c) is identical to that of the Michigan rules (b) <p>Rule 284</p>

\$4.00 each. Copies may also be obtained from the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103, at a cost of \$4.00 each.

(f) Storage of sweet crude or sweet condensate in a vessel with a capacity of less than 40,000 gallons.

(g) Storage of sour crude or sour condensate in a vessel with a capacity of less than 40,000 gallons if vapor recovery or its equivalent is used to prevent the emission of vapors to the atmosphere.

(h) Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at dispensing facilities.

used to prevent the emission of vapors to the atmosphere.

(g) Gasoline or natural gas storage and handling equipment, as follows:

(i) Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at dispensing facilities.

(ii) Natural gas storage and handling equipment at dispensing facilities.

(h) Storage of water solutions of inorganic salts and bases and of water solutions of the following acids:

(i) Sulfuric acid that is not more than 99% by weight.

(ii) Phosphoric acid that is not more than 99% by weight.

(iii) Nitric acid that is not more than 20% by weight.

(iv) Hydrochloric acid that is not more than 11% by weight.

(i) Storage or transfer operations of volatile organic compounds or noncarcinogenic liquids in a vessel that has a capacity of not more than 40,000 gallons where the contents have a true vapor pressure of not more than 1.5 psia at the actual storage conditions.

(j) Pressurized storage of acetylene, hydrogen, oxygen, nitrogen, helium, and other substances, excluding chlorine and anhydrous ammonia in a quantity of more than 500 gallons, that have a boiling point of 0 degrees Celsius or lower.

(k) Storage containers of noncarcinogenic solid material, including silos, which only emit particulate matter and which are controlled with an appropriately designed and operated fabric filter collector system or an equivalent control system.

(l) Filling of noncarcinogenic liquids in shipping or storage containers that have emissions which are released only into the general in-plant environment.

(m) Storage of wood and wood residues.

(n) Storage of methanol in a vessel that has a capacity of not more than 30,000 gallons.

History: 1993 AACS; 1995 AACS; 1997 AACS; 2003 AACS; 2008 AACS.

(d)

- The federal SIP contains "lubricating oils" where the Michigan rules discuss storage of no. 1 to no. 6 fuel oil
- Michigan rules (c) mention lubricating oils, but go into more specifics than what is contained in the federal SIP (d)

Rule 284

(e)

- The federal SIP includes storage of no. 1 to no. 6 fuel oil where the Michigan rules mention storage of sweet crude or sweet condensate
- The federal SIP (e) is very similar to that of Michigan rules (d). The differences are found where specific citations are used. Furthermore, the federal SIP discusses where one may obtain copies and at what price

Rule 284

(f)

- The federal SIP discusses the storage of sweet crude or sweet condensate where the Michigan rules discuss storage of sour crude or sour condensate
- The language in the federal SIP (f) is identical to that of Michigan rule (e)

Rule 284

(g)

- The federal SIP discusses storage of sour crude or sour condensate where the Michigan rules discuss gasoline or natural gas storage
- The language in federal SIP (g) is identical to that of Michigan rule (f) with the exception that the federal SIP uses the word "with" where the Michigan rule uses "that has"

Rule 284

(h)

- The federal SIP discusses gasoline storage and handling equipment where the Michigan rules discuss storage of water solutions
- The federal SIP (h) has identical language to that of the Michigan rules (g)(i)

Rule 284

(i)-(n)

- The federal SIP does not contain parts (i)-(n) where the Michigan rules do.

<p>R 336.1285 Permit system exemptions; miscellaneous. (1/18/80) Rule 285. The permit system does not apply to any of the following: (a) Maintenance structural changes, parts replacement, repairs considered by the commission to be minor, or relocation of equipment within the same building not involving any change in the quality, nature, or quantity of the emission of an air contaminant therefrom. Examples of minor parts replacement or repairs include the following: (i) Replacing bags in a baghouse. (ii) Replacing wires, plates, rappers, or electric circuitry in an electrostatic precipitator which does not measurably alter the design efficiency of the unit. (iii) Replacement of fans, pumps, or motors which does not alter the operation of a source or performance of a control device. (iv) Boiler tubes. (v) Piping and ductwork. (vi) Replacement of engines, compressors, or turbines as part of a normal maintenance program. (b) Equipment used for any mode of transportation. (c) Internal combustion engines with less than 10,000,000 Btu/hour maximum heat input. (d) Vacuum pumps in laboratory or pilot plant operations. (e) Portable brazing, soldering, or welding equipment. (f) Grain, metal, or mineral extrusion presses. (g) The following equipment and an exhaust system or collector exclusively serving the equipment: (i) Drop hammers or hydraulic presses for foregoing metalwork. (ii) Die casting machines. (iii) Equipment for surface preparation of metals by use of aqueous solutions, except for acid solutions. (iv) Atmosphere generators used in connection with metal heat treating processes. (v) Equipment used exclusively for sintering metal-bearing ores, metal scale, clay, flyash, or metal compounds. (vi) Equipment for brazing, welding, soldering, carving, cutting, routing, turning, drilling, machining, sawing, surface</p>	<p>R 336.1285 Permit to install exemptions; miscellaneous. Rule 285. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following: (a) Routine maintenance, parts replacement, or other repairs that are considered by the department to be minor, or relocation of process equipment within the same geographical site not involving any appreciable change in the quality, nature, quantity, or impact of the emission of an air contaminant therefrom. Examples of parts replacement or repairs considered by the department to be minor include the following: (i) Replacing bags in a baghouse. (ii) Replacing wires, plates, rappers, controls, or electric circuitry in an electrostatic precipitator which does not measurably decrease the design efficiency of the unit. (iii) Replacement of fans, pumps, or motors which does not alter the operation of a source or performance of air pollution control equipment. (iv) Boiler tubes. (v) Piping, hoods, and ductwork. (vi) Replacement of engines, compressors, or turbines as part of a normal maintenance program. (b) Changes in a process or process equipment which do not involve installing, constructing, or reconstructing an emission unit and which do not involve any meaningful change in the quality and nature or any meaningful increase in the quantity of the emission of an air contaminant therefrom. Examples of such changes in a process or process equipment include the following: (i) Change in the supplier or formulation of similar raw materials, fuels, or paints and other coatings. (ii) Change in the sequence of the process. (iii) Change in the method of raw material addition. (iv) Change in the method of product packaging. (v) Change in process operating parameters. (vi) Installation of a floating roof on an open top petroleum storage tank. (vii) Replacement of a fuel burner in a boiler with an equally or more thermally efficient burner. (viii) Lengthening a paint drying oven to provide additional curing time. (c) Changes in a process or process equipment</p>	<p>Rule 285</p> <ul style="list-style-type: none"> The heading of the federal SIP uses "system" where the Michigan rules use "to install" The federal SIP says "the permit system" where the Michigan rules say "the requirement of R 336.1201(1) to obtain a permit to install" <p>Rule 285 (a)</p> <ul style="list-style-type: none"> The federal SIP says "maintenance structural changes" where the Michigan rules say "routine maintenance" The Michigan rules add the phrases "or other" and "that are" where they are not present in the federal SIP The federal SIP says "commission" where the Michigan rules say "department" The Michigan rules add the word "process" where it is not present in the federal SIP The federal SIP uses "building" where the Michigan rules use "geographical site" The Michigan rules add the word "appreciable" where the federal SIP lacks this word The Michigan rules add the word "impact" where the federal SIP does not have this word The federal SIP uses the word "minor" where the word is lacking in the Michigan rules The Michigan rules add the phrase "considered by the department" where this is not present in the federal SIP <p>Rule 285 (a)(i)</p> <ul style="list-style-type: none"> No difference <p>Rule 285 (a)(ii)</p> <ul style="list-style-type: none"> The Michigan rules add the word "controls" where the federal SIP does not include this word The federal SIP uses the word "alter" where the Michigan rules use the word "decrease" <p>Rule 285 (a)(iii)</p> <ul style="list-style-type: none"> The federal SIP uses "a" where the Michigan rules use "air pollution" The federal SIP uses the word "device" where the Michigan rules use "equipment" <p>Rule 285 (a)(iv)</p> <ul style="list-style-type: none"> No difference <p>Rule 285 (a)(v)</p> <ul style="list-style-type: none"> The Michigan rules add "hoods" where that is not included in the federal SIP <p>Rule 285 (a)(vi)</p> <ul style="list-style-type: none"> No difference <p>Rule 285</p> <ul style="list-style-type: none"> No difference
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<p>grinding, sanding, planing, buffing, or polishing ceramic artwork, leather, metals, plastics, rubber, wood, or wood products on a non-production basis.</p> <p>(vii) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy.</p> <p>(viii) Battery charging operations.</p> <p>(h) Lagoons and sewage treatment plant facilities, excluding lime storage equipment, sewage sludge incinerators, and heat treatment processes.</p> <p>(i) Livestock and livestock handling systems from which the only potential air contaminant emission is odorous gas.</p> <p>(j) Equipment for handling and drying grain on a farm.</p> <p>(k) Equipment used for oil and gas well drilling, testing, completion, and workover activities.</p> <p>(l) Portable steam deicers that have a heat input of less than 1,000,000 Btu's per hour.</p>	<p>which do not involve installing, constructing, or reconstructing an emission unit and which involve a meaningful change in the quality and nature, or a meaningful increase in the quantity, of the emission of an air contaminant resulting from any of the following:</p> <p>(i) Changes in the supplier or supply of the same type of virgin fuel, such as coal, no. 2 fuel oil, no. 6 fuel oil, or natural gas.</p> <p>(ii) Changes in the location, within the storage area, or configuration of a material storage pile or material handling equipment.</p> <p>(iii) Changes in a process or process equipment to the extent that such changes do not alter the quality and nature, or increase the quantity, of the emission of the air contaminant beyond the level which has been described in and allowed by an approved permit to install, permit to operate, or order of the department.</p> <p>(d) Reconstruction or replacement of air pollution control equipment with equivalent or more efficient equipment.</p> <p>(e) Installation, construction, or replacement of air pollution control equipment for an existing process or process equipment for the purpose of complying with the national emission standards of hazardous air pollutants regulated under section 112 of part A of title I of the clean air act, 84 Statutes 1685, 42 U.S.C. §7412.</p> <p>(f) Installation or construction of air pollution control equipment for an existing process or process equipment if the control equipment itself does not actually generate a significant amount of criteria air contaminants as defined in R 336.1119(e) or a meaningful quantity of toxic air contaminants.</p> <p>(g) Internal combustion engines that have less than 10,000,000 Btu/hour maximum heat input.</p> <p>(h) Vacuum pumps in laboratory or pilot plant operations.</p> <p>(i) Brazing, soldering, welding, or plasma coating equipment.</p> <p>(j) Portable cutting torches.</p> <p>(k) Grain, metal, or mineral extrusion presses.</p> <p>(l) The following equipment and any exhaust system or collector exclusively serving the equipment:</p> <p>(i) Equipment used exclusively for bending, forming, expanding, rolling, forging, pressing, drawing, stamping, spinning, or extruding either hot or cold metals.</p> <p>(ii) Die casting machines.</p> <p>(iii) Equipment for surface preparation of</p>	<p>(b)</p> <ul style="list-style-type: none"> The federal SIP considers equipment used for any mode of transportation where the Michigan rules discuss changes in processes or process equipment that do not involve any meaningful change in the quality or nature of air emissions <p>Rule 285 (c)</p> <ul style="list-style-type: none"> The federal SIP discusses internal combustion engines where the Michigan rules discuss changes in process or process equipment that involves any meaningful change in the quality or nature of air emissions <p>Rule 285 (d)</p> <ul style="list-style-type: none"> The federal SIP discusses vacuum pumps in a laboratory or pilot plant operations where the Michigan rules discuss reconstruction or replacement of air pollution control equipment <p>Rule 285 (e)</p> <ul style="list-style-type: none"> The federal SIP mentions portable brazing, soldering, or welding equipment where the Michigan rules discuss installation, construction, or replacement of air pollution control equipment <p>Rule 285 (f)</p> <ul style="list-style-type: none"> The federal SIP discusses grain, metal, or mineral extrusion presses where the Michigan rules discuss installation or construction of air pollution control equipment <p>Rule 285 (g)</p> <ul style="list-style-type: none"> The federal SIP mentions exhaust systems or collectors where the Michigan rules discuss internal combustion engines The language in the federal SIP (c) is identical to that of the Michigan rules (g) except that the federal SIP uses the word "with" where the Michigan rules use the words "that have" <p>Rule 285 (h)</p> <ul style="list-style-type: none"> The federal SIP addresses lagoons and sewage treatment plant facilities where the Michigan rules address vacuum pumps in lab or pilot plant operations The federal SIP (d) is identical language to Michigan rules (h) <p>Rule 285 (i)</p> <ul style="list-style-type: none"> The federal SIP addresses livestock and livestock handling equipment where the Michigan rules address brazing, soldering, welding or plasma coating equipment The federal SIP (e) is the same as the Michigan rule (i) except that the federal SIP includes the word "portable" where the Michigan rules
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metals by use of aqueous solutions, except for acid solutions.

(iv) Atmosphere generators used in connection with metal heat treating processes.

(v) Equipment used exclusively for sintering of glass or metals, but not exempting equipment used for sintering metal-bearing ores, metal scale, clay, flyash, or metal compounds.

(vi) Equipment for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals, graphite, plastics, concrete, rubber, paper stock, wood, or wood products which meets any of the following:

(A) Equipment used on a nonproduction basis.

(B) Equipment has emissions that are released only into the general in-plant environment.

(C) Equipment has externally vented emissions controlled by an appropriately designed and operated fabric filter collector that, for all specified operations with metal, is preceded by a mechanical precleaner.

(vii) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy, including any of the following:

(A) Blueprint machines.

(B) Photocopiers.

(C) Mimeograph machines.

(D) Photographic developing processes.

(E) Microfiche copiers.

(viii) Battery charging operations.

(ix) Pad printers.

(m) Lagoons, process water treatment equipment, wastewater treatment equipment, and sewage treatment equipment, except for any of the following:

(i) Lagoons and equipment primarily designed to treat volatile organic compounds in process water, wastewater, or groundwater, unless the emissions from the lagoons and equipment are only released into the general in-plant environment.

(ii) Sludge incinerators and dryers.

(iii) Heat treatment processes.

(iv) Odor control equipment.

(n) Livestock and livestock handling systems from which the only potential air contaminant emission is odorous gas.

(o) Equipment for handling and drying grain on a farm.

(p) Commercial equipment used for grain unloading, handling, cleaning, storing,

leave it out, and the Michigan rules add "plasma coating" where it is absent in the federal SIP

Rule 285 (i)

- The federal SIP addresses equipment for handling and drying grain on a farm where the Michigan rules address portable cutting torches

Rule 285 (k)

- The federal SIP addresses equipment used for oil and gas well drilling, testing, completion, and workover activities, where the Michigan rules address grain, metal or mineral extrusion presses
- Federal SIP (f) is identical language to the Michigan rules (k)

Rule 285 (l)

- The federal SIP addresses portable steam deicers where the Michigan rules address exhaust systems and collectors
- The language from federal SIP (g) is comparable to Michigan rule (l) (*see detailed comparison below)

Rule 285 (m)

- The federal SIP does not have a part (m), whereas the Michigan rules do
- The language in federal SIP (h) is comparable to the Michigan rules (m) in that they both address lagoons. The Michigan rules are more explicit than the federal SIP

Rule 285 (n)

- The federal SIP does not have a part (n) whereas the Michigan rules do
- The federal SIP (i) is identical language to Michigan rule (n)

Rule 285 (o)

- There is no part (o) in the federal SIP, whereas there is in the Michigan rules
- The federal SIP (j) is identical to the Michigan rules (o)

Rule 285 (p)

- There is no part (p) in the federal SIP
- There is no comparable part in the federal SIP to part (p) of the Michigan rules

Rule 285 (q)

- There is no part (q) in the federal SIP, whereas there is one in the Michigan rules
- Federal SIP (l) has identical language to that of Michigan rules (q)

Rule 285 (r)-(mm)

- The federal SIP does not have parts (r)-(mm)
- There are no comparable sections of the Federal SIP to those provisions in the Michigan rules

loading, or drying in a column dryer that has a column plate perforation of not more than 0.094 inch or a rack dryer in which exhaust gases pass through a screen filter no coarser than 50 mesh.

(q) Portable steam deicers that have a heat input of less than 1,000,000 Btu's per hour.

(r) Equipment used for any of the following metal treatment processes if the process emissions are only released into the general in-plant environment:

(i) Surface treatment.

(ii) Pickling.

(iii) Acid dipping.

(iv) Cleaning.

(v) Etching.

(vi) Electropolishing.

(vii) Electrolytic stripping or electrolytic plating.

(s) Emissions or airborne radioactive materials specifically authorized pursuant to a United States nuclear regulatory commission license.

(t) Equipment for the mining and screening of uncrushed sand, gravel, soil and other inorganic soil-like materials.

(u) Solvent distillation equipment that has a rated batch capacity of not more than 55 gallons.

(v) Any vapor vacuum extraction soil remediation process where vapor is treated in a control device and all of the vapor is reinjected into the soil such that there are no emissions to the atmosphere during normal operation.

(w) Air strippers controlled by an appropriately designed and operated carbon adsorption or incineration system that is used exclusively for the cleanup of gasoline, fuel oil, natural gas condensate, and crude oil spills.

(x) Any asbestos removal or stripping process or process equipment.

(y) Ozonization process or process equipment.

(z) Combustion of boiler cleaning solutions that were solely used for or intended for cleaning internal surfaces of boiler tubes and related steam and water cycle components if the solution burned is not designated, by listing or specified characteristic, as hazardous pursuant to federal regulations or state rules.

(aa) Landfills and associated flares and leachate collection and handling equipment.

(bb) A residential, municipal, commercial, or agricultural composting process or process equipment.

(cc) Gun shooting ranges controlled by

***SIP(g) vs. Michigan (l)**

- The federal SIP uses “an” where the Michigan rules use “any”
- (i)**
The federal SIP mentions drop hammers and hydraulic presses where the Michigan rules discuss equipment used to manipulate metals
- (ii)**
- No difference
- (iii)**
- No difference
- (iv)**
- No difference
- (v)**
- The Michigan rules add the language “for sintering of glass or metals, but not exempting equipment used” where the federal SIP does not have this language
- (vi)**
- The federal SIP mentions “brazing, welding, and soldering” where the Michigan rules do not
 - The Michigan rules add the language “sand blast cleaning, shot blasting, shot peening” and “graphite,” “concrete,” and “paper stock” where this language does not exist in the federal SIP
 - The federal SIP says “on a non-production basis” where the Michigan rules say “which meets any of the following”
 - The Michigan Sip gets into more detail, breaking down the rule into more specific parts (A)-(C) – the federal SIP has no such breakdown
- (vii)**
- The language is the same in the federal SIP and the Michigan rules until the end of the rule, where the Michigan rules break down into parts (A)-(E) with specific examples; the federal SIP has no such breakdown
- (viii)**
- No difference
- (ix)**
- The federal SIP does not have a part (ix) where the Michigan rules do.

appropriately designed and operated highefficiency particulate filters.

(dd) Equipment for handling, conveying, cleaning, milling, mixing, cooking, drying, coating, and packaging grain-based food products and ingredients which meet any of the following:

- (i) Equipment used on a nonproduction basis.
- (ii) Equipment has emissions that are released only into the general in-plant environment.
- (iii) Equipment has externally vented emissions controlled by an appropriately designed and operated particulate control system.

(ee) Open burning.

(ff) Fire extinguisher filling, testing, spraying, and repairing.

(gg) Equipment used for chipping, flaking, or hogging wood or wood residues that are not demolition waste materials.

(hh) A process that uses only hand-held aerosol spray cans, including the puncturing and disposing of the spray cans.

(ii) Fuel cells that use phosphoric acid, molten carbonate, proton exchange membrane, or solid oxide or equivalent technologies.

(jj) Any vacuum truck used at a remediation site as a remedial action method, if it is not used more than once per month at a site and the usage is not more than 2 consecutive days.

(kk) Air sparging systems where the sparged air is emitted back to the atmosphere only by natural diffusion through the contaminated medium and covering soil or other covering medium.

(ll) Air separation or fractionation equipment used to produce nitrogen, oxygen, or other atmospheric gases.

(mm) Routine and emergency venting of natural gas from transmission and distribution systems or field gas from gathering lines which meet any of the following:

- (i) Routine or emergency venting of natural gas or field gas in amounts less than or equal to 1,000,000 standard cubic feet per event. For purposes of this rule, an emergency is considered an unforeseen event that disrupts normal operating conditions and poses a threat to human life, health, property or the environment if not controlled immediately.
- (ii) Venting of natural gas in amounts greater than 1,000,000 standard cubic feet for routine maintenance or relocation of transmission and distribution systems provided that both of the following requirements are met:
 - (A) The owner or operator notifies the

<p>[No R 336.1286]</p>	<p>department prior to a scheduled pipeline venting.</p> <p>(B) The venting includes, at a minimum, measures to assure safety of employees and the public, minimize impacts to the environment, and provide necessary notification in accordance with the Michigan gas safety standards, the federal pipeline and hazardous materials safety administration standards, and the federal energy regulatory commission standards, as applicable.</p> <p>(iii) Venting of field gas in amounts greater than 1,000,000 standard cubic feet for routine maintenance or relocation of gathering pipelines provided that both of the following are met:</p> <p>(A) The owner or operator notifies the department prior to a scheduled pipeline venting.</p> <p>(B) The venting includes, at a minimum, measures to assure safety of employees and the public, minimize impacts to the environment, and provide necessary notification in accordance with the Michigan department of environmental quality, office of geological survey, and the Michigan public service commission standards, as applicable.</p> <p>(iv) Emergency venting of natural gas or field gas in amounts greater than 1,000,000 standard cubic feet per event, provided that the owner or operator notifies the pollution emergency alert system or PEAS within 24 hours of an emergency pipeline venting. For purposes of this rule, an emergency is considered an unforeseen event that disrupts normal operating conditions and poses a threat to human life, health, property or the environment if not controlled immediately.</p> <p>History: 1993 AACS; 1995 AACS; 1997 AACS; 2003 AACS; 2008 AACS.</p> <p>R 336.1286 Permit to install exemptions; plastic processing equipment. Rule 286. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:</p> <p>(a) Plastic extrusion, rotocasting, and pultrusion equipment and associated plastic resin handling, storage, and drying equipment.</p> <p>(b) Plastic injection, compression, and transfer molding equipment and associated plastic</p>	<p>Rule 286</p> <ul style="list-style-type: none"> • There is no rule 286 in the federal SIP
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<p>[No r 336.1287]</p>	<p>resin handling, storage, and drying equipment. (c) Plastic blow molding equipment and associated plastic resin handling, storage, and drying equipment if the blowing gas is 1 or more of the following gasses: (i) Air. (ii) Nitrogen. (iii) Oxygen. (iv) Carbon dioxide. (v) Helium. (vi) Neon. (vii) Argon. (viii) Krypton. (ix) Xenon. (d) Plastic thermoforming equipment. (e) Reaction injection molding (open or closed mold) and slabstock/casting equipment.</p> <p>History: 1993 AACS; 1995 AACS; 1997 AACS.</p> <p>R 336.1287 Permit to install exemptions; surface coating equipment. Rule 287. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following: (a) An adhesive coating line which has an application rate of less than 2 gallons per day and which has emissions that are released only into the general in-plant environment. (b) A surface coating process that uses only hand-held aerosol spray cans, including the puncturing and disposing of the spray cans. (c) A surface coating line if all of the following conditions are met: (i) The coating use rate is not more than 200 gallons, as applied, minus water, per month. (ii) Any exhaust system that serves only coating spray equipment is supplied with a properly installed and operating particulate control system. (iii) Monthly coating use records are maintained on file for the most recent 2-year period and are made available to the air quality division upon request. (d) A powder coating booth that has an appropriately designed and operated particulate control system and associated ovens. (e) A silkscreen process. (f) Replacement of waterwash control in a paint spray booth with dry filter control.</p>	<p><u>Rule 287</u></p> <ul style="list-style-type: none"> • There is no rule 287 in the federal SIP
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	<p>(g) Adding dry filters to paint spray booths. (h) Replacement of a coating applicator system with a coating applicator system that has an equivalent or higher design transfer efficiency, unless the change is specifically prohibited by a permit condition. (i) Equipment that is used for the application of a hot melt adhesive. (j) Portable equipment that is used for on-site nonproduction painting. (k) Mixing, blending, or metering operations associated with a surface coating line.</p> <p>History: 1993 AACS; 1995 AACS; 1997 AACS; 2003 AACS.</p>	
<p>[No R 336.1288]</p>	<p>R 336.1288 Permit to install exemptions; oil and gas processing equipment. Rule 288. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:</p> <p>(a) Gas odorizing equipment. (b) A glycol dehydrator that meets either of the following conditions: (i) It is located at an oil well site and is controlled by a condenser or by other control equipment of equivalent or better efficiency than the condenser. (ii) It is located at a site or facility that only processes natural gas from the Antrim zone. (c) A sweet gas flare. (d) Equipment for the separation or fractionation of sweet natural gas, but not including natural gas sweetening equipment. (e) Equipment that is used for oil and gas well drilling, testing, completion, rework, and plugging activities.</p> <p>History: 1993 AACS; 1995 AACS; 2008 AACS.</p>	<p><u>Rule 288</u></p> <ul style="list-style-type: none"> • There is no rule 288 in the federal SIP
<p>[No R 336.1289]</p>	<p>R 336.1289 Permit to install exemptions; asphalt and concrete production equipment. Rule 289. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:</p> <p>(a) A cold feed aggregate bin for asphalt and concrete production equipment.</p>	<p><u>Rule 289</u></p> <ul style="list-style-type: none"> • There is no rule 289 in the federal SIP

(b) A liquid asphalt storage tank that is controlled by an appropriately designed and operated vapor condensation and recovery system or an equivalent control system.

(c) An asphalt concrete storage silo that has all its emissions vented back into the burning zone of the kiln or that has an equivalent control system.

(d) A concrete batch plant that meets all of the following requirements:

(i) The plant shall produce not more than 200,000 cubic yards per year.

(ii) The plant shall use either a fabric filter dust collector, a slurry mixer system, a drop chute, a mixer flap gate, or an enclosure for truck loading operations.

(iii) All cement handling operations, such as silo loading and cement weighing hoppers, shall either be enclosed by a building or equipped with a fabric filter dust control.

(iv) The owner or operator shall keep monthly records of the cubic yards of concrete produced.

(v) Before commencing operations, the owner or operator shall notify the appropriate air quality division district supervisor of the location where the concrete batch plant will be operating under this exemption.

(vi) The concrete batch plant shall be located not less than 250 feet from any residential or commercial establishment or place of public assembly unless all of the cement handling operations, excluding the cement silo storage and loading operations, are enclosed within at least a 3-sided structure.

(vii) The owner or operator shall implement the following fugitive dust plan:

(A) The drop distance at each transfer point shall be reduced to the minimum the equipment can achieve.

(B) On-site vehicles shall be loaded to prevent their contents from dropping, leaking, blowing, or otherwise escaping. This shall be accomplished by loading so that no part of the load shall come in contact within 6 inches of the top of any sideboard, side panel or tailgate. Otherwise, the truck shall be tarped.

(C) All of the following provisions apply for site roadways and the plant yard:

(1) The dust on the site roadways and the plant yard shall be controlled by applications of water, calcium chloride, or other acceptable and approved fugitive dust control compounds. Applications of dust suppressants shall be done as often as necessary to meet an opacity limit of 5%.

<p>[No R 336.1290]</p>	<p>(2) All paved roadways and plant yards shall be swept as needed between applications.</p> <p>(3) Any material spillage on roads shall be cleaned up immediately.</p> <p>(4) A record of all applications of dust suppressants and roadway and plant yard sweepings shall be kept for the most recent 5-year period and be made available to the department upon request.</p> <p>(D) All of the following provisions apply for storage piles:</p> <p>(1) Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.</p> <p>(2) Stockpiles shall be watered on an as needed basis in order to meet an opacity limit of 5%. Equipment to apply water or dust suppressant shall be available at the site or on call for use at the site within a given operating day.</p> <p>(3) A record of all watering shall be kept on file for the most recent 5-year period and be made available to the department upon request.</p> <p>(E) The provisions and procedures of this fugitive dust plan are subject to adjustment by written notification from the department if, following an inspection, the department determines the fugitive dust requirements or permitted opacity limits are not being met.</p> <p>History: 1993 AACS; 1995 AACS; 2003 AACS.</p> <p>R 336.1290 Permit to install exemptions; emission units with limited emissions. Rule 290.</p> <p>The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the emission units listed in (a) if the conditions listed in (b), (c), and (d) are met.</p> <p>Notwithstanding the definition in R 336.1121(a), for the purpose of this rule, uncontrolled emissions are the emissions from an emission unit based on actual operation, not taking into account any emission control equipment. Controlled emissions are the emissions from an emission unit based on actual operation, taking into account the control equipment.</p> <p>(a) An emission unit which meets any of the following criteria:</p> <p>(i) Any emission unit that emits only</p>	<p><u>Rule 290</u></p> <ul style="list-style-type: none"> There is no rule 290 in the federal SIP
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noncarcinogenic volatile organic compounds or noncarcinogenic materials which are listed in R 336.1122(f) as not contributing appreciably to the formation of ozone, if the uncontrolled or controlled emissions of air contaminants are not more than 1,000 or 500 pounds per month, respectively.

(ii) Any emission unit that the total uncontrolled or controlled emissions of air contaminants are not more than 1,000 or 500 pounds per month, respectively, and all of the following criteria are met:

(A) For noncarcinogenic air contaminants, excluding noncarcinogenic volatile organic compounds and noncarcinogenic materials which are listed in R 336.1122(f) as not contributing appreciably to the formation of ozone, with initial threshold screening levels greater than or equal to 2.0 micrograms per cubic meter, the uncontrolled or controlled emissions shall not exceed 1,000 or 500 pounds per month, respectively.

(B) For noncarcinogenic air contaminants, excluding noncarcinogenic volatile organic compounds and noncarcinogenic materials which are listed in R 336.1122(f) as not contributing appreciably to the formation of ozone, with initial threshold screening levels greater than or equal to 0.04 micrograms per cubic meter and less than 2.0 micrograms per cubic meter, the uncontrolled or controlled emissions shall not exceed 20 or 10 pounds per month, respectively.

(C) For carcinogenic air contaminants with initial risk screening levels greater than or equal to 0.04 micrograms per cubic meter, the uncontrolled or controlled emissions shall not exceed 20 or 10 pounds per month, respectively.

(D) The emission unit shall not emit any air contaminants, excluding noncarcinogenic volatile organic compounds and noncarcinogenic materials which are listed in R 336.1122(f) as not contributing appreciably to the formation of ozone, with an initial threshold screening level or initial risk screening level less than 0.04 micrograms per cubic meter.

(iii) Any emission unit that emits only noncarcinogenic particulate air contaminants and other air contaminants that are exempted under paragraphs (i) or (ii) of this subdivision if all of the following provisions are met:

(A) The particulate emissions are controlled by an appropriately designed and operated fabric filter collector or an equivalent control

<p>[No R 336.1299]</p>	<p>system which is designed to control particulate matter to a concentration of less than or equal to 0.01 pounds of particulate per 1,000 pounds of exhaust gases and which do not have an exhaust gas flow rate more than 30,000 actual cubic feet per minute.</p> <p>(B) The visible emissions from the emission unit are not more than 5% opacity in accordance with the methods contained in R 336.1303.</p> <p>(C) The initial threshold screening level for each particulate air contaminant, excluding nuisance particulate, is more than 2.0 micrograms per cubic meter.</p> <p>(b) A description of the emission unit is maintained throughout the life of the unit.</p> <p>(c) Records of material use and calculations identifying the quality, nature, and quantity of the air contaminant emissions are maintained in sufficient detail to demonstrate that the emissions meet the emission limits outlined in this rule.</p> <p>(d) The records are maintained on file for the most recent 2-year period and are made available to the air quality division upon request.</p> <p>History: 1993 AACS; 1995 AACS; 1997 AACS.</p> <p>R 336.1299 Adoption of standards by reference. Rule 299.</p> <p>(1) The following standards are adopted in these rules by reference and are available as noted:</p> <p>(a) "2011 TLVs and BEIs. Threshold Limit Values for Chemical Substances and Physical Agents. Biological Exposure Indices," American conference of governmental industrial hygienists. For the purposes of R 336.1232, the chemical names and threshold limit values are adopted by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$59.95, or from the American Conference of Governmental Industrial Hygienists, 1330 Kemper Meadow Drive,</p>	<p>Rule 299</p> <ul style="list-style-type: none"> • There is no rule 299 in the federal SIP
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Cincinnati, Ohio 45240, at a cost as of the time of adoption of these rules of \$49.95. The American Conference of Governmental Industrial Hygienists can also be contacted on the internet at www.acgih.org, by telephone at 513- 742-2020, or by email at mail@acgih.org.

(b) "NIOSH Pocket Guide to Chemical Hazards," national institute for occupational safety and health, 2005 edition – 3rd printing. For the purposes of R 336.1232, the chemical names and NIOSH-recommended exposure levels are adopted by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$40.00, or from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, NTIS document PB2009103456, at a cost as of the time of adoption of these rules of \$30.00. The National Technical Information Service can also be contacted on the internet at www.ntis.gov or by telephone at 1-800-553-6847.

(c) "Guidelines for Carcinogen Risk Assessment," EPA/630/P-03/001F, March 2005. Copies may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at no cost, or from the Integrated Risk Information System (IRIS) Hotline, c/o EPA Docket Center, Mail Code 28221T, EPA-West Building, 1301 Constitution Avenue NW, Washington, DC 20005; at no cost. The IRIS Hotline can also be contacted via email at hotline.iris@epa.gov or by telephone at 202-566-1676.

(2) The following standards are adopted in these rules by reference and are available as noted. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules (AQD price). Copies may be obtained from the Superintendent of Documents, U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401, by calling 1-866-512-1800 or by accessing their online bookstore at

<http://bookstore.gpo.gov> at a cost as of the time of adoption of these rules (GPO price). The standards can be viewed and/or printed free of charge at <http://ecfr.gpoaccess.gov>.

(a) The federal acid rain program, 40 C.F.R. 72.1 to 72.96 (2011), 40 C.F.R. 74.1 to 74.61 (2011), and 40 C.F.R. 76.1 to 76.15 (2011); AQD price \$78.00/\$68.00 GPO price for parts 72-80. When used in these federal regulations, the term "permitting authority" shall mean the department and the term "administrator" shall mean the administrator of the U.S. environmental protection agency. If the provisions or requirements of 40 C.F.R. 72.1 to 72.96, 40 C.F.R. 74.1 to 74.61, or 40 C.F.R. 76.1 to 76.15 conflict with, or are not included in, R 336.1210 to R 336.1218, then the 40 C.F.R. 72.1 to 72.96 and 40 C.F.R. 76.1 to 76.15 provisions and requirements shall apply and take precedence.

(b) The federal hazardous air pollutant regulations governing constructed or reconstructed major sources, 40 C.F.R. 63.40 to 63.44 (2011) and 63.50 to 63.56 (2011); AQD price \$74.00/\$64.00 GPO price for part 63 (63.1-63.599). When used in these federal regulations, the term "permitting authority" shall mean the department and the term "administrator" shall mean the administrator of the U.S. environmental protection agency.

(c) The federal compliance assurance monitoring regulations, 40 C.F.R. 64.1 to 64.10 (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71. When used in these federal regulations, the term "permitting authority" shall mean the department, and the term "administrator" shall mean the administrator of the U.S. environmental protection agency.

(d) Title 40 C.F.R. 51.160(f), "Legally enforceable procedures," and appendix W, "Guideline on Air Quality Models" (2011); AQD price \$61.00/\$51.00 GPO price for parts 50-51.

(3) For the purpose of clarifying the definitions in these rules, the following documents are adopted by reference in these rules. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules (AQD price). Copies of the documents may be obtained from the Superintendent of Documents, U.S. Government Printing Office,

732 North Capitol Street, NW, Washington, DC 20401, by calling 1-866-512-1800 or by accessing their online bookstore at <http://bookstore.gpo.gov> at a cost as of the time of adoption of these rules (GPO price). The documents can be viewed and/or printed free of charge at <http://ecfr.gpoaccess.gov>.

(a) Title 40 C.F.R. 51.165, "Permit requirements," and 51.166, "Prevention of significant deterioration of air quality" (2011); AQD price \$61.00/\$51.00 GPO price for parts 50-51.

(b) Title 40 C.F.R. 52.21, "Prevention of Significant Deterioration of Air Quality" (2011); AQD price \$74.00/\$64.00 GPO price for part 52 (52.1-52.1018).

(c) Title 40 C.F.R., part 60, "Standards of Performance for New Stationary Sources," (2011); AQD price \$74.00/\$64.00 GPO price for part 60 (60.1-end) and AQD price \$73.00/\$63.00 GPO price for the appendices (2011).

(d) Title 40 C.F.R., part 61, "National Emission Standards for Hazardous Air Pollutants" (2011); AQD price \$61.00/\$51.00 GPO price for parts 61-62.

(e) Title 40 C.F.R. 63.2, "Definitions," and 63.5(b)(3), "Requirements for existing, newly constructed, and reconstructed sources" (2011); AQD price \$74.00/\$64.00 GPO price for part 63 (63.1-63.599).

(f) Title 40 C.F.R. part 63, subpart EEE, "National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors" (2011); AQD price \$66.00/\$56.00 GPO price for part 63 (63.1200-63.1439).

(g) Title 40 C.F.R. part 63, subpart LLL, "National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry" (2011); AQD price \$66.00/\$56.00 GPO price for part 63 (63.1200-63.1439).

(h) Title 40 C.F.R. 70.3, "Applicability" (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(i) Title 40 C.F.R. 70.7(g), "Re-openings for cause by EPA" (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(j) Title 40 C.F.R. 70.8(a)(1) and (2), "Transmission of information to the Administrator" (2010); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(k) Title 40 C.F.R. 70.8(c), "EPA objection" (2010); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(l) Title 40 C.F.R. 70.8(d), "Public petitions to the Administrator" (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(m) Title 40 C.F.R., part 98, subpart A, "Table A-1 – Global Warming Potentials" (2011); AQD Price \$76.00/\$66.00 GPO price for part 98 (96 – 99).

(4) The American Society for Testing and Materials (ASTM) methods are adopted in these rules by reference. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at the cost at the time of adoption of these rules (AQD price). Copies may also be obtained from ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959; the ASTM website at www.astm.org; or ASTM customer service at (610) 832-9585 or service@astm.org; at a cost as of the time of adoption of these rules (ASTM price) as follows:

(a) ASTM D396-010, "Standard Specification for Fuel Oils," AQD price \$49.00/\$39.00 ASTM price.

(b) ASTM D2880-03 (2010), "Standard Specification for Gas Turbine Fuel Oils," AQD price \$49.00/\$39.00 ASTM price.

(c) ASTM D975-11, "Standard Specification for Diesel Fuel Oils," AQD price \$65.00/\$55.00 ASTM price.

History: 1992 AACS; 1995 AACS; 1998-2000 AACS; 2001 AACS; 2003 AACS; 2008 AACS; 2012 MR 10, Eff. June 1, 2012.

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART III:
EMISSION LIMITATIONS AND PROHIBITIONS--PARTICULATE MATTER**

*DRAFT #1 last reviewed/edited by LAE on November 14, 2012; last reviewed/edited by
MEP on November 21, 2012.*

Approved SIP	Rules Implemented by State of Michigan	Comments
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<p>R 336.1301 Standards for density of emissions. Rule 301. (1) Except as provided in subrules (2), (3), and (4) of this rule, a person shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of a density greater than the most stringent of the following: (a) A 6-minute average of 20% opacity, except for 1 6-minute average per hour of not more than 27% opacity. (b) A limit specified by an applicable federal new source performance standard. (c) A limit specified as a condition of a permit to install or pennit to operate. (2) The provisions of this rule shall not apply to any process or process equipment for which fugitive visible emission limitations are specified in any other administrative rule of this department. (3) The provisions of subrule (1) of this rule shall not apply to visible emissions due to uncombined water vapor. (4) Upon request by the owner of a process or process equipment for which an allowable particulate emission rate is established by R</p>	<p>R 336.1301 Standards for density of emissions. Rule 301. (1) Except as provided in subrules (2), (3), and (4) of this rule, a person shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of a density greater than the most stringent of the following: (a) A 6-minute average of 20% opacity, except for 1 6-minute average per hour of not more than 27% opacity. (b) A limit specified by an applicable federal new source performance standard. (c) A limit specified as a condition of a permit to install or permit to operate. (2) The provisions of this rule shall not apply to any process or process equipment for which fugitive visible emission limitations are specified in any other administrative rule of the department. (3) The provisions of subrule (1) of this rule shall not apply to visible emissions due to uncombined water vapor. (4) Upon request by the owner of a process or process equipment for which an allowable particulate emission rate is established by R</p>	<p><u>Rule 301</u> <u>(1)(c)</u></p> <ul style="list-style-type: none"> • The federal SIP says “pennit” where the Michigan rules say “permit.” (My guess is that this is just a typographical error in the federal SIP) <p><u>Rule 301</u> <u>(2)</u></p> <ul style="list-style-type: none"> • The federal SIP uses “this” where the Michigan rules use “the”
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<p>336.1331, the department may establish an alternate opacity. Such alternate opacity shall not be established by the department unless the department is reasonably convinced of all of the following:</p> <p>(a) That the process or process equipment subject to the alternate opacity is in compliance or on a legally enforceable schedule of compliance with the other rules of the department.</p> <p>(b) That compliance with the provisions of subrule (1) of this rule is not technically or economically reasonable.</p> <p>(c) That reasonable measures to reduce opacity have been implemented or will be implemented in accordance with a schedule approved by the department.</p> <p>[No R 336.1302]</p> <p>R 336.1303 Grading visible emissions. Rule 303. The opacity of a visible emission shall be determined by a qualified observer and shall be certified in accordance with, and using the procedures specified in, reference method 9 or an alternative method approved by the department.</p>	<p>336.1331, the department may establish an alternate opacity. Such alternate opacity shall not be established by the department unless the department is reasonably convinced of all of the following:</p> <p>(a) That the process or process equipment subject to the alternate opacity is in compliance or on a legally enforceable schedule of compliance with the other rules of the department.</p> <p>(b) That compliance with the provisions of subrule (1) of this rule is not technically or economically reasonable.</p> <p>(c) That reasonable measures to reduce opacity have been implemented or will be implemented in accordance with a schedule approved by the department.</p> <p>History: 1980 AACS; 1985 AACS; 2002 AACS.</p> <p>R 336.1302 Rescinded.</p> <p>History: 1980 AACS; 1985 AACS.</p> <p>R 336.1303 Grading visible emissions. Rule 303. The opacity of a visible emission shall be determined by a qualified observer and shall be certified in accordance with, and using the procedures specified in, reference method 9 or an alternative method approved by the department.</p> <p>History: 1980 AACS; 1985 AACS; 2002 AACS.</p>	<p><u>Rule 302</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 303</u></p> <ul style="list-style-type: none"> • There is a dash in the middle of the word “approved” in the Michigan rules that is not present in the federal SIP.
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<p>R 336.1310 Open burning. Rule 310. (1) A person shall not cause or permit open burning of refuse, garbage, or any other waste materials, except for the burning of any of the following: (a) Waste disposal material from and at 1- or 2-family dwellings if the burning does not violate any other department rules. (b) Structures and other materials used exclusively for fire prevention training. (c) Trees, logs, brush, and stumps in accordance with applicable state and local regulations if the burning is not conducted within a priority I area as listed in Table 33, a priority II area as listed in table 34, nor closer than 1400 feet to an incorporated city or village limit and if the burning does not violate any other department rules. (d) Beekeeping equipment and products, including frames, hive bodies, hive covers, combs, wax, and honey, if burned for bee disease control. (e) Logs, brush, charcoal, and similar materials that are used in preparing food or for recreation. (2) The exceptions specified in subrule (1) of this rule do not authorize open burning if prohibited by local law or regulation.</p> <p>[No R 336.1320]</p>	<p>R 336.1310 Open burning. Rule 310. (1) A person shall not cause or permit open burning of refuse, garbage, or any other waste materials, except for the burning of any of the following: (a) Waste disposal material from and at 1- or 2-family dwellings if the burning does not violate any other department rules. (b) Structures and other materials used exclusively for fire prevention training. (c) Trees, logs, brush, and stumps in accordance with applicable state and local regulations if the burning is not conducted within a priority I area as listed in table 33, a priority II area as listed in table 34, nor closer than 1400 feet to an incorporated city or village limit and if the burning does not violate any other department rules. (d) Beekeeping equipment and products, including frames, hive bodies, hive covers, combs, wax, and honey, if burned for bee disease control. (e) Logs, brush, charcoal, and similar materials that are used in preparing food or for recreation. (2) The exceptions specified in subrule (1) of this rule do not authorize open burning if prohibited by local law or regulation.</p> <p>History: 1980 AACS; 1999 AACS.</p> <p>R 336.1320 Rescinded. History: 1980 AACS; 1985 AACS; 2002 AACS.</p>	<p><u>Rule 310</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 320</u></p> <ul style="list-style-type: none"> • Same
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R 336.1330 Electrostatic precipitator control systems.

Rule 330.

(1) After July 1, 1980, it is unlawful to operate, any cement kiln, kraft recovery boiler, lime kiln, calciner, pulverized coal-fired boiler, basic oxygen furnace, or gypsum dryer controlled by an electrostatic precipitator control system unless each transformer-rectifier set of the electrostatic precipitator is equipped with a saturable core reactor, silicon-controlled rectifier linear reactor, or equivalent type automatic control system approved by the department. Except for very large precipitators, each automatic controller shall be set to provide maximum power, or optimal power if operating in a sparking mode, from its respective transformer-rectifier set.

(2) Each transformer-rectifier set subject to the provisions of subrule (1) of this rule shall be capable of operating in a spark-limited mode and shall meter and display the primary RMS voltage and amperage, the average secondary amperage, and the average spark rate. The requirement to meter and display the average spark rate shall not apply if the automatic controller employs solid state circuitry to preset power levels based on sparking rate limits.

(3) The department shall waive the requirements of subrule (2) of this rule if both of the following conditions are met:

(a) A satisfactory demonstration is made that the precipitator is capable of providing for compliance with all applicable particulate emission and opacity limits.

(b) The precipitator existed before July 1, 1979, or was covered by an

R 336.1330 Electrostatic precipitator control systems.

Rule 330.

(1) After July 1, 1980, it is unlawful to operate any cement kiln, kraft recovery boiler, lime kiln, calciner, pulverized coal-fired boiler, basic oxygen furnace, or gypsum dryer controlled by an electrostatic precipitator control system unless each transformer-rectifier set of the electrostatic precipitator is equipped with a saturable core reactor, silicon-controlled rectifier linear reactor, or equivalent type automatic control system approved by the department. Except for very large precipitators, each automatic controller shall be set to provide maximum power, or optimal power if operating in a sparking mode, from its respective transformer-rectifier set.

(2) Each transformer-rectifier set subject to the provisions of subrule (1) of this rule shall be capable of operating in a spark-limited mode and shall meter and display the primary RMS voltage and amperage, the average secondary amperage, and the average spark rate. The requirement to meter and display the average spark rate shall not apply if the automatic controller employs solid state circuitry to preset power levels based on sparking rate limits.

(3) The department shall waive the requirements of subrule (2) of this rule if both of the following conditions are met:

(a) A satisfactory demonstration is made that the precipitator is capable of providing for compliance with all applicable particulate emission and opacity limits.

(b) The precipitator existed before July 1, 1979, or was covered by an

Rule 330

(1)

- The Michigan rules have a dash within the words “electrostatic” and “precipitators” that is not present in the federal SIP.

<p>application for a permit to install received by the department before July 1, 1979.</p> <p>R 336.1331 Emission of particulate matter. Rule 331. (1) It is unlawful for a person to cause or allow the emission of particulate matter from any process or process equipment in excess of any of the following limits: (a) The maximum allowable emission rate listed in table 31. (b) The maximum allowable emission rate listed by the department on its own initiative or by application. A new listed value shall be based upon the control results achievable with the application of the best technically feasible, practical equipment available. This applies only to processes and process equipment not assigned a specific emission limit in table 31. (c) The maximum allowable emission rate specified as a condition of a permit to install or a permit to operate. (d) The maximum allowable emission rate specified in a voluntary agreement, performance contract, stipulation, or an order of the department. (e) The maximum allowable emission rate as determined by table 32 for processes and process equipment not covered in subdivisions (a) to (d) of this subrule. (2) Compliance with any emission</p>	<p>application for a permit to install received by the department before July 1, 1979.</p> <p>History: 1980 AACS; 1985 AACS; 2002 AACS.</p> <p>R 336.1331 Emission of particulate matter. Rule 331. (1) It is unlawful for a person to cause or allow the emission of particulate matter from any process or process equipment in excess of any of the following limits: (a) The maximum allowable emission rate listed in table 31. (b) The maximum allowable emission rate listed by the department on its own initiative or by application. A new listed value shall be based upon the control results achievable with the application of the best technically feasible, practical equipment available. This applies only to processes and process equipment not assigned a specific emission limit in table 31. (c) The maximum allowable emission rate specified as a condition of a permit to install or a permit to operate. (d) The maximum allowable emission rate specified in a voluntary agreement, performance contract, stipulation, or an order of the department. (e) The maximum allowable emission rate as determined by table 32 for processes and process equipment not covered in subdivisions (a) to (d) of this subrule. (2) Compliance with any emission</p>	<p><u>Rule 331</u></p> <ul style="list-style-type: none"> • The federal SIP has a subrule (3) that is not present in the Michigan rules. It adds the language “Tables 31, 32, 33, 34 and figure 31 read as follows:”
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limit required by this rule shall be determined by using the corresponding reference test method specified in table 31 or the reference test method deemed appropriate by the department for processes or process equipment not listed in table 31.

(3) Tables 31, 32, 33, 34 and figure 31 read as follows:

[See attached]

R 336.1349 Coke oven compliance date (1/18/80)

Rule 349.

A person subject to the provisions of rules 350 to 357 shall achieve compliance with such rules as expeditiously as practical, but not later than December 31, 1982.

R 336.1350 Emissions from larry-car charging of coke ovens.

Rule 350.

(1) During a charging period of a coke oven, a person shall not cause or permit to be discharged into the outer air any visible emission from any larry-car or charging holes, except that a visible emission may be emitted for a period or periods aggregating 100 seconds during any 4 consecutive charging periods on a coke battery.

(2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.

limit required by this rule shall be determined by using the corresponding reference test method specified in table 31 or the reference test method deemed appropriate by the department for processes or process equipment not listed in table 31.

[See attached]

History: 1980 AACS; 1985 AACS; 1992 AACS; 2002 AACS.

History: 1980 AACS; 1985 AACS; 1992 AACS; 2002 AACS.

R 336.1349 Rescinded.

History: 1980 AACS; 2012 MR 19, Eff. Oct. 8, 2012.

R 336.1350 Emissions from larry-car charging of coke ovens.

Rule 350.

(1) During a charging period of a coke oven, a person shall not cause or permit to be discharged into the outer air any visible emission from any larry-car or charging holes, except that a visible emission may be emitted for a period or periods aggregating 100 seconds during any 4 consecutive charging periods on a coke battery.

(2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.

History: 1980 AACS; 1985 AACS.

Rule 349

- The federal SIP has a rule 349 that is not present in the Michigan rules.

Rule 350

- Same

R 336.1351 Charging hole emissions from coke ovens.

Rule 351.

(1) A person shall not cause or permit to be discharged into the outer air any visible emission from any coke oven charging hole, except that visible emissions may be emitted from not more than 4% of all charging holes on a coke battery.

(2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.

R 336.1352 Pushing operation fugitive emissions from coke ovens.

Rule 352.

(1) During a pushing operation, a person shall not cause or permit to be discharged into outer air, from any opening between the oven and the coke-receiving car or from the coke-receiving car, a visible emission with a density of more than 25% opacity, except that 1 pushing operation of any 8 consecutively observed pushing operations shall be permitted to exceed this requirement.

(2) A person shall not cause or permit to be discharged into the outer air, from the coke in any coke-receiving car as it travels from the oven to the quench tower, a visible emission with a density of more than 25% opacity, except that 1 trip to the quench tower in any 8 consecutively observed trips per battery shall be permitted to exceed this

R 336.1351 Charging hole emissions from coke ovens.

Rule 351.

(1) A person shall not cause or permit to be discharged into the outer air any visible emission from any coke oven charging hole, except that visible emissions may be emitted from not more than 4% of all charging holes on a coke battery.

(2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.

History: 1980 AACCS; 1985 AACCS.

R 336.1352 Pushing operation fugitive emissions from coke ovens.

Rule 352.

(1) During a pushing operation, a person shall not cause or permit to be discharged into the outer air, from any opening between the oven and the cokereceiving car or from the coke-receiving car, a visible emission with a density of more than 25% opacity, except that 1 pushing operation of any 8 consecutively observed pushing operations shall be permitted to exceed this requirement.

(2) A person shall not cause or permit to be discharged into the outer air, from the coke in any coke-receiving car as it travels from the oven to the quench tower, a visible emission with a density of more than 25% opacity, except that 1 trip to the quench tower in any 8 consecutively observed trips per battery shall be permitted to exceed this

Rule 351

- Same

Rule 352

- The Michigan rules are missing a dash in the word “coke-receiving” where the federal SIP has this dash

<p>requirement. (3) Compliance with the limits specified in this rule shall be determined using reference test method 9B.</p> <p>R 336.1353 Standpipe assembly emissions during coke cycle from coke ovens. (2/22/85) Rule 353. (1) During a coking cycle, a person shall not cause or permit to be discharged into the outer air any visible emission from any standpipe assembly, except that visible emissions may be emitted from a number of standpipe assembly emission points on the coking cycle not to exceed 4% of all standpipe assembly emission points on the operating ovens of a coke battery. (2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.</p> <p>R 336.1354 Standpipe assembly emissions during decarbonization from coke ovens. (2-22-85) Rule 354. A person shall not cause or permit any standpipe lid to be open for decarbonization on any coke oven which is more than 3 ovens ahead of the oven being pushed.</p> <p>R 336.1355 Coke oven gas</p>	<p>requirement. (3) Compliance with the limits specified in this rule shall be determined using reference test method 9B.</p> <p>History: 1980 AACS; 1985 AACS.</p> <p>R 336.1353 Standpipe assembly emissions during coke cycle from coke ovens. Rule 353. (1) During a coking cycle, a person shall not cause or permit to be discharged into the outer air any visible emission from any standpipe assembly, except that visible emissions may be emitted from a number of standpipe assembly emission points on the coking cycle not to exceed 4% of all standpipe assembly emission points on the operating ovens of a coke battery. (2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.</p> <p>History: 1980 AACS; 1985 AACS.</p> <p>R 336.1354 Standpipe assembly emissions during decarbonization from coke ovens. Rule 354. A person shall not cause or permit any standpipe lid to be open for decarbonization on any coke oven which is more than 3 ovens ahead of the oven being pushed.</p> <p>History: 1980 AACS; 1985 AACS.</p> <p>R 336.1355 Coke oven gas</p>	<p><u>Rule 353</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 354</u></p> <ul style="list-style-type: none"> • Same
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collector main emissions from slot-type coke ovens.

Rule 355.

A person shall not cause or permit to be discharged to the atmosphere any visible emission from the coke oven gas collector main.

R 336.1356 Coke oven door emissions from coke ovens; doors that are 5 meters or shorter.

Rule 356.

(1) A person shall not cause or permit to be discharged into the outer air any visible emission from any pushside door, cokeside door, or leveling door serving a coke oven equipped with doors that are 5 meters or shorter, with the following exceptions:

(a) A visible emission may be emitted from not more than 10% of the total pushside doors on the coke battery.

(b) A visible emission may be emitted from not more than 10% of the total cokeside doors on the coke battery.

(c) A visible emission may be emitted from not more than 10% of the total leveling doors on the coke battery.

(2) Visible emissions emanating from the doors of a coke oven that has been pipeline charged within 1 hour of the time of observation shall not be considered when calculating the percentage of doors leaking.

(3) Compliance with the limits specified in subrule (1) of this rule shall be determined using reference

collector main emissions from coke ovens.

Rule 355.

A person shall not cause or permit to be discharged to the outer air any visible emission from the coke oven gas collector main, except when spooning the main or when the emergency relief valve opens.

History: 1980 AACCS; 1985 AACCS.

R 336.1356 Coke oven door emissions from coke ovens; doors that are 5 meters or shorter.

Rule 356.

(1) A person shall not cause or permit to be discharged into the outer air any visible emission from any pushside door, cokeside door, or leveling door serving a coke oven equipped with doors that are 5 meters or shorter, with the following exceptions:

(a) A visible emission may be emitted from not more than 10% of the total pushside doors on the coke battery.

(b) A visible emission may be emitted from not more than 10% of the total cokeside doors on the coke battery.

(c) A visible emission may be emitted from not more than 10% of the total leveling doors on the coke battery.

(2) Visible emissions emanating from the doors of a coke oven that has been pipeline charged within 1 hour of the time of observation shall not be considered when calculating the percentage of doors leaking.

(3) Compliance with the limits specified in subrule (1) of this rule shall be determined using reference

Rule 355

- The federal SIP says “slot-type” in the title, but the Michigan rules do not.
- The federal SIP uses the word “atmosphere” where the Michigan rules use “outer air”
- The Michigan rules add language at the end of the rule that is not present in the federal SIP

Rule 356

- Same

<p>test method 9B.</p> <p>R 336.1357 Coke oven door emissions from coke ovens; doors that are taller than 5 meters. (2-22-85)</p> <p>Rule 357.</p> <p>(1) A person shall not cause or permit to be discharged into the outer air any visible emission from any pushside door, cokeside door, or leveling door serving a coke oven equipped with doors that are taller than 5 meters, with the following exceptions:</p> <p>(a) A visible emission may be emitted from not more than 12% of the total pushside doors on the coke battery.</p> <p>(b) A visible emission may be emitted from not more than 12% of the total cokeside doors on the coke battery.</p> <p>(c) A visible emission may be emitted from not more than 10% of the total leveling doors on the coke battery.</p> <p>(2) A person shall not cause or permit the operation of a coke battery equipped with coke oven doors taller than 5 meters, unless both of the following provisions are met:</p> <p>(a) There is access to a facility to maintain and repair doors and buckstays.</p> <p>(b) An inventory of cleaned and repaired doors is maintained to comply with all of the following:</p> <p>(i) The number of inventoried pushside doors exceeds 5% of the number of pushside doors in service.</p> <p>(ii) The number of inventoried</p>	<p>test method 9B.</p> <p>History: 1980 AACS; 1985 AACS.</p> <p>R 336.1357 Coke oven door emissions from coke ovens; doors that are taller than 5 meters. Rule 357.</p> <p>(1) A person shall not cause or permit to be discharged into the outer air any visible emission from any pushside door, cokeside door, or leveling door serving a coke oven equipped with doors that are taller than 5 meters, with the following exceptions:</p> <p>(a) A visible emission may be emitted from not more than 12% of the total pushside doors on the coke battery.</p> <p>(b) A visible emission may be emitted from not more than 12% of the total cokeside doors on the coke battery.</p> <p>(c) A visible emission may be emitted from not more than 10% of the total leveling doors on the coke battery.</p> <p>(2) A person shall not cause or permit the operation of a coke battery equipped with coke oven doors taller than 5 meters, unless both of the following provisions are met:</p> <p>(a) There is access to a facility to maintain and repair doors and buckstays.</p> <p>(b) An inventory of cleaned and repaired doors is maintained to comply with all of the following:</p> <p>(i) The number of inventoried pushside doors exceeds 5% of the number of pushside doors in service.</p> <p>(ii) The number of inventoried</p>	<p><u>Rule 357</u></p> <ul style="list-style-type: none"> • Same
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cokeside doors exceeds 5% of the number of cokeside doors in service.
(iii) The number of inventoried leveling doors exceeds 5% of the number of leveling doors in service.
(3) Compliance with the limits specified in subrule (1) of this rule shall be determined using reference test method 9B.

R 336.1358 Roof monitor visible emissions at steel manufacturing facilities from electric arc furnaces and blast furnaces.

Rule 358.

(1) A person shall not cause or permit to be discharged to the outer air, at a steel manufacturing facility, from a roof monitor source of emission of an electric arc furnace, or a blast furnace, a visible emission with a density of more than 20% opacity.
(2) Compliance with the limit of this rule shall be determined using reference test method 9 as described in R 336.2004(1)(1).

cokeside doors exceeds 5% of the number of cokeside doors in service.
(iii) The number of inventoried leveling doors exceeds 5% of the number of leveling doors in service.
(3) Compliance with the limits specified in subrule (1) of this rule shall be determined using reference test method 9B.

History: 1980 AACS; 1985 AACS.

R 336.1358 Roof monitor visible emissions at steel manufacturing facilities from electric arc furnaces and blast furnaces.

Rule 358.

(1) A person shall not cause or permit to be discharged to the outer air, at a steel manufacturing facility, from a roof monitor source of emission of an electric arc furnace, or a blast furnace, a visible emission with a density of more than 20% opacity.
(2) Compliance with the limit of this rule shall be determined using reference test method 9 as described in R 336.2004(1)(1).

Editor's Note: Pursuant to section 56 of Act No. 306 of the Public Acts of 1969, as amended, being S24.256 of the Michigan Compiled Laws, this rule is being published to correct an obvious error. R 336.1358(2) now reads: "(2) Compliance with the limit of this rule shall be determined using reference test method 9 described in R 336.2004(1)(1)."

History: 1985 AACS; 1998-2000 AACS.

Rule 358

- The Michigan rules include an editor's note that is not available in the federal SIP

<p>R 336.1359 Visible emissions from scarfer operation stacks at steel manufacturing facilities. (2-22-85) Rule 359.</p> <p>(1) A person shall not cause or permit to be discharged to the outer air, from a scarfer operation stack at a steel manufacturing facility, a visible emission with a density of more than 25% opacity.</p> <p>(2) Compliance with the limit of this rule shall be determined using reference test method 9A.</p>	<p>R 336.1359 Visible emissions from scarfer operation stacks at steel manufacturing facilities. Rule 359.</p> <p>(1) A person shall not cause or permit to be discharged to the outer air, from a scarfer operation stack at a steel manufacturing facility, a visible emission with a density of more than 25% opacity.</p> <p>(2) Compliance with the limit of this rule shall be determined using reference test method 9A.</p> <p>History: 1985 AACS.</p>	<p><u>Rule 359</u></p> <ul style="list-style-type: none"> • Same
<p>Rule 336.1360 Visible emissions from coke oven push stacks. (2-22-85) Rule 360.</p> <p>(1) A person shall not cause or permit to be discharged to the outer air, from a coke oven push stack, a visible emission with a density of more than 20% opacity.</p> <p>(2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.</p>	<p>R 336.1360 Visible emissions from coke oven push stacks. Rule 360.</p> <p>(1) A person shall not cause or permit to be discharged to the outer air, from a coke oven push stack, a visible emission with a density of more than 20% opacity.</p> <p>(2) Compliance with the limit specified in this rule shall be determined using reference test method 9B.</p> <p>History: 1985 AACS.</p>	<p><u>Rule 360</u></p> <ul style="list-style-type: none"> • Same
<p>R 336.1361 Visible emissions from blast furnace casthouse operations at steel manufacturing facilities. Rule 361.</p> <p>(1) A person shall not cause or permit to be discharged to the outer air from a blast furnace stack a visible emission with a density of more than 10% opacity.</p> <p>(2) Compliance with the limit of this</p>	<p>R 336.1361 Visible emissions from blast furnace casthouse operations at steel manufacturing facilities. Rule 361.</p> <p>(1) A person shall not cause or permit to be discharged to the outer air from a blast furnace stack a visible emission with a density of more than 10% opacity.</p> <p>(2) Compliance with the limit of this</p>	<p><u>Rule 361</u></p> <ul style="list-style-type: none"> • The Michigan rules include an editor's note that is not present in the federal SIP

rule shall be determined using reference method 9 as described in R 336.2004(1)(1).

R 336.1362 Visible emissions from electric arc furnace operations at steel manufacturing facilities.

Rule 362.

(1) A person shall not cause or permit to be discharged to the outer air, from an electric arc furnace stack, a visible emission with a density of more than 10% opacity.
(2) Compliance with the limit of this rule shall be determined using reference method 9 as described in R 336.2004(1)(1).

rule shall be determined using reference method 9 as described in R 336.2004(1)(1).

Editor's Note: Pursuant to section 56 of Act No. 306 of the Public Acts of 1969, as amended, being S24.256 of the Michigan Compiled Laws, this rule is being published to correct an obvious error. R 336.1361 now reads: "(2) Compliance with the limit of this rule shall be determined using reference test method 9 described in R 336.2004(1)(1)."

History: 1985 AACS; 1998-2000 AACS.

R 336.1362 Visible emissions from electric arc furnace operations at steel manufacturing facilities.

Rule 362.

(1) A person shall not cause or permit to be discharged to the outer air, from an electric arc furnace stack, a visible emission with a density of more than 10% opacity.
(2) Compliance with the limit of this rule shall be determined using reference method 9 as described in R 336.2004(1)(1).

Editor's Note: Pursuant to section 56 of Act No. 306 of the Public Acts of 1969, as amended, being S24.256 of the Michigan Compiled Laws, this rule is being published to correct an obvious error. R 336.1362 now reads: "(2) Compliance with the limit of this rule shall be determined using reference test method 9 described in R 336.2004(1)(1)."

History: 1985 AACS; 1998-2000 AACS.

Rule 362

- The Michigan rules include an editor's note that is not present in the federal SIP

<p>R 336.1363 Visible emissions from argon-oxygen decarburization operations at steel manufacturing facilities. Rule 363. (1) A person shall not cause or permit to be discharged to the outer air, from an argon-oxygen decarburization stack, a visible emission with a density of more than 10% opacity. (2) Compliance with the limit of this rule shall be determined using reference method 9 as described in R 336.2004(1)(1).</p>	<p>R 336.1363 Visible emissions from argon-oxygen decarburization operations at steel manufacturing facilities. Rule 363. (1) A person shall not cause or permit to be discharged to the outer air, from an argon-oxygen decarburization stack, a visible emission with a density of more than 10% opacity. (2) Compliance with the limit of this rule shall be determined using reference method 9 as described in R 336.2004(1)(1). Editor's Note: Pursuant to section 56 of Act No. 306 of the Public Acts of 1969, as amended, being S24.256 of the Michigan Compiled Laws, this rule is being published to correct an obvious error. R 336.1363 now reads: "(2) Compliance with the limit of this rule shall be determined using reference test method 9 described in R 336.2004(1)(1)." History: 1985 AACS; 1998-2000 AACS.</p>	<p><u>Rule 363</u></p> <ul style="list-style-type: none"> The Michigan rules include an editor's note that is not present in the federal SIP
<p>R 336.1364 Visible emissions from basic oxygen furnace operations. (2-22-58) Rule 364. (1) A person shall not cause or permit to be discharged to the outer air, from a basic oxygen furnace secondary control device, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or permit to be discharged to the outer air, from a basic oxygen furnace shop roof monitor, a visible</p>	<p>R 336.1364 Visible emissions from basic oxygen furnace operations. Rule 364. (1) A person shall not cause or permit to be discharged to the outer air, from a basic oxygen furnace secondary control device, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or permit to be discharged to the outer air, from a basic oxygen furnace shop roof monitor, a visible emission with a density of more than</p>	<p><u>Rule 364</u></p> <ul style="list-style-type: none"> Same

<p>emission with a density of more than 20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9C.</p> <p>R 336.1365 Visible emissions from hot metal transfer operations at steel manufacturing facilities. (2-22-85) Rule 365. (1) A person shall not cause or permit to be discharged to the outer air, from a hot metal transfer operation stack, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or permit to be discharged to the outer air from a building or enclosure containing a hot metal transfer operation, a fugitive visible emission with a density of more than 20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9C.</p>	<p>20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9C.</p> <p>History: 1985 AACS.</p> <p>R 336.1365 Visible emissions from hot metal transfer operations at steel manufacturing facilities. Rule 365. (1) A person shall not cause or permit to be discharged to the outer air, from a hot metal transfer operation stack, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or permit to be discharged to the outer air from a building or enclosure containing a hot metal transfer operation, a fugitive visible emission with a density of more than 20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9C.</p> <p>History: 1985 AACS.</p>	<p><u>Rule 365</u></p> <ul style="list-style-type: none"> • Same
<p>R 336.1336 Visible emissions from hot metal desulphurization operations at steel manufacturing facilities. (2-22-85) Rule 366. (1) A person shall not cause or permit to be discharged to the outer air, from a hot metal desulphurization operation stack, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or</p>	<p>R 336.1366 Visible emissions from hot metal desulphurization operations at steel manufacturing facilities. Rule 366. (1) A person shall not cause or permit to be discharged to the outer air, from a hot metal desulphurization operation stack, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or</p>	<p><u>Rule 366</u></p> <ul style="list-style-type: none"> • Same

<p>permit to be discharged to the outer air from a building or enclosure containing a hot metal desulphurization operation, a fugitive visible emission with a density of more than 20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9C.</p>	<p>permit to be discharged to the outer air from a building or enclosure containing a hot metal desulphurization operation, a fugitive visible emission with a density of more than 20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9C.</p> <p>History: 1985 AACS.</p>	
<p>R 336.1367 Visible emissions from sintering operations. (2-22-85) Rule 367. (1) A person shall not cause or permit to be discharged to the outer air, from a sintering operation control device, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or permit to be discharged to the outer air, from a sintering operation, a fugitive visible emission with a density of more than 20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9 as described in r 336.2004(1)(h).</p>	<p>R 336.1367 Visible emissions from sintering operations. Rule 367. (1) A person shall not cause or permit to be discharged to the outer air, from a sintering operation control device, a visible emission with a density of more than 20% opacity. (2) A person shall not cause or permit to be discharged to the outer air, from a sintering operation, a fugitive visible emission with a density of more than 20% opacity. (3) Compliance with the limits of this rule shall be determined using reference method 9 as described in R 336.2004(1)(h).</p> <p>History: 1985 AACS.</p>	<p><u>Rule 367</u></p> <ul style="list-style-type: none"> • Same
<p>R 336.1370 Collected air contaminants. Rule 370. (1) Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of</p>	<p>R 336.1370 Collected air contaminants. Rule 370. (1) Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of</p>	<p><u>Rule 370</u></p> <ul style="list-style-type: none"> • Same

contaminants to the outer air.
(2) At a minimum, in priority I and II areas listed in tables 33 and 34, the use of 1 or more of the following material handling methods is required for the transport of collected air contaminants:
(a) Enclosed trucking or transporting vehicles.
(b) Enclosed, pneumatic, or screw conveying transporting equipment.
(c) Water or dust suppressant sprays.
(d) An acceptable method which is equivalent to the methods listed in subdivisions (a), (b) and (c) of this subrule.

R 336.1371 fugitive dust control programs other than areas listed in table 36.

Rule 371.

(1) Based on ambient air quality measurements or substantive complaints, the department may request that the person who is responsible for the operation of any facility which processes, uses, stores, transports, or conveys bulk materials, such as, but not limited to, coal, coke, metal ores, limestone, cement, sand, gravel, and material from air pollution control devices, or a facility which has activities specifically identified in R 336.1372 and which facility is in an area not listed in table 36, submit a fugitive dust control program. The department shall notify the person who is responsible for the operation of the facility of the provisions of R 336.1372 which apply to the facility and the reasons for the department's notification. Except as provided in

contaminants to the outer air.
(2) At a minimum, in priority I and II areas listed in tables 33 and 34, the use of 1 or more of the following material handling methods is required for the transport of collected air contaminants:
(a) Enclosed trucking or transporting vehicles.
(b) Enclosed, pneumatic, or screw conveying transporting equipment.
(c) Water or dust suppressant sprays.
(d) An acceptable method which is equivalent to the methods listed in subdivisions (a), (b), and (c) of this subrule.

History: 1981 AACCS.

R 336.1371 Fugitive dust control programs other than areas listed in table 36.

Rule 371.

(1) Based on ambient air quality measurements or substantive complaints, the department may request that the person who is responsible for the operation of any facility which processes, uses, stores, transports, or conveys bulk materials, such as, but not limited to, coal, coke, metal ores, limestone, cement, sand, gravel, and material from air pollution control devices, or a facility which has activities specifically identified in R 336.1372 and which facility is in an area not listed in table 36, submit a fugitive dust control program. The department shall notify the person who is responsible for the operation of the facility of the provisions of R 336.1372 which apply to the facility and the reasons for the department's

Rule 371

- The Michigan rules have a typographical error, referring to table 36 as table "6"

<p>subrule (3) of this rule, the control program shall be submitted to the department not later than 6 months after notification.</p> <p>(2) A fugitive dust control program which is required by subrule (1) of this rule shall be in writing and shall provide for all of the following:</p> <p>(a) Using 1 or more combinations of available technologies, operating practices or methods listed in R 336.1372 as are reasonably necessary to control fugitive dust emissions.</p> <p>(b) Consideration of the quantity, moisture content, specific gravity, and the particle size distribution of the bulk materials. The more friable, drier, lighter, and finer the bulk material is, the more effective the fugitive dust control methods incorporated into the control program shall be.</p> <p>(c) The keeping and maintenance of records consistent with the various activities to be implemented under the control program.</p> <p>(d) Identification of the control technologies, methods, or control equipment, if any, to be implemented or installed and the schedule, including increments of progress, for implementation or installation.</p> <p>(3) Within 3 months following notification by the department that a fugitive dust control program is required, the person who is responsible for operating the facility has the opportunity to demonstrate, to the satisfaction of the department, that any part of the facility is not subject to the provisions of this rule.</p> <p>(4) If a control program is not submitted within 6 months after notification by the department, then</p>	<p>notification. Except as provided in subrule (3) of this rule, the control program shall be submitted to the department not later than 6 months after notification.</p> <p>(2) A fugitive dust control program which is required by subrule (1) of this rule shall be in writing and shall provide for all of the following:</p> <p>(a) Using 1 or more combinations of available technologies, operating practices, or methods listed in R 336.1372 as are reasonably necessary to control fugitive dust emissions.</p> <p>(b) Consideration of the quantity, moisture content, specific gravity, and the particle size distribution of the bulk materials. The more friable, drier, lighter, and finer the bulk material is, the more effective the fugitive dust control methods incorporated into the control program shall be.</p> <p>(c) The keeping and maintenance of records consistent with the various activities to be implemented under the control program.</p> <p>(d) Identification of the control technologies, methods, or control equipment, if any, to be implemented or installed and the schedule, including increments of progress, for implementation or installation.</p> <p>(3) Within 3 months following notification by the department that a fugitive dust control program is required, the person who is responsible for operating the facility has the opportunity to demonstrate, to the satisfaction of the department, that any part of the facility is not subject to the provisions of this rule.</p> <p>(4) If a control program is not submitted within 6 months after notification by the department, then</p>	
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<p>the department may proceed, pursuant to the act, toward the entry of a final order which contains a control program that meets the requirements of subrule (2) of this rule.</p> <p>(5) The control program is subject to review and approval by the department. The department shall approve a control program only upon the entry of a legally enforceable order or as part of an approved permit to install or operate. If, in the opinion of the department, the program does not adequately meet the requirements set forth in subrule (2) of this rule, then the department may disapprove the program, state its reasons for disapproval, and require the preparation and submittal of an amended program within a specified time period. If, within the specified time period, an amended program is either not submitted or is submitted but, in the opinion of the department, fails to meet the requirements of subrule (2) of this rule, then the department may proceed, pursuant to the act, toward the entry of a final order which contains a control program that meets these requirements.</p> <p>(6) After approval by the department, the person who is responsible for the preparation of the control program shall begin implementation of the program pursuant to the schedule contained in the control program.</p> <p>(7) Either the person who is responsible for a facility or the department may request a revision to a department-approved control program to meet changing conditions. The department shall</p>	<p>the department may proceed, pursuant to the act, toward the entry of a final order which contains a control program that meets the requirements of subrule (2) of this rule.</p> <p>(5) The control program is subject to review and approval by the department. The department shall approve a control program only upon the entry of a legally enforceable order or as part of an approved permit to install or operate. If, in the opinion of the department, the program does not adequately meet the requirements set forth in subrule (2) of this rule, then the department may disapprove the program, state its reasons for disapproval, and require the preparation and submittal of an amended program within a specified time period. If, within the specified time period, an amended program is either not submitted or is submitted but, in the opinion of the department, fails to meet the requirements of subrule (2) of this rule, then the department may proceed, pursuant to the act, toward the entry of a final order which contains a control program that meets these requirements.</p> <p>(6) After approval by the department, the person who is responsible for the preparation of the control program shall begin implementation of the program pursuant to the schedule contained in the control program.</p> <p>(7) Either the person who is responsible for a facility or the department may request a revision to a department-approved control program to meet changing conditions. The department shall</p>	
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review the revision following the requirements of subrule (5) of this rule.

(8) Table 36 reads as follows:

[See attached]

R 336.1372 Fugitive dust control program; required activities; typical control methods.

Rule 372.

(1) A fugitive dust control program which is required by R 336.1371 and which deals with 1 or more of the fugitive dust sources listed in this rule may include any of the typical control methods listed in this rule for that source.

(2) The following provisions apply to the loading or unloading of open storage piles of bulk materials as a source of fugitive dust:

(a) Open storage piles of bulk materials, hereinafter referred to as "piles", which meet any of the following 3 conditions need not be included in a fugitive dust control program:

(i) All piles of the same material at a manufacturing or commercial location which have a total volume of less than 100 cubic meters (131 yards³).

(ii) Any piles at a manufacturing or commercial location if the total annual volumetric throughput of all the stored material at the site is less than 10,000 cubic meters (13,100 yards³).

(iii) Any single pile at a manufacturing or commercial location that has a volume of less

review the revision following the requirements of subrule (5) of this rule.

(8) Table 6 reads as follows:

[See attached]

History: 1981 AACCS; 1985 AACCS; 2002 AACCS.

R 336.1372 Fugitive dust control program; required activities; typical control methods.

Rule 372.

(1) A fugitive dust control program which is required by R 336.1371 and which deals with 1 or more of the fugitive dust sources listed in this rule may include any of the typical control methods listed in this rule for that source.

(2) The following provisions apply to the loading or unloading of open storage piles of bulk materials as a source of fugitive dust:

(a) Open storage piles of bulk materials, hereinafter referred to as "piles", which meet any of the following 3 conditions need not be included in a fugitive dust control program:

(i) All piles of the same material at a manufacturing or commercial location which have a total volume of less than 100 cubic meters (131 yards³).

(ii) Any piles at a manufacturing or commercial location if the total annual volumetric throughput of all the stored material at the site is less than 10,000 cubic meters (13,100 yards³).

(iii) Any single pile at a manufacturing or commercial location that has a volume of less

Rule 372

(2)(b)(i)

- The federal SIP has a dash between "department" and "approved," and the Michigan rules do not.

Rule 372

(5)(b)(ii)

- The Michigan rules say "sweep-ing" (with a dash) where the federal SIP does not have a dash.

Rule 372

(6)(a)

- The Michigan rules say "submit-ting" (with a dash) where the federal SIP does not have a dash.

Rule 372

(6)(b)(i)

- The Michigan rules say "ap-proved" (with a dash) where the federal SIP does not have a dash.

Rule 372

(7)(b)

- The Michigan rules say "venti-lators" (with a dash) where the federal SIP does not have a dash.

Rule 372

(8)(a)

- The federal SIP has a dash between "singlet" and

<p>than 42 cubic meters (55 yards³).</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from the loading or unloading of piles may include, but are not limited to, the following:</p> <p>(i) Completely enclosing the pile within a building furnished with department-approved air pollution control equipment.</p> <p>(ii) Using pneumatic conveying or telescopic chutes.</p> <p>(iii) Spraying the working surface of the pile with water or dust-suppressant compound.</p> <p>(iv) Directing engine exhaust gases that are generated by the machine used on the piles for loading or unloading upwards.</p> <p>(v) Minimizing the drop distance from which the material is discharged into the pile. The drop distance shall be specified in the control program.</p> <p>(vi) Periodic removal of spilled material in areas within 100 meters (328 feet) from the pile. The frequency of removal shall be specified in the control program.</p> <p>(3) All of the following provisions apply to the transporting of bulk materials as a source of fugitive dust:</p> <p>(a) Trucks which have less than a 2-ton capacity that are used to transport sand, gravel, stones, peat, and topsoil are exempt from the provisions of this subrule.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from the transporting of bulk materials by truck may include, but are not limited to, the following:</p> <p>(i) Completely covering open-bodied trucks.</p> <p>(ii) Cleaning the wheels and the</p>	<p>than 42 cubic meters (55 yards³).</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from the loading or unloading of piles may include, but are not limited to, the following:</p> <p>(i) Completely enclosing the pile within a building furnished with department approved air pollution control equipment.</p> <p>(ii) Using pneumatic conveying or telescopic chutes.</p> <p>(iii) Spraying the working surface of the pile with water or dust-suppressant compound.</p> <p>(iv) Directing engine exhaust gases that are generated by the machine used on the piles for loading or unloading upwards.</p> <p>(v) Minimizing the drop distance from which the material is discharged into the pile. The drop distance shall be specified in the control program.</p> <p>(vi) Periodic removal of spilled material in areas within 100 meters (328 feet) from the pile. The frequency of removal shall be specified in the control program.</p> <p>(3) All of the following provisions apply to the transporting of bulk materials as a source of fugitive dust:</p> <p>(a) Trucks which have less than a 2-ton capacity that are used to transport sand, gravel, stones, peat, and topsoil are exempt from the provisions of this subrule.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from the transporting of bulk materials by truck may include, but are not limited to, the following:</p> <p>(i) Completely covering open-bodied trucks.</p> <p>(ii) Cleaning the wheels and the</p>	<p>“family,” and the Michigan rules do not.</p>
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<p>body of each truck to remove spilled materials after the truck has been loaded.</p> <p>(iii) Use of completely enclosed trucks.</p> <p>(iv) Tarping the truck when operating empty if residue has not been completely removed after emptying.</p> <p>(v) Cleaning the residue from the inside of the truck after emptying.</p> <p>(vi) Loading trucks so that no part of the load making contact with any sideboard, side panel, or rear part of the load enclosure comes within 6 inches of the top part of the enclosure.</p> <p>(vii) Maintaining tight truck bodies so that leakages within the body will be eliminated and future leakages prevented.</p> <p>(viii) Spraying the material being transported in a vehicle with a dust suppressant. The frequency of spraying shall be specified in the control program.</p> <p>(ix) Restricting the speed of the vehicle which transports the material. The speed of the vehicle shall be specified in the control program.</p> <p>(4) The following provision applies to outdoor conveying as a source of fugitive dust: Typical control methods for controlling fugitive emissions resulting from conveying bulk materials may include, but are not limited to, the following:</p> <p>(a) Completely enclosing all conveyor belts and equipping them with belt wipers and hoppers of proper size to prevent excessive spills.</p> <p>(b) Enclosing transfer points and, if necessary, exhausting them to a baghouse or similar control device at</p>	<p>body of each truck to remove spilled materials after the truck has been loaded.</p> <p>(iii) Use of completely enclosed trucks.</p> <p>(iv) Tarping the truck when operating empty if residue has not been completely removed after emptying.</p> <p>(v) Cleaning the residue from the inside of the truck after emptying.</p> <p>(vi) Loading trucks so that no part of the load making contact with any sideboard, side panel, or rear part of the load enclosure comes within 6 inches of the top part of the enclosure.</p> <p>(vii) Maintaining tight truck bodies so that leakages within the body will be eliminated and future leakages prevented.</p> <p>(viii) Spraying the material being transported in a vehicle with a dust suppressant. The frequency of spraying shall be specified in the control program.</p> <p>(ix) Restricting the speed of the vehicle which transports the material. The speed of the vehicle shall be specified in the control program.</p> <p>(4) The following provision applies to outdoor conveying as a source of fugitive dust: Typical control methods for controlling fugitive emissions resulting from conveying bulk materials may include, but are not limited to, the following:</p> <p>(a) Completely enclosing all conveyor belts and equipping them with belt wipers and hoppers of proper size to prevent excessive spills.</p> <p>(b) Enclosing transfer points and, if necessary, exhausting them to a baghouse or similar control device at</p>	
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<p>all times when the conveyors are in operation.</p> <p>(c) Equipping the conveyor belt with not less than 210-degree enclosures.</p> <p>(d) Restricting the speed of conveyor belts. The belt speed shall be specified in the control program.</p> <p>(e) Periodically cleaning the conveyor belt to remove the residual material. The frequency of cleaning shall be specified in the control program.</p> <p>(f) Minimizing the distance between transfer points. The distance between transfer points shall be specified in the control program.</p> <p>(g) Removing the spilled material from the ground under conveyors. The frequency of removal shall be specified in the control program.</p> <p>(5) The following provisions apply to roads and lots as sources of fugitive dust:</p> <p>(a) Roads and lots which are located within industrial, commercial, and government-owned facilities and which meet the following 2 conditions are not subject to the requirement of submitting a fugitive dust control program:</p> <p>(i) The traffic volume is less than 10 vehicles per day on a monthly average.</p> <p>(ii) The lots are less than 500 square meters (5,382 feet²) in area.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from roads and lots located within industrial, commercial, and government-owned facilities may include, but are not limited to, the following:</p> <p>(i) Paving roads and parking lots with a hard material, such as concrete, asphalt, or an equivalent which is approved by the</p>	<p>all times when the conveyors are in operation.</p> <p>(c) Equipping the conveyor belt with not less than 210-degree enclosures.</p> <p>(d) Restricting the speed of conveyor belts. The belt speed shall be specified in the control program.</p> <p>(e) Periodically cleaning the conveyor belt to remove the residual material.</p> <p>The frequency of cleaning shall be specified in the control program.</p> <p>(f) Minimizing the distance between transfer points. The distance between transfer points shall be specified in the control program.</p> <p>(g) Removing the spilled material from the ground under conveyors. The frequency of removal shall be specified in the control program.</p> <p>(5) The following provisions apply to roads and lots as sources of fugitive dust:</p> <p>(a) Roads and lots which are located within industrial, commercial, and government-owned facilities and which meet the following 2 conditions are not subject to the requirement of submitting a fugitive dust control program:</p> <p>(i) The traffic volume is less than 10 vehicles per day on a monthly average.</p> <p>(ii) The lots are less than 500 square meters (5,382 feet²) in area.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from roads and lots located within industrial, commercial, and government-owned facilities may include, but are not limited to, the following:</p> <p>(i) Paving roads and parking lots with a hard material, such as concrete, asphalt, or an equivalent which is approved by the</p>	
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<p>department.</p> <p>(ii) Mechanically cleaning paved surfaces by vacuum sweeping, wet sweeping, or flushing. The frequency of cleaning shall be specified in the control program.</p> <p>(iii) Washing the wheels of every truck leaving the plant premises.</p> <p>(iv) Treating the roads and lots with oil or a dust-suppressant compound which is approved by the department. The frequency of application shall be specified in the control program.</p> <p>(v) Periodically maintaining off-road surfaces with gravel where trucks have frequent access. The frequency of maintenance shall be specified in the control program.</p> <p>(6) The following provisions apply to inactive storage piles as sources of fugitive dust:</p> <p>(a) Inactive storage piles that are less than or equal to 500 cubic meters (654 yards³) in volume are not subject to the requirement of submitting a fugitive dust control program.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from inactive storage piles may include, but are not limited to, the following:</p> <p>(i) Completely covering the pile with tarpaulin or other material approved by the department.</p> <p>(ii) Completely enclosing the pile within a building.</p> <p>(iii) Enclosing the pile with not less than 3 walls so that no portion of the stored material is higher than the walls.</p> <p>(iv) Periodically spraying the piles with water or other dust-suppressant compound approved by the department. The frequency of</p>	<p>department.</p> <p>(ii) Mechanically cleaning paved surfaces by vacuum sweeping, wet sweeping, or flushing. The frequency of cleaning shall be specified in the control program.</p> <p>(iii) Washing the wheels of every truck leaving the plant premises.</p> <p>(iv) Treating the roads and lots with oil or a dust-suppressant compound which is approved by the department. The frequency of application shall be specified in the control program.</p> <p>(v) Periodically maintaining off-road surfaces with gravel where trucks have frequent access. The frequency of maintenance shall be specified in the control program.</p> <p>(6) The following provisions apply to inactive storage piles as sources of fugitive dust:</p> <p>(a) Inactive storage piles that are less than or equal to 500 cubic meters (654 yards³) in volume are not subject to the requirement of submitting a fugitive dust control program.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from inactive storage piles may include, but are not limited to, the following:</p> <p>(i) Completely covering the pile with tarpaulin or other material approved by the department.</p> <p>(ii) Completely enclosing the pile within a building.</p> <p>(iii) Enclosing the pile with not less than 3 walls so that no portion of the stored material is higher than the walls.</p> <p>(iv) Periodically spraying the piles with water or other dust-suppressant compound approved by the department. The frequency of</p>	
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<p>application shall be specified in the control program.</p> <p>(v) Growing vegetation on and around the pile.</p> <p>(7) The following provisions apply to building ventilation as a source of fugitive dust:</p> <p>(a) This subrule is applicable to all of the following:</p> <p>(i) Ferrous and nonferrous foundries.</p> <p>(ii) Electric arc furnaces, blast furnace casthouses, sinter plants, and basic oxygen processes at iron and steel production facilities.</p> <p>(iii) Metal heat treating.</p> <p>(iv) Metal forging.</p> <p>(v) Bulk material handling, storage, drying, screening, and crushing.</p> <p>(vi) Metal fabricating and welding.</p> <p>(vii) Briquetting, sintering, and pelletizing operations.</p> <p>(viii) Machining and pressing of metal.</p> <p>(ix) Stone, clay, and glass production.</p> <p>(x) Lime, cement, and gypsum production.</p> <p>(xi) Chemical and allied product production.</p> <p>(xii) Asphalt and concrete mixing operations.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from building openings, such as roof monitors, powered and unpowered ventilators, doors, windows, and holes in the building structure integrity, may include, but are not limited to, the following:</p> <p>(i) Exhausting the entire building to a dust collection system which is acceptable to the department.</p> <p>(ii) Using local hoods connected to a dust collection system to capture emissions within the building.</p> <p>(iii) Establishing and maintaining</p>	<p>application shall be specified in the control program.</p> <p>(v) Growing vegetation on and around the pile.</p> <p>(7) The following provisions apply to building ventilation as a source of fugitive dust:</p> <p>(a) This subrule is applicable to all of the following:</p> <p>(i) Ferrous and nonferrous foundries.</p> <p>(ii) Electric arc furnaces, blast furnace casthouses, sinter plants, and basic oxygen processes at iron and steel production facilities.</p> <p>(iii) Metal heat treating.</p> <p>(iv) Metal forging.</p> <p>(v) Bulk material handling, storage, drying, screening, and crushing.</p> <p>(vi) Metal fabricating and welding.</p> <p>(vii) Briquetting, sintering, and pelletizing operations.</p> <p>(viii) Machining and pressing of metal.</p> <p>(ix) Stone, clay, and glass production.</p> <p>(x) Lime, cement, and gypsum production.</p> <p>(xi) Chemical and allied product production.</p> <p>(xii) Asphalt and concrete mixing operations.</p> <p>(b) Typical control methods for controlling fugitive emissions resulting from building openings, such as roof monitors, powered and unpowered ventilators, doors, windows, and holes in the building structure integrity, may include, but are not limited to, the following:</p> <p>(i) Exhausting the entire building to a dust collection system which is acceptable to the department.</p> <p>(ii) Using local hoods connected to a dust collection system to capture emissions within the building.</p>	
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<p>operating procedures and internal housekeeping practices (specify details).</p> <p>(iv) Installing removable filter media across the vent openings.</p> <p>(8) The following provisions apply to fugitive dust emissions from construction, renovation, or demolition activities located in priority I areas:</p> <p>(a) This subrule is applicable to the owner or prime contractor, except for those owners or prime contractors who construct, renovate, or demolish less than 12 single-family dwelling units per year.</p> <p>(b) Typical control methods for controlling fugitive dust emissions from construction, renovation, and demolition activities may include, but are not limited to, the following:</p> <p>(i) Spraying of all work areas with water or other dust-suppressant compound which is approved by the department.</p> <p>(ii) Completely covering the debris, excavated earth, or other airborne materials with tarpaulin or any other material which is approved by the department.</p> <p>(iii) Any other method acceptable to the department.</p> <p>[No R 336.1373]</p> <p>R 336.1374 Particulate matter contingency measures; area listed</p>	<p>(iii) Establishing and maintaining operating procedures and internal housekeeping practices (specify details).</p> <p>(iv) Installing removable filter media across the vent openings.</p> <p>(8) The following provisions apply to fugitive dust emissions from construction, renovation, or demolition activities located in priority I areas:</p> <p>(a) This subrule is applicable to the owner or prime contractor, except for those owners or prime contractors who construct, renovate, or demolish less than 12 single family dwelling units per year.</p> <p>(b) Typical control methods for controlling fugitive dust emissions from construction, renovation, or demolition activities may include, but are not limited to, the following:</p> <p>(i) Spraying of all work areas with water or other dust-suppressant compound which is approved by the department.</p> <p>(ii) Completely covering the debris, excavated earth, or other airborne materials with tarpaulin or any other material which is approved by the department.</p> <p>(iii) Any other method acceptable to the department.</p> <p>History: 1981 AACS; 2002 AACS.</p> <p>R 336.1373 Rescinded.</p> <p>History: 1985 AACS; 1997 AACS.</p> <p>R 336.1374 Particulate matter contingency measures; area listed</p>	<p><u>Rule 373</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 374</u></p>
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<p>in table 37.</p> <p>(1) The provisions of this rule apply to all of the following that are within the area listed in table 37:</p> <p>(a) Mining operations, standard industrial classification major groups 10 through 14.</p> <p>(b) Manufacturing operations, standard industrial classification major groups 20 through 39.</p> <p>(c) Railroad transportation, standard industrial classification major group 40.</p> <p>(d) Motor freight transportation and warehousing, standard industrial classification major group 42.</p> <p>(e) Electric services, standard industrial classification group 491.</p> <p>(f) Sanitary services, standard industrial classification group 495.</p> <p>(g) Stream supply, standard industrial classification group 496.</p> <p>TABLE 37 County Area Wayne The area bounded by Michigan Avenue from its intersection with I-75 west to I-94; I-94 southwest to Greenfield Road; Greenfield Road south to Schaefer; Schaefer south and east to Jefferson Avenue; Jefferson Avenue (Biddle Avenue in Wyandotte) south to Sibley road; Sibley Road west to Fort Street; Fort Street south to King Road; King Road east to Jefferson Avenue; Jefferson Avenue south to Helen Avenue; Helen Avenue and extension east to the Trenton channel; the Trenton Channel north to the Detroit River north to the Ambassador bridge; Ambassador Bridge to I-75; and I-75 to Michigan Avenue.</p> <p>(2) Upon a formal determination and written notification by the department or the United State</p>	<p>in table 37.</p> <p>(1) The provisions of this rule apply to all of the following that are within the area listed in table 37:</p> <p>(a) Mining operations, standard industrial classification major groups 10 through 14.</p> <p>(b) Manufactur-ing operations, standard industrial classification major groups 20 through 39.</p> <p>(c) Railroad transportation, standard industrial classification major group 40.</p> <p>(d) Motor freight transportation and warehousing, standard industrial classifi-cation major group 42.</p> <p>(e) Electric services, standard industrial classification group 491.</p> <p>(f) Sanitary services, standard industrial classifi-cation group 495.</p> <p>(g) Steam supply, standard industrial classification group 496.</p> <p>TABLE 37 County Area Wayne The area bounded by Michigan Avenue from its intersection with I-75 west to I-94; I-94 southwest to Greenfield Road; Greenfield Road south to Schaefer; Schaefer south and east to Jefferson Avenue; Jefferson Avenue (Biddle Avenue in Wyandotte) south to Sibley Road; Sibley Road west to Fort Street; Fort Street south to King Road; King Road east to Jefferson Avenue; Jefferson Avenue south to Helen Avenue; Helen Avenue and extension east to the Trenton Channel; the Trenton Channel north to the Detroit River north to the Ambassador Bridge; Ambassador Bridge to I-75; and I-75 to Michigan Avenue.</p> <p>(2) Upon a formal determination and written notification by the department or the United States</p>	<ul style="list-style-type: none"> • (2)(b) Michigan rule added “or shall implement the fugitive dust control strategies submitted pursuant to subrule (3)(b) of this rule within 60 days after receipt of the notification.” • (3)(b) Michigan rule adds requirement to submit control strategy and schedule; lists requierements • (4) Michigan rule requires that the control strategy and schedule be approved by air quality department via consent order and submitted to EPA; any revisions to requirements in (3)(a) must go to EPA and be implemented as revision of the MI SIP and company must give written confirmation that they’ve implemented the changes. • (5) Michigan rule adds definition for “wind direction sector.”
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<p>environmental protection agency that an ambient air quality monitor located within the area defined in table 37 has recorded a violation of the national ambient air quality standards for particulate matter with an aerodynamic diameter less than 10 microns (PM-10) as defined in 40 C.F.R. §50.6, a company which is in compliance with the criteria specified in subrule (1) of this rule and which has any portion of its facility property boundaries located within 1 mile of the monitor that recorded the violation shall be in compliance with 1 or both of the following provisions, as applicable:</p> <p>(a) If the violation is of the annual PM-10 national ambient air quality standards, then the company shall be in compliance with the requirements of subrule (3)(a) of this rule within 60 days after receipt of the notification or shall implement the fugitive dust control strategies submitted pursuant to subrule (3)(b) of this rule within 60 days after receipt of the notification.</p> <p>(b) If the violation is of the 24-hour PM-10 national ambient air quality standard, then a company that is located in the portion of an area which has a 1-mile radius centered upon the monitor and which remains after the largest contiguous portion of the circular area is removed that contains wind direction sectors for which no detectable wind speed measurements were made for all calendar days used as the basis for the 24-hour PM-10 violation, shall be in compliance with the requirements of subrule (3) of this rule within 60 days after receipt of the notification. The determination shall be made using wind rose plots</p>	<p>environmental protection agency that an ambient air quality monitor located within the area defined in table 37 has recorded a violation of the national ambient air quality standards for particulate matter with an aerodynamic diameter less than 10 microns (PM-10) as defined in 40 C.F.R. §50.6, a company which is in compliance with the criteria specified in subrule (1) of this rule and which has any portion of its facility property boundaries located within 1 mile of the monitor that recorded the violation shall be in compliance with 1 or both of the following provisions, as applicable:</p> <p>(a) If the violation is of the annual PM-10 national ambient air quality standards, then the company shall be in compliance with the requirements of subrule (3)(a) of this rule within 60 days after receipt of the notification or shall implement the fugitive dust control strategies submitted pursuant to subrule (3)(b) of this rule within 60 days after receipt of the notification.</p> <p>(b) If the violation is of the 24-hour PM-10 national ambient air quality standard, then a company that is located in the portion of an area which has a 1-mile radius centered upon the monitor and which remains after the largest contiguous portion of the circular area is removed that contains wind direction sectors for which no detectable wind speed measurements were made for all calendar days used as the basis for the 24-hour PM-10 violation, shall be in compliance with the requirements of subrule (3) of this rule within 60 days after receipt of the notification or shall implement the fugitive dust control strategies</p>	
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<p>generated with wind speed and direction data obtained from the Detroit metropolitan airport, unless more representative data is available. If a company elects to submit process or combustion source control strategies pursuant to subrule (3)(b)(ii) or (iii) of this rule, then the company shall commence the schedule to implement the process or combustion source control strategies upon notification of a violation of the national ambient air quality standard for PM-10. If 60 days has passed after a company is notified of a violation of the PM-10 national ambient air quality standard and control strategies have been submitted to the department pursuant to subrule (3)(b) of this rule which have not yet been approved into the state implementation plan by the United States environmental protection agency, then the company shall be subject to the opacity limit in subrule (3)(a) of this rule pursuant to the implementation procedures contained in this rule until the company has been notified that the control strategies have been approved by the United States environmental protection agency as a revision to the Michigan state implementation plan and written notification has been received by the department from the company stating that the controls have been implemented. The provisions of 40 C.F.R. §50.6 (2000) are adopted by reference in these rules and are available for inspection and purchase as the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may be obtained from the</p>	<p>submitted pursuant to subrule (3)(b) of this rule within 60 days after receipt of the notification. The determination shall be made using wind rose plots generated with wind speed and direction data obtained from the Detroit metropolitan airport, unless more representative data is available. If a company elects to submit process or combustion source control strategies pursuant to subrule (3)(b)(ii) or (iii) of this rule, then the company shall commence the schedule to implement the process or combustion source control strategies upon notification of a violation of the national ambient air quality standard for PM-10. If 60 days has passed after a company is notified of a violation of the PM-10 national ambient air quality standard and control strategies have been submitted to the department pursuant to subrule (3)(b) of this rule which have not yet been approved into the state implementation plan by the United States environmental protection agency, then the company shall be subject to the opacity limit in subrule (3)(a) of this rule pursuant to the implementation procedures contained in this rule until the company has been notified that the control strategies have been approved by the United States environmental protection agency as a revision to the Michigan state implementation plan and written notification has been received by the department from the company stating that the controls have been implemented. The provisions of 40 C.F.R. §50.6 (2000), are adopted by reference in these rules and are available for inspection and purchase at the Department of</p>	
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<p>Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$28.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p> <p>(3) The owner or operator of a facility that is subject to the requirements of this rule shall comply with either of the following provisions:</p> <p>(a) The owner or operator shall not allow the fugitive dust emissions from any paved or unpaved road to exceed an opacity of more than 10%. The opacity shall be determined by method 9 specified in 40 C.F.R. Part 60, appendix A, which is adopted by reference in R 336.2004, except that the number of readings for each vehicle pass will be 3 taken at 5-second intervals. The first reading shall be at the point of maximum opacity. The second and third readings shall be at the same point with respect to the roadway, which is a point where the observer stands at right angles to the plume not less than 15 feet away from the plume and observes approximately 4 feet above the surface of the roadway or parking area. After 4 vehicles have passed, the 12 readings will be averaged.</p>	<p>Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909- 7760, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$28.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p> <p>(3) The owner or operator of a facility that is subject to the requirements of this rule shall comply with either of the following provisions:</p> <p>(a) The owner or operator shall not allow the fugitive dust emissions from any paved or unpaved road to exceed an opacity of more than 10%. The opacity shall be determined by method 9 specified in 40 C.F.R. Part 60, appendix A, which is adopted by reference in R 336.2004, except that the number of readings for each vehicle pass will be 3 taken at 5-second intervals. The first reading shall be at the point of maximum opacity. The second and third readings shall be at the same point with respect to the roadway, which is a point where the observer stands at right angles to the plume not less than 15 feet away from the plume and observes approximately 4 feet above the surface of the roadway or parking area. After 4 vehicles have passed, the 12 readings will be averaged.</p> <p>(b) The owner or operator shall submit, to the department, control strategies and compliance schedules in compliance with any of the following provisions:</p>	
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(i) The owner or operator shall submit, to the air quality division, control strategies that will reduce total annual facility-wide fugitive dust emissions of PM-10 by not less than 15%.

(ii) An owner or operator may as an alternative to the requirement of paragraph (i) of this subdivision, submit control strategies which provide for reductions in allowable PM-10 emissions that are equal to 15% of a facility's total annual fugitive dust emissions of PM-10 from process emission or fuel combustion sources and which include a reasonable schedule for the implementation of the control strategies. The baseline used in calculating the percent reduction for a process or combustion control strategy shall be determined using the maximum operating rate for the source and the lowest allowable particulate emission limit applicable to the source contained in any of the following:

(A) A state administrative rule.

(B) A state consent order.

(C) A state installation permit.

(D) A state operating permit.

(iii) An owner or operator may elect to obtain the PM-10 emission reductions required by this subdivision through a combination of the requirements specified in paragraphs (i) and (ii) of this subdivision.

(4) The control strategies and compliance schedules submitted pursuant to, and complying with, the requirements of subrule (3)(b) of this rule shall be approved by the air quality division through the issuance of department consent orders.

Before a company may substitute control strategies or compliance schedules for the opacity limit in subrule (3)(a) of this rule, the state shall have submitted the consent orders to the United States environmental protection agency for approval as a revision to the Michigan state implementation plan, the United States environmental protection agency shall have approved the orders and incorporated them into the Michigan state implementation plan, and the department shall have received written notification from the company stating that the fugitive dust control measures are being implemented or that the company has begun to implement the process source control measure implementation schedule.

(5) For the purposes of this rule, "wind direction sector" means equal portions of a circular area consisting of any 1 of 16 possible areas consisting of 22.5 degrees of angle centered about the compass points north, north northeast, northeast, east northeast, east, east southeast, southeast, south southeast, south, south southwest, southwest, west southwest, west, west northwest, northwest, and north northwest.

History: 1995 AACS; 2002 AACS.

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART IV:
EMISSION LIMITATIONS AND PROHIBITIONS – SULFUR-BEARING
COMPOUNDS**

*DRAFT #1 last reviewed/edited by MEP on November 21, 2012; last reviewed/edited by
LAE on November 26, 2012*

Approved SIP	Rules Implemented by State of Michigan	Comments
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<p>R 336.1401 Emission of sulfur dioxide from power plants. Rule 401. (1) In a power plant, it is unlawful for a person to burn fuel that does not comply with the sulfur content limitation of table 41 or which, when burned, results in sulfur dioxide emissions exceeding an equivalent emission rate as shown in table 42, unless all of the following conditions are met: (a) The source of fuel burning is not subject to federal emission standards for new stationary sources. (b) An installation permit, if required by part 2, was approved by the department before August 17, 1971. (c) The user furnishes evidence that the fuel burning does not create, or contribute to, an ambient level of sulfur dioxide in excess of the applicable ambient air quality standards. The evidence shall consist of air quality data or stack dispersion calculations, or both, satisfactory to the department. (d) The user is operating in compliance with a voluntary agreement, order, stipulation, or variance from the department. (2) Notwithstanding the provisions</p>	<p>R 336.1401 Emission of sulfur dioxide from power plants. Rule 401. (1) In a power plant, it is unlawful for a person to burn fuel that does not comply with the sulfur content limitation of table 41 or which, when burned, results in sulfur dioxide emissions exceeding an equivalent emission rate as shown in table 41. In a power plant located in Wayne county, it is unlawful for a person to burn fuel that does not comply with the sulfur content limitation of table 42 and unlawful to cause or permit a discharge into the atmosphere from fuel-burning equipment sulfur dioxide in excess of the sulfur dioxide concentration limit shown in table 42. (2) Tables 41 and 42 read as follows: [See attached] (3) The use of fuels having sulfur contents as set forth in table 41 and table 42 shall not allow degradation in the mass rate of particulate emissions, unless otherwise authorized by the department. The department may require source emission tests which may be performed by, or under the supervision of, the department at the expense of the owners and may</p>	<p><u>Rule 401:</u></p> <p><u>401(1)</u></p> <ul style="list-style-type: none"> • Michigan rule adds language specific to Wayne County. • The federal SIP has parts (1)(a)-(1)(d) that are not present in the Michigan rules <p><u>401(2)</u></p> <ul style="list-style-type: none"> • The federal SIP discusses an exception where the Michigan rule (2) includes tables • Michigan rule (2) is identical to that of SIP rule (8) <p><u>401(3)&(4):</u></p> <ul style="list-style-type: none"> • Michigan rule diverts entirely from SIP version
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of subrule (1) of this rule, an exception from the limitations of table 41 shall not be permitted after January 1, 1980, unless specific authorization is granted by the department.

(3) A person responsible for operation of a source that, on the effective date of the 1973 amendment to this rule or for any anticipated time in the future, is or will be using fuel with a sulfur content in excess of that allowed to be burned on July 1, 1978, as listed in table 41, or which, on such effective date or any anticipated time in the future, is or will be emitting sulfur dioxide in excess of the equivalent emission for that fuel, as shown in table 42, shall submit to the department a written program for compliance with this rule within 60 days after such effective date. This requirement does not apply to a source for which the department has approved an exception to table 41 under the provisions of subrule (1) of this rule.

(4) The program required by subrule (3) of this rule shall include the method by which compliance shall be achieved, a complete description of new equipment to be installed or modifications to existing equipment to be made, and a timetable which specifies, at a minimum, all of the following dates:

(a) The date equipment shall be ordered.

(b) The date construction or modification of equipment shall begin.

(c) The date initial startup of equipment shall begin.

(d) The date emission shall be reduced to levels show in tables 41

require the submission of reports to the department both before and after changes are made in the sulfur content in fuel.

(4) The following provisions apply to persons in Wayne county:

(a) The maximum weight percent sulfur content in fuel limitations for fuel-burning equipment provisions of table 42 of this rule shall not apply to any person who uses a combination of fuels in such ratios as to meet the sulfur dioxide concentration limitations specified in table 42 and has obtained written approval from the department for this exemption. The allowable concentration limit will be based on the value in the table for the fuel having the higher allowable concentration limit.

(b) The maximum weight percent sulfur content in fuel limitations for fuel-burning equipment provisions of table 42 of this rule shall not apply to any person who has received an installation permit from the department on a control device to desulfurize the stack gases and the control device is installed and operating properly.

of Rule 401.

Rule 401 (3)-(8)

- The Michigan rules do not include parts (3)-(8) where the federal SIP does.

and 42.

(5) The department may allow any source that is required to submit a compliance program under subrule (3) of this rule an extension to the programmed compliance date, if all of the following conditions are met:

(a) The source of fuel burning is not subject to federal emission standards for new stationary sources.

(b) An installation permit, if required by part 2, was approved by the department before August 17, 1971.

(c) The user furnished satisfactory evidence to the department that the fuel burning does not create or contribute to an ambient level of sulfur dioxide in excess of the applicable ambient air quality standards.

(6) A person shall not cause or permit the burning of fuel in any fuel-burning equipment that results in an average emission of sulfur dioxide for any calendar month at a rate greater than was emitted by that fuel-burning equipment for the corresponding calendar month of the year 1970, unless otherwise authorized by the department.

(7) The use of fuels having sulfur contents as set forth in this rule shall not allow degradation in the mass rate of particulate emission, unless otherwise authorized by the department. The department may require source emission tests which may be performed by, or under the supervision of, the department at the expense of the owners and may require the submission of reports to the department both before and after changes are made in the sulfur content in fuel.

(8) Tables 41 and 42 read as

follows: [See attached]

[Table 41 footnotes:

(a) For the purposes of this rule, “plant capacity” is defined as the total steam production capacity of all coal- and oil-burning equipment in a power plant as of August 17, 1971. A “power plant” is defined as a single structure devoted to steam or electric generation, or both, and may contain multiple boilers.

(b) “Maximum sulfur content in fuel” is defined as the average sulfur content in all fuels burned at any one time in a power plant. The sulfur content shall be calculated on the basis of 12,000 Btu per pound for solid fuels and 18,000 Btu per pound for liquid fuels.]

[Table 42 footnotes:

(c) The determination of sulfur content (percent by weight) of fuels shall be carried out in accordance with a procedure acceptable to the department.

(d) Solid fuels include both pulverized coal and all other coal.

(e) Liquid fuels include distillate oil (No. 1 and No. 2), heavy oil (No. 4, No. 5, and No. 6), and crude oil.]

[Table 41 footnotes:

(a) The total steam production capacity of all coal- and oil-burning equipment in a power plant as of August 17, 1971.

(b) “Maximum average sulfur content in fuel” means the average sulfur content in all fuels burned at any one time in a power plant. The sulfur content shall be calculated on the basis of 12,000 Btu per pound for solid fuels and 18,000 Btu per pound for liquid fuels. The determinate of sulfur content (percent by weight) of fuel shall be carried out in accordance with a procedure acceptable to the department.

(c) Solid fuels include both pulverized coal and all other coal.

(d) Liquid fuels include distillate oil (No. 1 and No. 2), heavy oil (No. 4, No. 5, and No. 6), and crude oil.]

[Table 42 footnotes:

(a) The determination of sulfur content (percent by weight) of fuel shall be carried out in accordance with a procedure acceptable to the department.

(b) Recordkeeping necessary to demonstrate compliance with the requirements of this rule and compliance testing must be conducted with a frequency and in a manner acceptable to the department.

(c) A certain degree of control would be required to meet this limit if 1.0% sulfur is used in lieu of 0.75% sulfur fuel which must be documented and demonstrated in a manner acceptable to the department.]

Table 41 footnotes (a)

- The federal SIP defines “plant capacity” and “power plant,” where the Michigan rules set forth a date of enforcement

Table 41 footnotes (b)

- The Michigan rules add the word “average” where the federal SIP lacks this work
- The federal SIP uses the language “is defined as” where the Michigan rules use “means”
- The federal SIP spells out “one” where the Michigan rules use the numeral “1”
- The Michigan rules include additional language that the federal SIP does not

Table 41 footnotes (c)-(d)

- The federal SIP does not include parts (c) or (d) where the Michigan rules do

Table 42 footnotes (a)

- The federal SIP does not have a part (a) included
- The federal SIP part (c) has identical language to Michigan rule (a)

Table 42 footnotes (b)

- The federal SIP does not include a part (b)

Table 42 footnotes (c)

- The federal SIP discusses determination of sulfur content where the Michigan rules discuss degrees of control

Table 42 footnotes (d)-(e)

- The Michigan rules do not include parts (d)-(e) where

<p>[No R 336.1401a]</p> <p>R 336.1402 Emission of sulfur dioxide from fuel-burning sources other than power plants. (1/18/80) Rule 402.</p> <p>(1) Except as provided in rule 401 and subrule (2), after January 1, 1981, it is unlawful for a person to cause or allow the emission of sulfur dioxide from the combustion of any coal or oil fuel in excess of 1.7 pounds per million Btu's of heat input for oil fuel or in excess of 2.4 pounds per million Btu's of heat input for coal fuel.</p> <p>(2) The provisions of this rule do not apply to a fuel-burning source that is unable to comply with the specified emission limits because of sulfur dioxide emissions caused by the presence of sulfur in other raw materials charged to the fuel-burning source. This exception shall apply if at any time the actual sulfur dioxide emission rate exceeds the expected theoretical sulfur dioxide emission rate shall be based on the quantity of fuel burned and the average sulfur content of the fuel.</p>	<p>History: 1980 AACCS; 2002 AACCS; 2008 AACCS.</p> <p>R 336.1401a Definitions. Rule 401a.</p> <p>As used in this part:</p> <p>(a) "Power plant" means a single structure devoted to steam or electric generation, or both, and may contain multiple boilers.</p> <p>(b) "Sulfur recovery plant" means any plant that recovers elemental sulfur from any gas stream.</p> <p>History: 2008 AACCS.</p> <p>R 336.1402 Emission of sulfur dioxide from fuel-burning sources other than power plants. Rule 402.</p> <p>(1) At a fuel burning source other than a power plant it is unlawful for a person to cause or allow the emission of sulfur dioxide from the combustion of any coal or oil fuel in excess of 1.7 pounds per million Btu of heat input for oil fuel or in excess of 2.4 pounds per million Btu of heat input for coal fuel.</p> <p>(2) The provisions of subrule (1) of this rule do not apply to a fuel-burning source that is unable to comply with the specified emission limits because of sulfur dioxide emissions caused by the presence of sulfur in other raw materials charged to the fuel-burning source. This exception shall apply if at any time the actual sulfur dioxide emission rate exceeds the expected theoretical sulfur dioxide emission rate from fuel burning. The expected theoretical sulfur dioxide emission rate shall be based on the quantity of</p>	<p>the federal SIP does</p> <p>Rule 401a</p> <ul style="list-style-type: none"> The federal SIP does not have a rule 401a. The Michigan rules do. <p>Rule 402(1)</p> <ul style="list-style-type: none"> The federal SIP and the Michigan rules use different introductory language <p>Rule 402(2)</p> <ul style="list-style-type: none"> The Michigan Rules include additional language not present in the federal SIP
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<p>R 336.1403 Oil- and natural gas-producing or transporting facilities and natural gas-processing facilities; emissions; operation.</p> <p>Rule 403.</p> <p>(1) Except as provided in subrule (3) of this rule, it is unlawful for a person to cause or allow the emission of sour gas from an oil- or natural gas-producing or transporting facility or a natural gas-processing facility without burning or equivalent control of hydrogen sulfide and mercaptans.</p> <p>(2) Except as provided in subrule (3) of this rule, sour gas that is burned at an oil- or natural gas-producing or transporting facility or at a natural gas-processing facility shall be burned in a properly engineered flare, incinerator, or other combustion system with elevated discharge to the atmosphere. If the flare, incinerator, or other combustion system burns sour gas in such volume and with such hydrogen sulfide concentration that</p>	<p>fuel burned and the average sulfur content of the fuel.</p> <p>(3) At a fuel burning source located in Wayne county other than a power plant, it is unlawful for a person to burn fuel that does not comply with the sulfur content limitation of table 43 and unlawful to cause or allow a discharge into the atmosphere from a fuel burning source of sulfur dioxide in excess of the sulfur dioxide concentration limit shown in table 43.</p> <p>(4) Table 43 reads as follows: [see attached]</p> <p>R 336.1403 Oil- and natural gas-producing or transporting facilities and natural gas-processing facilities; emissions; operation.</p> <p>Rule 403.</p> <p>(1) Except as provided in subrule (3) of this rule, it is unlawful for a person to cause or allow the emission of sour gas from an oil- or natural gas-producing or transporting facility or a natural gas-processing facility without burning or equivalent control of hydrogen sulfide and mercaptans.</p> <p>(2) Except as provided in subrule (3) of this rule, sour gas that is burned at an oil- or natural gas-producing or transporting facility or at a natural gas-processing facility shall be burned in a properly engineered flare, incinerator, or other combustion system with elevated discharge to the atmosphere. If the flare, incinerator, or other combustion system burns sour gas in such volume and with such hydrogen sulfide concentration that</p>	<p><u>Rule 402(3)</u></p> <ul style="list-style-type: none"> • The federal SIP does not have a subrule (3) where the Michigan rules do. <p><u>Rule 402(4)</u></p> <ul style="list-style-type: none"> • The federal SIP does not have a subrule (4) where the Michigan rules do. <p><u>Rule 403(1)</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 403(2)</u></p> <ul style="list-style-type: none"> • Same
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<p>the daily quantity of hydrogen sulfide in the gas is less than 28 pounds, then it shall be equipped with either a pilot flame which will burn continuously when gas flows to the flare, incinerator, or other combustion system or with an automatic ignition system, unless otherwise authorized by the department. If the flare, incinerator, or other combustion system burns sour gas in such volume and with such hydrogen sulfide concentration that the daily quantity of hydrogen sulfide in the gas is 28 pounds or more, then it shall be equipped with a continuously burning pilot flame and a mechanism which will operate, upon failure of the pilot flame, to shut off the flow of gas, unless otherwise authorized by the department.</p> <p>(3) The provisions of subrules (1) and (2) of this rule do not apply to either of the following:</p> <p>(a) Crude oil-producing facilities that serve a well or group of wells which attained an average production level of 10 or less barrels per day per well before January 1, 1978, unless the department has received 1 complaint of odors regarding the facility, and the owner or operator is unable to or fails to demonstrate, to the satisfaction of the department, that the uncontrolled hydrogen sulfide and mercaptan emissions do not cause an odor nuisance or health hazard.</p> <p>(b) A vessel or a battery of vessels that releases a total daily volume of vapors of less than 5,000 standard cubic feet, if the owner or operator demonstrates both of the following:</p> <p>(i) Combustion of the vapors is not economically reasonable.</p>	<p>the daily quantity of hydrogen sulfide in the gas is less than 28 pounds, then it shall be equipped with either a pilot flame which will burn continuously when gas flows to the flare, incinerator, or other combustion system or with an automatic ignition system, unless otherwise authorized by the department. If the flare, incinerator, or other combustion system burns sour gas in such volume and with such hydrogen sulfide concentration that the daily quantity of hydrogen sulfide in the gas is 28 pounds or more, then it shall be equipped with a continuously burning pilot flame and a mechanism which will operate, upon failure of the pilot flame, to shut off the flow of gas, unless otherwise authorized by the department.</p> <p>(3) The provisions of subrules (1) and (2) of this rule do not apply to either of the following:</p> <p>(a) Crude oil-producing facilities that serve a well or group of wells which attained an average production level of 10 or less barrels per day per well before January 1, 1978, unless the department has received 1 complaint of odors regarding the facility, and the owner or operator is unable to or fails to demonstrate, to the satisfaction of the department, that the uncontrolled hydrogen sulfide and mercaptan emissions do not cause an odor nuisance or health hazard.</p> <p>(b) A vessel or a battery of vessels that releases a total daily volume of vapors of less than 5,000 standard cubic feet, if the owner or operator demonstrates both of the following:</p> <p>(i) Combustion of the vapors is not economically reasonable.</p>	<p><u>Rule 403(3)</u></p> <ul style="list-style-type: none"> • Same
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<p>(ii) The uncontrolled release of the vapors will not cause a violation of the provisions of R 336.1901.</p> <p>(4) A person shall not cause or allow the emission of sulfur dioxide from a new sweetening facility, unless such emissions are controlled using the best available control technology.</p> <p>(5) the operator of a sour gas-, crude-, or condensate-sweetening facility shall do all of the following:</p> <p>(a) Monitor the mass flow rate of hydrogen sulfide either entering the plant or going to the waste gas flare or flares on a periodic schedule specified by the department. The monitoring program shall include a determination of the hydrogen sulfide concentration using colorimetric detector tubes or their equivalent and a determination of the volumetric gas flow rate. The monitoring data shall be submitted to the department in an acceptable format within 30 days following the end of the month in which the data were collected.</p> <p>(b) Provide fencing, warning signs, or other measures as necessary to warn or deter unauthorized individuals from entering the plant property or buildings. Signs shall read: "Danger – Poison Gas," with at least 1 sign on each side of the plant property.</p> <p>(c) Provide control of malodorous emissions from any pressure relief valve or valves, storage tanks, and dehydrator vent or vents by burning or equivalent control.</p> <p>(d) Conduct a program of continuous monitoring of concentrations of hydrogen sulfide in any building enclosing a sweetening process. The sensor shall be placed as close to process</p>	<p>(ii) The uncontrolled release of the vapors will not cause a violation of the provisions of R 336.1901.</p> <p>(4) A person shall not cause or allow the emission of sulfur dioxide from a new sweetening facility, unless such emissions are controlled using the best available control technology.</p> <p>(5) The operator of a sour gas-, crude-, or condensate-sweetening facility shall do all of the following:</p> <p>(a) Monitor the mass flow rate of hydrogen sulfide either entering the plant or going to the waste gas flare or flares on a periodic schedule specified by the department. The monitoring program shall include a determination of the hydrogen sulfide concentration using colorimetric detector tubes or their equivalent and a determination of the volumetric gas flow rate. The monitoring data shall be submitted to the department in an acceptable format within 30 days following the end of the month in which the data were collected.</p> <p>(b) Provide fencing, warning signs, or other measures as necessary to warn or deter unauthorized individuals from entering the plant property or buildings. Signs shall read: "Danger--Poison Gas," with at least 1 sign on each side of the plant property.</p> <p>(c) Provide control of malodorous emissions from any pressure relief valve or valves, storage tanks, and dehydrator vent or vents by burning or equivalent control.</p> <p>(d) Conduct a program of continuous monitoring of concentrations of hydrogen sulfide in any building enclosing a sweetening process. The sensor shall be placed as close to process</p>	<p><u>Rule 403(4)</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 403(5)</u></p> <ul style="list-style-type: none"> • Same • Only change is a dash in the words "facility" and "determination" in the Michigan rules, which were placed there for formatting
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equipment as practicable. The system shall be designed, installed, and maintained to provide a visual alarm when the hydrogen sulfide concentration is more than 50 ppm.

(e) Automatically begin a safe and orderly shutdown of all process inflow streams to the facility if the concentration of hydrogen sulfide is more than 100 ppm in any building enclosing a sweetening process. Full operation may be resumed only after successful corrective measures have been applied.

(f) Automatically commence shut-in of the facility within 1 second after extinguishment of the flare flame, unless otherwise authorized by the department. Operation of the facility shall not continue unless corrective measures taken to reignite the flame are successful.

(6) A new sweetening facility shall not be installed at a distance of less than 1,300 feet from an existing residence, unless otherwise authorized by the department. Such authorization shall depend upon a satisfactory showing by a permit applicant that an odor nuisance shall not result from a lesser setback distance.

R 336.1404 Emission of sulfuric acid mist from sulfuric acid plants. (1/18/80).

Rule 404.

After July 1, 1980, it is unlawful for a person to cause or allow the emission of sulfuric acid mist from any sulfuric acid plant in excess of

equipment as practicable. The system shall be designed, installed, and maintained to provide a visual alarm when the hydrogen sulfide concentration is more than 50 ppm.

(e) Automatically begin a safe and orderly shutdown of all process inflow streams to the facility if the concentration of hydrogen sulfide is more than 100 ppm in any building enclosing a sweetening process. Full operation may be resumed only after successful corrective measures have been applied.

(f) Automatically commence shut-in of the facility within 1 second after extinguishment of the flare flame, unless otherwise authorized by the department. Operation of the facility shall not continue unless corrective measures taken to reignite the flame are successful.

(6) A new sweetening facility shall not be installed at a distance of less than 1,300 feet from an existing residence, unless otherwise authorized by the department. Such authorization shall depend upon a satisfactory showing by a permit applicant that an odor nuisance shall not result from a lesser setback distance.

History: 1980 AACCS; 1989 AACCS; 2002 AACCS.

R 336.1404 Emission of sulfur dioxide and sulfuric acid mist from sulfuric acid plants.

Rule 404.

(1) It is unlawful for a person to cause or allow the emission of sulfuric acid mist from any sulfuric acid plant in excess of 0.50 pounds

Rule 403(6)

- Same

Rule 404

- The Michigan rules add "sulfur dioxide and" to the description of the rule where the federal SIP does not.

Rule 404 (1)

- The federal SIP does not designate anything as subrule (1) because it does not contain more than 1 subpart.

0.50 pounds per ton of acid produced, the production being expressed as 100% H₂SO₄. Compliance with this limit shall be demonstrated using reference test method 8.

[No R 336.1405]

[No R 336.1406]

per ton of acid produced, the production being expressed as 100% sulfuric acid.
(2) It is unlawful for a person in Wayne county to cause or allow sulfur dioxide emissions into the atmosphere from any sulfuric acid plant to exceed 6.5 pounds per ton of acid produced.
(3) Compliance with this rule shall be demonstrated using a procedure acceptable to the department.

History: 1980 AACS; 2008 AACS.

R 336.1405 Emissions from sulfur recovery plants located within Wayne county.
Rule 405. At sulfur recovery plants located in Wayne county, a person shall not cause or allow the emission into the atmosphere of sulfur dioxide, sulfur trioxide, or sulfuric acid from any such sulfur recovery plant to exceed 0.01 pounds per pound of sulfur produced.

History: 2008 AACS.

R 336.1406 Hydrogen sulfide emissions from facilities located within Wayne county.
Rule 406. (1) A person in Wayne county shall not cause or allow the combustion of any refinery process gas stream that contains hydrogen sulfide in a concentration of greater than 100 grains per 100 cubic feet of gas without removal of the hydrogen sulfide in excess of this concentration.
(2) When the odor of hydrogen sulfide is found to exist beyond the property line of a source, a person in Wayne county shall not cause or

- The federal SIP lists a date for when the rule will become enforceable. The Michigan rules do not include a date
- The federal SIP uses the chemical formula where the Michigan rules simply state “sulfuric acid”
- The federal SIP includes a sentence about compliance testing where the Michigan rules do not mention compliance in subpart (1). [But the Michigan rules do mention compliance in subpart (3)].

Rule 404 (2) and (3)

- The federal SIP does not include subrules (2) and (3)

Rule 405

- The federal SIP does not have a rule 405; the Michigan rules do.

Rule 406

- The federal SIP does not have a rule 406; the Michigan rules do.

<p>[No R 336.1407]</p>	<p>allow the concentration of hydrogen sulfide to exceed 0.005 parts per million by volume for a maximum period of 2 minutes.</p> <p>History: 2008 AACS.</p> <p>R 336.1407. Sulfur compound emissions from sources located within Wayne county and not previously specified.</p> <p>Rule 407. Both of the following apply to process and fuel burning sources located within Wayne county to which the provisions of R 336.1401 to R 336.1406 do not apply.</p> <p>(a) A person shall not cause or allow the emission into the atmosphere gases with a concentration of sulfur dioxide greater than 300 parts per million by volume, which shall be corrected to 50% excess air.</p> <p>(b) A person shall not cause or allow the emission into the atmosphere gases with a concentration of sulfuric acid or sulfur trioxide or a combination thereof greater than 15 milligrams per cubic meter, which shall be corrected to 50% excess air.</p> <p>History: 2008 AACS.</p>	<p><u>Rule 407</u></p> <ul style="list-style-type: none"> The federal SIP does not have a rule 407; the Michigan rules do.
<p>[No R 336.1420]</p>	<p>R 336.1420. Applicability determinations, definitions, and permitting requirements under CAIR sulfur dioxide trading program.</p> <p>Rule 420. (1) As used in this rule, "CAIR" means clean air interstate rule.</p> <p>(2) The provisions of 40 C.F.R. §97.202, §97.220 to §97.224 and the appropriate opt-in provisions of 40 C.F.R. §97.280 to §97.288 (2006) are adopted by reference in this rule and are applicable to these rules.</p>	<p><u>Rule 420</u></p> <ul style="list-style-type: none"> The federal SIP does not have a rule 420; the Michigan rules do.

Copies of 40 C.F.R. §97.202, §97.220 to §97.224, and §97.280 to §97.288 are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of this rule of \$70.00. Copies may also be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of this rule of \$60.00; or on the United States government printing office internet web site at www.access.gpo.gov.

(3) Each CAIR sulfur dioxide source, as defined in 40 C.F.R. §97.202 is required to apply for a CAIR permit in accordance with 40 C.F.R. §97.220 to §97.224. This permit shall be administered in accordance with the procedural requirements of R 336.1214 and shall be incorporated into the facility's renewable operating permit as an attachment.

History: 2008 AACs.

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**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 6:
EMISSION LIMITATIONS AND PROHIBITIONS-- EXISTING SOURCES OF
VOLATILE ORGANIC COMPOUND EMISSIONS**

DRAFT #1 last reviewed/edited by MEP 4/18/2012

Approved SIP	Rules Implemented by State of Michigan	Comments
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<p>R 336.1601 Definitions Rule 601. As used in this part: (a) "Existing source" means any of the following: (i) Any process or process equipment which is subject to the provisions of R 336.1604 to R 336.1618 and which either has been placed into operation before July 1, 1979 or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1979. (ii) Any process or process equipment which is subject to the provisions of R 336.1619 to R 336.1625 and which either has been placed into operation before July 1, 1980, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1980. (iii) Any process or process equipment which is subject to the provisions of R 336.1628 and which either has been placed into operation before January 5, 1981, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before January 5, 1981.</p>	<p>R 336.1601 Definitions. Rule 601. As used in this part: (a) "Existing source" means any of the following: (i) Any process or process equipment which is subject to the provisions of R 336.1604 to R 336.1618 and which either has been placed into operation before July 1, 1979, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1979. (ii) Any process or process equipment which is subject to the provisions of R 336.1619 to R 336.1625 and which either has been placed into operation before July 1, 1980, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1980. (iii) Any process or process equipment which is subject to the provisions of R 336.1628 and which either has been placed into operation before January 5, 1981, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before January 5,</p>	<p><u>Rule 601</u> <u>(a)</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 601</u> <u>(a)(i)</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 601</u> <u>(a)(ii)</u></p> <ul style="list-style-type: none"> • Same, but the Michigan rules have a dash in the word "provisions" (probably for formatting), where the federal SIP does not. <p><u>Rule 601</u> <u>(a)(iii)</u></p> <ul style="list-style-type: none"> • Same, but the Michigan rules have a dash in the word "provisions" (probably for formatting), where the federal SIP does not.
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(iv) Any process or process equipment which is subject to the provisions of R 336.1629 and which either has been placed into operation before January 20, 1984, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before January 20, 1984.

(v) Any process or process equipment which is subject to the provisions of R 336.1630 or R 336.1631 and which either has been placed into operation before July 1, 1987, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1987.

(vi) Any process or process equipment which is subject to the provisions of R 336.1632 and which either has been placed into operation before the effective date of R 336.1632 or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before the effective date of R 336.1632.

(vii) Any process or process equipment which is not subject to the provisions of any rule in this part and which either has been placed into operation before July 1, 1979, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1979. The term does not include a process or process equipment operated for research, development, or pilot studies, if the operation is not for the purpose of producing saleable products or

1981.

(iv) Any process or process equipment which is subject to the provisions of R 336.1629 and which either has been placed into operation before January 20, 1984, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before January 20, 1984.

(v) Any process or process equipment which is subject to the provisions of R 336.1630 or R 336.1631 and which either has been placed into operation before July 1, 1987, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1987.

(vi) Any process or process equipment which is subject to the provisions of R 336.1632 and which either has been placed into operation before the effective date of R 336.1632 or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before the effective date of R 336.1632.

(vii) Any process or process equipment which is not subject to the provisions of any rule in this part and which either has been placed into operation before July 1, 1979, or for which an application for a permit to install, pursuant to the provisions of part 2 of these rules, was made to the department before July 1, 1979. The term does not include a process or process equipment operated for research, development, or pilot studies, if the operation is not for the purpose of

Rule 601

(a)(iv)

- Same, but the Michigan rules have a dash in the word “provisions” (probably for formatting), where the federal SIP does not.

Rule 601

(a)(v)

- Same

Rule 601

(a)(vi)

- Same, but the Michigan rules have a dash in the word “provisions” and “effective” (probably for formatting), where the federal SIP does not.

Rule 601

(a)(vii)

- Same, but the Michigan rules have a dash in the word “provisions” (probably for formatting), where the federal SIP does not.

<p>goods. (b) “Person responsible” means a person who owns, leases, controls, operates, or supervises a source of air contaminants.</p>	<p>producing saleable products or goods. (b) "Person responsible" means a person who owns, leases, controls, operates, or supervises a source of air contaminants.</p> <p>History: 1980 AACS; 1981 AACS; 1989 AACS; 1993 AACS; 2002 AACS.</p>	<p><u>Rule 601</u> <u>(b)</u></p> <ul style="list-style-type: none"> • Same, but the Michigan rules have a dash in the word “contaminants” (probably for formatting), where the federal SIP does not.
<p>R 336.1602 General provisions for existing sources of volatile organic compound emissions. Rule 602. (1) A person shall not cause or allow the emission of volatile organic compounds from any existing source in excess of the provisions of any rule of this part or the maximum allowable emission rate specified in any of the following, whichever results in the lowest maximum allowable emission rate: (a) A permit to install. (b) A permit to operate. (c) A renewable operating permit issued under R 336.1210. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the department.</p>	<p>R 336.1602 Existing sources of volatile organic compound emissions generally. Rule 602. (1) A person shall not cause or allow the emission of volatile organic compounds from any existing source in excess of the provisions of any rule of this part or the maximum allowable emission rate specified in any of the following, whichever results in the lowest maximum allowable emission rate: (a) A permit to install. (b) A permit to operate. (c) A renewable operating permit issued under R 336.1210. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the department.</p>	<p><u>Rule 602</u></p> <ul style="list-style-type: none"> • The federal SIP description of the rule begins with “general provisions for,” where the Michigan rules put the word “generally” at the end of the description <p><u>Rule 602</u> <u>(1)</u></p> <ul style="list-style-type: none"> • The federal SIP uses a period where the Michigan rules use a colon
<p>(2) Department approvals for the equivalent emission rates, alternate emission rates, or compliance methods that are authorized pursuant to any of the provisions listed in subdivision (a) of this subrule shall be in compliance with the following provisions: (a) The provisions of this subrule apply to approvals by the department pursuant to any of the following provisions: (i) R 336.1122(f)(ii) (Negligible</p>	<p>(2) Department approvals for the equivalent emission rates, alternate emission rates, or compliance methods that are authorized pursuant to any of the provisions listed in subdivision (a) of this subrule shall be in compliance with all of the following provisions: (a) The provisions of this subrule apply to approvals by the department pursuant to any of the following provisions: (i) R 336.1610(5)(a) (More than 24-</p>	<p><u>Rule 602</u> <u>(2)</u></p> <ul style="list-style-type: none"> • The Michigan rules add the words “all of” where the federal SIP does not <p><u>Rule 602</u> <u>(2)(a)</u></p> <ul style="list-style-type: none"> • Same <p><u>Rule 602</u> <u>(2)(a)(i)</u></p> <ul style="list-style-type: none"> • The federal SIP discusses a rule not discussed by the

<p>photochemical reactivity).</p> <p>(ii) R 336.1603(4) (Compliance program addressing a combination of sources).</p> <p>(iii) R 336.1610(7)(a) (More than 24-hour averaging period).</p> <p>(iv) R 336.1610(14) table 63 (Column B – transfer efficiency).</p> <p>(v) R 336.1611(1) (Equivalent control method).</p> <p>(vi) R 336.1619(5) (Equivalent control method).</p> <p>(vii) R 336.1619(6)(c) (Alternative control system).</p> <p>(viii) R 336.1619(8)(a) (Inadequate space for control device).</p> <p>(ix) R 336.1620(3)(a) (More than 24-hour averaging period).</p> <p>(x) R 336.1621(3) (Transfer efficiency).</p> <p>(xi) R 336.1621(4) (Baseline transfer efficiency less than 60%).</p> <p>(xii) R 336.1621 (6)(a) (More than 24-hour averaging period).</p> <p>(xiii) R 336.1621(9)(e) (Metallic-nonmetallic part).</p> <p>(xiv) R 336.1622(1) (Equivalent control method).</p> <p>(xv) R 336.1623(1) (Equivalent control method).</p> <p>(xvi) R 336.1623(8)(d) (Equivalent provisions).</p> <p>(xvii) R 336.1624(1) (Equivalent emission rate).</p> <p>(xviii) R 336.1624(5)(e) (More than 24-hour averaging period)</p> <p>(xix) R 336.1625(1) (Equivalent control method, except alternative to condenser in R 336.1625(2)(b)).</p> <p>(xx) R 336.1625(2)(b) (Alternative control method).</p> <p>(xxi) R 336.1625(8) (Alternative control system).</p> <p>(xxii) R 336.1628(1) (Equivalent control method).</p> <p>(xxiii) R 336.1629(1) (Equivalent</p>	<p>hour but less than 1-month averaging period).</p> <p>(ii) R 336.1610(11) table 63 (Column B - transfer efficiency).</p> <p>(iii) R 336.1611(1) (Equivalent control method).</p> <p>(iv) R 336.1620(3)(a) (More than 24-hour but less than 1-month averaging period).</p> <p>(v) R 336.1621(3) (Transfer efficiency).</p> <p>(vi) R 336.1621(4) (Baseline transfer efficiency less than 60%).</p> <p>(vii) R 336.1621(6)(a) (More than 24-hour but less than 1-month averaging period).</p> <p>(viii) R 336.1621(9)(e) (Metallic-nonmetallic part).</p> <p>(ix) R 336.1622(1) (Equivalent control method).</p> <p>(x) R 336.1623(1) (Equivalent control method).</p> <p>(xi) R 336.1623(8)(d) (Equivalent compliance provisions).</p> <p>(xii) R 336.1624(1) (Equivalent emission rate).</p> <p>(xiii) R 336.1624(5)(d) (More than 24-hour but less than 1-month averaging period).</p> <p>(xiv) R 336.1625(1) (Equivalent control method, except alternative to condenser in R 336.1625(2)(b)).</p> <p>(xv) R 336.1625(2)(b) (Alternative control method).</p> <p>(xvi) R 336.1625(8) (Alternative control system).</p> <p>(xvii) R 336.1628(1) (Equivalent control method).</p> <p>(xviii) R 336.1629(1) (Equivalent control method).</p> <p>(xix) R 336.1630(1) (Equivalent control method).</p> <p>(xx) R 336.1631(1) (Equivalent control method).</p> <p>(xxi) R 336.1631(5) (Alternate compliance method).</p>	<p>Michigan Rules</p> <p>Rule 602 (2)(a)(ii)</p> <ul style="list-style-type: none"> The federal SIP discusses a rule not discussed by the Michigan Rules <p>Rule 602 (2)(a)(iii)</p> <ul style="list-style-type: none"> The federal SIP discusses a rule not discussed by the Michigan Rules <p>Rule 602 (2)(a)(iv)</p> <ul style="list-style-type: none"> The federal SIP discusses a rule not discussed by the Michigan Rules <p>Rule 602 (2)(a)(v)</p> <ul style="list-style-type: none"> The federal SIP part (v) is the same as the Michigan rule part (iii) <p>Rule 602 (2)(a)(vi)</p> <ul style="list-style-type: none"> The federal SIP discusses a rule not discussed by the Michigan Rules <p>Rule 602 (2)(a)(vii)</p> <ul style="list-style-type: none"> The federal SIP discusses a rule not discussed by the Michigan Rules <p>Rule 602 (2)(a)(viii)</p> <ul style="list-style-type: none"> The federal SIP discusses a rule not discussed by the Michigan Rules <p>Rule 602 (2)(a)(ix)</p> <ul style="list-style-type: none"> The federal SIP part (ix) is the same as the Michigan rule part (iv) The Michigan rules add the language “but less than 1 month” where the federal SIP does not include this language.
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<p>control method).</p> <p>(xxiv) R 336.1630(1) (Equivalent control method).</p> <p>(xxv) R 336.1631(1) (Equivalent control method).</p> <p>(xxvi) R 336.1631(5) (Alternative compliance method).</p> <p>(xxvii) R 336.1631(6) (Alternative compliance determination method).</p> <p>(xxviii) R 336.1632(8)(a) (More than 24-hour averaging period).</p> <p>(xxix) R 336.1632(13) (Alternative provisions).</p> <p>(xxx) R 336.1632(14) (Cross-line averaging).</p> <p>(xxxi) R 336.2004(4) (Alternate test method).</p> <p>(xxxii) R 336.2040(5)(a)(i)(A) (Alternate test method).</p> <p>(xxxiii) R 336.2040(5)(a)(iv) (Alternate test method).</p> <p>(xxxiv) R 336.2040(9) (Transfer efficiency test method).</p> <p>(xxxv) R 336.2040(9)(j)(ii) (Alternate procedure).</p> <p>(xxxvi) R 336.2040(10) (Alternate capture efficiency test method).</p> <p>(xxxvii) R 336.2040(11)(a)(iv) (Alternate test method).</p> <p>(xxxviii) R 336.2040(11)(b)(ii) (Alternate test method).</p> <p>(b) Department approvals for the equivalent emission rates, alternate emission rates, or compliance methods that are authorized by any of the provisions identified in subdivision (a) of this subrule shall be in compliance with all of the following provisions:</p> <p>(i) The proposed approval shall be subject to a 30-day public comment period.</p> <p>(ii) When the proposed approval is noticed for a 30-day public comment period, a copy of the notice shall also be sent to the United States</p>	<p>(xxii) R 336.1632(8)(a) (More than 24-hour but less than 1-month averaging period).</p> <p>(xxiii) R 336.1632(13) (Alternate compliance provisions).</p> <p>(xxiv) R 336.1632(14) (Cross-line averaging).</p> <p>(xxv) R 336.2004(4) (Alternate test method).</p> <p>(xxvi) R 336.2040(5)(a)(i)(A) (Alternate test method).</p> <p>(xxvii) R 336.2040(5)(a)(iv) (Alternate test method).</p> <p>(xxviii) R 336.2040(9) (Transfer efficiency test method).</p> <p>(xxix) R 336.2040(9)(j)(ii) (Alternate measurement procedure).</p> <p>(xxx) R 336.2040(10) (Modified capture efficiency test method).</p> <p>(xxxi) R 336.2040(11)(a)(iv) (Alternate test method).</p> <p>(xxxii) R 336.2040(11)(b)(ii) (Alternate test method).</p> <p>(b) Department approvals for the equivalent emission rates, alternate emission rates, or compliance methods that are authorized by any of the provisions identified in subdivision (a) of this subrule shall be in compliance with all of the following provisions:</p> <p>(i) The proposed approval shall be subject to a 30-day public comment period.</p> <p>(ii) When the proposed approval is noticed for a 30-day public comment period, a copy of the notice shall also be sent to the United States environmental protection agency.</p> <p>(iii) The proposed approval is subject to a public hearing immediately after the 30-day public comment period that is required in paragraph (i) of this subdivision.</p> <p>(iv) The department approval shall</p>	<p>Rule 602 (2)(a)(x)</p> <ul style="list-style-type: none"> The federal SIP part (x) is the same as the Michigan rules part (v) <p>Rule 602 (2)(a)(xi)</p> <ul style="list-style-type: none"> The federal SIP part (xi) is the same as the Michigan rules part (vi) <p>Rule 602 (2)(a)(xii)</p> <ul style="list-style-type: none"> The federal SIP part (xii) is the same as the Michigan rule part (vii) The Michigan rules add the language “but less than 1 month” where the federal SIP does not include this language. <p>Rule 602 (2)(a)(xiii)</p> <ul style="list-style-type: none"> The federal SIP part (xiii) is the same as the Michigan rule part (viii) <p>Rule 602 (2)(a)(xiv)</p> <ul style="list-style-type: none"> The federal SIP part (xiv) is the same as the Michigan rule part (ix) <p>Rule 602 (2)(a)(xv)</p> <ul style="list-style-type: none"> The federal SIP part (xv) is the same as the Michigan rule part (x) <p>Rule 602 (2)(a)(xvi)</p> <ul style="list-style-type: none"> The federal SIP part (xiv) is the same as the Michigan rule part (xi) <p>Rule 602 (2)(a)(xvii)</p> <ul style="list-style-type: none"> The federal SIP part (xvii) is the same as the Michigan rule part (xii) <p>Rule 602</p>
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environmental protection agency.
(iii) The proposed approval shall be subject to a public hearing immediately after the 30-day public comment period that is required in paragraph (i) of this subdivision.
(iv) The department approval shall become part of a legally enforceable order of the department, permit to install or permit to operate.
(v) The legally enforceable document identified in paragraph (iv) of this subdivision shall be sent to the United States environmental protection agency as a request for a revision of the Michigan state implementation plan, together with all of the other information that is required for the submittal of a complete state implementation plan revision request. Department approval and the legally enforceable document shall have no effect on the federally approved state implementation plan until and unless the submitted state implementation plan revision request is formally approved by the United States environmental protection agency.

become part of a legally enforceable order of the department, permit to install, or permit to operate.
(v) The legally enforceable document identified in paragraph (iv) of this subdivision shall be sent to the United States environmental protection agency as a request for a revision of the Michigan state implementation plan, together with all of the other information that is required for the submittal of a complete state implementation plan revision request. Department approval and the legally enforceable document shall have no effect on the federally approved state implementation plan until and unless the submitted state implementation plan revision request is formally approved by the United States environmental protection agency.

(2)(a)(xviii)

- The federal SIP discusses a rule not discussed by the Michigan rule

Rule 602

(2)(a)(xix)

- The federal SIP part (xix) is the same as the Michigan rule part (xiv)

Rule 602

(2)(a)(xx)

- The federal SIP part (xx) is the same as the Michigan rule part (xv)

Rule 602

(2)(a)(xxi)

- The federal SIP part (xxi) is the same as the Michigan rule part (xvi)

Rule 602

(2)(a)(xxii)

- The federal SIP part (xxii) is the same as the Michigan rule part (xvii)

Rule 602

(2)(a)(xxiii)

- The federal SIP part (xxiii) is the same as the Michigan rule part (xviii)

Rule 602

(2)(a)(xxiv)

- The federal SIP part (xxiv) is the same as the Michigan rule part (xix)

Rule 602

(2)(a)(xxv)

- The federal SIP part (xxv) is the same as the Michigan rule part (xx)

Rule 602

(2)(a)(xxvi)

- The federal SIP part (xxvi) is the same as the Michigan rule part (xxi)

Rule 602

(2)(a)(xxvii)

- The federal SIP discusses a rule not discussed by the Michigan rules

Rule 602

(2)(a)(xxviii)

- The federal SIP part (xxviii) is the same as the Michigan rule part (xxii)
- The Michigan rules add the language “but less than 1 month” where the federal SIP does not include this language.

Rule 602

(2)(a)(xxix)

- The federal SIP part (xxix) is the same as the Michigan rule part (xxiii)

Rule 602

(2)(a)(xxx)

- The federal SIP part (xxx) is the same as the Michigan rule part (xxiv)

Rule 602

(2)(a)(xxxi)

- The federal SIP part (xxxi) is the same as the Michigan rule part (xxv)

Rule 602

(2)(a)(xxxii)

- The federal SIP part (xxxii) is the same as the Michigan rule part (xxvi)

Rule 602

(2)(a)(xxxiii)

- The federal SIP part (xxxiii) is the same as the Michigan rule part (xxvii)

Rule 602

(2)(a)(xxxiv)

- The federal SIP part (xxxiv) is the same as the Michigan rule part (xxviii)

Rule 602

(2)(a)(xxxv)

- The federal SIP part (xxxv)

		<p>is the same as the Michigan rule part (xxix)</p> <ul style="list-style-type: none"> The Michigan rules add the language “measurement” where the federal SIP does not include this language. <p>Rule 602 (2)(a)(xxxvi)</p> <ul style="list-style-type: none"> The federal SIP part (xxxvi) is the same as the Michigan rule part (xxx) <p>Rule 602 (2)(a)(xxxvii)</p> <ul style="list-style-type: none"> The federal SIP part (xxxvii) is the same as the Michigan rule part (xxx) <p>Rule 602 (2)(a)(xxxviii)</p> <ul style="list-style-type: none"> The federal SIP part (xxxviii) is the same as the Michigan rule part (xxxii) <p>Rule 602 Other differences: Michigan rules (i), (ii), and (xiii) are not mentioned in the federal SIP</p>
<p>(3) Department approvals for the equivalent emission rates, alternate emission rates, or compliance methods that are authorized by any of the provisions identified in subdivision (a) of this subrule shall be in compliance with the following provisions:</p> <p>(a) The provisions of this subrule apply to approvals by the department pursuant to either of the following provisions: (i) R336.1624(2)(a)(i) (Base year starting level). (ii) R336.1625(4) (Alternative condenser temperature).</p> <p>(b) Department approvals for the</p>	<p>(3) Department approvals for the equivalent emission rates, alternate emission rates, or compliance methods that are authorized by the provisions identified in subdivision (a) of this subrule shall be in compliance with both of the following provisions:</p> <p>(a) The provisions of this subrule apply to approvals by the department pursuant to R 336.1625(4) (Alternate condenser temperature).</p> <p>(b) Department approvals for the</p>	<p>Rule 602(3)(a): SIP has 2 approval provisions v. MI rules just has one.</p>

<p>equivalent emission rates, or compliance methods that are authorized pursuant to either of the provisions identified in subdivision (a) of this subrule shall be in compliance with both of the following provisions:</p> <p>(i) The department approval shall become part of a legally enforceable order of the department, permit to install, or permit to operate.</p> <p>(ii) A copy of the legally enforceable document that is identified in paragraph (i) of this subdivision shall be sent to the United State environmental protection agency.</p>	<p>equivalent emission rates, alternate emission rates, or compliance methods that are authorized pursuant to the provisions identified in subdivision (a) of this subrule shall be in compliance with both of the following provisions:</p> <p>(i) The department approval shall become part of a legally enforceable order of the department, permit to install, or permit to operate.</p> <p>(ii) A copy of the legally enforceable document that is identified in paragraph (i) of this subdivision shall be sent to the United States environmental protection agency.</p>	<p><u>Rule 602(3)(b)(ii)</u>: Hyphen added.</p>
<p>(4) In R336.1610, R336.1621, and R336.1632, where emission limits are expressed in pounds of volatile organic compounds per gallon of coating, minus water, as applied, the phrase “minus water” shall also include compounds which are used as organic solvents and which are excluded from the definition of volatile organic compound.</p>	<p>(4) In R 336.1610, R 336.1621, and R 336.1632, where emission limits are expressed in pounds of volatile organic compounds per gallon of coating, minus water, as applied, the phrase "minus water" shall also include compounds which are used as organic solvents and which are excluded from the definition of volatile organic compound.</p> <p>History: 1980 AACS; 1993 AACS; 1998-2000 AACS; 2002 AACS.</p>	<p>No change.</p>
	<p>R 336.1603 Rescinded.</p> <p>History: 1980 AACS; 1981 AACS; 1997 AACS.</p>	<p>No Rule 603 in SIP.</p>
<p>R 336.1604 Storage of organic compounds having true vapor pressure of more than 1.5 psia, but less than 11 psia, in existing fixed roofs stationary vessels of more than 40,000-gallon capacity.</p> <p>Rule 604. (1) After April 30, 1981, it is</p>	<p>R 336.1604 Storage of organic compounds having true vapor pressure of more than 1.5 psia, but less than 11 psia, in existing fixed roof station-ary vessels of more than 40,000-gallon capacity.</p> <p>Rule 604. (1) After April 30, 1981, it is</p>	

<p>unlawful for a person to store any organic compound having a true vapor pressure of more than 1.5 psia, but less than 11 psia, at actual storage conditions in any existing fixed roof stationary vessel or more than 40,000-gallon capacity, unless 1 of the following conditions is met:</p> <p>(a) The vessel is a pressure tank capable of maintaining working pressures sufficient to prevent organic vapor or gas loss to the atmosphere at all times, except under emergency conditions.</p> <p>(b) The vessel is equipped and maintained with a floating cover or roof which rests upon, and is supported by, the liquid being contained and has a closure seal or seals to reduce the space between the cover or roof edge and the vessel wall. The seal or any seal fabric shall not have visible holes, tears, or other nonfunctional openings.</p> <p>(c) The vessel is equipped and maintained with a vapor recovery system, or other control system approved by the department, which recovers not less than 90%, by weight, of the uncontrolled organic vapor that would otherwise be emitted into the atmosphere.</p>	<p>unlawful for a person to store any organic compound having a true vapor pressure of more than 1.5 psia, but less than 11 psia, at actual storage conditions in any existing fixed roof stationary vessel of more than 40,000-gallon capacity, unless 1 of the following conditions is met:</p> <p>(a) The vessel is a pressure tank capable of maintaining working pressures sufficient to prevent organic vapor or gas loss to the atmosphere at all times, except under emergency conditions.</p> <p>(b) The vessel is equipped and maintained with a floating cover or roof which rests upon, and is supported by, the liquid being contained and has a closure seal or seals to reduce the space between the cover or roof edge and the vessel wall. The seal or any seal fabric shall not have visible holes, tears, or other nonfunctional openings.</p> <p>(c) The vessel is equipped and maintained with a vapor recovery system, or other control system approved by the department, which recovers not less than 90%, by weight, of the uncontrolled organic vapor that would otherwise be emitted into the atmosphere.</p>	<p><u>Rule 604(1)(a):</u> Hyphen added.</p>
<p>(2) All openings, except stub drains, in any stationary vessel subject to the provisions of this rule shall be equipped with covers, lids, or seals so that all of the following conditions are met:</p> <p>(a) The cover, lid, or seal is in the closed position at all times, except when in actual use.</p>	<p>(2) All openings, except stub drains, in any stationary vessel subject to the provisions of this rule shall be equipped with covers, lids, or seals so that all of the following conditions are met:</p> <p>(a) The cover, lid, or seal is in the closed position at all times, except when in actual use.</p>	<p>No change.</p>

<p>(b) Automatic bleeder vents are closed at all times, except when the roof is floated off, or landed on, the roof leg supports.</p> <p>(c) Rim vents, if provided, are set at the manufacturer's recommended setting or are set to open when the roof is being floated off the roof leg supports.</p>	<p>(b) Automatic bleeder vents are closed at all times, except when the roof is floated off, or landed on, the roof leg supports.</p> <p>(c) Rim vents, if provided, are set at the manufacturer's recommended setting or are set to open when the roof is being floated off the roof leg supports.</p> <p>History: 1980 AACS; 1981 AACS; 2002 AACS.</p>	
<p>R 336.1605 Storage of organic compounds having true vapor pressure of 11 or more psia in existing stationary vessels of more than 40,000-gallon capacity.</p> <p>Rule 605.</p> <p>(1) After April 30, 1981, it is unlawful for a person to store any organic compound having a true vapor pressure of 11 or more psia at actual storage conditions in any existing stationary vessel of more than 40,000-gallon capacity, unless 1 of the following conditions is met:</p> <p>(a) The vessel is a pressure tank capable of maintaining working pressures sufficient to prevent organic vapor or gas loss to the atmosphere at all times, except under emergency conditions.</p> <p>(b) The vessel is equipped and maintained with a vapor recovery system, or other control system approved by the department, which recovers not less than 90%, by weight, of the uncontrolled organic vapor that would otherwise be emitted into the atmosphere.</p>	<p>R 336.1605 Storage of organic compounds having true vapor pressure of 11 or more psia in existing stationary vessels of more than 40,000-gallon capacity.</p> <p>Rule 605.</p> <p>(1) After April 30, 1981, it is unlawful for a person to store any organic compound having a true vapor pressure of 11 or more psia at actual storage conditions in any existing stationary vessel of more than 40,000-gallon capacity, unless 1 of the following conditions is met:</p> <p>(a) The vessel is a pressure tank capable of maintaining working pressures sufficient to prevent organic vapor or gas loss to the atmosphere at all times, except under emergency conditions.</p> <p>(b) The vessel is equipped and maintained with a vapor recovery system, or other control system approved by the department, which recovers not less than 90%, by weight, of the uncontrolled organic vapor that would otherwise be emitted into the atmosphere.</p>	<p><u>Rule 605(1)(a):</u> Hyphen added.</p>

<p>(2) All openings in any stationary vessel subject to the provisions of this rule shall be equipped with covers, lids, or seals so that the covers, lids or seals are in a closed position at all times, except when in actual use.</p>	<p>(2) All openings in any stationary vessel subject to the provisions of this rule shall be equipped with covers, lids, or seals so that the covers, lids, or seals are in a closed position at all times, except when in actual use.</p> <p>History: 1980 AACS; 2002 AACS.</p>	
<p>R 336.1606 Loading gasoline into existing stationary vessels or more than 2,000-gallon capacity at dispensing facilities handling 250,000 or more gallons per year.</p> <p>Rule 606. (1) After June 30, 1980, it is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline dispensing facility which is in any county listed in table 61-a and which has a throughput of 250,000 or more gallons per year, unless such stationary vessel is equipped with a permanent submerged fill pipe.</p>	<p>R 336.1606 Loading gasoline into existing stationary vessels of more than 2,000-gallon capacity at dispensing facilities handling 250,000 or more gallons per year.</p> <p>Rule 606. (1) After June 30, 1980, it is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline dispensing facility which is in any county listed in table 61-a and which has a throughput of 250,000 or more gallons per year, unless such stationary vessel is equipped with a permanent submerged fill pipe.</p>	<p>No change.</p>
<p>(2) After June 30, 1981, it is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline dispensing facility which is outside of any county listed in table 61-a and which has a throughput of 250,000 or more gallons per year, unless such stationary vessel is equipped with a permanent submerged fill pipe.</p>	<p>(2) After June 30, 1981, it is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline dispensing facility which is outside of any county listed in table 61-a and which has a throughput of 250,000 or more gallons per year, unless such stationary vessel is equipped with a permanent submerged fill pipe.</p>	<p>No change.</p>

<p>(3) After December 31, 1982, it is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline-dispensing facility which is in any area listed in table 61 and which has a throughput of 250,000 or more gallons per year, unless such stationary vessel is controlled by a vapor balance system or an equivalent control system approved by the department. The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed to return not less than 90%, by weight, of the displaced gasoline vapor from the stationary vessel to the delivery vessel.</p>	<p>(3) After December 31, 1982, it is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline-dispensing facility which is in any area listed in table 61 and which has a throughput of 250,000 or more gallons per year, unless such stationary vessel is controlled by a vapor balance system or an equivalent control system approved by the department. The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed to return not less than 90%, by weight, of the displaced gasoline vapor from the stationary vessel to the delivery vessel.</p>	<p>Rule 606(3): Hyphen added.</p>
<p>(4) Any stationary vessel that is subject to the provisions of subrule (3) of this rule shall be equipped, maintained, or controlled with both of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line shall close upon disconnection so as to prevent the release of gasoline vapor.</p>	<p>(4) Any stationary vessel that is subject to the provisions of subrule (3) of this rule shall be equipped, maintained, or controlled with both of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line shall close upon disconnection so as to prevent the release of gasoline vapor.</p>	<p>No change.</p>
<p>(5) Any delivery vessel that is subject to the provisions of subrule (3) of this rule shall be vaportight and shall be filled only at a loading</p>	<p>(5) Any delivery vessel that is subject to the provisions of subrule (3) of this rule shall be vaportight and shall be filled only at a loading</p>	<p>No change.</p>

<p>facility that is equipped with a system as required by R336.1608(3) and (4), R336.1609(2) and (3), R336.1705(2) and (3), or R336.1706(2) and (3).</p>	<p>facility that is equipped with a system as required by R 336.1608(3) and (4), R 336.1609(2) and (3), R 336.1705(2) and (3), or R 336.1706(2) and (3).</p>	
<p>(6) The provisions of subrules (3) and (4) of this rule shall not apply to a stationary vessel at a gasoline-dispensing facility that is served exclusively by gasoline-loading facilities exempted by the department under R 336.1608(7).</p>	<p>(6) The provisions of subrules (3) and (4) of this rule shall not apply to a stationary vessel at a gasoline-dispensing facility that is served exclusively by gasoline-loading facilities exempted by the department under R 336.1608(7).</p>	<p>No change.</p>
<p>(7) Tables 61 and 61-a read as follows: [see attached]</p>	<p>(7) Tables 61 and 61-a read as follows: [see attached]</p> <p>History: 1980 AACS; 1989 AACS; 2002 AACS.</p>	<p>No change in text; see attached for any changes in table.</p>
<p>R 336.1607 Loading gasoline into existing stationary vessels of more than 2,000-gallon capacity at loading facilities.</p> <p>Rule 607. (1) After June 30, 1980, it is unlawful for a person to load, or allow the loading of, gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline-loading facility in any county listed in table 61-a, unless the stationary vessel is equipped with a permanent submerged fill pipe.</p>	<p>R 336.1607 Loading gasoline into existing stationary vessels of more than 2,000-gallon capacity at loading facilities.</p> <p>Rule 607. (1) After June 30, 1980, it is unlawful for a person to load, or allow the loading of, gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline-loading facility in any county listed in table 61-a, unless the stationary vessel is equipped with a permanent submerged fill pipe.</p>	<p>No change.</p>
<p>(2) After June 30, 1981, it is unlawful for a person to load, or allow the loading of, gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline-loading facility outside of any county listed in table 61-a, unless the stationary vessel is equipped with a permanent submerged fill</p>	<p>(2) After June 30, 1981, it is unlawful for a person to load, or allow the loading of, gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at a gasoline-loading facility outside of any county listed in table 61-a, unless the stationary vessel is equipped with a permanent</p>	<p>No change.</p>

pipe.	submerged fill pipe.	
<p>(3) After December 31, 1982, it is unlawful for a person to load, or allow the loading of, gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at either of the following loading facilities, unless the stationary vessel is controlled by a vapor balance system or any equivalent control system approved by the department:</p> <p>(a) A loading facility located in any area listed in table 61.</p> <p>(b) A loading facility which is located in any area that is not listed in table 61 and which delivers gasoline to a gasoline-dispensing facility subject to R336.1606(3) and (4) and R336.1703(2) and (3). The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed to return not less than 90%, by weight, of the displaced gasoline vapor from the stationary vessel to the delivery vessel.</p>	<p>(3) After December 31, 1982, it is unlawful for a person to load, or allow the loading of, gasoline from a delivery vessel into any existing stationary vessel of more than 2,000-gallon capacity located at either of the following loading facilities, unless the stationary vessel is controlled by a vapor balance system or an equivalent control system approved by the department:</p> <p>(a) A loading facility located in any area listed in table 61.</p> <p>(b) A loading facility which is located in any area that is not listed in table 61 and which delivers gasoline to a gasoline-dispensing facility subject to R 336.1606(3) and (4) or R 336.1703(2) and (3). The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed to return not less than 90%, by weight, of the displaced gasoline vapor from the stationary vessel to the delivery vessel.</p>	<p><u>Rule 607(3):</u> Hyphen added.</p> <p><u>Rule 607(3)(b):</u> Hyphen added.</p>
<p>(4) Any stationary vessel that is subject to the provisions of subrule (3) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line shall close</p>	<p>(4) Any stationary vessel that is subject to the provisions of subrule (3) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line shall close</p>	<p>No change.</p>

<p>upon disconnection so as to prevent the release of gasoline vapor. (c) Pressure-vacuum relief valves on aboveground stationary vessels with a minimum pressure valve setting of 8 ounces, if that setting does not exceed the container's maximum pressure rating.</p>	<p>upon disconnection so as to prevent the release of gasoline vapor. (c) Pressure-vacuum relief valves on aboveground stationary vessels with a minimum pressure valve setting of 8 ounces, if that setting does not exceed the container's maximum pressure rating.</p>	
<p>(5) Any delivery vessel subject to subrule (3) of this rule shall be vaportight.</p>	<p>(5) Any delivery vessel subject to subrule (3) of this rule shall be vaportight.</p>	<p>No change.</p>
<p>(6) A person who is responsible for the operation of all control measure required by this rule shall develop written procedures for the operation of all such control measures. The procedures shall be posted in an accessible, conspicuous location near the stationary vessel.</p>	<p>(6) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all such control measures. The procedures shall be posted in an accessible, conspicuous location near the stationary vessel.</p> <p>History: 1980 AACS; 1989 AACS; 2002 AACS.</p>	<p>Rule 607(6): Hyphen added.</p>
<p>R 336.1608 Loading gasoline into delivery vessels at existing loading facilities handling less than 5,000,000 gallons per year.</p> <p>Rule 608. (1) After June 30, 1980, it is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel located at an existing gasoline-loading facility which is located in any county listed in table 61-a and which has a throughput of less than 5,000,000 gallons of gasoline per year, unless the delivery vessel is filled by a submerged fill pipe.</p>	<p>R 336.1608 Loading gasoline into delivery vessels at existing loading facilities handling less than 5,000,000 gallons per year.</p> <p>Rule 608. (1) After June 30, 1980, it is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel located at an existing gasoline-loading facility which is located in any county listed in table 61-a and which has a throughput of less than 5,000,000 gallons of gasoline per year, unless the delivery vessel is filled by a submerged fill pipe.</p>	<p>No change.</p>

<p>(2) After June 30, 1981, it is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel located at an existing gasoline-loading facility which is located outside of any county listed in table 61-a and which has a throughput of less than 5,000,000 gallons of gasoline per year, unless the delivery vessel is filled by a submerged pipe.</p>	<p>(2) After June 30, 1981, it is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel located at an existing gasoline-loading facility which is located outside of any county listed in table 61-a and which has a throughput of less than 5,000,000 gallons of gasoline per year, unless the delivery vessel is filled by a submerged fill pipe.</p>	<p>No change.</p>
<p>(3) After December 31, 1982, it is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel located at either of the following loading facilities having a throughput of less than 5,000,000 gallons per year, unless the delivery vessel is controlled by a vapor balance system or an equivalent control system approved by the department:</p> <p>(a) An existing loading facility located in any area listed in table 61.</p> <p>(b) An existing loading facility which is located in any area that is not listed in table 61 and which delivers gasoline to a gasoline-dispensing facility subject to R 336.1606(3) and (4) or R 336.1703(2) and (3). The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed to return not less than 90%, by weight, of the displaced gasoline vapor from the delivery vessel to the stationary vessel.</p>	<p>(3) After December 31, 1982, it is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel located at either of the following loading facilities having a throughput of less than 5,000,000 gallons per year, unless the delivery vessel is controlled by a vapor balance system or an equivalent control system approved by the department:</p> <p>(a) An existing loading facility located in any area listed in table 61.</p> <p>(b) An existing loading facility which is located in any area that is not listed in table 61 and which delivers gasoline to a gasoline dispensing facility subject to R 336.1606(3) and (4) or R 336.1703(2) and (3). The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed to return not less than 90%, by weight, of the displaced gasoline vapor from the delivery vessel to the stationary vessel.</p>	<p>No change.</p>

<p>(4) Any delivery vessel that is loaded at a facility subject to subrule (3) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line will close upon disconnection so as to prevent the release of gasoline vapor.</p> <p>(c) A device or procedure to accomplish complete drainage before the loading device is disconnected or to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vaportight and set to prevent the emission of displaced gasoline vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vaportight during the loading of the delivery vessel.</p>	<p>(4) Any delivery vessel that is loaded at a facility subject to subrule (3) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line will close upon disconnection so as to prevent the release of gasoline vapor.</p> <p>(c) A device or procedure to accomplish complete drainage before the loading device is disconnected or to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vaportight and set to prevent the emission of displaced gasoline vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vaportight during the loading of the delivery vessel.</p>	<p>No change.</p>
<p>(5) Any stationary vessel at a facility subject to subrule (3) of this rule shall be vaportight.</p>	<p>(5) Any stationary vessel at a facility subject to subrule (3) of this rule shall be vaportight.</p>	<p>No change.</p>
<p>(6) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all such control measures. The procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	<p>(6) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all such control measures. The procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	<p><u>Rule 608(6):</u> Hyphen added.</p>

<p>(7) The provisions of subrule (3) of this rule shall not apply to any gasoline-loading facility that has a throughput of less than 1,000,000 gallons of gasoline per year.</p>	<p>(7) The provisions of subrule (3) of this rule shall not apply to any gasoline-loading facility that has a throughput of less than 1,000,000 gallons of gasoline per year.</p> <p>History: 1980 AACS; 1989 AACS; 2002 AACS.</p>	<p>No change.</p>
<p>R336.1609 Loading delivery vessels with organic compounds having true vapor pressure of more than 1.5 psia at existing loading facilities handling 5,000,000 or more gallons of such compounds per year.</p> <p>Rule 609. (1) After June 30, 1981, it is unlawful for a person to load, or allow the loading of, any organic compound that has a true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at an existing loading facility which is outside any county listed in table 61-a and which has a throughput of 5,000,000 or more gallons of such compounds per year, unless such delivery vessel is filled by a submerged fill pipe.</p>	<p>R 336.1609 Loading delivery vessels with organic compounds having true vapor pressure of more than 1.5 psia at existing loading facilities handling 5,000,000 or more gallons of such compounds per year.</p> <p>Rule 609. (1) After June 30, 1981, it is unlawful for a person to load, or allow the loading of, any organic compound that has a true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at an existing loading facility which is outside any county listed in table 61-a and which has a throughput of 5,000,000 or more gallons of such compounds per year, unless such delivery vessel is filled by a submerged fill pipe.</p>	<p>No change.</p>
<p>(2) After December 31, 1982, it is unlawful for a person to load, or allow the loading of, any organic compound that has a true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at an existing loading facility which is in any county listed in table 61-a and which has a throughput of 5,000,000 or more gallons of such compounds per year,</p>	<p>(2) After December 31, 1982, it is unlawful for a person to load, or allow the loading of, any organic compound that has a true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at an existing loading facility which is in any county listed in table 61-a and which has a throughput of 5,000,000 or more gallons of such compounds per year,</p>	<p>No change.</p>

<p>unless such delivery vessel is controlled by a vapor recovery system that captures all displaced organic vapor and air by means of a vapor-tight collection line and recovers the organic vapor such that emissions to the atmosphere do not exceed 0.7 pounds of organic vapor per 1,000 gallons of organic compounds loaded.</p>	<p>unless such delivery vessel is controlled by a vapor recovery system that captures all displaced organic vapor and air by means of a vapor-tight collection line and recovers the organic vapor such that emissions to the atmosphere do not exceed 0.7 pounds of organic vapor per 1,000 gallons of organic compounds loaded.</p>	
<p>(3) Any delivery vessel located at a facility that is subject to the provisions of subrule (2) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vapor-tight collection line is connected before any organic compound can be loaded.</p> <p>(b) A device to ensure that the vapor-tight collection line shall close upon disconnection so as to prevent the release of organic vapor</p> <p>(c) A device to accomplish complete drainage before the loading device is disconnected, or a device to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vapor-tight and set to prevent the emission of displaced organic vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vapor-tight during the loading of the delivery vessel.</p>	<p>(3) Any delivery vessel located at a facility that is subject to the provisions of subrule (2) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vapor-tight collection line is connected before any organic compound can be loaded.</p> <p>(b) A device to ensure that the vapor-tight collection line shall close upon disconnection so as to prevent the release of organic vapor.</p> <p>(c) A device to accomplish complete drainage before the loading device is disconnected, or a device to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vapor-tight and set to prevent the emission of displaced organic vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vapor-tight during the loading of the delivery vessel.</p>	<p>No change.</p>
<p>(4) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation</p>	<p>(4) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation</p>	<p>No change.</p>

<p>of all such control measures. Such procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	<p>of all such control measures. Such procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	
<p>(5) The provisions of subrule (2) of this rule shall not apply to the loading of crude oil or condensate into delivery vessels at production facilities if such loading is accomplished with a submerged fill pipe after June 30, 1981.</p>	<p>(5) The provisions of subrule (2) of this rule shall not apply to the loading of crude oil or condensate into delivery vessels at production facilities if such loading is accomplished with a submerged fill pipe after June 30, 1981.</p> <p>History: 1980 AACS; 1989 AACS.</p>	<p>No change.</p>
<p>R336.1610 Existing coating lines; emission of volatile organic compounds from existing automobile, light-duty truck, and other product and material coating lines.</p> <p>Rule 610. (1) A person shall not cause or allow the emission of volatile organic compounds from the coating of automobiles and light-duty trucks, from any existing coating line, in excess of the applicable emission rates as shown in table 62.</p>	<p>R 336.1610 Existing coating lines; emission of volatile organic compounds from existing automobile, light-duty truck, and other product and material coating lines.</p> <p>Rule 610. (1) A person shall not cause or allow the emission of volatile organic compounds from the coating of automobiles and light-duty trucks, from any existing coating line, in excess of the applicable emission rates shown in table 62.</p>	<p>No change.</p>
<p>(2) A person shall not cause or allow the emission of volatile organic compounds from the coating of any of the following, from an existing coating line, in excess of the applicable emission rates as shown in column A of table 63 or the equivalent emission rates in column B of table 63:</p> <p>(a) Cans. (b) Coils. (c) Large appliances.</p>	<p>(2) A person shall not cause or allow the emission of volatile organic compounds from the coating of any of the following, from an existing coating line, in excess of the applicable emission rates shown in column A of table 63 or the equivalent emission rates in column B of table 63:</p> <p>(a) Cans. (b) Coils. (c) Large appliances.</p>	<p>No change.</p>

<p>(d) Metal furniture. (e) Magnet wire. (f) The nonmetallic surfaces of fabrics, vinyl, or paper.</p>	<p>(d) Metal furniture. (e) Magnet wire. (f) The nonmetallic surfaces of fabrics, vinyl, or paper.</p>	
<p>(3) Notwithstanding the provisions of subrule (2) of this rule and as an alternative to the allowable emission rate established by table 63, the existing paper coating lines at Fletcher paper company of Alpena may comply with the provisions of subrule (2) of this rule by achieving the following allowable volatile organic compound emission rates:</p> <p>(a) 720 tons during calendar year 1993. (b) 540 tons during calendar year 1994. (c) 360 tons during calendar year 1995. (d) After December 31, 1995, 180 tons per calendar year and 30 tons per calendar month.</p>	<p>(3) Subrule (2) of this rule notwithstanding and as an alternative to the allowable emission rate established by table 63, the existing paper coating lines at Fletcher paper company of Alpena may comply with subrule (2) of this rule by not exceeding a volatile organic compound emission rate of 180 tons per calendar year and 30 tons per calendar month.</p>	<p>Rule 610(3): Changed wording of “notwithstanding;” “Achieve allowable” v. “not exceeding” emission rates. MI Rule does not include 3 of the possible rates listed in SIP. MI rule keeps the 180 tons/yr rate, but changes its location.</p>
<p>(4) For the coating of paper in any existing coating line that is operated by precision coatings, inc., of Walled Lake or Fletched paper company of Alpena, final compliance with the allowable emission rate for the coating of paper as established in subrule (2) of this rule shall be achieved according to the following schedule:</p> <p>(a) For precision coatings, inc., by October 19, 1991. (b) For Fletcher paper company, by December 31, 1995.</p>	<p>(4) A person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information and keep records necessary for the determination of compliance with this rule, as required in R 336.2041.</p>	<p>Rule 610(4): These subrules both deal with coating lines, but otherwise are very different. MI subrule 4 is sort of addressed in SIP subrule 5.</p>
<p>(5) For each company that is referenced in subrule (4) of this rule, a person who is responsible for the operation of any existing coating line that is subject to the provisions of this rule shall comply with all of</p>	<p>(5) For each coating line, compliance with the emission limits specified in table 62 and table 63 shall be based upon all of the following provisions:</p>	<p>Rule 610(5): SIP subrule 5 is applicable only to the companies referenced in SIP subrule 4; where MI subrule 5 is applicable to emissions that fall</p>

<p>the following provisions:</p> <p>(a) Submit to the commission an acceptable written program for compliance with the provisions of this rule or evidence of compliance with this rule. The evidence shall include all of the following information or other information that demonstrates compliance:</p> <ul style="list-style-type: none"> (i) Emission test data. (ii) Material balance calculations. (iii) Control equipment specifications. <p>(b) The compliance program that is required by subdivision (a) of this subrule shall be submitted to the commission according to the following schedule:</p> <ul style="list-style-type: none"> (i) For precision coatings, inc., by April 19, 1990. (ii) For Fletcher paper company, by December 31, 1991. <p>(c) The compliance program that is required by subdivision (a) of this subrule shall include all of the following information:</p> <ul style="list-style-type: none"> (i) The method by which compliance with this rule shall be achieved. (ii) A description of new equipment to be installed or modifications to existing equipment to be made. (iii) A timetable that specifies, at a minimum, all of the following dates: <ul style="list-style-type: none"> (A) The date or dates that equipment shall be ordered. (B) The date or dates that construction, modification, or process changes shall begin. (C) The date or dates that initial start-up or equipment shall begin. (D) The date or dates that final compliance shall be achieved. 	<p>(a) For prime coat operations that utilize an electrodeposition process in automobile and light-duty truck coating lines that are regulated under table 62, compliance shall be based upon all coatings that belong to the same coating category that is used during each calendar month averaging period. For all other coatings, compliance shall be based upon the volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The department may specifically authorize compliance to be based upon a longer averaging period, which shall not be more than 1 calendar month.</p> <p>(b) If coatings that belong to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determined separately for each coating category.</p> <p>(c) The information and records as required by subrule (4) of this rule.</p>	<p>under tables 62&63.</p>
<p>(6) Not later than 3 months after the</p>	<p>(6) Compliance with the emission</p>	<p><u>Rule 610(6):</u></p>

effective date of this rule and thereafter, a person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information and keep records that are necessary for the determination of compliance with the provisions of this rule, as required in R336.2041.

limits specified in this rule shall be determined using the applicable method described in the following subdivisions:

(a) For the prime-electrodeposition process and for the final repair emission limits specified in table 62, the method described in either R 336.2040(12)(a) if the coating line does not have an add-on emissions control device or R 336.2040(12)(b) if the coating line has 1 or more add-on emissions control devices.

(b) For the primer surfacer and topcoat emission limits specified in table 62, compliance shall be determined by the methodology described in the publication entitled "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-duty Truck Topcoat Operations," EPA-450/3-88-018, December, 1988, which is adopted by reference in these rules. A copy of this document may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy of this document may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, or the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22161, order no. PB89152276, at a cost as of the time of adoption of these rules of \$36.50 each. References to topcoat operations in this publication shall also apply to primer surfacer lines, with the following added provisions:

(i) Unless specifically included in

Very different subrules.

the adopted publication, if an anti-chip, color-in-prime, blackout, or spot primer coating is applied as part of either a primer surfacer or topcoat coating operation, then the anti-chip, color-in-prime, blackout, or spot primer coating shall be included in the transfer efficiency tests for that coating operation, conducted according to section 18 or 19 of the adopted publication, and the transfer efficiency values in section 20 of the adopted publication shall not be used.

(ii) If spot primer is applied as part of a primer surfacer coating operation, then the daily usage of spot primer, as calculated in section 8 of the adopted publication, may be derived from monthly usage of spot primer based upon the number of vehicles processed in the primer surfacer operation each day. If an add-on emissions control device is used on the coating line application area to achieve compliance with the primer surfacer or topcoat emission limits specified in table 62, then the capture efficiency shall be determined in accordance with R 336.2040(10).

(c) For the emission limits specified in column B of table 63, the method described in either R 336.2040(12)(e) if the coating line does not have an add-on emissions control device or R 336.2040(12)(f) if the coating line has 1 or more add-on emissions control devices.

(d) For the emission limits specified in column A of table 63, the method described in either R

	<p>336.2040(12)(a) if the coating line does not have an add-on emissions control device or R 336.2040(12)(b) if the coating line has 1 or more add-on emissions control devices.</p>	
<p>(7) For each coating line, compliance with the emission limits specified in table 62 and table 63 shall be based upon all of the following provisions:</p> <p>(a) For prime coat operations that utilize an electrodeposition process in automobile and light-duty truck coating lines that are regulated pursuant to the provisions of table 62, compliance shall be based upon all coatings that belong to the same coating category that is used during each calendar month averaging period. For all other coatings, compliance shall be based upon the volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The commission may specifically authorize compliance to be based upon a longer averaging period, which shall not be more than 1 calendar month.</p> <p>(b) If coatings that belong to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determined separately for each coating category.</p> <p>(c) The information and records as required by subrule (6) of this rule.</p>	<p>(7) The provisions of this rule, with the exception of the provisions in subrule (4) of this rule, shall not apply to coating lines which are within a stationary source and which have a combined actual emission rate of volatile organic compounds of less than 100 pounds per day or 2,000 pounds per month as of the effective date of this amendatory rule. If the combined actual emission rate equals or is more than 100 pounds per day for a subsequent day or 2,000 pounds per month for a subsequent month, then this rule shall permanently apply to the coating lines.</p>	<p><u>Rule 610(7):</u> SIP subrule 7 is the same as MI subrule 5.</p>
<p>(8) Compliance with the emission limits specified in this rule shall be determined using the applicable method described in the following</p>	<p>(8) A person may exclude low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source from the</p>	

<p>subdivisions:</p> <p>(a) For the prime - electrodeposition process and for the final repair or emission limits specified in table 62, the method described in either R 366.2040(12)(a) if the coating line does not have an add-on emission control device or R336.2040(12)(b) if the coating line has 1 or more add-on emissions control devices.</p> <p>(b) For the primer surface and topcoat emission limits specified in table 62, compliance shall be determined by the methodology described in the publication entitled "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-duty Truck Topcoat Operations," EPA-450/3-88-018, December, 1988, which is adopted by reference in these rules. A copy of this document may be inspected at the Lansing office of the air quality division of the department of natural resources. A copy of this document may be obtained from the Department of Natural Resources, Air Quality Division, P.O. Box 30028, Lansing, Michigan 48909, or the National Technical Information Service, 5289 Port Royal Road, Springfield, Virginia 22151, document no. PB-89152276, at a cost as of the time of adoption of these rules of \$25.00 each. References to topcoat operations in this publication shall also apply to primer surface lines, with the following added provisions:</p> <p>(i) Unless specifically included in the adopted publication, when an anti-chip, colin-in-prime, blackout,</p>	<p>provisions of this rule, except for subrule (4) of this rule.</p>	
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or spot primer coating is applied as part of either a primer surface or topcoat coating operation, the anti-chip, color-in-prime, blackout, or spot primer coating shall be included in the transfer efficiency tests for that coating operation, conducted according to section 18 or 19 of the adopted publication, and the transfer efficiency values in section 20 of the adopted publication shall not be used.

(ii) When spot primer is applied as part of a primer surface coating operation, the daily usage of spot primer, as calculated in section 8 of the adopted publication, may be derived from monthly usage of spot primer based upon the number of vehicles processed in the primer surface operation each day. If an add-on emissions control device is used on the coating line application area to achieve compliance with the primer surface of topcoat emission limits specified in table 62, the capture efficiency shall be determined in accordance with R 336.2040(10).

(c) For the emission limits specified in column B of table 63, the method described in either R 336.2040(12)(e) if the coating line does not have an add-on emissions control device or R 336.2040(12)(f) if the coating line has 1 or more add-on emissions control devices.

(d) For the emission limits specified in column A of table 63, the method described in either R 336.2040(12)(a) if the coating line does not have an add-on emissions control device or R 336.2040(12)(b) if the coating line has 1 or more add-

<p>on emissions control devices.</p> <p>(9) A person who is responsible for the following coating lines shall make a determination of compliance with these emission limits using the method specified in subrule (8) of this rule and shall submit a copy of this determination and supporting data to the commission by the following applicable specified date:</p> <p>(a) For primer surface and topcoat coating lines, not later than 6 months after the effective date of this rule.</p> <p>(b) For large appliance coating lines and metal furniture coating lines that are subject to the equivalent emission rates in column B of table 63, not later than 6 months after the effective date of this rule.</p>	<p>(9) Between November 1 and March 31, a person may discontinue the operation of a natural gasfired afterburner that is used to achieve compliance with the emission limits in this rule, unless the afterburner is used to achieve compliance with, or is required by, any of the following:</p> <p>(a) Any other provision of these rules.</p> <p>(b) A permit to install.</p> <p>(c) A permit to operate.</p> <p>(d) A voluntary agreement.</p> <p>(e) A performance contract.</p> <p>(f) A stipulation.</p> <p>(g) An order of the department.</p>	<p>Rule 610(9): These subrules are different.</p>
<p>(10) The provisions of this rule, with the exception of the provisions in subrule (6) of this rule, shall not apply to any of the following:</p> <p>(a) Coating lines which are within a stationary source that is located in any of the following counties and which have a combined actual emission rate of volatile organic compounds of less than or equal to 15 pounds per day:</p> <p>(i) Kent.</p> <p>(ii) Livingston.</p> <p>(iii) Macomb.</p> <p>(iv) Monroe.</p> <p>(v) Muskegon.</p> <p>(vi) Oakland.</p> <p>(vii) Ottawa.</p> <p>(viii) St. Clair.</p> <p>(ix) Washtenaw.</p> <p>(x) Wayne.</p> <p>If the combined actual emission rate is more than 15 pounds per day for a subsequent day, then the provisions</p>	<p>(10) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 under subrule (9) of this rule, then both of the following provisions shall apply between November 1 and March 31:</p> <p>(a) All other provisions of this rule, except for the emission limits, shall remain in effect.</p> <p>(b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p> <p>History: 1980 AACS; 1980 AACS; 1981 AACS; 1989 AACS; 1993 AACS; 1999 AACS; 2002 AACS.</p>	<p>Rule 610(10): these subrules are different.</p>

<p>of this rule shall thereafter permanently apply to these coating lines.</p> <p>(b) Coating lines which are within a stationary source that is located in any county other than the counties identified in subdivision (a) of this subrule and which have a combined actual emission rate of volatile organic compounds of less than 100 pounds per day or 2,000 pounds per month. If the combined actual emission rate equals or is more than 100 pounds per day for a subsequent day or 2,000 pounds per month for a subsequent month, then the provisions of this rule shall thereafter permanently apply to these coating lines.</p> <p>(c) Low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source.</p>		
<p>(11) The provisions of this rule, with the exception of the provisions of subrule (6) of this rule, do not apply to coating lines which were exempt, based upon the provisions of subrule (7)(a), from the provisions of R 336.1610 that were in effect on January 18, 1980, but which are now subject to the emission limit provisions of this rule, until 1 year after previously exempted coating line shall make a determination of compliance with the emission limits in this rule using the method specified in subrule (8) of this rule and shall submit a copy of this determination and supporting data to the commission not later than 1 year after the effective date of this rule.</p>	<p>(11) Tables 62 and 63 read as follows: [see attached]</p>	<p>Rule 610(11): these subrules are different.</p>
<p>(12) Between November 1 and March 31, a person may discontinue the operation of a natural gas-fired afterburner that is used to achieve</p>		<p>Rule 610(12): There is no MI subrule 12; SIP subrule 12 is the same as MI</p>

<p>compliance with the emission limits in this rule, unless the afterburner is used to achieve compliance with, or is required by, any of the following:</p> <p>(a) Any other provision of these rules.</p> <p>(b) A permit to install.</p> <p>(c) A permit to operate.</p> <p>(d) A voluntary agreement.</p> <p>(e) A performance contract.</p> <p>(f) A stipulation.</p> <p>(g) An order of the commission.</p>		<p>subrule 9.</p>
<p>(13) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (12) of this rule, both the following provisions shall apply during this time period:</p> <p>(a) All other provisions of this rule, except for the emission limits, shall remain in effect.</p> <p>(b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p>		<p><u>Rule 610(13):</u></p> <p>There is no MI subrule 13; SIP subrule 13 is the same as MI subrule 10.</p>
<p>(14) Tables 62 and 63 read as follows: [see attached]</p>		<p><u>Rule 610(14):</u></p> <p>There is no MI subrule 14; SIP subrule 14 same as MI subrule 11.</p>
<p>R 336.1611 Existing cold cleaners.</p> <p>Rule 611.</p> <p>(1) A person shall not operate an existing cold cleaner unless all of the provisions of subrules (2) to (4) are met or unless an equivalent control method is approved by the department.</p>	<p>R 336.1611 Existing cold cleaners.</p> <p>Rule 611.</p> <p>(1) A person shall not operate an existing cold cleaner unless all of the provisions of subrules (2) to (4) are met or unless an equivalent control method is approved by the department.</p>	<p>No change.</p>
<p>(2) A person shall not operate an existing cold cleaner unless all of the following conditions are met:</p>	<p>(2) A person shall not operate an existing cold cleaner unless all of the following conditions are met:</p>	<p>No change.</p>

<p>(a) A cover shall be installed and shall be closed when parts are not being handled in the cleaner.</p> <p>(b) A device shall be available for draining cleaned parts, and the parts shall be drained not less than 15 seconds or until dripping ceases.</p> <p>(c) Waste organic solvent shall be stored only in closed containers, unless the stored solvent is demonstrated to be a safety hazard and is disposed of so that not more than 20%, by weight, is allowed to evaporate into the atmosphere.</p>	<p>(a) A cover shall be installed and shall be closed when parts are not being handled in the cleaner.</p> <p>(b) A device shall be available for draining cleaned parts, and the parts shall be drained not less than 15 seconds or until dripping ceases.</p> <p>(c) Waste organic solvent shall be stored only in closed containers, unless the stored solvent is demonstrated to be a safety hazard and is disposed of so that not more than 20%, by weight, is allowed to evaporate into the atmosphere.</p>	
<p>(3) A person who is responsible for the operation of a cold cleaner shall develop written procedures for compliance with the provisions of this rule. The procedures shall be posted in an accessible, conspicuous location near the cold cleaner.</p>	<p>(3) A person who is responsible for the operation of a cold cleaner shall develop written procedures for compliance with the provisions of this rule. The procedures shall be posted in an accessible, conspicuous location near the cold cleaner.</p>	<p>No change.</p>
<p>(4) The provisions of this rule do not apply to cold cleaners that are subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p>	<p>(4) The provisions of this rule do not apply to cold cleaners that are subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p> <p>History: 1980 AACS; 1993 AACS; 1997 AACS.</p>	<p>No change.</p>
<p>R 336.1612 Existing open top vapor degreasers.</p> <p>Rule 612. (1) After June 30, 1980, it is unlawful for a person to operate an existing open top vapor degreaser</p>	<p>R 336.1612 Existing open top vapor degreasers.</p> <p>Rule 612. (1) After June 30, 1980, it is unlawful for a person to operate an existing open top vapor degreaser</p>	<p>No change.</p>

<p>unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	<p>unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	
<p>(2) It is unlawful for a person to operate an existing open top vapor degreaser unless all of the following conditions are met:</p> <p>(a) A cover shall be installed that is designed to be opened and closed easily without disturbing the vapor zone. The cover shall be closed at all times, except when processing workloads through the degreaser.</p> <p>(b) A procedure shall be developed to minimize organic solvent carryout by doing all of the following:</p> <p>(i) Racking parts to allow complete drainage.</p> <p>(ii) Moving parts in and out of the degreaser at a vertical speed of less than 11 feet per minute when a powered hoist is used to raise or lower the parts.</p> <p>(iii) Holding parts in the vapor zone not less than 30 seconds or until condensation ceases.</p> <p>(iv) Tipping or tumbling parts in a manner such that no pools of organic solvent remain on the cleaned parts before removal.</p> <p>(v) Allowing parts to dry within the degreaser for not less than 15 seconds or until visually dry.</p> <p>(c) Total workload shall not occupy more than ½ of the degreaser’s open top area.</p> <p>(d) Organic solvent shall not be sprayed above the vapor level.</p>	<p>(2) It is unlawful for a person to operate an existing open top vapor degreaser unless all of the following conditions are met:</p> <p>(a) A cover shall be installed that is designed to be opened and closed easily without disturbing the vapor zone. The cover shall be closed at all times, except when processing workloads through the degreaser.</p> <p>(b) A procedure shall be developed to minimize organic solvent carryout by doing all of the following:</p> <p>(i) Racking parts to allow complete drainage.</p> <p>(ii) Moving parts in and out of the degreaser at a vertical speed of less than 11 feet per minute when a powered hoist is used to raise or lower the parts.</p> <p>(iii) Holding parts in the vapor zone not less than 30 seconds or until condensation ceases.</p> <p>(iv) Tipping or tumbling parts in a manner such that no pools of organic solvent remain on the cleaned parts before removal.</p> <p>(v) Allowing parts to dry within the degreaser for not less than 15 seconds or until visually dry.</p> <p>(c) Total workload shall not occupy more than 1/2 of the degreaser's open top area.</p> <p>(d) Organic solvent shall not be sprayed above the vapor level.</p>	<p>No change.</p>

<p>(e) Organic solvent leaks shall be repaired immediately.</p> <p>(f) The degreaser shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(g) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p> <p>(h) Waste organic solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	<p>(e) Organic solvent leaks shall be repaired immediately.</p> <p>(f) The degreaser shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(g) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p> <p>(h) Waste organic solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	
<p>(3) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the vapor degreaser.</p>	<p>(3) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the vapor degreaser.</p>	<p>No change.</p>
<p>(4) The provisions of this rule do not apply to any existing open top vapor degreaser having an air/vapor interface of than 4 square feet.</p>	<p>(4) The provisions of this rule do not apply to any existing open top vapor degreaser having an air/vapor interface of less than 4 square feet</p>	<p>No change.</p>
<p>(5) The provisions of this rule do not apply to an existing open top vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p>	<p>(5) The provisions of this rule do not apply to an existing open top vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p>	<p>No change.</p>

	History: 1980 AACS; 1997 AACS; 2002 AACS.	
<p>R 336.1613 Existing conveyORIZED cold cleaners.</p> <p>Rule 613. (1) After June 30, 1980, it is unlawful for a person to operate an existing conveyORIZED cold cleaner unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	<p>R 336.1613 Existing conveyORIZED cold cleaners.</p> <p>Rule 613. (1) After June 30, 1980, it is unlawful for a person to operate an existing conveyORIZED cold cleaner unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	No change.
<p>(2) It is unlawful for a person to operate an existing conveyORIZED cold cleaner unless of the following conditions are met:</p> <p>(a) A procedure shall be developed to minimize organic solvent carryout by doing both of the following:</p> <p>(i) Racking parts for best drainage. (ii) Maintaining the conveyor speed at a level that shall prevent dripping of solvent off the cleaned parts.</p> <p>(b) Organic solvent leaks shall be repaired immediately.</p> <p>(c) The cleaner shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(d) Waste organic solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	<p>(2) It is unlawful for a person to operate an existing conveyORIZED cold cleaner unless all of the following conditions are met:</p> <p>(a) A procedure shall be developed to minimize organic solvent carryout by doing both of the following:</p> <p>(i) Racking parts for best drainage. (ii) Maintaining the conveyor speed at a level that shall prevent dripping of solvent off the cleaned parts.</p> <p>(b) Organic solvent leaks shall be repaired immediately.</p> <p>(c) The cleaner shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(d) Waste organic solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	No change.

(3) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the cold cleaner.	(3) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the cold cleaner.	No change.
(4) The provisions of this rule do not apply to an existing conveyORIZED cold cleaner that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.	(4) The provisions of this rule do not apply to an existing conveyORIZED cold cleaner that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651. History: 1980 AACS; 1997 AACS.	No change.
R 336.1614 Existing conveyORIZED vapor degreasers. Rule 614. (1) After June 30, 1980, it is unlawful for a person to operate an existing conveyORIZED vapor degreaser unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.	R 336.1614 Existing conveyORIZED vapor degreasers. Rule 614. (1) After June 30, 1980, it is unlawful for a person to operate an existing conveyORIZED vapor degreaser unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.	No change.
(2) it is unlawful for a person to operate an existing conveyORIZED vapor degreaser unless all of the following conditions are met: (a) A procedure shall be developed to minimize organic solvent carryout by doing both of the following: (i) Racking parts for best drainage. (ii) Maintaining the vertical	(2) It is unlawful for a person to operate an existing conveyORIZED vapor degreaser unless all of the following conditions are met: (a) A procedure shall be developed to minimize organic solvent carryout by doing both of the following: (i) Racking parts for best drainage. (ii) Maintaining the vertical	No change.

<p>conveyor speed at less than 11 feet per minute.</p> <p>(b) Organic solvent leaks shall be repaired immediately.</p> <p>(c) The degreaser shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(d) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p> <p>(e) Waste organic solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	<p>conveyor speed at less than 11 feet per minute.</p> <p>(b) Organic solvent leaks shall be repaired immediately.</p> <p>(c) The degreaser shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(d) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p> <p>(e) Waste organic solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	
<p>(3) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the vapor degreaser.</p>	<p>(3) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the vapor degreaser.</p>	<p>No change.</p>
<p>(4) The provisions of this rule do not apply to any existing conveyORIZED vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p>	<p>(4) The provisions of this rule do not apply to an existing conveyORIZED vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p> <p>History: 1980 AACS; 1997 AACS.</p>	<p>No change.</p>

<p>R 336.1615 Existing vacuum-producing systems at petroleum refineries.</p> <p>Rule 615. After December 31, 1979, it is unlawful for a person to cause or allow the emission of any volatile organic compound from the condensers, hot wells, or accumulators of any existing vacuum-producing system at a petroleum refinery, unless the emission is controlled by 1 of the following methods:</p> <p>(a) Capture and disposal in a fuel gas system. (b) Combustion in a smokeless flare. (c) Any method approved by the department that recovers not less than 90%, by weight, of the controlled volatile organic compound emissions that would otherwise be emitted into the atmosphere.</p>		<p>Rule 615: There is no MI Rule.</p>
<p>R 336.1616 Process unit turnabouts at petroleum refineries.</p> <p>Rule 616. (1) After December 31, 1979, it is unlawful for a person to cause or allow the emission of any volatile organic compound from any process unit turnaround at any petroleum refinery, unless the emission is controlled by 1 of the following methods:</p> <p>(a) Capture and disposal in a fuel gas system (b) Combustion in a smokeless fire (c) Any method approved by the department that receivers not less than 90%, by weight, of the</p>	<p>R 336.1616 Process unit turnarounds at petroleum refineries.</p> <p>Rule 616. (1) After December 31, 1979, it is unlawful for a person to cause or allow the emission of any volatile organic compound from any process unit turnaround at any petroleum refinery, unless the emission is controlled by 1 of the following methods:</p> <p>(a) Capture and disposal in a fuel gas system. (b) Combustion in a smokeless flare. (c) Any method approved by the department that recovers not less than 90%, by weight, of the</p>	<p>No change.</p>

uncontrolled volatile organic compounds that would otherwise be emitted into the atmosphere.	uncontrolled volatile organic compounds that would otherwise be emitted into the atmosphere.	
(2) The provisions of this rule shall apply until the pressure of all vessels in the system is less than 5 psi gauge.	(2) The provisions of this rule shall apply until the pressure of all vessels in the system is less than 5 psi gauge.	No change.
(3) Except as provided for in subrule (4) of this rule, the department shall be notified not less than 30 days before any process unit turnaround subject to the provisions of this rule.	(3) Except as provided for in subrule (4) of this rule, the department shall be notified not less than 30 days before any process unit turnaround subject to the provisions of this rule.	No change.
(4) In the case of a process unit turnaround caused by circumstances beyond the control of the refinery owner or operator, the department shall be notified as soon as reasonably possible.	(4) In the case of a process unit turnaround caused by circumstances beyond the control of the refinery owner or operator, the department shall be notified as soon as reasonably possible. History: 1980 AACS; 1989 AACS; 2002 AACS.	No change.
R 336.1617 Existing organic compound-water separators at petroleum refineries. Rule 617. (1) After December 31, 1980, it is unlawful for a person to operate any existing organic compound-water separator at a refinery unless all separator compartments and all forebays are equipped with a solid cover with all openings sealed and totally enclosing the liquid contents or unless an equivalent method is approved by the department.	R 336.1617 Existing organic compound-water separators at petroleum refineries. Rule 617. (1) After December 31, 1980, it is unlawful for a person to operate any existing organic compound-water separator at a refinery unless all separator compartments and all forebays are equipped with a solid cover with all openings sealed and totally enclosing the liquid contents or unless an equivalent method is approved by the department.	No change.
(2) All openings in covers, separators, and forebays of any	(2) All openings in covers, separators, and forebays of any	No change.

<p>organic compound-water separator subject to the provisions of subrule (1) of this rule shall be equipped with lids or seals so that the lids or seals are in the closed position at all times, except when in actual use.</p>	<p>organic compound-water separator subject to the provisions of subrule (1) of this rule shall be equipped with lids or seals so that the lids or seals are in the closed position at all times, except when in actual use.</p> <p>History: 1980 AACS; 2002 AACS.</p>	
<p>R 336.1618 Use of cutback paving asphalt.</p> <p>Rule 618. After December 31, 1982, it is unlawful for a person to manufacture, mix, store, use, or apply cutback paving asphalts from May 1 to September 30, unless prior approval is given by the department. In granting such authorizations, the department shall consider both of the following:</p> <p>(a) The need for long-life stockpile storage. (b) Use of such cutback paving asphalt solely as a penetrating prime coat.</p>	<p>R 336.1618 Use of cutback paving asphalt.</p> <p>Rule 618. After December 31, 1982, it is unlawful for a person to manufacture, mix, store, use, or apply cutback paving asphalts from May 1 to September 30, unless prior approval is given by the department. In granting such authorizations, the department shall consider both of the following:</p> <p>(a) The need for long-life stockpile storage. (b) Use of such cutback paving asphalt solely as a penetrating prime coat.</p> <p>History: 1980 AACS; 2002 AACS.</p>	<p>No change.</p>
<p>R 336. 1619 Standards for perchloroethylene dry cleaning equipment; adoption of standards by reference.</p> <p>Rule 619. A person responsible for the operation of a perchloroethylene dry cleaner that is subject to 40 C.F.R. part 63, subpart M, §§63.320 to 63.325 (2000), the perchloroethylene dry cleaner national emission standard for hazardous air pollutants, shall</p>	<p>R 336.1619 Standards for perchloroethylene dry cleaning equipment; adoption of standards by reference.</p> <p>Rule 619. A person responsible for the operation of a perchloroethylene dry cleaner that is subject to 40 C.F.R. part 63, subpart M, §§63.320 to 63.325 (2000), the perchloroethylene dry cleaner national emission standard for hazardous air pollutants, shall</p>	<p>No change.</p>

<p>comply with 40 C.F.R. part 63, subpart M (2000). The provisions of 40 C.F.R. part 63, subpart M, §§63.320 to 63.325, are adopted by reference in these rules and are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p>	<p>comply with 40 C.F.R. part 63, subpart M (2000). The provisions of 40 C.F.R. part 63, subpart M, §§63.320 to 63.325, are adopted by reference in these rules and are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p> <p>History: 1981 AACS; 1993 AACS; 1997 AACS; 2002 AACS.</p>	
<p>R 336.1620 Emission of volatile organic compounds from existing flat wood paneling coating lines.</p> <p>Rule 620. (1) A person shall not cause or allow the emission of volatile organic compounds from the coating of flat wood paneling from any existing coating line in excess of the applicable emission rates as follows:</p> <p>(a) Six pounds per 1,000 square feet of coated finished product from printed interior panels made of hardwood, plywood, or thin particle board, regardless of the number of coats applied.</p> <p>(b) Twelve pounds per 1,000 square feet of coated finished product from natural finish hardwood plywood</p>	<p>R 336.1620 Emission of volatile organic compounds from existing flat wood paneling coating lines.</p> <p>Rule 620. (1) A person shall not cause or allow the emission of volatile organic compounds from the coating of flat wood paneling from any existing coating line in excess of the applicable emission rates as follows:</p> <p>(a) Six pounds per 1,000 square feet of coated finished product from printed interior panels made of hardwood, plywood, or thin particle board, regardless of the number of coats applied.</p> <p>(b) Twelve pounds per 1,000 square feet of coated finished product from natural finish hardwood plywood</p>	<p>No change.</p>

<p>panels, regardless of the number of coats applied.</p> <p>(c) Ten pounds per 1,000 square feet of coated finished product from class II finishes on hardboard panels, regardless of the number of coats applied.</p>	<p>panels, regardless of the number of coats applied.</p> <p>(c) Ten pounds per 1,000 square feet of coated finished product from class II finishes on hardboard panels, regardless of the number of coats applied.</p>	
<p>(2) Not later than 3 months after the effective date of this rule and thereafter, a person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information, and keep daily records necessary for the determination of compliance with the provisions of this rule, as required in R 336.2041.</p>	<p>(2) A person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information, and keep daily records necessary, for the determination of compliance with this rule, as required in R 336.2041.</p>	<p>Rule 620(2): SIP has extra language.</p>
<p>(3) For each coating line, compliance with the emission limits specified in this rule shall be based upon all of the following:</p> <p>(a) The volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The commission may specifically authorize compliance to be based upon a longer averaging period, which shall not exceed 1 calendar month.</p> <p>(b) If coatings that belong to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determine separately for each coating category.</p> <p>(c) The information and records as required by the provisions of subrule (2) of this rule.</p>	<p>(3) For each coating line, compliance with the emission limits specified in this rule shall be based upon all of the following:</p> <p>(a) The volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The department may specifically authorize compliance to be based upon a longer averaging period, which shall not be more than 1 calendar month.</p> <p>(b) If coatings that belong to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determined separately for each coating category.</p> <p>(c) The information and records as required by the provisions of subrule (2) of this rule.</p>	<p>Rule 620(3)(a): “commission” in SIP; “department” in MI Rule.</p>

<p>(4) Compliance with the limits specified in subrule (1) of this rule shall be determined using the method described in either R 336.2040(12)(i) if the coating line does not have an add-on emissions control device or R 336.2040(12)(j) if the coating line has 1 or more add-on emissions control devices.</p>	<p>(4) Compliance with the limits specified in subrule (1) of this rule shall be determined using the method described in either R 336.2040(12)(i) if the coating line does not have an add-on emissions control device or R 336.2040(12)(j) if the coating line has 1 or more add-on emissions control devices.</p>	<p>No change.</p>
<p>(5) The provisions of this rule, with the exception of the provisions in subrule (2) of this rule, do not apply to any of the following:</p> <p>(a) Flat wood paneling coating lines which are within a stationary source that is located in any of the following counties and which have a combined actual emission rate of volatile organic compounds of less than or equal to 15 pounds per day:</p> <ul style="list-style-type: none"> (i) Kent. (ii) Livingston. (iii) Macomb. (iv) Monroe. (v) Muskegon. (vi) Oakland. (vii) Ottawa. (viii) St. Clair. (ix) Washtenaw. (x) Wayne. <p>If the combined actual emission rate exceeds 15 pounds per day for a subsequent day, then the provisions of this rule shall thereafter permanently apply to these coating lines.</p> <p>(b) Flat wood paneling coating lines which are within a stationary source that is located in any county other than the counties identified in subdivision (a) of this subrule and which have a combined actual emission rate of volatile organic</p>	<p>(5) This rule, with the exception of subrule (2) of this rule, does not apply to flat wood paneling coating lines which are within a stationary source and which have a combined actual emission rate of volatile organic compounds of less than 100 pounds per day or 2,000 pounds per month as of the effective date of this amendatory rule. If the combined actual emission rate equals or exceeds 100 pounds per day for a subsequent day or 2,000 pounds per month for a subsequent month, then this rule shall permanently apply to the coating lines.</p>	<p>Rule 620(5): SIP subrule (5)(a)&(c) not found in MI Rule.</p> <p>Majority of MI Rule subrule (5) found in SIP subrule (5)(b).</p>

<p>compounds of less than 100 pounds per day or 2,000 pounds per month. If the combined actual emission rate equals or exceeds 100 pounds per day for a subsequent day or 2,000 pounds per month for a subsequent month, then the provisions of this rule shall thereafter permanently apply to these coating lines.</p> <p>(c) Low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source.</p>		
<p>(6) The provisions of this rule, with the exception of the provisions of subrule (2) of this rule, do not apply to coating lines which were exempt, based upon the provisions of subrule (4)(a), from the provisions of R 336.1620 that were in effect on August 21, 1981, but which are now subject to the emission limit provisions of this rule, until 1 year after the effective date of this rule. A person who is responsible for a previously exempted coating line shall make a determination of compliance with the emission limits in this rule using the method specified in subrule (4) of this rule and shall submit a copy of this determination and supporting data to the commission not later than 1 year after the effective date of this rule.</p>	<p>(6) A person may exclude low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source from the provisions of this rule, except for subrule (2) of this rule.</p>	<p>Rule 620(6): Both deal with exceptions, but very different language.</p>
<p>(7) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with, or is required by, any of the following:</p> <p>(a) Any other provisions of these</p>	<p>(7) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with, or is required by, any of the following:</p> <p>(a) Any other provision of these</p>	<p>No change.</p>

<p>rules.</p> <p>(b) A permit to install.</p> <p>(c) A permit to operate.</p> <p>(d) A voluntary agreement.</p> <p>(e) A performance contract.</p> <p>(f) A stipulation.</p> <p>(g) An order of the commission.</p>	<p>rules.</p> <p>(b) A permit to install.</p> <p>(c) A permit to operate.</p> <p>(d) A voluntary agreement.</p> <p>(e) A performance contract.</p> <p>(f) A stipulation.</p> <p>(g) An order of the department.</p>	
<p>(8) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (7) of this rule, both the following provisions shall apply during this time period:</p> <p>(a) All other provisions of this rule, except the emission limits, shall remain in effect.</p> <p>(b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p>	<p>(8) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 under subrule (7) of this rule, then both of the following provisions shall apply between November 1 and March 31:</p> <p>(a) All other provisions of this rule, except the emission limits, shall remain in effect.</p> <p>(b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p> <p>History: 1981 AACS; 1993 AACS; 1998-2000 AACS.</p>	<p>Rule 620(8): MI Rule specifies the time period.</p>
<p>R 336.1621 Emission of volatile organic compounds from existing metallic surface coating lines.</p> <p>Rule 621.</p> <p>(1) A person shall not cause or allow the emission of volatile organic compounds from the coating of metallic surfaces from any existing coating line in excess of the applicable emission rates as follows:</p> <p>(a) Four and three-tenths pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for clear coatings.</p>	<p>R 336.1621 Emission of volatile organic compounds from existing metallic surface coating lines.</p> <p>Rule 621.</p> <p>(1) A person shall not cause or allow the emission of volatile organic compounds from the coating of metallic surfaces from any existing coating line in excess of the applicable emission rates as follows:</p> <p>(a) Four and three-tenths pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for clear coatings.</p>	<p>Rule 621(1)(f): MI Rule adds emission rate.</p>

<p>(b) Three and one-half pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for air-dried coatings.</p> <p>(c) Three and one-half pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for extreme performance coatings.</p> <p>(d) Four and eight-tenths pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for truck final repair coatings.</p> <p>(e) Four and nine-tenths pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for glass adhesion body primer. For the purpose of this subdivision, "glass adhesion body primer" means the prime coating that is applied to automobile or truck bodies as part of the glass bonding system.</p> <p>(f) Three pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for all other coatings.</p>	<p>(b) Three and one-half pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for air-dried coatings.</p> <p>(c) Three and one-half pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for extreme performance coatings.</p> <p>(d) Four and eight-tenths pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for truck final repair coatings.</p> <p>(e) Four and nine-tenths pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for glass adhesion body primer. For the purpose of this subdivision, "glass adhesion body primer" means the prime coating that is applied to automobile or truck bodies as part of the glass bonding system.</p> <p>(f) Four and three-tenths pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for steel pail and drum interior coatings.</p> <p>(g) Three pounds of volatile organic compounds emitted per gallon of coating, minus water, as applied for all other coatings.</p>	
<p>(2) If the provisions of more than 1 subdivision of subrule (1) of this rule are applicable for a specific coating, the least stringent provision shall apply.</p>	<p>(2) If the provisions of more than 1 subdivision of subrule (1) of this rule are applicable for a specific coating, then the least stringent provision shall apply.</p>	

(3) Upon written request and approval by the commission, the emission limits specified in subrule (1) of this rule may be achieved by an equivalent emission limit expressed in pounds of volatile organic compounds emitted per gallon of applied coating solids. The equivalent emission limit shall be established by the following equation:

$$A = \frac{E}{S \times [(TE)_b / 100]}$$

Where:

A = Allowable equivalent emission limit, pounds of volatile organic compounds per gallon of applied coating solids

E = Applicable emission limit as specified in subrule (1) of this rule, pounds of volatile organic compounds per gallon of coating, minus water, as applied.

S = Solids volume fraction representative of a compliance coating, gallon of solids per gallon of coating, minus water, as applied. The value of "S" shall be determined by using the following equation:

$$S = 1 - (E/7.36)$$

(TE)_b = Overall baseline transfer efficiency of the coating line as specified in subrule (4) of this rule, percent. Where multiple application methods are used on the coating line, the overall baseline transfer efficiency shall be determined using the method described in R 336.2040(9). **Commission** approval of the transfer efficiency test method is required.

(3) To take credit for improved transfer efficiency, upon written request and approval by the department, a person may achieve the emission limits specified in subrule (1) of this rule by an equivalent emission limit expressed in pounds of volatile organic compounds emitted per gallon of applied coating solids. The equivalent emission limit shall be established by the following equation:

$$A = 100 (TE) S b E$$

Where:

A = Allowable equivalent emission limit, pounds of volatile organic compounds per gallon of applied coating solids.

E = Applicable emission limit as specified in subrule (1) of this rule, pounds of volatile organic compounds per gallon of coating, minus water, as applied.

S = Solids volume fraction representative of a compliance coating, gallon of solids per gallon of coating, minus water, as applied. The value of "S" shall be determined by using the following equation:

$$S = 1 - 7.36 E$$

(TE)_b = Overall baseline transfer efficiency of the coating line as specified in subrule (4) of this rule, percent. Where multiple application methods are used on the coating line, the overall baseline transfer efficiency shall be determined using the method described in R 336.2040 (9). **Department** approval of the transfer efficiency test method is required.

Rule 621(3): Different language.

Different equations??

“commission” in SIP;
“department” in MI Rule.

<p>(4) For the purpose of establishing an equivalent emission limit pursuant to subrule (3) of this rule, the value of (TE)_b, the overall baseline transfer efficiency of the coating line, shall be 60%. Notwithstanding this provision, a person may request, in writing to the commission, and the commission may approve, a value for (TE)_b which is less than 60%, but not less than 40%. A request for a value for (TE)_b of less than 60% shall include a demonstration that the lower requested value is representative of the overall transfer efficiency achieved by similar coating lines which use the most efficient type of application equipment that is reasonably available for these earlier coating lines.</p>	<p>(4) For the purpose of establishing an equivalent emission limit under subrule (3) of this rule, the value of (TE)_b, the overall baseline transfer efficiency of the coating line, shall be 60%. Notwithstanding this provision, a person may request, in writing to the department, and the department may approve, a value for (TE)_b that is less than 60%, but not less than 40%. A request for a value for (TE)_b of less than 60% shall include a demonstration that the lower requested value is representative of the overall transfer efficiency achieved by similar coating lines which use the most efficient type of application equipment that is reasonably available for the similar coating lines.</p>	<p>Rule 621(4): “commission” in SIP; “department” in MI Rule.</p>
<p>(5) Not later than 3 months after the effective date of this rule and thereafter, a person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information, and keep daily records necessary for the determination of compliance with the provisions of this rules, as required in R 336.2041.</p>	<p>(5) A person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information, and keep daily records necessary, for the determination of compliance with the provisions of this rule, as required in R 336.2041.</p>	<p>Rule 621(5): SIP has extra language.</p>
<p>(6) For each coating line, compliance with the emission limits specified in this rule shall be based upon all of the following:</p> <p>(a) The volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The commission may specifically authorize compliance to be based upon a longer averaging period, which shall not exceed 1 calendar month.</p>	<p>(6) For each coating line, compliance with the emission limits specified in this rule shall be based upon all of the following:</p> <p>(a) The volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The department may specifically authorize compliance to be based upon a longer averaging period, which shall not be more than 1 calendar month.</p>	<p>Rule 621(6): “commission” in SIP; “department” in MI Rule.</p>

<p>(b) If coatings that belong to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determined separately for each coating category.</p> <p>(c) The information and records required by subrule (5) of this rule.</p>	<p>(b) If coatings that belong to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determined separately for each coating category.</p> <p>(c) The information and records required by subrule (5) of this rule.</p>	
<p>(7) Compliance with the emission limits specified in this rule shall be determined using the applicable method described in the following subdivisions:</p> <p>(a) For coating lines that are subject to the emission limits specified in subrule (1) of this rule, the method described in either R 336.2040(12)(a) if the coating line has no add-on emissions control device or R 336.2040(12)(b) if the coating line has 1 or more add-on emissions control devices.</p> <p>(b) For coating lines subject to the equivalent emission limits specified in subrule (3) of this rule, the method described in either R 336.2040 (12)(e) if the coating line has no add-on emissions control device or R 336.2040(12)(f) if the coating line has 1 or more add-on emissions control device.</p>	<p>(7) Compliance with the emission limits specified in this rule shall be determined using the applicable method described in the following subdivisions:</p> <p>(a) For coating lines that are subject to the emission limits specified in subrule (1) of this rule, the method described in either R 336.2040(12)(a) if the coating line has no add-on emissions control device or R 336.2040(12)(b) if the coating line has 1 or more add-on emissions control devices.</p> <p>(b) For coating lines subject to the equivalent emission limits specified in subrule (3) of this rule, the method described in either R 336.2040(12)(e) if the coating line has no add-on emissions control device or R 336.2040(12)(f) if the coating line has 1 or more add-on emissions control device.</p>	<p>No change.</p>
<p>(8) The provisions of this rule do not apply to the coating of metallic surfaces that are subject to the provisions of R 336. 1610.</p>	<p>(8) This rule does not apply to the coating of metallic surfaces that are subject to R 336.1610.</p>	<p><u>Rule 621(8):</u> Extra language in SIP.</p>
<p>(9) The provisions of this rule do not apply to any of the following:</p>	<p>(9) This rule does not apply to any of the following:</p>	<p><u>Rule 621(9):</u> “commission” in SIP’ “department” in MI Rule.</p>

<p>(a) Automobile refinishing.</p> <p>(b) Customized topcoating of less than 35 automobiles or trucks, or both, per day.</p> <p>(c) Coating of the exterior of airplanes when the part to be coated has already been assembled on the airplane.</p> <p>(d) Coating of the exterior of marine vessels when the part to be coated has already been assembled on the marine vessel.</p> <p>(e) Coating of a part consisting of both metallic and nonmetallic components if a demonstration is made, to the satisfaction of the commission, that the limits of this rule cannot be met due to the presence of the nonmetallic component. In this case, and if the nonmetallic component of this part is plastic and used as an automobile, truck, or business machine plastic part, the provisions of R 336.1632 shall apply to the coating of this part.</p>	<p>(a) Automobile refinishing.</p> <p>(b) Customized topcoating of less than 35 automobiles or trucks, or both, per day.</p> <p>(c) Coating of the exterior of airplanes when the part to be coated has already been assembled on the airplane.</p> <p>(d) Coating of the exterior of marine vessels when the part to be coated has already been assembled on the marine vessel.</p> <p>(e) Coating of a part consisting of both metallic and nonmetallic components if a demonstration is made, to the satisfaction of the department, that the limits of this rule cannot be met due to the presence of the nonmetallic component. In this case, and if the nonmetallic component of the part is plastic and used as an automobile, truck, or business machine plastic part, R 336.1632 shall apply to the coating of the part.</p>	
<p>(10) The provisions of this rule, with the exception of the provisions in subrule (5) of this rule, do not apply to any of the following:</p> <p>(a) Metallic surface coating lines which are not exempted from the provisions of this rule pursuant to the exemptions contained in subrules (8) and (9) of this rule, which are within a stationary source that is located in any of the following counties and which have a combined actual emission rate of volatile organic compounds of less than or equal to 15 pounds per day:</p> <p>(i) Kent.</p> <p>(ii) Livingston.</p> <p>(iii) Macomb.</p> <p>(iv) Monroe.</p>	<p>(10) This rule, except for subrule (5) of this rule, does not apply to a metallic surface coating line that complies with both of the following provisions:</p> <p>(a) The coating line has an actual emission rate of volatile organic compounds equal to or less than 2,000 pounds per month and 10.0 tons per year as of the effective date of this amendatory rule. If the actual rate of emissions from an exempted metallic surface coating line exceeds 2,000 pounds per month for a subsequent month or 10.0 tons per year for a subsequent year, then the provisions of this rule shall thereafter permanently apply to the metallic surface coating line.</p>	<p>Rule 621(10): Different language.</p>

<p>(v) Muskegon. (vi) Oakland. (vii) Ottawa. (viii) St. Clair. (ix) Washtenaw. (x) Wayne. If the combined actual emission rate exceeds 15 pounds per day for a subsequent day, then the provisions of this rule shall thereafter permanently apply to these coating lines.</p> <p>(b) A metallic surface coating line which is not exempted from the provisions of this rule pursuant to the exemptions contained in subrules (8) and (9) of this rule, which is within a stationary source that is located in any county other than the counties identified in subdivision (a) compounds equal to or less than 2,000 pounds per month and 10.0 tons per year, if the total combined emission rate of volatile organic compounds from these exempted metallic surface coating lines at the stationary source does not exceed 30.0 tons per year. If the actual rate of emissions from an exempted metallic surface coating line exceeds 2,000 pounds per month for a subsequent month or 10.0 tons per year for a subsequent year, then the provisions of this rule shall thereafter permanently apply to that metallic surface coating line.</p> <p>(c) Low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source.</p>	<p>(b) Volatile organic compound emissions from the coating line, when combined with the total emissions of volatile organic compounds from all other metallic surface coating lines at the stationary source that are exempted by this subrule, do not exceed 30.0 tons per year.</p>	
<p>(11) The provisions of this rule, with the exception of the provisions of subrule (5) of this rule, do not apply to coating lines which were exempt, based upon the provisions of</p>	<p>(11) A person may exclude low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source from the provisions of this rule, except for</p>	<p>Rule 621(11): Different language.</p>

<p>subrules (9) and (10), from the provisions of R 336.1621 that were in effect on August 21, 1981, but which are now subject to the emission limit provisions of this rule, until 1 year after the effective date of this rule. A person who is responsible for a previously exempted coating line shall make a determination of compliance with the emission limits in this rule using the method specified in subrule (7) of this rule and shall submit a copy of this determination and supporting data to the commission not later than 1 year after the effective date of this rule.</p>	<p>subrule (5) of this rule.</p>	
<p>(12) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with, or is required by. Any of the following:</p> <ul style="list-style-type: none"> (a) Any other provisions of these rules. (b) A permit to install. (c) A permit to operate. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the commission. 	<p>(12) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with, or is required by, any of the following:</p> <ul style="list-style-type: none"> (a) Any other provisions of these rules. (b) A permit to install. (c) A permit to operate. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the department. 	<p>No change.</p>
<p>(13) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (12) of this rule, both of the following provisions shall apply during this time period:</p> <ul style="list-style-type: none"> (a) All other provisions of this rule, except the emission limits, shall 	<p>(13) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 under subrule (12) of this rule, then both of the following provisions shall apply between November 1 and March 31:</p> <ul style="list-style-type: none"> (a) All other provisions of this rule, except the emission limits, shall 	<p>Rule 621(13): MI Rule specifies time period.</p>

<p>remain effect. (b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 and shall continue to be used.</p>	<p>remain in effect. (b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p> <p>History: 1981 AACS; 1993 AACS; 1998-2000 AACS.</p>	
<p>R 336.1622 Emission of volatile organic compounds from existing components of petroleum refineries; refinery monitoring program.</p> <p>Rule 622. (1) A person shall not cause or allow the emission of any volatile organic compound from any existing component, as listed in subrule (2) of this rule, of a petroleum refinery, including topping plants, unless all of the provisions of this rule are satisfied or unless an equivalent control method, as approved by the department, is implanted. An alternate acceptable control method is described in 40 C.F.R., subpart GGG, §§60.590 to 60.593 (2000), standards of performance for equipment leaks of volatile organic compound in petroleum refineries. The provisions of 40 C.F.R., part 60, subpart GGG (2000), are adopted by reference in these rules and are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost</p>	<p>R 336.1622 Emission of volatile organic compounds from existing components of petroleum refineries; refinery monitoring program.</p> <p>Rule 622. (1) A person shall not cause or allow the emission of any volatile organic compound from any existing component, as listed in subrule (2) of this rule, of a petroleum refinery, including topping plants, unless all of the provisions of this rule are satisfied or unless an equivalent control method, as approved by the department, is implemented. An alternate acceptable control method is described in 40 C.F.R., subpart GGG, §§60.590 to 60.593 (2000), standards of performance for equipment leaks of volatile organic compound in petroleum refineries. The provisions of 40 C.F.R., part 60, subpart GGG (2000), are adopted by reference in these rules and are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh,</p>	<p>No change.</p>

<p>as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p>	<p>Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p>	
<p>(2) A person shall not operate an existing petroleum refinery unless a monitoring program and schedule approved by the department is implemented. This monitoring program and schedule shall provide for, and identify by type and refinery unit, by quarter, all of the following:</p> <p>(a) An annual inspection of all of the following components:</p> <ul style="list-style-type: none"> (i) Pump seals. (ii) Process valves in liquid volatile organic compound service. (iii) Process drains. (iv) Components that are difficult to monitor. <p>(b) A quarterly inspection of all of the following components:</p> <ul style="list-style-type: none"> (i) Compressor seals (ii) Process valves in gaseous volatile organic compound service. (iii) Pressure-relief valves in gaseous volatile organic compound service. <p>(c) A weekly visual inspection of all pump seals from which volatile organic compounds could leak.</p> <p>(d) An immediate inspection of any pump seal from which a liquid, which includes a volatile organic compound, is observed dripping.</p> <p>(e) An inspection of any relief valve from which a volatile organic compound could discharge within 2</p>	<p>(2) A person shall not operate an existing petroleum refinery unless a monitoring program and schedule approved by the department is implemented. This monitoring program and schedule shall provide for, and identify by type and refinery unit, by quarter, all of the following:</p> <p>(a) An annual inspection of all of the following components:</p> <ul style="list-style-type: none"> (i) Pump seals. (ii) Process valves in liquid volatile organic compound service. (iii) Process drains. (iv) Components that are difficult to monitor. <p>(b) A quarterly inspection of all of the following components:</p> <ul style="list-style-type: none"> (i) Compressor seals. (ii) Process valves in gaseous volatile organic compound service. (iii) Pressure-relief valves in gaseous volatile organic compound service. <p>(c) A weekly visual inspection of all pump seals from which volatile organic compounds could leak.</p> <p>(d) An immediate inspection of any pump seal from which a liquid, which includes a volatile organic compound, is observed dripping.</p> <p>(e) An inspection of any relief valve from which a volatile organic</p>	<p>No change.</p>

<p>normal business days of its venting to the atmosphere.</p> <p>(f) An inspection as soon as is practical, but not later than 2 normal business days, after the repair of any component that was found leaking.</p>	<p>compound could discharge within 2 normal business days of its venting to the atmosphere.</p> <p>(f) An inspection as soon as is practical, but not later than 2 normal business days, after the repair of any component that was found leaking.</p>	
<p>(3) Except for the visual inspections required by subrule (2)(c) of this rule, all inspections shall be performed using equipment and procedures as specified in federal reference test method 21 as described in R 336.2004. For the purpose of this rule, a component is leaking when a concentration of more than 10,000 ppm, by volume, as methane or hexane, is measured by method 21.</p>	<p>(3) Except for the visual inspections required by subrule (2)(c) of this rule, all inspections shall be performed using equipment and procedures as specified in federal reference test method 21 as described in R 336.2004. For the purpose of this rule, a component is leaking when a concentration of more than 10,000 ppm, by volume, as methane or hexane, is measured by method 21.</p>	<p>No change.</p>
<p>(4) If implementation of the quarterly leak detection program as specified in subrule (2)(b) of this rule shows that 2% or less of the process valves in a given refinery unit are leaking for 2 consecutive quarters, then the inspections of process valves in that refinery unit may be skipped for 1 quarter. If 2% or less of the process valves in a given refinery unit are leaking for 5 consecutive quarters, then the inspections may be done annually. If a subsequent inspection shows that more than 2% of the process valves are leaking, then quarterly inspections of valves shall again be required.</p>	<p>(4) If implementation of the quarterly leak detection program as specified in subrule (2)(b) of this rule shows that 2% or less of the process valves in a given refinery unit are leaking for 2 consecutive quarters, then the inspections of process valves in that refinery unit may be skipped for 1 quarter. If 2% or less of the process valves in a given refinery unit are leaking for 5 consecutive quarters, then the inspections may be done annually. If a subsequent inspection shows that more than 2% of the process valves are leaking, then quarterly inspections of valves shall again be required.</p>	<p>No change.</p>
<p>(5) The percent of valves leaking on a refinery unit, as reference in subrule (4) of this rule, shall be</p>	<p>(5) The percent of valves leaking on a refinery unit, as referenced in subrule (4) of this rule, shall be</p>	<p>No change.</p>

<p>determined by dividing the total number of valves found to be leaking on the refinery unit during the specified monitoring period by the total number of valves on the refinery unit that are required to be monitored by this rule.</p>	<p>determined by dividing the total number of valves found to be leaking on the refinery unit during the specified monitoring period by the total number of valves on the refinery unit that are required to be monitored by this rule.</p>	
<p>(6) The provisions of this rule do not apply to any of the following:</p> <p>(a) Pressure-relief valves that vent to an operating flare header, fuel gas system, or vapor control device.</p> <p>(b) Components that are unsafe to monitor, until monitoring personnel would no longer be exposed to immediate danger.</p> <p>(c) Storage tank valves.</p> <p>(d) Valves that are not externally regulated.</p> <p>(e) Components that process, transfer, or contain 1 or more volatile organic compounds in the liquid phase under actual conditions, all of which have a true vapor pressure of less than 1.55 psia.</p>	<p>(6) The provisions of this rule do not apply to any of the following:</p> <p>(a) Pressure-relief valves that vent to an operating flare header, fuel gas system, or vapor control device.</p> <p>(b) Components that are unsafe to monitor, until monitoring personnel would no longer be exposed to immediate danger.</p> <p>(c) Storage tank valves.</p> <p>(d) Valves that are not externally regulated.</p> <p>(e) Components that process, transfer, or contain 1 or more volatile organic compounds in the liquid phase under actual conditions, all of which have a true vapor pressure of less than 1.55 psia.</p>	<p>No change.</p>
<p>(7) Notwithstanding the provisions of subrule (2) of this rule, the monitoring of components, such as process drains and valves, that are used solely in effecting a refinery unit turnaround is required only within the quarter following the turnaround.</p>	<p>(7) Notwithstanding the provisions of subrule (2) of this rule, the monitoring of components, such as process drains and valves, that are used solely in effecting a refinery unit turnaround is required only within the quarter following the turnaround.</p>	<p>No change.</p>
<p>(8) A leak that is detected pursuant to the monitoring program provisions of subrule (2) of this rule or for any other reason shall be repaired. Except as provided in subrule (10) of this rule, this leak shall be repaired as soon as possible,</p>	<p>(8) A leak that is detected pursuant to the monitoring program provisions of subrule (2) of this rule or for any other reason shall be repaired. Except as provided in subrule (10) of this rule, this leak shall be repaired as soon as possible,</p>	<p>No change.</p>

<p>but not more than 15 days after the leak is detected. Until the time that the leak is repaired and retested verifying a successful repair, the component causing the leak shall bear a weather-resistant, numbered, identifying tag that indicates the date the leak was discovered.</p>	<p>but not more than 15 days after the leak is detected. Until the time that the leak is repaired and retested verifying a successful repair, the component causing the leak shall bear a weather-resistant, numbered, identifying tag that indicates the date the leak was discovered.</p>	
<p>(9) A log of all leaks detected pursuant to the provisions of subrules (2), (3), (5), and (6) of this rule or by any other method shall be maintained by the operator of the petroleum refinery. This log shall identify all of the following:</p> <ul style="list-style-type: none"> (a) The leaking component by type and location. (b) The number of the identifying tag. (c) The date the leak was discovered. (d) The date the leak was repaired. (e) The date the component was retested after the repair with an indication of the testing results. (f) The person or persons who performed the inspections. <p>The log shall be made available to any representative of the department during normal business hours of the refinery and shall be kept for a minimum of 2 years.</p>	<p>(9) A log of all leaks detected pursuant to the provisions of subrules (2), (3), (5), and (6) of this rule or by any other method shall be maintained by the operator of the petroleum refinery. This log shall identify all of the following:</p> <ul style="list-style-type: none"> (a) The leaking component by type and location. (b) The number of the identifying tag. (c) The date the leak was discovered. (d) The date the leak was repaired. (e) The date the component was retested after the repair with an indication of the testing results. (f) The person or persons who performed the inspections. <p>The log shall be made available to any representative of the department during normal business hours of the refinery and shall be kept for a minimum of 2 years.</p>	<p>No change.</p>
<p>(10) If a leak cannot be repaired within 15 days due to circumstances beyond the control of the operator of the petroleum refinery or because the leaking component cannot be repaired unless a significant portion of the refinery unit is shut down for turnaround, then the operator shall maintain a separate log of the nonrepair. The log shall identify all</p>	<p>(10) If a leak cannot be repaired within 15 days due to circumstances beyond the control of the operator of the petroleum refinery or because the leaking component cannot be repaired unless a significant portion of the refinery unit is shut down for turnaround, then the operator shall maintain a separate log of the nonrepair. The log shall identify all</p>	<p>No change.</p>

<p>of the following:</p> <p>(a) The leaking component by type, location, and refinery unit.</p> <p>(b) The date on which the leak was discovered.</p> <p>(c) The reason why the leak cannot be repaired within 15 days.</p> <p>(d) The estimated date of the repair.</p>	<p>of the following:</p> <p>(a) The leaking component by type, location, and refinery unit.</p> <p>(b) The date on which the leak was discovered.</p> <p>(c) The reason why the leak cannot be repaired within 15 days.</p> <p>(d) The estimated date of repair.</p>	
<p>(11) Within 25 days of the end of the previous quarter, the operator shall submit to the department a report which contains all of the following information for that quarter:</p> <p>(a) The total number of components tested, by type.</p> <p>(b) The total number of components found leaking and repaired, by type.</p> <p>(c) The accumulative total number of components, by refinery unit and type, found to be leaking and not repaired within the required time period and the reason for the nonrepair.</p> <p>(d) The type or types of monitoring equipment utilized during the quarter. The report required by this subrule shall be made on a form approved by the department.</p>	<p>(11) Within 25 days of the end of the previous quarter, the operator shall submit to the department a report which contains all of the following information for that quarter:</p> <p>(a) The total number of components tested, by type.</p> <p>(b) The total number of components found leaking and repaired, by type.</p> <p>(c) The accumulative total number of components, by refinery unit and type, found to be leaking and not repaired within the required time period and the reason for nonrepair.</p> <p>(d) The type or types of monitoring equipment utilized during the quarter. The report required by this subrule shall be made on a form approved by the department.</p>	<p>No change.</p>
<p>(12) The department may require the early shutdown for turnaround of a refinery unit if the department feels that there are significant number of leaks that would justify this action.</p>	<p>(12) The department may require the early shutdown for turnaround of a refinery unit if the department feels that there are a significant number of leaks that would justify this action.</p>	<p>No change.</p>
<p>(13) Except for safety pressure-relief valves, a person shall not operate existing petroleum refinery equipment that has a valve at the end of a pipe or line which contains a</p>	<p>(13) Except for safety pressure-relief valves, a person shall not operate existing petroleum refinery equipment that has a valve at the end of a pipe or line which contains</p>	<p>No change.</p>

<p>volatile organic compound, unless the pipe or line is sealed with a second valve, blind flange, plug, or cap. The sealing device may be removed only when a sample is being taken or during maintenance operations. A current, written description detailing routine sampling procedures and listing the sealing devices involved shall be maintained and, upon request by the department, shall be submitted to the department in an acceptable format.</p>	<p>a volatile organic compound, unless the pipe or line is sealed with a second valve, blind flange, plug, or cap. The sealing device may be removed only when a sample is being taken or during maintenance operations. A current, written description detailing routine sampling procedures and listing the sealing devices involved shall be maintained and, upon request by the department, shall be submitted to the department in an acceptable format.</p> <p>History: 1981 AACS; 1993 AACS; 1997 AACS; 2002 AACS.</p>	
<p>R 336.1623 Storage of petroleum liquids having a true vapor pressure of more than 1.0 psia, but less than 11.0 psia, in existing external floating roof stationary vessels of more than 40,000-gallon capacity.</p> <p>Ruel 623. (1) A person shall not store any petroleum liquid having a true vapor pressure of more than 1.0 psia, but less than 11 psia, at actual storage conditions in any existing external floating roof stationary vessel of more than 40,000-gallon capacity, unless the provisions of subrules (2) to (11) of this rule are met or unless an equivalent control method, as approved by the department, is implemented.</p>	<p>R 336.1623 Storage of petroleum liquids having a true vapor pressure of more than 1.0 psia, but less than 11.0 psia, in existing external floating roof stationary vessels of more than 40,000-gallon capacity.</p> <p>Rule 623. (1) A person shall not store any petroleum liquid having a true vapor pressure of more than 1.0 psia, but less than 11 psia, at actual storage conditions in any existing external floating roof stationary vessel of more than 40,000-gallon capacity, unless the provisions of subrules (2) to (11) of this rule are met or unless an equivalent control method, as approved by the department, is implemented.</p>	<p>No change.</p>
<p>(2) Any stationary vessel subject to the provisions of this rule shall be equipped with a floating roof to which a continuous rim-mounted secondary seal has been attached.</p>	<p>(2) Any stationary vessel subject to the provisions of this rule shall be equipped with a floating roof to which a continuous rim-mounted secondary seal has been attached.</p>	<p>No change.</p>

<p>(3) The secondary seal, as required by subrule (2) of this rule, shall meet all of the following requirements:</p> <p>(a) There shall be no visible holes, tears, or other nonfunctional openings in the seal or seal fabric.</p> <p>(b) The seal shall be intact and uniformly in place around the circumference of the floating roof between the floating roof and vessel wall.</p> <p>(c) For vessels equipped with vapor-mounted primary seals, the accumulated area of gaps exceeding 1/8 inch in width between the secondary seal and the vessel wall shall not exceed 1.0 square inch per foot of tank diameter.</p>	<p>(3) The secondary seal, as required by subrule (2) of this rule, shall meet all of the following requirements:</p> <p>(a) There shall be no visible holes, tears, or other nonfunctional openings in the seal or seal fabric.</p> <p>(b) The seal shall be intact and uniformly in place around the circumference of the floating roof between the floating roof and the vessel wall.</p> <p>(c) For vessels equipped with vapor-mounted primary seals, the accumulated area of gaps exceeding 1/8 of an inch in width between the secondary seal and the vessel wall shall not exceed 1.0 square inch per foot of tank diameter.</p>	<p>No change.</p>
<p>(4) All openings in the external floating roof in any stationary vessel subject to the provisions of this rule, except for automatic bleeder vents, rim space vents, and leg sleeves, shall be equipped with both of the following:</p> <p>(a) Covers, seals, or lids that shall remain in the closed position, except when the openings are in actual use.</p> <p>(b) Projections into the vessel that remain below the liquid surface at all times.</p>	<p>(4) All openings in the external floating roof in any stationary vessel subject to the provisions of this rule, except for automatic bleeder vents, rim space vents, and leg sleeves, shall be equipped with both of the following:</p> <p>(a) Covers, seals, or lids that shall remain in the closed position, except when the openings are in actual use.</p> <p>(b) Projections into the vessel that remain below the liquid surface at all times.</p>	<p>No change.</p>
<p>(5) All automatic bleeder vents in any stationary vessel subject to the provisions of this rule shall be closed at all times, except when the floating roof is floated off or landed on the roof leg supports.</p>	<p>(5) All automatic bleeder vents in any stationary vessel subject to the provisions of this rule shall be closed at all times, except when the floating roof is floated off or landed on the roof leg supports.</p>	<p>No change.</p>

<p>(6) All rim vents in any stationary vessel subject to the provisions of this rule shall be set to open only when the floating roof is being floated off the leg supports or at the manufacturer's recommended setting.</p>	<p>(6) All rim vents in any stationary vessel subject to the provisions of this rule shall be set to open only when the floating roof is being floated off the leg supports or at the manufacturer's recommended setting.</p>	<p>No change.</p>
<p>(7) All emergency floating roof drains in any stationary vessel subject to the provisions of this rule shall be provided with slotted membrane fabric covers, or equivalent covers, that cover not less than 90% of the area of the opening.</p>	<p>(7) All emergency floating roof drains in any stationary vessel subject to the provisions of this rule shall be provided with slotted membrane fabric covers, or equivalent covers, that cover not less than 90% of the area of the opening.</p>	<p>No change.</p>
<p>(8) A person who is responsible for the operation of a stationary vessel subject to the provisions of this rule shall comply with all of the following requirements:</p> <p>(a) Perform a semiannual routine inspection to ensure compliance with all provisions of subrules (2) to (7) of this rule, with the exception of subrule (3)(c) of this rule.</p> <p>(b) For vessels equipped with a vapor-mounted primary seal, perform an annual inspection to document compliance with the provisions of subrule (3)(c) of this rule.</p> <p>(c) Maintain a record of the results of the inspections performed as required by this subrule. This record shall be made available to any representative of the department and shall be kept for a minimum of 2 years.</p>	<p>(8) A person who is responsible for the operation of a stationary vessel subject to the provisions of this rule shall comply with all of the following requirements:</p> <p>(a) Perform a semiannual routine inspection to ensure compliance with all provisions of subrules (2) to (7) of this rule, with the exception of subrule (3)(c) of this rule.</p> <p>(b) For vessels equipped with a vapor-mounted primary seal, perform an annual inspection to document compliance with the provisions of subrule (3)(c) of this rule.</p> <p>(c) Maintain a record of the results of the inspections performed as required by this subrule. This record shall be made available to any representative of the department and shall be kept for a minimum of 2 years.</p>	<p>No change.</p>

<p>(d) The provisions of this subrule may, upon written notice, be modified by the department if considered necessary to accomplish the purpose of this rule.</p>	<p>(d) The provisions of this subrule may, upon written notice, be modified by the department if considered necessary to accomplish the purpose of this rule.</p>	
<p>(9) The provisions of subrules (2) and (3) of this rule do not apply to any of the following external floating roof stationary vessels:</p> <p>(a) Vessels that are used to store waxy, heavy-pour crude oil.</p> <p>(b) Vessels of less than 420,000-gallon capacity that are used to store produced crude oil and condensate before lease custody transfer.</p> <p>(c) Vessels of welded construction which are equipped with a primary seal consisting of a metallic-type show seal, a liquid-mounted foam seal, or a liquid-mounted, liquid-filled-type seal and which contain a petroleum liquid that has a true vapor pressure of less than 4.0 psia.</p> <p>(d) Vessels that are used to store jet naphtha (jet b or jp-4).</p>	<p>(9) The provisions of subrules (2) and (3) of this rule do not apply to any of the following external floating roof stationary vessels:</p> <p>(a) Vessels that are used to store waxy, heavy-pour crude oil.</p> <p>(b) Vessels of less than 420,000-gallon capacity that are used to store produced crude oil and condensate before lease custody transfer.</p> <p>(c) Vessels of welded construction which are equipped with a primary seal consisting of a metallic-type shoe seal, a liquid-mounted foam seal, or a liquid-mounted, liquid-filled-type seal and which contain a petroleum liquid that has a true vapor pressure of less than 4.0 psia.</p> <p>(d) Vessels that are used to store jet naphtha (jet b or jp-4).</p>	<p>Rule 623(9): “show seal” doesn’t really make sense so that might have been a typo entering in the SIP, but I copied and pasted in the MI Rule – not sure either if that’s supposed to be “shoe seal.”</p>
<p>(10) A person who is responsible for the operation of a stationary vessel that meets 1 of the exemption provisions of subrule (9) of this rule shall maintain records that include all of the following information:</p> <p>(a) The type of the vessel and, for a stationary vessel that meets the exemption provisions of subrule (9)(c) of this rule, the type of the primary seal.</p> <p>(b) The capacity of the stationary vessel.</p> <p>(c) The contents of the stationary vessel.</p>	<p>(10) A person who is responsible for the operation of a stationary vessel that meets 1 of the exemption provisions of subrule (9) of this rule shall maintain records that include all of the following information:</p> <p>(a) The type of vessel and, for a stationary vessel that meets the exemption provisions of subrule (9)(c) of this rule, the type of primary seal.</p> <p>(b) The capacity of the stationary vessel.</p> <p>(c) The contents of the stationary vessel.</p>	<p>No change.</p>

<p>(d) For a stationary vessel that meets the exemption provisions of subrule (9)(c) of this rule, the true vapor pressure of the petroleum liquid in the stationary vessel.</p>	<p>(d) For a stationary vessel that meets the exemption provisions of subrule (9)(c) of this rule, the true vapor pressure of the petroleum liquid in the stationary vessel.</p>	
<p>(11) The provisions of subrules 92) to (8) of this rule do not apply to any existing floating roof stationary vessel that contains a petroleum liquid which has a true vapor pressure of less than 1.5 psia. A person who is responsible for such stationary vessel shall maintain a record that includes all of the following information:</p> <p>(a) Average monthly stored liquid temperature. (b) Type of petroleum liquid. (c) Reid vapor pressure of the petroleum liquid.</p> <p>The record that is required by this subrule shall be made available to any representative of the department and shall be kept for a minimum of 2 years.</p>	<p>(11) The provisions of subrules (2) to (8) of this rule do not apply to any existing floating roof stationary vessel that contains a petroleum liquid which has a true vapor pressure of less than 1.5 psia. A person who is responsible for such stationary vessel shall maintain a record that includes all of the following information:</p> <p>(a) Average monthly stored liquid temperature. (b) Type of petroleum liquid. (c) Reid vapor pressure of the petroleum liquid.</p> <p>The record that is required by this subrule shall be made available to any representative of the department and shall be kept for a minimum of 2 years.</p> <p>History: 1981 AACS; 1993 AACS; 2002 AACS.</p>	<p>No change.</p>
<p>R 336.1624 Emission of volatile organic compounds from existing graphic arts lines.</p> <p>Rule 624. (1) A person shall not cause or allow the emission of any volatile organic compound from an existing graphic arts line, unless all of the provisions of the following subrules are met or unless an equivalent emission rate, as approved by the department, is achieved.</p>	<p>R 336.1624 Emission of volatile organic compounds from existing graphic arts lines.</p> <p>Rule 624. (1) A person shall not cause or allow the emission of any volatile organic compound from an existing graphic arts line, unless all of the provisions of the following subrules are met or unless an equivalent emission rate, as approved by the department, is achieved. For the purpose of this rule, the term "graphic arts" applies</p>	<p>Rule 624(1): Extra language.</p>

	to rotogravure and flexographic operations only.	
<p>(2) For the purpose of this rule, all of the following provisions apply, with the exception that graphic arts lines located in the counties of Kent, Livingston, Macomb, Monroe, Muskegon, Oakland, Ottawa, St. Clair, Wastewaw, or Wayne shall not be allowed to be in compliance with this rule (b), and (c)(ii) and (iii) of this rule:</p> <p>(a) In calculating the annual percent reduction of volatile organic compound emissions from a graphic arts line, the starting and ending levels shall be based upon the following provisions as applicable to the graphic arts line:</p> <p>(i) For a graphic arts line which is subject to the emission limits specified in subrule (3)(c)(ii) or (iii) of this rule and for which compliance is to be achieved through the implementation of ink and coating modifications or graphic arts line equipment modifications, or both, without the use of any add-on emissions control device, the starting and ending levels shall be based upon emission rates during the base year 1978 and the year compliance is required and each year thereafter. These levels shall be expressed as pounds of volatile organic compounds per pound of solids as applied and, unless it can be demonstrated to the satisfaction of the department that a different level is more indicative of the actual emission rate for a graphic arts line, the applicable starting level as specified in table 64 shall be used.</p>	<p>(2) For the purpose of this rule, both of the following provisions apply:</p> <p>(a) In calculating the calendar day averaging period percent reduction of volatile organic compound emissions from a graphic arts line that is subject to the emission limits specified in subrule (3)(c) of this rule, the starting level shall be the total amount of volatile organic compounds used on the graphic arts line during the calendar day averaging period. This level shall be expressed as pounds of volatile organic compounds.</p> <p>(b) It will be assumed that all volatile organic compounds applied to the substrate are emitted, unless captured and controlled by control equipment.</p>	<p>Rule 624(2): There is a lot of extra language in the SIP.</p> <p>SIP subrule (2)(b) is similar to MI subrule (2)(a).</p> <p>SIP subrule (2)(c) is the same as MI subrule (2)(b).</p>

(ii) For a graphic arts line which is subject to the emission limits specified in subrule (3)(c)(i) of this rule and for which compliance is to be achieved through the use of 1 or more add-on emissions control devices, the starting level shall be the total annual amount of volatile organic compounds used on the graphic arts line and the ending level shall be the total annual amount of volatile organic compounds emitted from the graphic arts line. These levels shall be expressed as pounds of volatile organic compounds per pound of solids as applied.

(b) In calculating the calendar day averaging period percent reduction of volatile organic compound emissions from a graphic arts line, the starting level shall be based upon the following provisions as applicable to the graphic arts line:

(i) For a graphic arts line which is subject to the emission limits specified in subrule (3)(c)(ii) or (iii) of this rule and for which compliance is to be achieved through the implementation of ink and coating modifications or graphic arts line equipment modifications, or both, without the use of any add-on emissions control device, the starting level shall be based upon the annual emission rate during the base year 1978, as multiplied by the factor 1.5. This level shall be expressed as pounds of volatile organic compounds per pound of solids as applied.

(ii) For a graphic arts line which is subject to the emission limits

<p>specified in subrule (3)(c)(i) of this rule and for which compliance is to be achieved through the use of 1 or more add-on emissions control devices, the starting level shall be the total amount of volatile organic compounds used on the graphic arts line during the calendar day averaging period. This level shall be expressed as pounds of volatile organic compounds per pound of solids as applied.</p> <p>(c) It will be assumed that all volatile organic compounds applied to the substrate are emitted, unless captured and controlled by control equipment.</p>		
<p>(3) A person shall not cause or allow the emission of any volatile organic compound from an existing graphic arts line, unless the provisions of 1 of the following subdivisions are met:</p> <p>(a) The volatile fraction of all inks and coatings used on a graphic arts line as applied to the substrate shall contain a maximum of 25%, by volume, of volatile organic compounds, based upon a calendar day averaging period.</p> <p>(b) The nonvolatile fraction of all inks and coatings used on a graphic arts line as applied to the substrate, minus water, shall be a minimum of 60%, by volume, based upon a calendar day averaging period.</p> <p>(c) The overall reduction in volatile organic compound emissions, based on pounds of volatile organic compounds per pound of solids, as applied, from a graphic arts line shall be as follows:</p>	<p>(3) A person shall not cause or allow the emission of any volatile organic compound from an existing graphic arts line, unless the provisions of 1 or more of the following subdivisions are met:</p> <p>(a) The volatile fraction of all inks and coatings used on a graphic arts line as applied to the substrate shall contain a maximum of 25%, by volume, of volatile organic compounds, based upon a calendar day averaging period.</p> <p>(b) The nonvolatile fraction of all inks and coatings used on a graphic arts line as applied to the substrate, minus water, shall be a minimum of 60%, by volume, based upon a calendar day averaging period.</p> <p>(c) The overall reduction in volatile organic compound emissions, based on pounds of volatile organic compounds from a graphic arts line for which compliance is to be achieved through the use of 1 or</p>	<p>Rule 624(3): MI Rules adds “or more.”</p> <p>SIP has a lot of extra language.</p> <p>SIP subrule (3)(c)(i)(A)-(C) is the same as MI subrule (3)(c)(i)-(iii).</p>

(i) If compliance is to be achieved through the use of 1 or more add-on emissions control devices, 1 of the following, based upon both a calendar day averaging period and a calendar year averaging period:

- (A) For publication rotogravure printing, a minimum of 75%.
- (B) For packaging rotogravure printing, a minimum of 65%.
- (C) For flexographic printing, a minimum of 60%.

(ii) If compliance is to be achieved through the implementation of ink and coating modifications or graphic arts line equipment modifications, or both, without the use of any add-on emissions control device, for a graphic arts line on which there is printing on an absorbant substrate, 1 of the following, based upon both a calendar day averaging period and a calendar year averaging period:

- (A) For publication rotogravure printing, a minimum of 80%.
- (B) For packaging rotogravure printing, a minimum of 70%.
- (C) For flexographic printing, a minimum of 65%.

(iii) If compliance is to be achieved through the implementation of ink and coating modifications or graphic arts line equipment modifications, or both, without the use of any add-on emissions control device, for a graphic arts line on which there is surface or reverse printing on a nonabsorbent substrate, 1 of the following, based upon both a calendar day averaging period and a calendar year averaging period:

- (A) For publication rotogravure printing, a minimum of 85%.
- (B) For packaging rotogravure printing, a minimum of 75%.
- (C) For flexographic printing, a

more add-on emissions control devices shall be 1 of the following, based upon a calendar day averaging period:

- (i) For publication rotogravure printing, a minimum of 75%.
- (ii) For packaging rotogravure printing, a minimum of 65%.
- (iii) For flexographic printing, a minimum of 60%.

<p>minimum of 70%.</p> <p>(4) Not later than 3 months after the effective date of this rule and thereafter, a person who is responsible for the operation of a graphic arts line that is subject to this rule shall obtain current information, and provisions of this rule, as required in R 336.2041.</p>	<p>(4) A person who is responsible for the operation of a graphic arts line that is subject to this rule shall obtain current information, and keep records necessary, for a determination of compliance with this rule, as follows:</p> <p>(a) As required in subrule (12) of this rule for sources subject to subrule (3)(a) or (b) of this rule.</p> <p>(b) As required in R 336.2041(10)(d) and (e) for sources subject to subrule (3)(c) of this rule.</p>	<p>Rule 624(4): Additional timing language in SIP.</p> <p>Additional compliance language in MI Rule.</p>
<p>(5) Compliance with the emission limits specified in this rule shall be based upon all of the following provisions, as applicable:</p> <p>(a) Compliance with the emission limited specified in subrule (3)(a) or (b) of this rule shall be based upon all inks and coatings that are used during each calendar day averaging period.</p> <p>(b) Compliance with the applicable calendar day averaging period overall reduction provision specified in subrule (3)(c) of this rule shall be based upon all inks and coatings that are used during each calendar day averaging period.</p> <p>(c) Compliance with the applicable annual overall reduction provisions specified in subrule (3)(c) of this rule shall be based upon all inks and coatings that are used during each calendar year averaging period.</p> <p>(d) If there is both printing on an absorbent substrate and surface or reverse printing on a nonabsorbent substrate during the averaging</p>	<p>(5) Compliance with the emission limits specified in this rule shall be based upon all of the following provisions, as applicable:</p> <p>(a) Compliance with the emission limit specified in subrule (3)(a) or (b) of this rule shall be based upon all inks and coatings that are used during each calendar day averaging period.</p> <p>(b) Compliance with the applicable calendar day averaging period overall reduction provision specified in subrule (3)(c) of this rule shall be based upon all inks and coatings that are used during each calendar day averaging period.</p> <p>(c) If more than 1 compliance option listed in subrule (3) of this rule is used on a graphic arts line during a calendar day averaging period, then compliance shall be determined separately for each option used and shall be based upon all inks and coatings used for each option during each calendar day averaging period.</p> <p>(d) The department may specifically</p>	<p>Rule 624(5): Different language in subrules (5)(c).</p> <p>SIP adds sub-subrule.</p>

<p>period on a graphic arts line that is subject to the emission limits specified in subrule (3)(c)(ii) and (iii) of this rule, compliance with the applicable emission limits shall be determined separately.</p> <p>(e) The department may specifically authorize compliance to be based upon a longer averaging period than the calendar day averaging period specified in subdivision (a) or (b) of this subrule, but the period shall not be more than 1 calendar month.</p> <p>(f) The information and records as required by subrule (4) of this rule.</p>	<p>authorize compliance to be based upon a longer averaging period than the calendar day averaging period specified in subdivision (a), (b), or (c) of this subrule, but the period shall not be more than 1 calendar month.</p> <p>(e) The information and records as required by subrule (4) of this rule.</p>	
<p>(6) Compliance with any limit expressed as pounds of volatile organic compounds per pound of solids as applied shall be determined using the method described in either R 336.2040(12)(g) if the graphic arts line does not have an add-on emissions control device of R 336.2040(12)(h) if the coating line has 1 or more add-on emissions control devices.</p>	<p>(6) Compliance with subrule (3)(a) and (b) of this rule shall be determined using the method described in subrule (11) of this rule. Compliance with subrule (3)(c) of this rule shall be determined using the method described in R 336.2040(11).</p>	<p>Rule 624(6): Different language.</p>
<p>(7) The provisions of this rule, with the exception of the provisions specified in subrule (4) of this rule, do not apply to any of the following:</p> <p>(a) Graphic arts lines which are within a stationary source that is located in any of the following counties and which have a combined actual emission rate of volatile organic compounds of less than or equal to 15 pounds per day:</p> <p>(i) Kent. (ii) Livingston. (iii) Macomb. (iv) Monroe. (vi) Oakland. (vii) Ottawa.</p>	<p>(7) This rule, except for subrule (4) of this rule, does not apply to graphic arts lines which are within a stationary source and which have a total combined actual emission rate of volatile organic compounds of less than 100 pounds per day or 2,000 pounds per month as of the effective date of this amendatory rule. If the combined actual emission rate equals or is more than 100 pounds per day for a subsequent day or 2,000 pounds per month for a subsequent month, then this rule shall permanently apply to the graphic arts lines.</p>	<p>Rule 624(7): MI subrule (7) is similar, if not the same, as SIP subrule (7)(b).</p> <p>Otherwise, SIP adds sub-subrules.</p>

<p>(viii) St. Clair. (ix) Washtenaw. (x) Wayne. If the combined actual emission rate is more than 15 pounds per day for a subsequent day, then the provisions of this rule shall thereafter permanently apply to these coating lines.</p> <p>(b) Graphic arts lines which are within a stationary source that is located in any county other than the counties identified in subdivision (a) of this subrule and which have a combined actual emission rate of volatile organic compounds of less than 100 pounds per day or 2,000 pounds per month. If the combined actual emission rate equals or is more than 100 pounds per day for a subsequent day or 2,000 pounds per month for a subsequent month, then the provisions of this rule shall thereafter permanently apply to these graphic arts lines.</p> <p>(c) Offset lithographic or letterpress printing.</p> <p>(d) Low-use inks or coatings that total 55 gallons or less per rolling 12-month period at a stationary source.</p>		
<p>(8) The provisions of this rule, with the exception of the provisions of subrule (4) of this rule, do not apply to coating lines which, pursuant to the provisions of subdivision (a) of this subrule that were in effect on August 21, 1981, were exempt from the provisions of this rule that were in effect on August 21, 1981, but which are not subject to the emission limit provisions of this rule, until 1 year after the effective date of this</p>	<p>(8) A person may exclude low-use inks or coatings that total 55 gallons or less per rolling 12-month period at a stationary source from the provisions of this rule, except for subrule (4) of this rule.</p>	<p>Rule 624(8): Both deal with exceptions/exemptions, but different language.</p>

<p>rule. A person who is responsible for a previously exempted coating line shall make a determination of compliance with the emission limits in this rule using the method specified in subrule (6) of this rule and shall submit a copy of this determination and supporting data to the department not later than 1 year after the effective date of this rule.</p>		
<p>(9) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is use dot achieve compliance with, or is required by, any of the following:</p> <p>(a) Any other provisions of these rules. (b) A permit to install. (c) A permit to operate. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the department.</p>	<p>(9) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with, or is required by, any of the following:</p> <p>(a) Any other provisions of these rules. (b) A permit to install. (c) A permit to operate. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the department.</p>	<p>No change.</p>
<p>(10) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (9) of this rule, both of the following provisions shall apply during this time period:</p> <p>(a) All other provisions of this rule, except the emission limits, shall remain in effect. (b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p>	<p>(10) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 under subrule (9) of this rule, then both of the following provisions shall apply between November 1 and March 31:</p> <p>(a) All other provisions of this rule, except the emission limits, shall remain in effect. (b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p>	<p>Rule 624(10): MI specifies time period.</p>

<p>(11) Table 64 reads as follows: [see attached]</p>	<p>(11) Compliance with subrule (3)(a) and (b) of this rule shall be determined as follows:</p> <p>(a) The following equation shall be used to determine if the volatile fraction of all inks and coatings used on a graphic arts line, as applied, meets the volatile organic compound limitation specified in subrule (3)(a) of this rule: [see attached]</p> <p>(b) The following equation shall be used to determine if the nonvolatile fraction of all inks and coatings used on a graphic arts line, as applied, meets the limitation specified in subrule (3)(b) of this rule: [see attached]</p>	<p>Rule 624(11): SIP includes a Table; MI Rule includes 2 equations.</p>
	<p>(12) A person subject to subrule (3)(a) or (b) of this rule shall keep the following records:</p> <p>(a) For graphic arts lines subject to subrule (3)(a) of this rule:</p> <p>(i) The name, identification number, and volume "LI", of each ink or coating used each calendar day averaging period.</p> <p>(ii) The volume fraction of volatile organic compounds in each ink or coating, as applied, each calendar day averaging period.</p> <p>(iii) The volume fraction of volatiles in each ink or coating, as applied, during each calendar day averaging period.</p> <p>(iv) The volatile organic compound fraction of the volatile fraction of all inks and coatings used on a graphic arts line, as applied, each calendar day averaging period.</p> <p>(b) For graphic arts lines subject to</p>	<p>Rule 624(12): There is no SIP subrule (12).</p>

	<p>subrule (3)(b) of this rule:</p> <p>(i) The name, identification number, and volume "LI", of each ink or coating used each calendar day averaging period.</p> <p>(ii) The volume fraction of nonvolatiles in each ink or coating, as applied, each calendar day averaging period.</p> <p>(iii) The volume fraction of nonvolatiles in all inks and coatings used each calendar day averaging period.</p> <p>History: 1981 AACS; 1993 AACS; 1999 AACS.</p>	
<p>R 336.1625 Emission of volatile organic compound from existing equipment utilized in manufacturing synthesized pharmaceutical products.</p> <p>Rule 625. (1) A person shall not cause or allow the emission of any volatile organic compound from existing equipment utilized in the manufacturing of synthesized pharmaceutical products, unless all of the provisions of the following subrules are met or unless an equivalent control method, as approved by the department, is implemented.</p>	<p>R 336.1625 Emission of volatile organic compound from existing equipment utilized in manufacturing synthesized pharmaceutical products.</p> <p>Rule 625. (1) A person shall not cause or allow the emission of any volatile organic compound from existing equipment utilized in the manufacturing of synthesized pharmaceutical products, unless all of the provisions of the following subrules are met or unless an equivalent control method, as approved by the department, is implemented.</p>	<p>No change.</p>
<p>(2) A person shall not operate an existing reactor, distillation operation, crystallizer, centrifuge, or vacuum dryer, unless the emissions from this equipment are controlled by either of the following:</p> <p>(a) A condenser, such that the outlet gas temperature does not exceed the following levels:</p>	<p>(2) A person shall not operate an existing reactor, distillation operation, crystallizer, centrifuge, or vacuum dryer, unless the emissions from this equipment are controlled by either of the following:</p> <p>(a) A condenser, such that the outlet gas temperature does not exceed the following levels:</p>	<p>Rule 625(2): There are some formatting issues with this table which duplicates MI subrule (2)(a). Otherwise there are no changes except that SIP subrule (2)(a)(v) is not in the MI Rule.</p>

(i) Minus 25 degrees Celsius (minus 13 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 300 millimeters of mercury (5.8 pounds per square inch).

(ii) Minus 15 degrees Celsius (5 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 150 millimeters of mercury (2.9 pounds per square inch).

(iii) Zero degrees Celsius (32 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 75 millimeters of mercury (1.5 pounds per square inch).

(iv) Ten degrees Celsius (50 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 52.5 millimeters of mercury (1.0 pounds per square inch).

(v) Twenty-five degrees Celsius (77 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or

(i) Minus 25 degrees Celsius (minus 13 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 300 millimeters of mercury (5.8 pounds per square inch).

(ii) Minus 15 degrees Celsius (5 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 150 millimeters of mercury (2.9 pounds per square inch).

(iii) Zero degrees Celsius (32 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 75 millimeters of mercury (1.5 pounds per square inch).

(iv) Ten degrees Celsius (50 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 52.5 millimeters of mercury (1.0 pounds per square inch).

(v) Twenty-five degrees Celsius (77 degrees Fahrenheit) when the sum of the partial pressure or pressures of the volatile organic compound or

<p>compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 26.2 millimeters of mercury (0.5 per square inch).</p> <p>(b) An alternative control technology, the use of which results in an emission level no greater than would occur by meeting the provisions of subdivision (a) of this subrule. For purposes of comparing the actual emission level from an alternative control technology to the allowable emission level resulting from meeting the provisions of subdivision (a) of this subrule, the actual emission level shall be determined using the methods described in R 336.2004 and the allowable emission level shall be determined using the calculation methods described in appendix B of "Control of Volatile Organic Emissions from manufacture of Synthesized Pharmaceutical Products," EPA-450/2-78-029, December 1978. Appendix B of EPA-450/2-78-029 is adopted by reference in these rules. A copy of the document may be obtained without charge from the Air Quality Division, Department of Environmental Quality, 106 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, or from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, Document No. PB-290580, at a cost as of the time of adoption of these rules of \$41.00 each.</p>	<p>compounds in the gas stream, as measured at 20 degrees Celsius (68 degrees Fahrenheit), is greater than 26.2 millimeters of mercury (0.5 pounds per square inch).</p> <p>(b) An alternative control technology, the use of which results in an emission level no greater than would occur by meeting the provisions of subdivision (a) of this subrule. For purposes of comparing the actual emission level from an alternative control technology to the allowable emission level resulting from meeting the provisions of subdivision (a) of this subrule, the actual emission level shall be determined using the methods described in R 336.2004 and the allowable emission level shall be determined using the calculation methods described in appendix B of "Control of Volatile Organic Emissions From Manufacture of Synthesized Pharmaceutical Products," EPA-450/2-78-029, December 1978. Appendix B of EPA-450/2-78-029 is adopted by reference in these rules. A copy of the document may be obtained without charge from the Air Quality Division, Department of Environmental Quality, 106 West Allegan Street, P. O. Box 30260, Lansing, Michigan 48909-7760, or from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, Document No. PB-290580, at a cost as of the time of adoption of these rules of \$41.00 each.</p>	
<p>(3) For the purposes of this rule, the sum of the partial pressure of</p>	<p>(3) For the purpose of this rule, the sum of the partial pressure or</p>	<p>No change.</p>

<p>pressures of the volatile organic compound or compounds in the gas stream is to be determined as follows:</p> <p>[see attached]</p> <p>Where: P_t = Sum of the partial pressures of all volatile organic compounds. P_i = Vapor pressure of volatile organic compounds at 20 degrees Celsius (68 degrees Fahrenheit). X_i = Mole fraction of volatile organic compounds in liquid mixture. n = Number of different volatile organic compounds in liquid mixture. i = Individual volatile organic compound.</p> <p>The mole fraction, X_i, is determined as follows: $X_i = \frac{\text{moles of "i" in liquid mixture}}{\text{total moles of liquid mixture}}$</p> <p>The total moles of liquid mixture shall include both the moles of volatile organic compounds and volatile inorganic compounds (such as water) in liquid mixture.</p>	<p>pressures of the volatile organic compound or compounds in the gas stream is to be determined as follows:</p> <p>[see attached]</p> <p>Where: P_t = Sum of the partial pressures of all volatile organic compounds. P_i = Vapor pressure of volatile organic compounds at 20 degrees Celsius (68 degrees Fahrenheit). X_i = Mole fraction of volatile organic compounds in liquid mixture. n = Number of different volatile organic compounds in liquid mixture. i = Individual volatile organic compound.</p> <p>The mole fraction, X_i, is determined as follows: $X_i = \frac{\text{moles of "i" in liquid mixture}}{\text{total moles of liquid mixture}}$</p> <p>The total moles of liquid mixture shall include both the moles of volatile organic compounds and volatile inorganic compounds (such as water) in the liquid mixture.</p>	
<p>(4) Notwithstanding the provisions of subrule (2)(a) of this rule, a person shall not be required to reduce the temperature of a gas stream below the freezing point of a condensable component in that gas stream if it can be demonstrated, using intrinsic chemical data, to the satisfaction of the department, that in doing so, the condenser would be rendered ineffective. In this case, the temperature of the gas stream shall be reduced as low as can be achieved without freezing of the</p>	<p>(4) Notwithstanding the provisions of subrule (2)(a) of this rule, a person shall not be required to reduce the temperature of a gas stream below the freezing point of a condensable component in that gas stream if it can be demonstrated, using intrinsic chemical data, to the satisfaction of the department, that in doing so, the condenser would be rendered ineffective. In this case, the temperature of the gas stream shall be reduced as low as can be achieved without freezing of the</p>	<p>No change.</p>

condenser occurring.	condenser occurring.	
(5) The provisions of this rule do not apply to any single existing reactor, distillation operation, crystallizer, centrifuge, or vacuum dryer that has a maximum uncontrolled volatile organic compound emission rate of less than 15 pounds per day.	(5) The provisions of this rule do not apply to any single existing reactor, distillation operation, crystallizer, centrifuge, or vacuum dryer that has a maximum uncontrolled volatile organic compound emission rate of less than 15 pounds per day.	No change.
(6) A person shall not operate an existing air dryer or production equipment exhaust system unless the volatile organic compound emissions from this equipment are reduced by not less than 90% if the uncontrolled volatile organic compound emissions are 330 pounds per day or more or are reduced to less than or equal to 33 pounds per day if the uncontrolled volatile organic compound emissions are less than 330 pounds per day.	(6) A person shall not operate an existing air dryer or production equipment exhaust system unless the volatile organic compound emissions from this equipment are reduced by not less than 90% if the uncontrolled volatile organic compound emissions are 330 pounds per day or more or are reduced to less than or equal to 33 pounds per day if the uncontrolled volatile organic compound emissions are less than 330 pounds per day.	No change.
(7) A person shall not load or allow the loading of a volatile organic compound that has a vapor pressure of more than 210 millimeters of mercury (4.1 pounds per square inch), as measured at 20 degrees Celsius (68 degrees Fahrenheit), from a truck or railcar into an existing stationary vessel of more than a 2,000-gallon capacity, unless a vapor balance system or an alternate control system that provides not less than 90% control of loading emissions is utilized.	(7) A person shall not load or allow the loading of a volatile organic compound that has a vapor pressure of more than 210 millimeters of mercury (4.1 pounds per square inch), as measured at 20 degrees Celsius (68 degrees Fahrenheit), from a truck or railcar into an existing stationary vessel of more than a 2,000-gallon capacity, unless a vapor balance system or an alternate control system that provides not less than 90% control of loading emissions is utilized.	No change.
(8) A person shall not store a volatile organic compound that has a vapor pressure of more than 75 millimeters of mercury (1.5 pounds	(8) A person shall not store a volatile organic compound that has a vapor pressure of more than 75 millimeters of mercury (1.5 pounds	Rule 625(8): MI Rule adds "methods described in R.336.2004."

<p>per square inch), as measured at 20 degrees Celsius (68 degrees Fahrenheit), in an existing aboveground stationary vessel, unless the stationary vessel is equipped with a pressure/vacuum conservation vent set a plus or minus 1.5 millimeters of mercury (0.03 pounds per square inch) or an alternate control system at least as effective. For purposes of comparing the actual emission level from an alternative control technology to the allowable emission level resulting from the use of a pressure/vacuum conservation vent meeting this requirement, the actual emission level shall be determined using the calculation methods described in appendix B of "Control of Volatile Organic Emissions From manufacture of Sythesized Pharmaceutical Products," EPA-450/2-78-029, December 1978. Appendix B of EPA-450/2-78-029 is adopted by reference in subrule (2)(b) of this rule.</p>	<p>per square inch), as measured at 20 degrees Celsius (68 degrees Fahrenheit), in an existing aboveground stationary vessel, unless the stationary vessel is equipped with a pressure/vacuum conservation vent set at plus or minus 1.5 millimeters of mercury (0.03 pounds per square inch) or an alternate control system at least as effective. For purposes of comparing the actual emission level from an alternative control technology to the allowable emission level resulting from the use of a pressure/vacuum conservation vent meeting this requirement, the actual emission level shall be determined using the methods described in in R 336.2004 and the allowable emission level shall be determined using the calculation methods described in appendix B of "Control of Volatile Organic Emissions From Manufacture of Synthesized Pharmaceutical Products," EPA-450/2-78-029, December 1978. Appendix B of EPA-450/2-78-029 is adopted by reference in subrule (2)(b) of this rule.</p>	
<p>(9) A person shall not operate an existing centrifuge, rotary vacuum filter, or other filter that has an exposed liquid surface, where the liquid contains a volatile organic compound or compounds and the sum of the partial pressure or pressures of volatile organic compound or compounds is 26.2 millimeters of mercury (0.5 pounds per square inch) or more, as measured at 20 degrees Celsius (68 degrees Fahrenheit), unless the equipment is enclosed.</p>	<p>(9) A person shall not operate an existing centrifuge, rotary vacuum filter, or other filter that has an exposed liquid surface, where the liquid contains a volatile organic compound or compounds and the sum of the partial pressure or pressures of volatile organic compound or compounds is 26.2 millimeters of mercury (0.5 pounds per square inch) or more, as measured at 20 degrees Celsius (68 degrees Fahrenheit), unless the equipment is enclosed.</p>	<p>No change.</p>

<p>(10) A person shall not operate an existing in-process tank that may contain a volatile organic compound at any time, unless the tank is equipped with a cover and the cover remains closed, except when production, sampling, maintenance, or inspection procedures require operator access.</p>	<p>(10) A person shall not operate an existing in-process tank that may contain a volatile organic compound at any time, unless the tank is equipped with a cover and the cover remains closed, except when production, sampling, maintenance, or inspection procedures require operator access.</p>	<p>No change.</p>
<p>(11) A person shall not operate any existing equipment utilized in the manufacturing of synthesized pharmaceutical products from which a liquid containing a volatile organic compound or compounds can be observed dripping or running, unless the leak is repaired immediately, if possible, but not later than the first time the equipment is off-line for a period of time that is long enough to complete the repair.</p>	<p>(11) A person shall not operate any existing equipment utilized in the manufacturing of synthesized pharmaceutical products from which a liquid containing a volatile organic compound or compounds can be observed dripping or running, unless the leak is repaired immediately, if possible, but not later than the first time the equipment is off-line for a period of time that is long enough to complete the repair.</p>	<p>No change.</p>
<p>(12) A person who is responsible for the operation of a synthesized pharmaceutical process subject to the provisions this rule shall obtain current information and maintain records that are necessary for a determination of compliance with the provisions of this rule. The information shall include all of the following:</p> <p>(a) For operations subject to the provisions of subrule (2) of this rule, all of the following information:</p> <p>(i) A list of all volatile organic compounds in each gas stream.</p> <p>(ii) The vapor pressure, as measured at 20 degrees Celsius (68 degrees Fahrenheit), of each volatile organic compound.</p> <p>(iii) The mole fraction of each volatile organic compound in the</p>	<p>(12) A person who is responsible for the operation of a synthesized pharmaceutical process subject to the provisions of this rule shall obtain current information and maintain records that are necessary for a determination of compliance with the provisions of this rule. The information shall include all of the following:</p> <p>(a) For operations subject to the provisions of subrule (2) of this rule, all of the following information:</p> <p>(i) A list of all volatile organic compounds in each gas stream.</p> <p>(ii) The vapor pressure, as measured at 20 degrees Celsius (68 degrees Fahrenheit), of each volatile organic compound.</p> <p>(iii) The mole fraction of each volatile organic compound in the</p>	<p>Rule 625(12): Again there is an issue with the table formatting and duplicates some of MI subrule (12) – but there are no changes.</p>

<p>liquid mixture.</p> <p>(iv) Continuous records of the gas outlet temperature of each condenser or of a parameter that ensures proper operation of an equivalent control device used pursuant to subrule (2)(b) of this rule.</p> <p>(b) For operations that are in compliance with the exemption provisions of subrule (5) of this rule, the amount of material entering and exiting each reactor, distillation operation, crystallizer, centrifuge, and vacuum dryer.</p> <p>(c) For air dryers subject to the provisions of subrule (6) of this rule, the amount of material entering and exiting each air dryer.</p> <p>(d) For operations subject to the provisions of subrule (7) of this rule, the following information:</p> <p>(i) The date when each stationary vessel is loaded.</p> <p>(ii) the type and vapor pressure, as measured at 20 degrees Celsius (68 degrees Fahrenheit), of each volatile organic compound loaded into each stationary vessel.</p> <p>(e) For operations subject to the provisions of subrule (9) of this rule, all of the following information:</p> <p>(i) A list of all volatile organic compounds in the liquid.</p> <p>(ii) The vapor pressure, as measured at 20 degrees Celsius (68 degrees Fahrenheit), of each volatile organic compound.</p> <p>(iii) The mole fraction of each volatile organic compound in the liquid mixture.</p> <p>(f) For operations subject to the</p>	<p>liquid mixture.</p> <p>(iv) Continuous records of the gas outlet temperature of each condenser or of a parameter that ensures proper operation of an equivalent control device used pursuant to subrule (2)(b) of this rule.</p> <p>(b) For operations that are in compliance with the exemption provisions of subrule (5) of this rule, the amount of material entering and exiting each reactor, distillation operation, crystallizer, centrifuge, and vacuum dryer.</p> <p>(c) For air dryers subject to the provisions of subrule (6) of this rule, the amount of material entering and exiting each air dryer.</p> <p>(d) For operations subject to the provisions of subrule (7) of this rule, the following information:</p> <p>(i) The date when each stationary vessel is loaded.</p> <p>(ii) The type and vapor pressure, as measured at 20 degrees Celsius (68 degrees Fahrenheit), of each volatile organic compound loaded into each stationary vessel.</p> <p>(e) For operations subject to the provisions of subrule (9) of this rule, all of the following information:</p> <p>(i) A list of all volatile organic compounds in the liquid.</p> <p>(ii) The vapor pressure, as measured at 20 degrees Celsius (68 degrees Fahrenheit), of each volatile organic compound.</p> <p>(iii) The mole fraction of each volatile organic compound in the liquid mixture.</p>	
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<p>provisions of subrule (11) of this rule, the following information: (i) The date each leak was detected. (ii) The date each leak was repaired.</p>	<p>(f) For operations subject to the provisions of subrule (11) of this rule, the following information: (i) The date each leak was detected. (ii) The date each leak was repaired.</p> <p>History: 1981 AACS; 1993 AACS; 2000 AACS.</p>	
	<p>R 336.1626 Rescinded.</p> <p>History: 1981 AACS; 1989 AACS.</p>	
<p>R 336.1627 Delivery vessels; vapor collection systems.</p> <p>Rule 627. (1) A person shall not operate any delivery vessel that is subject to control by a vapor collection system, either vapor balance or recovery system, required by R 336.1606, R 336.1607, R 336.1608, R 336.1609, R 336.1703, R 336.1704, R 336.1705, or R 336.1706, unless all of the provisions of this rule are met.</p>	<p>R 336.1627 Delivery vessels; vapor collection systems.</p> <p>Rule 627. (1) A person shall not operate any delivery vessel that is subject to control by a vapor collection system, either vapor balance or recovery system, required by R 336.1606, R 336.1607, R 336.1608, R 336.1609, R 336.1703, R 336.1704, R 336.1705, or R 336.1706, unless all of the provisions of this rule are met.</p>	<p>No changes.</p>
<p>(2) Delivery vessels shall comply with all requirements described in the U.S. Environmental Protection Agency Method 27, as adopted by reference in R 336.2004(1)(u).</p>	<p>(2) Delivery vessels shall comply with all requirements described in the U.S. Environmental Protection Agency Method 27, as adopted by reference in R 336.2004(1)(v).</p>	<p>No change.</p>
<p>(3) The owner of any delivery vessel that is subject to subrule (1) of this rule shall test the delivery vessel in accordance with R 336.2004(1)(u) within 1 year of the date of the previous test. Notification of the exact time and location of the test shall be given to the department, in writing, not less than 7 days before the actual test. If the time or location of the test changes for any reason, then the owner or operator shall notify the department as soon</p>	<p>(3) The owner of any delivery vessel that is subject to subrule (1) of this rule shall test the delivery vessel in accordance with R 336.2004(1)(v) within 1 year of the date of the previous test. Notification of the exact time and location of the test shall be given to the department, in writing, not less than 7 days before the actual test. If the time or location of the test changes for any reason, then the owner or operator shall notify the department as soon as</p>	<p>Rule 627(3): Not sure if this difference is a typo or a real change.</p>

as practical.	practical.	
(4) The test shall comply with documentation requirements described in the U.S. Environmental protection Agency Method 27 and shall be submitted to the department within 30 days of the test completion and in a form acceptable to the department. Upon successful completion of the required testing, the vessel shall be deemed provisionally certified providing the department does not invalidate the certification by issuing disapproval within 45 days of receipt of the results.	(4) The test shall comply with documentation requirements described in the U.S. Environmental Protection Agency Method 27 and shall be submitted to the department within 30 days of the test completion and in a form acceptable to the department. Upon successful completion of the required testing, the vessel shall be deemed provisionally certified providing the department does not invalidate the certification by issuing disapproval within 45 days of receipt of the results.	No change.
(5) There shall be no visible liquid leaks from the vessel or collection system, except when the disconnection of dry breaks in liquid lines produces a few drops of liquid.	(5) There shall be no visible liquid leaks from the vessel or collection system, except when the disconnection of dry breaks in liquid lines produces a few drops of liquid.	No change.
(6) A person shall not operate any vapor collection system, either vapor balance or recovery system, required by R 336.1606, R 336.1607, R 336.1608, R 336.1609, R 336. 1703, R 336. 1704, R 336.1705, or R 336.1706, unless all of the provisions of subrules (7) to (11) of this rule are met.	(6) A person shall not operate any vapor collection system, either vapor balance or recovery system, required by R 336.1606, R 336.1607, R 336.1608, R 336.1609, R 336.1703, R 336.1704, R 336.1705, or R 336.1706, unless all of the provisions of subrules (7) to (11) of this rule are met.	No change.
(7) There shall be no gas detector reading greater than or equal to 100% of the lower explosive limit at a distance of 1 inch from the location of the potential leak in the vapor collection system. Leaks shall be detected by a combustible gas detector using the test procedure described in R 336.2005.	(7) There shall be no gas detector reading greater than or equal to 100% of the lower explosive limit at a distance of 1 inch from the location of the potential leak in the vapor collection system. Leaks shall be detected by a combustible gas detector using the test procedure described in R 336.2005.	No change.

<p>(8) There shall be no visible leaks, except from the disconnection of bottom loading dry breaks and from raising top loading vapor heads, where a few drops are permitted.</p>	<p>(8) There shall be no visible leaks, except from the disconnection of bottom loading dry breaks and from raising top loading vapor heads, where a few drops are permitted.</p>	<p>No change.</p>
<p>(9) The vapor collection system shall be designed and operated to prevent gauge pressure in the delivery vessel from exceeding 0.6 pounds per square inch and to prevent vacuum from exceeding -0.2 pounds per square inch gauge.</p>	<p>(9) The vapor collection system shall be designed and operated to prevent gauge pressure in the delivery vessel from exceeding 0.6 pounds per square inch and to prevent vacuum from exceeding -0.2 pounds per square inch gauge.</p>	<p>No change.</p>
<p>(10) The department may require the owner or operator of any vapor collection system subject to the provisions of subrule (6) of this rule to test the system in accordance with R 336.2005. The tests shall be conducted within 60 days following receipt of written notification from the department. Notification of the exact time and location of the test shall be given to the department, in writing, not less than 7 days before the actual test. Documentation of the test that states the date and location of the test, test procedures, the type of equipment used, and the results of the test shall be submitted to the department within 60 days following the last date of the test. If the time or location of the test changes for any reason, then the owner or operator shall notify the department as soon as practical.</p>	<p>(10) The department may require the owner or operator of any vapor collection system subject to the provisions of subrule (6) of this rule to test the system in accordance with R 336.2005. The tests shall be conducted within 60 days following receipt of written notification from the department. Notification of the exact time and location of the test shall be given to the department, in writing, not less than 7 days before the actual test. Documentation of the test that states the date and location of the test, test procedures, the type of equipment used, and the results of the test shall be submitted to the department within 60 days following the last date of the test. If the time or location of the test changes for any reason, then the owner or operator shall notify the department as soon as practical.</p>	<p>No change.</p>
<p>(11) Any delivery vessel or component of a vapor collection system that fails to meet any provision of this rule shall not be operated until the necessary repairs have been made, the vessel or collection system has been retested,</p>	<p>(11) Any delivery vessel or component of a vapor collection system that fails to meet any provision of this rule shall not be operated until the necessary repairs have been made, the vessel or collection system has been retested,</p>	<p>No change.</p>

<p>and the test results have been submitted to the department.</p>	<p>and the test results have been submitted to the department.</p> <p>History: 1981 AACS; 1993 AACS; 2002 AACS; 2006 AACS.</p> <p>Editor's Note: An obvious error in R 336.1627 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in Michigan Register, 2006 MR 4. The memorandum requesting the correction was published in Michigan Register, 2012 MR 3.</p>	
<p>R 336.1628 Emission of volatile organic compounds from components of existing process equipment used in manufacturing synthetic organic chemicals and polymers; monitoring program.</p> <p>Rule 628. (1) A person shall not cause or allow the emission of a volatile organic compound from a component of existing manufacturing process equipment at a synthetic organic chemical and polymer manufacturing plant located in any of the following counties, unless all of the provisions of subrules (2) to (16) of this rule are met or unless an equivalent control method, as approved by the department, including the control method described in 40 C.F.R., subpart VV, §§60.480 to 60.489 (2000), standards of performance for equipment leaks of volatile organic compound in the synthetic organic chemicals manufacturing industry, is implemented:</p>	<p>R 336.1628 Emission of volatile organic compounds from components of existing process equipment used in manufacturing synthetic organic chemicals and polymers; monitoring program.</p> <p>Rule 628. (1) A person shall not cause or allow the emission of a volatile organic compound from a component of existing manufacturing process equipment at a synthetic organic chemical and polymer manufacturing plant located in any of the following counties, unless all of the provisions of subrules (2) to (16) of this rule are met or unless an equivalent control method, as approved by the department, including the control method described in 40 C.F.R., subpart VV, §§60.480 to 60.489 (2000), standards of performance for equipment leaks of volatile organic compound in the synthetic organic chemicals manufacturing industry, is implemented:</p>	<p>No change.</p>

<p>(a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne.</p> <p>The provisions of 40 C.F.R., part 60, subpart VV, §§60.480 to 60.489 (2000), are adopted by reference in these rules and are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7780, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p>	<p>(a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne.</p> <p>The provisions of 40 C.F.R., part 60, subpart VV, §§60.480 to 60.489 (2000), are adopted by reference in these rules and are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p>	
<p>(2) A person shall not operate existing manufacturing process equipment at a synthetic organic chemical and polymer manufacturing plant unless a monitoring program is implemented. The monitoring program shall provide for all of the following:</p> <p>(a) A quarterly inspection of all components in light liquid or gaseous volatile organic compound service that are not designated as difficult-to-monitor components.</p> <p>(b) An annual inspection of all</p>	<p>(2) A person shall not operate existing manufacturing process equipment at a synthetic organic chemical and polymer manufacturing plant unless a monitoring program is implemented. The monitoring program shall provide for all of the following:</p> <p>(a) A quarterly inspection of all components in light liquid or gaseous volatile organic compound service that are not designated as difficult-to-monitor components.</p> <p>(b) An annual inspection of all</p>	<p>No change.</p>

<p>difficult-to-monitor components in light liquid or gaseous volatile organic compound service. Annual inspections shall take place during the period of April 1 through June 30.</p> <p>(c) A weekly visual inspection of all seals of pumps in light liquid service.</p> <p>(d) An immediate inspection of all components from which a liquid, which includes a volatile organic compound, is observed dripping or from which a gaseous volatile organic compound is observed venting to the atmosphere.</p> <p>(e) Within 2 normal business days of its venting to the atmosphere, an inspection of each relief valve from which a volatile organic compound could discharge.</p> <p>(f) An inspection, as soon as is practical, but not later than 5 calendar days, after the repair of a component that was found leaking.</p>	<p>difficult-to-monitor components in light liquid or gaseous volatile organic compound service. Annual inspections shall take place during the period of April 1 through June 30.</p> <p>(c) A weekly visual inspection of all seals of pumps in light liquid service.</p> <p>(d) An immediate inspection of all components from which a liquid, which includes a volatile organic compound, is observed dripping or from which a gaseous volatile organic compound is observed venting to the atmosphere.</p> <p>(e) Within 2 normal business days of its venting to the atmosphere, an inspection of each relief valve from which a volatile organic compound could discharge.</p> <p>(f) An inspection, as soon as is practical, but not later than 5 calendar days, after the repair of a component that was found leaking.</p>	
<p>(3) Except for the visual inspections required by the provisions of subrule (2)(c) of this rule, all inspections shall be performed using equipment and procedures as specified in federal reference test method 21 as described and adopted by reference in R 336.2004. A component is leaking when a concentration of more than 10,000ppm, by volume, as methane or hexane, is measured by method 21.</p>	<p>(3) Except for the visual inspections required by the provisions of subrule (2)(c) of this rule, all inspections shall be performed using equipment and procedures as specified in federal reference test method 21 as described and adopted by reference in R 336.2004. A component is leaking when a concentration of more than 10,000 ppm, by volume, as methane or hexane, is measured by method 21.</p>	<p>No change.</p>
<p>(4) If implementation of the quarterly leak detection program as</p>	<p>(4) If implementation of the quarterly leak detection program as</p>	<p>No change.</p>

<p>specified in subrule (2)(a) of this rule shows that 2% or less of the process valves in a given process unit are leaking for 2 consecutive quarters, then the inspections of process valves in that unit are not required for 1 quarter. If 2% or less of the process valves in a given process unit are leaking for 5 consecutive quarters, then the inspections may be performed annually. If a subsequent inspection shows that more than 2% of the process valves are leaking, then quarterly inspections of valves shall again be required.</p>	<p>specified in subrule (2)(a) of this rule shows that 2% or less of the process valves in a given process unit are leaking for 2 consecutive quarters, then the inspections of process valves in that unit are not required for 1 quarter. If 2% or less of the process valves in a given process unit are leaking for 5 consecutive quarters, then the inspections may be performed annually. If a subsequent inspection shows that more than 2% of the process valves are leaking, then quarterly inspections of valves shall again be required.</p>	
<p>(5) The percentage of valves leaking on a process unit, as referenced in subrule (4) of this rule, shall be determined by dividing the total number of valves found to be leaking on the process unit during the specified monitoring period by the total number of valves on the process unit that are required to be monitored by this rule.</p>	<p>(5) The percentage of valves leaking on a process unit, as referenced in subrule (4) of this rule, shall be determined by dividing the total number of valves found to be leaking on the process unit during the specified monitoring period by the total number of valves on the process unit that are required to be monitored by this rule.</p>	<p>No change.</p>
<p>(6) The provisions of subrule (2) of this rule do not apply to either of the following:</p> <p>(a) A component that is equipped with a closed vent system which is capable of capturing and transporting a leakage from the component to a control device that is designed and operated to reduce the volatile organic compound emissions vented to it by 95% or more.</p> <p>(b) An unsafe-to-monitor component, until conditions would no longer expose monitoring personnel to immediate danger.</p>	<p>(6) The provisions of subrule (2) of this rule do not apply to either of the following:</p> <p>(a) A component that is equipped with a closed vent system which is capable of capturing and transporting a leakage from the component to a control device that is designed and operated to reduce the volatile organic compound emissions vented to it by 95% or more.</p> <p>(b) An unsafe-to-monitor component, until conditions would no longer expose monitoring</p>	<p>No change.</p>

	personnel to immediate danger.	
<p>(7) The provisions of this rule do not apply to any of the following:</p> <p>(a) A component that contains or contacts a gaseous stream with a volatile organic compound concentration of less than 10% by weight. Procedures that conform to the general methods in ASTM standards E260, E168, and E169 shall be used to determine the percentage of volatile organic compound contents in the process fluid that is contained in or contacts a piece of equipment. The provisions of ASTM standards E260, E168, and E169 are adopted by reference in these rules. Copies of the standards may be inspected at the Lansing office of the air quality division of the department of Environmental Quality. Copies of the standards may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, or from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$35.00 each for E260 and E168 and \$30.00 for E169.</p> <p>(b) A component that operates under a vacuum.</p> <p>(c) Components of synthetic organic chemical and polymer manufacturing process units that produce 1,100 tons per calendar year or less of light liquid or gaseous volatile organic compounds.</p>	<p>(7) The provisions of this rule do not apply to any of the following:</p> <p>(a) A component that contains or contacts a gaseous stream with a volatile organic compound concentration of less than 10% by weight. Procedures that conform to the general methods in ASTM standards E260, E168, and E169 shall be used to determine the percentage of volatile organic compound contents in the process fluid that is contained in or contacts a piece of equipment. The provisions of ASTM standards E260, E168, and E169 are adopted by reference in these rules. Copies of the standards may be inspected at the Lansing office of the air quality division of the department of Environmental Quality. Copies of the standards may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, or from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909- 7760, at a cost as of the time of adoption of these rules of \$35.00 each for E260 and E168 and \$30.00 for E169.</p> <p>(b) A component that operates under a vacuum.</p> <p>(c) Components of synthetic organic chemical and polymer manufacturing process units that produce 1,100 tons per calendar year or less of light liquid or gaseous volatile organic compounds.</p>	<p>No change.</p>

<p>(d) A relief valve that has an upstream rupture disc.</p>	<p>(d) A relief valve that has an upstream rupture disc.</p>	
<p>(8) A person shall seal open-ended lines with a second valve, a blind flange, a cap, or a plug, except when the open end is in use, as with relief valves, double block and bleed valves, and composite samplers. In the case of a second valve, the upstream valve shall be closed first after each use.</p>	<p>(8) A person shall seal open-ended lines with a second valve, a blind flange, a cap, or a plug, except when the open end is in use, as with relief valves, double block and bleed valves, and composite samplers. In the case of a second valve, the upstream valve shall be closed first after each use.</p>	<p>No change.</p>
<p>(9) A component that is found to be leaking pursuant to the monitoring program provisions of subrule (2) of this rule or for another reason shall be repaired. Except as provided in subrule (11) of this rule, the leak shall be repaired as soon as possible, but not more than 15 days after the leak is detected. Until such time as the leak is repaired and retested verifying a successful repair, the component that is causing the leak shall bear a weather-resistant, numbered identifying tag that indicates the date the leak was discovered.</p>	<p>(9) A component that is found to be leaking pursuant to the monitoring program provisions of subrule (2) of this rule or for another reason shall be repaired. Except as provided in subrule (11) of this rule, the leak shall be repaired as soon as possible, but not more than 15 days after the leak is detected. Until such time as the leak is repaired and retested verifying a successful repair, the component that is causing the leak shall bear a weather-resistant, numbered identifying tag that indicates the date the leak was discovered.</p>	<p>No change.</p>
<p>(10) A log of all leaks that are detected under subrule (2) of this rule shall be maintained by the person who operates the synthetic organic chemical and polymer manufacturing plant. The log shall list all of the following information:</p> <p>(a) The leaking component and synthetic organic chemical and polymer manufacturing process unit.</p> <p>(b) The number of the identifying tag.</p>	<p>(10) A log of all leaks that are detected under subrule (2) of this rule shall be maintained by the person who operates the synthetic organic chemical and polymer manufacturing plant. The log shall list all of the following information:</p> <p>(a) The leaking component and synthetic organic chemical and polymer manufacturing process unit.</p> <p>(b) The number of the identifying tag.</p>	<p>No change.</p>

<p>(c) The date the leak was discovered.</p> <p>(d) The date the leak was repaired.</p> <p>(e) The date the component was retested after the repair, with an indication of the testing results.</p> <p>(f) The person or persons who performed the inspections.</p>	<p>(c) The date the leak was discovered.</p> <p>(d) The date the leak was repaired.</p> <p>(e) The date the component was retested after the repair, with an indication of the testing results.</p> <p>(f) The person or persons who performed the inspections.</p>	
<p>(11) All of the following provisions apply to delays in the repair of leaking components:</p> <p>(a) If a leak cannot be repaired within 15 calendar days because the leaking component cannot be repaired unless the synthetic organic chemical and polymer manufacturing process unit is shut down, then the person who operates the synthetic organic chemical and polymer manufacturing plant shall maintain a log of the nonrepair and the leak shall be repaired at the next unit turnaround.</p> <p>(b) If a leak cannot be repaired within 15 calendar days due to circumstances beyond the control of the person who operates the synthetic organic chemical and polymer manufacturing plant, then the person shall notify the department of the circumstances causing the delay in repair before the end of the fifteenth day and shall maintain a log of the nonrepair. The leak shall be repaired in an expeditious manner, which shall be within 6 months of the date the leak was detected.</p> <p>(c) The log specified in subdivisions (a) and (b) of this subrule shall list all of the following information:</p>	<p>(11) All of the following provisions apply to delays in the repair of leaking components:</p> <p>(a) If a leak cannot be repaired within 15 calendar days because the leaking component cannot be repaired unless the synthetic organic chemical and polymer manufacturing process unit is shut down, then the person who operates the synthetic organic chemical and polymer manufacturing plant shall maintain a log of the nonrepair and the leak shall be repaired at the next unit turnaround.</p> <p>(b) If a leak cannot be repaired within 15 calendar days due to circumstances beyond the control of the person who operates the synthetic organic chemical and polymer manufacturing plant, then the person shall notify the department of the circumstances causing the delay in repair before the end of the fifteenth day and shall maintain a log of the nonrepair. The leak shall be repaired in an expeditious manner, which shall be within 6 months of the date the leak was detected.</p> <p>(c) The log specified in subdivisions (a) and (b) of this subrule shall list all of the following information:</p>	<p>No change.</p>

<p>(i) The leaking component and synthetic organic chemical and polymer manufacturing process unit.</p> <p>(ii) The date on which the leak was discovered.</p> <p>(iii) The reason why the leak cannot be repaired within 15 days.</p> <p>(iv) The estimated date of repair.</p> <p>(v) The number of the identifying tag.</p>	<p>(i) The leaking component and synthetic organic chemical and polymer manufacturing process unit.</p> <p>(ii) The date on which the leak was discovered.</p> <p>(iii) The reason why the leak cannot be repaired within 15 days.</p> <p>(iv) The estimated date of repair.</p> <p>(v) The number of the identifying tag.</p>	
<p>(12) A log of all unsafe-to-monitor components that are not part of the written program as required by subrule (14) of this rule shall be maintained by the person who operates the synthetic organic chemical and polymer manufacturing plant. This log shall list all of the following information:</p> <p>(a) The unsafe-to-monitor component and synthetic organic chemical and polymer manufacturing process unit.</p> <p>(b) The number of the identifying tag.</p> <p>(c) The reason why the component was unsafe to monitor.</p> <p>(d) The date, or dates, on which the component was unsafe to monitor.</p>	<p>(12) A log of all unsafe-to-monitor components that are not part of the written program as required by subrule (14) of this rule shall be maintained by the person who operates the synthetic organic chemical and polymer manufacturing plant. This log shall list all of the following information:</p> <p>(a) The unsafe-to-monitor component and synthetic organic chemical and polymer manufacturing process unit.</p> <p>(b) The number of the identifying tag.</p> <p>(c) The reason why the component was unsafe to monitor.</p> <p>(d) The date, or dates, on which the component was unsafe to monitor.</p>	No change.
<p>(13) Not later than 25 calendar days after the end of the previous quarter, the person who operates the synthetic organic chemical and polymer manufacturing plant shall submit, to the department, a report that contains all of the following information for that quarter:</p> <p>(a) The total number of components tested, by type.</p> <p>(b) The total number of components</p>	<p>(13) Not later than 25 calendar days after the end of the previous quarter, the person who operates the synthetic organic chemical and polymer manufacturing plant shall submit, to the department, a report that contains all of the following information for that quarter:</p> <p>(a) The total number of components tested, by type.</p> <p>(b) The total number of components</p>	No change.

<p>which are found leaking and which are repaired, by type.</p> <p>(c) The total number of components, by synthetic organic chemical and polymer manufacturing process unit and type, which are found to be leaking and which are not repaired within the required time period and the reason for nonrepair.</p> <p>(d) The type or types of monitoring equipment utilized during the quarter.</p> <p>(e) The total number of unsafe-to-monitor components that are logged as required by the provisions of subrule (12) of this rule. The report required by this subrule shall be made on a form that is provided by the department.</p>	<p>which are found leaking and which are repaired, by type.</p> <p>(c) The total number of components, by synthetic organic chemical and polymer manufacturing process unit and type, which are found to be leaking and which are not repaired within the required time period and the reason for nonrepair.</p> <p>(d) The type or types of monitoring equipment utilized during the quarter.</p> <p>(e) The total number of unsafe-to-monitor components that are logged as required by the provisions of subrule (12) of this rule. The report required by this subrule shall be made on a form that is provided by the department.</p>	
<p>(14) A person who is subject to the provisions of this rule shall comply with both of the following provisions:</p> <p>(a) Develop a written program detailing how the provisions of this rule will be implemented. The program shall include listings, by type and synthetic organic chemical and polymer manufacturing process unit, all of the following:</p> <p>(i) All components that are regularly inspected as required in subrule (2) of this rule.</p> <p>(ii) All components that are equipped with a closed vent system subject to the provisions of subrule (6)(a) of this rule.</p> <p>(iii) All components that are</p>	<p>(14) A person who is subject to the provisions of this rule shall comply with both of the following provisions:</p> <p>(a) Develop a written program detailing how the provisions of this rule will be implemented. The program shall include listings, by type and synthetic organic chemical and polymer manufacturing process unit, of all of the following:</p> <p>(i) All components that are regularly inspected as required in subrule (2) of this rule.</p> <p>(ii) All components that are equipped with a closed vent system subject to the provisions of subrule (6)(a) of this rule.</p> <p>(iii) All components that are</p>	<p>No change.</p>

<p>exempted from the provisions of this rule pursuant to the provisions of subrule (7)(b), (c), and (d) of this rule.</p> <p>(iv) All difficult-to-monitor components in light liquid or gaseous volatile organic compound service.</p> <p>(v) All components which are located outside a building, which can only be monitored by elevating the monitoring personnel more than 6 feet above ground level, and which are unsafe to monitor during the period of November 1 through March 31.</p> <p>(b) Except as noted in subrule (16) of this rule, begin inspections as required in subrule (2) of this rule not later than 6 months after the effective date of this rule.</p>	<p>exempted from the provisions of this rule pursuant to the provisions of subrule (7)(b), (c), and (d) of this rule.</p> <p>(iv) All difficult-to-monitor components in light liquid or gaseous volatile organic compound service.</p> <p>(v) All components which are located outside a building, which can only be monitored by elevating the monitoring personnel more than 6 feet above ground level, and which are unsafe to monitor during the period of November 1 through March 31.</p> <p>(b) Except as noted in subrule (16) of this rule, begin inspections as required in subrule (2) of this rule not later than 6 months after the effective date of this rule.</p>	
<p>(15) The written program required by the provisions of subrule (14) of this rule and the logs required by the provisions of subrules (10), (11), and (12) of this rule shall be made available, to any representative of the department, on Monday through Friday between 9 a.m. and 5 p.m., at the synthetic organic chemical and polymer manufacturing plant. The logs shall be kept for a minimum of 2 years.</p>	<p>(15) The written program required by the provisions of subrule (14) of this rule and the logs required by the provisions of subrules (10), (11), and (12) of this rule shall be made available, to any representative of the department, on Monday through Friday between 9 a.m. and 5 p.m., at the synthetic organic chemical and polymer manufacturing plant. The logs shall be kept for a minimum of 2 years.</p>	<p>No change.</p>
<p>(16) If a synthetic organic chemical and polymer manufacturing process unit that was previously exempt pursuant to the provisions of subrule (7)(c) of this rule produces light liquid or gaseous volatile organic compounds in excess of 1,100 tons</p>	<p>(16) If a synthetic organic chemical and polymer manufacturing process unit that was previously exempt pursuant to the provisions of subrule (7)(c) of this rule produces light liquid or gaseous volatile organic compounds in excess of 1,100 tons</p>	<p>No change.</p>

<p>in a calendar year, then the provisions of this rule shall apply. Inspections shall begin not later than 6 months after the end of that calendar year and be maintained thereafter.</p>	<p>in a calendar year, then the provisions of this rule shall apply. Inspections shall begin not later than 6 months after the end of that calendar year and be maintained thereafter.</p> <p>History: 1989 AACS; 1993 AACS; 1997 AACS; 2002 AACS.</p>	
<p>R 336.1629 Emission of volatile organic compounds from components of existing process equipment used in processing natural gas; monitoring program.</p> <p>Rule 629. (1) A person shall not cause or allow the emission of a volatile organic compound from a component of existing process equipment at a natural gas processing plant located in any of the following counties, unless all of the provisions of subrules (2) to (16) of this rule are met or unless an equivalent control method, as approved by the department, is implemented:</p> <ul style="list-style-type: none"> (a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne. 	<p>R 336.1629 Emission of volatile organic compounds from components of existing process equipment used in processing natural gas; monitoring program.</p> <p>Rule 629. (1) A person shall not cause or allow the emission of a volatile organic compound from a component of existing process equipment at a natural gas processing plant located in any of the following counties, unless all of the provisions of subrules (2) to (16) of this rule are met or unless an equivalent control method, as approved by the department, is implemented:</p> <ul style="list-style-type: none"> (a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne. 	<p>No change.</p>
<p>(2) A person shall not operate existing process equipment at a natural gas processing plant unless a monitoring program is implemented. The monitoring program shall</p>	<p>(2) A person shall not operate existing process equipment at a natural gas processing plant unless a monitoring program is implemented. The monitoring program shall</p>	<p>No change.</p>

<p>provide for all of the following:</p> <p>(a) A quarterly inspection of all components in gaseous or liquid volatile organic compound service that are not designated as difficult-to-monitor components.</p> <p>(b) An annual inspection of all difficult-to-monitor components in gaseous or liquid volatile organic compound service. Annual inspections shall take place during the period of April 1 through June 30.</p> <p>(c) A weekly visual inspection of all pump seals from which volatile organic compounds could leak.</p> <p>(d) An immediate inspection of all components from which a liquid, which includes a volatile organic compound, is observed dripping or from which a gaseous volatile organic compound is observed venting to the atmosphere.</p> <p>(e) Within 2 normal business days of its venting to the atmosphere, an inspection of each relief valve from which a volatile organic compound could discharge.</p> <p>(f) An inspection, as soon as is practical but not later than 5 calendar days after the repair, of a component that was found leaking.</p>	<p>provide for all of the following:</p> <p>(a) A quarterly inspection of all components in gaseous or liquid volatile organic compound service that are not designated as difficult-to-monitor components.</p> <p>(b) An annual inspection of all difficult-to-monitor components in gaseous or liquid volatile organic compound service. Annual inspections shall take place during the period of April 1 through June 30.</p> <p>(c) A weekly visual inspection of all pump seals from which volatile organic compounds could leak.</p> <p>(d) An immediate inspection of all components from which a liquid, which includes a volatile organic compound, is observed dripping or from which a gaseous volatile organic compound is observed venting to the atmosphere.</p> <p>(e) Within 2 normal business days of its venting to the atmosphere, an inspection of each relief valve from which a volatile organic compound could discharge.</p> <p>(f) An inspection, as soon as is practical but not later than 5 calendar days after the repair, of a component that was found leaking.</p>	
<p>(3) Except for the visual inspections required by the provisions of subrule (2)(c) of this rule, all inspections shall be performed using equipment and procedures as specified in federal reference test method 21 as described and adopted by reference</p>	<p>(3) Except for the visual inspections required by the provisions of subrule (2)(c) of this rule, all inspections shall be performed using equipment and procedures as specified in federal reference test method 21 as described and adopted by reference</p>	<p>No change.</p>

<p>in R 336.2004. A component is leaking when a concentration of more than 10,000 ppm, by volume, as methane or hexane, is measured by method 21.</p>	<p>in R 336.2004. A component is leaking when a concentration of more than 10,000 ppm, by volume, as methane or hexane, is measured by method 21.</p>	
<p>(4) If implementation of the quarterly leak detection program as specified in subrule (2)(a) of this rule shows that 2% or less of the process valves in a given process unit are leaking for 2 consecutive quarters, then the inspections on process valves in that process unit are not required for 1 quarter. If 2% or less of the process valves in a given process unit are leaking for 5 consecutive quarters, then the inspection may be performed annually. If a subsequent inspection shows that more than 2% of the process valves are leaking, then quarterly inspections of valves shall be again be required.</p>	<p>(4) If implementation of the quarterly leak detection program as specified in subrule (2)(a) of this rule shows that 2% or less of the process valves in a given process unit are leaking for 2 consecutive quarters, then the inspections on process valves in that process unit are not required for 1 quarter. If 2% or less of the process valves in a given process unit are leaking for 5 consecutive quarters, then the inspection may be performed annually. If a subsequent inspection shows that more than 2% of the process valves are leaking, then quarterly inspections of valves shall again be required.</p>	<p>No change.</p>
<p>(5) The percentage of valves leaking on a process unit, as referenced in subrule (4) of this rule, shall be determined by dividing the total number of valves that are found to be leaking on the process unit during the specified monitoring period by the total number of valves on the process unit that are required to be monitored by this rule.</p>	<p>(5) The percentage of valves leaking on a process unit, as referenced in subrule (4) of this rule, shall be determined by dividing the total number of valves that are found to be leaking on the process unit during the specified monitoring period by the total number of valves on the process unit that are required to be monitored by this rule.</p>	<p>No change.</p>
<p>(6) A relief valve that is located in a nonfractionating plant that is inspected only by nonplant personnel may be inspected after a pressure release the next time that the inspecting personnel are at the plant, instead of within 5 days as specified in subrule (2)(e) of this</p>	<p>(6) A relief valve that is located in a nonfractionating plant that is inspected only by nonplant personnel may be inspected after a pressure release the next time that the inspecting personnel are at the plant, instead of within 5 days as specified in subrule (2)(e) of this</p>	<p>No change.</p>

<p>rule. A relief valve shall not be allowed to operate for more than 30 days after a pressure release without an inspection.</p>	<p>rule. A relief valve shall not be allowed to operate for more than 30 days after a pressure release without an inspection.</p>	
<p>(7) The provisions of subrule (2) of this rule do not apply to any of the following:</p> <p>(a) A component that is equipped with a closed vent system which is capable of capturing and transporting a leakage from the component to a control device that is designed and operated to reduce the volatile organic compound emissions vented to it by 95% or more.</p> <p>(b) A pump which is equipped with a dual seal system that includes a barrier fluid and which is equipped with a sensor that will detect a failure of the seal system.</p> <p>(c) An unsafe-to-monitor component, until conditions do not expose monitoring personnel to immediate danger.</p>	<p>(7) The provisions of subrule (2) of this rule do not apply to any of the following:</p> <p>(a) A component that is equipped with a closed vent system which is capable of capturing and transporting a leakage from the component to a control device that is designed and operated to reduce the volatile organic compound emissions vented to it by 95% or more.</p> <p>(b) A pump which is equipped with a dual seal system that includes a barrier fluid and which is equipped with a sensor that will detect a failure of the seal system.</p> <p>(c) An unsafe-to-monitor component, until conditions do not expose monitoring personnel to immediate danger.</p>	<p>No change.</p>
<p>(8) The provisions of this rule do not apply to any of the following:</p> <p>(a) A component, except any in field gas service, that contains or contacts a process stream that has a volatile organic compound concentration of less than 1.0% by weight. A component in field gas service is excluded from the provisions of this subrule. Procedures that conform to the general methods in ASTM standards E260, E168, and E169 shall be used to determine the percentage of volatile organic</p>	<p>(8) The provisions of this rule do not apply to any of the following:</p> <p>(a) A component, except any in field gas service, that contains or contacts a process stream that has a volatile organic compound concentration of less than 1.0% by weight. A component in field gas service is excluded from the provisions of this subrule. Procedures that conform to the general methods in ASTM standards E260, E168, and E169 shall be used to determine the percentage of volatile organic</p>	<p>No change.</p>

<p>compound contents in the process fluid that is contained in or contacts a piece of equipment. ASTM standards E260, E168, and E169 are adopted by reference in R 336.1628.</p> <p>(b) A component that operates under a vacuum.</p> <p>(c) A component in heavy liquid service.</p> <p>(d) A reciprocating compressor in field gas service.</p> <p>(e) A natural gas processing plant which has a capacity of less than 10,000,000 cubic feet per day and which does not fractionate natural gas liquids.</p> <p>(f) A relief valve that has an upstream rupture disc.</p>	<p>compound contents in the process fluid that is contained in or contacts a piece of equipment. ASTM standards E260, E168, and E169 are adopted by reference in R 336.1628.</p> <p>(b) A component that operates under a vacuum.</p> <p>(c) A component in heavy liquid service.</p> <p>(d) A reciprocating compressor in field gas service.</p> <p>(e) A natural gas processing plant which has a capacity of less than 10,000,000 cubic feet per day and which does not fractionate natural gas liquids.</p> <p>(f) A relief valve that has an upstream rupture disc.</p>	
<p>(9) A person shall seal open-ended lines with a second valve, a blind flange, a cap, or a plug, except when the open is in use, as with relief valves and double block and bleed valves. In the case of a second valve, the upstream valve shall be closed first after each use.</p>	<p>(9) A person shall seal open-ended lines with a second valve, a blind flange, a cap, or a plug, except when the open end is in use, as with relief valves and double block and bleed valves. In the case of a second valve, the upstream valve shall be closed first after each use.</p>	<p>No change.</p>
<p>(10) A component that is found to be leaking pursuant to the monitoring program provisions of subrule (2) of this rule or for another reason shall be repaired. Except as provided in subrule (12) of this rule, the leak shall be repaired as soon as possible, but not more than 15 days after the leak is detected. Until such time as the leak is repaired and retested verifying a successful repair, the component that is causing the leak</p>	<p>(10) A component that is found to be leaking pursuant to the monitoring program provisions of subrule (2) of this rule or for another reason shall be repaired. Except as provided in subrule (12) of this rule, the leak shall be repaired as soon as possible, but not more than 15 days after the leak is detected. Until such time as the leak is repaired and retested verifying a successful repair, the component that is causing</p>	<p>No change.</p>

<p>shall bear a weather-resistant, numbered identifying tag that indicates the date the leak was discovered.</p>	<p>the leak shall bear a weather-resistant, numbered identifying tag that indicates the date the leak was discovered.</p>	
<p>(11) A log of all leaks that are detected pursuant to the provisions of this rule shall be maintained by the person who operates the natural gas processing plant. The log shall list all of the following information:</p> <p>(a) The leaking component and natural gas process unit. (b) The number of the identifying tag. (c) The date the leak was discovered. (d) The date the leak was repaired. (e) The date the component was retested after the repair, with an indication of the testing results. (f) The person or persons who performed the inspections.</p>	<p>(11) A log of all leaks that are detected pursuant to the provisions of this rule shall be maintained by the person who operates the natural gas processing plant. The log shall list all of the following information:</p> <p>(a) The leaking component and natural gas process unit. (b) The number of the identifying tag. (c) The date the leak was discovered. (d) The date the leak was repaired. (e) The date the component was retested after the repair, with an indication of the testing results. (f) The person or persons who performed the inspections.</p>	<p>No change.</p>
<p>(12) All of the following provisions apply to delays in the repair of leaking components:</p> <p>(a) If a leak cannot be repaired within 15 calendar days because the leaking component cannot be repaired unless the natural gas process unit is shut down, then the person who operates the natural gas processing plant shall maintain a log of the nonrepair and the leak shall be repaired at the next unit turnaround.</p> <p>(b) If a leak cannot be repaired within 15 calendar days due to circumstances beyond the control of the person who operates the natural gas processing plant, then the person shall notify the department of the</p>	<p>(12) All of the following provisions apply to delays in the repair of leaking components:</p> <p>(a) If a leak cannot be repaired within 15 calendar days because the leaking component cannot be repaired unless the natural gas process unit is shut down, then the person who operates the natural gas processing plant shall maintain a log of the nonrepair and the leak shall be repaired at the next unit turnaround.</p> <p>(b) If a leak cannot be repaired within 15 calendar days due to circumstances beyond the control of the person who operates the natural gas processing plant, then the person</p>	<p>No change.</p>

<p>circumstances causing the delay in repair before the end of the fifteenth day and shall maintain a log of the nonrepair. The leak shall be repaired in an expeditious manner, which shall not be more than 6 months from the date the leak was detected.</p> <p>(c) The log specified in subdivisions (a) and (b) of this subrule shall list all of the following information:</p> <p>(i) The leaking component and natural gas process unit.</p> <p>(ii) The date on which the leak was discovered.</p> <p>(iii) The reason why the leak cannot be repaired within 15 days.</p> <p>(iv) The estimated date of repair.</p> <p>(v) The number of the identifying tag.</p>	<p>shall notify the department of the circumstances causing the delay in repair before the end of the fifteenth day and shall maintain a log of the nonrepair. The leak shall be repaired in an expeditious manner, which shall not be more than 6 months from the date the leak was detected.</p> <p>(c) The log specified in subdivisions (a) and (b) of this subrule shall list all of the following information:</p> <p>(i) The leaking component and natural gas process unit.</p> <p>(ii) The date on which the leak was discovered.</p> <p>(iii) The reason why the leak cannot be repaired within 15 days.</p> <p>(iv) The estimated date of repair.</p> <p>(v) The number of the identifying tag.</p>	
<p>(13) A log of all unsafe-to-monitor components that are not part of the written program as required by the provisions of subrule (15) of this rule shall be maintained by the person who operates the natural gas processing plant. The log shall list all of the following information:</p> <p>(a) The unsafe-to-monitor component and natural gas process unit.</p> <p>(b) The number of the identifying tag.</p> <p>(c) The reason why the component was unsafe to monitor.</p> <p>(d) The date, or dates, on which the component was unsafe to monitor.</p>	<p>(13) A log of all unsafe-to-monitor components that are not part of the written program as required by the provisions of subrule (15) of this rule shall be maintained by the person who operates the natural gas processing plant. The log shall list all of the following information:</p> <p>(a) The unsafe-to-monitor component and natural gas process unit.</p> <p>(b) The number of the identifying tag.</p> <p>(c) The reason why the component was unsafe to monitor.</p> <p>(d) The date, or dates, on which the component was unsafe to monitor.</p>	<p>No change.</p>
<p>(14) Not later than 25 calendar days after the end of the previous quarter, the person who operates the natural gas processing plant shall submit, to</p>	<p>(14) Not later than 25 calendar days after the end of the previous quarter, the person who operates the natural gas processing plant shall submit, to</p>	<p>No change.</p>

<p>the department, a report that contains all of the following information for that quarter:</p> <p>(a) The total number of components tested, by type.</p> <p>(b) The total number of components which are found leaking and which are repaired by type.</p> <p>(c) The total number of components, by natural gas process unit and type, which are found to be leaking and which are not repaired within the required time period and the reason for nonrepair.</p> <p>(d) The type of types of monitoring equipment utilized during the quarter.</p> <p>(e) The total number of unsafe-to-monitor components that are logged as required by the provisions of subrule (13) of this rule.</p> <p>The report required by this subrule shall be made on a form that is provided by the department.</p>	<p>the department, a report that contains all of the following information for that quarter:</p> <p>(a) The total number of components tested, by type.</p> <p>(b) The total number of components which are found leaking and which are repaired, by type.</p> <p>(c) The total number of components, by natural gas process unit and type, which are found to be leaking and which are not repaired within the required time period and the reason for nonrepair.</p> <p>(d) The type or types of monitoring equipment utilized during the quarter.</p> <p>(e) The total number of unsafe-to-monitor components that are logged as required by the provisions of subrule (13) of this rule. The report required by this subrule shall be made on a form that is provided by the department.</p>	
<p>(15) A person who is subject to the provisions of this rule shall comply with both of the following provisions:</p> <p>(a) Develop a written program detailing how the provisions of this rule will be implemented. The program shall include listings, by type and natural gas process unit, of all of the following:</p> <p>(i) All components that are regularly inspected as required in subrule (2) of this rule.</p> <p>(ii) All components that are subject to the provisions of subrule (7)(a) and (b) of this rule.</p>	<p>(15) A person who is subject to the provisions of this rule shall comply with both of the following provisions:</p> <p>(a) Develop a written program detailing how the provisions of this rule will be implemented. The program shall include listings, by type and natural gas process unit, of all of the following:</p> <p>(i) All components that are regularly inspected as required in subrule (2) of this rule.</p> <p>(ii) All components that are subject to the provisions of subrule (7)(a) and (b) of this rule.</p>	

<p>(iii) All components that are exempted from the provisions of this rule pursuant to the provisions of subrule (8) of this rule.</p> <p>(iv) All difficult-to-monitor components in gaseous or liquid volatile organic compound service.</p> <p>(v) All components which are located outside a building, which can only be monitored by elevating the monitoring personnel more than 6 feet above ground level, and which are unsafe to monitor during the period of November 1 through March 31.</p> <p>(b) Begin inspections, as required in subrule (2) of this rule, not later than 6 months after the effective date of this rule.</p>	<p>(iii) All components that are exempted from the provisions of this rule pursuant to the provisions of subrule (8) of this rule.</p> <p>(iv) All difficult-to-monitor components in gaseous or liquid volatile organic compound service.</p> <p>(v) All components which are located outside a building, which can only be monitored by elevating the monitoring personnel more than 6 feet above ground level, and which are unsafe to monitor during the period of November 1 through March 31.</p> <p>(b) Begin inspections, as required in subrule (2) of this rule, not later than 6 months after the effective date of this rule.</p>	
<p>(16) The written program required by the provisions of subrule (15) of this rule and the logs required by the provisions of subrules (11), (12), and (13) of this rule shall be made available, to any representative of the department, on Monday through Friday between 9 a.m. and 5 p.m., at the natural gas processing plant. The logs shall be kept for a minimum of 2 years.</p>	<p>(16) The written program required by the provisions of subrule (15) of this rule and the logs required by the provisions of subrules (11), (12), and (13) of this rule shall be made available, to any representative of the department, on Monday through Friday between 9 a.m. and 5 p.m., at the natural gas processing plant. The logs shall be kept for a minimum of 2 years.</p> <p>History: 1989 AACS; 1993 AACS; 2002 AACS.</p>	<p>No change.</p>
<p>R 336.1630 Emission of volatile organic compounds from existing paint manufacturing processes.</p> <p>Rule 630. (1) After April 19, 1990, a person shall not cause or allow the emission</p>	<p>R 336.1630 Emission of volatile organic compounds from existing paint manufacturing processes.</p> <p>Rule 630. (1) After April 19, 1990, a person shall not cause or allow the emission</p>	<p>No change.</p>

<p>of a volatile organic compound from existing equipment utilized in paint. Manufacturing located in any of the following counties, unless all of the provisions of subrules (2) to (4) of this rule are met or unless an equivalent control method, as approved by the department, is impended:</p> <ul style="list-style-type: none"> (a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne. 	<p>of a volatile organic compound from existing equipment utilized in paint manufacturing located in any of the following counties, unless all of the provisions of subrules (2) to (4) of this rule are met or unless an equivalent control method, as approved by the department, is implemented:</p> <ul style="list-style-type: none"> (a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne. 	
<p>(2) All stationary and portable mixing tanks and high speed dispersion mills shall be equipped with covers that completely cover the tank or mill opening, except for an opening which is no larger than necessary to allow for safe clearance for the mixer shaft. The tank opening shall be covered at all times, except when operator access is necessary.</p>	<p>(2) All stationary and portable mixing tanks and high speed dispersion mills shall be equipped with covers that completely cover the tank or mill opening, except for an opening which is no larger than necessary to allow for safe clearance for the mixer shaft. The tank opening shall be covered at all times, except when operator access is necessary.</p>	<p>No change.</p>
<p>(3) The cleaning of paint manufacturing equipment and paint shipping containers shall be done by methods and materials that minimize the emission of volatile organic compounds. These methods and materials shall include 1 of the following:</p> <ul style="list-style-type: none"> (a) Hot alkali or detergent cleaning. (b) High-pressure water cleaning. (c) Cleaning by use of an organic 	<p>(3) The cleaning of paint manufacturing equipment and paint shipping containers shall be done by methods and materials that minimize the emission of volatile organic compounds. These methods and materials shall include 1 of the following:</p> <ul style="list-style-type: none"> (a) Hot alkali or detergent cleaning. (b) High-pressure water cleaning. (c) Cleaning by use of an organic 	<p>No change.</p>

<p>solvent if the equipment being cleaned is completely covered or enclosed, except for an opening that is no larger than necessary to allow for safe clearance considering the method and materials being used.</p>	<p>solvent if the equipment being cleaned is completely covered or enclosed, except for an opening that is no larger than necessary to allow for safe clearance considering the method and materials being used.</p>	
<p>(4) Wash solvent shall be stored only in closed containers.</p>	<p>(4) Wash solvent shall be stored only in closed containers.</p>	<p>No change.</p>
<p>(5) The provisions of this rule do not apply to tanks or equipment which, pursuant to the provisions of this subrule that were in effect on April 19, 1989, was exempt from the provisions of this rule that were in effect on April 19, 1989, but which are now subject to the provisions of this rule, until 1 year after the effective date of this rule.</p>	<p>(5) The provisions of this rule do not apply to tanks or equipment which, pursuant to the provisions of this subrule that were in effect on April 19, 1989, was exempt from the provisions of this rule that were in effect on April 19, 1989, but which are now subject to the provisions of this rule, until 1 year after the effective date of this rule.</p> <p>History: 1989 AACS; 1993 AACS; 2002 AACS.</p>	<p>No change.</p>
<p>R 336.1631 Emission of volatile organic compounds from existing process equipment utilized in manufacture of polystyrene or other organic resins.</p> <p>Rule 631. 1) After December 31, 1989, a person shall not cause or allow the emission of volatile organic compounds from existing process equipment that is utilized in the manufacturing of polystyrene or other organic resins located in any of the following counties, unless all of the provisions of subrules (2) to (10) of this rule are met or unless an equivalent control method, as approved by the department, is implemented:</p> <p>(a) Kent. (b) Livingston.</p>	<p>R 336.1631 Emission of volatile organic compounds from existing process equipment utilized in manufacture of polystyrene or other organic resins.</p> <p>Rule 631. (1) After December 31, 1989, a person shall not cause or allow the emission of volatile organic compounds from existing process equipment that is utilized in the manufacturing of polystyrene or other organic resins located in any of the following counties, unless all of the provisions of subrules (2) to (10) of this rule are met or unless an equivalent control method, as approved by the department, is implemented:</p> <p>(a) Kent. (b) Livingston.</p>	<p>No change.</p>

<p>(c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne.</p>	<p>(c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne.</p>	
<p>(2) The emission of volatile organic compounds from existing material recovery equipment that is utilized in the manufacture of polystyrene resin by a continuous process shall not be more than 0.12 pounds per 1,000 pounds of polystyrene resin produced.</p>	<p>(2) The emission of volatile organic compounds from existing material recovery equipment that is utilized in the manufacture of polystyrene resin by a continuous process shall not be more than 0.12 pounds per 1,000 pounds of polystyrene resin produced.</p>	<p>No change.</p>
<p>(3) A person shall not operate an existing reactor, thinning tank, or blending tank that is utilized in the manufacture of a completed organic resin unless either of the following provisions is complied with:</p> <p>(a) All volatile organic compounds emitted from existing reactors, thinning tanks, and blending tanks shall be vented to control equipment that is designed and operated to reduce the quantity of volatile organic compounds by not less than 95 weight percent. Reflux condensers that are essential to the operation of the resin reactor are not considered to be control equipment.</p> <p>(b) The total volatile organic compound emitted to the atmosphere from the reactors, thinning tanks, and blending tanks do not exceed 0.5 pounds per 1,000 pounds of completed organic resin produced.</p>	<p>(3) A person shall not operate an existing reactor, thinning tank, or blending tank that is utilized in the manufacture of a completed organic resin unless either of the following provisions is complied with:</p> <p>(a) All volatile organic compounds emitted from existing reactors, thinning tanks, and blending tanks shall be vented to control equipment that is designed and operated to reduce the quantity of volatile organic compounds by not less than 95 weight percent. Reflux condensers that are essential to the operation of the resin reactor are not considered to be control equipment.</p> <p>(b) The total volatile organic compounds emitted to the atmosphere from the reactors, thinning tanks, and blending tanks do not exceed 0.5 pounds per 1,000 pounds of completed organic resin produced.</p>	<p>No change.</p>

<p>(4) Notwithstanding the provisions of subrule (3) of this rule, a person shall not operate an existing reactor, thinning tank, or blending tank utilized in the manufacture of a dry organic resin at the Solutia, inc. of Trenton unless either of the following provisions is complied with:</p> <p>(a) All volatile organic compounds emitted from existing reactors, thinning tanks, and blending tanks shall be vented to control equipment that is designed and operated to reduce the quantity of volatile organic compounds by not less than 95 weight percent. Reflux condensers that are essential to the operation of the resin reactor are not considered to be control equipment.</p> <p>(b) The total volatile organic compounds emitted to the atmosphere from the reactors, thinning tanks, and blending tanks do not exceed 2.6 pounds per 1,000 pounds of dry organic resin produced.</p>	<p>(4) Notwithstanding the provisions of subrule (3) of this rule, a person shall not operate an existing reactor, thinning tank, or blending tank utilized in the manufacture of a dry organic resin at the Solutia, inc. of Trenton unless either of the following provisions is complied with:</p> <p>(a) All volatile organic compounds emitted from existing reactors, thinning tanks, and blending tanks shall be vented to control equipment that is designed and operated to reduce the quantity of volatile organic compounds by not less than 95 weight percent. Reflux condensers that are essential to the operation of the resin reactor are not considered to be control equipment.</p> <p>(b) The total volatile organic compounds emitted to the atmosphere from the reactors, thinning tanks, and blending tanks do not exceed 2.6 pounds per 1,000 pounds of dry organic resin produced.</p>	<p>No change.</p>
<p>(5) Compliance with the emission limits specified in subrules (2), (3), and (4) of this rule shall be determined using the method described in R 336.2060 or an alternate method acceptable to the department. Upon request by the department, a person who is responsible for processes that are subject to the provisions of subrule (2), (3), or (4) of this rule shall submit, to the department, test data necessary for a determination of compliance.</p>	<p>(5) Compliance with the emission limits specified in subrules (2), (3), and (4) of this rule shall be determined using the method described in R 336.2060 or an alternate method acceptable to the department. Upon request by the department, a person who is responsible for processes that are subject to the provisions of subrule (2), (3), or (4) of this rule shall submit, to the department, test data necessary for a determination of compliance.</p>	<p>No change.</p>

<p>(6) Not later than 3 months after the effective date of this rule and thereafter, a person who is responsible for processes that are subject to the provisions of subrule (2), (3), or (4) of this rule shall obtain current information and keep records necessary for a determination of compliance with the provisions of this rule. This information may include any of the following information:</p> <p>(a) Emissions test data. (b) Material balance calculations. (c) Process production rates. (d) Control equipment specifications and operating parameters.</p>	<p>(6) Not later than 3 months after the effective date of this rule and thereafter, a person who is responsible for processes that are subject to the provisions of subrule (2), (3), or (4) of this rule shall obtain current information and keep records necessary for a determination of compliance with the provisions of this rule. This information may include any of the following information:</p> <p>(a) Emissions test data. (b) Material balance calculations. (c) Process production rates. (d) Control equipment specifications and operating parameters.</p>	No change.
<p>(7) A person who is responsible for the operation of existing process equipment that is subject to the provisions of this rule shall submit, to the department, a written program for compliance with this rule or evidence of compliance with this rule. The written program for compliance shall be submitted to the department before October 19, 1989.</p>	<p>(7) A person who is responsible for the operation of existing process equipment that is subject to the provisions of this rule shall submit, to the department, a written program for compliance with this rule or evidence of compliance with this rule. The written program for compliance shall be submitted to the department before October 19, 1989.</p>	No change.
<p>(8) The program required by subrule (7) of this rule shall include the method by which compliance with this rule shall be achieved, a description of new equipment to be installed or modifications to existing equipment to be made, and a timetable that specifies, at a minimum, all of the following dates:</p> <p>(a) The date or dates equipment shall be ordered.</p>	<p>(8) The program required by subrule (7) of this rule shall include the method by which compliance with this rule shall be achieved, a description of new equipment to be installed or modifications to existing equipment to be made, and a timetable that specifies, at a minimum, all of the following dates:</p> <p>(a) The date or dates equipment shall be ordered.</p>	No change.

<p>(b) The date or dates construction, modification, or process changes shall begin.</p> <p>(c) The date or dates initial start-up of equipment shall begin.</p> <p>(d) The date or dates final compliance shall be achieved.</p>	<p>(b) The date or dates construction, modification, or process changes shall begin.</p> <p>(c) The date or dates initial start-up of equipment shall begin.</p> <p>(d) The date or dates final compliance shall be achieved.</p>	
<p>(9) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with, or is required by, and of the following:</p> <p>(a) Any other provisions of these rules.</p> <p>(b) A permit to install.</p> <p>(c) A permit to operate.</p> <p>(d) A voluntary agreement.</p> <p>(e) A performance contract.</p> <p>(f) A stipulation.</p> <p>(g) An order of the department.</p>	<p>(9) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with, or is required by, any of the following:</p> <p>(a) Any other provisions of these rules.</p> <p>(b) A permit to install.</p> <p>(c) A permit to operate.</p> <p>(d) A voluntary agreement.</p> <p>(e) A performance contract.</p> <p>(f) A stipulation.</p> <p>(g) An order of the department.</p>	<p>No change.</p>
<p>(10) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (9) of this rule, then both of the following provisions shall apply during this time period:</p> <p>(a) All other provisions of this rule, except for the emission limits, shall remain in effect.</p> <p>(b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p>	<p>(10) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (9) of this rule, then both of the following provisions shall apply during this time period:</p> <p>(a) All other provisions of this rule, except for the emission limits, shall remain in effect.</p> <p>(b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p> <p>History: 1989 AACS; 1993 AACS;</p>	<p>No change.</p>

	2002 AACS.	
<p>R 336.1632 Emission of volatile organic compounds from existing automobile, truck, and business machine-plastic part coating lines.</p> <p>Rule 632. (1) A person shall not cause or allow the emission of volatile organic compounds from an automobile, truck, or business machine plastic part coating line in any of the following counties unless all of the provisions of subrules (2) to (21) of this rule are met:</p> <p>(a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne.</p>	<p>R 336.1632 Emission of volatile organic compounds from existing automobile, truck, and business machine plastic part coating lines.</p> <p>Rule 632. (1) A person shall not cause or allow the emission of volatile organic compounds from an automobile, truck, or business machine plastic part coating line in any of the following counties unless all of the provisions of subrules (2) to (21) of this rule are met:</p> <p>(a) Kent. (b) Livingston. (c) Macomb. (d) Monroe. (e) Muskegon. (f) Oakland. (g) Ottawa. (h) St. Clair. (i) Washtenaw. (j) Wayne.</p>	No change.
<p>(2) After December 31, 1989, and until December 31, 1992, a person shall not cause or allow the emission of volatile organic compounds from the coating of plastic parts of automobiles and trucks from existing coating line in excess of the applicable emission rates as specified in table 65.</p>	<p>(2) After December 31, 1989, and until December 31, 1992, a person shall not cause or allow the emission of volatile organic compounds from the coating of plastic parts of automobiles and trucks from any existing coating line in excess of the applicable emission rates as specified in table 65.</p>	No change.
<p>(3) After December 31, 1992, both of the following provisions shall be met:</p> <p>(a) A person shall not cause or allow the emission of volatile organic</p>	<p>(3) After December 31, 1992, both of the following provisions shall be met:</p> <p>(a) A person shall not cause or allow the emission of volatile organic</p>	No change.

<p>compounds from the coating of plastic parts of automobiles and trucks from any existing coating line in excess of the applicable emission rates as specified in table 66.</p> <p>(b) Except as provided for in subrule (16) of this rule, any coating that is subject to an emission rate specified in table 66 shall not be applied with conventional air-atomizing spray equipment. All spray equipment shall be installed, maintained, and operated in accordance with the recommendations and design of the equipment manufacturer.</p>	<p>compounds from the coating of plastic parts of automobiles and trucks from any existing coating line in excess of the applicable emission rates as specified in table 66.</p> <p>(b) Except as provided for in subrule (16) of this rule, any coating that is subject to an emission rate specified in table 66 shall not be applied with conventional air-atomizing spray equipment. All spray equipment shall be installed, maintained, and operated in accordance with the recommendations and design of the equipment manufacturer.</p>	
<p>(4) After December 31, 1991, both of the following provisions shall be met:</p> <p>(a) A person shall not cause or allow the emission of volatile organic compounds from coating of plastic parts of business machines from any existing coating line in excess of the applicable emission rates as specified in table 67.</p> <p>(b) Except as provided for in subrule (16) of this rule, any prime or topcoat coating that is subject to the emission rate specified in table 67 shall not be applied with air-atomizing spray equipment. All spray equipment shall be installed, maintained, and operated in accordance with the recommendations and designed of the equipment manufacturer.</p>	<p>(4) After December 31, 1991, both of the following provisions shall be met:</p> <p>(a) A person shall not cause or allow the emission of volatile organic compounds from the coating of plastic parts of business machines from any existing coating line in excess of the applicable emission rates as specified in table 67.</p> <p>(b) Except as provided for in subrule (16) of this rule, any prime or topcoat coating that is subject to the emission rate specified in table 67 shall not be applied with air atomizing spray equipment. All spray equipment shall be installed, maintained, and operated in accordance with the recommendations and design of the equipment manufacturer.</p>	<p>No change.</p>
<p>(5) If a part consists of both plastic and metal surfaces and is exempted from the provisions of R 336.1621 based on the provisions of R</p>	<p>(5) If a part consists of both plastic and metal surfaces and is exempted from the provisions of R 336.1621 based on the provisions of R</p>	<p>No change.</p>

336.1621(9)(e), the part shall be subject to this rule.	336.1621(9)(e), the part shall be subject to this rule.	
(6) If a coating line is subject to the provisions of R 336.1610 or R 336.1621, the coating line shall be exempt from this rule.	(6) If a coating line is subject to the provisions of R 336.1610 or R 336.1621, the coating line shall be exempt from this rule.	No change.
(7) A person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information and maintain daily records necessary for a determination of compliance with the provisions of this rule, as required in R 336.2041.	(7) A person who is responsible for the operation of a coating line that is subject to this rule shall obtain current information and maintain daily records necessary for a determination of compliance with the provisions of this rule, as required in R 336.2041.	No change.
<p>(8) For each coating line, compliance with the emission limits specified in this rule shall be based upon all of the following:</p> <p>(a) The volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The commission may specifically authorize compliance to be based upon a longer averaging period, which shall not be more than 1 calendar month.</p> <p>(b) If coatings belonging to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determined separately for each coating category.</p> <p>(c) The information and records as required by subrule (7) of this rule.</p>	<p>(8) For each coating line, compliance with the emission limits specified in this rule shall be based upon all of the following:</p> <p>(a) The volume-weighted average of all coatings which belong to the same coating category and which are used during each calendar day averaging period. The commission may specifically authorize compliance to be based upon a longer averaging period, which shall not be more than 1 calendar month.</p> <p>(b) If coatings belonging to more than 1 coating category are used on the same coating line during the specified averaging period, then compliance shall be determined separately for each coating category.</p> <p>(c) The information and records as required by subrule (7) of this rule.</p>	
(9) Compliance with the emission	(9) Compliance with the emission	No change.

<p>limits specified in this rule shall be determined using the applicable method described in the following subdivisions:</p> <p>(a) For the emission limits specified in subrules (2) to (4) of this rule, the method described in either R 336.2040(12)(a) if the coating line does not have an add-on emissions control device or R 336.2040(12)(b) if the coating line has 1 or more add-on emissions control devices.</p> <p>(b) For the emission limits established pursuant to the provisions of subrule (13) or (14) of this rule, the method described in R 336.2040(12) that is applicable to the form of these established emission limits.</p>	<p>limits specified in this rule shall be determined using the applicable method described in the following subdivisions:</p> <p>(a) For the emission limits specified in subrules (2) to (4) of this rule, the method described in either R 336.2040(12)(a) if the coating line does not have an add-on emissions control device or R 336.2040(12)(b) if the coating line has 1 or more add-on emissions control devices.</p> <p>(b) For the emission limits established pursuant to the provisions of subrule (13) or (14) of this rule, the method described in R 336.2040(12) that is applicable to the form of these established emission limits.</p>	
<p>(10) A person who is responsible for the operation of an existing coating line that is subject to the provisions of this rule shall submit, to the commission, an acceptable written program for compliance with, or evidence of compliance with, the provisions of subrules (3) and (4) of this rule. This evidence shall include available emission test data, material balance calculations, control equipment specifications, or other information that demonstrates compliance. The written program for compliance or evidence of compliance shall be submitted to the commission according to the following schedule:</p> <p>(a) Before July 1, 1990, for compliance with the provisions of subrule (4) of this rule.</p> <p>(b) Before July 1, 1991, for compliance with the provisions of</p>	<p>(10) A person who is responsible for the operation of an existing coating line that is subject to the provisions of this rule shall submit, to the commission, an acceptable written program for compliance with, or evidence of compliance with, the provisions of subrules (3) and (4) of this rule. This evidence shall include available emission test data, material balance calculations, control equipment specifications, or other information that demonstrates compliance. The written program for compliance or evidence of compliance shall be submitted to the commission according to the following schedule:</p> <p>(a) Before July 1, 1990, for compliance with the provisions of subrule (4) of this rule.</p> <p>(b) Before July 1, 1991, for compliance with the provisions of</p>	

subrule (3) of this rule.	subrule (3) of this rule.	
<p>(11) The program for compliance that is required by the provisions of subrule (10) of this rule shall include the method by which compliance with this rule shall be achieved, a description of the new equipment to be installed or modifications to existing equipment to be made, and a timetable that specifies, at a minimum, all of the following dates:</p> <p>(a) The date or dates equipment shall be ordered.</p> <p>(b) The date or dates construction, modification, or process changes shall begin.</p> <p>(c) The date or dates initial start-up of equipment shall begin.</p> <p>(d) The date or dates final compliance shall be achieved if the date or dates are not the same as the date or dates specified in subdivision (c) of this subrule.</p>	<p>(11) The program for compliance that is required by the provisions of subrule (10) of this rule shall include the method by which compliance with this rule shall be achieved, a description of the new equipment to be installed or modifications to existing equipment to be made, and a timetable that specifies, at a minimum, all of the following dates:</p> <p>(a) The date or dates equipment shall be ordered.</p> <p>(b) The date or dates construction, modification, or process changes shall begin.</p> <p>(c) The date or dates initial start-up of equipment shall begin.</p> <p>(d) The date or dates final compliance shall be achieved if the date or dates are not the same as the date or dates specified in subdivision (c) of this subrule.</p>	No change.
<p>(12) A modification of coating applicator equipment for the primary purpose of achieving compliance with the provisions of subrules (3)(b) and (4)(b) of this rule, to the extent that such modification does not increase the potential to emit, shall not be subject to the provisions of R 336.1220 and R 336.1702.</p>	<p>(12) A modification of coating applicator equipment for the primary purpose of achieving compliance with the provisions of subrules (3)(b) and (4)(b) of this rule, to the extent that such modification does not increase the potential to emit, shall not be subject to the provisions of R 336.1220 and R 336.1702.</p>	No change.
<p>(13) As part of the compliance program required by the provisions of subrule (10) of this rule, a person who is responsible for the operation of a coating line that is subject to this rule may request alternate</p>	<p>(13) As part of the compliance program required by the provisions of subrule (10) of this rule, a person who is responsible for the operation of a coating line that is subject to this rule may request alternate</p>	No change.

<p>provisions to those specified in this rule. The commission may establish alternate provisions for a period of time to be specified by the commission if all of the following conditions are met:</p> <p>(a) The coating line that is subject to the alternate provisions is in compliance, or on a legally enforceable schedule of compliance, with the other rules of the commission.</p> <p>(b) Compliance with the provisions of this rule is not technically or economically reasonable.</p> <p>(c) All measures that are both technically feasible and economically reasonable to reduce volatile organic compound emissions as required by this rule have been implemented in accordance with, or will be implemented in accordance with, a schedule approved by the commission. All alternate provisions approved by the commission shall become part of a legally enforceable order or part of an approved permit to install or operate.</p>	<p>provisions to those specified in this rule. The commission may establish alternate provisions for a period of time to be specified by the commission if all of the following conditions are met:</p> <p>(a) The coating line that is subject to the alternate provisions is in compliance, or on a legally enforceable schedule of compliance, with the other rules of the commission.</p> <p>(b) Compliance with the provisions of this rule is not technically or economically reasonable.</p> <p>(c) All measures that are both technically feasible and economically reasonable to reduce volatile organic compound emissions as required by this rule have been implemented in accordance with, or will be implemented in accordance with, a schedule approved by the commission. All alternate provisions approved by the commission shall become part of a legally enforceable order or part of an approved permit to install or operate.</p>	
<p>(14) The program for compliance that is required by the provisions of subrule (10) of this rule may address a combination of coating lines that are subject to the provisions of this rule, or 1 or more coating lines that are subject to the provisions of this rule in combination with 1 or more existing sources that are subject to the provisions of other rules of this part, if all of the following conditions are met:</p>	<p>(14) The program for compliance that is required by the provisions of subrule (10) of this rule may address a combination of coating lines that are subject to the provisions of this rule, or 1 or more coating lines that are subject to the provisions of this rule in combination with 1 or more existing sources that are subject to the provisions of other rules of this part, if all of the following conditions are met:</p>	<p>No change.</p>

<p>(a) All of the requirements specified in the United States environmental protection agency's emissions trading policy statement, 51 F.R. 43814, December 4, 1986, are met. The "Emissions Trading Policy" is herein adopted by reference. A copy of the document may be inspected at the Lansing office of the air quality division of the department of natural resources. A copy of the document may be obtained from the Department of Natural Resources, P.O. Box 30028, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of \$8.00 each.</p> <p>(b) All existing sources are within the same stationary source.</p> <p>(c) The total volatile organic compound emissions do not exceed the sum of the emissions allowed from each existing source using calculation methods acceptable to the commission and incorporating all of the requirements of the emissions trading policy statement.</p> <p>(d) Emission reductions are accomplished in the time interval required for individual existing sources.</p> <p>(e) All emission limits established by this program become part of a legally enforceable order of the commission, permit to install, or permit to operate.</p>	<p>(a) All of the requirements specified in the United States environmental protection agency's emissions trading policy statement, 51 F.R. 43814, December 4, 1986, are met. The "Emissions Trading Policy" is herein adopted by reference. A copy of the document may be inspected at the Lansing office of the air quality division of the department of natural resources. A copy of the document may be obtained from the Department of Natural Resources, P.O. Box 30028, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of \$8.00 each.</p> <p>(b) All existing sources are within the same stationary source.</p> <p>(c) The total volatile organic compound emissions do not exceed the sum of the emissions allowed from each existing source using calculation methods acceptable to the commission and incorporating all of the requirements of the emissions trading policy statement.</p> <p>(d) Emission reductions are accomplished in the time interval required for individual existing sources.</p> <p>(e) All emission limits established by this program become part of a legally enforceable order of the commission, permit to install, or permit to operate.</p>	
<p>(15) The provisions of this rule, with the exception of the provisions of subrule (7) of this rule, shall not apply to any of the following:</p>	<p>(15) The provisions of this rule, with the exception of the provisions of subrule (7) of this rule, shall not apply to any of the following:</p>	<p>Rule 632(15): Again, there is formatting issues with this MI subrule and the table. There are no changes.</p>

<p>(a) Plastic coating lines within any stationary source that have a total combined emission rate of volatile organic compounds from plastic coating lines of less than 30 tons per calendar year. The total combined emission rate shall include emissions from coatings and coating operations exempted from this rule. If the total combined emissions equal or exceed 30 tons in any subsequent year, the provisions of this rule shall thereafter permanently apply to these plastic coating lines.</p> <p>(b) The application of adhesion primes.</p> <p>(c) The application of electrostatic prep coats.</p> <p>(d) The application of resist coats.</p> <p>(e) The application of stencil coats.</p> <p>(f) The application of texture coats to automobile or truck parts.</p> <p>(g) The application of vacuum metalizing coatings.</p> <p>(h) The application of gloss reducer.</p> <p>(i) A plastic part coating operation consisting of an applicator and any subsequent flash-off area or oven, or both, from which the total emission rate of volatile organic compounds is equal to or less than 2,000 pounds per calendar month and 10.0 tons per calendar year. The total combined emission rate of volatile organic compounds from these exempted operations at a stationary source shall not be more than 30.0 tons per calendar year. If the total</p>	<p>(a) Plastic coating lines within any stationary source that have a total combined emission rate of volatile organic compounds from plastic coating lines of less than 30 tons per calendar year. The total combined emission rate shall include emissions from coatings and coating operations exempted from this rule. If the total combined emissions equal or exceed 30 tons in any subsequent year, the provisions of this rule shall thereafter permanently apply to these plastic coating lines.</p> <p>(b) The application of adhesion primes.</p> <p>(c) The application of electrostatic prep coats.</p> <p>(d) The application of resist coats.</p> <p>(e) The application of stencil coats.</p> <p>(f) The application of texture coats to automobile or truck parts.</p> <p>(g) The application of vacuum metalizing coatings.</p> <p>(h) The application of gloss reducer.</p> <p>(i) A plastic part coating operation consisting of an applicator and any subsequent flash-off area or oven, or both, from which the total emission rate of volatile organic compounds is equal to or less than 2,000 pounds per calendar month and 10.0 tons per calendar year. The total combined emission rate of volatile organic compounds from these exempted operations at a stationary source shall not be more than 30.0 tons per calendar year. If</p>	
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<p>emission rate for an operation is more than 2,000 pounds in any subsequent month or 10 tons per year in a subsequent year, the provisions of this rule shall thereafter permanently apply to these plastic part coating operations.</p> <p>(j) Low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source.</p>	<p>the total emission rate for an operation is more than 2,000 pounds in any subsequent month or 10 tons per year in a subsequent year, the provisions of this rule shall thereafter permanently apply to these plastic part coating operations.</p> <p>(j) Low-use coatings that total 55 gallons or less per rolling 12-month period at a stationary source.</p>	
<p>(16) The provisions of subrules (3)(b) and (4)(b) of this rule shall not apply to the equipment used in any of the following:</p> <p>(a) The application of the final coat of metallic topcoat. (b) The application of waterborne coatings. (c) The application of touch-up and repair coatings. (d) Coating operations controlled by add-on emission controls. (e) Coating operations for which an acceptable demonstration has been made that conventional air-atomizing spray equipment is the only technically feasible application method. (f) Other coating operations that together account for a total of 20% or less of the total volume of coatings applied by nonexempt coating application equipment calculated on a calendar day basis.</p>	<p>(16) The provisions of subrules (3)(b) and (4)(b) of this rule shall not apply to the equipment used in any of the following:</p> <p>(a) The application of the final coat of metallic topcoat. (b) The application of waterborne coatings. (c) The application of touch-up and repair coatings. (d) Coating operations controlled by add-on emission controls. (e) Coating operations for which an acceptable demonstration has been made that conventional airatomizing spray equipment is the only technically feasible application method. (f) Other coating operations that together account for a total of 20% or less of the total volume of coatings applied by nonexempt coating application equipment calculated on a calendar day basis.</p>	<p>No change.</p>
<p>(17) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with,</p>	<p>(17) A person may discontinue the operation of a natural gas-fired afterburner, which is used to achieve compliance with the emission limits in this rule, between November 1 and March 31 unless the afterburner is used to achieve compliance with,</p>	<p>No change.</p>

<p>or is required by, any of the following:</p> <p>(a) Any other provisions of these rules. (b) A permit to install. (c) A permit to operate. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the commission.</p>	<p>or is required by, any of the following:</p> <p>(a) Any other provisions of these rules. (b) A permit to install. (c) A permit to operate. (d) A voluntary agreement. (e) A performance contract. (f) A stipulation. (g) An order of the commission.</p>	
<p>(18) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (17) of this rule, then both of the following provisions shall apply during this time period:</p> <p>(a) All other provisions of this rule, except for the emission limits, shall remain in effect. (b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p>	<p>(18) If the operation of a natural gas-fired afterburner is discontinued between November 1 and March 31 pursuant to the provisions of subrule (17) of this rule, then both of the following provisions shall apply during this time period:</p> <p>(a) All other provisions of this rule, except for the emission limits, shall remain in effect. (b) All other measures that are used to comply with the emission limits in this rule between April 1 and October 31 shall continue to be used.</p> <p>History: 1989 AACS; 1993 AACS.</p>	<p>No change.</p>
<p>(19) Table 65 reads as follows: [see attached]</p>		<p>Rule 632: there is no MI subrule (19).</p>
<p>(20) Table 66 reads as follows: [see attached]</p>		<p>Rule 632: there is no MI subrule (20).</p>
<p>(21) Table 67 reads as follows: [see attached]</p>		<p>Rule 632: there is no MI subrule (21).</p>
<p>R 336.1651 Standards for degreasers; adoption by reference.</p> <p>Rule 651. A person responsible for the</p>	<p>R 336.1651 Standards for degreasers; adoption by reference.</p> <p>Rule 651. A person responsible for the</p>	<p>Rule 651: The price is different between the SIP and the MI Rule. Also, the MI rule offers info on the internet.</p>

<p>operation of a degreaser subject to the provisions of 40 C.F.R. part 63, subpart T, (1995), the halogenated solvent cleaning national emission standard for hazardous air pollutants, shall comply with the provisions of 40 C.F.R. part 63, subpart T (1995). The provisions of 40 C.F.R. part 63, subpart T, (1995), are adopted by reference in these rules and are available for inspection and purchased at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$47.00.</p>	<p>operation of a degreaser subject to the provisions of 40 C.F.R. part 63, subpart T, §§63.460 to 63.469 (2000), the halogenated solvent cleaning national emission standard for hazardous air pollutants, shall comply with the provisions of 40 C.F.R. part 63, subpart T, §§63.460 to 63.469 (2000). The provisions of 40 C.F.R. part 63, subpart T, §§63.460 to 63.469 (2000), are adopted by reference in these rules and are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at cost. Copies may also be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet</p> <p>History: 1997 AACS; 2002 AACS.</p>	
<p>R 336.1660 Standards for volatile organic compounds emissions from consumer products.</p> <p>Rule 660. (1) The provisions in the ozone transport commission’s (OTC), “Model Rule for Consumer Products,” dated March 6, 2001, are adopted by reference in this rule, with the following exceptions:</p> <p>(a) Section (8), variances.</p> <p>(b) Section (10), severability.</p> <p>(c) Section (11)(f), violations.</p>	<p>R 336.1660 Standards for volatile organic compounds emissions from consumer products.</p> <p>Rule 660. (1) The provisions in the ozone transport commission's (OTC), "Model Rule for Consumer Products," dated September 13, 2006, are adopted by reference in this rule, with the following exceptions:</p> <p>(a) Section (8), variances.</p> <p>(b) Section (10), severability.</p>	<p>Rule 660(1): Dates are different. Referenced subrules are different.</p>

<p>(d) Where the date “January 1, 2005” appears in the following sections, the department shall instead recognized January 1, 2007:</p> <p>(i) Section (1), applicability.</p> <p>(ii) Section (3)(a), (e)(1)(i), and (f)(3), standards.</p> <p>(iii) Section (6)(d)(1), administrative requirements.</p> <p>(e) In section 6(d)(1)(ii)(a) the wording “exceeds the application1;” shall be change dot “exceeds the applicable volatile organic standard.”</p> <p>(f) Where the date “March 1, 2006” appears in section 7(d)(2) and (3), the department shall instead recognized March 1, 2008. Where the date “2005” appears in Section 7(d)(3), the department shall instead recognize 2007.</p>	<p>(c) Section (11)(f), violations.</p> <p>(d) Where the date "January 1, 2005" appears in the following sections, the department shall instead recognize January 29, 2007:</p> <p>(i) Section (1), applicability.</p> <p>(ii) Section (3)(a), table, (f)(1)(i), and (g)(3) standards.</p> <p>(iii) Section (6)(d)(1), administrative requirements.</p> <p>(e) Where the date "2005" appears in section 7(d)(2) and (3), the department shall instead recognize 2007. Where the date "March 1, 2006" appears in section 7(d)(2) and (3), the department shall instead recognize March 1, 2008.</p>	
<p>(2) Copies of the ozone transport commission’s, “Model Rule for Consumer Products,” dated March 6, 2001, may be obtained without charge from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760. A copy may also be obtained without charge from the Ozone Transport Commission, Hall of the States, 444 North Capitol Street, Suite 638, Washington, DC 20001, or on the ozone transport commission internet web site at www.otcair.org.</p>	<p>(2) Copies of the ozone transport commission’s, "Model Rule for Consumer Products," dated September 13, 2006, may be obtained without charge from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P. O. Box 30260, Lansing, Michigan 48909-7760. A copy may also be obtained without charge from the Ozone Transport Commission, Hall of the States, 444 North Capitol Street, Suite 638, Washington, DC 20001, or on the ozone transport commission internet web site at www.otcair.org.</p> <p>History: 2007 AACS.</p>	<p>Rule 660(2): Dates are different.</p>
<p>R 336.1661 Definitions for consumer products.</p>	<p>R 336.1661 Definitions for consumer products.</p>	<p>Rule 661: Again, there’s formatting issues with this rule in</p>

Rule 661. As used in R 336.1660:

(a) The "OTC state" means state of Michigan.

(b) "Volatile organic compound" or "VOC" means a compound containing at least 1 atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and excluding all of the following:

- (i) Methane.
- (ii) Methylene chloride (dichloromethane).
- (iii) 1,1,1-trichloroethane (methyl chloroform).
- (iv) Trichlorofluoromethane (CFC-11).
- (v) Dichlorodifluoromethane (CFC-12).
- (vi) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113).
- (vii) 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114).
- (viii) Chloropentafluoroethane (CFC-115).
- (ix) Chlorodifluoromethane (HCFC-22).
- (x) 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123).
- (xi) 1,1-dichloro-1-fluoroethane (HCFC-141b).
- (xii) 1-chloro-1,1-difluoroethane (HCFC-142b).
- (xiii) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124).
- (xiv) Trifluoromethane (HFC-23).
- (xv) 1,1,2,2-tetrafluoroethane (HFC-134).
- (xvi) 1,1,1,2-tetrafluoroethane (HFC-134a).
- (xvii) Pentafluoroethane (HFC-125).
- (xviii) 1,1,1-trifluoroethane (HFC-143a).

Rule 661.

As used in R 336.1660:

(a) The "OTC state" means state of Michigan.

(b) "Volatile organic compound" or "VOC" means a compound as defined in 40 C.F.R. §51.100 (2006).

For the purpose of clarifying the definition, the provisions of 40 C.F.R. §51.100 (2006) are adopted by reference in these rules. Copies of 40 C.F.R. §51.100 are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost at the time of adoption of these rules of \$55.00. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost at the time of adoption of these rules of \$45.00, or on the United States government printing office internet web site at www.gpoaccess.gov.

History: 2007 AACs.

this table.

Different language in SIP & MI Rule 661(b).

<p>(xix) 1,1-difluoroethane (HFC-152a).</p> <p>(xx) Cyclic, branched, or linear completely methylated siloxanes.</p> <p>(xxi) The following classes of perfluorocarbons:</p> <p>(A) Cyclic, branched, or linear, completely fluorinated alkanes.</p> <p>(B) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.</p> <p>(C) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.</p> <p>(D) Sulfur-containing perfluorocarbons with no unsaturations and with the sulfur bonds to carbon and fluorine.</p> <p>(E) The following low-reactive organic compounds which have been exempted by the U.S. environmental protection agency:</p> <p>(1) Acetone.</p> <p>(2) Ethane.</p> <p>(3) Methyl acetate.</p> <p>(4) Parachlorobenzotrifluoride (1-chloro-4-trifluoromethyl benzene).</p> <p>(5) Perchloroethylene (tetrachloroethylene).</p>		

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 7:
EMISSION LIMITATIONS AND PROHIBITIONS-- EXISTING SOURCES OF
VOLATILE ORGANIC COMPOUND EMISSIONS**

DRAFT #1 last reviewed/edited by MEP on 01/30/2013

Approved SIP	Rules Implemented by State of Michigan	Comments
<p style="text-align: center;"><u>PART 7. EMISSION LIMITATIONS AND PROHIBITIONS – NEW SOURCES OF VOLATILE ORGANIC COMPOUND EMISSIONS</u></p> <p>Filed with the Secretary of State on March 11, 2002. These rules take effect 7 days after filing with the Secretary of State.</p>	<p style="text-align: center;"><u>PART 7. EMISSION LIMITATIONS AND PROHIBITIONS-- NEW SOURCES OF VOLATILE ORGANIC COMPOUND EMISSIONS</u></p> <p>R 336.1701 "New source" defined.</p> <p>Rule 701. For the purpose of this part, a "new source" means any process or process equipment which is either placed into operation on or after July 1, 1979, or for which an application for a permit to install, pursuant to the provisions of Part 2 of these rules, is made to the department on or after July 1, 1979, or both, except for any process or process equipment which is defined as an "existing source" under R 336.1601.</p> <p>History: 1980 AACS; 1981 AACS; 2002 AACS.</p>	<p>Rule 701: This rule is missing in the SIP, and consequently no definition of "new source."</p>
<p>R 336.1702 New Sources of volatile organic compound emissions generally.</p> <p>Rule 702. A person who is responsible for any new source of</p>	<p>R 336.1702 New sources of volatile organic compound emissions generally.</p> <p>Rule 702. A person who is responsible for any new source of</p>	<p>Rule 702: No change.</p>

<p>volatile organic compound emissions shall not cause or allow the emission of volatile organic compound emissions from the new source in excess of the lowest maximum allowable emission rate of the following:</p> <p>(a) The maximum allowable emission rate listed by the department on its own initiative or based upon the application of the best available control technology.</p> <p>(b) The maximum allowable emission rate specific by a new source performance standard promulgated by the United States environmental protection agency under authority enacted by title I, part A, section 111 of the clean air act, as amended, 42 U.S.C. §7413.</p> <p>(c) The maximum allowable emission rate specified as a condition of a permit to install or a permit to operate.</p> <p>(d) The maximum allowable emission rate specified in part 6 of these rules which would otherwise be applicable to the new source except for the date that the process or process equipment was placed into operation or for which an application for a permit to install, under the provisions of part 2 of these rules, was made to the department. If the part 6 allowable emission rate provides for a future compliance date, then the future compliance date shall also be applicable to a new source pursuant to this subdivision.</p>	<p>volatile organic compound emissions shall not cause or allow the emission of volatile organic compound emissions from the new source in excess of the lowest maximum allowable emission rate of the following:</p> <p>(a) The maximum allowable emission rate listed by the department on its own initiative or based upon the application of the best available control technology.</p> <p>(b) The maximum allowable emission rate specified by a new source performance standard promulgated by the United States environmental protection agency under authority enacted by title I, part A, section 111 of the clean air act, as amended, 42 U.S.C. §7413.</p> <p>(c) The maximum allowable emission rate specified as a condition of a permit to install or a permit to operate.</p> <p>(d) The maximum allowable emission rate specified in part 6 of these rules which would otherwise be applicable to the new source except for the date that the process or process equipment was placed into operation or for which an application for a permit to install, under the provisions of part 2 of these rules, was made to the department. If the part 6 allowable emission rate provides for a future compliance date, then the future compliance date shall also be applicable to a new source pursuant to this subdivision.</p> <p>History: 1980 AACS; 1993 AACS; 2002 AACS.</p>	
	<p>R 336.1703 Loading gasoline into new stationary vessels of more</p>	<p>Rule 703: This whole rule is missing in the SIP.</p>

than 2,000-gallon capacity at dispensing facilities.

Rule 703.

(1) It is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any new stationary vessel of more than 2,000-gallon capacity located at any gasoline dispensing facility, unless such stationary vessel is equipped with a permanent submerged fill pipe.

(2) It is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any new stationary vessel of more than 2,000-gallon capacity located at a new gasoline dispensing facility or an existing gasoline dispensing facility subject to R 336.1606(3) and (4) in any area listed in table 61, unless the stationary vessel is controlled by a vapor balance system or an equivalent control system approved by the department. The vapor balance system shall capture displaced gasoline vapor and air via a vaportight collection line and shall be designed to return not less than 90% by weight of the displaced gasoline vapor from the stationary vessel to the delivery vessel.

(3) Any stationary vessel subject to subrule (2) of this rule shall be equipped, maintained, or controlled with both of the following:

- (a) An interlocking system or procedure to ensure that the vapor tight collection line is connected before any gasoline can be loaded.
- (b) A device to ensure that the vapor tight collection line shall close upon disconnection so as to prevent release of gasoline vapor.

(4) Any delivery vessel subject to

	<p>subrule (2) of this rule shall be vapor tight and shall be filled only at a loading facility that is equipped with a system as required in R 336.1606(3) and (4), R 336.1609(2) and (3), R 336.1705(2) and (3), or R 336.1706(2) and (3).</p>	
	<p>(5) A new stationary vessel at a gasoline dispensing facility that is not subject to the provisions of subrules (2) and (3) of this rule shall be constructed in a manner that will allow the vessel to be retrofitted according to subrules (2) and (3) of this rule.</p> <p>History: 1980 AACCS; 2002 AACCS.</p>	
	<p>R 336.1704 Loading gasoline into new stationary vessels of more than 2,000-gallon capacity at loading facilities.</p> <p>Rule 704.</p> <p>(1) It is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any new stationary vessel of more than 2,000-gallon capacity located at any gasoline loading facility, unless the stationary vessel is equipped with a permanent submerged fill pipe.</p>	<p>Rule 704: This whole rule is missing in the SIP.</p>
	<p>(2) It is unlawful for a person to load or allow the loading of gasoline from a delivery vessel into any new stationary vessel of more than 2,000-gallon capacity located at any of the following loading facilities, unless the stationary vessel is controlled by a vapor balance system or an equivalent control system approved by the department:</p> <p>(a) A new loading facility located in any area listed in table 61.</p> <p>(b) A new loading facility located in any area not listed in table 61 that</p>	

	<p>delivers gasoline to a gasoline-dispensing facility subject to the provisions of R 336.1606(3) and (4) or R 336.1703(2) and (3).</p> <p>(c) An existing loading facility subject to the provisions of R 336.1607(3) and (4). The vapor balance system shall capture displaced gasoline vapor and air via a vaportight collection line and shall be designed to return not less than 90% by weight of the displaced gasoline vapor from the stationary vessel to the delivery vessel.</p>	
	<p>(3) Any stationary vessel subject to subrule (2) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line shall close upon disconnection so as to prevent release of gasoline vapor.</p> <p>(c) Pressure-vacuum relief valves on aboveground stationary vessels that have a minimum pressure valve setting of 8 ounces, if such setting does not exceed the container's maximum pressure rating.</p>	
	<p>(4) Any delivery vessel subject to subrule (2) of this rule shall be vapor tight.</p>	
	<p>(5) A person responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all control measures specified in subrule (3) of this rule, and the procedures shall be posted in an accessible, conspicuous location near the stationary vessel.</p>	
	<p>(6) A new stationary vessel at a</p>	

	<p>gasoline loading facility that is not subject to the provisions of subrules (2) and (3) of this rule shall be constructed in a manner that allows the vessel to be retrofitted according to subrules (2) and (3) of this rule.</p> <p>History: 1980 AACS; 2002 AACS.</p>	
<p>R 336.1705 Loading gasoline into delivery vessels at new loading facilities handling less than 5,000,000 gallons per year.</p> <p>Rule 705. (1) It is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel at a new loading facility that has a throughput of less than 5,000,000 gallons per year, unless the delivery vessel is filled by a submerged fill pipe.</p>	<p>R 336.1705 Loading gasoline into delivery vessels at new loading facilities handling less than 5,000,000 gallons per year.</p> <p>Rule 705. (1) It is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel at a new loading facility that has a throughput of less than 5,000,000 gallons per year, unless the delivery vessel is filled by a submerged fill pipe.</p>	<p>Rule 705: No change.</p>
<p>(2) It is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into any delivery vessel located at either of the following lading facilities that has a throughput of less than 5,000,000 gallons per year, unless the delivery vessel is controlled by a vapor balance system or an equivalent control system approved by the department: (a) A new loading facility located in any area listed in table 61. (b) A new loading facility located in any area which is not listed in table 61 that delivers gasoline to a gasoline-dispensing facility subject to R 336.1606 (3) and (4) or R 336.1703(2) and (3). The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed</p>	<p>(2) It is unlawful for a person to load, or allow the loading of, gasoline from a stationary vessel into an delivery vessel located at either of the following loading facilities that has a throughput of less than 5,000,000 gallons per year, unless the delivery vessel is controlled by a vapor balance system or an equivalent control system approved by the department: (a) A new loading facility located in any area listed in table 61. (b) A new loading facility located in any area which is not listed in table 61 that delivers gasoline to a gasoline-dispensing facility subject to R 336.1606 (3) and (4) or R 336.1703(2) and (3). The vapor balance system shall capture displaced gasoline vapor and air by means of a vaportight collection line and shall be designed</p>	

<p>to return not less than 90%, by weight, of the displaced gasoline vapor from the delivery vessel to the stationary vessel.</p>	<p>to return not less than 90%, by weight, of the displaced gasoline vapor from the delivery vessel to the stationary vessel.</p>	
<p>(3) Any delivery vessel that is loaded at a facility subject to subrule (2) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line shall close upon disconnection so as to prevent the release of gasoline vapor.</p> <p>(c) A device or procedure to accomplish complete drainage before the loading device is disconnected, or a device or procedure to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vaportight and set to prevent the emission of displaced gasoline vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vaportight during the loading of the delivery vessel.</p>	<p>(3) Any delivery vessel that is loaded at a facility subject to subrule (2) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vaportight collection line is connected before any gasoline can be loaded.</p> <p>(b) A device to ensure that the vaportight collection line shall close upon disconnection so as to prevent the release of gasoline vapor.</p> <p>(c) A device or procedure to accomplish complete drainage before the loading device is disconnected, or a device or procedure to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vaportight and set to prevent the emission of displaced gasoline vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vaportight during the loading of the delivery vessel.</p>	
<p>(4) Any stationary vessel at a facility subject to subrule (2) of this rule shall be vaportight.</p>	<p>(4) Any stationary vessel at a facility subject to subrule (2) of this rule shall be vaportight.</p>	
<p>(5) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all the control measures. The procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	<p>(5) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all the control measures. The procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	

	History: 1980 AACS; 1989 AACS; 2002 AACS.	
<p>R 336.1706 Loading delivery vessels with organic compounds having a true vapor pressure of more than 1.5 psia at new loading facilities handling 5,000,000 or more gallons of such compounds per year.</p> <p>Rule 706. (1) It is unlawful for a person to load, or allow the loading of, any organic compound that has a true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at a new loading facility that has a throughput of 5,000,000 or more gallons of such compounds per year, unless such delivery vessel is filled by a submerged fill pipe.</p>	<p>R 336.1706 Loading delivery vessels with organic compounds having a true vapor pressure of more than 1.5 psia at new loading facilities handling 5,000,000 or more gallons of such compounds per year.</p> <p>Rule 706. (1) It is unlawful for a person to load, or allow the loading of, any organic compound that has a true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at a new loading facility that has a throughput of 5,000,000 or more gallons of such compounds per year, unless such delivery vessel is filled by a submerged fill pipe.</p>	<p>Rule 706: No change.</p>
<p>(2) It is unlawful for a person to load, or allow the loading of, any organic compound that has true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at a new loading facility that has a throughput of 5,000,000 or more gallons of such compounds per year, unless such delivery vessel is controlled by a vapor recovery system that captures all displaced organic vapor and air by means of a vapor-tight collection line and recovers the organic vapor such that emissions to the atmosphere do not exceed 0.7 pounds of organic vapor per 1,000 gallons of organic compounds loaded.</p>	<p>(2) It is unlawful for a person to load, or allow the loading of, any organic compound that has a true vapor pressure of more than 1.5 psia at actual conditions from any stationary vessel into any delivery vessel located at a new loading facility that has a throughput of 5,000,000 or more gallons of such compounds per year, unless such delivery vessel is controlled by a vapor recovery system that captures all displaced organic vapor and air by means of a vapor-tight collection line and recovers the organic vapor such that emissions to the atmosphere do not exceed 0.7 pounds of organic vapor per 1,000 gallons of organic compounds loaded.</p>	
<p>(3) Any delivery vessel at a facility that is subject to the provisions of</p>	<p>(3) Any delivery vessel at a facility that is subject to the provisions of</p>	

<p>subrule (2) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vapor-tight collection line is connected before any organic compound can be loaded.</p> <p>(b) A device to ensure that the vapor-tight collection line shall close upon disconnection so as to prevent release of organic vapor.</p> <p>(c) A device to accomplish complete drainage before the loading device is disconnected, or a device to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vapor-tight and set to prevent the emission of displaced organic vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vapor-tight during the loading of the delivery vessel.</p>	<p>subrule (2) of this rule shall be equipped, maintained, or controlled with all of the following:</p> <p>(a) An interlocking system or procedure to ensure that the vapor-tight collection line is connected before any organic compound can be loaded.</p> <p>(b) A device to ensure that the vapor-tight collection line shall close upon disconnection so as to prevent release of organic vapor.</p> <p>(c) A device to accomplish complete drainage before the loading device is disconnected, or a device to prevent liquid drainage from the loading device when not in use.</p> <p>(d) Pressure-vacuum relief valves that are vapor-tight and set to prevent the emission of displaced organic vapor during the loading of the delivery vessel, except under emergency conditions.</p> <p>(e) Hatch openings that are kept closed and vapor-tight during the loading of the delivery vessel.</p>	
<p>(4) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all such control measures. Such procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	<p>(4) A person who is responsible for the operation of all control measures required by this rule shall develop written procedures for the operation of all such control measures. Such procedures shall be posted in an accessible, conspicuous location near the loading device.</p>	
<p>(5) The provisions of this rule shall not apply to the loading of crude oil or condensate into delivery vessels at production facilities, if such loading is accomplished with a submerged fill pipe.</p>	<p>(5) The provisions of this rule shall not apply to the loading of crude oil or condensate into delivery vessels at production facilities, if such loading is accomplished with a submerged fill pipe.</p> <p>History: 1980 AACS; 1989 AACS; 1997 AACS.</p>	
<p>R 336.1707 New cold cleaners.</p>	<p>R 336.1707 New cold cleaners.</p>	<p><u>Rule 707:</u> No change.</p>

<p>Rule 707. (1) It is unlawful for a person to operate a new cold cleaner unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	<p>Rule 707. (1) It is unlawful for a person to operate a new cold cleaner unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	
<p>(2) It is unlawful for a person to operate a new cold cleaner using a solvent having a Reid vapor pressure of more than 0.6 psia or heated above 120 degrees Fahrenheit, unless at least 1 of the following conditions is met: (a) The cold cleaner is designed such that the ratio of the freeboard height to the width of the cleaner is equal to or greater than 0.7. (b) The solvent bath is covered with water if the solvent is insoluable and has a specific gravity of more than 1.0. (c) The cold cleaner is controlled by a carbon adsorption system, condensation system, or other method of equivalent control approved by the department.</p>	<p>(2) It is unlawful for a person to operate a new cold cleaner using a solvent having a Reid vapor pressure of more than 0.6 psia or heated above 120 degrees Fahrenheit, unless at least 1 of the following conditions is met: (a) The cold cleaner is designed such that the ratio of the freeboard height to the width of the cleaner is equal to or greater than 0.7. (b) The solvent bath is covered with water if the solvent is insoluable and has a specific gravity of more than 1.0. (c) The cold cleaner is controlled by a carbon adsorption system, condensation system, or other method of equivalent control approved by the department.</p>	
<p>(3) It is unlawful for a person to operate a new cold cleaner unless all of the following conditions are met: (a) A cover shall be installed and the cover shall be closed whenever parts are not being handled in the cleaner. The cover shall be mechanically assisted in any of the following situations: (i) The Reid vapor pressure of the solvent is more than 0.3 psia. (ii) The solvent is agitated. (iii) The solvent is heated. (b) A device shall be available for draining cleaned parts, and the parts shall be drained not less than 15 seconds or until dripping ceases. (c) Waste solvent shall be stored only in closed containers, unless</p>	<p>(3) It is unlawful for a person to operate a new cold cleaner unless all of the following conditions are met: (a) A cover shall be installed and the cover shall be closed whenever parts are not being handled in the cleaner. The cover shall be mechanically assisted in any of the following situations: (i) The Reid vapor pressure of the solvent is more than 0.3 psia. (ii) The solvent is agitated. (iii) The solvent is heated. (b) A device shall be available for draining cleaned parts, and the parts shall be drained not less than 15 seconds or until dripping ceases. (c) Waste solvent shall be stored only in closed containers, unless</p>	

demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.	demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.	
(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of such provisions, and such procedures shall be posted in an accessible, conspicuous location near the cold cleaner.	(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of such provisions, and such procedures shall be posted in an accessible, conspicuous location near the cold cleaner.	
(5) The provisions of this rule do not apply to a new cold cleaner that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.	(5) The provisions of this rule do not apply to a new cold cleaner that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651. History: 1980 AACS; 1997 AACS.	
R 336.1708 New open top vapor degreasers. Rule 708. (1) It is unlawful for a person to operate a new open top vapor degreaser unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.	R 336.1708 New open top vapor degreasers. Rule 708. (1) It is unlawful for a person to operate a new open top vapor degreaser unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.	Rule 708: No change.
(2) It is unlawful for a person to operate a new open top vapor degreaser unless at least 1 of the following conditions is met: (a) The degreaser is designed such that the ratio of the freeboard height to the width of the degreaser is equal to or greater than 0.75. And if the degreaser opening is more than 10 square feet, the degreaser shall be designed with a powered or mechanically assisted cover. (b) The degreaser is equipped with a refrigerated freeboard device.	(2) It is unlawful for a person to operate a new open top vapor degreaser unless at least 1 of the following conditions is met: (a) The degreaser is designed such that the ratio of the freeboard height to the width of the degreaser is equal to or greater than 0.75. And if the degreaser opening is more than 10 square feet, the degreaser shall be designed with a powered or mechanically assisted cover. (b) The degreaser is equipped with a refrigerated freeboard device.	

<p>(c) The degreaser is controlled by a carbon adsorption system with ventilation of more than 50 cubic feet per minute of air/vapor area when the cover is open and with exhaust of less than 25 parts of organic vapor per million parts of air averaged over 1 complete adsorption cycle.</p> <p>(d) The degreaser is controlled by an equivalent control method approved by the department.</p>	<p>(c) The degreaser is controlled by a carbon adsorption system with ventilation of more than 50 cubic feet per minute of air/vapor area when the cover is open and with exhaust of less than 25 parts of organic vapor per million parts of air averaged over 1 complete adsorption cycle.</p> <p>(d) The degreaser is controlled by an equivalent control method approved by the department.</p>	
<p>(3) It is unlawful for a person to operate a new open top vapor degreaser unless all of the following conditions are met:</p> <p>(a) A cover shall be installed that is designed to be opened and closed easily without disturbing the vapor zone. The cover shall be closed at all times, except when processing workloads through the degreaser.</p> <p>(b) A procedure shall be developed to minimize solvent carryout by doing all of the following:</p> <p>(i) Racking parts to allow complete drainage.</p> <p>(ii) Moving parts in and out of the degreaser at a vertical speed of less than 11 feet per minute when a powered hoist is used to raise or lower the parts.</p> <p>(iii) Holding parts in the vapor zone not less than 30 seconds or until condensation ceases.</p> <p>(iv) Tipping or tumbling parts in a manner such that no pools of organic solvent remain on the cleaned parts before removal.</p> <p>(v) Allowing parts to dry within the degreaser for not less than 15 seconds or until visually dry.</p> <p>(c) The following control devices shall be installed:</p> <p>(i) A condenser flow switch and thermostat that shut off the sump</p>	<p>(3) It is unlawful for a person to operate a new open top vapor degreaser unless all of the following conditions are met:</p> <p>(a) A cover shall be installed that is designed to be opened and closed easily without disturbing the vapor zone. The cover shall be closed at all times, except when processing workloads through the degreaser.</p> <p>(b) A procedure shall be developed to minimize solvent carryout by doing all of the following:</p> <p>(i) Racking parts to allow complete drainage.</p> <p>(ii) Moving parts in and out of the degreaser at a vertical speed of less than 11 feet per minute when a powered hoist is used to raise or lower the parts.</p> <p>(iii) Holding parts in the vapor zone not less than 30 seconds or until condensation ceases.</p> <p>(iv) Tipping or tumbling parts in a manner such that no pools of organic solvent remain on the cleaned parts before removal.</p> <p>(v) Allowing parts to dry within the degreaser for not less than 15 seconds or until visually dry.</p> <p>(c) The following control devices shall be installed:</p> <p>(i) A condenser flow switch and thermostat that shut off the sump</p>	

<p>heat if the condenser coolant is either not circulating or is too warm.</p> <p>(ii) If equipped with spray, a spray safety switch that shuts off the spray pump if the vapor level drops excessively.</p> <p>(iii) A vapor level control device that shuts off the sump heat if the solvent vapor level rises above the normal design level.</p> <p>(d) The total workloads shall not occupy more than ½ of the degreaser’s open top area.</p> <p>(e) Solvent shall not be sprayed above the vapor level.</p> <p>(f) Solvent leaks shall be repaired immediately.</p> <p>(g) The degreaser shall be operated in such a manner that no water is visibly detectable in solvent exiting the water separator.</p> <p>(h) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p> <p>(i) Waste solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	<p>heat if the condenser coolant is either not circulating or is too warm.</p> <p>(ii) If equipped with spray, a spray safety switch that shuts off the spray pump if the vapor level drops excessively.</p> <p>(iii) A vapor level control device that shuts off the sump heat if the solvent vapor level rises above the normal design level.</p> <p>(d) The total workload shall not occupy more than 1/2 of the degreaser's open top area.</p> <p>(e) Solvent shall not be sprayed above the vapor level.</p> <p>(f) Solvent leaks shall be repaired immediately.</p> <p>(g) The degreaser shall be operated in such a manner that no water is visibly detectable in solvent exiting the water separator.</p> <p>(h) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p> <p>(i) Waste solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	
<p>(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the vapor degreaser.</p>	<p>(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of all such provisions, and such procedures shall be posted in an accessible, conspicuous location near the vapor degreaser.</p>	
<p>(5) The provisions of this rule shall not apply to an open top vapor degreaser having an air/vapor interface of less than 10 square feet, if the degreaser complies with the provisions of subrules (3) and (4) of</p>	<p>(5) The provisions of this rule shall not apply to an open top vapor degreaser having an air/vapor interface of less than 10 square feet, if the degreaser complies with the provisions of subrules (3) and (4) of</p>	

this rule.	this rule.	
<p>(6) The provisions of this rule do not apply to a new open top vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p>	<p>(6) The provisions of this rule do not apply to a new open top vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p> <p>History: 1980 AACS; 1997 AACS.</p>	
<p>R 336.1709 New conveyORIZED cold cleaners.</p> <p>Rule 709. (1) It is unlawful for a person to operate a new conveyORIZED cold cleaner unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	<p>R 336.1709 New conveyORIZED cold cleaners.</p> <p>Rule 709. (1) It is unlawful for a person to operate a new conveyORIZED cold cleaner unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	<p>Rule 709: No change.</p>
<p>(2) It is unlawful for a person to operate a new conveyORIZED cold cleaner unless at least 1 or the following conditions is met:</p> <p>(a) The cleaner is equipped with a refrigerated freeboard device.</p> <p>(b) The cleaner is controlled by a carbon adsorption system with ventilation of more than 50 cubic feet per minute of air/vapor area when the cover is open and with exhaust of less than 25 parts of organic vapor per million parts of air averaged over 1 complete adsorption cycle.</p> <p>(c) The cleaner is controlled by an equivalent control method approved by the department.</p>	<p>(2) It is unlawful for a person to operate a new conveyORIZED cold cleaner unless at least 1 of the following conditions is met:</p> <p>(a) The cleaner is equipped with a refrigerated freeboard device.</p> <p>(b) The cleaner is controlled by a carbon adsorption system with ventilation of more than 50 cubic feet per minute of air/vapor area when the cover is open and with exhaust of less than 25 parts of organic vapor per million parts of air averaged over 1 complete adsorption cycle.</p> <p>(c) The cleaner is controlled by an equivalent control method approved by the department.</p>	
<p>(3) It is unlawful for a person to operate a new conveyORIZED cold cleaner unless all of the following conditions are met:</p> <p>(a) Covers shall be provided for closing off the entrance and exit</p>	<p>(3) It is unlawful for a person to operate a new conveyORIZED cold cleaner unless all of the following conditions are met:</p> <p>(a) Covers shall be provided for closing off the entrance and exit</p>	

<p>during shutdown hours.</p> <p>(b) A procedure shall be developed to minimize solvent carryout by racking parts for best drainage.</p> <p>(c) Openings shall be designed in a manner to be minimized during operation so that entrances and exits silhouette maximum size workloads with an average clearance between the parts and the edge of the cleaner opening of less than 4 inches or less than 10% of the width of the opening.</p> <p>(d) Solvent leaks shall be repaired immediately.</p> <p>(e) The cleaner shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(f) A downtime cover shall be placed over entrances and exits of the conveyorized cold cleaner immediately after the conveyors and exhausts are shut down and shall not be removed until just before start-up.</p> <p>(g) Waste solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	<p>during shutdown hours.</p> <p>(b) A procedure shall be developed to minimize solvent carryout by racking parts for best drainage.</p> <p>(c) Openings shall be designed in a manner to be minimized during operation so that entrances and exits silhouette maximum size workloads with an average clearance between the parts and the edge of the cleaner opening of less than 4 inches or less than 10% of the width of the opening.</p> <p>(d) Solvent leaks shall be repaired immediately.</p> <p>(e) The cleaner shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(f) A downtime cover shall be placed over entrances and exits of the conveyorized cold cleaner immediately after the conveyors and exhausts are shut down and shall not be removed until just before start-up.</p> <p>(g) Waste solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	
<p>(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of such provisions, and such procedures shall be posted in an accessible, conspicuous location near the conveyorized cold cleaner.</p>	<p>(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of such provisions, and such procedures shall be posted in an accessible, conspicuous location near the conveyorized cold cleaner.</p>	
<p>(5) The provisions of this rule shall not apply to any new conveyorized cold cleaner having an air/vapor interface of less than 20 square feet, if the cleaner complies with the provisions of subrules (3) and (4) of this rule.</p>	<p>(5) The provisions of this rule shall not apply to any new conveyorized cold cleaner having an air/vapor interface of less than 20 square feet, if the cleaner complies with the provisions of subrules (3) and (4) of this rule.</p>	

<p>(6) The provisions of this rule do not apply to a new conveyORIZED cold cleaner that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p>	<p>(6) The provisions of this rule do not apply to a new conveyORIZED cold cleaner that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p> <p>History: 1980 AACS; 1997 AACS.</p>	
<p>R 336.1710 New conveyORIZED vapor degreasers.</p> <p>Rule 710. (1) It is unlawful for a person to operate a new conveyORIZED vapor degreaser unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	<p>R 336.1710 New conveyORIZED vapor degreasers.</p> <p>Rule 710. (1) It is unlawful for a person to operate a new conveyORIZED vapor degreaser unless all of the provisions of the following subrules are met or unless an equivalent control method is approved by the department.</p>	<p>Rule 710: No change*</p>
<p>(2) It is unlawful for a person to operate a new conveyORIZED vapor degreaser unless at least 1 of the following conditions is met: (a) The degreaser is equipped with a refrigerated freeboard device. (b) The degreaser is controlled by a carbon adsorption system with ventilation of more than 50 cubic feet per minute of air/vapor area when the cover is open and with exhaust of less than 25 parts of organic vapor per million parts of air averaged over 1 complete adsorption cycle. (c) The cleaner is controlled by an equivalent control method approved by the department.</p>	<p>(2) It is unlawful for a person to operate a new conveyORIZED vapor degreaser unless at least 1 of the following conditions is met: (a) The degreaser is equipped with a refrigerated freeboard device. (b) The degreaser is controlled by a carbon adsorption system with ventilation of more than 50 cubic feet per minute of air/vapor area when the cover is open and with exhaust of less than 25 parts of organic vapor per million parts of air averaged over 1 complete adsorption cycle. (c) The cleaner is controlled by an equivalent control method approved by the department.</p>	
<p>(3) It is unlawful for a person to operate a new conveyORIZED vapor degreaser unless all of the following conditions are met: (a) Covers shall be provided for closing off the entrance and exit during shutdown hours.</p>	<p>(3) It is unlawful for a person to operate a new conveyORIZED vapor degreaser unless all of the following conditions are met: (a) Covers shall be provided for closing off the entrance and exit during shutdown hours.</p>	

<p>(b) A procedure shall be developed to minimize solvent carryout by doing both of the following:</p> <ul style="list-style-type: none">(i) Racking parts for best drainage.(ii) Moving parts in and out of the degreaser at a vertical speed of less than 11 feet per minute. <p>(c) The following control devices shall be installed:</p> <ul style="list-style-type: none">(i) A condenser flow switch and thermostat that shut off the sump heat if the condenser coolant is either not circulating or is too warm.(ii) A spray safety switch that shuts off the spray pump or the conveyor if the vapor level drops excessively.(iii) A vapor level control device that shuts off the sump heat if the solvent vapor level rises above the normal design level. <p>(d) Openings shall be designed in a manner to be minimized during operation so that entrances and exits silhouette maximum size workloads with an average clearance between the parts and the edge of the degreaser opening of less than 4 inches or less than 10% of the width of the opening.</p> <p>(e) Solvent leaks shall be repaired immediately.</p> <p>(f) The degreaser shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(g) A downtime cover shall be placed over entrances and exits of the conveyORIZED cold cleaner immediately after the conveyors and exhausts are shut down and shall not be removed until just before start-up.</p> <p>(h) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p>	<p>(b) A procedure shall be developed to minimize solvent carryout by doing both of the following:</p> <ul style="list-style-type: none">(i) Racking parts for best drainage.(ii) Moving parts in and out of the degreaser at a vertical speed of less than 11 feet per minute. <p>(c) The following control devices shall be installed:</p> <ul style="list-style-type: none">(i) A condenser flow switch and thermostat that shut off the sump heat if the condenser coolant is either not circulating or is too warm.(ii) A spray safety switch that shuts off the spray pump or the conveyor if the vapor level drops excessively.(iii) A vapor level control device that shuts off the sump heat if the solvent vapor level rises above the normal design level. <p>(d) Openings shall be designed in a manner to be minimized during operation so that entrances and exits silhouette maximum size workloads with an average clearance between the parts and the edge of the degreaser opening of less than 4 inches or less than 10% of the width of the opening.</p> <p>(e) Solvent leaks shall be repaired immediately.</p> <p>(f) The degreaser shall be operated in a manner such that no water is visibly detectable in solvent exiting the water separator.</p> <p>(g) A downtime cover shall be placed over entrances and exits of the conveyORIZED cold cleaner immediately after the conveyors and exhausts are shut down and shall not be removed until just before start-up.</p> <p>(h) Exhaust ventilation shall not exceed 65 cubic feet per minute per square foot of degreaser open area, unless necessary to meet OSHA requirements.</p>	
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<p>(i) Waste solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	<p>(i) Waste solvent shall be stored only in closed containers, unless demonstrated to be a safety hazard and disposed of in a manner such that not more than 20% by weight is allowed to evaporate into the atmosphere.</p>	
<p>(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of such provisions, and such procedures shall be posted in an accessible, conspicuous location near the conveyorized vapor degreaser.</p>	<p>(4) A person responsible for the provisions of this rule shall develop written procedures for the operation of such provisions, and such procedures shall be posted in an accessible, conspicuous location near the conveyorized vapor degreaser.</p>	
<p>(5) The provisions of this rule shall not apply to any new conveyorized vapor degreaser having an air/vapor interface of less than 20 square feet, if the cleaner complies with the provisions of subrules (3) and (4) of this rule.</p>	<p>(5) The provisions of this rule shall not apply to any new conveyorized vapor degreaser having an air/vapor interface of less than 20 square feet, if the cleaner complies with the provisions of subrules (3) and (4) of this rule.</p>	
<p>(6) The provisions of this rule do not apply to any new conveyorized vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p>	<p>(6) The provisions of this rule do not apply to any new conveyorized vapor degreaser that is subject to the provisions of the halogenated solvent cleaner national emission standards for hazardous air pollutants (1995), which are adopted by reference in R 336.1651.</p> <p>1. Parts per million, by volume 2. Averaging time period 3. This compound is a stabilizer.</p> <p>History: 1980 AACS; 1997 AACS.</p>	<p>*Footnotes: Not sure what these are in reference to – there are no footnote numbers in any of the rules’ text.</p>

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 8:
EMISSION LIMITATIONS AND PROHIBITIONS—OXIDES OF NITROGEN**

DRAFT #1 last reviewed/edited by KJS on February 11, 2013

Approved SIP	Rules Implemented by State of Michigan	Comments
<p style="text-align: center;">PART 8. EMISSION LIMITATIONS AND PROHIBITIONS- OXIDES OF NITROGEN</p>	<p style="text-align: center;">PART 8. EMISSION LIMITATIONS AND PROHIBITIONS- OXIDES OF NITROGEN</p> <p><u>R 336.1801 Emission of oxides of nitrogen from non-sip call stationary sources.</u></p> <p><u>Rule 801.</u> (1) As used in this rule:</p> <p>(a) <u>"Capacity factor" means either of the following:</u></p> <p>(i) <u>The ratio of a unit's actual annual electric output, expressed in megawatt hour, to the unit's nameplate capacity times 8,760 hours.</u></p> <p>(ii) <u>The ratio of a unit's annual heat input, expressed in million British thermal units or equivalent units of measure, to the unit's maximum design heat input, expressed in million British thermal units per hour or equivalent units of measure, times 8,760 hours.</u></p> <p>(b) <u>"Fossil fuel-fired" means the combustion of fossil fuel, alone or in combination with any other fuel, where the fossil fuel actually combusted comprises more than 50% of the fuel mass or annual heat input on a British thermal unit basis. Coke oven gas is a fossil fuel.</u></p> <p>(c) <u>"Low-NOx burners" means 1 of several developing combustion</u></p>	<p>Rule 801: This rule is missing in the federal SIP.</p>

technologies used to minimize the formation of emissions of nitrogen oxides. As applicable to cement kilns, low-NO_x burners means a type of cement kiln burner system designed to minimize NO_x formation by controlling flame turbulence, delaying fuel/air mixing, and establishing fuel-rich zones for initial combusting, that for firing of solid fuel in the burning end zone of a kiln's main burner includes an indirect firing system or comparable technique for the main burner in the burning end zone of the kiln to minimize the amount of primary air supplied through the burner. In an indirect firing system, 1 air stream is used to convey pulverized fuel from the grinding equipment and at least 1 or more other air streams are used to supply primary air to the burning end zone kiln burner of the kiln with the pulverized fuel, with intermediate storage of the fuel, and necessary safety and explosion prevention systems associated with the intermediate storage of fuel.

(d) "Mid-kiln system firing" means the secondary firing in a kiln system by injecting solid fuel at an intermediate point in the kiln system using a specially designed heat injection mechanism for the purpose of decreasing NO_x emissions through coal burning part of the fuel at lower temperatures and reducing conditions at the fuel injection point that may destroy some of the NO_x.

(e) "Non-sip call source" means any stationary source of oxides of nitrogen emissions that is not defined as an oxide of nitrogen budget source in R 336.1803.

(f) "Ozone control period" means the period of May 31, 2004, through

September 30, 2004, and the period of May 1 through September 30 each subsequent and prior year.

(g) "Peaking unit" means a unit that has an average capacity factor of not more than 10% during the previous 3 calendar years and a capacity factor of not more than 20% in each of those calendar years.

(h) "Process heater" means any combustion equipment which is fired by a liquid fuel or a gaseous fuel, or both, and which is used to transfer heat from the combustion gases to a process fluid, superheated steam, or water.

(i) "Unit" means a fossil fuel-fired combustion device.

(j) "Utility system" means all interconnected units and generators which are subject to subrule (2) of this rule and which are operated by the same utility operating company or by common ownership and control.

(2) An owner or operator of a fossil fuel-fired, electricity-generating utility unit which has the potential to emit more than 25 tons each ozone control period of oxides of nitrogen and which serves a generator that has a nameplate capacity of 25 megawatts or more shall comply with the emission limits during the ozone control period as follows:

(a) By May 31, 2004, meet the least stringent of a utility system-wide average oxides of nitrogen emission rate of 0.25 pounds per million British thermal units heat input or an emission rate based on a 65% reduction of oxides of nitrogen from 1990 levels.

(b) The date listed in subdivision (a) of this subrule may be extended by

up to 2 years if an owner or operator makes an acceptable demonstration to the department that the additional time is necessary to avoid disruption of the energy supply in the state or if the additional time is necessary to comply with the provisions of this rule.

(3) An owner or operator shall demonstrate compliance with the emission limits in subrule (2) of this rule as follows:

(a) To demonstrate compliance with a utility system-wide average emission rate, the owner or operator shall show that the sum of the mass emissions from all units owned or operated by a utility that is subject to subrule (2) of this rule which occurred during the ozone control period, divided by the sum of the heat input from all units owned or operated by a utility that is subject to subrule (2) of this rule which occurred during the ozone control period is less than or equal to the limits in subrule (2) of this rule.

(b) To demonstrate compliance with the percent reduction requirements of subrule (2) of this rule, the owner or operator shall provide calculations showing that the utility system average emission rate during each compliance ozone control period has been reduced below the 1990 ozone control period average emission rate by the applicable percent reduction listed in subrule (2) of this rule. The 1990 ozone control period average emission rate is the sum of the mass emissions from all units owned or operated by a utility that is subject to subrule (2) of this rule which occurred during the 1990 ozone control period divided by the sum of the heat input

from all units owned or operated by a utility that is subject to subrule (2) of this rule which occurred during the 1990 ozone control period.

(4) By May 31, 2004, an owner or operator of a fossil fuel-fired emission unit which has the potential to emit more than 25 tons of oxides of nitrogen each ozone control period, except for an emission unit that is subject to subrule (2) of this rule, and which has a maximum rated heat input capacity of more than 250 million British thermal units per hour shall comply with the following provisions, as applicable:

(a) An owner or operator of a fossil fuel-fired, electricity-generating utility unit which serves a generator that has a nameplate capacity of less than 25 megawatts which has a maximum rated heat input capacity of more than 250 million British thermal units per hour shall comply with the appropriate oxides of nitrogen emission limit in table 81 of this rule.

(b) An owner or operator of a fossil fuel-fired boiler or process heater shall meet the emission limits contained in table 81 of this rule.

(c) An owner or operator of a gas-fired boiler or process heater that fires gaseous fuel which contains more than 50% hydrogen by volume shall comply with an oxide of nitrogen emission limit of 0.25 pounds per million Btu heat input.

(d) An owner or operator of a stationary internal combustion engine which is subject to the provisions of this rule and which has a maximum rated heat input capacity that is the heat input at 80 degrees Fahrenheit at sea level and

takes into account inlet and exhaust losses shall comply with the following oxides of nitrogen emission limits, as applicable:

(i) For a natural gas-fired stationary internal combustion engine - 14 grams of oxides of nitrogen per brake horsepower hour at rated output.

(ii) For a diesel-fired stationary internal combustion engine - 10 grams of oxides of nitrogen per brake horsepower hour at rated output.

(e) An owner or operator of a cement kiln that is subject to the provisions of this rule shall reduce kiln oxides of nitrogen emissions by any of the following methods:

(i) Low oxides of nitrogen burners.

(ii) Mid-kiln system firing.

(iii) A 25% rate-based reduction of oxides of nitrogen from 1995 levels. Compliance with this paragraph shall be based on calculations showing that the emission rate, on a pounds of oxides of nitrogen per ton of clinker produced basis, during each compliance ozone control period, has been reduced below the 1995 ozone control period emission rate by 25%.

(f) An owner or operator of a stationary gas turbine which is subject to the provisions of this rule and which has a maximum rated heat input capacity that is the heat input at 80 degrees Fahrenheit at sea level and takes into account inlet and exhaust losses shall comply with an emission limit of 75 parts per million, dry volume, corrected to 15% oxygen, at rated capacity.

The provisions of this rule do not

apply to a stationary gas turbine that is subject to a new source performance standard contained in 40 C.F.R. part 60, subpart gg, which is adopted by reference in R 336.1802a.

(g) An owner or operator of an emission unit which is subject to this rule and which is not otherwise subject to the provisions of subdivisions (a) to

(f) of this subrule shall submit a proposal for oxides of nitrogen control by November 17, 2000. An owner or operator shall implement the control program by May 31, 2004, or by an alternate date approved by the department. The owner or operator shall obtain department approval of the proposed control program. The proposal for oxides of nitrogen control shall include all of the following information:

(i) A listing of reasonably available oxides of nitrogen control technologies, including the costs of installation and operation, cost of control per ton of oxides of nitrogen reduced, and the projected effectiveness of the proposed control technologies. The owner or operator shall use costing methodologies acceptable to the department.

(ii) The technology selected for controlling oxides of nitrogen emissions from the emission unit, considering technological and economic feasibility.

(iii) A proposal for testing, monitoring, and reporting oxides of nitrogen emissions.

(h) The compliance date listed in this subrule may be extended by up to 2 years if an owner or operator

makes an acceptable demonstration to the department that the additional time is necessary to comply with the provisions of this rule. The owner or operator of a unit subject to subrules (2) and 4(a) to (f) of this rule may request an alternate emission limit or control requirement if there is an acceptable demonstration made to the department that compliance with the limits in table 81, or other limits or control requirements, is not reasonable. The request for an alternate emission limit or control requirement shall be submitted to the department within 60 days of the effective date of this amendatory rule and shall include all of the information listed in subdivision (g)(i) to (iii) of this subrule.

(5) The method for determining compliance with the emission limits in subrule (4) of this rule is as follows:

(a) If the emission limit is in the form of pounds of oxides of nitrogen per million British thermal unit, then the unit is in compliance if the sum of the mass emissions from the unit that occurred during the ozone control period, divided by the sum of the heat input from the unit that occurred during the ozone control period, is less than or equal to the limit in subrule (4) of this rule.

(b) For an emission unit not subject to subdivision (a) of this subrule, the method for determining compliance shall be a method acceptable to the department.

(6) An owner or operator of a source of oxides of nitrogen that is subject to the provisions of this rule may participate in Michigan's emission trading program, being R 336. 2201

to R 336.2218.

(7) The owner or operator of an emission unit subject to subrule (2) of this rule shall measure oxides of nitrogen emissions with a continuous emission monitoring system; an alternate method as described in 40 C.F.R. part 60 or 75 and acceptable to the department; or a method currently in use and acceptable to the department, including methods contained in existing permit conditions. The provisions of 40 C.F.R. parts 60 and 75 are adopted by reference in R 336.1802a.

(8) The owner or operator of a boiler, process heater, stationary internal combustion engine, stationary gas turbine, cement kiln, or any other stationary emission unit that is subject to the provisions of subrule (4) of this rule shall measure oxides of nitrogen emissions by any of the following:

(a) Performance tests described in subrule (9) of this rule.

(b) Through the use of a continuous emission monitor in accordance with the provisions of subrule (11) of this rule.

(c) According to a schedule and using a method acceptable to the department.

(9) An owner or operator of an emission unit that measures oxides of nitrogen emissions by performance tests as specified in subrule (8) of this rule shall do all of the following:

(a) Conduct an initial performance test not later than 90 days after the compliance deadline. For an emission unit that is not in service on or after the compliance deadline, the owner or operator shall contact

the department and schedule an alternate initial performance test as agreed to by the department.

(b) After the initial performance test, conduct a compliance performance test each ozone control period or according to the following schedule:

(i) After 2 consecutive ozone control periods in which the emission unit demonstrates compliance, an owner or operator shall conduct performance tests at least once every 2 years during the ozone control period.

(ii) After a total of 4 consecutive ozone control periods in which the emission unit has remained in compliance, an owner or operator shall conduct performance tests at least once every 5 years during the ozone control period.

(c) If an emission unit is not in compliance at the end of an ozone control period, then the owner or operator shall conduct a compliance performance test each ozone control period, but can again elect to use the alternative schedule specified in subdivision (b) of this subrule.

(d) An owner or operator shall submit 2 copies of each compliance performance test to the department within 60 days of completion of the testing. The test results shall be presented and include data as requested in the department format for submittal of source emission test plans and reports. All performance test reports shall be kept on file at the plant and made available to the department upon request.

(10) An owner or operator of an emission unit who is required to conduct performance testing under subrule (8) of this rule shall submit a

test plan to the department, not less than 30 days before the scheduled test date. To ensure proper testing, the plan shall supply the information in the department format for submittal of source emission test plans and reports. The owner or operator shall give the department a reasonable opportunity to witness the tests.

(11) An owner or operator of an emission unit that measures oxides of nitrogen emissions by a continuous emission monitoring system or an alternate method, as specified in subrule (7) or (8) of this rule, shall do either of the following:

(a) Use procedures set forth in 40 C.F.R., part 60, subpart A and appendix B, and comply with the quality assurance procedures in appendix F, or 40 C.F.R., part 75, and associated appendices, as applicable and acceptable to the department. Title 40 C.F.R., parts 60 and 75, are adopted by reference in R 336.1802a.

(b) An owner or operator of an emission unit who uses a continuous emission monitoring system to demonstrate compliance with this rule and who has already installed a continuous emission monitoring system for oxides of nitrogen pursuant to other applicable federal, state, or local rules shall meet the installation, testing, operation, calibration, and reporting requirements specified by federal, state, or local rules.

(12) The owner or operator of an emission unit that is subject to this rule shall submit a summary report, in an acceptable format, to the department within 60 days after the end of each ozone control period.

The report shall include all of the following information:

(a) The date, time, magnitude of emissions, and emission rates where applicable, of the specified emission unit or utility system.

(b) If emissions or emission rates exceed the emissions or rates allowed for in the ozone control period by the applicable emission limit, the cause, if known, and any corrective action taken.

(c) The total operating time of the emission unit during the ozone control period.

(d) For continuous emission monitoring systems, system performance information shall include the date and time of each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of the system repairs or adjustments. When the continuous monitoring system has not been inoperative, repaired, or adjusted, the information shall be stated in the report.

(13) Table 81 reads as follows:

Table 81

[See attached table]

(14) The provisions of this rule do not apply to the following emission unit or units:

(a) A unit that is subject to oxides of nitrogen standards, which have been promulgated in a federal implementation plan under section 110(c) of the clean air act, required under section 126 of the clean air act, or promulgated in a federal regulation under 40 C.F.R. part 51 or part

60 and which are equally stringent

	<p><u>or more stringent than this rule.</u></p> <p><u>(b) A unit that is subject to any other rule included in this part.</u></p> <p><u>(c) A peaking unit. The owner or operator shall retain records of capacity for a period of 5 years demonstrating that the unit meets the definition of a peaking unit. The unit shall become subject to the provisions of this rule on January 1 of the year following failure to meet the peaking unit definition.</u></p> <p>History: 1998-2000 AACS; 2002 AACS; 2009 AACS.</p>	
<p>R 335.1802 Applicability under oxides of nitrogen budget trading program.</p> <p>Rule 802. (1) This rule establishes an oxides of nitrogen emissions budget and oxides of nitrogen trading program for electricity-generating units and large affected units as described in these rules. The following units in the Michigan fine grid zone and the unit at Detroit Edison Company’s Harbor Beach facility in Huron county shall be oxides of nitrogen budget units, and any source that includes 1 or more units shall be an oxides of nitrogen budget source and shall be subject to the requirements of this rule:</p> <p>(a) An electricity-generating unit as defined in R 336.1803.</p> <p>(b) A large affected unit as defined in R 336.1803.</p> <p>(2) A unit described in subrule (1) of this rule shall not be an oxides of nitrogen budget unit, if the unit has a federally enforceable permit that meets any of the following requirements:</p> <p>(a) The federally enforceable permit includes terms and conditions that restrict the unit to burning only</p>	<p>R 336.1802 Applicability under oxides of nitrogen budget trading program.</p> <p>Rule 802. (1) This rule establishes an oxides of nitrogen emissions budget and oxides of nitrogen trading program for electricity-generating units and large affected units as described in these rules. The following units in the Michigan fine grid zone and the unit at Detroit Edison Company's Harbor Beach facility in Huron county shall be oxides of nitrogen budget units, and any source that includes 1 or more units shall be an oxides of nitrogen budget source and shall be subject to the requirements of this rule:</p> <p>(a) An electricity-generating unit as defined in R 336.1803.</p> <p>(b) A large affected unit as defined in R 336.1803.</p> <p>(2) A unit described in subrule (1) of this rule shall not be an oxides of nitrogen budget unit, if the unit has a federally enforceable permit that meets any of the following requirements:</p> <p>(a) The federally enforceable permit includes terms and conditions that restrict the unit to burning only</p>	<p>Rule 802</p> <p>(1). Same.</p> <p>(1)(a). Same.</p> <p>(1)(b). Same.</p> <p>(2). Same.</p> <p>(2)(a). Same.</p>

<p>natural gas or fuel oil during ozone control periods beginning in 2004 and each ozone control period thereafter.</p> <p>(b) The federally enforceable permit includes terms and conditions that restrict the unit's operation during each ozone control period by 1 of the following methods such that the unit's potential oxides of nitrogen mass emissions for the ozone control period are limited to 25 tons or less:</p> <p>(i) Restrict the mass emissions to 25 tons or less of oxides of nitrogen as measured by a certified continuous emission monitoring system in accordance with 40 C.F.R. §75, subpart H, which is adopted by reference in R 336.1801(7).</p> <p>(ii) Restrict the unit's operating hours to no more than the number calculated by dividing 25 tons of potential oxides of nitrogen mass emissions by the unit's maximum potential hourly oxides of nitrogen mass emissions. The maximum potential hourly oxides of nitrogen mass emissions shall be determined by multiplying a rate in either subparagraph (A) or (B) of this paragraph by the value in subparagraph (C) of this paragraph:</p> <p>(A) The default oxides of nitrogen emission rate in 40 C.F.R. §75.19, table LM-2, that would otherwise be applicable assuming that the unit burns only the type of fuel, for example, only natural gas or fuel oil, that has the highest default oxides of nitrogen emission factor of any type of fuel that the unit is allowed to burn under the fuel use restriction in subdivision (a) of this subrule. Title 40 C.F.R., part 75, is adopted by reference in R 336.1801.</p>	<p>natural gas or fuel oil during ozone control periods beginning in 2004 and each ozone control period thereafter.</p> <p>(b) The federally enforceable permit includes terms and conditions that restrict the unit's operation during each ozone control period by 1 of the following methods such that the unit's potential oxides of nitrogen mass emissions for the ozone control period are limited to 25 tons or less:</p> <p>(i) Restrict the mass emissions to 25 tons or less of oxides of nitrogen as measured by a certified continuous emission monitoring system in accordance with 40 C.F.R. §75, subpart H, which is adopted by reference in R 336.1801(7).</p> <p>(ii) Restrict the unit's operating hours to no more than the number calculated by dividing 25 tons of potential oxides of nitrogen mass emissions by the unit's maximum potential hourly oxides of nitrogen mass emissions. The maximum potential hourly oxides of nitrogen mass emissions shall be determined by multiplying a rate in either subparagraph (A) or (B) of this paragraph by the value in subparagraph (C) of this paragraph:</p> <p>(A) The default oxides of nitrogen emission rate in 40 C.F.R. §75.19, table LM-2, that would otherwise be applicable assuming that the unit burns only the type of fuel, for example, only natural gas or fuel oil, that has the highest default oxides of nitrogen emission factor of any type of fuel that the unit is allowed to burn under the fuel use restriction in subdivision (a) of this subrule. Title 40 C.F.R., part 75, is adopted by reference in R 336.1801.</p>	<p>(2)(b). Same.</p> <p>(2)(b)(i). Same.</p> <p>(2)(b)(ii). Same.</p> <p>(2)(b)(ii)(A). Same, except for what is noted below. The table that is referenced in this subpart is called LM-2 in the federal version and LM-2 in the state version.</p>
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<p>(B) The maximum oxides of nitrogen emission rate established in accordance with 40 C.F.R. §75.19(c)(iv), which is adopted by reference in R 336.1801(7).</p> <p>(C) The unit's maximum rated hourly heat input. The owner or operator of the unit may petition the department to use a lower value for the unit's maximum rated hourly heat input than the value as defined in 40 C.F.R. §96.2, which is adopted by reference in R 336.1803. The department may approve the lower value if the owner or operator demonstrates that the maximum hourly heat input specified by the manufacturer or the highest observed hourly heat input, or both, are not representative, and that the lower value is representative of the unit's current capabilities because modifications have been made to the unit limiting its capacity permanently.</p> <p>(iii) Restrict the amount of fuel that can be used based on total heat input by dividing 25 tons by an oxides of nitrogen mass emission rate in either subparagraph (A) or (B) of paragraph (ii) of this subdivision and multiplying by the fuel heat content using the highest default gross calorific value under §75.19, table LM-5, and using a billing fuel flow meter to determine the quantity of fuel being used. Title 40 C.F.R. Part 75 is adopted by reference in R 336.1801.</p> <p>(c) The federally enforceable permit includes all of the following requirements:</p> <p>(i) The owner or operator of the unit shall retain records on site for a period of 5 years. The records shall show hours of operation for units</p>	<p>(B) The maximum oxides of nitrogen emission rate established in accordance with 40 C.F.R. §75.19(c)(iv), which is adopted by reference in R 336.1801(7).</p> <p>(C) The unit's maximum rated hourly heat input. The owner or operator of the unit may petition the department to use a lower value for the unit's maximum rated hourly heat input than the value as defined in 40 <u>C.F.R. §96.2</u>, which is adopted by reference in R 336.1803. The department may approve the lower value if the owner or operator demonstrates that the maximum hourly heat input specified by the manufacturer or the highest observed hourly heat input, or both, are not representative, and that the lower value is representative of the unit's current capabilities because modifications have been made to the unit limiting its capacity permanently.</p> <p>(iii) Restrict the amount of fuel that can be used based on total heat input by dividing 25 tons by an oxides of nitrogen mass emission rate in either subparagraph (A) or (B) of paragraph (ii) of this subdivision and multiplying by the fuel heat content using the highest default gross calorific value under §75.19, table LM-5, and using a billing fuel flow meter to determine the quantity of fuel being used. Title 40 C.F.R. Part 75 is adopted by reference in R 336.1801.</p> <p>(c) The federally enforceable permit includes all of the following requirements:</p> <p>(i) The owner or operator of the unit shall retain records on site for a period of 5 years. The records shall show hours of operation for units</p>	<p>(2)(b)(ii)(B). Same.</p> <p>(2)(b)(ii)(C). Same, except for what is noted below.</p> <p>There is no space between C.F.R. and §96.2 in the state version while the federal version does contain a space.</p> <p>(2)(b)(iii). Same.</p> <p>(2)(c). Same.</p> <p>(2)(c)(i). Same, except for what is noted below.</p>
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<p>with the operating hours restriction, volumes of fuel burned and maximum default gross calorific values for units with the heat input restriction, continuous emission monitoring data for units with the continuous emission monitoring exemption, and all other information necessary to demonstrate that requirements of the permit related to these restrictions were met.</p> <p>(ii) The owner or operator of the unit shall report the unit's hours of operation, heat input, or continuous emission monitoring systems measured oxides of nitrogen emissions to the department by November 1 of each year for which the unit is subject to the federally enforceable permit. If the hours of operation are required to be reported, the owner or operator shall treat any partial hour of operation as a whole hour of operation. The unit shall be subject only to the requirements of this subrule, throughout the effective period of the federally enforceable permit under this subrule.</p> <p>(iii) The owners and operators of the unit shall establish or specify a general account.</p> <p>(iv) After recording an oxides of nitrogen allowance allocation under R 336.1810, the United States environmental protection agency shall deduct from the general account under paragraph (iii) of this subdivision oxides of nitrogen allowances that are allocated for the same or a prior ozone season control period as the recorded oxides of nitrogen allowances allocation and that equal the oxides of nitrogen emission limitation, in tons of oxides of nitrogen, on which the unit's</p>	<p>with the operating hours restriction, volumes of fuel burned and maximum default gross calorific values for units with the heat input restriction, continuous emission monitoring data for units with the continuous emission monitoring exemption, and all other information necessary to demonstrate that requirements of the permit related to these restrictions were met</p> <p>(ii) The owner or operator of the unit shall report the unit's hours of operation, heat input, or continuous emission monitoring systems measured oxides of nitrogen emissions to the department by November 1 of each year for which the unit is subject to the federally enforceable permit. If the hours of operation are required to be reported, the owner or operator shall treat any partial hour of operation as a whole hour of operation. The unit shall be subject only to the requirements of this subrule, throughout the effective period of the federally enforceable permit under this subrule.</p> <p>(iii) The owners and operators of the unit shall establish or specify a general account.</p> <p>(iv) After recording an oxides of nitrogen allowance allocation under R 336.1810, the United States environmental protection agency shall deduct from the general account under paragraph (iii) of this subdivision oxides of nitrogen allowances that are allocated for the same or a prior ozone season control period as the recorded oxides of nitrogen allowances allocation and that equal the oxides of nitrogen emission limitation, in tons of oxides of nitrogen, on which the</p>	<p>The federal version has a period at the end of its last sentence while the state version does not.</p> <p>(2)(c)(ii). Same.</p> <p>(2)(c)(iii). Same.</p> <p>(2)(c)(iv). Same.</p>
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<p>exemption under this subdivision is based. The NOx authorized account representative shall ensure that the general account contains the oxides of nitrogen allowances necessary for completion of the deduction.</p> <p>(3) The department shall notify the United States environmental protection agency, in writing, within 30 days of either of the following scenarios:</p> <p>(a) A unit is issued a federally enforceable permit under subrule (2) of this rule.</p> <p>(b) Any of the following provisions apply to a unit's federally enforceable permit previously issued by the department under subrule (2) of this rule:</p> <p>(i) The permit is revised to remove any restriction.</p> <p>(ii) The permit includes any restriction that is no longer applicable.</p> <p>(iii) The permit conditions do not comply with any restriction.</p> <p>(4) A unit shall be treated as commencing operation, and for a unit under subrule (1)(a) of this rule commencing commercial operation, on September 30 of the ozone control period in which either of the following conditions apply:</p> <p>(a) The fuel use restriction, operating hours, or emissions restriction is no longer applicable.</p> <p>(b) The unit does not comply with the fuel use restriction, operating hours, or emissions restriction.</p>	<p>unit's exemption under this subdivision is based. The NOx authorized account representative shall ensure that the general account contains the oxides of nitrogen allowances necessary for completion of the deduction.</p> <p>(3) The department shall notify the United States environmental protection agency, in writing, within 30 days of either of the following scenarios:</p> <p>(a) A unit is issued a federally enforceable permit under subrule (2) of this rule.</p> <p>(b) Any of the following provisions apply to a unit's federally enforceable permit previously issued by the department under subrule (2) of this rule:</p> <p>(i) The permit is revised to remove any restriction.</p> <p>(ii) The permit includes any restriction that is no longer applicable.</p> <p>(iii) The permit conditions do not comply with any restriction.</p> <p>(4) A unit shall be treated as commencing operation, and for a unit under subrule (1)(a) of this rule commencing commercial operation, on September 30 of the ozone control period in which either of the following conditions apply:</p> <p>(a) The fuel use restriction, operating hours, or emissions restriction is no longer applicable.</p> <p>(b) The unit does not comply with the fuel use restriction, operating hours, or emissions restriction.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002; 2004 MR 10, Eff. May 20, 2004.</p>	<p>(3). Same.</p> <p>(3)(a). Same.</p> <p>(3)(b). Same.</p> <p>(3)(b)(i). Same.</p> <p>(3)(b)(ii). Same.</p> <p>(3)(b)(iii). Same.</p> <p>(4). Same.</p> <p>(4)(a). Same.</p> <p>(4)(b). Same.</p>
	<p><u>R 336.1802a Adoption by reference.</u></p>	<p>Rule 802a: This rule is missing in</p>

Rule 802a. The following documents are adopted by reference in these rules. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at the cost at the time of adoption of these rules (AQD price). Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania, 15250 7954, at the cost at the time of adoption of these rules (GPO price), or on the United States government printing office internet web site at <http://www.gpoaccess.gov>:

(a) Title 40 C.F.R., part 60, "Standards of Performance for New Stationary Sources" (2007), AQD price \$68.00, appendices \$67.00; GPO price \$58.00, appendices \$57.00.

(b) Title 40 C.F.R., §72.2 definitions under the "Acid Rain Program General Provisions" (January 24, 2008), AQD price \$72.00; GPO price \$62.00.

(c) Title 40 C.F.R. §72.8, "Retired Units Exemption" (January 24, 2008), AQD price \$72.00; GPO price \$62.00

(d) Title 40 C.F.R., part 75, "Continuous Emission Monitoring" (January 24, 2008), AQD price \$72.00; GPO price \$62.00.

(e) Title 40 C.F.R., §96.54, "Compliance" (2006), AQD price \$70.00; GPO price \$60.00.

(f) Title 40 C.F.R., §97.2, 97.102, 97.103, 97.302 and 97.303, definitions under the "Federal Oxides of Nitrogen (NOX) Budget

the federal SIP.
The spacing issue between "rules." and "Copies" is present in the original.

	<p><u>Trading Program and CAIR NOX and Sulfur Dioxide (SO2) Trading Programs" (October 17, 2007), AQD price \$70.00; GPO price \$60.00.</u></p> <p><u>(g) Title 40 C.F.R., §97.104, "Applicability" (October 17, 2007), AQD price \$70.00; GPO price \$60.00.</u></p> <p><u>(h) Title 40 C.F.R., §§97.180 to 97.188 and §§97.380 to 97.388, opt-in provisions under the "Federal Oxides of Nitrogen (NOX) Budget Trading Program and CAIR NOX and Sulfur Dioxide (SO2) Trading Programs" (October 17, 2007), AQD price \$70.00; GPO price \$60.00.</u></p> <p><u>(i) Title 40 C.F.R., §97.304, Applicability (October 17, 2007), AQD price \$70.00; GPO price \$60.00.</u></p> <p>History: 2007 AACS.; 2009 AACS.</p>	
<p>R 336.1803 Definitions for oxides of nitrogen budget trading program.</p> <p>Rule 803. (1) The provisions of 40 C.F.R. §96.2 are adopted by reference in this rule. The definitions in 40 C.F.R. §96.2 are applicable to R 336.1802 through R 336.1816. In addition, all of the following definitions apply as indicated, including a modification to the “NOx budget trading program” definition:</p> <p>(a) “Electricity-generating unit (EGU)” means:</p> <p>(i) For units that commenced operation before January 1, 1997, a unit serving a generator during 1995 or 1996 that had a nameplate capacity of more than 25 megawatts and produced electricity for sale.</p>	<p>R 336.1803 Definitions.</p> <p>Rule 803. (1) The provisions of 40 C.F.R. §96.2 are adopted by reference in this rule. The definitions for the oxides of nitrogen budget trading program in 40 C.F.R. §96.2 are applicable to R 336.1802 to R 336.1816. In addition, all of the following definitions apply as indicated, including a modification to the “<u>NOX</u> budget trading program” definition:</p> <p>(a) “Electric-generating unit (EGU)” means <u>the following</u>:</p> <p>(i) For units that commenced operation <u>before</u> January 1, 1997, a unit serving a generator during 1995 or 1996 that had a nameplate capacity of more than 25 megawatts and produced electricity for sale.</p>	<p>Rule 803. Title shortened in the state version.</p> <p>(1).</p> <p>Clarification of definition section.</p> <p>Editorial changes.</p> <p>Written NOx in federal version and NOX in state version.</p> <p>(1)(a). Change to “Electric” from “Electricity.” Editorial changes.</p> <p>(1)(a)(i). Same.</p>

<p>(ii) For units that commenced operation on or after January 1, 1997, and before January 1, 1999, a unit serving a generator during 1997 or 1998 that had a nameplate capacity of more than 25 megawatts and produced electricity for sale.</p> <p>(iii) For units that commence operation on or after January 1, 1999, a unit serving a generator at any time that has a nameplate capacity of more than 25 megawatts and produces electricity for sale.</p> <p>(b) "Large affected unit" means:</p> <p>(i) For units that commenced operation before January 1, 1997, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1995 or 1996 a generator producing electricity for sale.</p> <p>(ii) For units that commenced operation on or after January 1, 1997, and before January 1, 1999, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1997 or 1998 a generator producing electricity for sale.</p> <p>(iii) For units that commence operation on or after January 1, 1999, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and to which either of the following provisions applies:</p> <p>(A) The unit at no time serves a generator producing electricity for sale.</p> <p>(B) The unit at any time serves a generator producing electricity for sale, if any such generator has a nameplate capacity of 25 megawatts or less and has the potential to use not more than 50% of the potential</p>	<p>(ii) For units that commenced operation on or after January 1, 1997, and before January 1, 1999, a unit serving a generator during 1997 or 1998 that had a nameplate capacity of more than 25 megawatts and produced electricity for sale.</p> <p>(iii) For units that commence operation on or after January 1, 1999, a unit serving a generator at any time that has a nameplate capacity of more than 25 megawatts and produces electricity for sale.</p> <p>(b) "Large affected unit" means <u>the following</u>:</p> <p>(i) For units that commenced operation before January 1, 1997, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1995 or 1996 a generator producing electricity for sale.</p> <p>(ii) For units that commenced operation on or after January 1, 1997, and before January 1, 1999, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1997 or 1998 a generator producing electricity for sale.</p> <p>(iii) For units that commence operation on or after January 1, 1999, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and to which either of the following provisions applies:</p> <p>(A) The unit at no time serves a generator producing electricity for sale.</p> <p>(B) The unit at any time serves a generator producing electricity for sale, if any such generator has a nameplate capacity of 25 megawatts or less and has the potential to use not more than 50% of the potential</p>	<p>(1)(a)(ii). Same.</p> <p>(1)(a)(iii). Same.</p> <p>(1)(b). Editorial changes.</p> <p>(1)(b)(i). Same.</p> <p>(1)(b)(ii).</p> <p>(1)(b)(iii). Same.</p> <p>(1)(b)(iii)(A). Same.</p> <p>(1)(b)(iii)(B). Same.</p>
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<p>electrical output capacity of the unit.</p> <p>(c) "Michigan fine grid zone" means the geographical area that includes all of the following counties:</p> <ul style="list-style-type: none"> (i) Allegan. (ii) Barry. (iii) Bay. (iv) Berrien. (v) Branch. (vi) Calhoun. (vii) Cass. (viii) Clinton. (ix) Eaton. (x) Genesee. (xi) Gratiot. (xii) Hillsdale. (xiii) Ingham. (xiv) Ionia. (xv) Isabella. (xvi) Jackson. (xvii) Kalamazoo. (xviii) Kent. (xix) Lapeer. (xx) Lenawee. (xxi) Livingston. (xxii) Macomb. (xxiii) Mecosta. (xxiv) Midland. (xxv) Monroe. (xxvi) Montcalm. (xxvii) Muskegon. (xxviii) Newaygo. (xxix) Oakland. (xxx) Oceana. (xxxii) Saginaw. (xxxiii) Saint Clair. (xxxiv) Saint Joseph. (xxxv) Sanilac. (xxxvi) Shiawassee. (xxxvii) Tuscola. (xxxviii) Vanburen. (xxxix) Washtenaw. (xxxx) Wayne. <p>(d) "NOx budget trading program" means a multi-state nitrogen oxides</p>	<p>electrical output capacity of the unit.</p> <p>(c) "Michigan fine grid zone" means the geographical area that includes all of the following counties:</p> <ul style="list-style-type: none"> (i) Allegan. (ii) Barry. (iii) Bay. (iv) Berrien. (v) Branch. (vi) Calhoun. (vii) Cass. (viii) Clinton. (ix) Eaton. (x) Genesee. (xi) Gratiot. (xii) Hillsdale. (xiii) Ingham. (xiv) Ionia. (xv) Isabella. (xvi) Jackson. (xvii) Kalamazoo. (xviii) Kent. (xix) Lapeer. (xx) Lenawee. (xxi) Livingston. (xxii) Macomb. (xxiii) Mecosta. (xxiv) Midland. (xxv) Monroe. (xxvi) Montcalm. (xxvii) Muskegon. (xxviii) Newaygo. (xxix) Oakland. (xxx) Oceana. (xxxii) Saginaw. (xxxiii) Saint Clair. (xxxiv) Saint Joseph. (xxxv) Sanilac. (xxxvi) Shiawassee. (xxxvii) Tuscola. (xxxviii) Vanburen. (xxxix) Washtenaw. (xxxx) Wayne. <p>(d) "<u>NOX</u> budget trading program" means a multi-state nitrogen oxides</p>	<p>(1)(c). Same.</p> <p>(1)(c)(i)-(xxxx). Same.</p> <p>(1)(d). NOx in the federal version is replaced by NOX in the state</p>
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<p>air pollution control and emission reduction program established pursuant to 40 C.F.R. part 96 and part 97. The provisions of 40 C.F.R. part 96 and part 97 are adopted by reference in subrule (2) of this rule.</p> <p>(e) "Ozone control period" means the period of May 31, 2004, through September 30, 2004, and the period of May 1 through September 30 each subsequent and prior year. The term "ozone control period" replaces the term "control period."</p> <p>(2) For R 336.1803 through R 336.1816, the provisions of 40 C.F.R. part 96 and part 97 (2001) are adopted by reference, except as modified in R 336.1804, R 336.1805, R 336.1808, R 336.1811, R 336.1813, and R 336.1815. Copies may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of the regulations may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of this rule of \$54.00. A copy may also be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of this rule of \$54.00; or on the United States government printing office internet web site at www.access.gpo.gov.</p>	<p>air pollution control and emission reduction program established pursuant to 40 C.F.R. part 96 and part 97. The provisions of 40 C.F.R. part 96 and part 97 are adopted by reference in subrule (2) of this rule.</p> <p>(e) "Ozone control period" means the period of May 31, 2004, through September 30, 2004, and the period of May 1 <u>to</u> September 30 each subsequent and prior year. The term "ozone control period" replaces the term "control period."</p> <p>(2) For R 336.1803 <u>to</u> R 336.1816, the provisions of 40 C.F.R. part 96 and part 97 (2007) are adopted by reference, except as modified in R 336.1804, R 336.1805, R 336.1808, R 336.1811, R 336.1813, and R <u>336.1815</u>.<u>Copies</u> may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of the regulations may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of this rule of \$70.00. A copy may also be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of this rule of \$60.00; or on the United States government printing office internet web site at www.access.gpo.gov.</p> <p><u>(3) Definitions under the clean air interstate rule NOX ozone season and annual trading programs in 40 C.F.R. §97.102 and §97.302 are applicable to R 336.1821 to R 336.1834. In addition, all of the</u></p>	<p>version.</p> <p>(1)(e). Same, except as noted below.</p> <p>Editorial changes.</p> <p>(2). Same, except as noted below.</p> <p>Editorial changes.</p> <p>No space between "1815." and "Copies" in state version.</p> <p>Price changed from \$54.00 in federal version to \$70.00 in state version.</p> <p>Price changed from \$54.00 in federal version to \$60.00 in state version.</p> <p>(3). Rule 803(3) and beyond are not present in the federal version of the SIPs.</p>
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following definitions apply as indicated:

(a) "Biomass" means the same as defined in 40 C.F.R §97.102 and §97.302.

(b) "CAIR" means clean air interstate rule.

(c) "Cogeneration unit" means the same as defined in 40 C.F.R §97.102 and §97.302.

(d) "Commence commercial operation" means the same as defined in 40 C.F.R §97.102 and §97.302.

(e) "Commence operation" means the same as defined in 40 C.F.R §97.102 and §97.302.

(f) Electric generating unit or "EGU" means any of the following:

(i) For the purposes of the CAIR NOX ozone season trading program;

a CAIR NOX ozone season unit as defined under 40 C.F.R. §97.304,

(ii) For the purposes of the CAIR NOX ozone season trading program, electric generating units required to be in Michigan's NOX SIP budget trading program that are not already included under 40 C.F.R. §96.304, which are defined as the following units located in Michigan's fine grid zone:

(A) For units that commenced operation before January 1, 1997, a unit serving a generator during 1995 or 1996 that had a nameplate capacity of more than 25 megawatts and produced electricity for sale.

(B) For units that commenced operation on or after January 1, 1997, and before January 1, 1999, a unit serving a generator during 1997 or 1998 that had a nameplate capacity of more than 25 megawatts and produced electricity for sale.

(C) For units that commence

operation on or after January 1, 1999, a unit serving a generator at any time that has a nameplate capacity of more than 25 megawatts and produces electricity for sale.

(iii) For purposes of the CAIR NOX annual trading program; a CAIR NOX unit as defined under 40 C.F.R. §97.104.

(g) "Equivalent," for the purpose of allocating allowances pursuant to Michigan's CAIR programs, is determined using equation F-5 or F-6 in 40 C.F.R. part 75, appendix F.

(h) "Existing EGUs" for allocation purposes under R 336.1821 to R 336.1834, means electric generating units that commenced operations prior to the most recent year of the 5-year period used to calculate the allocations pursuant to these rules.

(i) "Fossil fuel-fired," means as defined in 40 C.F.R. §97.2 for the purposes of determining applicability for units that are considered either of the following:

(i) EGUs as defined pursuant to R 336.1803(3)(f)(ii).

(ii) Non-EGUs as defined pursuant to R 336.1803(3)(p).

(j) "Fuel types," for the allocation of allowances under Michigan's CAIR programs only, means solid, liquid, and gaseous fuel. The following definitions apply to fuel:

(i) "Solid fuel" includes, but is not limited to coal, biomass, tire-derived fuels, and pet coke.

(ii) "Liquid fuel" includes, but is not limited to petroleum-based oils, glycerol, vegetable-based and animal waste-based liquids.

(iii) "Gaseous fuel" includes, but is not limited to coke oven gas, natural gas, propane, coal gas, blast furnace gas, and methane derived from

animal wastes.

(k) "Maximum design heat input" means the same as defined in 40 C.F.R §97.102 and §97.302.

(l) "Michigan fine grid zone" means the geographical area that includes all of the following counties:

(i) Allegan.

(ii) Barry.

(iii) Bay.

(iv) Berrien.

(v) Branch.

(vi) Calhoun.

(vii) Cass.

(viii) Clinton.

(ix) Eaton.

(x) Genesee.

(xi) Gratiot.

(xii) Hillsdale.

(xiii) Ingham.

(xiv) Ionia.

(xv) Isabella.

(xvi) Jackson.

(xvii) Kalamazoo.

(xviii) Kent.

(xix) Lapeer.

(xx) Lenawee.

(xxi) Livingston.

(xxii) Macomb.

(xxiii) Mecosta.

(xxiv) Midland.

(xxv) Monroe.

(xxvi) Montcalm.

(xxvii) Muskegon.

(xxviii) Newaygo.

(xxix) Oakland.

(xxx) Oceana.

(xxxi) Ottawa.

(xxxii) Saginaw.

(xxxiii) Saint Clair.

(xxxiv) Saint Joseph.

(xxxv) Sanilac.

(xxxvi) Shiawassee.

(xxxvii) Tuscola.

(xxxviii) Vanburen.

(xxxix) Washtenaw.

(xxxx) Wayne.

(m) "Nameplate capacity" means the same as defined in 40 C.F.R §97.102 and §97.302.

(n) "New EGUs," for allocation purposes under R 336.1821 to R 336.1834, means electric generating units that are commencing operation or projected to commence operation on or after January 1 of the most recent year of the 5-year period used to calculate the allocations pursuant to these rules.

(o) "Newly-affected EGUs," for allocation purposes under R 336.1821 to R 336.1834, means existing EGUs located outside the Michigan fine grid zone or existing EGUs located within the Michigan fine grid zone which were exempt from the federal NOX budget program. This definition is applicable for the 2009 CAIR NOX ozone season program only and after that time the newly affected EGUs are considered existing EGUs. This definition excludes the Harbor Beach power plant which was previously included as an EGU in the NOX SIP Budget trading program and is considered existing for the purposes of CAIR NOX ozone season program.

(p) "Non-EGUs" means the following units located in Michigan's fine grid zone:

(i) For units that commenced operation before January 1, 1997, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1995 or 1996 a generator producing electricity for sale.

(ii) For units that commenced operation on or after January 1, 1997, and before January 1, 1999, a

unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1997 or 1998 a generator producing electricity for sale.

(iii) For units that commence operation on or after January 1, 1999, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and to which either of the following provisions applies:

(A) The unit at no time serves a generator producing electricity for sale.

(B) The unit at any time serves a generator producing electricity for sale, if any such generator has a nameplate capacity of 25 megawatts or less and has the potential to use not more than 50% of the potential electrical output capacity of the unit.

(q) "Ozone Season" means May 1 to September 30 of each calendar year.

(r) "Renewable energy source," for allocation purposes under R 336.1821 to R 336.1826, means a source, located in Michigan, that generates electricity by solar, wind, geothermal, or hydroelectric processes, excluding nuclear, that has commenced operation or is projected to commence operation on or after January 1 of the most recent year of the 5-year period used to calculate the allocations pursuant to these rules, which meets all of the following:

(i) Serves a generator at 25 megawatts or greater of electrical output.

(ii) Is not subject to R 336.1801(4)(a) or covered by any other definitions in this rule.

(iii) Captures energy from on-going natural processes.

	<p><u>(iv) Is considered a non-emitting, having zero emissions, source.</u> <u>(s) "Renewable energy projects," for allocation purposes under R 336.1821 to R 336.1826, means renewable energy sources, located in Michigan and located within the same geographic area that when added together equal a generator greater than 25 megawatts of electrical output.</u></p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002; MR 12, Eff. June 25, 2007; 2009 MR 10, Eff. May 28, 2009.</p>	
<p>R 336.1804 Retired unit exemption from oxides of nitrogen budget trading program. Rule 804. The provisions in 40 C.F.R. §96.5 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modifications: (a) The date in (c)(2)(i) of “May 1, 2003” shall be revised to “May 31, 2004.” (b) The time period of “18 months” in (c)(2)(i) shall be revised to “270 days.” (c) The date in (c)(2)(ii) of “May 1, 2003” shall be revised to “May 31, 2004.” (d) The “loss of exemption” provisions in (c)(6)(i)(B) shall be revised to replace the word “application” by the phrase “application; or” and to include a new paragraph (c)(6)(i)(C) as follows: “The date on which the unit resumes operation, if the unit is not required to submit an oxides of nitrogen permit application.”</p>	<p>R 336.1804 Retired unit exemption from oxides of nitrogen budget trading program. Rule 804. The provisions in 40 C.F.R. §96.5 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modifications: (a) The date in (c)(2)(i) of "May 1, 2003" shall be revised to "May 31, 2004." (b) The time period of "18 months" in (c)(2)(i) shall be revised to "270 days." (c) The date in (c)(2)(ii) of "May 1, 2003" shall be revised to "May 31, 2004." (d) The "loss of exemption" provisions in (c)(6)(i)(B) shall be revised to replace the word "application" by the phrase "application; or" and to include a new paragraph (c)(6)(i)(C) as follows: "The date on which the unit resumes operation, if the unit is not required to submit an oxides of nitrogen permit application."</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002; 2004 MR 10, Eff. May 20, 2004.</p>	<p>Rule 804. This rule is the same in both the federal and state version.</p>

<p>R 336.1805 Standard requirements of oxides of nitrogen budget trading program. Rule 805. The provisions in 40 C.F.R. §96.6 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modification: The date in (c)(3) of “May 1, 2003” shall be revised to “May 31, 2004.”</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>R 336.1805 Standard requirements of oxides of nitrogen budget trading program. Rule 805. The provisions in 40 C.F.R. §96.6 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modification: The date in (c)(3) of "May 1, 2003" shall be revised to "May 31, 2004."</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>Rule 805. This rule is the same in both the federal and state version.</p>
<p>R 336.1806 Computation of time under oxides of nitrogen budget trading program. Rule 806. The provisions in 40 C.F.R. §96.7 are adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History 2002 MR __, Eff. December 4, 2002.</p>	<p>R 336.1806 Computation of time under oxides of nitrogen budget trading program. Rule 806. The provisions in 40 C.F.R. §96.7 are adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>Rule 806. This rule is the same in both the federal and state version.</p>
<p>R 336.1807 Authorized account representative under oxides of nitrogen budget trading program. Rule 807. The provisions in 40 C.F.R. §96.10 through 96.14 are adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>R 336.1807 Authorized account representative under oxides of nitrogen budget trading program. Rule 807. The provisions in 40 C.F.R. §96.10 through 96.14 are adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>Rule 807. This rule is the same in both the federal and state version.</p>
<p>R 336.1808 Permit requirements under oxides of nitrogen budget trading program. Rule 808. The provisions in 40 C.F.R. §96.20 through 96.25 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modifications: (a) All dates in §96.20 through 96.25 of “January 1, 2000” shall be revised to “January 1, 2001,” and of “May 1, 2003” to “May 31, 2004.” (b) The time period of “18 months”</p>	<p>R 336.1808 Permit requirements under oxides of nitrogen budget trading program. Rule 808. The provisions in 40 C.F.R. §96.20 through 96.25 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modifications: (a) All dates in §96.20 through 96.25 of "January 1, 2000" shall be revised to "January 1, 2001," and of "May 1, 2003" to "May 31, 2004." (b) The time period of "18 months"</p>	<p>Rule 808. This rule is the same in both the federal and state version.</p>

<p>shall be revised to "270 days." (c) The language following the term "effective in §96.24 shall be replaced with the term "upon issuance."</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>shall be revised to "270 days." (c) The language following the term "effective" in §96.24 shall be replaced with the term "upon issuance."</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	
<p>R 336.1809 Compliance certification under oxides of nitrogen budget trading program. Rule 809. The provisions in 40 C.F.R. §§96.30 and 96.31 and adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History: 2002 MR __, Eff. December 2002.</p>	<p>R 336.1809 Compliance certification under oxides of nitrogen budget trading program. Rule 809. The provisions in 40 C.F.R. §§96.30 and 96.31 are adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>Rule 809. This rule is the same in both the federal and state version.</p>
<p>R 336.1810 Allowance allocations under oxides of nitrogen budget trading program. Rule 810. (1) The trading program budget allocated by the department under subrule (3) of this rule for an ozone control period shall equal the total number of tons of oxides of nitrogen emissions apportioned to the oxides of nitrogen budget units under R 336.1802 for the ozone control period, as determined by the procedures in this rule. The total number of tons of oxides of nitrogen emissions that are available for allocation as oxides of nitrogen allowances under this rule is as follows: (a) For electricity-generating units, 29,038 tons in 2004, 2005, and 2006, and 28,150 tons in each year thereafter. (b) For large affected units, 2,209 tons, distributed as follows: (i) For large affected units, 1,081 tons. (ii) For hardship purposes described in subrule (4)(f) of this rule, 564</p>	<p>R 336.1810 Allowance allocations under oxides of nitrogen budget trading program. Rule 810. (1) The trading program budget allocated by the department under subrule (3) of this rule for an ozone control period shall equal the total number of tons of oxides of nitrogen emissions apportioned to the oxides of nitrogen budget units under R 336.1802 for the ozone control period, as determined by the procedures in this rule. The total number of tons of oxides of nitrogen emissions that are available for allocation as oxides of nitrogen allowances under this rule is as follows: (a) For electricity-generating units, 29,038 tons in 2004, 2005, and 2006, and 28,150 tons in each year thereafter. (b) For large affected units, 2,209 tons, distributed as follows: (i) For large affected units, 1,081 tons. (ii) For hardship purposes described in subrule (4)(f) of this rule, 564</p>	<p>Rule 810 (1). Same. (1)(a). Same. (1)(b). Same. (1)(b)(i). Same. (1)(b)(ii). Same.</p>

<p>tons.</p> <p>(iii) For new source set-aside purposes described in R 336.1811, 564 tons in 2004, 2005, and 2006, and 1,452 tons in each year thereafter.</p> <p>(2) The department shall allocate oxides of nitrogen allowances to oxides of nitrogen budget units according to the following schedule:</p> <p>(a) A 3-year allocation that is 3 years in advance of the ozone control period in which the allowances are to be used. the 3-year allocation shall be as follows:</p> <p>(i) Within 60 days of the effective date of thIS rule, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods in 2004, 2005, and 2006.</p> <p>(ii) By April 1, 2004, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods in 2007, 2008, and 2009.</p> <p>(iii) By April 1, 2007, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods in 2010, 2011, and 2012.</p> <p>(iv) By April 1, 2010, and thereafter April 1 of the year that is 3 years after the last year of allocations, the department shall submit, to the United States environmental protection agency, the oxides of</p>	<p>tons.</p> <p>(iii) For new source set-aside purposes described in R 336.1811, 564 tons in 2004, 2005, and 2006, and 1,452 tons in each year thereafter.</p> <p>(2) The department shall allocate oxides of nitrogen allowances to oxides of nitrogen budget units according to the following schedule:</p> <p>(a) A 3-year allocation that is 3 years in advance of the ozone control period in which the allowances are to be used. the 3-year allocation shall be as follows:</p> <p>(i) Within 60 days of the effective date of thIS rule, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods in 2004, 2005, and 2006.</p> <p>(ii) By April 1, 2004, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods in 2007, 2008, and 2009.</p> <p>(iii) By April 1, 2007, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods in 2010, 2011, and 2012.</p> <p>(iv) By April 1, 2010, and thereafter April 1 of the year that is 3 years after the last year of allocations, the department shall submit, to the United States environmental protection agency, the oxides of</p>	<p>(1)(b)(iii). Same.</p> <p>(2). Same.</p> <p>(2)(a). Same.</p> <p>Capitalization in this sentence the same in both versions.</p> <p>(2)(a)(i). Same.</p> <p>Capitalization in this sentence the same in both versions.</p> <p>(2)(a)(ii). Same.</p> <p>(2)(a)(iii). Same.</p> <p>(2)(a)(iv). Same.</p>
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<p>nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods 3, 4, and 5 years after the year of the allowance allocation.</p> <p>(b) If the department fails to submit the oxides of nitrogen allowance allocations in accordance with this subdivision to the United States environmental protection agency, then the United States environmental protection agency will allocate, for the applicable ozone control period, the same number of oxides of nitrogen allowances as were allocated for the preceding ozone control period.</p> <p>(c) By April 1, 2005, and April 1 of each year thereafter, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations remaining in the allocation set-aside for the prior ozone control period, in accordance with R 336.1811.</p> <p>(3) The heat input, in million Btu's, used for calculating oxides of nitrogen allowance allocations for each oxides of nitrogen budget unit under R 336.1805 shall be as follows:</p> <p>(a) For an oxides of nitrogen allowance allocation under subrule (2)(a)(i) of this rule, the following provisions apply, as applicable:</p> <p>(i) For an electric generating unit, the average of the 2 highest amounts of the unit's heat input for the ozone control periods in 1995 through 2000.</p> <p>(ii) For a large affected unit, the average of the 2 highest amounts of the unit's heat input for the ozone control periods in 1995 through 2000.</p>	<p>nitrogen allowance allocations, in accordance with subrules (3) and (4) of this rule, for the ozone control periods 3, 4, and 5 years after the year of the allowance allocation.</p> <p>(b) If the department fails to submit the oxides of nitrogen allowance allocations in accordance with this subdivision to the United States environmental protection agency, then the United States environmental protection agency will allocate, for the applicable ozone control period, the same number of oxides of nitrogen allowances as were allocated for the preceding ozone control period.</p> <p>(c) By April 1, 2005, and April 1 of each year thereafter, the department shall submit, to the United States environmental protection agency, the oxides of nitrogen allowance allocations remaining in the allocation set-aside for the prior ozone control period, in accordance with R 336.1811.</p> <p>(3) The heat input, in million Btu's, used for calculating oxides of nitrogen allowance allocations for each oxides of nitrogen budget unit under R 336.1805 shall be as follows:</p> <p>(a) For an oxides of nitrogen allowance allocation under subrule (2)(a)(i) of this rule, the following provisions apply, as applicable:</p> <p>(i) For an electric generating unit, the average of the 2 highest amounts of the unit's heat input for the ozone control periods in 1995 through 2000.</p> <p>(ii) For a large affected unit, the average of the 2 highest amounts of the unit's heat input for the ozone control periods in 1995 through 2000.</p>	<p>(2)(b). Same.</p> <p>(2)(c). Same.</p> <p>(3). Same.</p> <p>(3)(a). Same.</p> <p>(3)(a)(i). Same.</p> <p>(3)(a)(ii). Same.</p>
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<p>(iii) For a unit that operated less than 2 ozone seasons in 1995 through 2000, the single highest heat input for 1 of these ozone seasons.</p> <p>(b) For an oxides of nitrogen allowance allocation under subrule (2)(a)(ii) through (iv) of this rule, the unit's average of the 2 highest heat inputs for the ozone control period in the 5 years immediately preceding the year in which the department is required to submit the oxides of nitrogen allocations. If a unit operated less than 2 ozone seasons in 1 of the 5-year time periods, then the unit's single highest heat input shall be used.</p> <p>(c) The unit's total heat input for the ozone control period in each year shall be determined in accordance with 40 C.F.R. part 75 if the oxides of nitrogen budget unit was otherwise subject to the requirements of 40 C.F.R. part 75 for the year, or shall be based on the best available data reported to the department for the unit if the unit was not otherwise subject to the requirements of 40 C.F.R. part 75 for the year. The owner or operator of an oxides of nitrogen budget unit shall submit heat input data within 30 days if requested by the department. Title 40 C.F.R. part 75 is adopted by reference in R 336.1801.</p> <p>(4) For each ozone control period under subrule (2) of this rule, the department shall allocate to all oxides of nitrogen budget units that commenced operation before May 1 of the most recent year of the 5-year period used to calculate heat input under subrule (3) of this rule, a total of 29,038 tons of allowances for</p>	<p>(iii) For a unit that operated less than 2 ozone seasons in 1995 through 2000, the single highest heat input for 1 of these ozone seasons.</p> <p>(b) For an oxides of nitrogen allowance allocation under subrule (2)(a)(ii) through (iv) of this rule, the unit's average of the 2 highest heat inputs for the ozone control period in the 5 years immediately preceding the year in which the department is required to submit the oxides of nitrogen allocations. If a unit operated less than 2 ozone seasons in 1 of the 5-year time periods, then the unit's single highest heat input shall be used.</p> <p>(c) The unit's total heat input for the ozone control period in each year shall be determined in accordance with 40 C.F.R. part 75 if the oxides of nitrogen budget unit was otherwise subject to the requirements of 40 C.F.R. part 75 for the year, or shall be based on the best available data reported to the department for the unit if the unit was not otherwise subject to the requirements of 40 C.F.R. part 75 for the year. The owner or operator of an oxides of nitrogen budget unit shall submit heat input data within 30 days if requested by the department. Title 40 C.F.R. part 75 is adopted by reference in R 336.1801.</p> <p>(4) For each ozone control period under subrule (2) of this rule, the department shall allocate to all oxides of nitrogen budget units that commenced operation before May 1 of the most recent year of the 5-year period used to calculate heat input under subrule (3) of this rule, a total of 29,038 tons of allowances for</p>	<p>(3)(a)(iii). Same.</p> <p>(3)(b). Same.</p> <p>(3)(c). Same.</p> <p>(4). Same.</p>
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electric generating units in 2004, 2005, and 2006; 28,150 tons in each year thereafter; and 1,081 tons of allowances for large affected units, apportioned in accordance with the following procedures:

(a) The department shall allocate oxides of nitrogen allowances to each electricity-generating unit in an amount equaling 0.15 pound per million Btu's or the allowable emission rate, whichever is more stringent, multiplied by the heat input determined under subrule (3) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(b) If the initial total number of oxides of nitrogen allowances allocated to all electricity-generating units for an ozone control period under subdivision (a) of this subrule does not equal 29,038 tons in 2004, 2005, and 2006, and 28,150 tons in each year thereafter, then the department shall adjust up or down the total number of oxides of nitrogen allowances allocated to all oxides of nitrogen budget units for the ozone control period under subdivision (a) of this subrule so that the total number of oxides of nitrogen allowances allocated equals 29,038 tons in 2004, 2005, and 2006, and 28,150 tons in each year thereafter. The adjustment shall be made by multiplying each unit's allocation determined in subdivision (a) by a correction factor determined by dividing the total number of the budget tons being allocated by the sum of all units' allocations in subdivision (a).

(c) The department shall allocate oxides of nitrogen allowances to

electric generating units in 2004, 2005, and 2006; 28,150 tons in each year thereafter; and 1,081 tons of allowances for large affected units, apportioned in accordance with the following procedures:

(a) The department shall allocate oxides of nitrogen allowances to each electricity-generating unit in an amount equaling 0.15 pound per million Btu's or the allowable emission rate, whichever is more stringent, multiplied by the heat input determined under subrule (3) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(b) If the initial total number of oxides of nitrogen allowances allocated to all electricity-generating units for an ozone control period under subdivision (a) of this subrule does not equal 29,038 tons in 2004, 2005, and 2006, and 28,150 tons in each year thereafter, then the department shall adjust up or down the total number of oxides of nitrogen allowances allocated to all oxides of nitrogen budget units for the ozone control period under subdivision (a) of this subrule so that the total number of oxides of nitrogen allowances allocated equals 29,038 tons in 2004, 2005, and 2006, and 28,150 tons in each year thereafter. The adjustment shall be made by multiplying each unit's allocation determined in subdivision (a) by a correction factor determined by dividing the total number of the budget tons being allocated by the sum of all units' allocations in subdivision (a).

(c) The department shall allocate oxides of nitrogen allowances to

(4)(a). Same.

(4)(b). Same.

(4)(c). Same.

each large affected unit in an amount equaling 0.17 pound per million Btu's or the allowable emission rate, whichever is more stringent, multiplied by the heat input determined under subrule (3) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(d) If the initial total number of oxides of nitrogen allowances allocated to all large affected units for an ozone control period under subdivision (c) of this subrule does not equal 1,081 tons, then the department shall adjust the total number of oxides of nitrogen allowances allocated to all oxides of nitrogen budget units for the ozone control period under subdivision (c) of this subrule so that the total number of oxides of nitrogen allowances allocated equals 1,081 tons. The adjustment shall be made multiplying each unit's allocation determined in subdivision (c) by a correction factor determined by dividing the total number of the budget tons being allocated by the sum of all units' allocations in subdivision (c).

(e) The authorized account representative of an electric generating unit or a large affected unit that has not been capable of operating for 2 complete ozone control periods, because it recently received its air use permit, may elect to abandon its allowance allocation for the 3-year allocation period, be considered a new source, and obtain an oxides of nitrogen allowance allocation as provided for by R 336.1811. A written notification of the election shall be provided to the

each large affected unit in an amount equaling 0.17 pound per million Btu's or the allowable emission rate, whichever is more stringent, multiplied by the heat input determined under subrule (3) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(d) If the initial total number of oxides of nitrogen allowances allocated to all large affected units for an ozone control period under subdivision (c) of this subrule does not equal 1,081 tons, then the department shall adjust the total number of oxides of nitrogen allowances allocated to all oxides of nitrogen budget units for the ozone control period under subdivision (c) of this subrule so that the total number of oxides of nitrogen allowances allocated equals 1,081 tons. The adjustment shall be made multiplying each unit's allocation determined in subdivision (c) by a correction factor determined by dividing the total number of the budget tons being allocated by the sum of all units' allocations in subdivision (c).

(e) The authorized account representative of an electric generating unit or a large affected unit that has not been capable of operating for 2 complete ozone control periods, because it recently received its air use permit, may elect to abandon its allowance allocation for the 3-year allocation period, be considered a new source, and obtain an oxides of nitrogen allowance allocation as provided for by R 336.1811. A written notification of the election shall be provided to the

(4)(d). Same.

(4)(e). Same.

<p>department 1 or more months before the allocation dates identified in subrule (2)(a) or (c) of this rule. The abandoned allocation returns to the appropriate oxides of nitrogen trading budget in subrule (1)(a) or (b) of this rule.</p> <p>(f) After the provisions of subdivisions (a) through (d) of this subrule have been followed, an owner or operator may pursue the following:</p> <p>(i) The allocation determined by subdivisions (a) through (d) of this subrule may be revised for a given budget source if the budget source is a large affected unit or a small business as defined in chapter 3 of 1969 pa 306, MCL 24.240 et seq. The owner or operator shall demonstrate to the department that the control level in subdivision (a) or (c) of this subrule results in excessively costly or prohibitive compliance. The demonstration shall include all of the following:</p> <p>(A) An engineering study analyzing all control options that are technically available for the unit, including control options that would achieve a level of control meeting, at a minimum, a 0.3 pound per million Btu emission rate.</p> <p>(B) The annualized cost associated with each control option. An annualized cost of more than \$4,000.00 per ton of oxide of nitrogen reduced will generally be considered to be an excessive cost for compliance with this rule.</p> <p>(C) Other considerations contributing to prohibitive compliance.</p> <p>(ii) Notwithstanding the available allocations of subrule (1)(b) of this rule, the total number of additional</p>	<p>department 1 or more months before the allocation dates identified in subrule (2)(a) or (c) of this rule. The abandoned allocation returns to the appropriate oxides of nitrogen trading budget in subrule (1)(a) or (b) of this rule.</p> <p>(f) After the provisions of subdivisions (a) through (d) of this subrule have been followed, an owner or operator may pursue the following:</p> <p>(i) The allocation determined by subdivisions (a) through (d) of this subrule may be revised for a given budget source if the budget source is a large affected unit or a small business as defined in chapter 3 of 1969 pa 306, MCL 24.240 et seq. The owner or operator shall demonstrate to the department that the control level in subdivision (a) or (c) of this subrule results in excessively costly or prohibitive compliance. The demonstration shall include all of the following:</p> <p>(A) An engineering study analyzing all control options that are technically available for the unit, including control options that would achieve a level of control meeting, at a minimum, a 0.3 pound per million Btu emission rate.</p> <p>(B) The annualized cost associated with each control option. An annualized cost of more than \$4,000.00 per ton of oxide of nitrogen reduced will generally be considered to be an excessive cost for compliance with this rule.</p> <p>(C) Other considerations contributing to prohibitive compliance.</p> <p>(ii) Notwithstanding the available allocations of subrule (1)(b) of this rule, the total number of additional</p>	<p>(4)(f). Same.</p> <p>(4)(f)(i). Same.</p> <p>(4)(f)(i)(A). Same.</p> <p>(4)(f)(i)(B). Same.</p> <p>(4)(f)(i)(C). Same.</p> <p>(4)(f)(ii). Same.</p>
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<p>allocations available for all budget sources receiving department approval for paragraph (i) demonstrations shall not be more than 564 tons per ozone season.</p> <p>(iii) The department shall determine how revised allocations are distributed among those budget sources meeting the criteria in paragraph (i) of this subdivision.</p> <p>(iv) Upon approval by the department, a source that undertakes an innovative control program for compliance with these rules may receive allocations under the provisions of this subdivision. The allocations shall be available for use during only 1 allocation period, as needed, and shall not be more than 75 tons.</p> <p>(v) The provisions of this subdivision shall only apply for the time period beginning with the effective date of this rule and ending on September 30, 2012. Beginning with the 3-year allocation in 2010, 95% of the allocations listed in paragraph (ii) of this subdivision shall be added to the electric generating unit budget in subrule (1) of this rule and 5% shall be added to the large affected unit budget in subrule (1) of this rule and will, therefore, be available to all existing sources beginning in the 2013 ozone season.</p> <p>History: 2002 MR 22, Eff. December 4, 2002.</p>	<p>allocations available for all budget sources receiving department approval for paragraph (i) demonstrations shall not be more than 564 tons per ozone season.</p> <p>(iii) The department shall determine how revised allocations are distributed among those budget sources meeting the criteria in paragraph (i) of this subdivision.</p> <p>(iv) Upon approval by the department, a source that undertakes an innovative control program for compliance with these rules may receive allocations under the provisions of this subdivision. The allocations shall be available for use during only 1 allocation period, as needed, and shall not be more than 75 tons.</p> <p>(v) The provisions of this subdivision shall only apply for the time period beginning with the effective date of this rule and ending on September 30, 2012. Beginning with the 3-year allocation in 2010, 95% of the allocations listed in paragraph (ii) of this subdivision shall be added to the electric generating unit budget in subrule (1) of this rule and 5% shall be added to the large affected unit budget in subrule (1) of this rule and will, therefore, be available to all existing sources beginning in the 2013 ozone season.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>(4)(f)(iii). Same.</p> <p>(4)(f)(iv). Same.</p> <p>(4)(f)(v). Same.</p>
<p>R 336.1811 New source set-aside under oxides of nitrogen budget trading program.</p> <p>Rule 811. (1) For oxides of nitrogen budget units that commenced operation, or are projected to commence operation, on or after</p>	<p>R 336.1811 New source set-aside under oxides of nitrogen budget trading program.</p> <p>Rule 811. (1) For oxides of nitrogen budget units that commenced operation, or are projected to commence operation, on or after</p>	<p>Rule 811(1). Same, except as noted below.</p>

<p>May 1 of the most recent year of the 5-year period used to calculate heat input under R 336.1810(3) and units which have abandoned allocations under R 336.1810(4)(e), the department shall allocate oxides of nitrogen allowances in accordance with the following procedures:</p> <p>(a) The department shall establish 1 allocation set-aside pool for each ozone control period for electric generating units and large affected units. The allocation set-aside pool shall be allocated 564 tons of oxides of nitrogen allowances in 2004, 2005, and 2006, and 1,452 tons in each year thereafter.</p> <p>(b) The oxides of nitrogen authorized account representative of an oxides of nitrogen budget unit under this rule may submit to the department an annual request, in writing or in a format specified by the department, to be allocated oxides of nitrogen allowances, starting with the ozone control period during which the oxides of nitrogen budget unit commenced or is projected to commence operation and ending with the ozone control period preceding the ozone control period for which it shall receive an allocation under R 336.1810(4)(a) or</p> <p>(c). The oxides of nitrogen allowance allocation request shall be submitted before March 1 of the year of the first ozone control period for which the oxides of nitrogen allowance allocation is requested and after the date on which the department issues a permit to install the oxides of nitrogen budget unit, and each following year by March 1.</p> <p>(c) In an oxides of nitrogen allowance allocation request under this subrule, the oxides of nitrogen</p>	<p>May 1 of the most recent year of the <u>5-year</u> period used to calculate heat input under R 336.1810(3) and units which have abandoned allocations under R 336.1810(4)(e), the department shall allocate oxides of nitrogen allowances in accordance with the following procedures:</p> <p>(a) The department shall establish 1 allocation set-aside pool for each ozone control period for electric generating units and large affected units. The allocation set-aside pool shall be allocated 564 tons of oxides of nitrogen allowances in 2004, 2005, and 2006, and 1,452 tons in each year thereafter.</p> <p>(b) The oxides of nitrogen authorized account representative of an oxides of nitrogen budget unit under this rule may submit to the department an annual request, in writing or in a format specified by the department, to be allocated oxides of nitrogen allowances, starting with the ozone control period during which the oxides of nitrogen budget unit commenced or is projected to commence operation and ending with the ozone control period preceding the ozone control period for which it shall receive an allocation under R 336.1810(4)(a) or</p> <p>(c). The oxides of nitrogen allowance allocation request shall be submitted before March 1 of the year of the first ozone control period for which the oxides of nitrogen allowance allocation is requested and after the date on which the department issues a permit to install the oxides of nitrogen budget unit, and each following year by March 1.</p> <p>(c) In an oxides of nitrogen allowance allocation request under this subrule, the oxides of nitrogen</p>	<p>Written as 5-year in the federal version and 5-year in the state version.</p> <p>(1)(a). Same.</p> <p>(1)(b). Same.</p> <p>(1)(c). Same.</p>
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<p>authorized account representative may request an ozone control period oxides of nitrogen allowance in an amount that does not exceed the following:</p> <p>(i) For an electricity-generating unit, all of the following:</p> <p>(A) Fifteen one-hundredths (0.15) pound per million Btu's or the allowable emission rate, whichever is more stringent.</p> <p>(B) Multiplied by the oxides of nitrogen budget unit's maximum design heat input, or the permit allowable heat input, whichever is more stringent, in million Btu's per hour, divided by 2,000 pounds per ton.</p> <p>(C) Multiplied by the number of hours remaining in the ozone control period starting with the first day in the ozone control period on which the unit operated or is projected to operate.</p> <p>(ii) For a large affected unit, all of the following:</p> <p>(A) Seventeen one-hundredths (0.17) pound per million Btu's or the allowable emission rate, whichever is more stringent.</p> <p>(B) Multiplied by the oxides of nitrogen budget unit's maximum design heat input, or the permit allowable heat input, whichever is more stringent, in million Btu's per hour, divided by 2,000 pounds per ton.</p> <p>(C) Multiplied by the number of hours remaining in the ozone control period starting with the first day in the ozone control period on which the unit operated or is projected to operate.</p> <p>(d) The department shall review, and allocate oxides of nitrogen allowances pursuant to, each oxides</p>	<p>authorized account representative may request an ozone control period oxides of nitrogen allowance in an amount that does not exceed the following:</p> <p>(i) For an electricity-generating unit, all of the following:</p> <p>(A) Fifteen one-hundredths (0.15) pound per million Btu's or the allowable emission rate, whichever is more stringent.</p> <p>(B) Multiplied by the oxides of nitrogen budget unit's maximum design heat input, or the permit allowable heat input, whichever is more stringent, in million Btu's per hour, divided by 2,000 pounds per ton.</p> <p>(C) Multiplied by the number of hours remaining in the ozone control period starting with the first day in the ozone control period on which the unit operated or is projected to operate.</p> <p>(ii) For a large affected unit, all of the following:</p> <p>(A) Seventeen one-hundredths (0.17) pound per million Btu's or the allowable emission rate, whichever is more stringent.</p> <p>(B) Multiplied by the oxides of nitrogen budget unit's maximum design heat input, or the permit allowable heat input, whichever is more stringent, in million Btu's per hour, divided by 2,000 pounds per ton.</p> <p>(C) Multiplied by the number of hours remaining in the ozone control period starting with the first day in the ozone control period on which the unit operated or is projected to operate.</p> <p>(d) The department shall review, and allocate oxides of nitrogen allowances pursuant to, each oxides</p>	<p>(1)(c)(i). Same.</p> <p>(1)(c)(i)(A). Same.</p> <p>(1)(c)(i)(B). Same.</p> <p>(1)(c)(i)(C). Same.</p> <p>(1)(c)(ii). Same.</p> <p>(1)(c)(ii)(A). Same.</p> <p>(1)(c)(ii)(B). Same.</p> <p>(1)(c)(ii)(C). Same.</p> <p>(1)(d). Same.</p>
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<p>of nitrogen allowance allocation request on a pro rata basis as follows:</p> <p>(i) Upon receipt of the oxides of nitrogen allowance allocation request, the department shall determine whether, and shall make any necessary adjustments to the request to ensure that, for electricity-generating units, the ozone control period and the number of allowances specified are consistent with the requirements of subdivision (c)(i) of this subrule and, for large affected units, the ozone control period and the number of allowances specified are consistent with the requirements of subdivision (c)(ii) of this subrule.</p> <p>(ii) If the allocation set-aside pool for the ozone control period for which oxides of nitrogen allowances are requested has an amount of oxides of nitrogen allowances greater than or equal to the number requested, as adjusted under paragraph (i) of this subdivision, then the department shall allocate the amount of the oxides of nitrogen allowances requested, as adjusted under paragraph (i) of this subdivision, to the oxides of nitrogen budget unit. Those allowances remaining in the pool shall be retained in the set-aside pool and shall be available the following ozone season.</p> <p>(iii) If the allocation set-aside pool for the ozone control period for which oxides of nitrogen allowances are requested has an amount of oxides of nitrogen allowances less than the number requested, as adjusted under paragraph (i) of this subrule, then the department shall proportionately reduce the number</p>	<p>of nitrogen allowance allocation request on a pro rata basis as follows:</p> <p>(i) Upon receipt of the oxides of nitrogen allowance allocation request, the department shall determine whether, and shall make any necessary adjustments to the request to ensure that, for electricity-generating units, the ozone control period and the number of allowances specified are consistent with the requirements of subdivision (c)(i) of this subrule and, for large affected units, the ozone control period and the number of allowances specified are consistent with the requirements of subdivision (c)(ii) of this subrule.</p> <p>(ii) If the allocation set-aside pool for the ozone control period for which oxides of nitrogen allowances are requested has an amount of oxides of nitrogen allowances greater than or equal to the number requested, as adjusted under paragraph (i) of this subdivision, then the department shall allocate the amount of the oxides of nitrogen allowances requested, as adjusted under paragraph (i) of this subdivision, to the oxides of nitrogen budget unit. Those allowances remaining in the pool shall be retained in the set-aside pool and shall be available the following ozone season.</p> <p>(iii) If the allocation set-aside pool for the ozone control period for which oxides of nitrogen allowances are requested has an amount of oxides of nitrogen allowances less than the number requested, as adjusted under paragraph (i) of this subrule, then the department shall proportionately reduce the number</p>	<p>(1)(d)(i). Same.</p> <p>(1)(d)(ii). Same.</p> <p>(1)(d)(iii). Same.</p>
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<p>of oxides of nitrogen allowances allocated to each oxides of nitrogen budget unit for the ozone control period so that the total number of oxides of nitrogen allowances allocated equals 564 tons in 2004, 2005, and 2006, and 1,452 tons in each year thereafter.</p> <p>(2) For an oxides of nitrogen budget unit that is allocated oxides of nitrogen allowances under subrule (1) of this rule for an ozone control period, the United States environmental protection agency will first deduct oxides of nitrogen allowances to account for the actual utilization of the unit during the ozone control period and then will deduct oxides of nitrogen allowances under 40 C.F.R. §§96.54(b)(1) or 96.54(e) to account for emissions. Title 40 C.F.R. part 96 is adopted by reference in R 336.1803. The United States environmental protection agency will calculate the number of oxides of nitrogen allowances to be deducted to account for the unit's actual utilization using either of the following formulas, rounding to the nearest whole oxides of nitrogen allowance, as appropriate, provided that the number of oxides of nitrogen allowances to be deducted shall be 0 if the number calculated is less than 0:</p> <p>(a) Oxides of nitrogen allowances deducted for actual utilization for an electricity-generating unit equals unit's oxides of nitrogen allowances allocated for control period minus (unit's actual control period heat input x lesser of 0.15 pound per million Btu's or the allowable emission rate x 2,000 pounds per</p>	<p>of oxides of nitrogen allowances allocated to each oxides of nitrogen budget unit for the ozone control period so that the total number of oxides of nitrogen allowances allocated equals 564 tons in 2004, 2005, and 2006, and 1,452 tons in each year thereafter.</p> <p>(2) For an oxides of nitrogen budget unit that is allocated oxides of nitrogen allowances under subrule (1) of this rule for an ozone control period, the United States environmental protection agency will first deduct oxides of nitrogen allowances to account for the actual utilization of the unit during the ozone control period and then will deduct oxides of nitrogen allowances under 40 C.F.R. §§96.54(b)(1) or 96.54(e) to account for emissions. Title 40 C.F.R. part 96 is adopted by reference in R 336.1803. The United States environmental protection agency will calculate the number of oxides of nitrogen allowances to be deducted to account for the unit's actual utilization using either of the following formulas, rounding to the nearest whole oxides of nitrogen allowance, as appropriate, provided that the number of oxides of nitrogen allowances to be deducted shall be 0 if the number calculated is less than 0:</p> <p>(a) Oxides of nitrogen allowances deducted for actual utilization for an electricity-generating unit equals unit's oxides of nitrogen allowances allocated for control period minus (unit's actual control period heat input x lesser of 0.15 pound per million Btu's or the allowable emission rate x 2,000 pounds per</p>	<p>(2). Same, except as noted below.</p> <p>There is a line break in the state version here and there is not in the federal version</p> <p>(2)(a). Same.</p>
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<p>ton).</p> <p>(b) Oxides of nitrogen allowances deducted for actual heat input for a large affected unit equals unit's oxides of nitrogen allowances allocated for control period minus (unit's actual control period heat input x lesser of 0.17 pound per million Btu's or the allowable emission rate x 2,000 pounds per ton).</p> <p>(3) After making the deductions for compliance under 40 C.F.R. §96.54(b)(1) or (e) for an ozone control period, the United States environmental protection agency will notify the department whether any oxides of nitrogen allowances remain in the new source set-aside pool for the ozone control period. Oxides of nitrogen allowances remaining in the new source set-aside pool equal the amount of remaining oxides of nitrogen allowances after making allocations in accordance with subrule (1)(d) of this rule, plus the sum of the amounts of oxides of nitrogen allowances deducted for actual utilization in accordance with subrule (2). Any such allowances shall remain in the set-aside pool for use in the following ozone seasons. Title 40 C.F.R. part 96 is adopted by reference in R 336.1803.</p>	<p>ton).</p> <p>(b) Oxides of nitrogen allowances deducted for actual heat input for a large affected unit equals unit's oxides of nitrogen allowances allocated for control period minus (unit's actual control period heat input x lesser of 0.17 pound per million Btu's or the allowable emission rate x 2,000 pounds per ton).</p> <p>(3) After making the deductions for compliance under 40 C.F.R. §96.54(b)(1) or (e) for an ozone control period, the United States environmental protection agency will notify the department whether any oxides of nitrogen allowances remain in the new source set-aside pool for the ozone control period. Oxides of nitrogen allowances remaining in the new source set-aside pool equal the amount of remaining oxides of nitrogen allowances after making allocations in accordance with subrule (1)(d) of this rule, plus the sum of the amounts of oxides of nitrogen allowances deducted for actual utilization in accordance with subrule (2). Any such allowances shall remain in the set-aside pool for use in the following ozone seasons. Title 40 C.F.R. part 96 is adopted by reference in R 336.1803.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002; 2004 MR 10, Eff. May 20, 2004.</p>	<p>(2)(b). Same.</p> <p>(3). Same, except as noted below.</p> <p>No space between "C.F.R." and "§96.54(b)(1)" in the state version while there is a space in the federal version.</p>
<p>R 336.1812 Allowance tracking system and transfers under oxides of nitrogen budget trading program. Rule 812. The provisions in 40</p>	<p>R 336.1812 Allowance tracking system and transfers under oxides of nitrogen budget trading program. Rule 812. The provisions in 40</p>	<p>Rule 812. This rule is the same in</p>

<p>C.F.R. §§96.50 through 96.54, 96.56, 96.57, and 96.60 through 96.62 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modification: In §96.53, the date of “2003” shall be revised to “2004.”</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>C.F.R. §§96.50 through 96.54, 96.56, 96.57, and 96.60 through 96.62 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modification: In §96.53, the date of "2003" shall be revised to "2004."</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>both the federal and state version.</p>
<p>R 336.1813 Monitoring and reporting requirements under oxides of nitrogen budget trading program. Rule 813. The provisions in 40 C.F.R. §§96.70 through 96.76 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modification: In §96.70, the date “May 1, 2002,” shall be revised to “May 1, 2003.”</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>R 336.1813 Monitoring and reporting requirements under oxides of nitrogen budget trading program. Rule 813. The provisions in 40 C.F.R. §§96.70 through 96.76 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modification: In §96.70, the date "May 1, 2002," shall be revised to "May 1, 2003."</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>Rule 813. This rule is the same in both the federal and state version.</p>
<p>R 336.1814 Individual opt-ins under oxides of nitrogen budget trading program. Rule 814. The provisions in 40 C.F.R. §§96.80 through 96.88 are adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>R 336.1814 Individual opt-ins under oxides of nitrogen budget trading program. Rule 814. The provisions in 40 C.F.R. §§96.80 through 96.88 are adopted by reference in R 336.1803 and are applicable to this rule.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>Rule 814. This rule is the same in both the federal and state version.</p>
<p>R 336.1815 Allowance banking under oxides of nitrogen budget trading program. Rule 815. The provisions in 40 C.F.R. §96.55 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modifications: (a) In subpart (B) of §96.55, the date of “2004” shall be revised to “2005.” (b) In subpart (B)(3)(ii) of §96.55,</p>	<p>R 336.1815 Allowance banking under oxides of nitrogen budget trading program. Rule 815. The provisions in 40 C.F.R. §96.55 are adopted by reference in R 336.1803 and are applicable to this rule, with the following modifications: (a) In subpart (B) of §96.55, the date of "2004" shall be revised to "2005." (b) In subpart (B)(3)(ii) of §96.55,</p>	<p>Rule 815. This rule is the same in both the federal and state version.</p>

<p>the first sentence shall be revised to read, “the administrator will multiply the number of banked oxides of nitrogen allowances in each compliance account or overdraft account by the ratio determined under paragraph (b)(3)(i) of this section.”</p> <p>(c) Subpart (C) in §96.55 shall be deleted.</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>the first sentence shall be revised to read, "the administrator will multiply the number of banked oxides of nitrogen allowances in each compliance account or overdraft account by the ratio determined under paragraph (b)(3)(i) of this section."</p> <p>(c) Subpart (C) in §96.55 shall be deleted.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	
<p>R 336.1816 Compliance supplement pool under oxides of nitrogen budget trading program. Rule 816. (1) The department may allow sources required to implement oxides of nitrogen emission control measures by May 31, 2004, and subject to this rule, to demonstrate compliance in the 2004 and 2005 ozone control periods using credit issued from a compliance supplement pool in accordance with this rule. A source shall not use credit from the compliance supplement pool to demonstrate compliance after the 2005 ozone control period.</p> <p>(2) The department may distribute oxides of nitrogen allocations from the compliance supplement pool to oxides of nitrogen budget units that are required to implement control measures. The department may issue up to 95% of the compliance supplement pool to oxides of nitrogen budget units that are electricity-generating units and up to 5% of the compliance supplement pool to oxides of nitrogen budget units that are large affected units that implement emissions reductions beyond all applicable requirements during the ozone control period in</p>	<p>R 336.1816 Compliance supplement pool under oxides of nitrogen budget trading program. Rule 816. (1) The department may allow sources required to implement oxides of nitrogen emission control measures by May 31, 2004, and subject to this rule, to demonstrate compliance in the 2004 and 2005 ozone control periods using credit issued from a compliance supplement pool in accordance with this rule. A source shall not use credit from the compliance supplement pool to demonstrate compliance after the 2005 ozone control period.</p> <p>(2) The department may distribute oxides of nitrogen allocations from the compliance supplement pool to oxides of nitrogen budget units that are required to implement control measures. The department may issue up to 95% of the compliance supplement pool to oxides of nitrogen budget units that are electricity-generating units and up to 5% of the compliance supplement pool to oxides of nitrogen budget units that are large affected units that implement emissions reductions beyond all applicable requirements during the ozone control period in</p>	<p>Rule 816(1). Same.</p> <p>(2). Same.</p>

<p>years before the year 2004 according to the following provisions:</p> <p>(a) The department shall complete the issuance process not later than May 31, 2004.</p> <p>(b) The emissions reduction shall not be required by Michigan's state implementation plan, state law, or rule or be otherwise required by the clean air act.</p> <p>(c) The emissions reduction shall be verified by the source as actually having occurred during an ozone control period between September 30, 2000, and September 30, 2003.</p> <p>(d) Each oxides of nitrogen budget unit for which the owner or operator requests any early reduction credits under this rule shall monitor oxides of nitrogen emissions in accordance with 40 C.F.R. part 75, subpart H, starting at least 1 calendar year before the ozone control period for which the early reduction credits are requested. The unit's monitoring system availability shall be not less than 90% during the first ozone control period in which monitoring occurs for this purpose, and the unit shall be in compliance with any applicable state or federal emissions or emissions-related requirements.</p> <p>(e) The emissions reduction shall be quantified according to procedures set forth in 40 C.F.R. part 75, subpart h, which are adopted by reference in R 336.1801.</p> <p>(f) The oxides of nitrogen authorized account representative of an oxides of nitrogen budget unit that meets the requirements of subdivisions (b) through (d) of this subrule may submit to the department a request for early reduction credits for the unit based on oxides of nitrogen</p>	<p>years before the year 2004 according to the following provisions:</p> <p>(a) The department shall complete the issuance process not later than May 31, 2004.</p> <p>(b) The emissions reduction shall not be required by Michigan's state implementation plan, state law, or rule or be otherwise required by the clean air act.</p> <p>(c) The emissions reduction shall be verified by the source as actually having occurred during an ozone control period between September 30, 2000, and September 30, 2003.</p> <p>(d) Each oxides of nitrogen budget unit for which the owner or operator requests any early reduction credits under this rule shall monitor oxides of nitrogen emissions in accordance with 40 C.F.R. part 75, subpart H, starting at least 1 calendar year before the ozone control period for which the early reduction credits are requested. The unit's monitoring system availability shall be not less than 90% during the first ozone control period in which monitoring occurs for this purpose, and the unit shall be in compliance with any applicable state or federal emissions or emissions-related requirements.</p> <p>(e) The emissions reduction shall be quantified according to procedures set forth in 40 C.F.R. part 75, subpart h, which are adopted by reference in R 336.1801.</p> <p>(f) The oxides of nitrogen authorized account representative of an oxides of nitrogen budget unit that meets the requirements of subdivisions (b) through (d) of this subrule may submit to the department a request for early reduction credits for the unit based</p>	<p>(2)(a). Same.</p> <p>(2)(b). Same.</p> <p>(2)(c). Same.</p> <p>(2)(d). Same.</p> <p>(2)(e). Same.</p> <p>(2)(f). Same.</p>
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<p>emission rate reductions made by the unit in the ozone control period for 2001 through 2003. The request shall include both of the following:</p> <p>(i) In the early reduction credit request, the oxides of nitrogen authorized account representative may request early reduction credits for the ozone control period in an amount equal to the unit's heat input for the ozone control period, multiplied by the difference between the rates in both of the following provisions:</p> <p>(A) The oxides of nitrogen emission limit required by Michigan's state implementation plan, otherwise required by the clean air act, or 0.25 pounds per million Btu per hour, whichever is most stringent.</p> <p>(B) The unit's actual oxides of nitrogen emission rate for the ozone control period, which shall be lower than the rate used in subparagraph (A) of this paragraph and less than 80% of the actual 2000 ozone control period oxides of nitrogen emission rate, divided by 2,000 pounds per ton, and rounded to the nearest ton.</p> <p>(ii) The early reduction credit request shall be submitted, in a format specified by the department, by February 15, 2003, for the 2001 and 2002 ozone control periods and by February 15, 2004, for the 2003 ozone control period.</p> <p>(g) The department shall allocate oxides of nitrogen allowances to oxides of nitrogen budget units meeting the requirements of this subdivision and covered by early reduction requests meeting the requirements of subdivision (f)(ii) of this subrule, in accordance with all</p>	<p>on oxides of nitrogen emission rate reductions made by the unit in the ozone control period for 2001 through 2003. The request shall include both of the following:</p> <p>(i) In the early reduction credit request, the oxides of nitrogen authorized account representative may request early reduction credits for the ozone control period in an amount equal to the unit's heat input for the ozone control period, multiplied by the difference between the rates in both of the following provisions:</p> <p>(A) The oxides of nitrogen emission limit required by Michigan's state implementation plan, otherwise required by the clean air act, or 0.25 pounds per million Btu per hour, whichever is most stringent.</p> <p>(B) The unit's actual oxides of nitrogen emission rate for the ozone control period, which shall be lower than the rate used in subparagraph (A) of this paragraph and less than 80% of the actual 2000 ozone control period oxides of nitrogen emission rate, divided by 2,000 pounds per ton, and rounded to the nearest ton.</p> <p>(ii) The early reduction credit request shall be submitted, in a format specified by the department, by February 15, 2003, for the 2001 and 2002 ozone control periods and by February 15, 2004, for the 2003 ozone control period.</p> <p>(g) The department shall allocate oxides of nitrogen allowances to oxides of nitrogen budget units meeting the requirements of this subdivision and covered by early reduction requests meeting the requirements of subdivision (f)(ii) of this subrule, in accordance with all</p>	<p>(2)(f)(i). Same.</p> <p>(2)(f)(i)(A). Same.</p> <p>(2)(f)(i)(B). Same.</p> <p>(2)(f)(ii). Same.</p> <p>(2)(g). Same.</p>
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of the following procedures:
(i) Upon receipt of each early reduction credit request, the department shall accept the request only if the requirements of subdivisions (b) through (d) and (f)(ii) of this subrule are met and, if the request is accepted, shall make any necessary adjustments to the request to ensure that the amount of the early reduction credits requested meets the requirement of subdivisions (b) through (d) of this subrule.

(ii) If the compliance supplement pool has an amount of oxides of nitrogen allowances equal to or greater than the number of early reduction credits in all accepted early reduction credit requests for 2001 through 2003, as adjusted under paragraph (i) of this subdivision, then the department shall allocate to each oxides of nitrogen budget unit covered by the accepted requests 1 allowance for each early reduction credit requested, as adjusted under paragraph (i) of this subdivision.

(iii) If the compliance supplement pool has an amount of oxides of nitrogen allowances less than the number of early reduction credits in all accepted early reduction credit requests for 2001 through 2003, as adjusted under paragraph (i) of this subdivision, then the department shall allocate oxides of nitrogen allowances to each oxides of nitrogen budget unit covered by the accepted requests according to the following ~~formula~~:

—A unit's allocated early reduction credits equals ((unit's adjusted early reduction credits) divided by (total

of the following procedures:
(i) Upon receipt of each early reduction credit request, the department shall accept the request only if the requirements of subdivisions (b) through (d) and (f)(ii) of this subrule are met and, if the request is accepted, shall make any necessary adjustments to the request to ensure that the amount of the early reduction credits requested meets the requirement of subdivisions (b) through (d) of this subrule.

(ii) If the compliance supplement pool has an amount of oxides of nitrogen allowances equal to or greater than the number of early reduction credits in all accepted early reduction credit requests for 2001 through 2003, as adjusted under paragraph (i) of this subdivision, then the department shall allocate to each oxides of nitrogen budget unit covered by the accepted requests 1 allowance for each early reduction credit requested, as adjusted under paragraph (i) of this subdivision.

(iii) If the compliance supplement pool has an amount of oxides of nitrogen allowances less than the number of early reduction credits in all accepted early reduction credit requests for 2001 through 2003, as adjusted under paragraph (i) of this subdivision, then the department shall allocate oxides of nitrogen allowances to each oxides of nitrogen budget unit covered by the accepted requests according to the following formula: A unit's allocated early reduction credits equals ((unit's adjusted early reduction credits) divided by (total adjusted early reduction credits requested by

(2)(g)(i). Same.

(2)(g)(ii). Same.

(2)(g)(iii). Same, except as noted below.

Formatting variation between versions.

<p>adjusted early reduction credits requested by all units)) times (available oxides of nitrogen allowances from the compliance supplement pool), where:</p> <p>(A) Unit's adjusted early reduction credits is the number of early reduction credits for the unit for 2001 through 2003 in accepted early reduction credit requests, as adjusted under paragraph (i) of this subdivision.</p> <p>(B) Total adjusted early reduction credits requested by all units is the number of early reduction credits for all units for 2001 through 2003 in accepted early reduction credit requests, as adjusted under paragraph (i) of this subdivision.</p> <p>(C) Available oxides of nitrogen allowances from the compliance supplement pool is the number of oxides of nitrogen allowances in the compliance supplement pool and available for early reduction credits for 2001 through 2003.</p> <p>(h) By May 31, 2004, the department shall submit, to the United States environmental protection agency, the allocations of oxides of nitrogen allowances determined under subdivision (g) of this subrule. The United States environmental protection agency will record the allocations to the extent that they are consistent with the requirements of subdivisions (b) through (g) of this subrule.</p> <p>(i) Oxides of nitrogen allowances recorded under subdivision (g) of this subrule may be deducted for compliance under 40 C.F.R. §96.54(b) through (f) for the ozone control periods in 2004 or 2005. Notwithstanding 40 C.F.R. §96.55(a), the United States</p>	<p>all units)) times (available oxides of nitrogen allowances from the compliance supplement pool), where:</p> <p>(A) Unit's adjusted early reduction credits is the number of early reduction credits for the unit for 2001 through 2003 in accepted early reduction credit requests, as adjusted under paragraph (i) of this subdivision.</p> <p>(B) Total adjusted early reduction credits requested by all units is the number of early reduction credits for all units for 2001 through 2003 in accepted early reduction credit requests, as adjusted under paragraph (i) of this subdivision.</p> <p>(C) Available oxides of nitrogen allowances from the compliance supplement pool is the number of oxides of nitrogen allowances in the compliance supplement pool and available for early reduction credits for 2001 through 2003.</p> <p>(h) By May 31, 2004, the department shall submit, to the United States environmental protection agency, the allocations of oxides of nitrogen allowances determined under subdivision (g) of this subrule. The United States environmental protection agency will record the allocations to the extent that they are consistent with the requirements of subdivisions (b) through (g) of this subrule.</p> <p>(i) Oxides of nitrogen allowances recorded under subdivision (g) of this subrule may be deducted for compliance under 40 C.F.R. §96.54(b) through (f) for the ozone control periods in 2004 or 2005. Notwithstanding 40 C.F.R. §96.55(a), the United States</p>	<p>(2)(g)(iii)(A). Same.</p> <p>(2)(g)(iii)(B). Same.</p> <p>(2)(g)(iii)(C). Same.</p> <p>(2)(h). Same.</p> <p>(2)(i). Same.</p>
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<p>environmental protection agency will deduct as retired any oxides of nitrogen allowance which is recorded under subdivision (g) of this subrule and which is not deducted for compliance in accordance with 40 C.F.R. §96.54(b) through (f) for the ozone control period in 2004 or 2005.</p> <p>(j) Oxides of nitrogen allowances recorded under subdivision (g) of this subrule are treated as banked allowances in 2005 for the purposes of §96.55(a) and (b).</p> <p>(k) Sources that receive credit according to the requirements of this rule may trade the credit to other sources or persons according to the provisions in the trading program. Title 40 C.F.R., part 96, is adopted by reference in R 336.1803.</p> <p>(3) The total number of oxides of nitrogen allowances available from the compliance supplement pool shall not be more than 9,907 tons of oxides of nitrogen. Any oxides of nitrogen allowances that remain in the compliance supplement pool after the 2005 ozone control period shall be retired.</p> <p>History: 2002 MR __, Eff. December 4, 2002.</p>	<p>environmental protection agency will deduct as retired any oxides of nitrogen allowance which is recorded under subdivision (g) of this subrule and which is not deducted for compliance in accordance with 40 C.F.R. §96.54(b) through (f) for the ozone control period in 2004 or 2005.</p> <p>(j) Oxides of nitrogen allowances recorded under subdivision (g) of this subrule are treated as banked allowances in 2005 for the purposes of §96.55(a) and (b).</p> <p>(k) Sources that receive credit according to the requirements of this rule may trade the credit to other sources or persons according to the provisions in the trading <u>program</u>. Title 40 C.F.R., part 96, is adopted by reference in R 336.1803.</p> <p>(3) The total number of oxides of nitrogen allowances available from the compliance supplement pool shall not be more than 9,907 tons of oxides of nitrogen. Any oxides of nitrogen allowances that remain in the compliance supplement pool after the 2005 ozone control period shall be retired.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>(2)(j). Same.</p> <p>(2)(k). Same, except as noted below.</p> <p>The federal version puts this sentence on the next line while the state version does not.</p> <p>(3). Same.</p>
<p>R 336.1817 Emission limitations and restrictions for Portland cement kilns.</p> <p>Rule 817. (1) As used in this rule:</p> <p>(a) "Clinker" means the product of a Portland cement kiln from which finished cement is manufactured by milling and grinding.</p> <p>(b) "Long dry kiln" means a Portland cement kiln that employs no preheating of the feed. The inlet feed to the kiln is dry.</p> <p>(c) "Long wet kiln" means a</p>	<p>R 336.1817 Emission limitations and restrictions for Portland cement kilns.</p> <p>Rule 817. (1) As used in this rule:</p> <p>(a) "Clinker" means the product of a Portland cement kiln from which finished cement is manufactured by milling and grinding.</p> <p>(b) "Long dry kiln" means a Portland cement kiln that employs no preheating of the feed. The inlet feed to the kiln is dry.</p> <p>(c) "Long wet kiln" means a</p>	<p>Rule 817 (1). Same.</p> <p>(1)(a). Same.</p> <p>(1)(b). Same.</p> <p>(1)(c). Same.</p>

<p>Portland cement kiln that employs no preheating of the feed. The inlet feed to the kiln is a slurry.</p> <p>(d) “Low oxides of nitrogen burners” means a type of cement kiln burner system designed to lower oxides of nitrogen formation by controlling flame turbulence, delaying fuel/air mixing and establishing fuel-rich zones for initial combusting, that for firing of solid fuel by a kiln’s main burner includes an indirect firing system or comparable technique for the main burner to lower the amount of primary combustion air supplied with the pulverized fuel. In an indirect firing system, 1 air stream is used to convey pulverized fuel from the grinding equipment and another air stream is used to supply primary combustion air to the kiln burner with the pulverized fuel, with intermediate storage of the fuel.</p> <p>(e) “Malfunction” means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.</p> <p>(f) “Mid-kiln firing” means the secondary firing in a kiln system by injecting solid fuel at an intermediate point in the kiln system using a specially designed feed injection mechanism for the purpose of decreasing oxides of nitrogen emissions through both of the following:</p> <p>(i) Burning part of the fuel at a lower temperature.</p> <p>(ii) Reducing conditions at the fuel injection point that may destroy</p>	<p>Portland cement kiln that employs no preheating of the feed. The inlet feed to the kiln is a slurry.</p> <p>(d) "Low oxides of nitrogen burners" means a type of cement kiln burner system designed to lower oxides of nitrogen formation by controlling flame turbulence, delaying fuel/air mixing and establishing fuel-rich zones for initial combusting, that for firing of solid fuel by a kiln's main burner includes an indirect firing system or comparable technique for the main burner to lower the amount of primary combustion air supplied with the pulverized fuel. In an indirect firing system, 1 air stream is used to convey pulverized fuel from the grinding equipment and another air stream is used to supply primary combustion air to the kiln burner with the pulverized fuel, with intermediate storage of the fuel.</p> <p>(e) "Malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.</p> <p>(f) "Mid-kiln firing" means the secondary firing in a kiln system by injecting solid fuel at an intermediate point in the kiln system using a specially designed feed injection mechanism for the purpose of decreasing oxides of nitrogen emissions through both of the following:</p> <p>(i) Burning part of the fuel at a lower temperature.</p> <p>(ii) Reducing conditions at the fuel injection point that may destroy</p>	<p>(1)(d). Same.</p> <p>(1)(e). Same.</p> <p>(1)(f). Same.</p> <p>(1)(f)(i). Same.</p> <p>(1)(f)(ii). Same.</p>
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<p>some of the oxides of nitrogen formed upstream in the kiln system.</p> <p>(g) "Ozone control period" means the period beginning May 31, 2004, and ending September 30, 2004, and May 1 through September 30 each subsequent year.</p> <p>(h) "Portland cement" means a hydraulic cement produced by pulverizing clinker consisting essentially of hydraulic calcium silicates, usually containing 1 or more of the forms of calcium sulfate as an interground addition.</p> <p>(i) "Portland cement kiln" means a system, including any solid, gaseous, or liquid fuel combustion equipment, used to calcine and fuse raw materials, including limestone and clay, to produce Portland cement clinker.</p> <p>(j) "Precalciner kiln" means a kiln where the feed to the kiln system is preheated in cyclone chambers and a second burner is used to calcine material in a separate vessel attached to the preheater before the final fusion in a kiln that forms clinker.</p> <p>(k) "Preheater kiln" means a Portland cement kiln where the feed to the kiln system is preheated in cyclone chambers before the final fusion in a kiln that forms clinker.</p> <p>(l) "Shutdown" means the cessation of operation of a Portland cement kiln for any purpose.</p> <p>(m) "Start-up" means the setting in operation of a Portland cement kiln for any purpose.</p> <p>(2) This rule applies to any Portland cement kiln located in the Michigan fine grid zone as defined in R 336.1803, with process rates equal to or greater than the following:</p> <p>(a) Long dry kilns of 12 tons per</p>	<p>some of the oxides of nitrogen formed upstream in the kiln system.</p> <p>(g) "Ozone control period" means the period beginning May 31, 2004, and ending September 30, 2004, and May 1 through September 30 each subsequent year.</p> <p>(h) "Portland cement" means a hydraulic cement produced by pulverizing clinker consisting essentially of hydraulic calcium silicates, usually containing 1 or more of the forms of calcium sulfate as an interground addition.</p> <p>(i) "Portland cement kiln" means a system, including any solid, gaseous, or liquid fuel combustion equipment, used to calcine and fuse raw materials, including limestone and clay, to produce Portland cement clinker.</p> <p>(j) "Precalciner kiln" means a kiln where the feed to the kiln system is preheated in cyclone chambers and a second burner is used to calcine material in a separate vessel attached to the preheater before the final fusion in a kiln that forms clinker.</p> <p>(k) "Preheater kiln" means a Portland cement kiln where the feed to the kiln system is preheated in cyclone chambers before the final fusion in a kiln that forms clinker.</p> <p>(l) "Shutdown" means the cessation of operation of a Portland cement kiln for any purpose.</p> <p>(m) "Start-up" means the setting in operation of a Portland cement kiln for any purpose.</p> <p>(2) This rule applies to any Portland cement kiln located in the Michigan fine grid zone as defined in R 336.1803, with process rates equal to or greater than the following:</p> <p>(a) Long dry kilns of 12 tons per</p>	<p>(1)(g). Same.</p> <p>(1)(h). Same.</p> <p>(1)(i). Same.</p> <p>(1)(j). Same.</p> <p>(1)(k). Same.</p> <p>(1)(l). Same.</p> <p>(1)(m). Same.</p> <p>(2). Same.</p> <p>(2)(a). Same.</p>
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<p>hour.</p> <p>(b) Long wet kilns of 10 tons per hour.</p> <p>(c) Preheater kilns of 16 tons per hour.</p> <p>(d) Precaliner and combined preheater and precalciner kilns of 22 tons per hour.</p> <p>(3) A unit subject to this rule and a new source performance standard or a national emission standard for hazardous air pollutants shall comply with the limitations and requirements of this rule or the limitations and requirements of the new source performance standard or the national emission standard for hazardous air pollutants, whichever is more stringent.</p> <p>(4) The requirements of this rule shall not apply to a unit that is participating in the oxides of nitrogen budget trading program under R 336.1802 through R 336.1816. The requirements of subrule (5) of this rule shall not apply during start-up, shutdown, and malfunction periods.</p> <p>(5) After May 31, 2004, an owner or operator of a Portland cement kiln subject to the provisions of this rule shall not operate the kiln until September 30, 2004, and any subsequent year from May 1 through September 30, unless the owner or operator complies with 1 of the following requirements during the applicable May through September time period each year:</p> <p>(a) Operation of the kiln with 1 of the following:</p> <p>(i) Low oxides of nitrogen burners.</p> <p>(ii) Mid-kiln firing.</p> <p>(b) A limit on the amount of oxides of nitrogen emitted when averaged over the ozone control period as</p>	<p>hour.</p> <p>(b) Long wet kilns of 10 tons per hour.</p> <p>(c) Preheater kilns of 16 tons per hour.</p> <p>(d) Precaliner and combined preheater and precalciner kilns of 22 tons per hour.</p> <p>(3) A unit subject to this rule and a new source performance standard or a national emission standard for hazardous air pollutants shall comply with the limitations and requirements of this rule or the limitations and requirements of the new source performance standard or the national emission standard for hazardous air pollutants, whichever is more stringent.</p> <p>(4) The requirements of this rule shall not apply to a unit that is participating in the oxides of nitrogen budget trading program under R 336.1802 through R 336.1816. The requirements of subrule (5) of this rule shall not apply during start-up, shutdown, and malfunction periods.</p> <p>(5) After May 31, 2004, an owner or operator of a Portland cement kiln subject to the provisions of this rule shall not operate the kiln until September 30, 2004, and any subsequent year from May 1 through September 30, unless the owner or operator complies with 1 of the following requirements during the applicable May through September time period each year:</p> <p>(a) Operation of the kiln with 1 of the following:</p> <p>(i) Low oxides of nitrogen burners.</p> <p>(ii) Mid-kiln firing.</p> <p>(b) A limit on the amount of oxides of nitrogen emitted when averaged over the ozone control period as</p>	<p>(2)(b). Same.</p> <p>(2)(c). Same.</p> <p>(2)(d). Same.</p> <p>(3). Same.</p> <p>(4). Same.</p> <p>(5). Same.</p> <p>(5)(a). Same.</p> <p>(5)(a)(i). Same.</p> <p>(5)(a)(ii). Same.</p> <p>(5)(b). Same.</p>
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<p>follows:</p> <p>(i) For long wet kilns, 6 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(ii) For long dry kilns, 5.1 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(iii) For preheater kilns, 3.8 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(iv) For precalciner and combined preheater and precalciner kilns, 2.8 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(c) Installation and use of alternative control techniques that may include kiln system modifications, such as conversions to semi-drying processing, subject to department and United States environmental protection agency approval, that achieve a 30% emissions decrease from baseline ozone control period emissions. Baseline emissions shall be the average of the sum of ozone control period emissions for the 2 highest emitting years from 1995 through 2000.</p> <p>(6) The owner or operator of any Portland cement kiln proposing to install and use an alternative control technique under subrule (5)(c) of this rule shall submit the proposed alternative control technique and calculation of baseline emissions with supporting documentation to the department and the United States environmental protection agency for approval by May 31, 2003. The department shall include the approved plan with emission limitations in the source's operating permit.</p> <p>(7) Ozone control period emissions shall be determined using 1 of the following methods:</p>	<p>follows:</p> <p>(i) For long wet kilns, 6 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(ii) For long dry kilns, 5.1 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(iii) For preheater kilns, 3.8 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(iv) For precalciner and combined preheater and precalciner kilns, 2.8 pounds of oxides of nitrogen per ton of clinker produced.</p> <p>(c) Installation and use of alternative control techniques that may include kiln system modifications, such as conversions to semi-drying processing, subject to department and United States environmental protection agency approval, that achieve a 30% emissions decrease from baseline ozone control period emissions. Baseline emissions shall be the average of the sum of ozone control period emissions for the 2 highest emitting years from 1995 through 2000.</p> <p>(6) The owner or operator of any Portland cement kiln proposing to install and use an alternative control technique under subrule (5)(c) of this rule shall submit the proposed alternative control technique and calculation of baseline emissions with supporting documentation to the department and the United States environmental protection agency for approval by May 31, 2003. The department shall include the approved plan with emission limitations in the source's operating permit.</p> <p>(7) Ozone control period emissions shall be determined using 1 of the following methods:</p>	<p>(5)(b)(i). Same.</p> <p>(5)(b)(ii). Same.</p> <p>(5)(b)(iii). Same.</p> <p>(5)(b)(iv). Same.</p> <p>(5)(c). Same.</p> <p>(6). Same.</p> <p>(7). Same.</p>
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<p>(a) The average of the emission factors for the type of kiln from the "Compilation of Air Pollutant Emission Factors. Volume 1. Stationary Point and Area Sources," PB95-196028, and the "Alternative Control Techniques Document: NOx Emissions from Cement Manufacturing," PB94-183522. These documents are adopted by reference in this rule. Copies may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies may be obtained from the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260-7760, Lansing, Michigan 48909, or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22161, at a cost at the time of adoption of this rule of \$278.00 and \$41.00, respectively.</p> <p>(b) The site-specific emission factor developed from representative emissions testing, pursuant to 40 C.F.R. part 60, appendix A, methods 7, 7A, 7C, 7D, or 7E, based on a range of typical operating conditions. The owner or operator shall establish that these operating conditions are representative, subject to approval by the department, and shall certify that the emissions testing is being conducted under representative conditions. The provisions of 40 C.F.R. Part 60 are adopted by reference in R 336.1801.</p> <p>(c) An alternate method for establishing the emission factors, when submitted with supporting data to substantiate the emission factors and approved by the department and</p>	<p>(a) The average of the emission factors for the type of kiln from the "Compilation of Air Pollutant Emission Factors. Volume 1. Stationary Point and Area Sources," PB95-196028, and the "Alternative Control Techniques Document: NOx Emissions from Cement Manufacturing," PB94-183522. These documents are adopted by reference in this rule. Copies may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies may be obtained from the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260-7760, Lansing, Michigan 48909, or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22161, at a cost at the time of adoption of this rule of \$278.00 and \$41.00, respectively.</p> <p>(b) The site-specific emission factor developed from representative emissions testing, pursuant to 40 C.F.R. part 60, appendix A, methods 7, 7A, 7C, 7D, or 7E, based on a range of typical operating conditions. The owner or operator shall establish that these operating conditions are representative, subject to approval by the department, and shall certify that the emissions testing is being conducted under representative conditions. The provisions of 40 C.F.R. Part 60 are adopted by reference in R 336.1801.</p> <p>(c) An alternate method for establishing the emission factors, when submitted with supporting data to substantiate the emission factors and approved by the</p>	<p>(7)(a). Same, except as noted below.</p> <p>Dash replaced by question mark in state SIP.</p> <p>Dash replaced by question mark in state SIP. No space between sentences.</p> <p>(7)(b). Same.</p> <p>(7)(c). Same.</p>
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<p>the United States environmental protection agency as set forth in subrule (5)(c) of this rule.</p> <p>(8) Beginning May 31, 2004, and each ozone control period thereafter, any owner or operator of a Portland cement kiln subject to this rule shall do either of the following:</p> <p>(a) Complete an initial performance test and subsequent annual testing during the ozone control period of each year consistent with the requirements of 40 C.F.R. part 60, appendix A, methods 7, 7A, 7C, 7D, or 7E or an alternate method approved pursuant to subrule (5)(c) of this rule.</p> <p>(b) Monitor oxides of nitrogen emissions during the ozone control period of each year using a continuous emissions monitoring system in accordance with 40 C.F.R., part 60, subpart A, and 40 C.F.R., part 60, appendix B, and comply with the quality assurance procedures in appendix F, or 40 C.F.R., part 75, and associated appendices, as applicable, and in a manner acceptable to the department.</p> <p>(9) Beginning May 31, 2004, and each ozone control period thereafter, any owner or operator of a Portland cement kiln subject to this rule shall comply with both of the following recordkeeping and reporting requirements:</p> <p>(a) An owner or operator shall create and maintain records that include, but are not limited to, both of the following:</p> <p>(i) All routine and nonroutine maintenance, repair, or replacement performed on the device or devices.</p> <p>(ii) The date, time, and duration of</p>	<p>department and the United States environmental protection agency as set forth in subrule (5)(c) of this rule.</p> <p>(8) Beginning May 31, 2004, and each ozone control period thereafter, any owner or operator of a Portland cement kiln subject to this rule shall do either of the following:</p> <p>(a) Complete an initial performance test and subsequent annual testing during the ozone control period of each year consistent with the requirements of 40 C.F.R. part 60, appendix A, methods 7, <u>7A</u>, 7C, 7D, or 7E or an alternate method approved pursuant to subrule (5)(c) of this rule.</p> <p>(b) Monitor oxides of nitrogen emissions during the ozone control period of each year using a continuous emissions monitoring system in accordance with 40 C.F.R., part 60, subpart A, and 40 C.F.R., part 60, appendix B, and comply with the quality assurance procedures in appendix F, or 40 C.F.R., part 75, and associated appendices, as applicable, and in a manner acceptable to the department.</p> <p>(9) Beginning May 31, 2004, and each ozone control period thereafter, any owner or operator of a Portland cement kiln subject to this rule shall comply with both of the following recordkeeping and reporting requirements:</p> <p>(a) An owner or operator shall create and maintain records that include, but are not limited to, both of the following:</p> <p>(i) All routine and nonroutine maintenance, repair, or replacement performed on the device or devices.</p> <p>(ii) The date, time, and duration of</p>	<p>(8). Same.</p> <p>(8)(a). Same, except as noted below.</p> <p>Space between “7A” and the comma in state SIP.</p> <p>(8)(b). Same.</p> <p>(9). Same.</p> <p>(9)(a). Same.</p> <p>(9)(a)(i). Same.</p> <p>(9)(a)(ii). Same, except as noted</p>
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<p>any start-up, shutdown, or malfunction in the operation of a kiln or the device or devices.</p> <p>(b) An owner or operator shall create and maintain records that include, but are not limited to, all of the following:</p> <p>(i) The emissions, in pounds of oxides of nitrogen per ton of clinker produced from each affected Portland cement kiln.</p> <p>(ii) The date, time, and duration of any start-up, shutdown, or malfunction in the operation of any of the cement kilns or the emissions monitoring equipment.</p> <p>(iii) The results of any performance testing.</p> <p>(iv) If a unit is equipped with a continuous emissions monitoring system, the following information:</p> <p>(A) Identification of time periods during which oxides of nitrogen standards are exceeded, the reason for the exceedance, and action taken to correct the exceedance and to prevent similar future exceedances.</p> <p>(B) Identification of the time periods for which operating conditions and pollutant data were not obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.</p> <p>(v) All records required to be produced or maintained shall be retained on site for a period of 5 years. The records shall be made available to the department or the United States environmental protection agency upon request.</p> <p>(10) Any owner or operator of a Portland cement kiln subject to this rule shall comply with both of the following requirements:</p> <p>(a) By May 31, 2004, submit to the department all of the following</p>	<p>any start-up, shutdown, or malfunction in the operation of <u>akiln</u> or the device or devices.</p> <p>(b) An owner or operator shall create and maintain records that include, but are not limited to, all of the following:</p> <p>(i) The emissions, in pounds of oxides of nitrogen per ton of clinker produced from each affected Portland cement kiln.</p> <p>(ii) The date, time, and duration of any start-up, shutdown, or malfunction in the operation of any of the cement kilns or the emissions monitoring equipment.</p> <p>(iii) The results of any performance testing.</p> <p>(iv) If a unit is equipped with a continuous emissions monitoring system, the following information:</p> <p>(A) Identification of time periods during which oxides of nitrogen standards are exceeded, the reason for the exceedance, and action taken to correct the exceedance and to prevent similar future exceedances.</p> <p>(B) Identification of the time periods for which operating conditions and pollutant data were not obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.</p> <p>(v) All records required to be produced or maintained shall be retained on site for a period of 5 years. The records shall be made available to the department or the United States environmental protection agency upon request.</p> <p>(10) Any owner or operator of a Portland cement kiln subject to this rule shall comply with both of the following reporting requirements:</p> <p>(a) By May 31, 2004, submit to the department all of the following</p>	<p>below.</p> <p>No space between “a” and “kiln” in the state SIP.</p> <p>(9)(b). Same.</p> <p>(9)(b)(i). Same.</p> <p>(9)(b)(ii). Same.</p> <p>(9)(b)(iii). Same.</p> <p>(9)(b)(iv). Same.</p> <p>(9)(b)(iv)(A). Same.</p> <p>(9)(b)(iv)(B). Same.</p> <p>(9)(b)(v). Same.</p> <p>(10). Same.</p> <p>(10)(a). Same.</p>
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<p>information:</p> <p>(i) The identification number and type of each unit subject to this rule.</p> <p>(ii) The name and address of the plant where the unit is located.</p> <p>(iii) The name and telephone number of the person responsible for demonstrating compliance with this rule.</p> <p>(iv) Anticipated control measures.</p> <p>(b) Submit a report documenting for that unit the total oxides of nitrogen emissions and the average oxides of nitrogen emission rate for the ozone control period of each year to the department by October 31, beginning in 2004 and each year thereafter.</p>	<p>information:</p> <p>(i) The identification number and type of each unit subject to this rule.</p> <p>(ii) The name and address of the plant where the unit is located.</p> <p>(iii) The name and telephone number of the person responsible for demonstrating compliance with this rule.</p> <p>(iv) Anticipated control measures.</p> <p>(b) Submit a report documenting for that unit the total oxides of nitrogen emissions and the average oxides of nitrogen emission rate for the ozone control period of each year to the department by October 31, beginning in 2004 and each year thereafter.</p> <p>History: 2002 MR 22, Eff. Dec. 4, 2002.</p>	<p>(10)(a)(i). Same.</p> <p>(10)(a)(ii). Same.</p> <p>(10)(a)(iii). Same.</p> <p>(10)(a)(iv). Same.</p> <p>(10)(b). Same.</p>
	<p><u>R 336.1818 Emission limitations for stationary internal combustion engines.</u></p> <p><u>Rule 818.</u> (1) As used in this rule:</p> <p>(a) "<u>Affected engine</u>" means a <u>stationary internal combustion engine that is a large NOx SIP call engine, or any other stationary internal combustion engine that is subject to oxides of nitrogen control under a compliance plan established under subrule (3) of this rule.</u></p> <p>(b) "<u>Diesel engine</u>" means a <u>compression ignited 2- or 4-stroke engine in which liquid fuel injected into the combustion chamber ignites when the air has been compressed to a temperature sufficiently high for auto-ignition.</u></p> <p>(c) "<u>Dual fuel engine</u>" means any <u>stationary reciprocating internal combustion engine in which a liquid fuel, typically diesel fuel, is used for compression ignition and gaseous fuel, typically natural gas, is used as</u></p>	<p>Rule 818. This rule is missing in the federal SIP.</p>

the primary fuel.

(d) "Engine seasonal NOx 2007 tonnage reduction" means the year 2007 ozone control period oxides of nitrogen emissions reductions value (tons) for a large NOx SIP call engine, which is based on an oxides of nitrogen control efficiency of 82% for large gas-fired engines and 90% for diesel and dual-fuel engines.

(e) "Facility seasonal NOx 2007 tonnage reduction" means the total of the engine ozone control period NOx 2007 tonnage reductions attributable to all of an owner or operator's large NOx SIP call engines.

(f) "Large NOx SIP call engine" means a stationary internal combustion engine emitting more than 1 ton of oxides of nitrogen per average ozone control period day in 1995.

(g) "Lean-burn engine" means any 2- or 4-stroke spark-ignited engine that is not a rich-burn engine.

(h) "Ozone control period" means the period of May 1 to September 30.

(i) "Past NOx emission rate" means the emission rate of an affected engine in grams per brake horsepower-hour as determined by performance testing consistent with the requirements of 40 C.F.R., part 60, appendix A, as adopted by reference in R 336.1801. Where the performance test data are not available, the past NOx emission rate may be determined by the department on a case-by-case basis using, for example, appropriate emission factors. For large NOx SIP call engines, the past NOx emission rate is the uncontrolled emission

rate.

(j) "Projected operating hours" means the projected actual number of hours of operation per ozone control period for an affected engine.

(k) "Projected NOx emission rate" means the projected emission rate in grams per brake horsepower-hour after installation of controls on an affected engine.

(l) "Rich-burn engine" means a spark-ignited stationary internal combustion engine in which the concentration of oxygen in the exhaust stream before any dilution is 1% or less measured on a dry basis.

(m) "Stationary internal combustion engine" means an internal combustion engine of the reciprocating type that is either attached to a foundation at a facility or is designed to be capable of being carried or moved from 1 location to another and remains at a single site at a building, structure, facility, or installation for more than 12 consecutive months. An engine, or engines, that replaces an engine at a site that is intended to perform the same or similar function as the engine replaced is included in calculating the consecutive time period.

(2) Applicability. The requirements of this rule apply to the owner or operator of a large NOx SIP call engine located in the Michigan fine grid zone defined in R 336.1803(1).

(3) Standards. After May 1, 2007, an owner or operator of a large NOx SIP call engine shall not operate the engine in the ozone control period unless the owner or operator complies with either the requirements of a compliance plan

which meets the following provisions listed in subdivision (a) of this subrule or the emission rate limitations expressed as oxides of nitrogen listed in subdivision (b) of this subrule:

(a) Compliance plan includes the following:

(i) Shall be approved by the department.

(ii) Shall demonstrate enforceable emission reductions from 1 or more stationary internal combustion engines equal to or higher than the facility seasonal NOx 2007 tonnage reduction.

(iii) May cover some or all engines at an individual facility or at several facilities or at all facilities in the Michigan fine grid zone that are under control of the same owner or operator.

(iv) Shall be submitted to the department by October 1, 2006.

(v) Shall include the following items:

(A) A list of affected engines, including the engine's manufacturer, model, facility location address, and facility state registration number.

(B) The projected ozone control period hours of operation for each affected engine and supporting documentation.

(C) A description of the oxides of nitrogen emissions control installed, or to be installed, on each affected engine and documentation to support the projected NOx emission rates.

(D) The past and projected NOx emission rates for each affected engine in grams per brake horsepower-hour.

(E) A numerical demonstration that the emission reductions obtained

from all affected engines will be equivalent to or greater than the owner or operator's facility seasonal NOx 2007 tonnage reduction, based on the difference between the past NOx emission rate and the projected NOx emission rate multiplied by the projected operating hours for each affected engine.

(F) Provisions for monitoring, reporting, and recordkeeping for each affected engine.

(vi) The projected NOx emission rate in grams per brake horsepower-hour for each affected engine shall be included in a federally enforceable permit.

(b) The following are NOx emission rate limitations:

(i) Rich-burn, 1.5 grams per brake horsepower per hour.

(ii) Lean-burn, 3.0 grams per brake horsepower per hour.

(iii) Diesel, 2.3 grams per brake horsepower per hour.

(iv) Dual fuel, 1.5 grams per brake horsepower per hour.

(4) Reporting, monitoring, and recordkeeping. An owner or operator subject to the requirements of subrule (3) of this rule shall comply with the following requirements:

(a) Monitoring requirements. Each affected engine subject to this rule shall comply with the following requirements:

(i) Complete an initial performance test not later than 90 days after May 1, 2007, consistent with the requirements of 40 C.F.R., part 60, appendix A, as adopted by reference in R 336.1801, following installation of emission controls required to achieve the projected NOx emission rate in subrule (3)(a)

of this rule or the emission rate limit specified in subrule (3)(b) of this rule. For this and any subsequent performance test, an owner or operator of an affected engine shall submit a test plan to the department not less than 30 days before the scheduled test date. To ensure proper testing, the plan shall supply the information in the department format for submittal of source emission test plans and reports. The owner or operator shall give the department a reasonable opportunity to witness the tests. An owner or operator shall submit 2 copies of each compliance performance test to the department within 60 days of completion of the testing. The test results shall be presented and include data as requested in the department format for submittal of source emission test plans and reports.

(ii) Perform monitoring sufficient to yield reliable data for each ozone control period that is representative of a source's compliance with the projected NO_x emission rate in subrule (3)(a) of this rule or the emission rate limit specified in subrule (3)(b) of this rule. The monitoring may include 1 of the following:

(A) Performance tests consistent with either of the following adopted standards:

(1) The provisions of 40 C.F.R. part 60, subpart A and appendices A, B, and F, and part 75 (2005) are adopted by reference in these rules. Copies of the 40 C.F.R. parts 60 and 75 may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R. parts 60

and 75 (2005) are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost at the time of adoption of these rules of \$58.00 for part 60.1-end, \$57.00 for part 60 appendices, and \$62.00 for part 75. Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost at the time of adoption of these rules of \$58.00 for part 60.1-end, \$57.00 for part 60 appendices, and \$62.00 for part 75, or on the United States government printing office internet web site at www.gpoaccess.gov.

(2) The provisions of ASTM D6522-00 (2005), "Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions From Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers," are adopted by reference in these rules. Copies of ASTM D6522-00 (2005) are available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost at the time of adoption of these rules of \$34.00. Copies may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959; Phone: (610) 832-

9585; website www.astm.org, at a cost at the time of adoption of these rules of \$34.00.

(B) A parametric monitoring program that specifies operating parameters, and their ranges, that shall provide reasonable assurance that each engine's emissions are consistent with the requirements of subrule (3) of this rule.

(C) A predictive emissions measurement system that relies on automated data collection from instruments.

(D) A continuous emission monitoring system that complies with the procedures set forth in 40 C.F.R., part 60, subpart A and appendix B, and with the quality assurance procedures in appendix F; or 40 C.F.R., part 75, and associated appendices, as applicable and acceptable to the department. Title 40 C.F.R. parts 60 and 75 are adopted by reference in R 336.1801.

An owner or operator of an emission unit which elects this option shall submit a monitoring plan to the department not less than 30 days before installation. The owner or operator shall provide the department with a 30-day notice before a relative accuracy test audit.

(b) Recordkeeping requirements are as follows:

(i) Maintain all records necessary to demonstrate compliance with the requirements of this rule for a period of 5 calendar years at the plant at which the affected engine is located. The records shall be made available to the department and the U.S. environmental protection agency upon request.

(ii) For each engine subject to the requirements of this rule, the owner

	<p><u>or operator shall maintain records of all of the following:</u></p> <p><u>(A) Identification and location of each engine subject to the requirements of this subrule.</u></p> <p><u>(B) Calendar date of record.</u></p> <p><u>(C) The number of hours the unit is operated during each ozone control period compared to the projected operating hours.</u></p> <p><u>(D) Type and quantity of fuel used.</u></p> <p><u>(E) The results of all compliance tests.</u></p> <p><u>(c) Reporting requirements. An owner or operator subject to the requirements of this rule shall submit the results of all compliance tests to the department within 60 days of completion of the testing.</u></p> <p>History: 2006 MR 22, Eff. Nov. 20, 2006.</p>	
	<p><u>R 336.1821 CAIR NOX ozone season and annual trading programs; applicability determinations.</u></p> <p><u>Rule 821.</u> (1) <u>This rule establishes Michigan's CAIR ozone season and annual emission budgets and trading programs for all of the following units:</u></p> <p><u>(a) CAIR NOX units as defined pursuant to 40 C.F.R. §97.104, adopted by reference in R 336.1802a.</u></p> <p><u>(b) CAIR NOX ozone season units as defined pursuant to 40 C.F.R. §97.304, adopted by reference in R 336.1802a.</u></p> <p><u>(c) All units required to be in the state's NOX SIP call trading program that are not already included under 40 C.F.R. §96.304 and are defined in R 336.1803(3)(f)(ii) and (p).</u></p> <p><u>(d) For purposes of allocating</u></p>	<p>Rule 821. This rule is missing in the federal SIP.</p>

allowances under R 336.1821 to R 336.1826, the following units which are not addressed in subparagraphs (a), (b) and (c) of this subrule are CAIR NOX ozone season units:

(i) Renewable energy sources.
(ii) Renewable energy projects.

(2) An EGU located in Michigan and subject to the requirements pursuant to R 336.1821(a), (b) or (c) shall apply for and receive an annual or ozone season CAIR NOX permit. In addition, non-EGUs as defined in R 336.1803(3)(p) shall apply for and receive an ozone season CAIR NOX permit. This permit shall be administered under R 336.1214 and shall be incorporated into the source's renewable operating permit as an attachment. A federally enforceable NOX budget permit issued under the federal NOX budget program pursuant to R 336.1808 shall remain in effect until the CAIR NOX ozone season permit has been approved by the department.

(3) The fuel type adjusted allocations for each existing EGU shall be determined by multiplying the appropriate NOX emission rate and heat input as determined in accordance with R 336.1822 and R 336.1830 with an appropriate fuel adjustment factor coefficient as follows:

(a) For a solid fuel-fired EGU, the allocation calculations shall be adjusted by multiplying the allocation values by 100%, i.e. 1.0.
(b) For a liquid fuel-fired EGU, the allocation calculations shall be adjusted by multiplying the allocation values by 60%, i.e. 0.60.
(c) For a gaseous fuel-fired EGU, the allocation calculations shall be

adjusted by multiplying the allocation values by 40%, i.e. 0.40.

(d) For a multi-fueled EGU, the allocation adjustment calculation shall be a weighted average based on the percentage heat input from each type of fuel burned in the unit, unless the source can demonstrate that certain types of fuel used in the process provided less than 10% of the annual heat input. If so, then the allocation adjustment is calculated based on only those fuel types which contributed 10% or more of the annual heat input.

(4) The owner or operator of any CAIR NOX ozone season or annual unit shall submit both of the following data within 30 days upon request by the department:

(a) A unit's ozone season and annual heat input values or megawatt energy produced, which shall be the same data reported in accordance with 40 C.F.R. part 75 to the extent the unit is subject to 40 C.F.R. part 75 for the period involved.

(b) A unit's total tons of oxides of nitrogen emissions during specified calendar years or ozone seasons as determined under 40 C.F.R. part 75, adopted by reference in R 336.1802a.

(5) Effective January 1, 2009, the provisions of R 336.1802, R 336.1803(1) and R 336.1803(2), R 336.1804, R 336.1805, R 336.1806, R 336.1807, R 336.1808, R 336.1809, R 336.1810, R 336.1811, R 336.1812, R 336.1813, R 336.1814, R 336.1815, and R 336.1816 shall not apply to the control period beginning in 2009 or any control period thereafter.

(6) Pursuant to the provisions in 40 C.F.R. 96.54 and for the 2009

	<p><u>control period only, if the U.S. environmental protection agency determines that there were excess emissions during the 2008 control period, deductions for excessive emission penalties shall be taken from the 2009 CAIR NOX ozone season allowances. Title 40 C.F.R. §96.54 is adopted by reference in R 336.1802a.</u></p> <p><u>(7) Pursuant to any NOX SIP unused set-aside allowances through 2008 that are accumulated within the state account, the department shall allocate these allowances according to R 336.1823.</u></p> <p><u>(8) Permitted NOX emission rates, for the purposes of allocating allowances pursuant to R 336.1822 and R 336.1830, shall be in a legally enforceable permit to install or renewable operating permit issued on or before August 1, 2008, for the October 2008 allocating time period; on or before August 1, 2011, for the October 2011 allocating time period and thereafter each August 1 of the year that is 3 years after the last year of allocation submittal time period.</u></p> <p><u>History: 2007 MR 12, June 25, 2007; 2009 AACs.</u></p>	
	<p><u>R 336.1822 CAIR NOX ozone season trading program; allowance allocations.</u></p> <p><u>Rule 822.</u> (1) <u>The CAIR NOX ozone season trading program budget allocated by the department under subrule (3) of this rule for the CAIR NOX ozone season control periods to the EGUs, non-EGUs, and renewable energy sources shall annually equal the total number of tons of oxides of nitrogen emissions as indicated in the following</u></p>	<p>Rule 822. This rule is missing from the federal SIP.</p>

manner:

(a) The total CAIR NOX ozone season budget for the ozone season time period of 2010 to 2014 is 31,180 tons. These allocations shall be distributed as follows:

(i) The CAIR NOX ozone season budget available to existing and newly-affected EGUs. The following applies:

(A) For 2010 and 2011 ozone season control periods equals 28,321 tons.

(B) For 2012 to 2014 ozone season control periods equals 28,021 tons.

(ii) The CAIR NOX ozone season budget available to existing non-EGUs for the 2010 to 2014 ozone season control periods is 1,309 tons.

(iii) The CAIR NOX ozone season budget available to new non-EGUs and EGUs. The following applies:

(A) For 2010 and 2011 ozone season control periods is 700 tons.

(B) For 2012 to 2014 ozone season control periods is 1,000 tons.

(iv) The CAIR NOX ozone season budget available to renewable energy sources and projects in the 2010 to 2014 ozone season control periods is 200 tons.

(v) The CAIR NOX ozone season budget available to all existing EGUs and non-EGUs that have submitted an acceptable demonstration of a hardship to the department, in the 2010 to 2014 ozone season control periods is 650 tons.

(b) The total CAIR NOX ozone season budget for the ozone season time period of 2015 and thereafter is 26,351 tons. These allocations shall be distributed as follows:

(i) The CAIR NOX ozone season budget available to existing EGUs in

the 2015 and thereafter ozone season control periods is 22,792 tons.

(ii) The CAIR NOX ozone season budget available to existing ozone season non-EGUs for the 2015 and thereafter ozone season control periods is 1,309 tons.

(iii) The CAIR NOX ozone season budget available to new non-EGUs and EGUs in the 2015 and thereafter ozone season control periods is 1,400 tons.

(iv) The CAIR NOX ozone season budget available to renewable energy sources and projects in the 2015 and thereafter ozone season control periods is 200 tons.

(v) The CAIR NOX ozone season budget available to all existing EGUs and non-EGUs that have submitted an acceptable demonstration of hardship to the department, in the 2015 and thereafter ozone season control periods is 650 tons.

(2) CAIR NOX allowances for the 2009 ozone season control period shall be the same allowances as were allocated under the NOX budget trading program. For newly-affected EGUs which were not subject to the federal NOX budget program, these units are eligible to apply for allowances from the CAIR NOX ozone season new source set-aside pool for the 2009 ozone season, pursuant to R 336.1823.

(3) The department shall allocate CAIR NOX ozone season allowances to existing EGUs and non-EGU ozone season units for calendar years 2010 and thereafter according to the following schedule:

(a) A 3-year allocation that is 3 years in advance of the 2010 ozone

season and 4 years in advance of each subsequent ozone season control period. The 3-year allocation shall be as follows:

(i) By 60 days after the effective date of this rule or April 30, 2007, whichever is earlier, the department shall submit to the U.S. environmental protection agency the CAIR NOX ozone season allowance allocations, under this subrule, for the ozone season control periods in 2010 and 2011.

(ii) By October 31, 2008, the department shall submit to the U.S. environmental protection agency the CAIR NOX ozone season allowance allocations, under this subrule, for the ozone season control periods in 2012, 2013, and 2014.

(iii) By October 31, 2011, and thereafter each October 31 of the year that is 3 years after the last year of allocation submittal, the department shall submit to the U.S. environmental protection agency the CAIR NOX ozone season allowance allocations as indicated under this subrule.

(4) For the CAIR NOX ozone season control periods under subrule (3) of this rule, the department shall allocate allowances to existing EGU and non-EGU ozone season units that commenced operation before January 1 of the most recent year of the 5-year period used to calculate heat input as follows:

(a) The department shall allocate allowances to each existing EGU ozone season unit as follows:

(i) During calendar years 2010 to 2014 as follows:

(A) Existing EGUs with a permitted NOX emission rate equal to or less

than 0.10 pounds per million Btu shall receive an initial unadjusted allocation of allowances determined by calculating the arithmetic average of the CAIR target emission rate multiplied by the appropriate fuel adjustment factor plus the unit's permitted NOX emission rate, which is then multiplied by the heat input as determined under subrule (6) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

[See attached formula]

(B) All other existing EGUs shall receive an initial unadjusted allocation of allowances in an amount equaling 0.15 pounds per million Btu multiplied by the appropriate fuel adjustment factor and multiplied by the heat input as determined under subrule (6) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(ii) During calendar years 2015 and thereafter as follows:

(A) Existing EGUs with a permitted NOX emission rate equal to or less than 0.10 pounds per million Btu shall receive an initial unadjusted allocation of allowances determined by calculating the arithmetic average of the CAIR target emission rate multiplied by the appropriate fuel adjustment factor plus the unit's permitted NOX emission rate, which is then multiplied by the heat input as determined under subrule (6) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest

whole oxides of nitrogen allowance, as appropriate.

[See attached formula]

(B) All other existing EGUs shall receive an initial unadjusted allocation of allowances in an amount equaling 0.125 pounds per million Btu multiplied by the appropriate fuel adjustment factor and multiplied by the heat input as determined under subrule (6) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(b) The department shall allocate allowances to each existing non-EGU ozone season unit for calendar years 2010 to 2015 and thereafter in an amount equaling 0.17 pounds per million Btu or the permitted NOX emission rate, as defined in R 336.1821, whichever is more stringent, multiplied by the heat input as determined under subrule (6) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(5) If the initial total number of CAIR NOX ozone season budget allowances allocated to either all existing EGU or all existing non-EGU ozone season units for the years under subrule (4) of this rule does not equal the budgeted tons for such units as specified in subrule (1) of this rule, then the department shall adjust up or down the total number of CAIR NOX ozone season budget allowances allocated to each existing EGU or non-EGU, as appropriate, so that the total number

	<p><u>of CAIR NOX ozone season budget allowances allocated to the entire group of EGUs or non-EGUs equals the appropriate values in subrule (1) of this rule. The adjustment shall be made by multiplying each unit's unadjusted initial allocation by a correction factor determined by dividing the appropriate existing EGU or non-EGU total budget tons from subrule (1) of this rule by the sum of all existing EGU or non-EGU units' initial unadjusted allocations, and rounding to the nearest whole number, as appropriate.</u></p> <p><u>(6) The heat input, in million Btu's, used for calculating oxides of nitrogen allowance allocations for each subject unit under this rule shall be the unit's average of the 2 highest heat inputs for the ozone season control period in the 5 years immediately preceding the year in which the department is required to submit the oxide of nitrogen allocations. If the unit operated less than 2 full ozone seasons of the 5-year time period, then the unit's single highest ozone season heat input shall be used.</u></p> <p>History: 2007 AACs.; 2009 AACs.</p>	
	<p><u>R 336.1823 New EGUs, new non-EGUs, and newly-affected EGUs under CAIR NOX ozone season trading program; allowance allocations.</u></p> <p><u>Rule 823.</u> (1) The department shall establish a set-aside pool for each CAIR NOX ozone season control allocation year for new EGUs and non-EGUs. This set-aside pool shall be allocated on a yearly basis as follows:</p> <p>(a) For 2009, a total of 1,385 tons of</p>	<p>Rule 823. This rule is missing from the federal SIP.</p>

CAIR NOX ozone season allowances, which have been carried over from the federal NOX budget program, for any new and newly-affected EGUs or new non-EGUs.

(b) For years 2010 and 2011, a total of 700 tons of CAIR NOX ozone season allowances for any new EGUs or new non-EGUs.

(c) For years 2012 to 2014 ozone season control periods, a total of 1,000 tons of CAIR NOX ozone season allowances for any new EGUs or new non-EGUs.

(d) For years 2015 and thereafter, a total of 1,400 tons of CAIR NOX ozone season allowances for any new EGUs or new non-EGUs.

(2) The CAIR authorized account representative of a newly-affected CAIR NOX ozone season EGU under this rule may submit to the department a request, in a format specified by the department, to receive CAIR NOX ozone season allowances for the 2009 CAIR NOX ozone season control period. All of the following apply:

(a) The oxides of nitrogen allowance allocation request shall be submitted before March 1 of the 2009 ozone season control period.

(b) The CAIR authorized account representative of any newly-affected EGU may request 2009 CAIR NOX ozone season allowances, based on an amount equaling 0.15 pounds per million Btu multiplied by the unit's ozone season heat input, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(c) The heat input, in million Btu's, used for calculating oxides of nitrogen allowance allocations for each subject unit under this rule

shall be the unit's average of the 2 highest heat inputs for the ozone season control period in the 5 years immediately preceding the year in which the department is required to submit the oxide of nitrogen allocations. If the unit operated less than 2 full ozone seasons of the 5-year time period, then the unit's single highest heat input shall be used.

(3) The CAIR authorized account representative of a new CAIR NOX ozone season non-EGU under this rule may submit to the department a request, in a format specified by the department, to receive CAIR NOX ozone season allowances starting with the ozone season control period during which the CAIR NOX ozone season unit commenced or is projected to commence operation and ending with the control period preceding the control period for which it shall receive an allocation under R 336.1822. Both of the following apply:

(a) The CAIR NOX ozone season allowance allocation request shall be submitted before March 1 of the year of the first ozone control period for which the oxides of nitrogen allowance allocation is requested and after the date on which the department issues a permit to install for the non-EGU, if required, and each following year by March 1.

(b) The CAIR authorized account representative of any new non-EGU may request CAIR NOX ozone season allowances, based on an amount equaling 0.17 pounds per million Btu or the permitted NOX emission rate, whichever is more stringent, multiplied by the nameplate design heat input rate for

the unit, in million Btu's per hour, multiplied by the predicted hours of operation for the control period, divided by 2,000 pounds per ton and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(4) The CAIR authorized account representative of a new EGU CAIR NOX ozone season unit under this rule may submit to the department a written request, in a format specified by the department, to receive CAIR NOX ozone season allowances, starting with the ozone season control period during which the CAIR NOX ozone season unit commenced or is projected to commence operation and ending with the control period preceding the control period for which it shall receive an allocation under R 336.1822. All of the following apply:

(a) The CAIR NOX ozone season allowance allocation request shall be submitted before March 1 of the year of the first ozone control period for which the oxides of nitrogen allowance allocation is requested and after the date on which the department issues a permit to install for the EGU, if required, and each following year by March 1.

(b) The allocation methodology used for the first ozone season for which each new EGU requests allowances shall be calculated using the following formula:

[See attached formula]

(c) The allocation methodology used for each consecutive ozone season for which each new EGU requests allowances shall be calculated using

the following formula:

[See attached formula]

(d) When the new EGU has been placed in the existing pool, the calculation methods under R 336.1822 apply.

(5) The department shall review and allocate oxides of nitrogen allowances pursuant to each allocation request on a pro rata basis as follows:

(a) Upon receipt of the CAIR NOX unit's allowance allocation request, the department shall determine whether allowances are available and shall make necessary adjustments to the request to ensure that for the CAIR NOX ozone season control period, the number of allowances specified, are consistent with the requirements of subrule (1) of this rule.

(b) If the allocation set-aside pool for the CAIR NOX ozone season control period for which CAIR NOX ozone season allowances are requested has an amount greater than or equal to the number requested, as adjusted under subdivision (a) of this subrule, then the department shall allocate the amount of the CAIR NOX ozone season allowances requested.

(c) If the allocation set-aside pool for the CAIR NOX ozone season control period for which CAIR NOX ozone season allowances are requested has an amount of oxides of nitrogen allowances less than the number requested, as adjusted under subdivision (a) of this subrule, then the department shall proportionately reduce the number of CAIR NOX

	<p><u>ozone season allowances allocated to each CAIR NOX ozone season unit so that the total number of CAIR NOX ozone season allowances allocated are equal to the amounts referenced in subrule (1)(a), (b), (c), or (d) of this rule.</u></p> <p><u>(6) CAIR NOX ozone season allowances not allocated or requested that remain in the new source set-aside pool for any allocation year shall be re-allocated to the existing EGU and non-EGU source pools, using the allocation methodologies as outlined in R 336.1822 and based on a ratio of the number of allowances remaining in the pool and the number of allowances in the EGU's and non-EGU's budget.</u></p> <p><u>(7) Not later than July 31 of the year for which the allowances are allocated, the department shall submit to the U.S. environmental protection agency the CAIR NOX ozone season allowance allocations, as determined under this rule.</u></p> <p>History: 2007 AACS.; 2009 AACS.</p>	
	<p><u>R 336.1824 CAIR NOx ozone season trading program; hardship set-aside.</u></p> <p><u>Rule 824.</u> (1) <u>After the provisions of R 336.1822 have been followed, the authorized account representative may pursue a request for hardship allowances. These requests must be submitted not later than 30 days prior to the deadline for department submittals to the U.S. environmental protection agency as described in R 336.1822.</u></p> <p><u>(2) For existing EGUs and non-EGUs subject to the CAIR NOx ozone season budget, the department shall allocate CAIR NOx hardship</u></p>	<p>Rule 824. This rule is missing from the federal SIP.</p>

allowances under the following procedures:

(a) The department shall establish a hardship allocation set-aside pool for each CAIR NO_x ozone season allocation year starting in 2010. This hardship set-aside pool shall be allocated on an ozone season basis and contains a total of 650 tons per allocation year of CAIR NO_x ozone season allowances, for any qualifying EGUs or non-EGUs.

(b) Hardship allowances may be allocated to an EGU or non-EGU, if the requesting authorized account representative demonstrates both of the following:

(i) The owner or operator of the EGU or a non-EGU has less than 250 employees within its company or its electric generating division or department.

(ii) The controls required for the EGU or non-EGU under this part result in excessive or prohibitive costs for compliance, pursuant to the procedures in subrule (3) of this rule.

(c) The CAIR authorized account representative of a CAIR NO_x ozone season unit under this rule may submit to the department a written request, in a format specified by the department, to receive CAIR NO_x ozone season hardship allowances. The authorized account representative shall submit the request for the amount of estimated hardship allowances they need, using historical ozone season heat input utilization levels multiplied by historical oxides of nitrogen emission rates as follows:

(i) Historical heat input utilization levels shall be based on the unit's average of the 2 highest heat input

utilization levels for the ozone season in the 5 years immediately preceding the year in which the department is required to submit the oxides of nitrogen allocations to the U.S. environmental protection agency. If the unit operated less than 2 full ozone seasons during the 5-year time period, then the unit's single highest ozone season heat input level shall be used.

(i) Historic oxides of nitrogen rates shall be based on the oxides of nitrogen rate reported by the authorized account representative in its 40 C.F.R. part 75 reports to the U.S. environmental protection agency in the calendar year immediately preceding the year in which the department is required to submit the oxides of nitrogen allocation.

(ii) Units receiving hardship allowances shall receive a 3-year allocation that is 3 years in advance of the 2010 ozone season. The 3-year allocation shall be the same as provided in R 336.1822(3).

(d) The department shall allocate the allowances from the hardship set-aside pool based on the requests received as follows:

(i) If the allocation hardship set-aside pool for the CAIR NO_x ozone season control period for which CAIR NO_x ozone season allowances are requested has an amount of oxides of nitrogen allowances greater than or equal to the number requested, then the department shall allocate the amount of the CAIR NO_x ozone season allowances requested.

(ii) If the allocation hardship set-aside pool for the CAIR NO_x ozone season control period for which

CAIR NO_x ozone season allowances are requested has an amount of oxides of nitrogen allowances less than the number requested, then the department shall proportionately reduce the number of CAIR NO_x ozone season allowances allocated to each CAIR NO_x ozone season unit so that the total number of CAIR NO_x ozone season allowances allocated are equal to the amounts in R 336.1822(1)(a)(v) or (b)(v).

(3) The department shall allocate CAIR NO_x ozone season hardship allowances to existing EGUs and existing non-EGUs which have submitted an engineering analysis as described in the following procedures:

(a) The authorized account representative shall demonstrate to the department that the control level required pursuant to this rule results in excessive or prohibitive cost for compliance. The demonstration shall include all of the following:

(i) An engineering study analyzing all control options that are technically available for the unit, including control options that would achieve a level of control meeting, at a minimum, the levels as specified in subparagraphs (A), (B), and (C) of this paragraph. Sources that previously submitted an engineering analysis and received hardship allowances pursuant to R 336.1810(4)(f) for the oxides of nitrogen budget program may submit written updates to their previous plan.

(A) A NO_x emission rate of 0.15 pound per million Btu for EGUs during the 2010 through 2014 time period.

	<p><u>(B) A NOx emission rate of 0.125 pound per million Btu for EGUs from 2015 and beyond.</u></p> <p><u>(C) A NOx emission rate of 0.17 pound per million Btu for non-EGUs.</u></p> <p><u>(ii) The annualized cost associated with each control option. An annualized cost of more than \$2,400 per ton of oxide of nitrogen reduced shall generally be considered to be an excessive cost for compliance with this rule.</u></p> <p><u>(iii) Other considerations that contribute to prohibitive cost of compliance.</u></p> <p><u>(b) For a source to remain eligible for hardship allowances under this rule after the initial 3-year allocation period, ending on September 30, 2011, the state may require a revised engineering analysis and demonstration as referenced in subrule (3)(a) of this rule, at a minimum of once every 3 years.</u></p> <p>History: 2007 AACs..</p>	
	<p><u>R 336.1825 CAIR NOx ozone season trading program; renewable set-aside.</u></p> <p><u>Rule 825.</u> (1) <u>The department shall establish a renewable allocation set-aside pool for each CAIR NOx ozone season control period for applicable units starting in 2010. This renewable set-aside pool shall be allocated on a yearly basis and contain a total of 200 tons of oxides of nitrogen allowances per allocation year.</u></p> <p>(2) <u>An authorized account representative of a renewable energy source or renewable energy project, as defined under R 336.1803(3), may request a CAIR NOx ozone season allowance allocation under</u></p>	<p>Rule 825. This rule is missing from the federal SIP.</p>

this rule.

(3) Once an authorized account representative of a renewable energy source or renewable energy project has requested allowances from the CAIR NOx ozone season budget, the department shall allocate CAIR NOx ozone season renewable allowances under the following procedures:

(a) The oxides of nitrogen allowance allocation request shall be submitted before March 1 of the year of the first ozone control period for which the oxides of nitrogen allowance allocation is requested and after the date on which the department issues a permit to install for the unit, if required, and each following year by March 1.

(b) The allocation methodology used for the first ozone season for which each renewable energy source or renewable energy project requests allowances shall be calculated using the following formula:

[See attached formula]

(4) The renewable energy source or renewable energy project's eligibility for allowances shall begin not sooner than the calendar year 2005.

(5) An individual renewable energy source alone or as part of a renewable energy project may only receive allowances for 3 consecutive ozone seasons.

(6) CAIR NOx ozone season allowances not allocated or requested that remain in the renewable allocation set-aside pool for any allocation year shall be re-allocated to the existing

	<p><u>EGU and non-EGU source pools, using the allocation methodologies as outlined in Rule 822 and based on a ratio of the number of allowances remaining in the pool and the number of allowances in the EGU's and non-EGU's budget.</u></p> <p><u>(7) If the renewable allocation set-aside pool for the CAIR NOx ozone season control period for which CAIR NOx ozone season allowances are requested has an amount of oxides of nitrogen allowances less than the number requested, then the department shall proportionately reduce the number of CAIR NOx ozone season allowances allocated to each CAIR NOx ozone season unit requesting such allowances, so that the total number of CAIR NOx ozone season allowances allocated are equal to the amounts in R 336.1822(1)(a)(iv) or (b)(iv).</u></p> <p>History: 2007 AACS..</p>	
	<p><u>R 336.1826 CAIR NOx ozone season trading program; opt-in provisions. Rule 826.</u> <u>The opt-in provisions in 40 C.F.R. §§97.380 to 97.388 are adopted by reference in R 336.1802a and are applicable to this rule.</u></p> <p>History: 2007 AACS..</p>	<p>Rule 826. This rule is missing from the federal SIP. The formatting seen here is the formatting of the state SIP.</p>
	<p><u>R 336.1830 CAIR NOX annual trading program; allowance allocations. Rule 830.</u> <u>(1) The CAIR NOX annual trading program budget allocated by the department for the CAIR NOX annual control periods shall annually equal the total number of tons of oxides of nitrogen emissions as follows and apportioned to the CAIR NOX EGUs, as determined by the</u></p>	<p>Rule 830. This rule is missing from the federal SIP. The formatting seen here is the formatting of the state SIP.</p>

procedures in this rule. These allocations shall be distributed in the following manner: (a) The total CAIR NOX annual budget for the annual control periods of 2009 to 2014 is 65,304 tons. These allocations shall be distributed in the following manner:

(i) The CAIR NOX annual budget available to existing EGUs as follows:

[See attached formula]

(A) For the 2009 through 2011 annual control periods is 63,104.

(B) For the 2012 through 2014 annual control periods is 62,704.

(ii) The CAIR NOX annual budget available to new EGUs as follows:

(A) For the 2009 through 2011 annual control periods is 1,000 tons.

(B) For the 2012 through 2014 annual control periods is 1,400 tons.

(iii) The CAIR NOX annual budget available to all existing EGUs that have submitted an acceptable demonstration of a hardship to the department, in the 2009 to 2014 annual control periods is 1,200 tons.

(b) The total CAIR NOX annual budget for the annual control periods of 2015 and thereafter is 54,420 tons. These allocations shall be distributed as follows:

(i) The CAIR NOX annual budget available for existing EGUs in the 2015 and thereafter annual control periods is 51,820 tons.

(ii) The CAIR NOX annual budget available for new EGUs in the 2015 and thereafter annual control periods is 1,400 tons.

(iii) The CAIR NOX annual budget available to all existing EGUs that have submitted an acceptable

demonstration of a hardship to the department, in the 2015 and thereafter annual control periods is 1,200 tons.

(2) The department shall allocate CAIR NOX annual budget allowances to existing EGUs. A 3-year allocation is 2 and 3 years in advance of the 2009 and 2010 annual control period, respectively, and 4 years in advance of each subsequent annual control period. The 3-year allocation shall be as follows:

(a) By 60 days after the effective date of this rule or April 30, 2007, whichever is earlier, the department shall submit to the U.S. environmental protection agency the CAIR NOX annual allowance allocations, under subrule (3) of this rule, for the annual control periods in 2009, 2010, and 2011.

(b) By October 31, 2008, the department shall submit to the U.S. environmental protection agency the CAIR NOX annual allowance allocations, under subrule (3) of this rule, for the annual control periods in 2012, 2013, and 2014.

(c) By October 31, 2011, and thereafter each October 31 of the year that is 3 years after the last year of allocation submittal, the department shall submit to the U.S. environmental protection agency the CAIR NOX annual allowance allocations as indicated under subrule (3) of this rule.

(3) For the CAIR NOX annual control periods under subrules (1)(a) and (b) of this rule, the department shall allocate allowances to existing EGU units that commenced

operation before January 1 of the most recent year of the 5-year period used to calculate heat input. The department shall allocate the following allowances to each existing EGU:

(a) During calendar years 2009 to 2014, the following:

(i) Existing EGUs with a permitted NOX emission rate equal to or less than 0.10 pounds per million Btu shall receive an initial unadjusted allocation of allowances determined by calculating the arithmetic average of the CAIR target emission rate multiplied by the appropriate fuel adjustment factor plus the unit's permitted NOX emission rate, which is then multiplied by the heat input as determined under subrule (4) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(ii) All other existing EGUs shall receive an initial unadjusted allocation of allowances in an amount equaling 0.15 pounds per million Btu multiplied by the appropriate fuel adjustment factor and multiplied by the heat input as determined under subrule (4) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(b) During calendar years 2015 and thereafter, the following apply:

(i) Existing EGUs with a permitted NOX emission rate equal to or less than 0.10 pounds per million BTUs shall receive allowances determined by calculating the arithmetic average of the CAIR target emission rate multiplied by the

appropriate fuel adjustment factor plus the unit's permitted NOX emission rate, which is then multiplied by the heat input as determined under subrule (4) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

[See attached formula]

(ii) All other existing EGUs shall receive an initial unadjusted allocation of allowances in an amount equaling 0.125 pounds per million Btu multiplied by the appropriate fuel adjustment factor and multiplied by the heat input as determined under subrule (4) of this rule, divided by 2,000 pounds per ton, and rounded to the nearest whole oxides of nitrogen allowance, as appropriate.

(4) The heat input, in million Btu's, used for calculating oxides of nitrogen allowance allocations for each subject unit under this rule shall be the unit's average of the 2 highest heat inputs for the annual control period in the 5 years immediately preceding the year in which the department is required to submit the oxide of nitrogen allocations. If the unit operated less than 2 years of the 5-year time period, then the unit's single highest heat input shall be used.

(5) If the initial total number of CAIR NOX annual budget allowances allocated to all existing EGUs for the years under subrule (3) of this rule does not equal the budgeted tons for such units as specified in subrule (1) of this rule,

	<p><u>then the department shall adjust up or down the total number of CAIR NOX annual budget allowances allocated to each existing EGU so that the total number of CAIR NOX annual budget allowances allocated to the entire group of EGUs equals the appropriate value in subrule (1) of this rule. The adjustment shall be made by multiplying each unit's unadjusted initial allocation by a correction factor determined by dividing the appropriate existing EGU total annual budget tons from subrule (1) of this rule by the sum of all existing EGU's initial unadjusted allocations, and rounding to the nearest whole ton, as appropriate.</u></p> <p>History: 2007 AACS.; 2009 AACS.</p>	
	<p><u>R 336.1831 New EGUs under CAIR NOX annual trading program; allowance allocations.</u> <u>Rule 831.</u> (1) <u>The department shall establish a set-aside pool for each CAIR NOX annual control allocation year. This set-aside pool shall be allocated on a yearly basis as follows:</u> <u>(a) For years 2009 to 2011, a total of 1,000 tons of CAIR NOX annual budget allowances available for new EGUs.</u> <u>(b) For years 2012 and thereafter, a total of 1,400 tons of CAIR NOX annual budget allowances available for new EGUs.</u> (2) <u>The CAIR authorized account representative of a new EGU under this rule may submit to the department a written request, in a format specified by the department, to receive CAIR NOX annual allowances, starting with the annual control period during which the EGU commenced or is projected to</u></p>	<p>Rule 831. This rule is missing from the federal SIP.</p>

commence operation and ending with the control period preceding the control period for which it shall receive an allocation under R 336.1830.

(a) The oxides of nitrogen allowance allocation request shall be submitted before September 1 of the year of the first annual control period for which the allowance allocation is requested and after the date on which the department issues a permit to install for the new EGU, if required, and each following year by September 1.

(b) The allocation methodology used for the first annual control period for which each new EGU requests allowances shall be calculated using the following formula:

[See attached formula]

(c) The allocation methodology used for each consecutive annual control period for which each new EGU requests allowances shall be calculated using the following formula:

[See attached formula]

(d) Once the new EGU has been placed in the existing pool, the calculation methods under R 336.1830 apply.

(3) The department shall review and allocate oxides of nitrogen allowances pursuant to each allocation request on a pro rata basis as follows:

(a) Upon receipt of the CAIR NOX unit's allowance allocation request, the department shall determine whether allowances are available

and shall make necessary adjustments to the request to ensure that for the CAIR NOX annual control period, the numbers of allowances specified are consistent with the requirements of subrule (1) of this rule.

(b) If the allocation set-aside pool for the CAIR NOX annual control period for which CAIR NOX annual budget allowances are requested has an amount greater than or equal to the number requested, as adjusted under subdivision (a) of this subrule, then the department shall allocate the amount of the CAIR NOX annual budget allowances requested.

(c) If the allocation set-aside pool for the CAIR NOX annual control period for which CAIR NOX annual budget allowances are requested has an amount of oxides of nitrogen allowances less than the number requested, as adjusted under subdivision (a) of this subrule, then the department shall proportionately reduce the number of CAIR NOX annual budget allowances allocated to each CAIR NOX unit so that the total number of CAIR NOX annual budget allowances allocated are equal to the amounts referenced in subrule (1)(a) or (b) of this rule.

(4) CAIR NOX annual allowances not allocated or requested that remain in the new source set-aside pool for any allocation year shall be re-allocated to the existing EGU source pool, using the allocation methodologies as outlined in R 336.1830.

History: 2007 AACS.; 2009 AACS.

R 336.1832 CAIR NOX annual trading program; hardship set-

aside.

Rule 832. (1) After the provisions of R 336.1830 have been followed, an owner or operator may pursue a request for hardship allowances. These requests must be submitted not later than 30 days prior to the deadline for department submittals to the U.S. environmental protection agency as described in R 336.1830. (2) For existing EGUs subject to the CAIR NOX annual budget, the department shall allocate CAIR NOX hardship allowances under the following procedures:

(a) The department shall establish a hardship allocation set-aside pool for each CAIR NOX annual allocation year for existing EGUs. This hardship set-aside pool shall be allocated on a yearly basis and contains 1,200 tons of CAIR NOX annual allowances per allocation year.

(b) Hardship allowances may be allocated to an EGU if the requesting authorized account representative demonstrates both of the following:

(i) The owner or operator of the EGU has less than 250 employees within its company or its electric generating division or department.

(ii) The controls required for the EGU under this part result in excessive or prohibitive costs for compliance, pursuant to the procedures in subrule (3) of this rule.

(c) The CAIR authorized account representative of a CAIR NOX unit under this rule may submit to the department a written request, in a format specified by the department, to receive CAIR NOX annual hardship allowances. The authorized

Rule 832. This rule is missing from the federal SIP.

account representative shall submit the request for the amount of estimated hardship allowances they need, using historical annual heat input utilization levels multiplied by historical oxides of nitrogen emission rates, in the following manner:

(i) Historical heat input utilization levels shall be based on the unit's average of the 2 highest heat input utilization levels for the annual control period in the 5 years immediately preceding the year in which the department is required to submit the oxides of nitrogen allocations to the U.S. environmental protection agency. If the unit operated less than 2 years during the 5-year time period, then the unit's single highest heat input level shall be used.

(ii) Historic oxides of nitrogen rates shall be based on the oxides of nitrogen rate reported by the authorized account representative in its 40 C.F.R. part 75 reports to the U.S. environmental protection agency in the calendar year immediately preceding the year in which the department is required to submit the oxides of nitrogen allocation.

(iii) Units receiving hardship allowances shall receive a 3-year allocation that is 2 and 3 years in advance of the 2009 and 2010 annual control periods, respectively, and 4 years in advance of each subsequent annual control period. The 3-year allocation shall be the same as provided in R 336.1830(2).

(d) The department shall allocate the allowances based on the requests received as follows:

(i) If the allocation hardship set-

aside pool for the CAIR NOX annual control period for which CAIR NOX annual allowances are requested has an amount of oxides of nitrogen allowances greater than or equal to the number requested, then the department shall allocate the amount of the CAIR NOX annual budget allowances requested.

(ii) If the allocation hardship set-aside pool for the CAIR NOX annual control period for which CAIR NOX annual allowances are requested has an amount of oxides of nitrogen allowances less than the number requested, then the department shall proportionately reduce the number of CAIR NOX annual allowances allocated to each CAIR NOX annual unit so that the total number of CAIR NOx annual allowances allocated are equal to the amounts referenced in subdivision (a) of this subrule.

(3) The department shall allocate CAIR NOX annual hardship allowances to existing EGUs which have submitted an engineering analysis as described as follows:

(a) The authorized account representative shall demonstrate to the department that the control level required pursuant to this rule results in excessive or prohibitive cost for compliance. The demonstration shall include all of the following:

(i) An engineering study analyzing all control options that are technically available for the unit, including control options that would achieve a level of control meeting, at a minimum, a 0.15 pound per million Btu emission rate.

(ii) The annualized cost associated with each control option. An

	<p><u>annualized cost of more than \$2,400 per ton of oxides of nitrogen reduced shall generally be considered to be an excessive cost for compliance with this rule.</u></p> <p><u>(iii) Other considerations that contribute to prohibitive cost of compliance.</u></p> <p><u>(b) For a source to remain eligible for hardship allowances under this rule after the initial 3-year allocation period, ending on December 31, 2011, the state may require a revised engineering analysis and demonstration as detailed under subrule (3)(a) of this rule, at a minimum of once every 3 years.</u></p> <p><u>History: 2007 AACS.; 2009 AACS.</u></p>	
	<p><u>R 336.1833 CAIR NOX annual trading program; compliance supplement pool.</u></p> <p><u>Rule 833.</u> (1) <u>The department shall allow sources required to implement CAIR NOX control measures by January 1, 2009, and subject to this rule to demonstrate compliance using allowances issued from the compliance supplement pool under this rule, as follows:</u></p> <p><u>(a) The total number of CAIR NOX allowances available to existing EGUs, for early reduction purposes from the compliance supplement pool, shall not be more than 6,491 tons of oxides of nitrogen.</u></p> <p><u>(b) The total number of CAIR NOX allowances available for the newly-affected EGUs, for hardship purposes from the compliance supplement pool, shall not be more than 1,856 tons of oxides of nitrogen.</u></p> <p><u>(c) Any CAIR NOX allowances that remain in the compliance supplement pool after the 2009</u></p>	<p>Rule 833. This rule is missing from the federal SIP.</p>

control period shall be retired.

(d) Sources that receive allowances according to the requirements of this rule may trade the allowance to other sources or persons according to the provisions in the CAIR NOX annual trading program.

(2) The department shall issue early reduction allowances to existing EGUs as follows:

(a) The emissions reduction shall not be required by Michigan's state implementation plan, state law, or rule, or be otherwise required by federal law.

(b) The emissions reduction shall be verified by the source as actually having occurred during the calendar years of 2007 and 2008.

(c) Each CAIR NOX unit for which the owner or operator requests any early reduction allowances under this rule shall monitor oxides of nitrogen emissions under 40 C.F.R. part 75, subpart H, which are adopted by reference in R 336.1802a, starting not less than 1 calendar year before the annual control period for which the early reduction allowances are requested. The unit's monitoring system availability shall be not less than 90 percent during the control period in which monitoring occurs for this purpose and the unit shall be in compliance with any applicable state or federal emissions or emissions-related requirements.

(d) The emissions reduction shall be quantified according to procedures set forth in 40 C.F.R. part 75, subpart H. (e) The emissions reduction request shall include both of the following:

(i) The CAIR NOX authorized account representative may request

early reduction allowances for the annual control period in an amount equal to the unit's heat input for the year, multiplied by the difference between the rates in both of the following provisions, divided by 2,000 pounds per ton, and rounded to the nearest ton:

(A) The oxides of nitrogen emission limit required by Michigan's state implementation plan, otherwise required by the clean air act, or 0.25 pound per million Btu heat input, whichever is most stringent.

(B) The unit's actual oxides of nitrogen emission rate for the 2007 and 2008 calendar years, which shall be lower than the rate used in subparagraph (A) of this paragraph and less than 80% of the actual 2005 annual oxides of nitrogen emission rate, expressed as pound per million Btu heat input.

(ii) The early reduction allowance request shall be submitted in writing, in a format specified by the department, not later than July 1, 2009, for the 2007 and 2008 control periods.

(f) The department shall allocate CAIR NOX allowances to CAIR NOX units meeting the requirements of this subdivision and requesting early reduction allocations, in the following manner:

(i) Upon receipt of each early reduction allowance request, the department shall accept the request only if the requirements of subdivisions (a) to (e) of this subrule are met and, if the request is accepted, shall make any necessary adjustments to the request to ensure that the amount of the early reduction allowances requested meets the requirement of

subdivisions (a) to (e) of this subrule.

(ii) If the compliance supplement pool has an amount of CAIR NOX allowances equal to or greater than the number of early reduction allowances in all accepted early reduction allowance requests for 2007 and 2008, as adjusted under paragraph (i) of this subdivision, the department shall allocate to each CAIR NOX unit covered by the accepted requests 1 allowance for each early reduction allowance requested, as adjusted under paragraph (i) of this subdivision.

(iii) If the compliance supplement pool has an amount of CAIR NOX allowances less than the number of early reduction allowances in all accepted early reduction allowance requests for 2007 and 2008, as adjusted under paragraph (i) of this subdivision, the department shall allocate CAIR NOX allowances to each CAIR NOX unit covered by the accepted requests according to the following formula and rounding to the nearest whole allowance as appropriate:

[See attached formula]

(3) The department shall issue hardship allowances to newly-affected EGUs for which compliance with the CAIR NOX emissions limitations would create an undue risk to the reliability of electricity supply during the 2009 control period. The CAIR NOX authorized account representative of the newly-affected EGU may request the allocation of CAIR NOX allowances from the compliance supplement pool under subrule

(1)(b) of this rule, pursuant to the following:

(a) The CAIR NOX authorized account representative shall submit to the department by July 1, 2009, a written request, in a format specified by the department, for allocation of an amount of CAIR NOX allowances from the compliance supplement pool not exceeding the minimum amount of CAIR NOX allowances necessary to remove the undue risk to the reliability of electricity supply.

(b) The CAIR NOX authorized account representative shall demonstrate that, in the absence of allocation of the amount of CAIR NOX allowances requested, the unit's compliance with the CAIR NOX emissions limitation for the 2009 control period would create an undue risk to the reliability of electricity supply during the 2009 control period. This demonstration shall include both of the following:

(i) A showing that it would not be possible for the owners and operators of the unit to obtain sufficient amounts of electricity from other electric generation facilities during the installation of control technology at the unit for compliance with the CAIR NOX emission limitation to prevent such undue risk.

(ii) A showing that it would not be possible for the owners and operators of the unit to obtain sufficient amounts of allowances under subrule (2) or from other sources or persons to prevent such undue risk.

(c) The department shall review each request submitted by July 1, 2009, and allocate CAIR NOX allowances for the 2009

control period to requesting EGUs as follows:

(i) Upon receipt of each hardship request, the department shall accept the request only if the requirements of subdivisions (a) and (b) of this subrule are met and, if the request is accepted, shall make any necessary adjustments to the request to ensure that the amount of the CAIR NOX hardship allowances requested meets the requirements of subdivisions (a) and (b) of this subrule.

(ii) If the compliance supplement pool has an amount of CAIR NOX hardship allowances equal to or greater than the number of CAIR NOX allowances in the hardship requests, the department shall allocate to each CAIR NOX unit the amount of CAIR NOX allowances requested, as adjusted under paragraph (i) of this subdivision.

(iii) If the compliance supplement pool has an amount of CAIR NOX allowances less than the number of hardship allowances in all accepted hardship requests, as adjusted under paragraph (i) of this subdivision, the department shall allocate CAIR NOX allowances to each CAIR NOX unit covered by the accepted requests according to the following formula and rounding to the nearest whole allowance as appropriate:

[See attached formula]

(4) The department shall complete its review process not later than September 1, 2009. By November 30, 2009, the department shall determine, and submit to the U.S. environmental protection agency, the allocations under subrules (2) or

	<p>(3) of this rule.</p> <p>History: 2007 AACS.; 2009 AACS.</p>	
	<p><u>R 336.1834 Opt-in provisions under the CAIR NOx annual trading program.</u></p> <p><u>Rule 834.</u> The opt-in provisions in 40 C.F.R. §§97.180 through 97.188 are adopted by reference in R 336.1802a and are applicable to this rule.</p> <p>History: 2007 AACS.</p>	<p>Rule 834. This rule is missing from the federal SIP.</p>

R 336.1801

(13) Table 81 reads as follows:

Table 81

Boilers and process heaters with heat input capacity of 250 million Btu or more oxides of nitrogen (NO _x) emission limitations (pounds NO _x per million Btu of heat input averaged over the ozone control period)	
Fuel type	Emission limit
Natural gas	0.20
Distillate oil	0.30
Residual oil	0.40
Coal (1) Coal spreader stoker (2) Pulverized coal fired	0.40 0.40
Gas (other than natural gas) ¹	0.25
For units operating with a combination of gas, oil, or coal, a variable emission limit calculated as the heat input weighted average of the applicable emission limits shall be used. The emission limit shall be determined as follows: Emission limit = a(0.20) + b(applicable oil limit) + c(applicable coal limit) + d(0.25) Where: a = Is the percentage of total heat input from natural gas b = Is the percentage of total heat input from oil c = Is the percentage of total heat input from coal d = Is the percentage of total heat input from gas (other than natural gas)	

¹This may include a mixture of gases. In this case, natural gas may be part of the mixture.

R 336.1822

$$Allocation = \left[\frac{\left\{ \frac{(CTER \times FAF) + PER}{2} \right\} \times HI}{2000 \text{ lb/ton}} \right]$$

Where:

- Allocation = The initial unadjusted NO_x allowance allocation, in tons.
CTER = The CAIR target emission rate for 2009 to 2014 of 0.15 pounds per mm Btu.
FAF = Fuel adjustment factor as defined in R 336.1821.
PER = The unit's permitted NO_x emission rate as defined in R 336.1821.
HI = Average of the unit's 2 highest heat inputs in mm Btu for the appropriate 5 control periods.

History: 2007 MR 12, Eff. June 25, 2007; 2009 MR 10, Eff. May 28, 2009.
2009 MR 10, Eff. May 28, 2009.

$$Allocation = \left[\frac{\left\{ \frac{(CTER \times FAF) + PER}{2} \right\} \times HI}{2000 \text{ lb / ton}} \right]$$

Where:

- Allocation = The initial unadjusted NO_x allowance allocation, in tons.
 CTER = The CAIR target emission rate for 2015 and thereafter of 0.125 pounds per mm Btu.
 FAF = Fuel adjustment factor as defined in R 336.1821.
 PER = The unit's permitted NO_x emission rate as defined in R 336.1821.
 HI = Average of the unit's 2 highest heat inputs in mm Btu for the appropriate 5 control periods.

History: 2007 MR 12, Eff. June 25, 2007; 2009 MR 10, Eff. May 28, 2009.



R 336.1823

$$Allocation = \frac{1.0 \text{ lb NO}_x}{\text{MWh}} \times \frac{\text{Size of unit in MW} \times \text{hours of operation}}{2000 \text{ lb / ton}} \times 70\%$$

Where:

- Allocation = The unadjusted NO_x allowance allocation, in tons.
1.0 lb NO_x/MWh = The factor for allocating NO_x allowances based on gross electric generation.
Size of the unit = The nameplate capacity, as defined in the CAIR NO_x program of the EGU in megawatts.
Hours of Operation = Predicted hours of operation per control period.
MWh = Megawatt hours.
-

$$Allocation = \frac{1.0 \text{ lb } NO_x}{MWh} \times \frac{Actual \text{ Megawatt hours}}{2000 \text{ lb / ton}}$$

Where:

Allocation = The unadjusted NO_x allowance allocation, in tons.
1.0 lb NO_x/MWh = The factor for allocating NO_x allowances based on gross electric generation.
Actual megawatt hours = The actual megawatt hours of electricity generated during the control period immediately preceding the request.
MWh = Megawatt hours.

R 336.1825

$$Allocation = \frac{1.0 \text{ lb NOx}}{\text{MWh}} \times \frac{\text{Size of unit in MW} \times \text{hours of operation}}{2000 \text{ lb / ton}} \times 70\%$$

Where:

- Allocation = The unadjusted NOx allowance allocation, in tons.
1.0 lb NOx/MWh = The factor for allocating NOx allowances based on gross electric generation.
Size of the unit = The nameplate capacity, as defined in the CAIR NOx program, of the renewable energy source or renewable energy project in megawatts.
Hours of Operation = Predicted hours of operation per control period.
MWh = Megawatt hours.

(c) The allocation methodology used for the each consecutive ozone season for which the renewable energy source or renewable energy project requests allowances shall be calculated using the following formula:

$$Allocation = \frac{1.0 \text{ lb NOx}}{\text{MWh}} \times \frac{\text{Actual Megawatt hours}}{2000 \text{ lb / ton}}$$

Where:

- Allocation = The unadjusted NOx allowance allocation, in tons.
1.0 lb NOx/MWh = The factor for allocating NOx allowances based on electric generation.
Actual megawatt hours = The actual megawatt hours of electricity generated during the control period immediately preceding the request.
MWh = Megawatt hours.
-

R 336.1830

$$Allocation = \left[\frac{\left\{ \frac{(CTER \times FAF) + AER}{2} \right\} \times HI}{2000 \text{ lb / ton}} \right]$$

- Where:
- Allocation = The unadjusted NOx allowance allocation, in tons.
 - CTER = The CAIR target emission rate for 2009 through 2014.
 - FAF = Fuel adjustment factor as defined in R 336.1821.
 - AER = The unit's allowable emission rate of 0.15 pounds per mm Btu.
 - HI = Average of the unit's 2 highest heat inputs in mm Btu for the appropriate 5 control periods.
-

$$Allocation = \left[\frac{\left\{ \frac{(CTER \times FAF) + PER}{2} \right\} \times HI}{2000 lb / ton} \right]$$

Where:

- Allocation = The initial unadjusted NO_x allowance allocation, in tons.
 CTER = The CAIR target emission rate of 0.125 pounds per mm Btu for 2015 and thereafter.
 FAF = Fuel adjustment factor as defined in R 336.1821.
 PER = The unit's permitted NO_x emission rate.
 HI = Average of the unit's 2 highest heat inputs in mm Btu for the appropriate 5 control periods.

History: 2007 MR 12, Eff. June 25, 2007; 2009 MR 10, Eff. May 28, 2009.

R 336.1831

$$\text{Allocation} = \frac{1.0 \text{ lb NO}_x}{\text{MWh}} \times \frac{\text{Size of unit in MW} \times \text{hours of operation}}{2000 \text{ lb / ton}} \times 70\%$$

Where:

- Allocation = The unadjusted NO_x allowance allocation, in tons.
1.0 lb NO_x/MWh = The factor for allocating NO_x allowances based on gross electric generation.
Size of the unit = The nameplate capacity, as defined in the CAIR NO_x program, of the EGU in megawatts.
Hours of operation = Predicted hours of operation per control period.
MWh = Megawatt hours.
-

$$Allocation = \frac{1.0 \text{ lb NO}_x}{\text{MWh}} \times \frac{\text{Actual Megawatt hours}}{2000 \text{ lb / ton}}$$

Where:

Allocation = The unadjusted NO_x allowance allocation, in tons.
1.0 lb NO_x/MWh = The factor for allocating NO_x allowances based on gross electric generation.
Actual megawatt hours = The actual megawatt hours of electricity generated during the control period immediately preceding the request.
MWh = Megawatt hours.

R 336.1833

$$\text{Allocated ERC} = \left(\frac{\text{Units ERC requested}}{\text{Total requested ERC}} \right) \times \text{Available CAIR NOx Allowances}$$

Where:

ERC = Early reduction allowances.
Allocated ERCs = Each unit's allocated early reduction allowances.
Total requested ERCs = The total amount of ERCs requested by all units from the compliance supplement pool.
Available CAIR NO_x Allowances = The total amount of allowances available from the early reduction portion of the compliance supplement pool.

History: 2007 MR 12, Eff. June 25, 2007; 2009 MR 10, Eff. May 28, 2009.

$$\text{Adjusted Allocation} = \text{Requested Allocation} \times \left(\frac{\text{Available Pool Allocations}}{\text{Total adjusted allocation for all units}} \right)$$

Where:

Adjusted allocation =	The number of CAIR NO _x hardship allowances allocated to the unit from the state's compliance supplement pool.
Requested allocation =	The amount of CAIR NO _x hardship allowances requested for the unit.
Available pool allocations =	The amount of CAIR NO _x hardship allowances in the state's compliance supplement pool.
Total adjusted allocations for all units =	The sum of the amounts of hardship allocations requested for all units, as adjusted.

History: 2007 MR 12, Eff. June 25, 2007; 2009 MR 10, Eff. May 28, 2009.

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 9:
EMISSION LIMITATIONS AND PROHIBITIONS-- MISCELLANEOUS**

DRAFT #1 last reviewed/edited by KMD on February 14, 2013

Approved SIP	Rules Implemented by State of Michigan	Comments
<p>R. 336.1901. Air contaminant or water vapor, when prohibited (1/18/80)</p> <p>Rule 901. Notwithstanding the provisions of any other commission rule, a person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants, either of the following: (a) Injurious effects to human health or safety, animal life, plant life of significant economic value, or property. (b) Unreasonable interference with the comfortable enjoyment of life and property.</p>	<p>R 336.1901 Air contaminant or water vapor; when prohibited.</p> <p>Rule 901. Notwithstanding the provisions of any other department rule, a person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants, either of the following: (a) Injurious effects to human health or safety, animal life, plant life of significant economic value, or property. (b) Unreasonable interference with the comfortable enjoyment of life and property.</p> <p>History: 1980 AACS; 2002 AACS.</p>	<p>Rule 901</p> <ul style="list-style-type: none"> The federal SIP uses “commission”; the Michigan rule uses “department”
<p>[No R 336.1902]</p>	<p>R 336.1902 Adoption of standards by reference.</p> <p>Rule 902. The following standards are adopted in these rules by reference and are available as noted. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of</p>	<p>Rule 902</p> <ul style="list-style-type: none"> There is no rule 902 in the federal SIP

these rules (AQD price). Copies may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules (GPO price), or on the United States government printing office internet web site at <http://www.access.gpo.gov>:

- (a) Title 40 C.F.R., part 51, appendix Y, "Guidelines for BART Determinations Under the Regional Haze Rule," and 40 C.F.R. §51.301, "Definitions," (2007); AQD price \$55.00; GPO price \$45.00.
- (b) Title 40 C.F.R., part 61, subpart M, "National Emission Standards for Asbestos" (2007); AQD price \$55.00; GPO price \$45.00.
- (c) Title 40 C.F.R., part 63, subpart A, entitled "General Provisions" (2007); AQD price \$68.00; GPO price \$58.00.
- (d) Title 40 C.F.R., part 63, subpart N, "National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks" (2007); AQD price \$68.00; GPO price \$58.00.
- (e) Title 40 C.F.R., part 63, subpart O, "Ethylene Oxide Emissions Standards for Sterilization Facilities" (2007); AQD price \$68.00; GPO price \$58.00.
- (f) Title 40 C.F.R., part 63, subpart LLL, "National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry" (2007); AQD price \$60.00; GPO price \$50.00.
- (g) Title 40 C.F.R., part 63 subpart RRR, "National Emission Standards for Hazardous Air Pollutants for

	<p>Secondary Aluminum Production" (2007); AQD price \$42.00; GPO price \$32.00. (h) Title 40 C.F.R., part 63, subpart VVV, "National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works" (2007); AQD price \$42.00; GPO price \$32.00. (i) Title 40 C.F.R., part 63, subpart GGGGG, "National Emission Standards for Hazardous Air Pollutants: Site Remediation" (2007); AQD price \$42.00; GPO price \$32.00.</p> <p>History: 2008 AACS.</p>	
<p>R 336.1906 Diluting and concealing emissions.</p> <p>Rule 906. Unless prior written approval is obtained from the department, a person shall not build, erect, install, or use any article, machine, equipment, or other contrivance if the sole purpose of the article, machine, equipment, or other contrivance is to dilute or conceal an emission without resulting in a reduction in the total release of air contaminants into the atmosphere. This rule does not apply to the control of odors.</p>	<p>R 336.1906 Diluting and concealing emissions.</p> <p>Rule 906. Unless prior written approval is obtained from the department, a person shall not build, erect, install, or use any article, machine, equipment, or other contrivance if the sole purpose of the article, machine, equipment, or other contrivance is to dilute or conceal an emission without resulting in a reduction in the total release of air contaminants into the atmosphere. This rule does not apply to the control of odors.</p> <p>History: 1980 AACS; 2002 AACS.</p>	<p>Rule 906</p> <ul style="list-style-type: none"> • No change
<p>R 336.1910. Air-cleaning devices (1/18/80)</p> <p>Rule 910. An air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with these rules and existing law.</p>	<p>R 336.1910 Air-cleaning devices.</p> <p>Rule 910. An air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with these rules and existing law.</p> <p>History: 1980 AACS.</p>	<p>Rule 910</p> <ul style="list-style-type: none"> • No Change
<p>R 336.1911 Malfunction</p>	<p>R 336.1911 Malfunction</p>	<p>Rule 911</p>

<p>abatement plans.</p> <p>Rule 911. (1) Upon request of the department, a person responsible for the operation of a source of an air contaminant shall prepare a malfunction abatement plan to prevent, detect, and correct malfunctions or equipment failures resulting in emissions exceeding any applicable emission limitation.</p> <p>(2) A malfunction abatement plan required by subrule (1) of this rule shall be in writing and shall, at a minimum, specify all of the following:</p> <p>(a) A complete preventative maintenance program, including identification of the supervisory personnel responsible for overseeing the inspection, maintenance, and repair of air-cleaning devices, a description of the items or conditions that shall be inspected, the frequency of the inspections or repairs, and an identification of the major replacement parts that shall be maintained in inventory for quick replacement.</p> <p>(b) An identification of the source and air-cleaning device operating variables that shall be monitored to detect a malfunction or failure, the normal operating range of these variables, and a description of the method of monitoring or surveillance procedures.</p> <p>(c) A description of the corrective procedures or operational changes that shall be taken in the event of a malfunction or failure to achieve compliance with the applicable emission limits</p> <p>(3) A malfunction abatement plan required by subrule (1) of this rule shall be submitted to the department</p>	<p>abatement plans.</p> <p>Rule 911. (1) Upon request of the department, a person responsible for the operation of a source of an air contaminant shall prepare a malfunction abatement plan to prevent, detect, and correct malfunctions or equipment failures resulting in emissions exceeding any applicable emission limitation.</p> <p>(2) A malfunction abatement plan required by subrule (1) of this rule shall be in writing and shall, at a minimum, specify all of the following:</p> <p>(a) A complete preventative maintenance program, including identification of the supervisory personnel responsible for overseeing the inspection, maintenance, and repair of air-cleaning devices, a description of the items or conditions that shall be inspected, the frequency of the inspections or repairs, and an identification of the major replacement parts that shall be maintained in inventory for quick replacement.</p> <p>(b) An identification of the source and air-cleaning device operating variables that shall be monitored to detect a malfunction or failure, the normal operating range of these variables, and a description of the method of monitoring or surveillance procedures.</p> <p>(c) A description of the corrective procedures or operational changes that shall be taken in the event of a malfunction or failure to achieve compliance with the applicable emission limits.</p> <p>(3) A malfunction abatement plan required by subrule (1) of this rule shall be submit-ted to the</p>	<ul style="list-style-type: none"> • In the state rule, in 911(3) a comma is omitted between “submitted” and “which” • There seems to be a typo in the online pdf version and the version on westlaw.com in the state rule which substitutes “aetorylan” for “amend the plan.”
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<p>and shall be subject to review and approval by the department. If, in the opinion of the commission, the plan does not adequately carry out the objectives as set forth in subrules (1) and (2) of this rule, then the department may disapprove the plan, state its reasons for disapproval, and order the preparation of an amended plan within the time period specified in the order. If, within the time period specified in the order, an amended plan is submitted, which, in the opinion of the department, fails to meet the objective, then the department, on its own initiative, may amend the plan to cause it to meet the objective.</p> <p>(4) Within 180 days after the department approves a malfunction abatement plan, a person responsible for the preparation of a malfunction abatement plan shall implement the malfunction abatement plan required by subrule (1) of this rule.</p>	<p>department and shall be subject to review and approval by the department. If, in the opinion of the commission, the plan does not adequately carry out the objectives as set forth in subrules (1) and (2) of this rule, then the department may disapprove the plan, state its reasons for disapproval, and order the preparation of an amended plan within the time period specified in the order. If, within the time period specified in the order, an amended plan is submitted which, in the opinion of the department, fails to meet the objective, then the department, on its own initiative, may aetorylan to cause it to meet the objective.</p> <p>(4) Within 180 days after the department approves a malfunction abatement plan, a person responsible for the preparation of a malfunction abatement plan shall implement the malfunction abatement plan required by subrule (1) of this rule.</p> <p>History: 1980 AACS; 2002 AACS.</p>	
<p>R 336.1912. Abnormal conditions and breakdown of equipment (1/18/80)</p> <p>Rule 912. The owner or operator of a source of emissions exceeding any applicable emission limit as a direct result of abnormal conditions in, or breakdown of, process or control equipment continuing for more than 2 hours shall do both of the following:</p> <p>(a) Notify the commission or the air quality division as soon as is reasonably possible.</p> <p>(b) Submit to the commission, in writing, within 10 days, a detailed report, including probable causes, duration of violation, remedial</p>	<p>R 336.1912 Abnormal conditions, start-up, shutdown, and malfunction of a source, process, or process equipment, operating, notification, and reporting requirements.</p> <p>Rule 912. (1) The owner or operator of a source, process, or process equipment shall, to the extent reasonably possible, operate a source, process, or process equipment in a manner consistent with good air pollution control practices for minimizing emissions during periods of abnormal conditions, start-up, shutdown, and malfunctions. A source, process, or process equipment that complies</p>	<p>Rule 912</p> <ul style="list-style-type: none"> • The title of the MI rule encompasses more than the federal SIP; it used to be just breakdown of equipment and now it is start-up, shut down and malfunction of a source, process or process equipment. Operating, notification and reporting requirements are also included. • There is a subsection (1) in the MI rule, a lot of new language is added to address the topics

action taken, and what steps are being undertaken to prevent a reoccurrence. These preventative steps shall become part of any malfunction abatement plan required by rule 911.

with all applicable emission standards and limitations during periods of abnormal conditions, start-up, shutdown, and malfunction shall be presumed to have been operated in a manner consistent with good air pollution control practices for minimizing emissions.

(2) The owner or operator of a source, process, or process equipment shall provide notice of an abnormal condition, start-up, shutdown, or a malfunction that results in emissions of a hazardous air pollutant which continue for more than 1 hour in excess of any applicable standard or limitation established by the clean air act or the emissions of a toxic air contaminant which continue for more than 1 hour in excess of an emission standard established by a rule promulgated under the air pollution act or an emission limitation specified in a permit issued or order entered under the air pollution act.

(3) The owner or operator of a source, process, or process equipment shall provide notice and a written report of an abnormal condition, start-up, shutdown, or a malfunction that results in emissions of any air contaminant continuing for more than 2 hours in excess of a standard or limitation established by any applicable requirement.

(4) The notices required by this rule shall be provided to the department as soon as reasonably possible, but not later than 2 business days after the start-up or shutdown or after discovery of the abnormal conditions or malfunction. Notice shall be by any reasonable means,

referenced in the title

- There is a subsection (2) in the MI rule with a lot of new language
- There is a subsection (3) with new language detailing the notice and report of abnormal start-up, shut down or malfunction resulting in air contaminant in excess of a standard
- There is a subsection (4) in the MI rule which sets a 2 day deadline after the start-up/shut down or discovery of the condition for the notices required by the rule that the federal SIP only required “as soon as is reasonably possible”
- Subsection (4) of the MI rule also says to provide the notices to the “department” while the federal SIP says to provide them to the air quality division
- There is a subsection (5) in the MI rule, and it keeps the 10 day deadline for the written report, but adds a “30 day after the discovery” deadline, whichever comes first.
- There are new subsections (a) to (d) in the MI rule to subsection (5) which detail what is required in the written reports
- There is a subsection (6) in the MI rule adding a preventative maintenance

including electronic, telephonic, or oral communication.

(5) The written reports required under this rule shall be submitted within 10 days after the start-up or shutdown occurred, within 10 days after the abnormal conditions or malfunction has been corrected, or within 30 days of discovery of the abnormal conditions or malfunction, whichever is first. The written reports shall include all of the following information:

(a) The time and date, the probable causes or reasons for, and the duration of the abnormal conditions, start-up, shutdown, or malfunction.

(b) An identification of the source, process, or process equipment which experienced abnormal conditions, was started up or shut down, or which malfunctioned and all other affected process or process equipment that have emissions in excess of an applicable requirement, including a description of the type and, where known or where it is reasonably possible to estimate, the quantity or magnitude of emissions in excess of applicable requirements.

(c) Information describing the measures taken and air pollution control practices followed to minimize emissions.

(d) For abnormal conditions and malfunctions, the report shall also include a summary of the actions taken to correct and to prevent a reoccurrence of the abnormal conditions or malfunction and the time taken to correct the malfunction.

(6) Actions taken to correct and to prevent a reoccurrence of an abnormal condition or a malfunction

plan to the malfunction abatement plan required by the federal SIP

- There is a section (7) in the MI rule that requires the reports' accuracy, truth and completeness be certified by an official consistent with the clean air act.
- There is an editor's note regarding an error in R 336.1912 that had been corrected.

	<p>shall become a part of any preventative maintenance and malfunction abatement plan required by R 336.1911.</p> <p>(7) The truth, accuracy, and completeness of the written reports required under this rule for a stationary source subject to the requirements of R 336.1210 shall be certified by a responsible official in a manner consistent with the clean air act.</p> <p>History: 1980 AACS; 1995 AACS.</p> <p>Editor's Note: An obvious error in R 336.1912 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in Michigan Register, 1995 MR 7. The memorandum requesting the correction was published in Michigan Register, 2007 MR 9.</p>	
	<p>R 336.1913 Rescinded. History: 1995 AACS; 2001 AACS.</p>	
	<p>R 336.1914 Rescinded. History: 1995 AACS; 2001 AACS.</p>	
<p>R 336.1915 Enforcement discretion in instances of excess emissions resulting from malfunction, start-up, or shutdown.</p> <p>Rule 915. (1) In determining whether the department will pursue enforcement against a person, the department shall consider evidence that the emission violations resulted from a malfunction, start-up or shutdown. (2) If the department determines that the emission violations resulted from a malfunction, start-up, or shutdown,</p>	<p>R 336.1915 Enforcement discretion in instances of excess emissions resulting from malfunction, start-up, or shutdown.</p> <p>Rule 915. (1) In determining whether the department will pursue enforcement against a person, the department shall consider evidence that the emission violations resulted from a malfunction, start-up, or shutdown. (2) If the department determines that the emission violations resulted from a malfunction, start-up, or</p>	<p>Rule 915</p> <ul style="list-style-type: none"> • There is a comma added in subsection (3) between “following” and “as” in the MI rule • There is an “and” omitted from the MI rule in subsection(3)(b) • There are some grammatical changes in subsections (g) and (j) in the MI rule, and some spacing issues in (i)

then the department may use enforcement discretion when resolving the emission violations based upon subrules (3) and (4) of this rule, as applicable.

(3) A person may submit evidence to the department for its consideration in determining that the emission violations resulted from a malfunction. The evidence shall demonstrate all of **the following as** applicable:

(a) The excess emissions were a result of a sudden and unavoidable breakdown of process or control equipment, beyond the reasonable control of the person.

(b) The air pollution control equipment, process equipment, and processes were maintained and operated in a manner consistent with good practice for minimizing emissions, **and** to the maximum extent practicable.

(c) The excess emissions caused by a bypass (an intentional diversion of control equipment) were unavoidable to prevent loss of life, personal injury, or severe property damage.

(d) Repairs were made in an expeditious fashion when the person knew or should have known that applicable emission limitations were being exceeded. To the extent practicable, off-shift labor and overtime shall have been utilized to ensure that the repairs were made expeditiously.

(e) The amount and duration of excess emissions, including any bypass, were minimized to the maximum extent practicable during periods of the emissions.

(f) All reasonably possible steps were taken to minimize the impact

shutdown, then the department may use enforcement discretion when resolving the emission violations based upon subrules (3) and (4) of this rule, as applicable.

(3) A person may submit evidence to the department for its consideration in determining that the emission violations resulted from a malfunction. The evidence shall demonstrate all of **the following, as** applicable:

(a) The excess emissions were a result of a sudden and unavoidable breakdown of process or control equipment, beyond the reasonable control of the person.

(b) The air pollution control equipment, process equipment, and processes were maintained and operated in a manner consistent with good practice for minimizing **emissions, to** the maximum extent practicable.

(c) The excess emissions caused by a bypass (an intentional diversion of control equipment) were unavoidable to prevent loss of life, personal injury, or severe property damage.

(d) Repairs were made in an expeditious fashion when the person knew or should have known that applicable emission limitations were being exceeded. To the extent practicable, off-shift labor and overtime shall have been utilized to ensure that the repairs were made expeditiously.

(e) The amount and duration of excess emissions, including any bypass, were minimized to the maximum extent practicable during periods of the emissions.

(f) All reasonably possible steps were taken to minimize the impact

- In subsection (4), the federal SIP says “will” and the MI rule says “shall” and “subrule” is made plural in the MI rule

of the excess emissions on ambient air quality.

(g) The excess emissions resulting from the malfunction were not a part of a recurring pattern indicative of inadequate design, operation, or maintenance.

(h) The malfunction was an infrequent event and was not reasonably preventable.

(i) All emission monitoring systems were kept in operation if at all possible.

(j) The person responsible for operating the source of air contaminants has an malfunction abatement plan, consistent with the requirements set forth in R 336.1911(2) and with both of the following provisions:

(i) Any malfunction abatement plan developed in accordance with R336.1911(2) shall be maintained onsite and available for inspection, upon request, by the department for the life of the emission unit or units. The department may require that the person responsible for the malfunction abatement plan make revisions to the plan. The person shall revise the malfunction abatement plan within 45 days after a request by the department. The revised malfunction abatement plan shall be developed in accordance with R336.1911(2).

(ii) If the malfunction abatement plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction at the time the plan is initially developed, then the person shall revise the malfunction abatement plan within 45 days after the event occurs. The revised malfunction abatement plan shall be developed in

of the excess emissions on ambient air quality.

(g) The excess emissions resulting from the malfunction were not part of a recurring pattern indicative of inadequate design, operation, or maintenance.

(h) The malfunction was an infrequent event and was not reasonably preventable.

(i) All emission monitoring systems were kept in operation if at all possible.

(j) The person responsible for operating the source of air contaminants has a malfunction abatement plan, consistent with the requirements set forth in R 336.1911(2) and with both of the following provisions:

(i) Any malfunction abatement plan developed in accordance with R 336.1911(2) shall be maintained onsite and available for inspection, upon request, by the department for the life of the emission unit or units. The department may require that the person responsible for the malfunction abatement plan make revisions to the plan. The person shall revise the malfunction abatement plan within 45 days after a request by the department. The revised malfunction abatement plan shall be developed in accordance with R 336.1911(2).

(ii) If the malfunction abatement plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction at the time the plan is initially developed, then the person shall revise the malfunction abatement plan within 45 days after the event occurs. The revised malfunction abatement plan shall be developed

accordance with R336.1911(2).
(k) The excess emissions presenting an imminent threat to human health, safety, or the environment were reported to the department as soon as possible. Unless otherwise specified in the facility's permit, other excess emissions were reported as provided in R 336.1912. If requested by the department, a person shall submit a full written report that includes the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.
(l) The actions during the period of excess emissions were documented by contemporaneous operating logs or other relevant evidence as provided by R 336.1912.
(m) Any information submitted to the department under this subrule shall be properly certified in accordance with the provisions of R 336.1912.
(4) A person may submit evidence to the department for its consideration in determining that the emission violations resulted from a start-up or shutdown. The evidence will be based upon subrule (3)(b), (c), (e), (f), (i), (k), (l), and (m) of this rule; subdivisions (a), (b), (c), of this subrule; and R 336.1912, as applicable.
(a) The periods of excess emissions that occurred during start-up or shutdown were short and infrequent and could not have been prevented through careful planning and design.
(b) The excess emissions that occurred during start-up or shutdown were not part of a recurring pattern indicative of inadequate design, operation, or

in accordance with R 336.1911(2).
(k) The excess emissions presenting an imminent threat to human health, safety, or the environment were reported to the department as soon as possible. Unless otherwise specified in the facility's permit, other excess emissions were reported as provided in R 336.1912. If requested by the department, a person shall submit a full written report that includes the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.
(l) The actions during the period of excess emissions were documented by contemporaneous operating logs or other relevant evidence as provided by R 336.1912.
(m) Any information submitted to the department under this subrule shall be properly certified in accordance with the provisions of R 336.1912.
(4) A person may submit evidence to the department for its consideration in determining that the emission violations resulted from a start-up or shutdown. The evidence shall be based upon subrules (3)(b), (c), (e), (f), (i), (k), (l), and (m) of this rule; subdivisions (a), (b), (c) of this subrule; and R 336.1912, as applicable.
(a) The periods of excess emissions that occurred during start-up or shutdown were short and infrequent and could not have been prevented through careful planning and design.
(b) The excess emissions that occurred during start-up or shutdown were not part of a recurring pattern indicative of inadequate design, operation, or

<p>maintenance.</p> <p>(c) The person responsible for operating the source of air contaminants has a preventative maintenance plan, consistent with the requirements set forth in R 336.1911(2)(a).</p> <p>(5) For an emission unit or units subject to standards and limitations promulgated pursuant to section 111 or 112 of the clean air act, the start-up, shutdown, or malfunction provisions of the applicable requirements within section 111 or 112 shall apply.</p> <p>(6) Nothing in this rule shall be construed to limit the authority of the department to seek injunctive relief or to enforce the provisions of the act and the regulations promulgated under the act.</p>	<p>maintenance.</p> <p>(c) The person responsible for operating the source of air contaminants has a preventative maintenance plan, consistent with the requirements set forth in R 336.1911(2)(a).</p> <p>(5) For an emission unit or units subject to standards and limitations promulgated pursuant to section 111 or 112 of the clean air act, the start-up, shutdown, or malfunction provisions of the applicable requirements within section 111 or 112 shall apply.</p> <p>(6) Nothing in this rule shall be construed to limit the authority of the department to seek injunctive relief or to enforce the provisions of the act and the regulations promulgated under the act.</p> <p>History: 2002 AACS.</p>	
<p>R 336.1916 Affirmative defense for excess emissions during start-up or shutdown.</p> <p>Rule 916. (1) The person operating a source with emissions in excess of an applicable emission limitation due to start-up or shutdown may claim an affirmative defense to an enforcement proceeding, excluding a judicial action seeking injunctive relief, if the person has complied with the reporting requirements of R 336.1912 and has demonstrated all of the following:</p> <p>(a) The periods of excess emissions that occurred during start-up or shutdown were short and infrequent and could not have been prevented through careful planning and design.</p> <p>(b) The excess emissions that occurred during start-up or shutdown were not part of a recurring pattern indicative of</p>	<p>R 336.1916 Affirmative defense for excess emissions during start-up or shutdown.</p> <p>Rule 916. (1) The person operating a source with emissions in excess of an applicable emission limitation due to start-up or shutdown may claim an affirmative defense to an enforcement proceeding, excluding a judicial action seeking injunctive relief, if the person has complied with the reporting requirements of R 336.1912 and has demonstrated all of the following:</p> <p>(a) The periods of excess emissions that occurred during start-up or shutdown were short and infrequent and could not have been prevented through careful planning and design.</p> <p>(b) The excess emissions that occurred during start-up or shutdown were not part of a recurring pattern indicative of</p>	<p>Rule 916</p> <ul style="list-style-type: none"> • No change

<p>inadequate design, operation, or maintenance.</p> <p>(c) The excess emissions caused by a bypass (an intentional diversion of control equipment) were unavoidable to prevent loss of life, personal injury, or severe property damage.</p> <p>(d) The facility was operated at all times in a manner consistent with good practice for minimizing emissions.</p> <p>(e) The frequency and duration of operating in start-up or shutdown mode were minimized to the maximum extent practicable.</p> <p>(f) All reasonably possible steps were taken to minimize the impact of the excess emissions on ambient air quality.</p> <p>(g) All emission monitoring systems were kept in operation if at all possible.</p> <p>(h) The actions during the period of excess emissions were documented by contemporaneous operating logs or other relevant evidence as provided by R 336.1912.</p> <p>(i) Excess emissions presenting an imminent threat to human health, safety, or the environment were reported to the department as soon as possible. Unless otherwise specified in the facility's permit, other excess emissions were reported as provided in R 336.1912. If requested by the department, a person shall submit a full written report that includes the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.</p> <p>(j) Any information submitted to the department under this subrule shall be properly certified in accordance</p>	<p>inadequate design, operation, or maintenance.</p> <p>(c) The excess emissions caused by a bypass (an intentional diversion of control equipment) were unavoidable to prevent loss of life, personal injury, or severe property damage.</p> <p>(d) The facility was operated at all times in a manner consistent with good practice for minimizing emissions.</p> <p>(e) The frequency and duration of operating in start-up or shutdown mode were minimized to the maximum extent practicable.</p> <p>(f) All reasonably possible steps were taken to minimize the impact of the excess emissions on ambient air quality.</p> <p>(g) All emission monitoring systems were kept in operation if at all possible.</p> <p>(h) The actions during the period of excess emissions were documented by contemporaneous operating logs or other relevant evidence as provided by R 336.1912.</p> <p>(i) Excess emissions presenting an imminent threat to human health, safety, or the environment were reported to the department as soon as possible. Unless otherwise specified in the facility's permit, other excess emissions were reported as provided in R 336.1912. If requested by the department, a person shall submit a full written report that includes the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.</p> <p>(j) Any information submitted to the department under this subrule shall be properly certified in accordance</p>	
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<p>with the provisions of R 336.1912. (2) This affirmative defense does not apply when a single emission unit, or multiple emission units at a stationary source, causes an exceedance of the national ambient air quality standards or any applicable prevention of significant deterioration increment. (3) If the proximate cause of the excess emissions which occurred during routine start-up or shutdown periods was due to a malfunction, then, absent any intervening acts or superseding causes, the instances shall be treated as malfunctions in accordance with R 336.1915. (4) Nothing in this rule shall be construed to limit the authority of the department to seek injunctive relief or to enforce the provisions of the act and the regulations promulgated under the act.</p>	<p>with the provisions of R 336.1912. (2) This affirmative defense does not apply when a single emission unit, or multiple emission units at a stationary source, causes an exceedance of the national ambient air quality standards or any applicable prevention of significant deterioration increment. (3) If the proximate cause of the excess emissions which occurred during routine start-up or shutdown periods was due to a malfunction, then, absent any intervening acts or superseding causes, the instances shall be treated as malfunctions in accordance with R 336.1915. (4) Nothing in this rule shall be construed to limit the authority of the department to seek injunctive relief or to enforce the provisions of the act and the regulations promulgated under the act. History: 2002 AACS.</p>	
<p>R 336.1930 Emission of carbon monoxide from ferrous cupola operations.</p> <p>Rule 930. (1) After December 31, 1982, it is unlawful for a person to operate a ferrous cupola that has a melting capacity of 20 or more tons per hour located within any area listed in table 91, unless the ferrous cupola is equipped with an afterburner control system, or equivalent, which reduces the carbon monoxide emissions from the ferrous cupola by 90%. (2) The emission rate of carbon monoxide from a ferrous cupola shall be determined by using reference test method 10, unless otherwise specified by the department. (3) A person responsible for the</p>	<p>R 336.1930 Emission of carbon monoxide from ferrous cupola operations.</p> <p>Rule 930. (1) After December 31, 1982, it is unlawful for a person to operate a ferrous cupola that has a melting capacity of 20 or more tons per hour located within any area listed in table 91, unless the ferrous cupola is equipped with an afterburner control system, or equivalent, which reduces the carbon monoxide emissions from the ferrous cupola by 90%. (2) The emission rate of carbon monoxide from a ferrous cupola shall be determined by using reference test method 10, unless otherwise specified by the department. (3) A person responsible for the</p>	<p>Rule 930</p> <ul style="list-style-type: none"> • No change

<p>operation of a ferrous cupola subject to the provisions of this rule shall submit to the commission, within 6 months after the effective date of this rule, a written program, acceptable to the commission, for compliance with this rule or evidence of compliance with this rule. The evidence shall include available data, control equipment specifications, or other information that demonstrates compliance. The required control program shall demonstrate that compliance will be achieved as expeditiously as practical.</p> <p>(4) The program required by subrule (3) of this rule shall include the method by which compliance with this rule will be achieved, a complete description of new equipment to be installed, modifications to existing equipment to be made, and a timetable that specifies, at a minimum, all of the following dates:</p> <p>(a) The date equipment will be ordered.</p> <p>(b) The date construction or modification of equipment will begin.</p> <p>(c) The date initial start-up of equipment will begin.</p> <p>(d) The date final compliance will be achieved, if not the same as the date specified in subdivision (c) of this subrule.</p> <p>Table 91 Areas subject to R 336.1930 [see end of document]</p>	<p>operation of a ferrous cupola subject to the provisions of this rule shall submit to the commission, within 6 months after the effective date of this rule, a written program, acceptable to the commission, for compliance with this rule or evidence of compliance with this rule. The evidence shall include available data, control equipment specifications, or other information that demonstrates compliance. The required control program shall demonstrate that compliance will be achieved as expeditiously as practical.</p> <p>(4) The program required by subrule (3) of this rule shall include the method by which compliance with this rule will be achieved, a complete description of new equipment to be installed, modifications to existing equipment to be made, and a timetable that specifies, at a minimum, all of the following dates:</p> <p>(a) The date equipment will be ordered.</p> <p>(b) The date construction or modification of equipment will begin.</p> <p>(c) The date initial start-up of equipment will begin.</p> <p>(d) The date final compliance will be achieved, if not the same as the date specified in subdivision (c) of this subrule.</p> <p>TABLE 91 Areas subject to R 336.1930 [see end of document]</p>	
<p>[No R 336.1931]</p>	<p>R 336.1931 Standards for municipal solid waste landfills; adoption of standards by</p>	<p>Rule 931</p> <ul style="list-style-type: none"> • There is no rule 931 in the

	<p>reference.</p> <p>Rule 931. (1) The provisions of 40 C.F.R. part 60, subpart Cc, §§60.30c to 60.36c (2000), are adopted by reference in these rules. The owner or operator responsible for the operation of a municipal solid waste landfill that is subject to the provisions of 40 C.F.R. part 60, subpart Cc, §§60.30c to 60.36c (2000), entitled "emission guidelines and compliance schedules for municipal solid waste landfills," shall comply with the provisions of 40 C.F.R. part 60, subpart Cc, §§60.30c to 60.36c (2000), and shall comply with the following schedule for increments of compliance, as specified in 40 C.F.R. part 60, subpart Cc, §60.36c, where applicable:</p> <p>(a) Within 90 days of the date of approval of the state plan by the United States environmental protection agency, submit a design capacity report to the department.</p> <p>(b) Within 90 days of the date of approval of the state plan by the United States environmental protection agency, submit the first annual emission rate report if the design capacity of the landfill is equal to or greater than 2.5 million megagrams and 2.5 million cubic meters. Subsequent annual emission rate reports shall be submitted to the department by March 15 of the following calendar year. Alternate 5-year emission reports allowed by 40 C.F.R. part 60, subpart WWW, §60.757 shall be submitted by March 15 of the appropriate calendar year.</p> <p>(c) Within 12 months of the submittal of the annual emission rate</p>	<p>federal SIP</p>
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report which first shows that the nonmethane organic compound emission rate is equal to or greater than 50 megagrams per year, submit the final site-specific collection and control system design plan to the department.

(d) Within 30 months of the submittal of the annual or alternate 5-year emission rate report which first shows that the nonmethane organic compound emission rate is equal to or greater than 50 megagrams per year, complete on-site construction or installation of the gas collection and control system and start-up operation of gas collection and control system.

(e) Within 180 days of the completion of the on-site construction or installation of the gas collection and control system as specified in subdivision (d) of this subrule, conduct the initial performance test of the gas collection and control system, for systems other than utility flares. Utility flares shall meet the requirements of 40 C.F.R. part 60, subpart A, §60.18(b).

(f) Within 60 days of conducting the initial performance test as specified in subdivision (e) of this subrule, submit a copy of the performance test results to the department.

(2) Alternate compliance schedules may be submitted to the department and the environmental protection agency on a case-by-case basis for approval. An alternate compliance schedule shall meet 1 or more of the following criteria for approval, as stated in 40 C.F.R. part 60, subpart B, §60.24(f):

(a) Unreasonable cost of control resulting from landfill age, location,

	<p>or basic design.</p> <p>(b) Physical impossibility of installing necessary control equipment.</p> <p>(c) Other factors specific to the landfill that make application of a less stringent compliance time significantly more reasonable.</p> <p>(3) A copy of 40 C.F.R. part 60, subparts B and Cc, (2000), is available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$66.00. Copies may also be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p> <p>History: 1999 AACS; 2002 AACS.</p>	
<p>[No R 336.1932]</p>	<p>R 336.1932 Standards for municipal solid waste combusters; adoption of standards by reference.</p> <p>Rule 932. (1) The provisions of 40 C.F.R. part 60, subpart Cb, §§60.30b to 60.39b (2000), are adopted by reference in these rules. The owner or operator of a large municipal waste combustor unit or units subject to the provisions of 40 C.F.R. part 60, subpart Cb, §§60.30b to 60.39b (2000), entitled "emissions guidelines and compliance schedules for municipal waste combustors," shall comply with the provisions of 40 C.F.R. part</p>	<p>Rule 932</p> <ul style="list-style-type: none"> • There is no rule 932 in the federal SIP

60, subpart Cb, §§60.30b to 60.39b (2000), and shall comply with all of the following compliance schedules, where applicable:

(a) The owner or operator of a large municipal waste combustor unit or units at a facility for which construction commenced after September 1987 and before September 20, 1994, shall comply with the following compliance schedule for controlling mercury and dioxin/furan emissions at the unit or units:

(i) By March 1, 1999, or within 6 months after the issuance of a permit to install, whichever is later, submit a final control plan to the department.

(ii) By March 1, 1999, or within 6 months after the issuance of a permit to install, whichever is later, award the contract for control systems or process modifications or purchase orders for components.

(iii) By June 1, 1999, or within 9 months after the issuance of a permit to install, whichever is later, initiate on-site construction or installation of control equipment or process changes.

(iv) By August 1, 1999, or within 11 months after the issuance of a permit to install, whichever is later, complete on-site construction of control equipment or process changes.

(v) By September 1, 1999, or within 12 months after the issuance of a permit to install, whichever is later, complete retrofit and start-up operation of equipment.

(vi) Within 180 days after completion of retrofit as specified in paragraph (v) of this subdivision, conduct final performance tests.

(vii) Within 90 days after conducting final performance tests as specified in paragraph (vi) of this subdivision, submit performance test results to the department.

(b) The owner or operator of a large municipal waste combustor unit or units at a facility for which construction commenced before September 20, 1994, shall comply with the following compliance schedule for the control of carbon monoxide, particulate matter, cadmium, lead, sulfur dioxide, hydrochloric acid, and oxides of nitrogen emissions at the unit or units:

(i) By March 1, 1999, or within 6 months after the effective date of this rule, whichever is earlier, submit a final control plan to the department.

(ii) By September 1, 1999, or within 12 months after the effective date of this rule, whichever is earlier, award contracts for control systems or process modifications or orders for the purchase of components.

(iii) By December 1, 1999, or within 18 months after the effective date of this rule, whichever is earlier, initiate on-site construction or installation of the air pollution control equipment or process changes.

(iv) By November 19, 2000, or within 24 months after the effective date of this rule, whichever is earlier, complete on-site construction or installation of control equipment or process changes.

(v) By December 19, 2000, start up the air pollution control equipment for the unit or units or cease operations of the unit or units until

the retrofit of the unit or units is complete.

(vi) Within 180 days after completion of retrofit and start-up of operations as specified in paragraph (v) of this subdivision, conduct a final performance test.

(vii) Within 90 days after conducting the final performance test as specified in paragraph (vi) of this subdivision, submit performance test results to the department.

(c) The owner or operator of a municipal waste combustor unit or units at a facility to which the provisions of 40 C.F.R. §60.39b(c)(1)(ii) of subpart Cb apply shall permanently cease operations not later than December 19, 2000. A written closure agreement shall be submitted to the department before the closure date and shall include the calendar date on which operations of the unit or units will permanently cease and data from dioxin/furan emission tests in accordance with 40 C.F.R. §60.39b(c)(2) of subpart Cb.

(2) In accordance with the emission averaging and emission reduction credit trading rules, being R 336.2201 et seq., an owner or operator of a large municipal waste combustor unit or units may engage in air emission trading for oxides of nitrogen emissions.

(3) A copy of 40 C.F.R. part 60, subpart Cb, §§60.30b to 60.39b (2000), is available for inspection and purchase at the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$66.00. Copies may also be

	<p>obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania, 15250-7954, at a cost as of the time of adoption of this rule of \$66.00, or on the United States government printing office internet web site at http://www.access.gpo.gov.</p> <p>History: 1999 AACS; 2002 AACS.</p>	
<p>[No R 336.1933]</p>	<p>R 336.1933 Standards for hospital/medical/infectious waste incinerators; adoption by reference.</p> <p>Rule 933. (1) 40 C.F.R. part 60, subpart Ce, "Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators," is adopted by reference. The owner or operator responsible for the operation of a hospital/medical/infectious waste incinerator, as defined in 40 C.F.R. part 60, subpart Ce, for which construction was commenced on or before June 20, 1996, shall comply with the provisions of this subrule, except for those incinerators that meet the definition of small rural as specified in subrule (2) of this rule, as follows:</p> <p>(a) By the dates specified in subrule (3) or (3)(a) of this rule, as applicable, emissions from the incinerator shall not exceed the following limitations, except during periods of startup, or shutdown, provided that no hospital or medical/infectious waste is charged to the hospital/medical/infectious waste incinerator during startup or shutdown:</p> <p>(i) Particulate matter, carbon</p>	<p>Rule 933</p> <ul style="list-style-type: none"> • There is no rule 933 in the federal SIP

	<p>monoxide, dioxins/furans, hydrogen chloride, sulfur dioxide, nitrogen oxides, lead, and cadmium emissions shall not exceed the emission limits specified in 40 C.F.R. part 60, subpart Ce, §60.33e(a) table 1 (1999).</p> <p>(ii) Mercury emissions shall not exceed 3.0 micrograms per dry standard cubic meter, or an 85 percent reduction with the emissions not exceeding 200 micrograms per dry standard cubic meter after the 85 percent reduction. Within 24 months of the effective date of the state plan or federal implementation plan, whichever is more stringent, mercury emissions shall not exceed 3.0 micrograms per dry standard cubic meter, or an 85 percent reduction with the emissions not exceeding 100 micrograms per dry standard cubic meter after the 85 percent reduction. Within 36 months of the effective date of the state plan or federal implementation plan, whichever is more stringent, mercury emissions shall not exceed 3.0 micrograms per dry standard cubic meter, or an 85 percent reduction with the emission not exceeding 50 micrograms per dry standard cubic meter after the 85 percent reduction.</p> <p>(iii) Visible emissions shall not exceed the opacity limits specified in 40 C.F.R. part 60, subpart Ce, §60.33e(c) (1999).</p> <p>(b) The owner or operator shall meet the following compliance and performance testing requirements:</p> <p>(i) Within 180 days of the final compliance date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator</p>	
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shall conduct an initial performance test to determine compliance with the emission limits specified in subrule 1(a)(i), (ii), and (iii) of this rule, for particulate matter (PM), carbon monoxide (CO), dioxins/furans (CDD/CDF), hydrogen chloride (HCl), lead (PB), cadmium (CD), mercury (HG), and opacity, as specified in 40 C.F.R. part 60, subpart Ce, §60.37e(a) (1999). Between 36 and 42 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator shall conduct an additional performance test to determine compliance with the emission limits, specified in subrule (1)(a)(ii) of this rule, for mercury as specified in 40 C.F.R. part 60, subpart Ce, §60.37e(a) (1999).

(ii) The owner or operator of an affected incinerator shall establish site specific operating parameters which shall be based on the results of the initial performance test, as specified in 40 C.F.R. part 60, subpart Ce, §60.37e(a) (1999), as applicable.

(iii) Within 60 days following the initial performance test, the owner or operator shall submit to the department results of the initial performance test and the site specific operating parameters established, as specified in 40 C.F.R. part 60, subpart Ce, §60.38e(a) (1999).

(c) Within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator shall comply with the monitoring

requirements specified in 40 C.F.R. part 60, subpart Ce, §60.37e(c) (1999).

(d) Within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator shall comply with operator training and qualification requirements specified in 40 C.F.R. part 60, subpart Ce, §60.34e(1999).

(e) Within 60 days following the initial performance test, an owner or operator shall submit a waste management plan that complies with the requirements defined in 40 C.F.R. part 60, subpart Ce, §60.35e(1999), and demonstrates that the generator of the hospital medical infectious waste has eliminated known mercury-containing materials, including fluorescent lights, from the hospital medical infectious waste stream.

This waste management plan shall be signed by the owner or operator of the affected incinerator. The mercury elimination section of the plan shall consist of, at a minimum, all of the following information:

(i) An in-house inventory of mercury usage identifying all products and equipment used in the facility that contain mercury.

(ii) A mercury source reduction evaluation, which includes the identification of all essential and nonessential uses of mercury, and how mercury usage can be eliminated or reduced. (iii) While mercury is in use at the facility, a plan for properly segregating, recycling, and disposing of mercury.

(iv) While mercury is in use at the facility, the development of a

mercury spill management plan.

(f) Within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator shall comply with the reporting and recordkeeping requirements specified in 40 C.F.R. part 60, subpart Ce, §60.38e(a) (1999).

(2) The owner or operator of a small hospital/medical/infectious waste incinerator, as defined in 40 C.F.R. part 60, subpart Ce, "Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators," that meets the rural criteria, as defined in 40 C.F.R. part 60, subpart Ce, §60.33e(b) (1999), and which burns less than 2,000 pounds per week of hospital/medical/infectious waste, for which construction was commenced on or before June 20, 1996, shall comply with the provisions of this subrule:

(a) By the date specified in subrule (3) of this rule, emissions from the incinerator shall not exceed the following limitations, except during periods of startup or shutdown, provided that no hospital or medical/infectious waste is charged to the incinerator during startup or shutdown:

(i) Particulate matter, carbon monoxide, dioxins/furans, hydrogen chloride, sulfur dioxide, nitrogen oxides, lead, and cadmium emissions shall not exceed the emission limits specified in 40 C.F.R. part 60, subpart Ce, §60.33e(b) table 2 (1999).

(ii) Mercury emissions shall not exceed 200 micrograms per dry standard cubic meter.

(iii) Visible emissions shall not exceed the opacity limits specified in 40 C.F.R. part 60, subpart Ce, §60.33e(c) (1999).

(b) The owner or operator shall meet the following compliance and performance testing requirements:

(i) Within 180 days of the final compliance date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator shall conduct an initial performance test to determine compliance with the emission limits specified in subrule 2(a)(i), (ii), and (iii) of this rule for particulate matter (PM), carbon monoxide (CO), dioxins/furans (CDD/CDF), mercury (HG), and opacity, as specified in 40 C.F.R. part 60, subpart Ce, §60.37e(b) (1999). The 2,000 pound per week limitation under §60.33e(b) does not apply during performance tests. (ii) The owner or operator of an affected incinerator shall establish site specific operating parameters which shall be based on the results of the initial performance test, as specified in 40 C.F.R. part 60, subpart Ce, §60.37e(b) (1999).

(iii) Within 60 days following the initial performance test, the owner or operator shall submit to the department results of the initial performance test and the site specific operating parameters established, as specified in 40 C.F.R. part 60, subpart Ce, §60.38e(b) (1999).

(c) Within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator

shall comply with the monitoring requirements specified in 40 C.F.R. part 60, subpart Ce, §60.37e(d) (1999).

(d) Within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator shall comply with operator training and qualification requirements specified in 40 C.F.R. part 60, subpart Ce, §60.34e (1999).

(e) Within 60 days following the initial performance test, an owner or operator shall submit a waste management plan that complies with the requirements specified in 40 C.F.R. part 60, subpart Ce, §60.35e (1999) and demonstrates that the generator of the hospital medical infectious waste has eliminated known mercury-containing materials, including fluorescent lights, from the hospital/medical/infectious waste stream. This waste management plan shall be signed by the owner or operator of the affected incinerator. The mercury elimination section of the plan shall consist of, at a minimum, all of the following information:

(i) An in-house inventory of mercury usage identifying all products and equipment used in the facility that contain mercury.

(ii) A mercury source reduction evaluation, which includes the identification of all essential and nonessential uses of mercury, and how mercury usage can be eliminated or reduced.

(iii) While mercury is in use at the facility, a plan for properly segregating, recycling, and

disposing of mercury.

(iv) While mercury is in use at the facility, the development of a mercury spill management plan. (f) The owner or operator of an affected incinerator shall comply with the following inspection requirements:

(i) Within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the subject equipment shall have an initial equipment inspection as specified in 40 C.F.R. part 60, subpart Ce, §60.36e(a)(1) (1999), and complete repairs in accordance with the requirements as specified in 40 C.F.R. part 60, subpart Ce, §60.36e(a)(2) (1999).

(ii) Within 12 months of the previous inspection, the subject equipment shall undergo an annual equipment inspection and complete repairs as specified in 40 C.F.R. part 60, subpart Ce, §60.36e(b) (1999).

(g) Within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator shall comply with the reporting and recordkeeping requirements specified in 40 C.F.R. part 60, subpart Ce, §60.38e(b) (1999).

(3) The owner or operator of an incinerator facility shall be in compliance with all provisions of this rule within 12 months of the effective date of this rule or the federal implementation plan, whichever is earlier, regardless of whether the designated facility is identified in the state plan inventory required by 40 C.F.R. part 60, subpart Ce (1999), unless the conditions of one of the following subdivisions are met:

(a) The owner or operator of a designated facility who installs air pollution control equipment to comply with this rule shall comply with all provisions of this rule by September 15, 2002, and shall comply with the following measurable and enforceable incremental steps of progress:

- (i) Submit a final control plan to the department by September 15, 2000.
- (ii) Award contracts for emissions control systems or for process modifications, or issuance of orders for the purchase of component parts to accomplish emission control or process modifications by April 15, 2001.
- (iii) Initiate onsite construction or installation of emission control equipment or process change by December 15, 2001.
- (iv) Complete onsite construction or installation of emission control equipment or process change by July 15, 2002.
- (v) Complete initial performance testing within 180 days after the final compliance date.
- (vi) Submit results of the initial performance test, site specific operating parameters, and a waste management plan to the department within 60 days after the initial performance test.
- (vii) Be in final compliance by September 15, 2002.
- (viii) Notify the department in writing within 15 days after the scheduled compliance date if any incremental step of progress in subrule (3)(a)(i) through (vii) is not completed. Notifying the department within 15 days does not preclude an enforcement action for failure to meet the compliance date.

(b) Within 6 months of the effective date of this rule or the federal implementation plan, whichever is earlier, the owner or operator of an affected incinerator may petition the department to establish an alternative compliance schedule for closure of the incinerator for reasons including installation of alternative waste disposal technologies, approved under part 138 of act 368 of the public acts of 1978, as amended, provided that the owner or operator of the designated facility complies with the following measurable and enforceable incremental steps of progress:

- (i) Provide documentation of the analyses undertaken to support the need for an extension, including an explanation of why additional time is necessary. The documentation shall include an evaluation of the option to transport the waste offsite to a commercial medical waste treatment and disposal facility on a temporary or permanent basis.
- (ii) Provide a detailed compliance plan, including documentation of measurable and enforceable incremental steps of progress to be taken towards compliance with this rule.
- (iii) The department shall grant or deny the petition for extension stating reasons for granting or denying in a written response to the facility within 3 months of receipt of a complete petition containing the information required.

(4) The owner or operator of a hospital/medical/infectious waste incinerator may demonstrate compliance with the annual performance testing for carbon monoxide and hydrochloric acid

using a continuous emission monitoring system in lieu of the monitoring methods and procedures prescribed by 40 C.F.R. part 60, subpart Ce (1999), for carbon monoxide and hydrochloric acid, provided all of the following provisions are met:

(a) The continuous emission monitoring system is required in a condition of a permit to install or a renewable operating permit.

(b) The continuous emission monitoring system records and reports emissions for compliance purposes, on a continuous basis, in a manner acceptable to the department.

(c) The continuous emission monitoring system is certified, calibrated, and maintained as specified by 40 C.F.R. §60.13, §60.7(c) and (d), appendices B and F of 40 C.F.R. part 60, and part 11 of these rules.

(d) The owner or operator of the hospital/medical/infectious waste incinerator obtains prior approval from the department on an annual basis.

(5) The provisions of 40 C.F.R. part 60, subpart Ce (1999), are adopted by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, 106 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost at the time of adoption of this rule of \$59.00. A copy may also be obtained from the Superintendent of Documents, Government Printing Office, P.O.

	<p>Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost at the time of adoption of this rule of \$59.00.</p> <p>History: 2000 AACS.</p>	
<p>[No R 336.1940]</p>	<p>R 336.1940 Emission standards for ethylene oxide commercial sterilization and fumigation operations; adoption by reference.</p> <p>Rule 940. The provisions of 40 C.F.R., part 63 subpart O, are adopted by reference in R 336.1902. A person responsible for the operation of a facility subject to the provisions of 40 C.F.R., part 63, subpart O, entitled "Ethylene Oxide Emissions Standards for Sterilization Facilities," shall comply with those provisions.</p> <p>History: 2000 AACS; 2008 AACS.</p>	<p>Rule 940</p> <ul style="list-style-type: none"> • There is no rule 940 in the federal SIP
<p>[No R 336.1941]</p>	<p>R 336.1941 Emission standards for chromium emissions from hard chromium electroplating, decorative chromium electroplating, and chromium anodizing tanks; adoption by reference.</p> <p>Rule 941. The provisions of 40 C.F.R., part 63 subpart N, are adopted by reference in R 336.1902. A person responsible for the operation of a facility that is subject to the provisions of 40 C.F.R., part 63, subpart N, entitled "National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks," shall comply with those provisions.</p>	<p>Rule 941</p> <ul style="list-style-type: none"> • There is no rule 941 in the federal SIP

	History: 2000 AACS; 2008 AACS.	
[No R 336.1942]	<p>R 336.1942 Emission standards for asbestos; adoption by reference.</p> <p>Rule 942. (1) The provisions of 40 C.F.R., part 61 subpart M, are adopted by reference in R 336.1902. A person that is subject to the provisions of 40 C.F.R., part 61, subpart M, entitled "National Emission Standards for Asbestos," shall comply with those provisions. (2) For the purpose of this rule, the term "administrator" as used in §61.02 means the department.</p> <p>History: 2000 AACS; 2008 AACS.</p>	<p>Rule 942</p> <ul style="list-style-type: none"> • There is no rule 942 in the federal SIP
[No R 336.1943]	<p>R 336.1943 General provisions for emission standards; adoption by reference.</p> <p>Rule 943. (1) The provisions of 40 C.F.R., part 63, subpart A, are adopted by reference in R 336.1902. The owner or operator of a facility subject to the provisions of 40 C.F.R., part 63 subpart A, entitled "General Provisions," shall comply with those provisions. (2) For purposes of this rule, the terms "administrator" and "EPA" as used in §63.2 mean the department.</p> <p>History: 2008 AACS.</p>	<p>Rule 943</p> <ul style="list-style-type: none"> • There is no rule 943 in the federal SIP
[No R 336.1944]	<p>R 336.1944 Emission standards for Portland cement manufacturing; adoption by reference.</p> <p>Rule 944. The provisions of 40 C.F.R., part 63, subpart LLL, are adopted by reference in R 336.1902. The owner or operator of a facility subject to the provisions of 40</p>	<p>Rule 944</p> <ul style="list-style-type: none"> • There is no rule 944 in the federal SIP

	<p>C.F.R., part 63, subpart LLL, entitled "National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry," shall comply with those provisions.</p> <p>History: 2008 AACS.</p>	
[No R 336.1945]	<p>R 336.1945 Emission standards for publicly owned treatment works; adoption by reference.</p> <p>Rule 945. The provisions of 40 C.F.R., part 63, subpart VVV, are adopted by reference in R 336.1902. The owner or operator of a facility subject to the provisions of 40 C.F.R., part 63, subpart VVV, entitled "National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works," shall comply with those provisions.</p> <p>History: 2008 AACS.</p>	<p>Rule 945</p> <ul style="list-style-type: none"> • There is no rule 945 in the federal SIP
[No R 336.1946]	<p>R 336.1946 Emission standards for secondary aluminum production; adoption by reference.</p> <p>Rule 946. The provisions of 40 C.F.R., part 63, subpart RRR, are adopted by reference in R 336.1902. The owner or operator of a facility subject to the provisions of 40 C.F.R., part 63 subpart RRR, entitled "National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production," shall comply with those provisions.</p> <p>History: 2008 AACS.</p>	<p>Rule 946</p> <ul style="list-style-type: none"> • There is no rule 946 in the federal SIP
[No R 336.1947]	<p>R 336.1947 Emission standards for site remediation; adoption by</p>	<p>Rule 947</p>

	<p>reference.</p> <p>Rule 947. The provisions of 40 C.F.R., part 63, subpart GGGGG, are adopted by reference in R 336.1902. The owner or operator of a facility subject to the provisions of 40 C.F.R., part 63, subpart GGGGG, entitled "National Emission Standards for Hazardous Air Pollutants: Site Remediation," shall comply with those provisions.</p> <p>History: 2008 AACS.</p>	<ul style="list-style-type: none"> • There is no rule 947 in the federal SIP
<p>[No R 336.1970]</p>	<p>R 336.1970 Best available retrofit technology; adoption by reference.</p> <p>Rule 970. (1) The provisions of 40 C.F.R., part 51, appendix Y, "Guidelines for BART Determinations Under the Regional Haze Rule," and 40 C.F.R. §51.301, "Definitions," are adopted by reference in R 336.1902.</p> <p>History: 2008 AACS.</p>	<p>Rule 970</p> <ul style="list-style-type: none"> • There is no rule 970 in the federal SIP
<p>[No R 336.1971]</p>	<p>R 336.1971 Best available retrofit technology or BART program.</p> <p>Rule 971. (1) The department shall determine applicability of best available retrofit technology based on the provisions referenced in R 336.1970.</p> <p>(2) The owner or operator of a unit subject to BART shall perform an engineering analysis as described in the provisions referenced in R 336.1970 and shall provide the results of the analysis to the department within 60 days of the effective date of R 336.1970 and R 336.1971.</p> <p>(3) If an electric generating unit (EGU) subject to BART is subject</p>	<p>Rule 971</p> <ul style="list-style-type: none"> • There is no rule 971 in the federal SIP

to the trading programs of the Clean Air Interstate Rule under 40 C.F.R. part 97, the owner or operator of the EGU is not required to conduct a BART analysis for sulfur dioxide and oxides of nitrogen emissions under this rule.

(4) An engineering analysis required by subrule (2) of this rule shall be submitted to the department and shall be subject to review and approval by the department. If the department determines additional information is required, the department shall provide to the owner or operator additional information requests and comments in writing. The owner or operator shall provide the requested information within 60 days from receipt of written requests and comments from the department. The department may determine that more than 60 days will be allowed.

(5) The department shall determine the BART level of control for each unit subject to BART based on the engineering analysis referenced in subrule (2) of this rule, the provisions referenced in R 336.1970, and other information which the department determines to be relevant.

(6) The owner or operator of a unit subject to BART shall enter into a permit to install or consent order with the department to make the BART provisions legally enforceable within 90 days of the department's approval of the engineering analysis, unless the department determines that more than 90 days will be allowed. BART controls shall be in place and operating not later than December 31, 2012.

(7) An owner or operator subject to this rule shall measure oxides of nitrogen and sulfur dioxide emissions with 1 or more of the following:

- (a) A continuous emission monitoring system.
- (b) An alternate method as described in 40 C.F.R. part 60 or 75, adopted by reference in R 336.1802a, as applicable and acceptable to the department.
- (c) A method currently in use or a future method developed for use and acceptable to the department, including methods contained in existing permit conditions.

(8) An owner or operator of an emission unit that measures oxides of nitrogen or sulfur dioxide emissions by a continuous emission monitoring system shall do either of the following:

- (a) Use procedures set forth in 40 C.F.R., part 60, subpart A and appendix B, and comply with the quality assurance procedures in appendix F, adopted by reference in R 336.1802a as applicable and acceptable to the department.
- (b) Use procedures set forth in 40 C.F.R., part 75, and associated appendices, adopted by reference in R 336.1802a, as applicable and acceptable to the department.

(9) An owner or operator of an emission unit who uses a continuous emission monitoring system to demonstrate compliance with this rule and who has already installed a continuous emission monitoring system for oxides of nitrogen or sulfur dioxide pursuant to other applicable federal, state, or local rules shall meet the installation, testing, operation, quality assurance,

and reporting requirements specified by the department.

(10) An owner or operator of an emission unit that is subject to this rule and has a permit or consent order issued under R 336.1971(4) shall submit at a minimum semiannual summary reports, in an acceptable format, to the department by March 15 for the reporting period July 1 to December 31 and September 15 for the reporting period January 1 to June 30 of each calendar year. The reports shall include all of the following information:

(a) The date, time, magnitude of emissions, and emission rates where applicable, of the specified emission unit or utility system.

(b) If emissions or emission rates exceed the emissions or emission rates allowed by the applicable emission limit, the cause, if known, and any corrective action taken.

(c) The total operating time of the emission unit during the time period.

(d) For continuous emission monitoring systems, system performance information shall include the date and time of each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of the system repairs or adjustments. When the continuous monitoring system has not been inoperative, repaired, or adjusted, the information shall be stated in the report.

(11) Quarterly summary reports, if required by the department pursuant to R 336.1213, shall be submitted within 30 days following the end of the calendar quarter and may be

	used in place of the semi-annual reports required pursuant to subrule (9) of this rule. History: 2008 AACS.	
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TABLE 91 Areas subject to R 336.1930 (MI rule)

County	Area
Saginaw	T12N, R4E, Sections 1, 12, 13, and 24; T12N, R5E, Sections 4, 9, and 16-21
Macomb, Oakland, and Wayne	Area included within the following (counter-clockwise): Lake St. Clair to 14 Mile Road to Kelly Road north to 15 Mile Road to Hayes Road south to 14 Mile Road to Clawson city boundary, following north Clawson city boundary to north Royal Oak city boundary to 13 Mile Road to Evergreen Road to southern Beverly Hills city boundary to southern Bingham Farms city boundary to southern Franklin city boundary to Inkster Road to 8 Mile Road to western Livonia city boundary to western Westland city boundary to western Wayne city boundary to western and to southern Romulus city boundary including Pennsylvania Road extended to Detroit River.

TABLE 91 Areas subject to R 336.1930 (Federal SIP) *no change

County	Area
Saginaw	T12N, R4E, Sections 1, 12, 13, and 24; T12N, R5E, Sections 4, 9, and 16-21
Macomb, Oakland, and Wayne	Area included within the following (counter-clockwise); Lake St. Clair to 14 Mile Road to Kelly Road north to 15 Mile Road to Hayes Road south to 14 Mile Road to Clawson city boundary, following north Clawson city boundary to north Royal Oak city boundary to 13 Mile Road to Evergreen Road to southern Beverly Hills city boundary to southern Bingham Farms city boundary to southern Franklin city boundary to Inkster Road to 8 Mile Road to western Livonia city boundary to western Westland city boundary to western

	Wayne city boundary to western and southern Romulus city boundary including Pennsylvania Road extended to Detroit River.
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**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 11:
CONTINUOUS EMISSION MONITORING**

DRAFT #1 last reviewed/edited by KJS on April 5, 2013

Approved SIP	Rules Implemented by State of Michigan	Comments
<p>R 336.2101 Continuous emission monitoring, fossil fuel-fired steam generators. Rule 1101. (1) Except as specified in R 336.2199, the owner or operator of any fossil fuel-fired steam generator that has an annual average capacity factor of more than 30%, as reported to the federal power commission for calendar year 1974, or as otherwise determined by the department, shall install, calibrate, maintain, and operate a continuous monitoring system for the measurement of all of the following:</p> <p>(a) Opacity, if the generator has more than 250,000,000 Btu's per hour heat input, unless gaseous fuel is the only fuel burned, or unless oil or a mixture of gas and oil are the only fuels burned and the source is able to comply with the applicable particulate matter and opacity standards without utilization of particulate matter collection equipment, and where the source has never been found from any administrative or judicial proceedings to be in violation of the applicable visible emission standard. (b) Sulfur dioxide, if the generator has a per hour heat input of more than 250,000,000 Btu's and if sulfur dioxide emission control equipment</p>	<p>R 336.2101 Continuous emission monitoring, fossil fuel-fired steam generators. Rule 1101. (1) Except as specified in R 336.2199, the owner or operator of any fossil fuel-fired steam generator that has an annual average capacity factor of more than 30%, as reported to the federal power commission for calendar year 1974, or as otherwise determined by the department, shall install, calibrate, maintain, and operate a continuous monitoring system for the measurement of all of the following:</p> <p>(a) Opacity, if the generator has more than 250,000,000 Btu's per hour heat input, unless gaseous fuel is the only fuel burned, or unless oil or a mixture of gas and oil are the only fuels burned and the source is able to comply with the applicable particulate matter and opacity standards without utilization of particulate matter collection equipment, and where the source has never been found from any administrative or judicial proceedings to be in violation of the applicable visible emission standard. (b) Sulfur dioxide, if the generator has a per hour heat input of more than 250,000,000 Btu's and if sulfur dioxide emission control equipment</p>	<p>Rule 1101. Same, except as otherwise noted.</p>

<p>has been installed.</p> <p>(c) Nitrogen oxides if the generator has a per hour heat input of more than 1,000,000,000 Btu's, is subject to a nitrogen oxides emission standard, and is located in an air quality control region that has been determined by the administrator of the United States environmental protection agency to require a control strategy for nitrogen oxides, unless the owner or operator demonstrates, by source emission compliance tests, that the source emits nitrogen oxides at levels 30% or more below the applicable nitrogen oxide emission standard.</p> <p>(d) Oxygen or carbon dioxide percentage, if measurement of oxygen or carbon dioxide in the flue gas is required to convert either sulfur dioxide or nitrogen oxides continuous emission monitoring data to units of the applicable emission standard.</p> <p>(2) The owner or operator of any source subject to subrule (1) of this rule shall complete the installation and performance tests of the equipment required by subrule (1) of this rule and shall begin monitoring and recording within 18 months of the effective date of this rule.</p>	<p>has been installed.</p> <p>(c) Nitrogen oxides if the generator has a per hour heat input of more than 1,000,000,000 Btu's, is subject to a nitrogen oxides emission standard, and is located in an air quality control region that has been determined by the administrator of the United States environmental protection agency to require a control strategy for nitrogen oxides, unless the owner or operator <u>demonstrates</u>, by source emission compliance tests, that the source emits nitrogen oxides at levels 30% or more below the applicable nitrogen oxide emission standard.</p> <p>(d) Oxygen or carbon dioxide percentage, if measurement of oxygen or carbon dioxide in the flue gas is required to convert either sulfur dioxide or nitrogen oxides continuous emission monitoring data to units of the applicable emission standard.</p> <p>(2) The owner or operator of any source subject to subrule (1) of this rule shall complete the installation and performance tests of the equipment required by subrule (1) of this rule and shall begin monitoring and recording within 18 months of the effective date of this rule.</p> <p>History: 1980 AACS; 2002 AACS.</p>	<p>Editorial change.</p>
<p>R 336.2102 Continuous emission monitoring; sulfuric acid-producing facilities. (1/18/80)</p> <p>Rule 1102. (1) Except as provided in rule 1199, the owner or operator of any sulfuric acid plant having a production capacity of more than 300 tons per day, the production capacity being expressed as 100% acid, shall install, calibrate, maintain, and operate a continuous</p>	<p>R 336.2102 Continuous emission monitoring; sulfuric acid-producing facilities.</p> <p>Rule 1102. (1) Except as provided in <u>R 336.2199</u>, the owner or operator of any sulfuric acid plant having a production capacity of more than 300 tons per day, the production capacity being expressed as 100% acid, shall install, calibrate, maintain, and operate a continuous</p>	<p>Comma replaced by semicolon. Date removed. Rule 1102. Same, except as noted. Rule renumbered.</p>

<p>monitoring system for the measurement of sulfur dioxide for each sulfuric acid-producing facility within such plant.</p> <p>(2) The owner or operator of any source subject to the provisions of subrule (1) shall complete the installation and performance tests of the equipment required by subrule (1) and shall begin monitoring and recording within 18 months from the effective date of this rule.</p>	<p>monitoring system for the measurement of sulfur dioxide for each sulfuric acid-producing facility within such plant.</p> <p>(2) The owner or operator of any source subject to the provisions of subrule (1) shall complete the installation and performance tests of the equipment required by subrule (1) and shall begin monitoring and recording within 18 months from the effective date of this rule.</p> <p>History: 1980 AACS.</p>	
	<p>R 336.2103 Continuous emission monitoring, fluid bed catalytic cracking unit catalyst regenerators at petroleum refineries.</p> <p>Rule 1103. (1) Except as provided in R 336.2199, the owner or operator of any fluid bed catalytic cracking unit catalyst regenerator at a petroleum refinery having a per day fresh feed capacity of more than 20,000 barrels shall install, calibrate, maintain, and operate a continuous monitoring system for the measurement of opacity.</p> <p>(2) The owner or operator of any source subject to the provisions of subrule (1) shall complete the installation and performance tests of the equipment required by subrule (1) and shall begin monitoring and recording within 18 months from the effective date of this rule.</p> <p>History: 1980 AACS.</p>	<p>Rule 1103. This rule was not present on the EPA's website. R 336.2013 was in its place.</p>
	<p><u>R 336.2104 Continuous emission monitoring; coal-fired electric generating units at a power plant.</u></p> <p><u>Rule 1104.</u> (1) Except as provided in R 336.2160, a unit that serves a generator with a nameplate capacity of more than 25 megawatts</p>	<p>Rule 1104. This rule does not have a federal equivalent.</p>

	<p><u>producing electricity for sale shall install, calibrate, maintain, and operate a continuous monitoring system or a sorbent trap monitoring system for the measurement of mercury.</u></p> <p><u>(2) The owner or operator of any source subject to the provisions of subrule (1) of this rule shall complete the installation and performance tests of the equipment required by subrule (1) of this rule and shall begin monitoring and recording within 18 months from the effective date of this rule or by January 1, 2015, whichever is later.</u></p> <p>History: 2009 AACS.</p>	
<p>R 336.2150 Performance specifications for continuous emission monitoring systems.</p> <p>Rule 1150. (1) The monitoring equipment required by R 336.2101, R 336.2102, and R 336.2103 shall be demonstrated by the owners or operators of the monitoring equipment to meet all of the following performance specifications:</p> <p>(a) Continuous monitoring systems for measuring opacity shall comply with performance specification 1 of appendix B to 40 C.F.R. part 60 (2000).</p> <p>(b) Continuous monitoring systems for measuring nitrogen oxides shall comply with performance specification 2 of appendix B to 40 C.F.R. part 60 (2000).</p> <p>(c) Continuous monitoring systems for measuring sulfur dioxide shall comply with performance specification 2 of appendix B to 40 C.F.R. part 60 (2000).</p> <p>(d) Continuous monitoring systems for measuring oxygen shall comply</p>	<p>R 336.2150 Performance specifications for continuous emission monitoring systems.</p> <p>Rule 1150. (1) The monitoring equipment required by R 336.2101, R 336.2102, R 336.2103, and <u>R 336.2104</u> shall be demonstrated by the owners or operators of the monitoring equipment to meet all of the following performance specifications:</p> <p>(a) Continuous monitoring systems for measuring opacity shall comply with performance specification 1 of appendix B to 40 C.F.R. part 60 (<u>2007</u>).</p> <p>(b) Continuous monitoring systems for measuring nitrogen oxides shall comply with performance specification 2 of appendix B to 40 C.F.R. part 60 (<u>2007</u>).</p> <p>(c) Continuous monitoring systems for measuring sulfur dioxide shall comply with performance specification 2 of appendix B to 40 C.F.R. part 60 (<u>2007</u>).</p> <p>(d) Continuous monitoring systems for measuring oxygen shall comply</p>	<p>Rule 1150. Same, except as noted.</p> <p>R 336.2104 added to list.</p> <p>Dates changed to 2007 throughout.</p>

<p>the United States government printing office internet web site at http://www.access.gpo.gov.</p>	<p>the time of adoption of this rule of \$57.00, or on the United States government printing office internet web site at http://www.gpoaccess.gov.</p> <p><u>(b) A copy of title 40 of the Code of Federal Regulations, part 75, §75.20(c) and appendix A and B, may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of this rule of \$72.00. A copy may also be obtained from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, at a cost as of the time of adoption of this rule of \$62.00, or on the United States government printing office internet web site at http://www.gpoaccess.gov.</u></p> <p>History: 1980 AACS; 1989 AACS; 2002 AACS; 2009 AACS.</p>	<p>Price decreased.</p> <p>New website. New section gives information on getting copies of 40 C.F.R. part 75.</p>
<p>R 336.2151. Calibration gases for continuous emission monitoring systems. (1/18/80)</p> <p>Rule 1151. (1) For nitrogen oxide monitoring systems installed on fossil fuel-fired steam generators, the pollutant gas used to prepare calibration gas mixtures shall be nitric oxide.</p> <p>(2) For sulfur dioxide monitoring systems installed on fossil fuel-fired steam generators or sulfuric acid plants, the pollutant gas used to prepare calibration gas mixtures shall be sulfur dioxide.</p> <p>(3) Span and zero gases shall be traceable to national bureau of standards reference gases whenever these reference gases are available. Every 6 months from the date of</p>	<p>R 336.2151 Calibration gases for continuous emission monitoring systems.</p> <p>Rule 1151. (1) For nitrogen oxide monitoring systems installed on fossil fuel-fired steam generators, the pollutant gas used to prepare calibration gas mixtures shall be nitric oxide.</p> <p>(2) For sulfur dioxide monitoring systems installed on fossil fuel-fired steam generators or sulfuric acid plants, the pollutant gas used to prepare calibration gas mixtures shall be sulfur dioxide.</p> <p>(3) Span and zero gases shall be traceable to national bureau of standards reference gases <u>when</u> these reference gases are available. Every 6 months from the date of</p>	<p>Period removed from state SIP.</p> <p>Date removed from state SIP. Rule 1151. Same, except as noted.</p> <p>Editorial change.</p>

<p>manufacture, span and zero gases shall be reanalyzed by conducting triplicate analyses using the reference method in appendix A of 40 C.F.R. part 60 (July 1, 1978), as follows:</p> <p>(a) For sulfur dioxide, use reference method 6.</p> <p>(b) For nitrogen oxides, use reference method 7.</p> <p>(c) For carbon dioxide and oxygen, use reference method 3. The gases may be analyzed at less frequent intervals if longer shelf lives are guaranteed by the manufacturer.</p>	<p>manufacture, span and zero gases shall be reanalyzed by conducting triplicate analyses using the reference method in appendix A of 40 C.F.R. part 60 (July 1, <u>1982</u>), as follows:</p> <p>(a) For sulfur dioxide, use reference method 6.</p> <p>(b) For nitrogen oxides, use reference method 7.</p> <p>(c) For carbon dioxide and oxygen, use reference method 3. The gases may be analyzed at less frequent intervals if longer shelf lives are guaranteed by the manufacturer.</p> <p>History: 1980 AACS; 1989 AACS.</p>	<p>Date updated.</p>
<p>R 336.2152- Cycling time for continuous emission monitoring systems. (1/18/80)</p> <p>Rule 1152. (1) Continuous monitoring systems for measuring opacity shall complete a minimum of 1 cycle of sampling and analyzing for each successive 10-second period and 1 cycle of data recording for each successive 6-minute period.</p> <p>(2) Continuous monitoring systems for measuring oxides of nitrogen, carbon dioxide, oxygen, or sulfur dioxide shall complete a minimum of 1 cycle of operation for each successive 15-minute period.</p>	<p>R 336.2152 Cycling time for continuous emission monitoring systems.</p> <p>Rule 1152. (1) Continuous monitoring systems for measuring opacity shall complete a minimum of 1 cycle of sampling and analyzing for each successive 10-second period and 1 cycle of data recording for each successive 6-minute period.</p> <p>(2) Continuous monitoring systems for measuring oxides of nitrogen, carbon dioxide, oxygen, or sulfur dioxide shall complete a minimum of 1 cycle of operation for each successive 15-minute period.</p> <p>History: 1980 AACS.</p>	<p>Period removed from state SIP.</p> <p>Date removed from state SIP.</p> <p>Rule 1152. Same, except as noted.</p>
<p>R 336.2153 Zero and drift for continuous emission monitoring systems. (1/18/80)</p> <p>Rule 1153. (1) The owner or operator of any continuous emission monitoring system required by this part shall do all of the following:</p> <p>(a) Subject the instruments to the manufacturer's recommended zero and span check at least once daily,</p>	<p>R 336.2153 Zero and drift for continuous emission monitoring systems.</p> <p>Rule 1153. (1) The owner or operator of any continuous emission monitoring system required by this part shall do all of the following:</p> <p>(a) Subject the instruments to the manufacturer's recommended zero and span check at least once daily,</p>	<p>Date removed in state SIP.</p> <p>Rule 1153. Same, except as noted.</p>

<p>unless the manufacturer has recommended adjustments at shorter intervals, in which case such recommendations shall be followed.</p> <p>(b) Adjust the zero and span whenever the 24-hour zero drift or 24-hour calibration drift limits of the applicable performance specifications in appendix B of 40 C.F.R. part 60 (July 1, 1978), are exceeded.</p> <p>(c) Adjust continuous monitoring systems purchased prior to September 11, 1974, whenever the 24-hour zero drift or the 24-hour calibration drift exceeds 10% of the applicable emission standard.</p> <p>(2) Calibration gases used pursuant to subrule (1) shall meet the requirements of rule 1151.</p>	<p>unless the manufacturer has recommended adjustments at shorter intervals, in which case such recommendations shall be followed.</p> <p>(b) Adjust the zero and span <u>when</u> the 24-hour zero drift or 24-hour calibration drift limits of the applicable performance specifications in appendix B of 40 C.F.R. part 60 (<u>May 25, 1983</u>), are exceeded.</p> <p>(c) Adjust continuous monitoring systems purchased <u>before</u> September 11, 1974, <u>when</u> the 24-hour zero drift or the 24-hour calibration drift exceeds 10% of the applicable emission standard.</p> <p>(2) Calibration gases used pursuant to <u>the provisions of</u> subrule (1) <u>of this rule</u> shall meet the requirements of R 336.2151.</p> <p>History: 1980 AACS; 1989 AACS.</p>	<p>Editorial change.</p> <p>Date updated.</p> <p>Editorial change. Editorial change.</p> <p>Editorial changes.</p>
<p>R 336.2154. Instrument span for continuous emission monitoring systems. (1/18/80)</p> <p>Rule 1154. Instrument span shall be approximately 200% of the expected instrument data display output corresponding to the emission standard for the source.</p>	<p>R 336.2154 Instrument span for continuous emission monitoring systems.</p> <p>Rule 1154. Instrument span shall be approximately 200% of the expected instrument data display output corresponding to the emission standard for the source.</p> <p>History: 1980 AACS.</p>	<p>Period removed in state SIP.</p> <p>Date removed in state SIP.</p> <p>Rule 1154. Same, except as noted.</p>
<p>R 336.2155 Monitor location for continuous emission monitoring systems.</p> <p>Rule 1155. (1) The owner or operator of a source subject to the provisions of this part shall install the required continuous monitoring systems or monitoring devices such that representative measurements of emissions or process parameters from the affected facility are obtained.</p> <p>(2) When the effluents from 2 or</p>	<p>R 336.2155 Monitor location for continuous emission monitoring systems.</p> <p>Rule 1155. (1) The owner or operator of a source subject to the <u>provi-sions</u> of this part shall install the required continuous monitoring systems or monitoring devices such that representative measurements of emissions or process parameters from the affected facility are obtained.</p> <p>(2) When the effluents from 2 or</p>	<p>Rule 1155. Same, except as noted.</p> <p>Line break in the state SIP.</p>

<p>more affected facilities of similar design and operating characteristics are combined before being released into the atmosphere, the owner or operator of a source subject to the provisions of this part may install monitoring systems on the combined effluent. When the affected facilities are not of similar design and operating characteristics, or when the effluent from 1 affected facility is released into the atmosphere through more than 1 point, the owner or operator shall establish alternate procedures to implement the intent of these requirements subject to approval by the department.</p>	<p>more affected facilities of similar design and operating characteristics are combined before being released into the atmosphere, the owner or operator of a source subject to the provisions of this part may install monitoring systems on the combined effluent. When the affected facilities are not of similar design and operating characteristics, or when the effluent from 1 affected facility is released into the atmosphere through more than 1 point, the owner or operator shall establish alternate procedures to implement the intent of these requirements subject to approval by the department.</p> <p>History: 1980 AACS; 2002 AACS.</p>	<p>Line break in the state SIP.</p>
	<p><u>R 336.2156 Performance testing notifications; monitoring notification.</u> <u>Rule 1156.</u> The owner or operator of any source required to install a continuous emission monitor by R 336.2101, R 336.2102, R 336.2103, or R 336.2104 shall submit to the department all of the following: <u>(a) A source-specific monitoring plan not less than 60 days prior to performance specification testing of the monitoring system for the review and approval of the department.</u> <u>(b) A site-specific test plan not less than 30 days prior to the performance specification testing of the monitoring system for review and approval of the department.</u> <u>(c) All results of performance specification testing not more than 60 days after the last date of the test.</u></p> <p>History: 2009 AACS.</p>	<p>Rule 1156. This rule does not have a federal equivalent.</p>
	<p><u>R 336.2157 Quality assurance</u></p>	

requirements for continuous emission monitoring systems.

Rule 1157. (1) The monitoring equipment required by R 336.2101, R 336.2102, R 336.2103, and R 336.2104 shall perform continuing quality control procedures in accordance with procedure 1 of appendix F to 40 C.F.R. part 60, adopted by reference in R 336.1802a. Monitors installed and certified in accordance with appendix A to part 75 and meeting the continuing quality control requirements of appendix B to part 75 are exempt from the requirements of procedure 1 of appendix F of part 60.
(2) When a mercury CEMS required by R 336.2104 uses elemental mercury (Hg⁰) for daily calibration and cylinder gas audits, a single point oxidized mercury converter check shall be performed weekly using a national institute of standards and technology (NIST) traceable source of oxidized mercury. The result of the converter check shall not deviate from the reference value by more than 10% or an absolute difference of 0.8 micrograms per standard cubic meter (µg/scm).
(3) A continuous stack gas volumetric flow monitor installed for R 336.2104 shall perform continuing quality control in accordance with the applicable quality control and quality assurance requirements of 40 C.F.R. §75.21 and part 75 appendix B, adopted by reference in R 336.1802a or procedure 1 of appendix F of 40 C.F.R. part 60.

History: 2009 AACS.

Rule 1157. This rule does not have a federal equivalent.

R 336.2158 Sorbent trap monitoring system methodology for mercury emission monitoring; scope; application.

Rule 1158. (1) This rule specifies sampling, analytical, and quality-assurance criteria and procedures for the performance-based monitoring of vapor-phase mercury emissions in combustion flue gas streams, using a sorbent trap monitoring system. The principle employed is continuous sampling using in-stack sorbent media coupled with analysis of the integrated samples. The performance-based approach of this method allows for use of various suitable sampling and analytical technologies while maintaining a specified and documented level of data quality through performance criteria. Persons using this method should have a thorough working knowledge of methods 1, 2, 3, 4, and 5 in appendices A-1 through A-3 to 40 C.F.R. part 60, as well as the determinative technique selected for analysis. All of the following apply:

(a) Analytes. The analyte measured by these procedures and specifications is total vapor-phase mercury in the flue gas, which represents the sum of elemental mercury (Hg⁰, CAS Number 7439-97-6) and oxidized forms of mercury, in mass concentration units of micrograms per dry standard cubic meter (µg/dscm).

(b) Applicability. These performance criteria and procedures are applicable to monitoring of vapor-phase mercury emissions under relatively low-dust conditions, sampling in the stack after all pollution control devices, from coal-fired electric utility steam generators

Rule 1158. This rule does not have a federal equivalent.

which are subject to R 336.2501 to R 336.2513. Individual sample collection times can range from 30 minutes to several days in duration, depending on the mercury concentration in the stack. The monitoring system shall achieve the performance criteria specified in subrule (5) of this rule and the sorbent media capture ability shall not be exceeded. The sampling rate shall be maintained at a constant proportion to the total stack flow rate to ensure representativeness of the sample collected. Failure to achieve certain performance criteria will result in invalid mercury emissions monitoring data.

(c) Principle. Known volumes of flue gas are extracted from a stack or duct through paired, in-stack, pre-spiked sorbent media traps at an appropriate nominal flow rate. Collection of mercury on the sorbent media in the stack mitigates potential loss of mercury during transport through a probe/sample line. Paired train sampling is required to determine measurement precision and verify acceptability of the measured emissions data.

(d) The sorbent traps are recovered from the sampling system, prepared for analysis, as needed, and analyzed by any suitable determinative technique that meets the performance criteria. A section of each sorbent trap is spiked with Hg0 prior to sampling. This section is analyzed separately and the recovery value is used to determine the validity of sampling data in accordance with Table 111.

(e) Clean handling and contamination. To avoid mercury contamination of the samples,

special attention should be paid to cleanliness during transport, field handling, sampling, recovery, and laboratory analysis, as well as during preparation of the sorbent cartridges. Collection and analysis of blank samples, such as field, trip, and lab, is useful in verifying the absence of contaminant mercury.

(2) Equipment and supplies: All of the following are examples of key equipment and supplies required to perform vapor-phase mercury monitoring using a sorbent trap monitoring system. Additional equipment and supplies may be needed. Collection of paired samples is required. Also required are a volumetric flow monitor certified in accordance with R 336.2150 and maintained in accordance with R 336.2157, and an acceptable means of correcting for the stack gas moisture content by using data from certified continuous moisture monitoring. A typical sorbent trap monitoring system is shown in figure 1.

(a) Sorbent trap monitoring system. The monitoring system shall include the following components:

(i) Sorbent traps. The sorbent media used to collect mercury must be configured in a trap with 3 distinct and identical segments or sections, connected in series that are amenable to separate analyses. Section 1 is designated for primary capture of gaseous mercury. Section 2 is designated as a backup section for determination of vapor-phase mercury breakthrough. Section 3 is designated for quality assurance and quality control purposes where this section shall be spiked with a known amount of gaseous Hg0 prior to

sampling and later analyzed to determine recovery efficiency. The sorbent media may be any collection material, for example, carbon or chemically-treated filter, capable of quantitatively capturing and recovering for subsequent analysis, all gaseous forms of mercury for the intended application. Selection of the sorbent media shall be based on the material's ability to achieve the performance criteria contained in subrule (5) of this rule as well as the sorbent's vapor-phase mercury capture efficiency for the emissions matrix and the expected sampling duration at the test site. The sorbent media shall be obtained from a source that can demonstrate the quality assurance and control necessary to ensure consistent reliability. The paired sorbent traps are supported on a probe or probes and inserted directly into the flue gas stream.

(ii) Sampling probe assembly. Each probe assembly shall have a leak-free attachment to the sorbent trap or traps. Each sorbent trap shall be mounted at the entrance of or within the probe such that the gas sampled enters the trap directly. Each probe/sorbent trap assembly shall be heated to a temperature sufficient to prevent liquid condensation in the sorbent trap or traps. Auxiliary heating is required only where the stack temperature is too low to prevent condensation. A calibrated thermocouple to monitor the stack temperature shall be used. A single probe capable of operating the paired sorbent traps may be used. Alternatively, individual probe/sorbent trap assemblies may be used, provided that the individual

sorbent traps are co-located to ensure representative mercury monitoring and are sufficiently separated to prevent aerodynamic interference.

(iii) Moisture removal device. A robust moisture removal device or system, suitable for continuous duty, such as a Peltier cooler, shall be used to remove water vapor from the gas stream prior to entering the gas flow meter.

(iv) Vacuum pump. Use a leak-tight, vacuum pump capable of operating within the candidate system's flow range.

(v) Gas flow meter. A gas flow meter, such as a dry gas meter, thermal mass flow meter, or other suitable measurement device, shall be used to determine the total sample volume on a dry basis, in units of standard cubic meters (scm). The meter shall be sufficiently accurate to measure the total sample volume to within 2% and must be calibrated at selected flow rates across the range of sample flow rates at which the sorbent trap monitoring system typically operates. The gas flow meter shall be equipped with any necessary auxiliary measurement devices, for example, temperature sensors or pressure measurement devices, needed to correct the sample volume to standard conditions.

(vi) Sample flow rate meter and controller. Use a flow rate indicator and controller for maintaining necessary sampling flow rates.

(vii) Temperature sensor. Follow the procedures in section 6.1.1.7 of method 5 in appendix A-3 to 40 C.F.R part 60, adopted by reference

in R 336.2004.

(viii) Barometer. Follow the procedures in section 6.1.2 of method 5 in appendix A-3 to 40 C.F.R part 60, adopted by reference in R 336.2004.

(ix) Data logger (optional). Device for recording associated and necessary ancillary information, for example, temperatures, pressures, flow, and time.

(b) Gaseous Hg⁰ sorbent trap spiking system. A known mass of gaseous Hg⁰ shall be spiked onto section 3 of each sorbent trap prior to sampling. Any approach capable of quantitatively delivering known masses of Hg⁰ onto sorbent traps is acceptable. Several technologies or devices are available to meet this objective. Practicality of these technologies or devices is a function of mercury mass spike levels. Both of the following apply:

(i) For low levels, NIST-certified or NIST-traceable gas generators or tanks may be suitable, but may require long preparation times.

(ii) An alternative system, capable of delivering almost any mass required, makes use of NIST-certified or NIST-traceable mercury salt solutions (for example, Hg(NO₃)₂). With this system, an aliquot of known volume and concentration is added to a reaction vessel containing a reducing agent, for example, stannous chloride; the mercury salt solution is reduced to Hg⁰ and purged onto section 3 of the sorbent trap using an impinger sparging system.

(c) Sample analysis equipment. An analytical system capable of quantitatively recovering and quantifying total gaseous mercury

from sorbent media is acceptable provided that the analysis meets the performance criteria in subrule (5) of this rule. Candidate recovery techniques include leaching, digestion, and thermal desorption. Candidate analytical techniques include ultraviolet atomic fluorescence (UV AF); ultraviolet atomic absorption (UV AA), with and without gold trapping; and in situ X-ray fluorescence (XRF) analysis.

Figure 1.

Typical sorbent trap monitoring system

[See attached figure]

(3) Reagents and standards. Only NIST-certified or NIST-traceable calibration gas standards and reagents shall be used for the tests and procedures required in this rule.

(4) The following sample collection and transport procedures are required:

(a) Pre-test procedures.

(i) Selection of sampling site.

Sampling site information should be obtained in accordance with method 1 in appendix A-1 to 40 C.F.R part 60. Identify a monitoring location representative of source mercury emissions. Locations shown to be free of stratification through measurement traverses for gases such as sulfur dioxide and oxides of nitrogen may be an approach. An estimation of the expected stack mercury concentration is required to establish a target sample flow rate, total gas sample volume, and the mass of Hg0 to be spiked onto section 3 of each sorbent trap.

(ii) Pre-sampling spiking of sorbent

traps. Based on the estimated mercury concentration in the stack, the target sample rate and the target sampling duration, calculate the expected mass loading for section 1 of each sorbent trap. An example calculation is contained in subrule (8)(b) of this rule. The pre-sampling spike to be added to section 3 of each sorbent trap shall be within \pm 50% of the expected section 1 mass loading. For each sorbent trap, keep an official record of the mass of Hg0 added to section 3. This record shall include, at a minimum, the ID number of the trap, the date and time of the spike, the name of the analyst performing the procedure, the mass of Hg0 added to section 3 of the trap (microgram or μg), and the supporting calculations. This record shall be maintained in a format suitable for inspection and audit and shall be available to the regulatory agencies upon request.

(iii) Pre-test leak check. Perform a leak check with the sorbent traps in place. Draw a vacuum in each sample train. Adjust the vacuum in the sample train to approximately 15 inches mercury. Using the gas flow meter, determine leak rate. The leakage rate shall not exceed 4% of the target sampling rate. Once the leak check passes this criterion, carefully release the vacuum in the sample train, then seal the sorbent trap inlet until the probe is ready for insertion into the stack or duct.

(iv) Determination of flue gas characteristics. Determine or measure the flue gas measurement environment characteristics, for example, gas temperature, static pressure, gas velocity, and stack moisture, to determine ancillary

requirements such as probe heating requirements, if any, initial sample rate, proportional sampling conditions, and moisture management.

(b) Sample collection.

(i) Remove the plug from the end of each sorbent trap and store each plug in a clean sorbent trap storage container.

(ii) Remove the stack or duct port cap and insert the probe or probes.

(iii) Secure the probe or probes and ensure that no leakage occurs between the duct and environment.

(iv) Record initial data, including the following:

(A) Sorbent trap ID.

(B) Start time.

(C) Starting dry gas meter readings.

(D) Initial temperatures.

(E) Set-points and any other appropriate information.

(c) Flow rate control. The following apply:

(i) Set the initial sample flow rate at the target value pursuant to subrule (4)(a)(i) of this rule.

(ii) Record the initial gas flow meter reading, stack temperature, if needed to convert to standard conditions, and meter temperatures, if needed.

(iii) For every operating hour during the sampling period, record the following:

(A) Date and time.

(B) Sample flow rate.

(C) Gas flow meter reading.

(D) Stack temperature, if needed.

(E) Flow meter temperatures, if needed.

(F) Temperatures of heated equipment such as the vacuum lines and the probes, if heated.

(G) Sampling system vacuum

readings.

(H) Stack gas flow rate, as measured by the certified flow monitor.

(I) Ratio of the stack gas flow rate to the sample flow rate.

(J) Adjust the sampling flow rate to maintain proportional sampling, keeping the ratio of the stack gas flow rate to sample flow rate constant, to within $\pm 25\%$ of the reference ratio from the first hour of the data collection period, as described in subrule (8)(c) of this rule.

(iv) The sample flow rate through a sorbent trap monitoring system during any hour, or portion of an hour, in which the unit is not operating shall be zero.

(d) Stack gas moisture determination. Determine stack gas moisture using a continuous moisture monitoring system.

(e) Essential operating data. Obtain and record any essential operating data for the facility during the test period, for example, the barometric pressure for correcting the sample volume measured by a dry gas meter to standard conditions. At the end of the data collection period, record the final gas flow meter reading and the final values of all other essential parameters.

(f) Post test leak check. When sampling is completed, turn off the sample pump, remove the probe/sorbent trap from the port and carefully re-plug the end of each sorbent trap. All of the following apply:

(i) Perform a leak check with the sorbent traps in place, at the maximum vacuum reached during the sampling period. Use the same general approach described in

subrule

(4)(a)(iii) of this rule.

(ii) Record the leakage rate and vacuum. The leakage rate shall not exceed 4% of the average sampling rate for the data collection period.

(iii) Following the leak check, carefully release the vacuum in the sample train.

(g) Sample recovery. Recover each sampled sorbent trap by removing it from the probe and sealing both ends. Wipe any deposited material from the outside of the sorbent trap. Place the sorbent trap into an appropriate sample storage container; store and preserve in appropriate manner.

(h) Sample preservation, storage, and transport. While the performance criteria of this approach provides for verification of appropriate sample handling, the user should consider, determine, and plan for suitable sample preservation, storage, transport, and holding times for these measurements. The procedures in the American Society for Testing and Materials (ASTM) D6911-03, "Standard Guide for Packaging and Shipping Environmental Samples for Laboratory Analysis," adopted by reference in R 336.2502, shall be followed for all samples.

(i) Sample custody. Proper procedures and documentation for sample chain of custody are critical to ensuring data integrity. The chain of custody procedures in ASTM D4840-99 (reapproved 2004) "Standard Guide for Sample Chain-of-Custody Procedures," adopted by reference in R 336.2502, shall be followed for all samples, including field samples and blanks.

(5) Quality assurance and quality control. Table 111 summarizes the quality assurance and quality control performance criteria that are used to validate the mercury emissions data from sorbent trap monitoring systems, including the relative accuracy test audit (RATA) requirement. Failure to achieve these performance criteria will result in invalidation of mercury emissions data.

Table 111
Quality Assurance/Quality Control Criteria For Sorbent Trap Monitoring Systems

[See attached table]

(6) Calibration and standardization. Only NIST-certified and NIST-traceable calibration standards, for example, calibration gases or solutions, shall be used for the spiking and analytical procedures in these rules.

(a) Gas flow meter calibration. The manufacturer or supplier of the gas flow meter should perform all necessary set-up, testing, programming, and should provide the end user with any necessary instructions to ensure that the meter will give an accurate readout of dry gas volume in scm for the particular field application. The following apply:

(i) Initial calibration. Prior to its initial use, a calibration of the flow meter shall be performed. The initial calibration may be done by the manufacturer, by the equipment supplier, or by the end user. The following apply:

(A) If the flow meter is volumetric in nature, for example, a dry gas

meter, the manufacturer, equipment supplier, or end user may perform a direct volumetric calibration using any gas.

(B) For a mass flow meter, the manufacturer, equipment supplier, or end user may calibrate the meter using a bottled gas mixture containing $12 \pm 0.5\%$ carbon dioxide, $7 \pm 0.5\%$ oxygen, and balance nitrogen, or these same gases in proportions more representative of the expected stack gas composition. Mass flow meters may also be initially calibrated on-site, using actual stack gas.

(ii) Initial calibration procedures. Determine an average calibration factor (Y) for the gas flow meter, by calibrating it at 3 sample flow rate settings covering the range of sample flow rates at which the sorbent trap monitoring system typically operates. Use the procedures in section 10.3.1 or the procedures in section 16 of method 5 in appendix A-3 to 40 C.F.R. part 60 as appropriate. If a dry gas meter is being calibrated, use at least 5 revolutions of the meter at each flow rate.

(iii) Alternative initial calibration procedures. Alternatively, the initial calibration of the gas flow meter may be performed using a reference gas flow meter (RGFM). The RGFM may be any of the following:

(A) A wet test meter calibrated according to section 10.3.1 of method 5 in appendix A-3 to 40 C.F.R. part 60.

(B) A gas flow metering device calibrated at multiple flow rates using the procedures in section 16 of method 5 in appendix A-3 to 40 C.F.R. part 60.

(C) A NIST–traceable calibration device capable of measuring volumetric flow to an accuracy of 1%.

(iv) To calibrate the gas flow meter using the RGFM, proceed in the following manner:

(A) While the sorbent trap monitoring system is sampling the actual stack gas or a compressed gas mixture that simulates the stack gas composition (as applicable), connect the RGFM to the discharge of the system. Care should be taken to minimize the dead volume between the sample flow meter being tested and the RGFM.

(B) Concurrently measure dry gas volume with the RGFM and the flow meter being calibrated for a minimum of 10 minutes at each of 3 flow rates covering the typical range of operation of the sorbent trap monitoring system.

(C) For each 10-minute, or longer, data collection period, record the total sample volume, in units of dry standard cubic meters (dscm), measured by the RGFM and the gas flow meter being tested.

(v) Initial Calibration Factor. The following apply:

(A) Calculate an individual calibration factor Y_i at each tested flow rate from paragraph (ii) or (iii) of this subdivision, as appropriate, by taking the ratio of the reference sample volume to the sample volume recorded by the gas flow meter.

(B) Average the 3 Y_i values, to determine Y , the calibration factor for the flow meter.

Each of the 3 individual values of Y_i must be within ± 0.02 of Y .

(C) Except as otherwise provided in

subparagraphs (vi) or (vii) of this subdivision, use the average Y value from the 3-level calibration to adjust all subsequent gas volume measurements made with the gas flow meter.

(vi) Initial on-site calibration check.

For a mass flow meter that was initially calibrated using a compressed gas mixture, an on-site calibration check shall be performed before using the flow meter to provide data for this part. The following apply:

(A) While sampling stack gas, check the calibration of the flow meter at 1 intermediate flow rate typical of normal operation of the monitoring system. Follow the basic procedures in paragraph (ii) or (iii) of this subdivision.

(B) If the on-site calibration check shows that the value of Y_i , the calibration factor at the tested flow rate, differs by more than 5% from the value of Y obtained in the initial calibration of the meter, repeat the full 3-level calibration of the meter using stack gas to determine a new value of Y, and apply the new Y value to all subsequent gas volume measurements made with the gas flow meter.

(vii) Ongoing quality assurance.

Recalibrate the gas flow meter quarterly at 1 intermediate flow rate setting representative of normal operation of the monitoring system.

The following apply:

(A) Follow paragraph (ii) or (iii) of this subdivision, as appropriate.

(B) If a quarterly recalibration shows that the value of Y_i , the calibration factor at the tested flow rate, differs from the current value of Y by more than 5%, repeat the

full 3-level calibration of the meter to determine a new value of Y, and apply the new Y value to all subsequent gas volume measurements made with the gas flow meter.

(b) Thermocouples and other temperature sensors. Use the procedures and criteria in section 10.3 of method 2 in appendix A-1 to 40 C.F.R. part 60. The following apply:

(i) Dial thermometers shall be calibrated against mercury-in-glass thermometers.

(ii) Calibrations shall be performed prior to initial use and at least quarterly thereafter.

(iii) At each calibration point, the absolute temperature measured by the temperature sensor shall agree to within $\pm 1.5\%$ of the temperature measured with the reference sensor, otherwise the sensor may not continue to be used.

(c) Barometer. Calibrate against a mercury barometer. Calibration shall be performed prior to initial use and at least quarterly thereafter. At each calibration point, the absolute pressure measured by the barometer shall agree to within ± 10 millimeters of mercury of the pressure measured by the mercury barometer, otherwise the barometer may not continue to be used.

(d) Other sensors and gauges. Calibrate all other sensors and gauges according to the procedures specified by the instrument manufacturer or manufacturers.

(7) Analytical procedures. The analysis of the mercury samples may be conducted using any instrument or technology capable of quantifying total mercury from the

sorbent media and meeting the performance criteria in subrule (5) of this rule.

(a) Analyzer system calibration.

Perform a multipoint calibration of the analyzer at 3 or more upscale points over the desired quantitative range, multiple calibration ranges shall be calibrated, if necessary. The field samples analyzed shall fall within a calibrated, quantitative range and meet the necessary performance criteria. The following apply:

(i) For samples that are suitable for aliquotting, a series of dilutions may be needed to ensure that the samples fall within a calibrated range.

However, for sorbent media samples that are consumed during analysis, for example, thermal desorption techniques, extra care must be taken to ensure that the analytical system is appropriately calibrated prior to sample analysis. The calibration curve range or ranges should be determined based on the anticipated level of mercury mass on the sorbent media. Knowledge of estimated stack mercury concentrations and total sample volume may be required prior to analysis.

(ii) The calibration curve for use with the various analytical techniques, for example, UV AA, UV AF, and XRF, can be generated by directly introducing standard solutions into the analyzer or by spiking the standards onto the sorbent media and then introducing into the analyzer after preparing the sorbent/standard according to the particular analytical technique.

(iii) For each calibration curve, the value of the square of the linear

correlation coefficient, for example, r^2 , shall be ≥ 0.99 , and the analyzer response shall be within $\pm 10\%$ of reference value at each upscale calibration point. Calibrations shall be performed on the day of the analysis, before analyzing any of the samples.

(iv) Following calibration, an independently prepared standard from a separate calibration stock solution shall be analyzed. The measured value of the independently prepared standard shall be within $\pm 10\%$ of the expected value.

(b) Sample preparation. Carefully separate the 3 sections of each sorbent trap. The following apply:

(i) Combine for analysis all materials associated with each section.

(ii) Any supporting substrate that the sample gas passes through prior to entering a media section including but not limited to glass wool, polyurethane foam, or other substrates shall be analyzed with that segment.

(c) Spike recovery study. Before analyzing any field samples, the laboratory shall demonstrate the ability to recover and quantify mercury from the sorbent media by performing the following spike recovery study for sorbent media traps spiked with elemental mercury. The following apply:

(i) Using the procedures described in subrules (2)(b) and (8)(b) of this rule, spike the third section of 9 sorbent traps with gaseous Hg^0 , for example, 3 traps at each of 3 different mass loadings, representing the range of masses anticipated in the field samples.

This will yield a 3×3 sample

matrix.

(ii) Prepare and analyze the third section of each spiked trap, using the techniques that will be used to prepare and analyze the field samples. The average recovery for each spike concentration shall be between 85% and 115%.

(iii) If multiple types of sorbent media are to be analyzed, a separate spike recovery study is required for each sorbent material.

(iv) If multiple ranges are calibrated, a separate spike recovery study is required for each range.

(d) Field sample analysis. Analyze the sorbent trap samples following the same procedures that were used for conducting the spike recovery study. The 3 sections of each sorbent trap shall be analyzed separately. The following apply:

(i) Quantify the total mass of mercury for each section based on analytical system response and the calibration curve.

(ii) Determine the spike recovery from sorbent trap section 3. The spike recovery shall be no less than 75% and no greater than 125%.

(iii) To report the final mercury mass for each trap, add together the mercury masses collected in trap sections 1 and 2.

(8) The following calculations and data analysis apply:

(a) Calculation of pre-sampling spiking level. Determine sorbent trap section 3 spiking level using estimates of the stack mercury concentration, the target sample flow rate, and the expected sample duration. First, calculate the expected mercury mass that will be collected in section 1 of the trap.

The pre-sampling spike shall be

within $\pm 50\%$ of this mass.
(b) Example calculation for an estimated stack mercury concentration of 5 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), a target sample rate of 0.30 liter per minute (L/min), and a sample duration of 5 days: $(0.30 \text{ L/min}) \times (1440 \text{ minutes per day}) \times (5 \text{ days}) \times (10^{-3} \text{ cubic meter per liter}) \times (5 \mu\text{g}/\text{m}^3) = 10.8 \text{ micrograms } (\mu\text{g})$. Therefore, a pre-sampling spike of $10.8 \mu\text{g} \pm 50\%$ is appropriate.

(c) Calculations for flow-proportional sampling. The following apply:

(i) For the first hour of the data collection period, determine the reference ratio of the stack gas volumetric flow rate to the sample flow rate, as follows:

[See attached equation]

(ii) Then, for each subsequent hour of the data collection period, calculate ratio of the stack gas flow rate to the sample flow rate using the following equation:

[See attached equation]

(d) Calculation of spike recovery. Calculate the percent recovery of each section 3 spike, using the following equation:

[See attached equation]

(e) Calculation of breakthrough. Calculate the percent breakthrough to the second section of the sorbent trap, using the following equation:

[See attached equation]

	<p>(f) <u>Calculation of mercury concentration. Calculate the mercury concentration for each sorbent trap, using the following equation:</u></p> <p>[See attached equation]</p> <p>(g) <u>Calculation of paired trap agreement. Calculate the relative deviation between the mercury concentrations measured with the paired sorbent traps using the following equation:</u></p> <p>[See attached equation]</p> <p>(h) <u>Use the average of the 2 mercury concentrations from the paired traps in the calculations, except as provided in table 111.</u></p> <p>History: 2009 AACS.</p>	
<p>R 336.2159 Alternative continuous emission monitoring systems. Rule 1159. The department may provide approval for alternative monitoring systems that do not comply with the requirements of this part, if the owner or operator demonstrates both of the following:</p> <p>(a) That an equivalent alternative emission monitoring system shall be implemented that satisfies the intent of the requirements of this part.</p> <p>(b) That 1 of the following conditions exists:</p> <p>(i) A continuous emission monitoring system that conforms with the requirements of this part will not provide an accurate determination of emissions.</p> <p>(ii) The affected source is operated less than 1 month per year.</p> <p>(iii) A continuous emission monitoring system that conforms</p>	<p>R 336.2159 Alternative continuous emission monitoring systems. Rule 1159. The department may provide approval for alternative monitoring systems that do not comply with the requirements of this part, if the owner or operator demonstrates both of the following:</p> <p>(a) That an equivalent alternative emission monitoring system shall be implemented that satisfies the intent of the requirements of this part.</p> <p>(b) That 1 of the following conditions exists:</p> <p>(i) A continuous emission monitoring system that conforms with the requirements of this part will not provide an accurate determination of emissions.</p> <p>(ii) The affected source is operated less than 1 month per year.</p> <p>(iii) A continuous emission monitoring system that conforms</p>	<p>Rule 1159. Same.</p>

<p>with the requirements of this part cannot be installed due to physical limitations of the source.</p>	<p>with the requirements of this part cannot be installed due to physical limitations of the source.</p> <p>History: 1980 AACS; 2002 AACS.</p>	
	<p><u>R 336.2160 Mercury low mass emitter monitoring methodology.</u> <u>Rule 1160.</u> (1) <u>The owner or operator of an affected unit that emits less than 464 ounces (29 pounds) of mercury per year may use the mercury low mass emitter monitoring methodology after performing initial certification testing. The owner or operator of the affected unit shall perform the initial certification testing and ongoing quality assurance as described in subrules (2) and (3) of this rule. The initial test shall be performed within 60 days of the effective date of these rules or 90 days prior to the compliance date, whichever is later.</u></p> <p>(2) <u>For the initial certification testing, the following shall apply:</u></p> <p>(a) <u>The owner or operator shall perform mercury emission testing to determine the mercury concentration, for example, total vapor-phase mercury, in the effluent.</u></p> <p>(b) <u>Testing shall be performed using 1 of the following mercury reference methods: Method 29, ASTM D6784-02, method 30A, or method 30B. A test shall consist of a minimum of 3 runs at maximum routine load while firing fuel or fuels with the highest mercury content.</u></p> <p>(c) <u>The minimum run time shall be 1 hour if method 30A is used. If method 29, ASTM D6784-02, or method 30B is used, paired samples are required for each test run and the runs shall be long enough to ensure</u></p>	<p>Rule 1160. This rule does not have a federal equivalent.</p>

that sufficient mercury is collected to analyze. When method 29, or ASTM D6784 02 is used the test results shall be based on the vapor-phase mercury collected in the back half of the sampling train. For each method

29, ASTM D6784-02, or method 30B test run, the paired trains shall meet the relative deviation requirement specified in method 30B. If the relative deviation specification is met, the result of the 2 samples shall be averaged arithmetically.

(d) If the unit is equipped with flue gas desulfurization or add-on mercury emission controls, the controls shall be operating normally during the testing, and for the purpose of establishing proper operation of the controls, parametric data shall be recorded.

(e) A complete test plan and test notification shall be provided to the department 30 days prior to the testing.

(3) Based on the results of emission testing, the following equation shall be used to provide a conservative estimate of the annual mercury mass emissions for the unit:

$$E = N K CHg Q_{mass}$$

Where:

E = Estimated annual mercury mass emissions in ounces per year.

N = 8760 hours or the maximum number of operating hours per year allowed by the unit's federally enforceable permit.

K = 9.978×10^{-10} ounces-scm/ μ g-standard cubic foot (scf).

CHg = Highest mercury concentration (μ g/scm) from any test run or 0.05 μ g/scm, whichever is greater.

Qmass = Maximum potential flow rate.

(a) If the estimated annual mercury mass emissions are 464 ounces per year or less, the unit is eligible to use the monitoring methodology of this section, and mercury continuous emission monitoring is not required.

(b) The results of the testing performed under this rule shall be submitted as a certification application to the department, not later than 45 days after the test is completed. The calculations demonstrating that the unit emits less than 464 ounces per year shall be provided, and the default mercury concentration that will be used for mercury mass emission reporting shall be specified.

(c) Following initial certification:

(i) The default mercury concentration used to estimate the unit's annual mercury mass emissions shall be reported for each unit operating hour and shall be used to calculate hourly mercury emissions.

(ii) The mercury emission testing described in this rule shall be repeated periodically for the purpose of quality assurance, as follows:

(A) If the results of the certification testing under this rule show that the unit emits 144 ounces (9 pounds) per year or less, the first retest is required by the end of the fourth quarter following the calendar quarter of the certification test.

(B) If the results of the certification test under this section shows that the unit emits more than 144 ounces per year but less than 464 ounces per year, the first retest is required by the end of the second quarter following the calendar quarter of the

certification test.

(C) Retesting shall be required either by the end of the second or fourth quarter following the quarter of the previous test, depending on the results of the previous test. To determine whether the next retest is required within 2 or 4 quarters, substitute the highest mercury concentration from the current test or 0.50 µg/scm, whichever is greater, into the equation under subrule (3). If the estimated annual mass emissions exceed 144 ounces, the next test is due within 2 quarters. If the estimated annual mass emissions are 144 ounces or less, the next test is due within 4 quarters.

(d) The updated mercury default concentration shall be applied beginning with the first unit operating hour after the completion of the retest.

(e) If the unit is equipped with flue gas desulfurization system or add-on mercury controls, the owner or operator shall record the parametric data for each unit operating hour.

(f) An additional retest is required when there is a change in coal rank of the primary fuel or other significant fuel change.

(g) At the end of each calendar year, if the cumulative annual mercury mass emission from an affected unit exceeds 464 ounces, the owner or operator shall install, certify, operate, and maintain a mercury continuous emission monitoring system, or sorbent trap monitoring system, not later than 180 days after the end of the calendar year in which the emissions exceeded 464 ounces.

History: 2009 AACS.

R 336.2161 Specifications and test procedures for total vapor-phase mercury continuous emission monitoring systems; definitions; scope; application; methodology.

Rule 1161. (1) Definitions as used in this rule:

(a) “Calibration drift” means the absolute value of the difference between the continuous emission monitoring system (CEMS) output response and either the upscale mercury reference gas or the zero-level mercury reference gas, expressed as a percentage of the span value, when the entire CEMS, including the sampling interface, is challenged after a stated period of operation during which no unscheduled maintenance, repair, or adjustment took place.

(b) “Continuous emission monitoring system” (CEMS) means the total equipment required for the determination of a pollutant concentration. The system consists of the major subsystems defined in subrule (1)(a) and (c) to (h) of this rule.

(c) “Data recorder” means that portion of the CEMS that provides a permanent electronic record of the analyzer output. The data recorder may provide automatic data reduction and CEMS control capabilities.

(d) “Linearity” means the absolute value of the difference between the concentration indicated by the mercury analyzer and the known concentration of a reference gas, expressed as a percentage of the span value, when the entire CEMS, including the sampling interface, is challenged. A linearity test procedure is performed to document

Rule 1161. There is not a federal equivalent to this rule.

the linearity of the mercury CEMS at 3 or more points over the measurement range.

(e) “Mercury analyzer” means that portion of the mercury CEMS that measures the total vapor-phase mercury mass concentration and generates a proportional output.

(f) “Relative accuracy” means the absolute mean difference between the pollutant concentration(s) determined by the CEMS and the value determined by the reference method plus the 2.5% error confidence coefficient of a series of tests divided by the mean of the reference method tests.

Alternatively, for sources with an average reference method concentration less than 5.0 µg/dscm, the relative accuracy may be expressed as the absolute value of the difference between the mean CEMS and reference method values.

(g) “Sample interface” means that portion of the CEMS used for 1 or more of the following: sample acquisition, sample transport, sample conditioning, and protection of the monitor from the effects of the stack effluent.

(h) “Span value” means the upper limit of the intended mercury concentration measurement range. The span value is a value equal to 2 times the emission standard.

(2) This rule specifies sampling, analytical, and quality-assurance criteria and procedures for continuous emission monitoring of total vapor-phase mercury emissions in combustion flue gas streams, using a CEMS.

(a) Analyte. The analyte measured by these procedures and specifications is total vapor-phase

mercury in the flue gas, which represents the sum of elemental mercury (Hg⁰, CAS Number 7439–97–6) and oxidized forms of gaseous mercury (Hg⁺²), in mass concentration units of µg/dscm.

(b) Applicability. The performance criteria and procedures are applicable to evaluating the acceptability of total vapor-phase mercury CEMSs installed at stationary sources at the time of or soon after installation and whenever specified in the regulations.

(i) The mercury CEMS must be capable of measuring the total mass concentration in µg/dscm (regardless of speciation) of total vapor-phase mercury, and recording that concentration on a wet or dry basis. Particle bound mercury is not included in the measurements.

(ii) This applicability specification is not designed to evaluate an installed CEMS's performance over an extended period of time nor does it identify specific calibration techniques and auxiliary procedures to assess the CEMS's performance.

(A) The source owner or operator is responsible to calibrate, maintain, and operate the CEMS properly. The department may require the operator to conduct CEMS performance evaluations at other times besides the initial test to evaluate the CEMS performance.

(3) Equipment and supplies. The CEMS equipment specifications are as follows:

(a) Data recorder scale. The mercury CEMS data recorder output range must include zero and a high level value.

(i) The high level value must be approximately 2 times the mercury

concentration corresponding to the emission standard level for the stack gas under the circumstances existing as the stack gas is sampled. A lower high level value may be used, provided that the measured values do not exceed 95% of the high level value.

(ii) The CEMS design should also provide for the determination of continuous emissions at a zero value (zero to 20% of the span value) and at an upscale value (between 50 and 100% of the high-level value).

(b) Reference gas delivery system. The reference gas delivery system must be designed so that the flowrate of reference gas introduced to the CEMS is the same at all 3 challenge levels specified in subrule (4) of this rule, and at all times exceeds the flow requirements of the CEMS.

(c) Other equipment and supplies, as needed by the applicable reference method used are specified in subrule (5) of this rule.

(4) Reference gases reagents and standards. Reference gas standards are required for both Hg⁰ (elemental) and oxidized mercury (mercury and mercuric chloride, HgCl₂). Only NIST-certified or NIST-traceable calibration gas standards and reagents shall be used for the tests and procedures required in this rule.

(a) The gas concentrations required are as follows:

(i) Zero-level. 0 to 20% of the span value.

(ii) Mid-level. 50 to 60% of the span value.

(iii) High-level. 80 to 100% of the span value.

(b) Reference gas standards may

also be required for the reference methods as specified in subrule (5) of this rule.

(5) Performance specification test procedures.

(a) Installation and measurement location specifications. Install the CEMS at an accessible location downstream of all pollution control equipment.

(i) Since the mercury CEMS sample system normally extracts gas from a single point in the stack, use a location that has been shown to be free of stratification for mercury or alternatively, sulfur dioxide and oxides of nitrogen through concentration measurement traverses for those gases.

(ii) If the cause of failure to meet the relative accuracy test requirement is determined to be the measurement location and a satisfactory correction technique cannot be established, the department may require the CEMS to be relocated. Measurement locations and points or paths that are most likely to provide data that will meet the relative accuracy requirements are as follows:

(A) The measurement location should be (1) at least 2 equivalent diameters downstream of the nearest control device, point of pollutant generation or other point at which a change of pollutant concentration may occur, and (2) at least half an equivalent diameter upstream from the effluent exhaust. The equivalent duct diameter is calculated as per 40 CFR part 60, appendix A, method 1, as adopted by reference in R 336.2150.

(B) Use a sample extraction point either (1) no less than 1.0

meter from the stack or duct wall, or (2) within the centroidal velocity traverse area of the stack or duct cross section.

(b) Reference method measurement location and traverse points. Refer to performance specification 2 adopted by reference in R 336.2150. The reference method and CEMS locations need not be immediately adjacent.

(c) Linearity test procedure. The mercury CEMS must be constructed to permit the introduction of known concentrations of mercury and HgCl₂ separately into the sampling system immediately preceding the sample extraction filtration system such that the entire CEMS can be challenged.

(i) Sequentially inject each of at least 3 reference gases (zero, mid-level, and high level) for each mercury species.

(ii) Record the CEMS response and subtract the reference value from the CEMS value, and express the absolute value of the difference as a percentage of the span value (see example data sheet in table 112).

(A) For each reference gas, the absolute value of the difference between the CEMS response and the reference value shall not exceed 5% of the span value. If this specification is not met, identify and correct the problem before proceeding.

Table 112

Linearity and Continuous Emission Determination Form

[See attached table]

(d) Seven-day calibration drift test procedure. While the affected

facility is operating at more than 50% of normal load, or as specified in an applicable regulation, determine the magnitude of the calibration drift once each day (at 24-hour intervals, to the extent practicable) for 7 consecutive unit operating days according to the procedure given in this subrule. The 7 consecutive unit operating days need not be 7 consecutive calendar days.

Use either Hg₀ or HgCl₂ standards for this test.

(i) The purpose of the calibration drift measurement is to verify the ability of the CEMS to conform to the established CEMS response used for determining emission concentrations or emission rates.

Therefore, if periodic automatic or manual adjustments are made to the CEMS zero and upscale response settings, conduct the calibration drift test immediately before these adjustments, or conduct it in such a way that the calibration drift can be determined.

(ii) Conduct the calibration drift test using the zero gas specified and either the mid-level or high-level point specified in subrule (4) of this rule.

(A) Introduce the reference gas to the CEMS.

(B) Record the CEMS response and subtract the reference value from the CEMS value, and express the absolute value of the difference as a percentage of the span value (see example data sheet in table 112).

(C) For the reference gas, the absolute value of the difference between the CEMS response and the reference value shall not exceed 5% of the span value. If this

specification is not met, identify and correct the problem before proceeding.

(e) Relative accuracy test procedure. Conduct the relative accuracy test according to the procedure given in subrule (5)(e) to (f) of this rule, while the affected facility is operating at normal full load, or as specified in an applicable subpart. The relative accuracy test may be conducted during the calibration drift test period.

(i) Reference method for mercury concentration. Unless otherwise specified in an applicable subpart of the regulations, use method 29, method 30A, or method 30B as adopted by reference in R 336.2004 or ASTM method D6784-02, adopted by reference in R 336.2502, as the reference method for mercury concentration. The filterable portion of the sample need not be included when making comparisons to the CEMS results.

(A) When method 29, method 30B, or ASTM D6784-02 is used, conduct the reference method test runs with paired or duplicate sampling systems.

(B) When method 30A is used, paired sampling systems are not required.

(C) If the reference method and CEMS measure on a different moisture basis, data derived with method 4, adopted by reference in R 336.2004, must be obtained during the relative accuracy test.

(ii) Sampling strategy for reference method tests. Conduct the reference method tests in such a way that they will yield results representative of the emissions from the source and can be compared to the CEMS data.

(A) It is preferable to conduct moisture measurements (if needed) and mercury measurements simultaneously, although moisture measurements that are taken within an hour of the mercury measurements may be used to adjust the mercury concentrations to a consistent moisture basis.

(B) In order to correlate the CEMS and reference method data properly, note the beginning and end of each reference method test period for each paired reference method run (including the exact time of day) on the CEMS chart recordings or other permanent record of output.

(iii) Number and length of reference method and tests. Conduct a minimum of 9 reference method test runs.

(A) When method 29, method 30B, or ASTM D6784–02 is used, only test runs for which the paired reference method trains meet the relative deviation criteria of this performance specification shall be used in the relative accuracy calculations. In addition, for method 29 and ASTM D6784–02, use a minimum sample time of 2 hours and for method 30A use a minimum sample time of 30 minutes.

(B) More than 9 sets of reference method tests may be performed. If this option is chosen, paired reference method test results may be excluded so long as the total number of paired reference method test results used to determine the CEMS relative accuracy is greater than or equal to 9. However, all data must be reported including the excluded data.

(iv) Correlation of reference method and CEMS data. Correlate the

CEMS and the reference method test data as to the time and duration by first determining from the CEMS final output (the one used for reporting) the integrated average pollutant concentration for each reference method test period.

(A) Consider system response time, if important, and confirm that the results are on a consistent moisture basis with the reference method test.

Then, compare each integrated CEMS value against the corresponding reference method value.

(B) When method 29, method 30A, method 30B, or ASTM D6784-02 is used, compare each CEMS value against the corresponding average of the paired reference method values.

(v) Paired reference method outliers. When method 29, method 30B, or ASTM D6784-02 is used, outliers are identified through the determination of relative deviation of the paired reference method tests.

Data that do not meet the criteria should be flagged as a data quality problem.

(A) The primary reason for performing paired reference method sampling is to ensure the quality of the reference method data. The percent relative deviation of paired data is the parameter used to quantify data quality. Determine relative deviation for 2 paired data points as follows:

[See attached equation]

Where:

RD = Relative deviation of paired reference methods tests, a and b.

Ca = Concentration of total vapor-phase mercury, for sample a,

($\mu\text{g}/\text{dscm}$).

C_b = Concentration of total vapor-phase mercury, for sample b,

($\mu\text{g}/\text{dscm}$).

(B) A minimum performance criteria for reference method mercury data

is that relative deviation for any data pair must be $\leq 10\%$ as long as the mean mercury concentration is greater than $1.0 \mu\text{g}/\text{m}^3$.

(C) If the mean mercury concentration is less than or equal to $1.0 \mu\text{g}/\text{m}^3$, the relative deviation must be $\leq 20\%$.

(D) Pairs of reference method data exceeding these relative deviation criteria should be eliminated from the data set used to develop a mercury CEMS correlation or to assess CEMS relative accuracy.

(vi) Calculate the mean difference between the reference method and CEMS values in the units of $\mu\text{g}/\text{m}^3$, the standard deviation, the confidence coefficient, and the relative accuracy according to the procedures in subrule (7) of this rule.

(f) Reporting. At a minimum, summarize in tabular form the results of the relative deviation tests and the relative accuracy tests or alternative relative accuracy procedure, as appropriate. Include all data sheets, calculations, charts (records of CEMS responses), reference gas concentration certifications, and any other information necessary to confirm that the performance of the CEMS meets the performance criteria.

(6) Analytical procedure. Sample collection and analysis are concurrent (see subrule (5) of this rule). Refer to the reference method

	<p><u>employed for specific analytical procedures.</u></p> <p><u>(7) Calculations and data analysis. Summarize the results on a data sheet similar to performance standard 2 (figure 2-2), as adopted by reference in R 336.2150.</u></p> <p><u>(a) Consistent basis. All data from the reference method and CEMS must be compared in units of $\mu\text{g}/\text{m}^3$, on a consistent and identified moisture basis. Standard temperature and pressure are defined as 20 degrees Celsius and 760 millimeters of mercury, respectively</u></p> <p><u>(i) Moisture correction (as applicable). If the reference method and CEMS measure mercury on a different moisture basis, use the following equation to make the appropriate corrections to the mercury concentrations:</u></p> <p>[See attached equation]</p> <p><u>Where:</u></p> <p><u>Concentration(<i>dry</i>) = Concentration of total vapor-phase mercury on a dry basis, regardless of speciation, ($\mu\text{g}/\text{dscm}$).</u></p> <p><u>Concentration(<i>wet</i>) = Concentration of total vapor-phase mercury on a wet basis, regardless of speciation, ($\mu\text{g}/\text{dscm}$).</u></p> <p><u>B_{ws} = Moisture content of the flue gas from method 4, expressed as a decimal fraction (e.g., for 8.0% water or H_2O, $B_{ws} = 0.08$).</u></p> <p><u>(b) Arithmetic Mean. Calculate the arithmetic mean of the difference of a dataset as follows:</u></p>	
	<p>[See attached equation]</p> <p><u>Where:</u></p>	

d = Arithmetic mean of the difference of a dataset.
 n = Number of data points.
[See attached figure] = Algebraic sum of the individual differences of data points.

(c) Standard Deviation. Calculate the standard deviation as follows:

[See attached equation]

Where:

Sd = Standard deviation of the data sets.

[See attached figure] = Algebraic sum of the individual differences of data points squared.

[See attached figure] = Algebraic sum of the individual differences of data points.

n = Number of data points.

(d) Confidence coefficient. Calculate the 2.5% error confidence coefficient (1-tailed) as follows:

[See attached equation]

CC = Confidence coefficient of percent error.

$t_{0.975}$ = Values given in table 113.

Sd = Standard deviation of the data sets.

\sqrt{n} = Square root of the number of data points.

Table 113

[See attached table]

a Values already corrected for $n-1$ degrees of freedom.

n = Number of individual values.

(e) Relative accuracy. Calculate the relative accuracy of a set of data as follows:

	<p>[See attached equation]</p> <p>Where: <u>RA = Relative accuracy.</u> <u>d = Absolute mean value of the data point differences (from subrule (7)(b)).</u> <u> CC = Absolute value of the confidence coefficient (from subrule (7)(d)).</u> <u>RM = Average reference method value.</u> <u>(8) Method performance.</u> <u>(a) Linearity. Linearity is assessed at zero-level, mid-level and high-level values as given in table 113 using standards for both Hg0 and HgCl2. The mean difference between the indicated CEMS concentration and the reference concentration value for each standard shall be no greater than 5% of the span value.</u> <u>(b) Calibration drift. The calibration drift shall not exceed 5% of the span value on any of the 7 days of the calibration drift test.</u> <u>(c) Relative accuracy. The relative accuracy of the CEMS must be no greater than 10% of the mean value of the reference method test data in terms of units of µg/dscm.</u> <u>Alternatively:</u> <u>(i) If the mean reference method is less than 10.0 µg/dscm, then the relative accuracy of the CEMS must be no greater than 20%, or</u> <u>(ii) If the mean reference method is less than 5.0 µg/m3, the results are acceptable if the absolute value of the difference between the mean reference method and CEMS values does not exceed 1.0 µg/dscm.</u></p> <p>History: 2009 AACS.</p>	
<p>R 336.2170 Monitoring data reporting and recordkeeping.</p>	<p>R 336.2170 Monitoring data reporting and recordkeeping.</p>	

Rule 1170. (1) The owner or operator of any continuous emission monitoring system required by this part shall submit to the department, within 30 days of the end of a calendar quarter, a written report for each calendar quarter which shall include all of the following information:

(a) Excess emissions and the nature and cause of the excess emissions, if known, as follows:

(i) For opacity measurements, the report shall consist of the magnitude, in actual percent opacity, of all 6-minute averages of opacity more than the applicable opacity standard for each hour of operation (all allowable exceptions are to be deducted before determining the excess averages of opacity). Average values shall be obtained by integration over the averaging period or by arithmetically averaging a minimum of 24 equally spaced, instantaneous opacity measurements per 6 minutes.

(ii) For gaseous measurements, the report shall consist of emission averages, in the units of the applicable standard, for each averaging period during which the applicable standard was exceeded.

(b) The date and time identifying each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of repairs or adjustments made.

(c) If the continuous monitoring system has not been inoperative, repaired, or adjusted, and if no excess emissions occurred, a statement attesting to this fact.

(2) The owner or operator of any

Rule 1170. (1) The owner or operator of any continuous emission monitoring system required by this part shall submit to the department, within 30 days of the end of a calendar quarter, a written report for each calendar quarter which shall include all of the following information:

(a) Excess emissions and the nature and cause of the excess emissions, if known, as follows:

(i) For opacity measurements, the report shall consist of the magnitude, in actual percent opacity, of all 6-minute averages of opacity more than the applicable opacity standard for each hour of operation (all allowable exceptions are to be deducted before determining the excess averages of opacity). Average values shall be obtained by integration over the averaging period or by arithmetically averaging a minimum of 24 equally spaced, instantaneous opacity measurements per 6 minutes.

(ii) For gaseous measurements, the report shall consist of emission averages, in the units of the applicable standard, for each averaging period during which the applicable standard was exceeded.

(b) The date and time identifying each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of repairs or adjustments made.

(c) If the continuous monitoring system has not been inoperative, repaired, or adjusted, and if no excess emissions occurred, a statement attesting to this fact.

(2) The owner or operator of any

Rule 1170. This rule is the same in the state and federal versions.

<p>continuous emission monitoring system required by this part shall maintain a file of all information reported in the quarterly reports and all other data collected, either by the continuous monitoring system or as necessary to convert monitoring data to the units of the applicable standard, for a minimum of 2 years from the date of collection of the data or submission of the reports.</p>	<p>continuous emission monitoring system required by this part shall maintain a file of all information reported in the quarterly reports and all other data collected, either by the continuous monitoring system or as necessary to convert monitoring data to the units of the applicable standard, for a minimum of 2 years from the date of collection of the data or submission of the reports.</p> <p>History: 1980 AACS; 2002 AACS.</p>	
<p>R 336.2175 Data reduction procedures for fossil fuel-fired steam generators. Rule 1175. (1) The owner or operator of a fossil fuel-fired steam generator that is subject to the provisions of this part shall convert gaseous emission monitoring data in parts per million to pounds per million Btu's using either of the following procedures: (a) When the owner or operator elects to measure oxygen in the flue gases, the measurements of the pollutant concentration and oxygen concentration shall each be on a consistent basis (wet or dry). When measurements are on a dry basis, the following conversion procedure shall be used: [See attached equation] When measurements are on a wet basis, alternative procedures approved by the department shall be used. (b) When the owner or operator elects to measure carbon dioxide in the flue gases, the measurements of the pollutant concentration and carbon dioxide concentration shall each be on a consistent basis (wet or</p>	<p>R 336.2175 Data reduction procedures for fossil fuel-fired steam generators. Rule 1175. (1) The owner or operator of a fossil fuel-fired steam generator that is subject to the provisions of this part shall convert gaseous emission monitoring data in parts per million to pounds per million Btu's using either of the following procedures: (a) When the owner or operator elects to measure oxygen in the flue gases, the measurements of the pollutant concentration and oxygen concentration shall each be on a consistent basis (wet or dry). When measurements are on a dry basis, the following conversion procedure shall be used: [See attached equation] When measurements are on a wet basis, alternative procedures approved by the department shall be used. (b) When the owner or operator elects to measure carbon dioxide in the flue gases, the measurements of the pollutant concentration and carbon dioxide concentration shall each be on a consistent basis (wet or</p>	<p>Rule 1175. Same, except as noted below.</p>

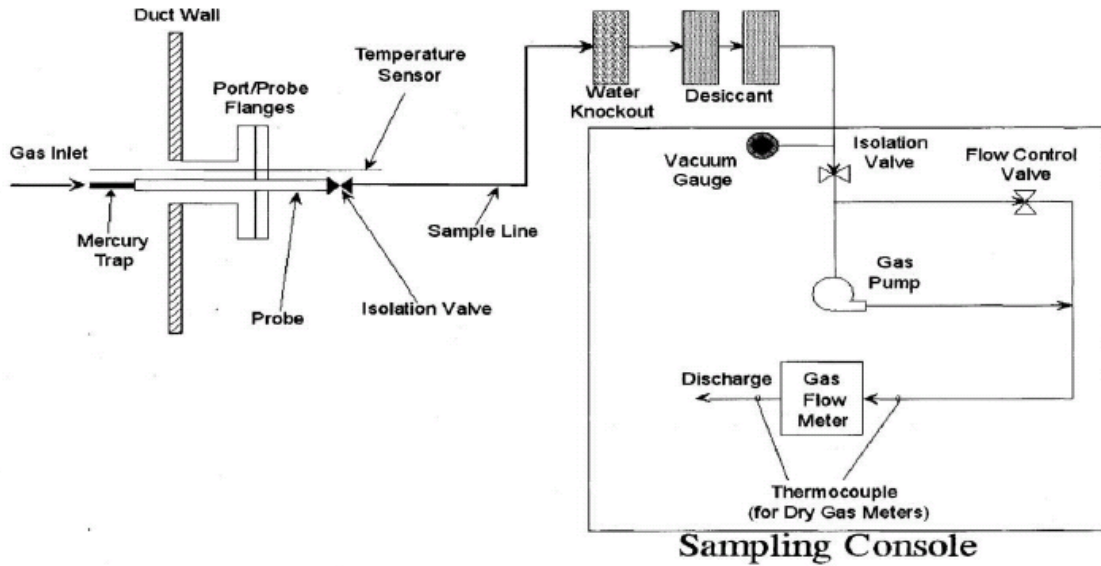
<p>dry) and the following conversion procedure shall be used:</p> <p>[See attached equation]</p> <p>(2) The values used in the equations in subrule (1) of this rule shall be derived as follows:</p> <p>(a) "E" is the pollutant emission in pounds per million Btu's.</p> <p>(b) "C" is the pollutant concentration in pounds per dry standard cubic foot determined by multiplying the average concentration, in parts per million, for each hourly period by $2.59 \times 10^{-9} M$ pounds per dry standard cubic foot per part per million where M is the pollutant molecular weight in pounds per pound mole (M equals 64.07 for sulfur dioxide and 46.01 for oxides of nitrogen).</p> <p>(c) "% O₂" or "% CO₂" is the oxygen or carbon dioxide volume, expressed as percent, determined with equipment required by R 336.2101.</p> <p>(d) "F" or "F_c" is a factor representing a ratio of the volume of dry flue gases generated to the calorific value of the fuel combusted (F) or a factor representing a ratio of the volume of carbon dioxide generated to the calorific value of the fuel combusted (F_c). Values of F and F_c are listed in the standards of performance for new stationary sources, 40 C.F.R.-§60.45(f) (2000).</p>	<p>dry) and the following conversion procedure shall be used:</p> <p>[See attached equation]</p> <p>(2) The values used in the equations in subrule (1) of this rule shall be derived as follows:</p> <p>(a) "E" is the pollutant emission in pounds per million Btu's.</p> <p>(b) "C" is the pollutant concentration in pounds per dry standard cubic foot determined by multiplying the average concentration, in parts per million, for each hourly period by $2.59 \times 10^{-9} M$ pounds per dry standard cubic foot per part per million where M is the pollutant molecular weight in pounds per pound mole (M equals 64.07 for sulfur dioxide and 46.01 for oxides of nitrogen).</p> <p>(c) "% O₂" or "% CO₂" is the oxygen or carbon dioxide volume, expressed as percent, determined with equipment required by R 336.2101.</p> <p>(d) "F" or "F_c" is a factor representing a ratio of the volume of dry flue gases generated to the calorific value of the fuel combusted (F) or a factor representing a ratio of the volume of carbon dioxide generated to the calorific value of the fuel combusted (F_c). Values of F and F_c are listed in the standards of performance for new stationary sources, 40 C.F.R. §60.45(f) (2000).</p> <p>History: 1980 AACS; 1989 AACS; 2002 AACS.</p>	<p>No space in the state SIP.</p>
<p>R 336.2176 Data reduction procedures for sulfuric acid plants. (1/18/80) Rule 1176. The owner or operator of</p>	<p>R 336.2176 Data reduction procedures for sulfuric acid plants. Rule 1176. The owner or operator</p>	<p>No date in the state SIP. Rule 1176. Same, except as</p>

<p>a sulfuric acid plant subject to the provisions of this part shall do both of the following:</p> <p>(a) Establish a conversion factor 3 times daily according to the procedures in standards of performance for new stationary sources, 40 C.F.R. §60.84(b) (July 1, 1978).</p> <p>(b) Multiply the conversion factor by the average sulfur dioxide concentration in the flue gases to obtain the average sulfur dioxide emissions in pounds per short ton.</p>	<p>of a sulfuric acid plant <u>that is</u> subject to the provisions of this part shall do both of the following:</p> <p>(a) Establish a conversion factor 3 times daily according to the procedures in <u>the</u> standards of performance for new stationary sources, 40 C.F.R. <u>§</u>60.84(b) (July 1, 1982).</p> <p>(b) Multiply the conversion factor by the average sulfur dioxide concentration in the flue gases to obtain the average sulfur dioxide emissions in pounds per short ton.</p> <p>History: 1980 AACS; 1989 AACS.</p>	<p>otherwise noted. Editorial changes.</p> <p>Editorial changes.</p> <p>“S” rather than “§” in state SIP. Updated date.</p>
<p>R 336.2189 Alternative data reporting or reduction procedures.</p> <p>Rule 1189. The department may provide approval for alternative data reporting or reduction procedures that do not comply with the requirements of this part if the owner or operator demonstrates, to the satisfaction of the department, that the procedures are at least as accurate as the procedures identified in this part.</p>	<p>R 336.2189 Alternative data reporting or reduction procedures.</p> <p>Rule 1189. The department may provide approval for alternative data reporting or reduction procedures that do not comply with the requirements of this part if the owner or operator demonstrates, to the satisfaction of the department, that the procedures are at least as accurate as the procedures identified in this part.</p> <p>History: 1980 AACS; 2002 AACS.</p>	<p>Rule 1189. Federal and state SIP are the same.</p>
<p>R 336.2190 Monitoring system malfunctions.</p> <p>Rule 1190. The monitoring and reporting requirements of this part shall not apply during any period of monitoring system malfunction if the source owner or operator demonstrates both of the following to the satisfaction of the department:</p> <p>(a) That the cause of the malfunction could not have been avoided by any course of action that could have reasonably been expected of the owner or operator.</p> <p>(b) That the necessary repairs are</p>	<p>R 336.2190 Monitoring system malfunctions.</p> <p>Rule 1190. The monitoring and reporting requirements of this part shall not apply during any period of monitoring system malfunction if the source owner or operator demonstrates both of the following to the satisfaction of the department:</p> <p>(a) That the cause of the malfunction could not have been avoided by any course of action that could have reasonably been expected of the owner or operator.</p> <p>(b) That the necessary repairs are</p>	<p>Rule 1190. Federal and state SIP are the same.</p>

<p>being made as expeditiously as practicable.</p>	<p>being made as expeditiously as practicable.</p> <p>History: 1980 AACS; 2002 AACS.</p>	
<p>R 336.2199. Exemptions from continuous emission monitoring requirements. (1/18/80) Rule 1199. The requirements of rules 1101, 1102, and 1103 do not apply to any of the following:</p> <p>(a) A source subject to a new source performance standard promulgated in standards of performance for new stationary sources, 40 C.F.R. part 60 (July 1, 1978), pursuant to section 111 of the clean air act, as amended, 42 U.S.C. §7413.</p> <p>(b) A source not subject to an applicable emission standard.</p>	<p>R 336.2199 Exemptions from continuous emission monitoring requirements. Rule 1199. The requirements of <u>R 336.2101, R 336.2102, and R 336.2103</u> do not apply to either of the following:</p> <p>(a) A source subject to a new source performance standard promulgated in the standards of performance for new stationary sources, <u>30</u> C.F.R. part 60 (July 1, <u>1982</u>), pursuant to section 111 of the clean air act <u>of 1963</u>, as amended, 42 U.S.C. <u>7411</u>.</p> <p>(b) A source is not subject to an applicable emission standard.</p> <p>History: 1980 AACS; 1989 AACS; 1997 AACS.</p>	<p>No date in state SIP. Rule 1199. Same, except as noted. Rules cited differently.</p> <p>Different federal regulations cited in state and federal SIP. Date updated. Date added to Clean Air Act. Unconstitutional section cited in federal SIP; different section cited in state SIP.</p>

SIP Part 11 Figures and Equations

R 336.2158



QA/QC Test Or Specification	Acceptance Criteria	Frequency	Consequences If Not Met
Pre-test leak check	$\leq 4\%$ of target sampling rate.	Prior to sampling.	Sampling shall not commence until the leak check is passed.
Post-test leak check	$\leq 4\%$ of average sampling rate.	After sampling.	** See note below.
Ratio of stack gas flow rate to sample flow rate	Not more than 5% of the hourly ratios or 5 hourly ratios (whichever is less restrictive) may deviate from the reference ratio by more than $\pm 25\%$.	Every hour throughout data collection period.	** See note below.
Sorbent trap section 2 break-through	$\leq 5\%$ of section 1 mercury mass.	Every sample.	** See note below.
Paired sorbent trap agreement	$\leq 10\%$ relative deviation if the average concentration is > 1.0 microgram per cubic meter ($\mu\text{g}/\text{m}^3$). $\leq 20\%$ relative deviation if the average concentration is ≤ 1.0 $\mu\text{g}/\text{m}^3$. Results are also acceptable if absolute difference between concentrations from paired traps is ≤ 0.03 $\mu\text{g}/\text{m}^3$.	Every sample.	Either invalidate the data from the paired traps or report the results from the trap with the higher mercury concentration.
Spike recovery study	Average recovery between 85% and 115% for each of the 3 spike concentration levels.	Prior to analyzing field samples and prior to use of new sorbent media.	Field samples shall not be analyzed until the percent recovery criteria have been met.
Multipoint analyzer calibration	Each analyzer reading within $\pm 10\%$ of true value and $r^2 \geq 0.99$.	On the day of analysis, before analyzing any samples.	Recalibrate until successful.
Analysis of independent calibration standard	Within $\pm 10\%$ of true value	Following daily calibration, prior to analyzing field samples.	Recalibrate and repeat independent standard analysis until successful.
Spike recovery from section 3 of sorbent trap	75–125% of spike amount.	Every sample.	** See note below.
RATA	Relative accuracy $\leq 20.0\%$ or mean difference ≤ 1.0	For initial certification	Data from the system are invalidated until a

QA/QC Test Or Specification	Acceptance Criteria	Frequency	Consequences If Not Met
	µg/dscm for low emitters.	and annually thereafter.	RATA is passed.
Gas flow meter calibration	Calibration factor (Y) within ± 5% of average value from the most recent 3-point calibration.	At 3 settings prior to initial use and at least quarterly at 1 setting thereafter. For mass flow meters, initial calibration with stack gas is required.	Recalibrate the meter at 3 orifice settings to determine a new value of Y.
Temperature sensor calibration	Absolute temperature measured by sensor within ± 1.5% of a reference sensor.	Prior to initial use and at least quarterly thereafter.	Recalibrate. Sensor may not be used until specification is met.
Barometer calibration	Absolute pressure measured by instrument within ± 10 millimeters of mercury of reading with a mercury barometer.	Prior to initial use and at least quarterly thereafter.	Recalibrate. Instrument may not be used until specification is met.
<p>**Note: If both traps fail to meet the acceptance criteria, the data from the pair of traps are invalidated. However, if only 1 of the paired traps fails to meet this particular acceptance criterion and the other sample meets all of the applicable QA criteria, the results of the valid trap may be used for reporting under this part, provided that the measured mercury concentration is multiplied by a factor of 1.111.</p>			

$$R_{ref} = \frac{K Q_{ref}}{F_{ref}}$$

Where:

- R_{ref} = Reference ratio of hourly stack gas flow rate to hourly sample flow rate.
- K = Power of 10 multiplier, to keep the value of R_{ref} between 1 and 100. The appropriate K value will depend on the selected units of measure for the sample flow rate.
- Q_{ref} = Average stack gas volumetric flow rate for first hour of collection period, standard cubic foot per hour (scfh).
- F_{ref} = Average sample flow rate for first hour of the collection period, in appropriate units (for example, Liter per minute (L/min), cubic centimeter per minute (cc/min), dry standard cubic meter per minute (dscm/min)).

$$R_h = \frac{K Q_h}{F_h}$$

Where:

R_h = Ratio of hourly stack gas flow rate to hourly sample flow rate.

K = Power of 10 multiplier, to keep the value of R_h between 1 and 100. The appropriate K value will depend on the selected units of measure for the sample flow rate and the range of expected stack gas flow rates. Maintain the value of R_h within $\pm 25\%$ of R_{ref} throughout the data collection period.

Q_h = Average stack gas volumetric flow rate for the hour, (scfh).

F_h = Average sample flow rate for the hour, in appropriate units (for example, L/min, cc/min, dscm/min).

$$\%R = \frac{M_3}{M_s} 100$$

Where:

$\%R$ = Percentage recovery of the pre-sampling spike.

M_3 = Mass of mercury recovered from section 3 of the sorbent trap, (μg).

M_s = Calculated mercury mass of the pre-sampling spike, subrule(4)(a)(ii) of this rule,

(μg).



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$$\%B = \frac{M_2}{M_1} 100$$

Where:

%B = Percent breakthrough.

M₂ = Mass of mercury recovered from section 2 of the sorbent trap, (µg).

M₁ = Mass of mercury recovered from section 1 of the sorbent trap, (µg).

(f) Calculation of mercury concentration. Calculate the mercury concentration for each sorbent trap, using the following equation:

$$C = \frac{M^*}{V_t}$$

Where:

C = Concentration of mercury for the collection period, (µg/dscm).

M* = Total mass of mercury recovered from sections 1 and 2 of the sorbent trap, (µg).

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V_t = Total volume of dry gas metered during the collection period, (dscm). Standard temperature and pressure are defined as 20 degrees Celsius and 760 millimeters of mercury, respectively.

$$RD = \frac{|C_a - C_b|}{C_a + C_b} 100$$

Where:

RD = Relative deviation between the mercury concentrations from traps a and b, (percent).

C_a = Concentration of mercury for the collection period, for sorbent trap a, (µg/dscm).

C_b = Concentration of mercury for the collection period, for sorbent trap b, (µg/dscm).

R 336.2161

	Date	Time	Reference Gas Value µg/m ³	CEMS Measured Value µg/m ³	Absolute Difference	CE (% of Span Value)
Zero Level						
Mid Level						
High Level						

$$RD = \frac{|C_a - C_b|}{C_a + C_b} * 100$$

$$\text{Concentration}_{(dry)} = \frac{\text{Concentration}_{(wet)}}{(1 - B_{ws})}$$

$$\bar{d} = \frac{1}{n} \sum_{i=1}^n d_i$$

$$\sum_{i=1}^n d_i$$

$$S_d = \left[\frac{\sum_{i=1}^n d_i^2 - \left[\frac{\sum_{i=1}^n d_i}{n} \right]^2}{n - 1} \right]^{1/2}$$

$$\sum_{i=1}^n d_i^2$$

$$\sum_{i=1}^n d_i$$

$$CC = t_{0.975} \frac{S_d}{\sqrt{n}}$$

t Values

n ^a	t _{0.975}
2	12.706
3	4.303
4	3.182
5	2.776
6	2.571
7	2.447
8	2.365
9	2.306
10	2.262
11	2.228
12	2.201
13	2.179
14	2.160
15	2.145
16	2.131

^a Values already corrected for n-1 degrees of freedom.

n = Number of individual values.

$$RA = \frac{[|\bar{d}| + |CC|]}{RM} * 100$$

R 336.2175

$$E = CF \left(\frac{20.9}{20.9 - \%O_2} \right)$$

$$E = CF_c \left(\frac{100}{\%CO_2} \right)$$

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART : 14
CLEAN CORPORATE CITIZEN PROGRAM**

FINAL DRAFT last reviewed/edited by KMD on April 20, 2013

Approved SIP	Rules Implemented by State of Michigan	Comments
There is no corresponding SIP	R 336.2401 Rescinded. History: 1997 AACS; 1998-2000 AACS	There is no federal SIP for any of the MI rules in this part.
	R 336.2402 Rescinded. History: 1997 AACS; 1998-2000 AACS.	
	R 336.2403 Rescinded. History: 1997 AACS; 1998-2000 AACS.	
	R 336.2404 Rescinded. History: 1997 AACS; 1998-2000 AACS.	
	R 336.2405 Rescinded. History: 1997 AACS; 1998-2000 AACS.	
	R 336.2406 Rescinded. History: 1997 AACS; 1998-2000 AACS.	
	R 336.2407 Rescinded. History: 1997 AACS; 1998-2000 AACS.	
	R 336.2408 Rescinded. History: 1997 AACS; 1998-2000 AACS.	
	R 336.2409 Rescinded. History: 1997 AACS; 1998-2000 AACS.	

	<p>R 336.2412 Rescinded.</p> <p>History: 1997 AACS; 1998-2000 AACS.</p>	
	<p>R 336.2413 Waivers to commence construction and operation.</p> <p>Rule 1413. (1) Before the approval of a permit to install required pursuant to these rules, a clean corporate citizen may request a department waiver to proceed with construction and, if desired, operation of process or process equipment at an existing stationary source. The request for a waiver shall be in writing, shall be accompanied by an administratively complete application for a permit to install, shall not include proposed process or process equipment prohibited by federal requirements from commencing construction or operation before issuance of an approved permit, and shall be signed by the owner or the owner's authorized agent. The request for a waiver shall be automatically approved 15 calendar days after receipt of the request and required information, unless, within the 15-calendar-day period, either the request is denied in writing for cause by the department or an extension of up to 15 additional calendar days is specified in writing by the department. If the time period is extended, the request for a waiver shall be automatically approved at the end of the extended time period, unless the request for a waiver is denied by the department within the extended time period.</p> <p>(2) If a waiver is approved, the clean corporate citizen applicant shall</p>	

	<p>comply with all of the following provisions:</p> <p>(a) Submit all pertinent information, including plans and specifications, necessary for a technically complete application for a permit to install as soon as is reasonably practical.</p> <p>(b) Be authorized to proceed to construct and operate the process or process equipment according to the terms of the approved waiver at the applicant's own risk.</p> <p>(c) Comply with all federal, state, and local air quality requirements applicable to the process or process equipment covered by the approved waiver at all times. The applicable requirements may include, but not be limited to, any of the following:</p> <ul style="list-style-type: none">(i) Emissions limitations.(ii) Operation limitations.(iii) Fuel limitations.(iv) Emissions testing.(v) Continuous emissions monitoring.(vi) Notifications.(vii) Recordkeeping. <p>Operation of the process or process equipment under a waiver does not relieve the applicant from enforcement for violations of the requirements.</p> <p>(3) The term of the initial waiver shall be for the period requested, but not more than 1 year from the date the request is received by the department. After a waiver to construct or operate is approved pursuant to subrule (1) of this rule, the clean corporate citizen permit applicant may apply for 1 extension to the term of the initial waiver. A waiver extension application shall be in writing, shall state the reasons for the need of the extension, shall be submitted not later than 30 days</p>	
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before the end of the term of the initial waiver, and shall be signed by the owner or the owner's authorized agent. The waiver extension application shall be acted upon by the department within 30 days of receipt of the extension application. The term of the extension shall be that approved by the department, but the total term of the initial waiver and extension shall not be more than 18 months.

(4) A waiver approved pursuant to subrule (1) of this rule shall be revoked by the department for cause, including, but not limited to, the termination of the permit applicant's clean corporate citizen designation or a finding by the department of noncompliance with applicable state or federal air quality requirements related to the process or process equipment, exclusive of the state requirement to obtain an approved permit prior to construction or operation of the process. The applicant shall have an opportunity to present information to the department before a revocation action is taken. A waiver revocation shall be in writing by the department. There is no formal appeal of the department's revocation decision.

(5) A clean corporate citizen may operate a process or process equipment pursuant to a waiver to operate approved pursuant to subrule (1) of this rule until 1 of the following occurs:

(a) The permit to install for the process or process equipment is approved, at which time the waivers approved pursuant to subrule (1) of this rule become void.

	<p>(b) The term of the approved waiver and extension, if applicable, expires.</p> <p>(c) The permit for the process or process equipment is denied, at which time the waivers approved pursuant to subrule (1) of this rule become void.</p> <p>(d) The waiver is revoked by the department.</p> <p>(6) The department shall deny a permit to install after a waiver has been granted or approved pursuant to subrule (1) of this rule if the information, including plans and specifications, provided by the applicant shows that cause exists for denial pursuant to section 5510 of the act or if the applicant has not provided the information necessary for a technically complete application in a timely manner. An appeal of a denial shall be made pursuant to section 5505(8) of the act.</p> <p>History: 1997 AACS.</p>	
	<p>R 336.2414 Processing of clean corporate citizen permit applications.</p> <p>Rule 1414. (1) A clean corporate citizen may request that the department process an application for a permit to install in accordance with the process set forth in this rule.</p> <p>(2) A clean corporate citizen who requests processing of an application for a permit to install pursuant to this rule shall include all of the following in the application:</p> <p>(a) The information required by R 336.1203 and other applicable rules.</p> <p>(b) The identification of all state rules and federal regulations applicable to the proposed process or process equipment.</p>	

	<p>(c) An analysis that demonstrates that the process or process equipment covered by the application will comply with the applicable requirements. A summary of the analysis shall be provided on a form provided by the department.</p> <p>(d) An analysis of the applicable control technology requirements, such as best available control technology, best available control technology for toxics, and maximum achievable control technology. Process or control technologies that have been considered and rejected as part of the control technology assessment shall be identified.</p> <p>(e) A draft permit.</p> <p>(f) A certification as to the completeness and adequacy of the control technology analysis.</p> <p>(g) Certification by a responsible official of the completeness and accuracy of the application.</p> <p>(h) For draft permits that are subject to public notification, a draft staff report and draft public notice that are in writing and on a computer diskette in a format specified by the department.</p> <p>(3) Except as provided in subrule (4) of this rule, the department shall notify the clean corporate citizen applicant, in writing, of approval or denial of an application for a permit to install within 30 days after receipt of the application and information required by subrule (1) of this rule, except that the 30-day period may be extended by the department with agreement by the applicant in order to address issues with the applicant that would otherwise make the permit unapprovable.</p> <p>(4) If the clean corporate citizen</p>	
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	<p>permit application is subject to public notice requirements under state or federal law, then the department will publish the required notice within 30 days of receipt of the application and information required by subrule (1) of this rule. The department shall notify the applicant, in writing, of approval or denial of an application for a permit to install within 10 calendar days after the conclusion of the public hearing or comment period, whichever is later, except that the 10-day period may be extended by the department if substantial new issues are raised during the comment period or hearing. History: 1997 AACS.</p>	
	<p>R 336.2415 Plantwide applicability limit permit for clean corporate citizen. (5/13/97)</p> <p>Rule 1415. (1) A clean corporate citizen may request that the department issue a plantwide applicability limit permit that establishes a federally enforceable emissions cap for 1 or more pollutants at an existing stationary source pursuant to this rule.</p> <p>(2) For a clean corporate citizen, the department may, after notice and opportunity for public participation pursuant to section 5516 of the act, issue a plantwide applicability limit permit to install which includes terms and conditions necessary to assure compliance with applicable air quality regulations at the stationary source and which allows the clean corporate citizen to undertake changes, without a permit to install, as long as compliance with the plantwide applicability limit permit is maintained.</p>	

(3) A clean corporate citizen may request that the plantwide applicability limit permit establish an emissions cap set equal to actual emissions plus the significant emissions for each pollutant being considered in the plantwide applicability limit application. Alternatively, the plantwide applicability limit permit may, at the request of a clean corporate citizen, establish an emissions cap set equal to existing allowable emissions, if the levels of the emissions are consistent with state and federal requirements.

(4) In addition to the information required by R 336.1203 and other applicable rules, an application for a plantwide applicability limit permit pursuant to this rule shall include all of the following information:

- (a) Identification of all past technology determinations that are the basis for existing emission and operation limitations at the stationary source.
- (b) Identification of the plantwide applicability limit requested and supporting documentation for both the point and fugitive emissions to be included in the plantwide applicability limit permit.
- (c) For a plantwide applicability limit permit based on existing allowable emissions, identification of all emissions offsets previously provided for the stationary source.
- (d) The proposed recordkeeping, monitoring, and reporting that would be used to demonstrate compliance with the emissions cap and any individual technology limitations that are to be maintained within the plantwide applicability limit permit.

	<p>(e) A proposed periodic review process that describes the mechanism for making adjustments to the plantwide applicability limit permit limits for cause. An example of cause is a new applicable requirement.</p> <p>(f) The proposed procedure to be followed to ensure a clean corporate citizen does not modify the stationary source to exceed the emissions cap in the plantwide applicability limit permit.</p> <p>(g) The proposed procedure to ensure that a clean corporate citizen does not modify the stationary source to cause or contribute to violations of the national ambient air quality standards.</p> <p>(5) The department shall not approve a plantwide applicability limit permit to install unless the conditions in R 336.1207(a) to (f) are met and the plantwide applicability limit permit provides for all of the following:</p> <p>(a) A requirement that the clean corporate citizen notify the department of the commencement of construction and operation for either of the following for which a permit to install is not required pursuant to the plantwide applicability limit permit:</p> <p>(i) A source subject to standards of performance for new stationary sources or national emission standards for hazardous air pollutants.</p> <p>(ii) A source that has the potential to emit more than 50% of the prevention of significant deterioration significance level.</p> <p>(b) A requirement that, before the addition of new process or process equipment, other than process or</p>	
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	<p>process equipment exempted by R 336.1279 through R 336.1290, a clean corporate citizen shall determine that the proposed new process or process equipment is in compliance with the provisions of R 336.1230.</p> <p>(c) A requirement that a clean corporate citizen is not relieved of the responsibility of complying with applicable control technology requirements.</p> <p>(d) Limits on a pollutant-specific basis and limits on other air contaminants that are not included in the emissions cap.</p> <p>(e) Recordkeeping, monitoring, and reporting requirements necessary to assure compliance with the plantwide applicability limit permit.</p> <p>(f) A future review of the plantwide applicability limit permit and the conditions that could affect the limit or limits.</p> <p>(g) A requirement that a clean corporate citizen shall comply with all applicable air quality regulations, except for the requirement to obtain a permit to install pursuant to R 336.1201.</p> <p>(h) A provision for reopening the terms and conditions of a plantwide applicability limit permit if a clean corporate citizen's designation is terminated pursuant to R 336.2409.</p> <p>History: 1997 AACS.</p>	
	<p>R 336.2420 Rescinded.</p> <p>History: 1997 AACS; 1998-2000 AACS.</p>	

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART :15
EMISSION LIMITATIONS AND PROHIBITIONS-MERCURY**

FINAL DRAFT #1 last reviewed/edited by KMD on February 7, 2013

Approved SIP	Rules Implemented by State of Michigan	Comments
There is no corresponding SIP	<p>R 336.2501 Definitions.</p> <p>Rule 1501. The following definitions apply to terms used in this part:</p> <p>(a) "Affected EGU" means any stationary coal-fired electric generating unit serving at any time, since the start-up of a unit's combustion chamber, a generator with nameplate capacity of more than 25 megawatts producing electricity for sale.</p> <p>(b) "Alternative mercury designated representative" means either of the following:</p> <p>(i) For an affected EGU, the person who is authorized by the owner and operator to act on behalf of the mercury designated representative in matters pertaining to the rules under the mercury program.</p> <p>(ii) For the department, the person who is authorized on behalf of the mercury designated representative in matters pertaining to the rules under the mercury program.</p> <p>(c) "Automated data acquisition and handling system" or "DAHS" means that component of the continuous emission monitoring system (CEMS), or other emissions monitoring system approved for use by the department, designed to interpret and convert individual</p>	There is no federal SIP for any of the MI rules in this part.

	<p>output signals from pollutant concentration monitors, flow monitors, diluent gas monitors, and other component parts of the monitoring system to produce a continuous record of the measured parameters in the measurement units for mercury.</p> <p>(d) "Boiler" means an enclosed fossil fuel-fired or other fuel-fired combustion device used to produce heat and to transfer heat to recirculating water, steam, or other medium.</p> <p>(e) "Bottom-cycling cogeneration unit" means a cogeneration unit in which the energy input to the unit is first used to produce useful thermal energy and at least some of the reject heat from the useful thermal energy application or process is then used for electricity production.</p> <p>(f) "Coal" means any solid fuel classified as anthracite, bituminous, subbituminous, or lignite by the American society of testing and materials (ASTM) standard specification for classification of coals by rank D388-77, 90, 91, 95, 98a, or 99.</p> <p>(g) "Coal-derived fuel" means any fuel (whether in a solid, liquid, or gaseous state) produced by the mechanical, thermal, or chemical processing of coal.</p> <p>(h) "Coal-fired" means combusting any amount of coal or coal-derived fuel, alone or in combination with any amount of any other fuel, during any year.</p> <p>(i) "Coal-fired electric utility steam generating unit" means an electric utility steam generating unit that burns coal, coal refuse, or a synthetic gas derived from coal either exclusively, in any</p>	
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combination together, or in any combination with other fuels in any amount.

(j) "Cogeneration unit" means a stationary, fossil fuel-fired boiler doing both of the following:

(i) Having equipment used to produce electricity and useful thermal energy for industrial, commercial, heating, or cooling purposes through the sequential use of energy; and

(ii) Producing during the 12-month period starting on the date the unit first produces electricity and during any calendar year after the calendar year in which the unit first produces electricity:

(A) For a topping-cycle cogeneration unit, both of the following apply:

(1) Useful thermal energy not less than 5% of total energy output.

(2) Useful power that, when added to 1/2 of useful thermal energy produced, is not less than 42.5% of total energy input from fossil fuel, if useful thermal energy produced is 15% or more of total energy output, or not less than 45% of total energy input from fossil fuel, if useful thermal

energy produced is less than 15% of total energy output.

(B) For a bottoming-cycle cogeneration unit, useful power not less than 45% of total energy input from fossil fuel.

(iii) Provided that the total energy input under paragraphs (ii)(A)(2) and (ii)(B) of this rule shall equal the unit's total energy input from all fuel except biomass if the unit is a boiler.

(k) "Combustion turbine" means both of the following:

(i) An enclosed device comprising a compressor, a combustion, and a turbine and in which the flue gas resulting from the combustion of fuel in the combustion passes through the turbine, rotating the turbine.

(ii) If the enclosed device under paragraph (i) of this rule is combined cycle, any associated heat recovery steam generator and steam turbine.

(l) "Commence operation" means to have begun any mechanical, chemical, or electronic process, including, with regard to a unit, start-up of a unit's combustion chamber.

(m) "Common stack" means a single flue through which emissions from 2 or more units are exhausted.

(n) "Compliance year" means the 12-month rolling time period for which a mercury emission limit is in effect.

(o) "Continuous emission monitoring system" or "CEMS" means the equipment required to sample, analyze, measure, and provide, by means of readings recorded at least once every 15 minutes, using an automated data acquisition and handling system (DAHS), a permanent record of mercury emissions, stack gas volumetric flow rate, stack gas moisture content, and oxygen or carbon dioxide concentration, as applicable. The following systems are the principal types of CEMS:

(i) A flow monitoring system, consisting of a stack flow rate monitor and an automated data acquisition and handling system and providing a permanent, continuous record of stack gas volumetric flow

rate, in units of standard cubic feet per hour (scfh).

(ii) A mercury concentration monitoring system, consisting of a mercury pollutant concentration monitor and an automated data acquisition and handling system and providing a permanent, continuous record of mercury emissions in units of micrograms per dry standard cubic meter ($\mu\text{g}/\text{dscm}$).

(iii) A moisture monitoring system, as defined in 40 C.F.R. §75.11(b)(2), adopted by reference in R 336.1802a, and providing a permanent, continuous record of the stack gas moisture content, in percent water.

(iv) A carbon dioxide monitoring system, consisting of a carbon dioxide concentration monitor (or an oxygen monitor plus suitable mathematical equations from which the carbon dioxide concentration is derived) and an automated data acquisition and handling system and providing a permanent, continuous record of carbon dioxide emissions, in percent carbon dioxide.

(v) An oxygen monitoring system, consisting of an oxygen concentration monitor and an automated data acquisition and handling system and providing a permanent, continuous record of oxygen, in percent oxygen.

(p) "Electric generating unit" or "EGU" means the following:

(i) Except as provided in paragraph (ii) of this rule, a stationary, fossil fuel-fired boiler or stationary, fossil fuel-fired combustion turbine serving at any time, since the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25

megawatts producing electricity for sale.

(ii) For a unit that qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity and continues to qualify as a cogeneration unit, a cogeneration unit serving at any time a generator with nameplate capacity of more than 25 megawatts and supplying in any calendar year more than 1/3 of the unit's potential electric output capacity or 219,000 megawatt-hour, whichever is greater, to any utility power distribution system for sale. If a unit qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity but subsequently no longer qualifies as a cogeneration unit, then the unit shall be subject to paragraph (i) of this rule starting on the day on which the unit first no longer qualifies as a cogeneration unit.

(q) "Existing EGU" means an affected EGU constructed or reconstructed on or before January 30, 2004, and is therefore not a new EGU.

(r) "Generator" means a device that produces electricity.

(s) "Gross electric output" means electricity made available for use, including any electricity used in the power production process, which process includes, but is not limited to, any on-site processing or treatment of fuel combusted at the unit and any on-site emission controls.

(t) "Heat input rate" means the amount of heat input (in million British thermal units) divided by unit operating time (in hours) or,

with regard to a specific fuel, the amount of heat input attributed to the fuel (in million British thermal units) divided by the unit operating time (in hours) during which the unit combusts the fuel.

(u) "Input mercury" means the amount of mercury that is contained in the coal, coal-derived fuel, and any other fuel combusted within an electric generating unit.

(v) "Maximum design heat input" means, starting from the initial installation of a unit, the maximum amount of fuel per hour (in Btu/hour)

that a unit is capable of combusting on a steady-state basis as specified by the manufacturer of the unit, or, starting from the completion of any subsequent physical change in the unit resulting in a decrease in the maximum amount of fuel per hour (in Btu per hour, Btu/hour) that a unit is capable of combusting on a steady-state basis, such decreased maximum amount as specified by the person conducting the physical change.

(w) "Mercury designated representative" means either of the following:

(i) For an affected EGU, the person who is authorized by the owner and operator to represent, certify, and legally bind each owner and operator in matters pertaining to the rules under the mercury program.

(ii) For the department, the person who is authorized to represent, certify, and legally bind the department in matters pertaining to the rules under the mercury program.

(x) "Mercury emission control" means equipment installed

	<p>exclusively to decrease the emissions of mercury from an affected EGU.</p> <p>(y) "Mercury pretreatment credit" means the percent of mercury removed due to coal washing or cleaning under R 336.2505.</p> <p>(z) "Michigan mercury permit" means the permit required for affected existing EGUs and new EGUs subject to this part. The permit shall be administered in accordance with R 336.1214 and shall be incorporated into the renewable operating permit as an attachment.</p> <p>(aa) "Monitoring system" means any monitoring system, including a continuous emissions monitoring system, an alternative monitoring system, or an excepted monitoring system approved by the department.</p> <p>(bb) "Multi-pollutant compliance demonstration project" means an emission control strategy that achieves significant reductions or that maintains significant reductions in oxides of nitrogen, sulfur dioxide, and mercury using acceptable emission control equipment such as, but not limited to, selective catalytic reduction which is expected to achieve 85 to 90% reduction in oxides of nitrogen and flue gas desulfurization which is expected to achieve 85 to 95% reduction in sulfur dioxide.</p> <p>(cc) "Nameplate capacity" means starting from the initial installation of a generator, the maximum electrical generating output (in megawatts) that the generator is capable of producing on a steady-state basis and during continuous operation, when not restricted by seasonal or other derates, as</p>	
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specified by the manufacturer of the generator or, starting from the completion of any subsequent physical change in the generator resulting in an increase in the maximum electrical generating output (in megawatts) that the generator is capable of producing on a steady-state basis and during continuous operation, when not restricted by seasonal or other derates, such increased maximum amount as specified by the person conducting the physical change.

(dd) "New EGU" means an affected EGU constructed or reconstructed after January 30, 2004.

(ee) "Operator" means any person who operates, controls, or supervises an EGU or a stationary source with 1 or more EGUs and shall include, but not be limited to, any holding company, utility system, or plant manager of such unit or stationary source.

(ff) "Output-based emissions standard" means a maximum allowable rate of emissions of mercury per unit of gross electric output from an electric generating unit.

(gg) "Owner" means any of the following persons with regard to an affected EGU or an affected EGU at a stationary source, respectively:

(i) Any holder of any portion of the legal or equitable title in an affected EGU at the stationary source or an affected EGU.

(ii) Any holder of a leasehold interest in an affected EGU at the stationary source or an affected EGU.

(hh) "Reference method" means any direct test method of sampling and analyzing for an air pollutant.

	<p>(ii) "Retired unit" means any EGU that has permanently been disabled and no longer has the ability to generate electricity. For the unit to re-start operations, it shall undergo new source review under R 336.1201.</p> <p>(jj) "Sequential use of energy" means either of the following:</p> <p>(i) For a topping-cycle cogeneration unit, the use of reject heat from electricity production in a useful thermal energy application or process.</p> <p>(ii) For a bottoming-cycle cogeneration unit, the use of reject heat from useful thermal energy application or process in electricity production.</p> <p>(kk) "Source-wide averaging" means the average of all mercury emissions from 2 or more affected EGUs at a single stationary source is less than or equal to the average of the mercury emission limits for the affected EGUs at the stationary source that are participating in averaging.</p> <p>(ll) "Source-wide pooling" means the sum of all mercury emissions from 2 or more affected EGUs at a single stationary source is less than or equal to the sum of the mercury emission limits for the affected EGUs at the stationary source that are participating in pooling.</p> <p>(mm) "Submit" means to send or transmit a document, information, or correspondence to the person specified according to the applicable regulation by any of the following:</p> <p>(i) In person.</p> <p>(ii) By United States Postal Service.</p> <p>(iii) By other means of dispatch or transmission and delivery.</p> <p>Compliance with any "submission"</p>	
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	<p>deadline shall be determined by the date of dispatch, transmission, or mailing and not the date of receipt.</p> <p>(nn) "Topping-cycle cogeneration unit" means a cogeneration unit in which the energy input to the unit is first used to produce useful power, including electricity, and at least some of the reject heat from the electricity production is then used to provide useful thermal energy.</p> <p>(oo) "Total energy input" means, with regard to a cogeneration unit, total energy of all forms supplied to the cogeneration unit, excluding energy produced by the cogeneration unit itself.</p> <p>(pp) "Total energy output" means, with regard to a cogeneration unit, the sum of useful power and useful thermal energy produced by the cogeneration unit.</p> <p>(qq) "Unit" means a stationary coal-fired boiler or a stationary coal-fired combustion turbine.</p> <p>(rr) "Unit operating day" means a calendar day in which a unit combusts any fuel.</p> <p>(ss) "Unit operating hour or hour of unit operation" means an hour in which a unit combusts any fuel.</p> <p>(tt) "Useful power" means, with regard to a cogeneration unit, electricity or mechanical energy made available for use, excluding any such energy used in the power production process, which includes any on-site processing or treatment of fuel combusted at the unit and any on-site emission controls.</p> <p>(uu) "Useful thermal energy" means, with regard to a cogeneration unit, thermal energy that is made available to an industrial or commercial process, not a power production process, excluding any</p>	
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	<p>heat contained in condensate return or makeup water, and is 1 or both of the following:</p> <p>(i) Used in a heat application, for example, space heating or domestic hot water heating; or</p> <p>(ii) Used in a space cooling application, for example, thermal energy used by an absorption chiller.</p> <p>(vv) "Utility power distribution system" means the portion of an electricity grid owned or operated by a utility and dedicated to delivering electricity to customers.</p> <p>(ww) "Very low mass emitting unit" or "VLME unit" means an existing EGU that is limited to 9 pounds or less of mercury per 12-month rolling time period.</p> <p>History: 2009 AACS.</p>	
	<p>R 336.2502 Adoptions by reference.</p> <p>Rule 1502. The following ASTM methods are adopted in these rules by reference. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at the cost at the time of adoption of these rules (AQD price). Copies may also be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959; the ASTM website at www.astm.org; or email customer service at service@astm.org; at a cost as of the time of adoption of these rules (ASTM price) as follows:</p> <p>(a) ASTM D3173-03 (2008),</p>	

	<p>"Standard Test Method for Moisture in the Analysis Sample of Coal and Coke," AQD price \$41.00; ASTM price \$31.00.</p> <p>(b) ASTM D3684-01 (2006), "Standard Test Method for Total Mercury in Coal by the Oxygen Bomb Combustion/Atomic Absorption Method," AQD price \$41.00; ASTM price \$31.00.</p> <p>(c) ASTM D4840-99 (reapproved 2004), "Standard Guide for Sampling Chain-of-Custody Procedures," AQD price \$53.20; ASTM price \$43.20.</p> <p>(d) ASTM D5865-07a, "Standard Test Method for Gross Calorific Value of Coal and Coke," AQD price \$52.00; ASTM price \$42.00.</p> <p>(e) ASTM D6414-01 (2006), "Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by Acid Extraction or Wet Oxidation/Cold Vapor Atomic Absorption," AQD price \$46.00; ASTM price \$36.00.</p> <p>(f) ASTM D6784-02, "Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method)," AQD price \$52.00; ASTM price \$42.00.</p> <p>(g) ASTM D6911-03 "Standard Guide for Packaging and Shipping Environmental Samples for Laboratory Analysis," AQD price \$46.00; ASTM price \$36.00.</p> <p>History: 2009 AACS.</p>	
	<p>R 336.2503 Mercury emission standards for electric generating units.</p> <p>Rule 1503. (1) Effective January 1, 2015, an affected existing EGU as defined in this part shall meet either</p>	

of the following, except as provided for in R 336.2514:

(a) A minimum of 90% reduction from baseline input mercury levels as determined under R 336.2505 on a 12-month rolling average basis as determined at the end of each calendar month.

(b) An output-based emission standard of 0.008 pounds of mercury per gigawatts-hour on a 12-month rolling average basis as determined at the end of each calendar month.

(2) As an alternative to the provisions in subrule (1) of this rule, a multi-pollutant compliance demonstration project for an existing EGU may be implemented. This shall at minimum include the following:

(a) The mercury designated representative of an existing EGU shall submit a multi-pollutant compliance demonstration project plan not later than the end of June, 2 years before the applicable compliance year. The plan shall include, at a minimum, a description of the multi-pollutant emission controls, multi-pollutant emissions data, multi-pollutant emissions reductions, and compliance schedules.

(b) The plan shall be subject to the review and approval of the department. Department approval of an alternative mercury emission standard shall be based on the information submitted. To be approved, the multi-pollutant compliance demonstration project plan must establish a minimum of 75% reduction from baseline input mercury levels on a 12-month rolling average basis as determined

at the end of each calendar month for the individual EGU. If the department determines the plan does not meet the definition of a multi-pollutant compliance demonstration project, then the department will make a determination on the plan in writing. If the plan is unacceptable, the department will state the reasons for disapproval and require the existing EGU to comply with the provisions of subrule (1) of this rule.

(3) An existing EGU that is limited to emit 9 pounds (144 ounces) of mercury per 12-month rolling time period as determined at the end of each calendar month as a VLME unit shall be excluded from the provisions in subrule (1) of this rule, provided an alternative compliance demonstration project meeting the criteria of R 336.2513 is implemented. A maximum of 3 existing EGUs at the same stationary source may be VLME units.

(4) Compliance with the provisions of subrules (1) and (3) of this rule may be demonstrated using either of the following methods:

(a) Compliance on an EGU-by-EGU basis.

(b) Stationary source-wide averaging or source-wide pooling of emissions across affected EGUs under control of the same operator or owner.

(5) New EGUs, as defined in R 336.2501(dd), shall not cause or allow the emission of mercury in excess of the maximum allowable emission rate based on the application of best available control technology for mercury. At a minimum, a new EGU shall comply with 90% reduction from input

	<p>mercury levels on a 12-month rolling average basis as determined at the end of each calendar month or an output-based emission standard of 0.008 pounds of mercury per gigawatt-hour on a 12-month rolling average basis as determined at the end of each calendar month.</p> <p>(6) By the end of September, and 2 years before the applicable compliance year, the mercury designated representative for each affected EGU shall submit and certify a compliance demonstration plan to demonstrate compliance with subrules (1), (2), (3), or (5) of this rule. The compliance demonstration plan shall be submitted according to R 336.2509. Adjustments may be made to the compliance method under subrules (1), (2), and (3), and for source-wide averaging or source-wide pooling of EGUs under subrule (4) of this rule up to December 31 before beginning the applicable compliance year via addendum to a certified compliance demonstration plan.</p> <p>(7) The installation of mercury emission controls shall not be considered a physical change or a change in the method of operation at an affected EGU if the addition of the mercury emission control will not result in emissions that exceed any emission rate otherwise allowable under state or federal requirements.</p> <p>History: 2009 AACCS.</p>	
	<p>R 336.2504 Stationary source specific mercury emission standards.</p> <p>Rule 1504. (1) This rule provides for stationary source specific mercury</p>	

emissions standards.

(2) Lansing board of water and light, eckert power station, units 1, 2, 3, 4, 5, and 6 shall be provided the following extension to the provisions in R 336.2503(1):

(a) Beginning January 1, 2015, Lansing board of water and light, eckert power station, units 1, 2, and 3 shall comply with the VLME unit provisions under R 336.2503(3) and units 4, 5, and 6 shall each receive a mercury emission limit of 19 pounds (304 ounces) per 12-month rolling time period as determined at the end of each calendar month.

(b) Beginning January 1, 2015, the total mercury emission limit for Lansing board of water and light, eckert power station, affected existing EGUs shall be 84 pounds (1,344 ounces) per 12-month rolling time period as determined at the end of each calendar month.

(c) Beginning January 1, 2018, the total mercury emission limit for Lansing board of water and light, eckert power station, affected existing EGUs shall be 57 pounds (912 ounces) per 12-month rolling time period as determined at the end of each calendar month.

(d) Compliance with the mercury emission limits may be demonstrated using stationary source-wide pooling.

(e) Not later than the end of September, 2 years before the applicable compliance year, Lansing Board of water and light eckert power station shall provide verification and certification of their proposed compliance demonstration plan extension using written documentation under R 336.2509.

(3) As an alternative to R

	<p>336.2503(1) or (3), the city of Marquette, shiras unit 3, and Michigan south central power agency, endicott unit 1, may request on a case-by-case basis, an alternative mercury standard as follows:</p> <p>(a) The mercury designated representative of the existing EGU shall submit a demonstration of best available control technology for mercury at an existing EGU not later than the end of June, 2 years before the applicable compliance year. The demonstration shall include, at a minimum, a description of the mercury emission controls, mercury emissions data, and mercury emissions reductions.</p> <p>(b) The demonstration shall be subject to the review and approval of the department. The department approval of an alternative mercury emission standard shall be based on the information submitted. If the department determines the alternative mercury emission standard does not demonstrate best available control technology for mercury at an existing EGU, then the department may disapprove the plan in writing, stating its reasons for disapproval, and require the existing EGU to comply with R 336.2503(1) or (3).</p> <p>History: 2009 AACCS.</p>	
	<p>R 336.2505 Baseline and coal analysis for input mercury levels.</p> <p>Rule 1505. (1) The default baseline coal and fuel analysis for input mercury levels shall be based on the data collected for the 1999 information collection request (ICR) as required by and submitted to the United States environmental</p>	

	<p>protection agency.</p> <p>(2) The mercury designated representative of an affected EGU complying with this part may submit a coal and other fuel sampling plan to determine alternative input mercury baseline levels for the fuels burned on an annual basis. The coal and other fuel sampling plan shall include sampling for a minimum of 12 months of operation and may include a determination for a mercury pretreatment credit. Both of the following apply:</p> <p>(a) The coal and other fuel sampling plan is subject to the review and approval of the department. If the department determines the plan does not contain adequate sampling methodologies, then the department may disapprove the plan, state its reasons for disapproval, and require the affected EGU to revert to the baseline as determined under subrule (1) of this rule.</p> <p>(b) Within 180 days after the department approves a coal and other fuel sampling plan, the mercury designated representative of the EGU shall implement the plan.</p> <p>(3) If subrule (2) of this rule is utilized for new EGUs, the mercury designated representative may sample to determine the baseline during the first 12 months after commencement of operation provided a coal and other fuel sampling plan is submitted to the department and is acceptable.</p> <p>History: 2009 AACs.</p>	
	<p>R 336.2506 Technical extensions to mercury emission standards.</p> <p>Rule 1506. (1) A mercury designated representative for an</p>	

affected EGU may request, in writing, a technical extension, as described below, to the provisions in R 336.2503(1) which is effective January 1, 2015. An extension approved by the department will expire on December 31, 2017, or earlier as determined by the department, unless a renewal is granted as specified in subrule (4) of this rule.

(a) The mercury designated representative of an existing EGU shall submit an administratively complete technical extension request not later than the end of June, before the applicable compliance year.

(b) An administratively complete request shall include, at a minimum, information on the mercury emission control technologies installed to comply with R 336.2503(1), mercury stack testing results, cost of correcting the deficiencies in the installed controls, and a proposed compliance program to correct the deficiencies in the installed controls.

(c) In addition, the representative may submit, and the department shall consider, any other relevant information supporting approval of an extension, including, without limitation the following:

(i) A demonstration that further emissions reductions are technically infeasible.

(ii) An analysis that achieving additional mercury reductions beyond those achieved by the installed controls is cost prohibitive.

(iii) Any other relevant information.

(2) The department shall review and may approve an extension request and compliance schedule based on the information submitted. The

department may disapprove the extension request, state its reasons for disapproval, and require compliance with R 336.2503(1).

(3) Affected EGUs, using an approved technical extension demonstration, shall demonstrate compliance on an EGU-by-EGU basis.

(4) The mercury designated representative of an existing EGU may petition the department to renew a technical extension granted by subrule (2) of this rule beyond December 31, 2017, as follows:

(a) The petition shall be submitted not later than the end of June, before the applicable compliance year. This renewal is subject to approval by the department. In review of the petition for an extension, the department shall consider the information previously submitted under subrule (1) of this rule and any other relevant information submitted by the mercury designated representative. The renewal shall be for not greater than a 3-year period, subject to review by the department.

(b) The petition shall include an addendum to the compliance demonstration plan in an approved technical extension and demonstrate how the owner failed to meet the compliance demonstration plan and a proposed corrective action plan to meet the provisions in R 336.2503(1).

(5) Not later than the end of December, before the applicable compliance year, a participating EGU shall provide verification and certification to modify its proposed compliance demonstration plan as a technical extension using written

	<p>documentation under R 336.2509(2), (3), and (4). (6) A technical extension shall not be issued if it will result in a violation of federal laws or regulations. History: 2009 AACCS.</p>	
	<p>R 336.2507 Economic extensions to mercury emission standards.</p> <p>Rule 1507. (1) A mercury designated representative may request, in writing, an economic extension, as described below, to the provisions in R 336.2503(1) which is effective January 1, 2015. An extension approved by the department will expire on December 31, 2017, or earlier as determined by the department, unless a renewal is granted as specified in subrule (4) of this rule.</p> <p>(a) The mercury designated representative of an existing EGU shall submit an administratively complete economic extension request not later than the end of June, before the applicable compliance year.</p> <p>(b) An administratively complete request shall include, at a minimum, information on the cost of the mercury emission control technologies proposed to be installed to comply with R 336.2503(1) and a proposed compliance program to install the controls in an optimized timeframe, and include 1 or more of the following:</p> <p>(i) A demonstration that the cost of the mercury emission control technologies will create significant economic hardship for the owner or its rate payers.</p> <p>(ii) A demonstration that the</p>	

	<p>mercury emission control technologies proposed to be installed will result in a reasonably foreseeable interruption in power supply and undue risk to the reliability of the electricity supply to the state.</p> <p>(iii) A demonstration that the mercury emission control technologies proposed to be installed will result in bankruptcy of the owner.</p> <p>(iv) A commitment to shut down an existing EGU and remove it from service permanently not later than December 31, 2017. The existing EGU proposed for shutdown must meet a minimum of 75% reduction from baseline input mercury levels on a 12-month rolling average basis as determined at the end of each calendar month until shutdown.</p> <p>(v) Information on a proposed new EGU or EGUs, including construction and commencement of operation time frames, and shutdown date of the existing EGU. The existing EGU or EGUs proposed for shutdown must meet a minimum of 75% reduction from baseline input mercury levels on a 12-month rolling average basis as determined at the end of each calendar month until shutdown, not later than December 31, 2017, unless an extension renewal is granted under subrule (4) of this rule.</p> <p>(2) The department, in consultation with the Michigan public service commission, shall review and may approve an extension request and compliance schedule based on the information submitted. The department may disapprove the extension request, state its reasons</p>	
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	<p>for disapproval, and require compliance with R 336.2503(1).</p> <p>(3) Affected EGUs, using an approved economic extension demonstration, shall demonstrate compliance on an EGU-by-EGU basis.</p> <p>(4) The mercury designated representative of an existing EGU may petition the department to renew an extension granted by subrule (1) of this rule beyond December 31, 2017, as follows:</p> <p>(a) The petition shall be submitted not later than the end of June, before the applicable compliance year. This extension renewal is subject to approval by the department. In review of the petition for an extension renewal, the department shall consider the information previously submitted under subrule (1) of this rule and any other relevant information submitted by the mercury designated representative. The renewal shall be for not greater than a 3-year period, subject to review by the department.</p> <p>(b) The petition shall include an addendum to the compliance demonstration plan in an approved economic extension and demonstrate how the owner failed to meet the compliance demonstration plan and a proposed corrective action plan to meet R 336.2503(1).</p> <p>(5) Not later than the end of September, before the applicable compliance year, a participating EGU shall provide verification and certification of its proposed compliance demonstration plan as an economic extension using written documentation under R 336.2509.</p> <p>(6) An economic extension shall not be issued if it will result in a</p>	
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	<p>violation of federal laws or regulations. History: 2009 AACS.</p>	
	<p>R 336.2508 Eligibility provisions and prohibitions for mercury program.</p> <p>Rule 1508. (1) For mercury emissions to be eligible for source-wide averaging or source-wide pooling in a 12-month rolling average basis or time period as determined at the end of each calendar month, the emissions must be generated in the same month.</p> <p>(2) If source-wide averaging or source-wide pooling is used under R 336.2503(4)(b) in the compliance demonstration plan, the effect of a failure to demonstrate compliance with the cumulative mercury emission limit will be that the compliance status of each EGU must be determined on an individual basis, as if no averaging or pooling plan existed.</p> <p>(3) Mercury emissions from an affected EGU, under R 336.2503(4), may only be averaged or pooled within a single compliance demonstration plan per 12-month rolling average basis or time period as determined at the end of each calendar month.</p> <p>(4) Mercury emission limits received as part of an approved multi-pollutant compliance demonstration project, a technical extension demonstration or an economic extension demonstration, and for new EGUs shall not be available for the averaging or pooling methods allowed under R 336.2503(4)(b).</p> <p>(5) For the Lansing board of water and light, eckert power station</p>	

	<p>affected existing EGUs, the result of a failure to demonstrate compliance with the cumulative mercury emission limit will be that the compliance status of each EGU must be determined on an individual basis, as if no stationary source-wide pooling plan existed under R 336.2504(2)(d). History: 2009 AACCS.</p>	
	<p>R 336.2509 Mercury compliance demonstration.</p> <p>Rule 1509. (1) Not later than the end of September, 2 years before the applicable compliance year, the mercury designated representative shall submit the proposed compliance demonstration plan as specified in R 336.2503(6) for all affected EGUs.</p> <p>(2) For each stationary source containing 1 or more affected EGUs, the submittal shall include all of the following information:</p> <p>(a) The name and location, by address and county, of the EGUs that will participate in the compliance demonstration plan and where the records are or will be kept.</p> <p>(b) The name, address, and telephone number of the mercury designated representative providing certification of the compliance demonstration plan.</p> <p>(c) The emission rates with supporting calculations projected to be achieved by the compliance demonstration plan, in pounds or ounces per compliance year.</p> <p>(d) Identification of any affected EGUs to be included in a source-wide averaging or source-wide pooling plan.</p> <p>(e) A brief description of the method</p>	

	<p>or methods used to control mercury emissions.</p> <p>(3) The submittal shall be accompanied by a certification from the mercury designated representative that, to the best of the mercury designated representative's knowledge, the information contained is true, accurate, and complete.</p> <p>(4) The compliance demonstration plan submitted to the department shall become a legally enforceable requirement effective January 1 of the applicable compliance year and become an enforceable restriction in the Michigan mercury permit.</p> <p>History: 2009 AACCS.</p>	
	<p>R 336.2510 Mercury emissions testing, monitoring, recordkeeping, and reporting.</p> <p>Rule 1510. (1) Compliance with the mercury emission standards for each affected EGU under these rules shall be demonstrated using the testing, monitoring, recordkeeping, and reporting requirements of R 336.2001, R 336.2004, R 336.2104, R 336.2150, R 336.2156, R 336.2157, R 336.2158, R 336.2160, and R 336.1161 using calculation methodologies acceptable to the department.</p> <p>(2) Performance tests required by subrule (1) of this rule shall be conducted within 60 days following receipt of written notification from the department, unless otherwise authorized by the department.</p> <p>(a) Performance tests shall be conducted and data reduced according to the reference test methods in R 336.2004.</p> <p>(b) Not less than 7 days before performance tests are conducted, the</p>	

mercury designated representative, or his or her authorized agent, shall notify the department, in writing, of the time and place of the performance tests and who shall conduct them. A representative of the department shall have the opportunity to witness these tests.

(c) Results of performance tests shall be submitted to the department in the format prescribed by the applicable reference test method within 60 days after the last date of the test.

(3) Monitoring required by subrule (1) of this rule shall measure mercury emissions with a continuous emission monitoring system; an alternate method described in 40 C.F.R. part 60 or 75, adopted by reference in R 336.1802a, and acceptable to the department; or a method currently in use and acceptable to the department. The following apply:

(a) An owner or operator of an affected EGU shall install, certify, and maintain monitoring not later than January 1, 2015.

(b) An owner or operator of an affected EGU shall comply with the quality assurance procedures in R 336.2157.

(4) Recordkeeping shall include all data and calculations necessary to make compliance determinations in accordance with subrule (1). Such recordkeeping shall be maintained at the EGU or other location and shall be kept in a manner acceptable to the department. The records shall be maintained for not less than 5 years after the date of expiration of the compliance demonstration plan.

(5) Reporting required by subrule (1) of this rule, as specified by the

department, shall be submitted to the department as follows:

(a) Beginning April 30, 2015, and 30 days after the end of each calendar quarter thereafter, the mercury designated representative of each affected EGU shall submit a certified compliance report to the department with the following information:

(i) Mercury emissions for the current quarter and total for the 12-month rolling average basis or time period as determined at the end of each calendar month for each EGU.

(ii) Heat input for the current quarter and cumulative heat input for the total 12-month rolling average basis or time period as determined at the end of each calendar month.

(iii) Gross electric output for the current quarter and cumulative output for the 12-month rolling average basis as determined at the end of each calendar month for each EGU that demonstrates compliance using an output-based emission standard.

(iv) Any of the following that applies based on method of compliance:

(A) Calculations used to determine mass emissions based on stack test data.

(B) Calculations used to determine mass emissions based on sorbent trap data.

(C) Alternative methodologies used to determine input mercury levels established under R 336.2505.

(b) In addition, the report shall include the following information using the format in 40 C.F.R. §60.7, adopted by reference in R 336.1802a:

(i) The date, time, magnitude of

	<p>emissions and emission rates where applicable, of the affected EGU.</p> <p>(ii) If emissions or emission rates exceed the emissions or rates allowed by the applicable emission limit, the cause, if known, and any corrective action taken.</p> <p>(iii) The total operating time of the affected EGU during the quarter and the applicable compliance year.</p> <p>(iv) For continuous emission monitoring systems, system performance information shall include the date and time of each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of the system repairs or adjustments. If the continuous monitoring system has not been inoperative, repaired, or adjusted, then that information shall be stated in the report.</p> <p>History: 2009 AACS.</p>	
	<p>R 336.2511 Reserved. History: 2009 AACS.</p>	
	<p>R 336.2512 Michigan mercury permits.</p> <p>Rule 1512. (1) The mercury designated representative for each affected EGU under this part shall apply for and receive a Michigan mercury permit for the stationary source.</p> <p>(a) The mercury designated representative shall apply for a Michigan mercury permit as follows:</p> <p>(i) By June 20, 2012, or the effective date of this part, whichever is later, the mercury designated representative of any affected EGU shall submit to the department an administratively complete permit application covering each affected</p>	

EGU.

(ii) The mercury designated representative of any affected new EGU shall submit to the department an administratively complete permit application by the date on which the EGU commences operation.

(b) The mercury designated representative shall submit an administratively complete permit application covering each affected EGU to renew the permit in accordance with the department's renewable operating permit regulations.

(c) An administratively complete permit application shall be submitted using the application forms required by the department. The application shall include all of the following:

(i) Identification of the stationary source.

(ii) Identification of each affected EGU at the stationary source.

(iii) The standard requirements, which include the following:

(A) Permit requirements.

(B) Mercury emission requirements.

(C) Monitoring requirements.

(D) Recordkeeping and reporting requirements.

(2) Each Michigan mercury permit will contain all elements required for a complete permit application under R 336.2512(1)(c).

(3) Each Michigan mercury permit shall be incorporated into the renewable operating permit for each stationary source with affected EGUs as an attachment.

(4) The term of the Michigan mercury permit will be set, as necessary, to facilitate coordination of the renewal of the permit with issuance, revision, or renewal of the

	<p>renewable operating permit for each stationary source with affected EGUs.</p> <p>(5) The Michigan mercury permit portion of the renewable operating permit shall be administered and enforced in accordance with the department's renewable operating permit regulations under R 336.1214.</p> <p>(6) The mercury emission limit as specified in the written notification provided under R 336.2503, if applicable, shall become an enforceable requirement of the Michigan mercury permit.</p> <p>History: 2009 AACCS.</p>	
	<p>R 336.2513 Alternative compliance demonstration project for VLME units.</p> <p>Rule 1513. (1) Existing EGUs that qualify as VLME units shall implement an approved alternative compliance demonstration project under R 336.2503(3) as approved by the department in lieu of complying with the requirements under R 336.2503(1), effective January 1, 2015. Both of the following apply:</p> <p>(a) The mercury designated representative of a VLME unit shall submit a plan for alternative compliance demonstration projects not later than the end of June, 2 years before the applicable compliance year. The plan shall include, at a minimum, a description of the alternative mercury reduction/management systems, community outreach and education programs, project goals or reduction targets, and compliance tracking systems. A demonstration project of a mercury-specific emission control technology that has been</p>	

	<p>implemented 3 years prior to January 1, 2015 may qualify as the minimum plan requirement.</p> <p>(b) The plan shall be subject to the review and approval of the department. The department may disapprove the plan, state its reasons for disapproval, and require the existing EGU to demonstrate compliance with 1 of the other methods under R 336.2503(1) or (2) for the applicable compliance year.</p> <p>(2) The mercury designated representative shall submit an annual progress report regarding the alternative compliance demonstration projects for each participating EGU not later than February 2 following each compliance year. The progress records shall be kept in a format acceptable to the department. All records shall be kept on file for a period of at least 5 years and made available to the department upon request.</p> <p>(3) In addition, not later than the end of September, 2 years before the applicable compliance year, the mercury designated representative shall submit a compliance demonstration plan as required under R 336.2509.</p> <p>History: 2009 AACS.</p>	
	<p>R 336.2514 Mercury program expiration.</p> <p>Rule 1514. (1) Rule 336.2503 shall expire when the United States Environmental Protection Agency (U.S.EPA), pursuant to authority under the federal Clean Air Act, 42 USC 7401 et seq., publishes a final rule in the Federal Register that is legally enforceable for the control of</p>	

mercury emissions from affected coal-fired electric generating units (EGUs) that require, at a minimum, either of the following no later than January 1, 2015: 90% reduction from baseline input mercury levels or an output-based emission standard of 0.008 pounds of mercury per gigawatt-hour on a 12-month rolling average basis as determined at the end of each calendar month or a multi-pollutant compliance demonstration project that must establish a minimum of 75% reduction from baseline input mercury levels on a 12-month rolling average basis as determined at the end of each calendar month for an individual EGU, and for New EGUs shall not cause or allow the emission of mercury in excess of the maximum allowable emission rate based on the application of best available control technology for mercury. At a minimum, a new EGU shall comply with 90% reduction from input mercury levels on a 12-month rolling average basis as determined at the end of each calendar month or an output-based emission standard of 0.008 pounds of mercury per gigawatt-hour on a 12-month rolling average basis as determined at the end of each calendar month.

(2) Determination of U.S. EPA promulgated rule meeting the requirements of R 336.2514 shall be based on using either of the following methods:

(a) Compliance on an EGU-by-EGU basis.

(b) Stationary source-wide averaging or source-wide pooling of emissions across affected EGUs under control of the same operator

	or owner. History: 2009 AACCS.	
	Editor's Note: An obvious error in R 336.2514 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in Michigan Register, 2009 MR 20. The memorandum requesting the correction was published in Michigan Register, 2009 MR 23.	

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 17:
HEARINGS**

DRAFT #1 last reviewed/edited by KJS on April 5, 2013

Approved SIP	Rules Implemented by State of Michigan	Comments
<p>R 336.2701 Petitions for review and for contested case hearings; hearing procedure; “duly authorized agent” defined. Rule 1701. (1) For a petition filed for review under section 5506, 5515, 5522, or 5529 of the act, the procedure described in subrule (2) of this rule is the procedure for the hearing of A contested case as “contested case” is defined in section 3(3) of Act No. 306 of the Public Acts of 1969, as amended, being §24.203(3) of the Michigan Compiled Laws. (2) Under sections 5506(14), 5515(3), 5522(6), 5522(8), and 5529 of the act, certain final department actions provide the opportunity for certain parties to file a petition for a contested case hearing with the department. A party shall file a petition on a form provided by the department within 30 days after the final department action. The party shall complete the form in full.</p>	<p>R 336.2701 Petitions for review and for contested case hearings; hearing procedure; "duly authorized agent" defined. Rule 1701. (1) For a petition filed for review under section 5506, 5515, 5522, or 5529 of the act, the procedure described in subrule (2) of this rule is the procedure for the hearing of A contested case as "contested case" is defined in section 3(3) of Act No. 306 of the Public Acts of 1969, as amended, being §24.203(3) of the Michigan Compiled Laws. (2) Under sections 5506(14), 5515(3), 5522(6), 5522(8), and 5529 of the act, certain final department actions provide the opportunity for certain parties to file a petition for a contested case hearing with the department. A party shall file a petition on a form provided by the department within 30 days after the final department action. The party shall complete the form in full.</p> <p>History: 1980 AACS; 1998-2000 AACS.</p>	<p>Rule 1701. Same.</p>
<p>R 336.2702 Appearances. Rule 1702. An appearance at a hearing or proceeding held under section 5506, 5515, 5522, or 5529 of the act shall be in person, by a duly authorized agent, or by counsel. A</p>	<p>R 336.2702 Appearances. Rule 1702. An appearance at a hearing or proceeding held under section 5506, 5515, 5522, or 5529 of the act shall be in person, by a duly authorized agent, or by counsel. A</p>	<p>Rule 1702. Same.</p>

<p>“duly authorized agent,” for the purpose of this rule, means an individual who has been empowered written authority to act on behalf of the aggrieved party.</p>	<p>"duly authorized agent," for the purpose of this rule, means an individual who has been empowered written authority to act on behalf of the aggrieved party.</p> <p>History: 1980 AACS; 1998-2000 AACS.</p>	
	<p>R 336.2703 Rescinded.</p> <p>History: 1980 AACS; 1998-2000 AACS.</p>	<p>There is no federal SIP posted on the EPA’s website.</p>
<p>R 336.2704. Hearing commissioner’s hearings. (1/18/80) Rule 1704. That part of a hearing in a contested case in which testimony and evidence are to be taken may be referred to a hearing commissioner who shall be designated and authorized by the commission to preside at the hearing. The hearing commissioner shall hear the evidence and prepare a record of the proceedings and a proposal for a decision, including findings of fact and conclusions of law. The record of the proceedings and proposal for decision shall be filed at the commission offices as early as possible after completion of the hearing. A copy of the proposal for decision shall be transmitted to each member of the commission and shall be served by certified mail on all other parties to the proceedings.</p>	<p>R 336.2704 Hearing commissioner's hearings. Rule 1704. That part of a hearing in a contested case in which testimony and evidence are to be taken may be referred to a hearing commissioner who shall be designated and authorized by the commission to preside at the hearing. The hearing commissioner shall hear the evidence and prepare a record of the proceedings and a proposal for a decision, including findings of fact and conclusions of law. The record of the proceedings and proposal for decision shall be filed at the commission offices as early as possible after completion of the hearing. A copy of the proposal for decision shall be transmitted to each member of the commission and shall be served by certified mail on all other parties to the proceedings.</p> <p>History: 1980 AACS.</p>	<p>No date in state SIP. Rule 1704. Same, except as noted.</p>
<p>R 336.2705. Agency files and records, use in connection with hearings. (1/18/80) Rule 1705. The files and records of the commission and the department specified in notices of determination and hearing, except for those materials exempted by section 22 of Act No. 306 of the Public Acts of</p>	<p>R 336.2705 Agency files and records; use in connection with hearings. Rule 1705. The files and records of the commission and the department specified in notices of determination and hearing, except for those materials exempted by section 22 of Act No. 306 of the Public Acts of</p>	<p>No date in state SIP. Rule 1705. Same, except as noted.</p>

<p>1969, as amended, being §24.222 of the Michigan Compiled Laws, shall be available for inspection before or at hearings held by the commission or the hearing commissioner, and the whole or part thereof may be offered at a hearing as evidence on behalf of the commission.</p>	<p>1969, as amended, being §24.222 of the Michigan Compiled Laws, shall be available for inspection before or at hearings held by the commission or the hearing commissioner, and the whole or part thereof may be offered at a hearing as evidence on behalf of the commission.</p> <p>History: 1980 AACS.</p>	<p>“S” replaces “§” in state SIP.</p>
<p>R 336.2706. Commission hearings after hearing commissioner hearings. (1/18/80) Rule 1706. (1) After receipt by the commission members of a hearing commissioner’s report, the commission shall hold a hearing on the proposal for decision, arguments thereon, exceptions thereto, or appeals therefrom as may be timely filed in writing by either party. The hearing shall not be scheduled sooner than 4 weeks after receipt by the commission members of the hearing commissioner’s report. To be considered at the hearing, written briefs or exceptions shall be received at the office of the air quality division in Lansing not later than 2 weeks before the date set for hearing. An opportunity to present oral argument to the commission may be provided at the hearing noticed for that purpose. (2) After the time the commission schedules a hearing pursuant to subrule (1), a copy of the hearing commissioner’s proposal for decision shall be available at the commission’s main office and district offices for inspection and copying in accordance with subrule (1) of rule 1604. (3) A copy of a final order adopted in a contested case shall be prepared and served by certified mail on the</p>	<p>R 336.2706 Commission hearings after hearing commissioner hearings. Rule 1706. (1) After receipt by the commission members of a hearing commissioner's report, the commission shall hold a hearing on the proposal for decision, arguments thereon, <u>exception</u> thereto, or appeals therefrom as may be timely filed in writing by either party. The hearing shall not be scheduled sooner than 4 weeks after receipt by the commission members of the hearing commissioner's report. To be considered at the hearing, written briefs or exceptions shall be received at the office of the air quality division in Lansing not later than 2 weeks before the date set for hearing. An opportunity to present oral argument to the commission may be provided at the hearing noticed for purpose. (2) After the time the commission schedules a hearing pursuant to subrule (1), a copy of the hearing commissioner's proposal for decision shall be available at the commission's main office and district offices for inspection and copying in accordance with subrule (1) of <u>R 336.2604</u>. (3) A copy of a final order adopted in a contested case shall be prepared and served by certified mail on the</p>	<p>No date in state SIP. Rule 1706. Same, except as noted.</p> <p>“Exception” written in the singular in state SIP.</p> <p>Editorial change.</p> <p>Different citation method between versions.</p>

contesting parties or their attorneys, together with the commission's finding containing a resume of the facts and grounds for the decision.
(4) Any person shall have an opportunity to submit, not later than 2 weeks before the date set for hearing, an amicus curiae brief to the commission for its consideration.

contesting parties or their attorneys, together with the commission's finding containing a resume of the facts and grounds for the decision.
(4) Any person shall have an opportunity to submit, not later than 2 weeks before the date set for hearing, an amicus curiae brief to the commission for its consideration.

History: 1980 AACs.

**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 18:
PREVENTION OF SIGNIFICANT DEGRADATION OF AIR QUALITY**

Approved SIP	Rules Implemented by State of Michigan	Comments
<p>R 336.2801 Definitions. Rule 1801. The following definitions apply to terms used in this part. If a term defined in this part is also defined elsewhere in the rules, then the definition contained here applies for this part only. (a) “Actual emissions” means the actual rate of emissions of a regulated new source review pollutant from an emissions unit, as determined under R 336.1101(b), except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a plantwide applicability limit under R 336.2823. Instead, the terms “projected actual emissions” and “baseline actual emissions” shall apply for those purposes. (b) “Baseline actual emissions” means the rate of emissions, in tons per year, of a regulated new source review pollutant, as determined by the following: (i) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The department shall allow the use of a different time period</p>	<p>R 336.2801 Definitions. Rule 1801. The following definitions apply to terms used in this part. If a term defined in this part is also defined elsewhere in the rules, then the definition contained here applies for this part only. (a) “Actual emissions” means the actual rate of emissions of a regulated new source review pollutant from an emissions unit, as determined under R 336.1101(b), except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a plantwide applicability limit under R 336.2823. Instead, the terms “projected actual emissions” and “baseline actual emissions” shall apply for those purposes. (b) “Baseline actual emissions” means the rate of emissions, in tons per year, of a regulated new source review pollutant, as determined by the following: (i) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5- year period immediately preceding when the owner or operator begins actual construction of the project. The department shall allow the use of a different time period</p>	<p>Michigan rule has space between dash and year: typographical error</p>

upon a determination that it is more representative of normal source operation. All of the following provisions apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) For a regulated new source review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(D) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (i)(B) of this subdivision.

(ii) For an existing emissions unit, other than an electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is

upon a determination that it is more representative of normal source operation. All of the following provisions apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) For a regulated new source review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(D) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (i)(B) of this subdivision.

(ii) For an existing emissions unit, other than an electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is

received by the department for a permit required by R 336.1201, whichever is earlier, except that the 10-year period shall not include any period earlier than November 15, 1990. All of the following provisions apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) The average rate shall be adjusted downward to exclude emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period.

However, if an emission limitation is part of a maximum achievable control technology standard that the United States environmental protection agency proposed or promulgated under 40 C.F.R. part 63, then the baseline actual emissions need only be adjusted if the state has taken credit for such emissions reductions in an attainment demonstration or maintenance plan submitted to the U.S. environmental protection agency. The provisions of 40 C.F.R. part 63 are adopted by reference in R 336.2801a.

(D) For a regulated new source

received by the department for a permit required by R 336.1201, whichever is earlier, except that the 10-year period shall not include any period earlier than November 15, 1990. All of the following provisions apply:

(A)The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) The average rate shall be adjusted downward to exclude emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period.

However, if an emission limitation is part of a maximum achievable control technology standard that the United States environmental protection agency proposed or promulgated under 40 C.F.R. part 63, then the baseline actual emissions need only be adjusted if the state has taken credit for such emissions reductions in an attainment demonstration or maintenance plan submitted to the U.S. environmental protection agency. The provisions of 40 C.F.R. part 63 are adopted by reference in R 336.2801a.

(D) For a regulated new source

review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(E) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (B) and (C) of this paragraph.

(iii) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.

(iv) For a plantwide applicability limit for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units under paragraph (i) of this subdivision, for other existing emissions units under paragraph (ii) of this subdivision, and for a new emissions unit under paragraph (iii) of this subdivision.

(c) "Baseline area" means all of the following:

(i) Any intrastate area, and every part thereof, designated as attainment or unclassifiable under section 107(d)(1) (D) or (E) of the clean air act in which the major source or major modification establishing the minor source baseline date would construct

review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(E) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (B) and (C) of this paragraph.

(iii) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.

(iv) For a plantwide applicability limit for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units under paragraph (i) of this subdivision, for other existing emissions units under paragraph (ii) of this subdivision, and for a new emissions unit under paragraph (iii) of this subdivision.

(c) "Baseline area" means all of the following:

(i) Any intrastate area, and every part thereof, designated as attainment or unclassifiable under section 107(d)(1) (D) or (E) of the clean air act in which the major source or major modification establishing the minor source baseline date would construct or would have an annual average air

The Michigan rule omits the

or would have an air quality impact equal to or greater than 1 microgram per cubic meter (annual average) of the pollutant for which the minor source baseline date is established.

(ii) Area redesignations under section 107(d)(1) (D) or (E) of the clean air act shall not intersect or be smaller than the area of impact of any major stationary source or major modification which does either of the following:

(A) Establishes a minor source baseline date.

(B) Is subject to PSD regulations or new source review for major sources in nonattainment areas regulations.

(iii) Any baseline area established originally for the total suspended particulates increments shall remain in effect and shall apply for purposes of determining the amount of available PM-10 increments, except that the baseline area shall not remain in effect if the department rescinds the corresponding minor source baseline date under subdivision (bb)(iv) of this rule.

(d) "Baseline concentration" means the value derived using the following procedures:

(i) The ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established and shall include both of the following:

(A) The actual emissions representative of sources in existence on the applicable minor source baseline date.

quality impact equal to or greater than 1 microgram per cubic meter for sulfur dioxide, oxides of nitrogen, or PM-10, or 0.3 microgram per cubic meter for PM 2.5 of the pollutant for which the minor source baseline date is established.

(ii) Area redesignations under section 107(d)(1) (D) or (E) of the clean air act shall not intersect or be smaller than the area of impact of any major stationary source or major modification which does either of the following:

(A) Establishes a minor source baseline date.

(B) Is subject to PSD regulations or new source review for major sources in nonattainment areas regulations.

(iii) Any baseline area established originally for the total suspended particulates increments shall remain in effect and shall apply for purposes of determining the amount of available PM-10 increments, except that the baseline area shall not remain in effect if the department rescinds the corresponding minor source baseline date under subdivision (bb)(iv) of this rule.

(d) "Baseline concentration" means the value derived using the following procedures:

(i) The ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established and shall include both of the following:

(A) The actual emissions representative of sources in existence on the applicable minor source baseline date.

(B) The allowable emissions of major

words "annual average." These words are redundant and unnecessary because baseline emissions and actual emissions (defined above) are both determined on an annual basis. The Michigan Rule also sets different baseline area standards for coarse particles (PM-10), which are particles between 10 and 2.5 micrometers, and fine particles (PM-2.5), which are particles less than 2.5 micrometres.

<p>(B) The allowable emissions of major stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.</p> <p>(ii) The following shall not be included in the baseline concentration and shall affect the applicable maximum allowable increase:</p> <p>(A) Actual emissions from any major stationary source on which construction commenced after the major source baseline date.</p> <p>(B) Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.</p> <p>(e) “Begin actual construction” means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. “A change in method of operation” refers to those onsite activities, other than preparatory activities, which mark the initiation of the change.</p> <p>(f) “Best available control technology” or “BACT” means an emissions limitation, including a visible emissions standard, based on the maximum degree of reduction for each regulated new source review pollutant, which would be emitted from any proposed major stationary source or major modification which the department -- on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs -- determines is</p>	<p>stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.</p> <p>(ii) The following shall not be included in the baseline concentration and shall affect the applicable maximum allowable increase:</p> <p>(A) Actual emissions from any major stationary source on which construction commenced after the major source baseline date.</p> <p>(B) Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.</p> <p>(e) “Begin actual construction” means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. “A change in method of operation” refers to those on-site activities, other than preparatory activities, which mark the initiation of the change.</p> <p>(f) “Best available control technology” or “BACT” means an emissions limitation, including a visible emissions standard, based on the maximum degree of reduction for each regulated new source review pollutant, which would be emitted from any proposed major stationary source or major modification which the department -- on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs -- determines is</p>	<p>The Michigan Rule includes a hyphenated version of the word “onsite” : Grammatical preference</p> <p>Michigan Rule includes a space</p>
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<p>achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combination techniques for control of the pollutant. Application of best available control technology shall not result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 C.F.R. parts 60 and 61, adopted by reference in R 336.2801a. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, then a design, equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. The standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of the design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.</p> <p>(g) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on 1 or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, except the activities of any vessel. Pollutant-emitting activities are part of the same industrial grouping if they have the same 2-</p>	<p>achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combination techniques for control of the pollutant. Application of best available control technology shall not result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 C.F.R. parts 60 and 61, adopted by reference in R 336.2801a. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, then a design, equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. The standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of the design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.</p> <p>(g) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on 1 or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, except the activities of any vessel. Pollutant-emitting activities are part of the same industrial grouping if they have the same 2-</p>	<p>between dashes, typographical error.</p>
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digit major group code associated with their primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. For assistance in converting north American industrial classification system codes to standard industrial classification codes see <http://www.census.gov/epcd/naics02/>.

(h) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or post-combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

(i) "Clean coal technology demonstration project" means a project using funds appropriated under the heading "Department of Energy -- Clean Coal Technology," up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the United States Environmental Protection Agency. The federal contribution for a qualifying project shall be at least 20% of the total cost of the demonstration project.

(j) [Reserved]

(k) "Commence," as applied to construction of a major stationary source or major modification, means that the owner or operator has all necessary preconstruction approvals or permits and has done either of the following:

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(h) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or post-combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

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(j) [Reserved]

(k) "Commence," as applied to construction of a major stationary source or major modification, means that the owner or operator has all necessary preconstruction approvals or permits and has done either of the following:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time.

(ii) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(l) "Complete" means, in reference to an application for a permit, that the application contains all the information necessary for processing the application. Designating an application complete for purposes of permit processing does not preclude the department from requesting or accepting additional information.

(m) "Construction" means any physical change or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

(n) "Continuous emissions monitoring system" or "CEMS" means all of the equipment that may be required to meet the data acquisition and availability requirements of these rules, to sample, condition if applicable, analyze, and provide a record of emissions on a continuous basis.

(o) "Continuous emissions rate monitoring system" or "CERMS" means the total equipment required for the determination and recording of the pollutant mass emissions rate in terms of mass per unit of time.

(p) "Continuous parameter monitoring system" or "CPMS" means all of the equipment necessary

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time.

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to meet the data acquisition and availability requirements of these rules, to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and to record average operational parameter value or values on a continuous basis.

(q) "Electric utility steam generating unit" means any steam electric generating unit that is constructed for supplying more than 1/3 of its potential electric output capacity and more than 25 megawatt electrical output to any utility power distribution system for sale. Steam supplied to a steam distribution system for providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

(r) "Emissions unit" means any part of a stationary source that emits or would have the potential to emit any regulated new source review pollutant and includes an electric utility steam generating unit. Both of the following are types of emissions units:

(i) A new emissions unit is any emissions unit that is, or will be, newly constructed and that has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is any emissions unit that does not meet the definition of a new emissions unit. A replacement unit is an existing emissions unit and no creditable emission reductions shall be generated from shutting down the

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(i) A new emissions unit is any emissions unit that is, or will be, newly constructed and that has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is any emissions unit that does not meet the definition of a new emissions unit. A replacement unit is an existing emissions unit and no creditable emission reductions shall be generated from shutting down the

existing emissions unit that is replaced. A replacement unit shall meet all of the following criteria:

(A) The emissions unit is a reconstructed unit if the replacement of components of an existing facility is to such an extent that the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new facility or the emissions unit completely takes the place of an existing emissions unit.

(B) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(C) The replacement does not alter the basic design parameters of the process unit.

(D) The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

(s) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

(t) "High terrain" means an area having an elevation 900 feet or more above the base of the stack of a source.

(u) "Hydrocarbon combustion flare" means either a flare used to comply with an applicable new source performance standard or maximum achievable control technology standard, including uses of flares during startup, shutdown, or malfunction permitted under such a

existing emissions unit that is replaced. A replacement unit shall meet all of the following criteria:

(A) The emissions unit is a reconstructed unit if the replacement of components of an existing facility is to such an extent that the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new facility or the emissions unit completely takes the place of an existing emissions unit.

(B) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(C) The replacement does not alter the basic design parameters of the process unit.

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(u) "Hydrocarbon combustion flare" means either a flare used to comply with an applicable new source performance standard or maximum achievable control technology standard, including uses of flares during startup, shutdown, or malfunction permitted under such a

standard, or a flare that serves to control emissions of waste streams comprised predominately of hydrocarbons and containing not more than 230 milligrams per dry standard cubic meter hydrogen sulfide.

(v) "Indian reservation" means any federally recognized reservation established by treaty, agreement, executive order, or act of congress.

(w) "Indian governing body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.

(x) "Innovative control technology" means any system of air pollution control that has not been adequately demonstrated in practice, but may have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or non-air quality environmental impacts.

(y) "Low terrain" means any area other than high terrain.

(z) "Lowest achievable emission rate" or "LAER", for any source, means the more stringent rate of emissions based on R 336.1112(f).

(aa) "Major modification" means any of the following:

(i) Physical change in or change in the method of operation of a major stationary source that would result in both of the following:

(A) A significant emissions increase of a regulated new source review pollutant.

(B) A significant net emissions

standard, or a flare that serves to control emissions of waste streams comprised predominately of hydrocarbons and containing not more than 230 milligrams per dry standard cubic meter hydrogen sulfide.

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(i) Physical change in or change in the method of operation of a major stationary source that would result in both of the following:

(A) A significant emissions increase of a regulated new source review pollutant.

(B) A significant net emissions

increase of that pollutant from the major stationary source.
(ii) A significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds shall be considered significant for ozone.

(iii) Physical change or change in the method of operation shall not include any of the following:

(A) Routine maintenance, repair, and replacement.

(B) Use of an alternative fuel or raw material by reason of any order under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 or by reason of a natural gas curtailment plan under the Federal Power Act.

(C) Use of an alternative fuel by reason of an order or rule under section 125 of the clean air act.

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

(E) Use of an alternative fuel or raw material by a stationary source which meets either of the following:

(1) *The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, under PSD regulations or R 336.1201(1)(a).*

(2) *The source is approved to use under any permit issued under PSD regulations or under R 336.1201(1)(a).*

(F) An increase in the hours of operation or in the production rate, unless the change would be

increase of that pollutant from the major stationary source.
(ii) A significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds or oxides of nitrogen shall be considered significant for ozone.

(iii) Physical change or change in the method of operation shall not include any of the following:

(A) Routine maintenance, repair, and replacement.

(B) Use of an alternative fuel or raw material by reason of any order under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 or by reason of a natural gas curtailment plan under the Federal Power Act.

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(2) *The source is approved to use under any permit issued under PSD regulations or under R 336.1201(1)(a).*

(F) An increase in the hours of operation or in the production rate, unless the change would be

The Michigan Rule broadens the definition of emissions significant to the ozone to include oxides of nitrogen in addition to volatile organic compounds.

prohibited under any federally enforceable permit condition which was established after January 6, 1975, under PSD regulations or R 336.1201(1)(a).

(G) Any change in ownership at a stationary source.

(H) [Reserved]

(I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with both of the following:

(1) *The state implementation plan.*

(2) *Other requirements necessary to attain and maintain the national ambient air quality standards during the project and after the project is terminated.*

(J) The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.

(K) The reactivation of a very clean coal-fired electric utility steam generating unit.

(iv) This definition shall not apply with respect to a particular regulated new source review pollutant when the major stationary source is complying with the requirements for an actuals PAL for that pollutant. Instead, the definition of PAL major modification in R 336.2823 shall apply.

(bb) All of the following apply to major and minor source baseline dates:

(i) “Major source baseline date” means **both** of the following:

(A) January 6, 1975, for particulate matter and sulfur dioxide.

prohibited under any federally enforceable permit condition which was established after January 6, 1975, under PSD regulations or R 336.1201(1)(a).

(G) Any change in ownership at a stationary source.

(H) [Reserved]

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(i) “Major source baseline date” means **all** of the following:

(A) January 6, 1975, for particulate matter and sulfur dioxide.

Michigan Rule replaces “both”

<p>(B) February 8, 1988, for nitrogen dioxide.</p> <p>(ii) “Minor source baseline date” means the earliest date after the trigger date on which a major stationary source or a major modification subject to PSD regulations submits a complete application under the relevant regulations. The trigger date is both of the following: (A) August 7, 1977, for particulate matter and sulfur dioxide. (B) February 8, 1988, for nitrogen dioxide.</p> <p>(iii) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if both of the following occur: (A) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(i) (D) or (E) of the clean air act for the pollutant on the date of its complete application under R 336.1201 and PSD regulations. (B) If a major stationary source, the pollutant would be emitted in significant amounts, or, if a major modification, there would be a significant net emissions increase of the pollutant. (iv) Any minor source baseline date established originally for the total suspended particulates increments shall remain in effect and shall apply for determining the amount of available PM-10 increments, except that the</p>	<p>(B) February 8, 1988, for nitrogen dioxide. (C) October 20, 2010 for PM 2.5</p> <p>(ii) “Minor source baseline date” means the earliest date after the trigger date on which a major stationary source or a major modification subject to PSD regulations submits a complete application under the relevant regulations. The trigger date is all of the following: (A) August 7, 1977, for particulate matter and sulfur dioxide. (B) February 8, 1988, for nitrogen dioxide. (C) October 20, 2011 for PM 2.5</p> <p>(iii) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if both of the following occur: (A) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(i) (D) or (E) of the clean air act for the pollutant on the date of its complete application under R 336.1201 and PSD regulations. (B) If a major stationary source, the pollutant would be emitted in significant amounts, or, if a major modification, there would be a significant net emissions increase of the pollutant. (iv) Any minor source baseline date established originally for the total suspended particulates increments shall remain in effect and shall apply for determining the amount of available PM-10 increments, except that the department may rescind any minor source baseline date where it can be shown, to the satisfaction of</p>	<p>with “all”, as the Michigan Rule includes a major source baseline date for fine particles.</p> <p>Additional date added for fine particles</p> <p>Michigan Rule replaces “both” with “all” because the Michigan Rule includes an additional trigger date to account for fine particles</p> <p>Additional date added for fine particles</p>
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department may rescind any minor source baseline date where it can be shown, to the satisfaction of the department, that the emissions increase from the major stationary source, or the net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM-10 emissions.

(cc) “Major stationary source” means any of the following:

(i) Any of the following stationary sources of air pollutants which emits, or has the potential to emit, 100 tons per year or more of a regulated new source review pollutant:

(A) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.

(B) Coal cleaning plants with thermal dryers.

(C) Kraft pulp mills.

(D) Portland cement plants.

(E) Primary zinc smelters.

(F) Iron and steel mill plants.

(G) Primary aluminum ore reduction plants.

(H) Primary copper smelters.

(I) Municipal incinerators capable of charging more than 250 tons of refuse per day.

(J) Hydrofluoric, sulfuric, and nitric acid plants.

(K) Petroleum refineries.

(L) Lime plants.

(M) Phosphate rock processing plants.

(N) Coke oven batteries.

(O) Sulfur recovery plants.

(P) Carbon black plants (furnace process).

(Q) Primary lead smelters.

(R) Fuel conversion plants.

the department, that the emissions increase from the major stationary source, or the net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM-10 emissions.

(cc) “Major stationary source” means any of the following:

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(A) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.

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(I) Municipal incinerators capable of charging more than 250 tons of refuse per day.

(J) Hydrofluoric, sulfuric, and nitric acid plants.

(K) Petroleum refineries.

(L) Lime plants.

(M) Phosphate rock processing plants.

(N) Coke oven batteries.

(O) Sulfur recovery plants.

(P) Carbon black plants (furnace process).

(Q) Primary lead smelters.

(R) Fuel conversion plants.

(S) Sintering plants.

(T) Secondary metal production plants.

(U) Chemical process plants. **The**

<p>(S) Sintering plants. (T) Secondary metal production plants. (U) Chemical process plants. (V) Fossil fuel boilers, or combinations thereof, totaling more than 250 million British thermal units per hour heat input. (W) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels. (X) Taconite ore processing plants. (Y) Glass fiber processing plants. (Z) Charcoal production plants.</p> <p>(ii) Any stationary source not listed in the previous subdivision which emits, or has the potential to emit, 250 tons per year or more of a regulated new source review pollutant. (iii) Any physical change that would occur at a stationary source not otherwise qualifying under subdivision (cc) of this subrule, as a major stationary source if the change would constitute a major stationary source by itself. (iv) A major source that is major for volatile organic compounds shall be considered major for ozone. (v) The fugitive emissions of a stationary source shall not be included in determining, for any of the purposes of this rule, whether it is a major stationary source, unless the source belongs to 1 of the categories of stationary sources listed in paragraph (i) of this subdivision. (dd) “Necessary preconstruction approvals or permits” means a permit issued under R 336.1201(1)(a) that is required by R 336.2801 to R 336.2819, R</p>	<p>term chemical process plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industrial Classification System codes 325193 or 312140. (V) Fossil fuel boilers, or combinations thereof, totaling more than 250 million British thermal units per hour heat input. (W) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels. (X) Taconite ore processing plants. (Y) Glass fiber processing plants. (Z) Charcoal production plants. (ii) Any stationary source not listed in the previous subdivision which emits, or has the potential to emit, 250 tons per year or more of a regulated new source review pollutant. (iii) Any physical change that would occur at a stationary source not otherwise qualifying under subdivision (cc) of this subrule, as a major stationary source if the change would constitute a major stationary source by itself. (iv) A major source that is major for volatile organic compounds or oxides of nitrogen shall be considered major for ozone. (v) The fugitive emissions of a stationary source shall not be included in determining, for any of the purposes of this rule, whether it is a major stationary source, unless the source belongs to 1 of the categories of stationary sources listed in paragraph (i) of this subdivision. (dd) “Necessary preconstruction approvals or permits” means a permit issued under R 336.1201(1)(a) that is required by R 336.2801 to R 336.2819, R 336.2823, and R</p>	<p>Michigan Rule clarifies the term chemical process plant to not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industrial Classification System codes 325193 or 312140.</p> <p>Michigan Rule includes oxides of nitrogen as well as volatile organic compounds to the qualifying definition of major stationary source</p>
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<p>336.2823, and R 336.2830 or R 336.1220.</p> <p>(ee) “Net emissions increase” means all of the following:</p> <p>(i) For any regulated new source review pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero:</p> <p>(A) The increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under R 336.2802(4).</p> <p>(B) Any other increases and decreases in actual emissions at the major stationary source that are contemporaneous with the particular change and are otherwise creditable. Baseline actual emissions for calculating increases and decreases under this paragraph shall be determined as provided in the definition of baseline actual emissions, except that paragraphs (b)(i)(C) and (b)(ii)(D) of this rule shall not apply.</p> <p>(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the following:</p> <p>(A) The date 5 years before construction on the particular change commences.</p> <p>(B) The date that the increase from the particular change occurs.</p> <p>(iii) An increase or decrease in actual emissions is creditable only if the department has not relied on it in issuing a permit under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.</p>	<p>336.2830 or R 336.1220.</p> <p>(ee) “Net emissions increase” means all of the following:</p> <p>(i) For any regulated new source review pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero:</p> <p>(A) The increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under R 336.2802(4).</p> <p>(B) Any other increases and decreases in actual emissions at the major stationary source that are contemporaneous with the particular change and are otherwise creditable. Baseline actual emissions for calculating increases and decreases under this paragraph shall be determined as provided in the definition of baseline actual emissions, except that paragraphs (b)(i)(C) and (b)(ii)(D) of this rule shall not apply.</p> <p>(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the following:</p> <p>(A) The date 5 years before construction on the particular change commences.</p> <p>(B) The date that the increase from the particular change occurs.</p> <p>(iii) An increase or decrease in actual emissions is creditable only if the department has not relied on it in issuing a permit under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.</p>	
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(iv) An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or oxides of nitrogen that occurs before the applicable minor source baseline date is creditable only if it is required in calculating the amount of maximum allowable increases remaining available.

(v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(vi) A decrease in actual emissions is creditable only to the extent that it meets all of the following criteria:

(A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions.

(B) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins.

(C) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vii) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. A replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(viii) The definition of actual emissions in R 336.1101(b) shall not apply for determining creditable increases and decreases

(iv) An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or oxides of nitrogen that occurs before the applicable minor source baseline date is creditable only if it is required in calculating the amount of maximum allowable increases remaining available.

(v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(vi) A decrease in actual emissions is creditable only to the extent that it meets all of the following criteria:

(A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions.

(B) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins.

(C) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vii) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. A replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(viii) The definition of actual emissions in R 336.1101(b) shall not apply for determining creditable increases and decreases after a change, instead the definitions of the

after a change, instead the definitions of the terms “projected actual emissions” and “baseline emissions” shall be used.

(ff) [Reserved]

(gg) “Pollution prevention” means any activity that through process changes, product reformulation or redesign, or substitution of less polluting raw materials, eliminates or reduces the release of air pollutants, including fugitive emissions, and other pollutants to the environment before recycling, treatment, or disposal. Pollution prevention does not mean recycling, other than certain “in-process recycling” practices, energy recovery, treatment, or disposal.

(hh) “Potential to emit” means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. A physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is legally enforceable and enforceable as a practical matter by the state, local air pollution control agency, or United States environmental protection agency. Secondary emissions do not count in determining the potential to emit of a stationary source.

(ii) “Predictive emissions monitoring system” or “PEMS” means all of the equipment necessary to monitor process and control device

terms “projected actual emissions” and “baseline emissions” shall be used.

(ff) [Reserved]

(gg) “Pollution prevention” means any activity that through process changes, product reformulation or redesign, or substitution of less polluting raw materials, eliminates or reduces the release of air pollutants, including fugitive emissions, and other pollutants to the environment before recycling, treatment, or disposal. Pollution prevention does not mean recycling, other than certain “in-process recycling” practices, energy recovery, treatment, or disposal.

(hh) “Potential to emit” means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. A physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is legally enforceable and enforceable as a practical matter by the state, local air pollution control agency, or United States environmental protection agency. Secondary emissions do not count in determining the potential to emit of a stationary source.

(ii) “Predictive emissions monitoring system” or “PEMS” means all of the equipment necessary to monitor process and control device

<p>operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and calculate and record the mass emissions rate (for example, pounds per hour) on a continuous basis.</p> <p>(jj) "Prevention of significant deterioration" or "PSD" program means the major source preconstruction permit program required by 40 C.F.R. §52.21, adopted by reference in R 336.2801a, or R 336.2801 to R 336.2819, R 336.2823 and R 336.2830. A permit issued under this program is a major NSR permit.</p> <p>(kk) "Project" means a physical change in, or change in method of operation of, an existing major stationary source.</p> <p>(ll) "Projected actual emissions" means all of the following:</p> <p>(i) The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated new source review pollutant in any 1 of the 5 years (12-month period) following the date the unit resumes regular operation after the project, or in any 1 of the 10 years following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit that regulated new source review pollutant, and full utilization of the unit would result in a significant emissions increase, or a significant net emissions increase at the major stationary source.</p> <p>(ii) In determining the projected actual emissions, before beginning</p>	<p>operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and calculate and record the mass emissions rate (for example, pounds per hour) on a continuous basis.</p> <p>(jj) "Prevention of significant deterioration" or "PSD" program means the major source preconstruction permit program required by 40 C.F.R. §52.21, adopted by reference in R 336.2801a, or R 336.2801 to R 336.2819, R 336.2823 and R 336.2830. A permit issued under this program is a major NSR permit.</p> <p>(kk) "Project" means a physical change in, or change in method of operation of, an existing major stationary source.</p> <p>(ll) "Projected actual emissions" means all of the following:</p> <p>(i) The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated new source review pollutant in any 1 of the 5 years (12-month period) following the date the unit resumes regular operation after the project, or in any 1 of the 10 years following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit that regulated new source review pollutant, and full utilization of the unit would result in a significant emissions increase, or a significant net emissions increase at the major stationary source.</p> <p>(ii) In determining the projected actual emissions, before beginning</p>	
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actual construction, the owner or operator of the major stationary source shall do all of the following:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and compliance plans under the state implementation plan.

(B) Include fugitive emissions to the extent quantifiable and emissions associated with startups, shutdowns, and malfunctions.

(C) Exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

(iii) The owner or operator of a major stationary source may use the emissions unit's potential to emit, in tons per year, instead of calculating projected actual emissions.

(mm) "Reactivation of a very clean coal-fired electric utility steam generating unit" means any physical change or change in the method of operation associated with

source shall do all of the following:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and compliance plans under the state implementation plan.

(B) Include fugitive emissions to the extent quantifiable and emissions associated with startups, shutdowns, and malfunctions.

(C) Exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

(iii) The owner or operator of a major stationary source may use the emissions unit's potential to emit, in tons per year, instead of calculating projected actual emissions.

(mm) "Reactivation of a very clean coal-fired electric utility steam generating unit" means any physical change or change in the method of operation associated with the commencement of commercial

<p>the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit meets all of the following criteria:</p> <p>(i) The unit was not in operation for the 2-year period before the enactment of the clean air act amendments of 1990, and the emissions from the unit continue to be carried in the department's emissions inventory at the time of enactment.</p> <p>(ii) The unit was equipped before shutdown with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of not less than 85% and a removal efficiency for particulates of not less than 98%.</p> <p>(iii) The unit was equipped with low-oxides of nitrogen burners before the time of commencement of operations following reactivation.</p> <p>(iv) The unit otherwise complies with the requirements of the clean air act.</p> <p>(nn) "Regulated new source review pollutant," for purposes of this rule, means all of the following:</p> <p>(i) A pollutant for which a national ambient air quality standard has been promulgated and any constituents or precursors for the pollutants identified by the United States environmental protection agency. For example, volatile organic compounds are precursors for ozone.</p> <p>(ii) A pollutant that is subject to any standard promulgated under section 111 of the clean air act.</p> <p>(iii) A class I or II substance subject</p>	<p>operations by a coal-fired utility unit after a period of discontinued operation where the unit meets all of the following criteria:</p> <p>(i) The unit was not in operation for the 2-year period before the enactment of the clean air act amendments of 1990, and the emissions from the unit continue to be carried in the department's emissions inventory at the time of enactment.</p> <p>(ii) The unit was equipped before shutdown with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of not less than 85% and a removal efficiency for particulates of not less than 98%.</p> <p>(iii) The unit was equipped with low-oxides of nitrogen burners before the time of commencement of operations following reactivation.</p> <p>(iv) The unit otherwise complies with the requirements of the clean air act.</p> <p>(nn) "Regulated new source review pollutant," for purposes of this rule, means all of the following:</p> <p>(i) A pollutant for which a national ambient air quality standard has been promulgated and any constituents or precursors for the pollutants identified by the United States environmental protection agency. For example, volatile organic compounds and oxides of nitrogen are precursors for ozone, and oxides of nitrogen and sulfur dioxide are precursors for PM 2.5.</p> <p>(ii) A pollutant that is subject to any standard promulgated under section 111 of the clean air act.</p> <p>(iii) A class I or II substance subject to a standard promulgated under or established by title VI of the clean air act.</p>	<p>Michigan Rule includes oxides of nitrogen to volatile organic compounds as precursors for ozone. Additionally, the Michigan Rule notes that oxides of nitrogen and sulfur dioxide are precursors for small particles (PM 2.5)</p>
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to a standard promulgated under or established by title VI of the clean air act.

(iv) A pollutant that otherwise is subject to regulation under the clean air act; except that any or all hazardous air pollutants either listed in section 112 of the clean air act or added to the list under section 112(b)(2) of the clean air act, which have not been delisted under section 112(b)(3) of the clean air act, are not regulated new source review pollutants unless the listed hazardous air pollutant is also regulated as a constituent or precursor of a general pollutant listed under section 108 of the clean air act.

(oo) "Repowering" means all of the following:

(i) Replacement of an existing coal-fired boiler with 1 of the following clean coal technologies:

(A) Atmospheric or pressurized fluidized bed combustion.

(B) Integrated gasification combined cycle.

(C) Magneto hydrodynamics.

(D) Direct and indirect coal-fired turbines.

(E) Integrated gasification fuel cells.

(F) A derivative of 1 or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990, as determined by the United States environmental

(iv) A pollutant that otherwise is subject to regulation under the clean air act; except that any or all hazardous air pollutants either listed in section 112 of the clean air act or added to the list under section 112(b)(2) of the clean air act, which have not been delisted under section 112(b)(3) of the clean air act, are not regulated new source review pollutants unless the listed hazardous air pollutant is also regulated as a constituent or precursor of a general pollutant listed under section 108 of the clean air act.

(oo) "Repowering" means all of the following:

(i) Replacement of an existing coal-fired boiler with 1 of the following clean coal technologies:

(A) Atmospheric or pressurized fluidized bed combustion.

(B) Integrated gasification combined cycle.

(C) Magneto hydrodynamics.

(D) Direct and indirect coal-fired turbines.

(E) Integrated gasification fuel cells.

(F) A derivative of 1 or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990, as determined by the United States environmental protection agency, in consultation with the Secretary of Energy.

(ii) Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January

<p>protection agency, in consultation with the Secretary of Energy.</p> <p>(ii) Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the United States Department of Energy.</p> <p>(iii) The department shall give expedited consideration to permit applications for any source that satisfies the definition of repowering and is granted an extension under section 409 of the clean air act.</p> <p>(pp) "Secondary emissions" means emissions which occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For this rule, secondary emissions shall be specific, well defined, quantifiable, and impact the same general areas the stationary source modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.</p> <p>(qq) "Significant" means:</p> <p>(i) In reference to a net emissions increase or the potential of a source to emit any of the</p>	<p>1, 1991, by the United States Department of Energy.</p> <p>(iii) The department shall give expedited consideration to permit applications for any source that satisfies the definition of repowering and is granted an extension under section 409 of the clean air act.</p> <p>(pp) "Secondary emissions" means emissions which occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For this rule, secondary emissions shall be specific, well defined, quantifiable, and impact the same general areas the stationary source modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.</p> <p>(qq) "Significant" means:</p> <p>(i) In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following pollutant emission rates:</p> <p>(A) Carbon monoxide: 100 tons per year.</p> <p>(B) Oxides of nitrogen: 40 tons per year.</p> <p>(C) Sulfur dioxide: 40 tons per year.</p> <p>(D) Particulate matter: 25 tons per year of particulate matter emissions.</p>	<p>Michigan Rule separates the</p>
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following pollutants, a rate of emissions that would equal or exceed any of the following pollutant emission rates:

- (A) Carbon monoxide: 100 tons per year.
- (B) Oxides of nitrogen: 40 tons per year.
- (C) Sulfur dioxide: 40 tons per year.
- (D) Particulate matter: 25 tons per year of particulate matter emissions; 15 tons per year of PM-10 emissions.
- (E) Ozone: 40 tons per year of volatile organic compounds.
- (F) Lead: 0.6 tons per year.
- (G) Fluorides: 3 tons per year.
- (H) Sulfuric acid mist: 7 tons per year.
- (I) Hydrogen sulfide: 10 tons per year.
- (J) Total reduced sulfur, including hydrogen sulfide: 10 tons per year.
- (K) Reduced sulfur compounds, including hydrogen sulfide: 10 tons per year.
- (L) Municipal waste combustor organics, measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans: 3.2×10^{-6} megagrams per year or 3.5×10^{-6} tons per year.
- (M) Municipal waste combustor metals, measured as particulate matter: 14 megagrams per year or 15 tons per year.
- (N) Municipal waste combustor acid gases, measured as sulfur dioxide and hydrogen chloride: 36 megagrams per year or 40 tons per year.
- (O) Municipal solid waste landfill emissions, measured as nonmethane organic compounds: 45 megagrams per year or 50 tons per year.
- (ii) In reference to a net emissions increase or the potential of a source to

- (E) PM-10: 15 tons per year of PM-10 emissions.
- (F) PM 2.5: 10 tons per year of PM 2.5 emissions; 40 tons per year of sulfur dioxide emissions; 40 tons per year of oxides of nitrogen emissions.
- (G) Ozone: 40 tons per year of volatile organic compounds or oxides of nitrogen.
- (H) Lead: 0.6 tons per year.
- (I) Fluorides: 3 tons per year.
- (J) Sulfuric acid mist: 7 tons per year.
- (K) Hydrogen sulfide: 10 tons per year.
- (L) Total reduced sulfur, including hydrogen sulfide: 10 tons per year.
- (M) Reduced sulfur compounds, including hydrogen sulfide: 10 tons per year.
- (N) Municipal waste combustor organics, measured as total tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans: 3.2×10^{-6} megagrams per year or 3.5×10^{-6} tons per year.
- (O) Municipal waste combustor metals, measured as particulate matter: 14 megagrams per year or 15 tons per year.
- (P) Municipal waste combustor acid gases, measured as sulfur dioxide and hydrogen chloride: 36 megagrams per year or 40 tons per year.
- (Q) Municipal solid waste landfill emissions, measured as nonmethane organic compounds: 45 megagrams per year or 50 tons per year.
- (ii) In reference to a net emissions increase or the potential of a source to emit a regulated new source review pollutant not listed in this definition, any emissions rate.
- (iii) Any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct

restriction of 15 tons per year of PM-10 emissions into a new tab rather than including it with particulate matter restrictions. This action leaves different lettered tabs that correspond to the remaining restrictions in the Michigan Rule.

Michigan Rule includes restrictions in tons per year for PM 2.5 emissions, sulfur dioxide emissions, and oxides of nitrogen emissions. This action leaves different lettered tabs that correspond to the remaining restrictions in the Michigan Rule.

Michigan Rule includes oxides of nitrogen along with volatile organic compounds within the listed ozone restrictions

Due to above changes the Michigan Rule lettered tabs are different despite identical restrictions other than those mentioned above

<p>emit a regulated new source review pollutant not listed in this definition, any emissions rate.</p> <p>(iii) Any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct within 10 kilometers of a class I area, and have an impact on such area equal to or greater than 1 microgram per cubic meter (24-hour average).</p> <p>(rr) “Significant emissions increase” means, for a regulated new source review pollutant, an increase in emissions that is significant for that pollutant.</p> <p>(ss) “Stationary source” means any building, structure, facility, or installation which emits or may emit a regulated new source review pollutant.</p> <p>(tt) “Temporary clean coal technology demonstration project” means a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during and after the project is terminated.</p>	<p>within 10 kilometers of a class I area, and have an impact on such area equal to or greater than 1 microgram per cubic meter (24hour average).</p> <p>(rr) “Significant emissions increase” means, for a regulated new source review pollutant, an increase in emissions that is significant for that pollutant.</p> <p>(ss) “Stationary source” means any building, structure, facility, or installation which emits or may emit a regulated new source review pollutant.</p> <p>(tt) “Temporary clean coal technology demonstration project” means a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during and after the project is terminated.</p> <p>History: 2006 AACS; 2008 AACS; 2011 AACS; 2012 AACS.</p>	
	<p>R 336.2801a Adoption by reference.</p> <p>Rule 1801a. For the purpose of clarifying the definitions in these rules, the following documents are adopted by reference in these rules:</p> <p>(a) Copies of the following documents are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of</p>	<p>Michigan Rule includes a list of documents to serve as a reference for clarifying definitions to be adopted by reference.</p>

these rules:

(i) Title 40 C.F.R., part 51, appendix S, section IV, "Sources That Would Locate in a Designated Nonattainment Area," (2005), \$55.00.

(ii) Title 40 C.F.R., §52.21, "Prevention of Significant Deterioration of Air Quality," (2005), \$70.00.

(iii) Title 40 C.F.R., part 58, appendix B, "Quality Assurance Requirements for Prevention of Significant Deterioration (PSD) Air Monitoring," (2005), \$41.00.

(iv) Title 40 C.F.R., part 60, "Standards of performance for new stationary sources," (2005), \$68.00 for 60.1-end and \$67.00 for the appendices.

(v) Title 40 C.F.R., part 61, "National emission standards for hazardous air pollutants," (2005), \$55.00.

(vi) Title 40 C.F.R., part 63, "National emission standards for hazardous air pollutants for source categories," (2005), \$68.00 for 63.1-63.599, \$60.00 for 63.600-63.1199, \$60.00 for 63.1200-63.1439, \$42.00 for 63.1440-63.6175, \$42.00 for 63.6580-63.8830, and \$45.00 for 63.8980-end.

(b) Copies of the following documents may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania, 15250-7954, at a cost as of the time of adoption of these rules, or on the United States government printing office internet web site at

<http://www.access.gpo.gov>:

(i) Title 40 C.F.R., part 51, appendix S, section IV, "Sources That Would Locate in a Designated Nonattainment Area," (2005), \$45.00.

	<p>(ii) Title 40 C.F.R., §52.21, "Prevention of Significant Deterioration of Air Quality," (2005), \$60.00.</p> <p>(iii) Title 40 C.F.R., part 58, appendix B, "Quality Assurance Requirements for Prevention of Significant Deterioration (PSD) Air Monitoring," (2005), \$31.00.</p> <p>(iv) Title 40 C.F.R., part 60, "Standards of performance for new stationary sources," (2005), \$58.00 for 60.1-end and \$57.00 for the appendices.</p> <p>(v) Title 40 C.F.R., part 61, "National emission standards for hazardous air pollutants," (2005), \$45.00.</p> <p>(vi) Title 40 C.F.R., part 63, "National emission standards for hazardous air pollutants for source categories," (2005), \$58.00 for 63.1-63.599, \$50.00 for 63.600-63.1199, \$50.00 for 63.1200-63.1439, \$32.00 for 63.1440-63.6175, \$32.00 for 63.6580-63.8830, and \$35.00 for 63.8980-end.</p> <p>History: 2006 AACs.</p>	
<p>R 336.2802 Applicability. Rule 1802. (1) This part applies to the construction of a new major stationary source or a project at an existing major stationary source in an area designated as attainment or unclassifiable under sections 107(d)(1)(A)(ii) or (iii) of the clean air act. (2) The requirements of R 336.2810 to R 336.2818 apply to the construction of any new major stationary source or the major modification of any existing major stationary source, except as this rule otherwise provides. (3) No new major stationary source or major modification to which R</p>	<p>R 336.2802 Applicability. Rule 1802. (1) This part applies to the construction of a new major stationary source or a project at an existing major stationary source in an area designated as attainment or unclassifiable under sections 107(d)(1)(A)(ii) or (iii) of the clean air act. (2) The requirements of R 336.2810 to R 336.2818 apply to the construction of any new major stationary source or the major modification of any existing major stationary source, except as this rule otherwise provides. (3) No new major stationary source or major modification to which R</p>	

<p>336.2810 to R 336.2818(2) apply shall begin actual construction without a permit to install issued under R 336.1201(1)(a) that states that the major stationary source or major modification will meet those requirements.</p> <p>(4) This part applies to the construction of new major sources and major modifications to existing major sources in the following manner:</p> <p>(a) Except as otherwise provided in subrule (5) of this rule, and consistent with the definition of major modification, a project is a major modification for a regulated new source review pollutant if it causes both of the following types of emissions increases:</p> <p>(i) A significant emissions increase.</p> <p>(ii) A significant net emissions increase.</p> <p>The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase.</p> <p>(b) The procedure for calculating whether a significant emissions increase will occur depends upon the type of emissions units being modified. The procedure for calculating, before beginning actual construction, whether a significant net emissions increase will occur at the major stationary source is contained in the definition of net emissions increase. Regardless of preconstruction projections, a major modification results if the project causes a significant emissions increase and a</p>	<p>336.2810 to R 336.2818(2) apply shall begin actual construction without a permit to install issued under R 336.1201(1)(a) that states that the major stationary source or major modification will meet those requirements.</p> <p>(4) This part applies to the construction of new major sources and major modifications to existing major sources in the following manner:</p> <p>(a) Except as otherwise provided in subrule (5) of this rule, and consistent with the definition of major modification, a project is a major modification for a regulated new source review pollutant if it causes both of the following types of emissions increases:</p> <p>(i) A significant emissions increase.</p> <p>(ii) A significant net emissions increase. The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase.</p> <p>(b) The procedure for calculating whether a significant emissions increase will occur depends upon the type of emissions units being modified. The procedure for calculating, before beginning actual construction, whether a significant net emissions increase will occur at the major stationary source is contained in the definition of net emissions increase. Regardless of preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.</p> <p>(c) The actual-to-projected-actual</p>	
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<p>significant net emissions increase.</p> <p>(c) The actual-to-projected-actual applicability test may be used for projects that only involve existing emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions for each existing emissions unit, equals or exceeds the significant amount for that pollutant.</p> <p>(d) The actual-to-potential test may be used for projects that involve construction of new emission units or modification of existing emission units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the potential to emit from each new or modified emission unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.</p> <p>(e) The hybrid test may be used for projects that involve multiple types of emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the appropriate methods specified in this subrule as applicable with respect to each emissions unit, for each type of emissions unit equals or exceeds the significant amount for that pollutant.</p> <p>(5) For any major stationary source with a plantwide applicability limit for a regulated new source</p>	<p>applicability test may be used for projects that only involve existing emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions for each existing emissions unit, equals or exceeds the significant amount for that pollutant.</p> <p>(d) The actual-to-potential test may be used for projects that involve construction of new emission units or modification of existing emission units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the potential to emit from each new or modified emission unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.</p> <p>(e) The hybrid test may be used for projects that involve multiple types of emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the appropriate methods specified in this subrule as applicable with respect to each emissions unit, for each type of emissions unit equals or exceeds the significant amount for that pollutant.</p> <p>(5) For any major stationary source with a plantwide applicability limit for a regulated new source review pollutant, the major stationary source shall comply with R 336.2823.</p> <p>History: 2006 AACS.</p>	
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<p>review pollutant, the major stationary source shall comply with R 336.2823.</p>		
<p>R 336.2803 Ambient air increments Rule 1803. In areas designated as class I, II, or III, increases in pollutant concentration over the baseline concentration shall be limited to all of the following:</p> <p>Table 182 Ambient air increments</p> <p>[See attached table]</p> <p>For any period other than an annual period, the applicable maximum allowable increase may be exceeded during 1 period per year at any 1 location.</p> <p>History</p>	<p>R 336.2803 Ambient air increments Rule 1803. In areas designated as class I, II, or III, increases in pollutant concentration over the baseline concentration shall be limited to all of the following:</p> <p>Table 182 Ambient Air Increments</p> <p>[See attached table]</p> <p>For any period other than an annual period, the applicable maximum allowable increase may be exceeded during 1 period per year at any 1 location.</p> <p>History: 2006 AACS; 2012 AACS.</p>	<p>Michigan Rule places heading “Rule 1803” in bold</p> <p>Capitalization differences.</p> <p>Michigan Rule Table includes Maximum Allowable Increase Measurements for fine particles (PM 2.5) in each class of pollutants.</p>
<p>R 336.2804 Ambient air ceilings. Rule 1804</p> <p>The concentration of a pollutant shall not exceed either of the following:</p> <p>(a) The concentration permitted under the national secondary ambient air quality standard.</p> <p>(b)The concentration permitted under the national primary ambient air quality standard, whichever concentration is lowest for the pollutant for a period of exposure.</p> <p>History: 2006 MR 23, Eff. December 4, 2006.</p>	<p>R 336.2804 Ambient air ceilings. Rule 1804.</p> <p>The concentration of a pollutant shall not exceed either of the following:</p> <p>(a) The concentration permitted under the national secondary ambient air quality standard.</p> <p>(b) The concentration permitted under the national primary ambient air quality standard, whichever concentration is lowest for the pollutant for a period of exposure.</p> <p>History: 2006 AACS.</p>	
<p>R 336.2805 Restrictions on area classifications. Rule 1805.(1)All of the following areas in existence on August 7, 1977, shall be Class I areas and shall not be redesignated:</p> <p>(a) International parks.</p> <p>(b) National wilderness areas which exceed 5,000 acres in size, including Seney National Wildlife Refuge.</p>	<p>R 336.2805 Restrictions on area classifications. Rule 1805. (1) All of the following areas in existence on August 7, 1977, shall be class I areas and shall not be redesignated:</p> <p>(a) International parks.</p> <p>(b) National wilderness areas which exceed 5,000 acres in size, including Seney National Wildlife Refuge.</p>	<p>Capitalization difference</p>

<p>(c) National memorial parks which exceed 5,000 acres in size.</p> <p>(d) National parks which exceed 6,000 acres in size, including Isle Royale National Park.</p> <p>(2) Areas which were redesignated as Class I under Federal regulations promulgated before August 7, 1977, shall remain Class I, but may be redesignated as provided in this rule.</p> <p>(3) Any other area, unless otherwise specified in the legislation creating such an area, is initially designated class II, but may be redesignated as provided in this rule.</p> <p>(4) Both of the following areas may be redesignated only as class I or II:</p> <p>(a) An area which as of August 7, 1977, exceeded 10,000 acres in size and was a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore.</p> <p>(b) A national park or national wilderness area established after August 7, 1977, which exceeds 10,000 acres in size.</p> <p>History: 2006 MR 23, Eff. December 4, 2006.</p>	<p>(c) National memorial parks which exceed 5,000 acres in size.</p> <p>(d) National parks which exceed 6,000 acres in size, including Isle Royale National Park.</p> <p>(2) Areas which were redesignated as class I under federal regulations promulgated before August 7, 1977, shall remain class I, but may be redesignated as provided in this rule.</p> <p>(3) Any other area, unless otherwise specified in the legislation creating such an area, is initially designated class II, but may be redesignated as provided in this rule.</p> <p>(4) Both of the following areas may be redesignated only as class I or II:</p> <p>(a) An area which as of August 7, 1977, exceeded 10,000 acres in size and was a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore.</p> <p>(b) A national park or national wilderness area established after August 7, 1977, which exceeds 10,000 acres in size.</p> <p>History: 2006 AACS.</p>	<p>Capitalization differences</p>
<p>R 336.2806 Exclusions from increment consumption.</p> <p>Rule 1806.(1) The following concentrations shall be excluded in determining compliance with a maximum allowable increase:</p> <p>(a) Concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both, by reason of an order in</p>	<p>R 336.2806 Exclusions from increment consumption.</p> <p>Rule 1806. (1) The following concentrations shall be excluded in determining compliance with a maximum allowable increase:</p> <p>(a) Concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both, by reason of an order in</p>	

effect under section 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 over the emissions from the identical sources before the effective date of the order.

(b) Concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of natural gas curtailment plan in effect under the Federal Power Act over the emissions from sources before the effective date of the plan.

(c) Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources.

(d) The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration.

(e) Concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or oxides of nitrogen from stationary sources which are affected by plan revisions approved by the United States environmental protection agency.

(2) An exclusion of concentrations shall not apply more than 5 years after the effective date of the order to which subrule (1)(a) of this rule refers or the plan to which subrule (1)(b) of this rule refers, whichever is applicable. If both the order and plan are applicable, then the exclusion shall not apply more than 5 years after the later of such effective dates.

effect under section 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 over the emissions from the identical sources before the effective date of the order.

(b) Concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of natural gas curtailment plan in effect under the Federal Power Act over the emissions from sources before the effective date of the plan.

(c) Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources.

(d) The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration.

(e) Concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or oxides of nitrogen from stationary sources which are affected by plan revisions approved by the United States environmental protection agency.

(2) An exclusion of concentrations shall not apply more than 5 years after the effective date of the order to which subrule (1)(a) of this rule refers or the plan to which subrule (1)(b) of this rule refers, whichever is applicable. If both the order and plan are applicable, then the exclusion shall not apply more than 5 years after the later of such effective dates.

History: 2006 AACS.

<p>History: 2006 MR 23, Eff. December 4, 2006.</p>		
<p>336.2807 Redesignation. Rule 1807. (1) All areas of the state, except those designated as class I pursuant to R 336.2805 are designated as class II. Redesignation, except as otherwise precluded by R 336.2805, may be proposed by the department, as provided in subrule (2) of this rule, subject to approval by the United States environmental protection agency as a revision to the state implementation plan. (2) The department may submit to the United States environmental protection agency a proposal to redesignate areas of the state class I or class II, based on all of the following: (a) At least 1 public hearing has been held under MCL 324.5511. (b) Other states, Indian governing bodies, and federal land managers whose lands may be affected by the proposed redesignation were notified at least 30 days before the public hearing. (b) A discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic, social, and energy effects of the proposed redesignation, was prepared and made available for public inspection at least 30 days before the hearing and the notice announcing the hearing contained appropriate notification of the availability of such discussion. Before the issuance of notice respecting the redesignation of an area that includes any federal lands, the department has</p>	<p>R 336.2807 Redesignation. Rule 1807. (1) All areas of the state, except those designated as class I pursuant to R 336.2805 are designated as class II. Redesignation, except as otherwise precluded by R 336.2805, may be proposed by the department, as provided in subrule (2) of this rule, subject to approval by the United States environmental protection agency as a revision to the state implementation plan. (2) The department may submit to the United States environmental protection agency a proposal to redesignate areas of the state class I or class II, based on all of the following: (a) At least 1 public hearing has been held under MCL 324.5511. (b) Other states, Indian governing bodies, and federal land managers whose lands may be affected by the proposed redesignation were notified at least 30 days before the public hearing. (c) A discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic, social, and energy effects of the proposed redesignation, was prepared and made available for public inspection at least 30 days before the hearing and the notice announcing the hearing contained appropriate notification of the availability of such discussion. (d) Before the issuance of notice respecting the redesignation of an area that includes any federal lands, the department has provided written notice to the appropriate federal land manager and afforded adequate</p>	<p>Spacing difference</p> <p>Lettered tab changed from (b) to (c) in Michigan Rule to avoid typographical error</p> <p>Lettered tab (d) included in Michigan Rule to avoid typographical error</p>

<p>provided written notice to the appropriate federal land manager and afforded adequate opportunity, not more than 60 days, to confer with the department respecting the redesignation and to submit written comments and recommendations.</p> <p>In redesignating an area with respect to which a federal land manager had submitted written comments and recommendations, the department shall have published a list of any inconsistency between the redesignation and comments and recommendations, together with the reasons for making the redesignation against the recommendation of the federal land manager.</p> <p>(e)The department has proposed the redesignation after consultation with the elected leadership of local and other substate general purpose governments in the area covered by the proposed redesignation.</p> <p>History: 2006 MR 23, Eff. December 4, 2006.</p>	<p>opportunity, not more than 60 days, to confer with the department respecting the redesignation and to submit written comments and recommendations. In redesignating an area with respect to which a federal land manager had submitted written comments and recommendations, the department shall have published a list of any inconsistency between the redesignation and comments and recommendations, together with the reasons for making the redesignation against the recommendation of the federal land manager.</p> <p>(e) The department has proposed the redesignation after consultation with the elected leadership of local and other substate general purpose governments in the area covered by the proposed redesignation.</p> <p>History: 2006 AACs.</p>	
<p>R 336.2808 Stack heights. Rule 1808.The degree of emission limitation required for control of any air pollutant under this rule shall not be affected in any manner by either of the following:</p> <p>(a) So much of a stack height, not in existence before December 31, 1970, as exceeds good engineering practice.</p> <p>(b) Any other dispersion technique not implemented before December 31, 1970.</p> <p>History: 2006 MR 23, Eff. December 4, 2006.</p>	<p>R 336.2808 Stack heights. Rule 1808. The degree of emission limitation required for control of any air pollutant under this rule shall not be affected in any manner by either of the following:</p> <p>(a) So much of a stack height, not in existence before December 31, 1970, as exceeds good engineering practice.</p> <p>(b) Any other dispersion technique not implemented before December 31, 1970.</p> <p>History: 2006 AACs.</p>	
<p>R 336.2809 Exemptions.</p>	<p>R 336.2809 Exemptions.</p>	

Rule 1809. (1) The requirements of R 336.2810 to R 336.2818 do not apply to a particular major stationary source or major modification if either of the following occurs:

- (a) The major stationary source would be a nonprofit health or nonprofit educational institution or a major modification that would occur at such an institution.
- (b) The source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source is not required to include fugitives in its potential to emit under R 336.2801(cc)(v).
- (c) The source or modification is a portable stationary source which has previously received a permit under R 336.2810 to R 336.2818, if all of the following occur:
 - (i) The source proposes to relocate and emissions of the source at the new location would be temporary.
 - (ii) The emissions from the source would not exceed its allowable emissions.
 - (iii) The emissions from the source would not impact a class I area or an area where an applicable increment is known to be violated.
 - (iv) Reasonable notice is given to the department before the relocation identifying the proposed new location and the probable duration of operation at the new location. Notice shall be given to the department not less than 10 days in advance of the proposed relocation unless a different time duration is previously approved by the department.

(2) The requirements of R 336.2810

Rule 1809. (1) The requirements of R 336.2810 to R 336.2818 do not apply to a particular major stationary source or major modification if either of the following occurs:

- (a) The major stationary source would be a nonprofit health or nonprofit educational institution or a major modification that would occur at such an institution.
- (b) The source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source is not required to include fugitives in its potential to emit under R 336.2801(cc)(v).
- (c) The source or modification is a portable stationary source which has previously received a permit under R 336.2810 to R 336.2818, if all of the following occur:
 - (i) The source proposes to relocate and emissions of the source at the new location would be temporary.
 - (ii) The emissions from the source would not exceed its allowable emissions.
 - (iii) The emissions from the source would not impact a class I area or an area where an applicable increment is known to be violated.
 - (iv) Reasonable notice is given to the department before the relocation identifying the proposed new location and the probable duration of operation at the new location. Notice shall be given to the department not less than 10 days in advance of the proposed relocation unless a different time duration is previously approved by the department.

(2) The requirements of R 336.2810

to R 336.2818 do not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is subject to new source review for major sources in nonattainment areas regulations.

(3) The requirements of R 336.2811, R 336.2813, and R 336.2815 do not apply to a proposed major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from a new source, or the net emissions increase of that pollutant from a modification, would be temporary and would not impact a class I area or an area where an applicable increment is known to be violated.

(4) The requirements of R 336.2811, R 336.2813, and R 336.2815, as they relate to any maximum allowable increase for a class II area, do not apply to a modification of a major stationary source that was in existence on March 1, 1978, if the net increase in allowable emissions of each regulated new source review pollutant from the modification after the application of best available control technology would be less than 50 tons per year.

(5) The department may exempt a proposed major stationary source or major modification from R 336.2813, with respect to monitoring for a particular pollutant, if any of the following occur:

(a) The emissions increase of the pollutant from a new stationary source or the net emissions increase of the pollutant from a modification would cause, in any area, air quality

to R 336.2818 do not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is subject to new source review for major sources in nonattainment areas regulations.

(3) The requirements of R 336.2811, R 336.2813, and R 336.2815 do not apply to a proposed major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from a new source, or the net emissions increase of that pollutant from a modification, would be temporary and would not impact a class I area or an area where an applicable increment is known to be violated.

(4) The requirements of R 336.2811, R 336.2813, and R 336.2815, as they relate to any maximum allowable increase for a class II area, do not apply to a modification of a major stationary source that was in existence on March 1, 1978, if the net increase in allowable emissions of each regulated new source review pollutant from the modification after the application of best available control technology would be less than 50 tons per year.

(5) The department may exempt a proposed major stationary source or major modification from R 336.2813, with respect to monitoring for a particular pollutant, if any of the following occur:

(a) The emissions increase of the pollutant from a new stationary source or the net emissions increase of the pollutant from a modification would cause, in any area, air quality

<p>impacts less than the following amounts:</p> <p>(i) Carbon monoxide -- 575 micrograms per cubic meter, 8-hour average.</p> <p>(ii) Nitrogen dioxide -- 14 micrograms per cubic meter, annual average.</p> <p>(iii) Particulate matter -- 10 micrograms per cubic meter of PM-10, 24-hour average.</p> <p>(iv) Sulfur dioxide -- 13 micrograms per cubic meter, 24-hour average.</p> <p>(v) Ozone – There is no de minimis air quality level for ozone. However, any net increase of 100 tons per year or more of volatile organic compounds subject to PSD would be required to perform an ambient impact analysis, including the gathering of ambient air quality data.</p> <p>(vi) Lead -- 0.1 micrograms per cubic meter, 3-month average.</p> <p>(vii) Fluorides -- 0.25 micrograms per cubic meter, 24-hour average.</p> <p>(viii) Total reduced sulfur -- 10 micrograms per cubic meter, 1-hour average.</p> <p>(ix) Hydrogen sulfide -- 0.2 micrograms per cubic meter, 1-hour average.</p> <p>(x) Reduced sulfur compounds -- 10 micrograms per cubic meter, 1-hour average.</p> <p>(b) The concentrations of the pollutant in the area that the source or modification would affect are less than the concentrations listed in subdivision (a) of this subrule.</p> <p>(c) The pollutant is not listed in subdivision (a) of this subrule.</p>	<p>impacts less than the following amounts:</p> <p>(i) Carbon monoxide -- 575 micrograms per cubic meter, 8-hour average.</p> <p>(ii) Nitrogen dioxide -- 14 micrograms per cubic meter, annual average.</p> <p>(iii) Particulate matter -- 10 micrograms per cubic meter of PM-10, 24-hour average. 4 micrograms per cubic meter of PM 2.5, 24-hour average.</p> <p>(iv) Sulfur dioxide -- 13 micrograms per cubic meter, 24-hour average.</p> <p>(v) Ozone – There is no de minimis air quality level for ozone. However, any net increase of 100 tons per year or more of volatile organic compounds or oxides of nitrogen subject to PSD would be required to perform an ambient impact analysis, including the gathering of ambient air quality data.</p> <p>(vi) Lead -- 0.1 micrograms per cubic meter, 3-month average.</p> <p>(vii) Fluorides -- 0.25 micrograms per cubic meter, 24-hour average.</p> <p>(viii) Total reduced sulfur -- 10 micrograms per cubic meter, 1-hour average.</p> <p>(ix) Hydrogen sulfide -- 0.2 micrograms per cubic meter, 1-hour average.</p> <p>(x) Reduced sulfur compounds -- 10 micrograms per cubic meter, 1-hour average.</p> <p>(b) The concentrations of the pollutant in the area that the source or modification would affect are less than the concentrations listed in subdivision (a) of this subrule.</p> <p>(c) The pollutant is not listed in subdivision (a) of this subrule.</p> <p>History: 2006 AACS; 2012 AACS.</p>	<p>Michigan Rule added requirements for particulate matter.</p> <p>Michigan Rule added “oxides of nitrogen” to the ozone air quality level.</p>
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R 336.2810 Control technology review.

Rule 1810.

(1) A major stationary source or major modification shall meet each applicable emissions limitation under the state implementation plan and each applicable emission standards and standard of performance under 40 C.F.R. parts 60 and 61, adopted by reference in R 336.2801a.

(2) A new major stationary source shall apply best available control technology for each regulated new source review pollutant that it would have the potential to emit in significant amounts.

(3) A major modification shall apply best available control technology for each regulated new source review pollutant for which it would be a significant net emissions increase at the source. This subrule

applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change or change in the method of operation in the unit.

(4) For phased construction projects, the determination of best available control technology shall be reviewed and modified as appropriate at the latest reasonable time which occurs not later than 18 months before commencement of construction of each independent phase of the project.

At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of best available control technology for the

R 336.2810 Control technology review.

Rule 1810.

(1) A major stationary source or major modification shall meet each applicable emissions limitation under the state implementation plan and each applicable emission standards and standard of performance under 40 C.F.R. parts 60 and 61, adopted by reference in R 336.2801a.

(2) A new major stationary source shall apply best available control technology for each regulated new source review pollutant that it would have the potential to emit in significant amounts.

(3) A major modification shall apply best available control technology for each regulated new source review pollutant for which it would be a significant net emissions increase at the source. This subrule applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change or change in the method of operation in the unit.

(4) For phased construction projects, the determination of best available control technology shall be reviewed and modified as appropriate at the latest reasonable time which occurs not later than 18 months before commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of best available control technology for the source.

History: 2006 AACs.

source.		
<p>R 336.2811 Source impact analysis. Rule 1811. The owner or operator of the proposed major source or major modification shall demonstrate that allowable emission increases from the proposed major source or major modification, in conjunction with all other applicable emissions increases or reduction, including secondary emissions, shall not cause or contribute to air pollution in violation of either of the following: (a) Any national ambient air quality standard in any air quality control region. (b) Any applicable maximum allowable increase over the baseline concentration in any area.</p>	<p>R 336.2811 Source impact analysis. Rule 1811. The owner or operator of the proposed major source or major modification shall demonstrate that allowable emission increases from the proposed major source or major modification, in conjunction with all other applicable emissions increases or reduction, including secondary emissions, shall not cause or contribute to air pollution in violation of either of the following: (a) Any national ambient air quality standard in any air quality control region. (b) Any applicable maximum allowable increase over the baseline concentration in any area.</p> <p>History: 2006 AACS.</p>	
<p>R 336.2812 Air quality models. Rule 1812. (1) All applications of air quality modeling involved in R 336.2801 to R 336.2819, R 336.2823, and R 336.2830 shall use the methods specified in R 336.1240. (2) If an air quality model specified in R 336.1240 is inappropriate, then the model may only be modified or another model substituted with the written approval of the United States environmental protection agency. In addition, use of a modified or substituted model shall be subject to the notice and opportunity for public comment in R 336.2817.</p> <p>History: 2006 MR 23, Eff. December 4, 2006.</p>	<p>R 336.2812 Air quality models. Rule 1812. (1) All applications of air quality modeling involved in R 336.2801 to R 336.2819, R 336.2823, and R 336.2830 shall use the methods specified in R 336.1240. (2) If an air quality model specified in R 336.1240 is inappropriate, then the model may only be modified or another model substituted with the written approval of the United States environmental protection agency. In addition, use of a modified or substituted model shall be subject to the notice and opportunity for public comment in R 336.2817.</p> <p>History: 2006 AACS.</p>	
<p>R 336.2813 Air quality analysis.</p>	<p>R 336.2813 Air quality analysis.</p>	

Rule 1813.

(1) Preapplication analysis includes all of the following:

(a) Any application for a permit under this rule shall contain an analysis of ambient air quality in the area that the major stationary source or major modification would affect for each of the following pollutants:

(i) For the major source, each pollutant that it would have the potential to emit in a significant amount.

(ii) For the modification, each pollutant for which it would result in a significant net emissions increase.

(b) For a pollutant for which a national ambient air quality standard does not exist, the analysis shall contain air quality monitoring data required by the department to assess ambient air quality for that pollutant in any area that the emissions of that pollutant would affect.

(c) For a pollutant, other than nonmethane hydrocarbons, for which such a standard does exist, the analysis shall contain continuous air quality monitoring data gathered for determining whether emissions of that pollutant would cause or contribute to a violation of the standard or any maximum allowable increase.

(d) The continuous air monitoring data that is required shall have been gathered over a period of 1 year and shall represent the year preceding receipt of the application, except that, if the department determines that a complete and adequate analysis may be accomplished with monitoring data gathered over a period less than

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(ii) For the modification, each pollutant for which it would result in a significant net emissions increase.

(b) For a pollutant for which a national ambient air quality standard does not exist, the analysis shall contain air quality monitoring data required by the department to assess ambient air quality for that pollutant in any area that the emissions of that pollutant would affect.

(c) For a pollutant, other than nonmethane hydrocarbons, for which such a standard does exist, the analysis shall contain continuous air quality monitoring data gathered for determining whether emissions of that pollutant would cause or contribute to a violation of the standard or any maximum allowable increase.

(d) The continuous air monitoring data that is required shall have been gathered over a period of 1 year and shall represent the year preceding receipt of the application, except that, if the department determines that a complete and adequate analysis may be accomplished with monitoring data gathered over a period less than 1 year, but not less than 4 months, the data that is required shall have been gathered over at least that shorter

Capitalization difference

<p>1 year, but not less than 4 months, the data that is required shall have been gathered over at least that shorter period.</p> <p>(e)The owner or operator of a proposed major stationary source or major modification of volatile organic compounds who satisfies all conditions of 40 C.F.R. part 51, appendix S, section IV, may provide post-approval monitoring data for ozone instead of providing preconstruction data as otherwise required by this rule. The provisions of 40 C.F.R., part 51, appendix S, section IV, are adopted by referece in R 336.2801a.</p> <p>(2) For post-construction monitoring, the owner or operator of a major stationary source or major modification shall, after construction of the major stationary source or major modification, conduct such ambient monitoring as the department requires to determine the effect emissions from the major stationary source or major modification may have, or are having, on air quality in any area.</p> <p>(3) For operation of monitoring stations, the owner or operator of a major stationary source or major modification shall meet the requirements of 40 C.F.R. part 58, appendix B, during the operation of monitoring stations for purposes of satisfying this rule.</p> <p>The provisions of 40 C.F.R., part 58, appendix B, are adopted by reference in R 336.2801a.</p>	<p>period.</p> <p>(e) The owner or operator of a proposed major stationary source or major modification of volatile organic compounds who satisfies all conditions of 40 C.F.R. part 51, appendix S, section IV, may provide post-approval monitoring data for ozone instead of providing preconstruction data as otherwise required by this rule. The provisions of 40 C.F.R., part 51, appendix S, section IV, are adopted by reference in R 336.2801a.</p> <p>(2) For post-construction monitoring, the owner or operator of a major stationary source or major modification shall, after construction of the major stationary source or major modification, conduct such ambient monitoring as the department requires to determine the effect emissions from the major stationary source or major modification may have, or are having, on air quality in any area.</p> <p>(3) For operation of monitoring stations, the owner or operator of a major stationary source or major modification shall meet the requirements of 40 C.F.R. part 58, appendix B, during the operation of monitoring stations for purposes of satisfying this rule. The provisions of 40 C.F.R., part 58, appendix B, are adopted by reference in R 336.2801a.</p> <p>History: 2006 AACs.</p>	
<p>R 336.2814 Source information. Rule 1814.</p> <p>(1) The owner or operator of a proposed major source or major modification shall submit</p>	<p>R 336.2814 Source information. Rule 1814.</p> <p>(1) The owner or operator of a proposed major source or major modification shall submit all</p>	

<p>all information necessary to perform an analysis or make a determination required under this rule.</p> <p>(2) Information shall include all of the following:</p> <p>(a) A description of the nature, location, design capacity, and typical operating schedule of the major source or major modification, including specifications and drawings showing its design and plant layout.</p> <p>(b) A detailed schedule for construction of the major source or major modification.</p> <p>(c) A detailed description as to what system of continuous emission reduction is planned by the major source or major modification, emission estimates, and any other information to determine that best available control technology, as applicable, would be applied.</p> <p>(3) Upon request of the department, the owner or operator shall provide information on both of the following:</p> <p>(a) The air quality impact of the major source or major modification, including meteorological and topographical data necessary to estimate impact.</p> <p>(b) The air quality impacts and the nature and extent of any or all general commercial, residential, industrial, and other growth which has occurred since August 7, 1977, in the area the major source or major modification would affect.</p>	<p>information necessary to perform an analysis or make a determination required under this rule.</p> <p>(2) Information shall include all of the following:</p> <p>(a) A description of the nature, location, design capacity, and typical operating schedule of the major source or major modification, including specifications and drawings showing its design and plant layout.</p> <p>(b) A detailed schedule for construction of the major source or major modification.</p> <p>(c) A detailed description as to what system of continuous emission reduction is planned by the major source or major modification, emission estimates, and any other information to determine that best available control technology, as applicable, would be applied.</p> <p>(3) Upon request of the department, the owner or operator shall provide information on both of the following:</p> <p>(a) The air quality impact of the major source or major modification, including meteorological and topographical data necessary to estimate impact.</p> <p>(b) The air quality impacts and the nature and extent of any or all general commercial, residential, industrial, and other growth which has occurred since August 7, 1977, in the area the major source or major modification would affect.</p> <p>History: 2006 AACS.</p>	
<p>R 336.2815 Additional impact analyses. Rule 1815.</p> <p>(1) The owner or operator shall provide an analysis of the impairment to visibility, soils, and vegetation that would occur as a result of the major</p>	<p>R 336.2815 Additional impact analyses. Rule 1815.</p> <p>(1) The owner or operator shall provide an analysis of the impairment to visibility, soils, and vegetation that would occur as a result of the major</p>	

<p>source or major modification and general commercial, residential, industrial, and other growth associated with the major source or major modification. The owner or operator need not provide an analysis of the impact on vegetation having no significant commercial or recreational value.</p> <p>(2) The owner or operator shall provide an analysis of the air quality impact projected for the area as a result of general commercial, residential, industrial, and other growth associated with the major source or major modification.</p>	<p>source or major modification and general commercial, residential, industrial, and other growth associated with the major source or major modification. The owner or operator need not provide an analysis of the impact on vegetation having no significant commercial or recreational value.</p> <p>(2) The owner or operator shall provide an analysis of the air quality impact projected for the area as a result of general commercial, residential, industrial, and other growth associated with the major source or major modification.</p> <p>History: 2006 AACs.</p>	
<p>R 336.2816 Sources impacting federal class I areas; additional requirements.</p> <p>Rule 1816. (1) The department shall transmit to the United States environmental protection agency a copy of each permit application relating to a major stationary source or major modification and provide notice to the United States environmental protection agency of every action related to the consideration of the permit.</p> <p>(2) If an applicant submits a permit application to the department for a the proposed major stationary source or major modification that affects a federal class I area, the applicant must submit to the department and the federal land manager charged with direct responsibility for management of class I lands a demonstration of the impact the emissions from the proposed source or modification would have on the air quality related values of class I lands, including visibility. The department shall be available to consult with and</p>	<p>R 336.2816 Sources impacting federal class I areas; additional requirements.</p> <p>Rule 1816. (1) The department shall transmit to the United States environmental protection agency a copy of each permit application relating to a major stationary source or major modification and provide notice to the United States environmental protection agency of every action related to the consideration of the permit.</p> <p>(2) If an applicant submits a permit application to the department for a proposed major stationary source or major modification that affects a federal class I area, the applicant must submit to the department and the federal land manager charged with direct responsibility for management of class I lands a demonstration of the impact the emissions from the proposed source or modification would have on the air quality related values of class I lands, including visibility. The department shall be available to consult with and</p>	<p>Superfluous word in federal approved SIP.</p>

provide additional information to the federal land manager during the federal land manager's review of the demonstration submitted by the applicant, if necessary, to complete the review of the demonstration.

~~(3) the department shall not approve the permit application~~

If the federal land manager's review of the applicant's demonstration results in a finding that the emissions from the proposed major source or major modification would have an adverse impact on the air quality related values of class I lands, including visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would not cause or contribute to concentrations that would exceed the maximum allowable increases for a class I area, and if the department concurs with such finding, then the department shall not approve the permit application.

(4) If the department determines that the emissions from a proposed major source or major modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a class I area, the department shall not approve a permit application unless the applicable requirements of Michigan's state implementation plan are otherwise met and 1 of the following occurs:

(a) The applicant submits a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse impact on the air quality related values of class I lands, including

provide additional information to the federal land manager during the federal land manager's review of the demonstration submitted by the applicant, if necessary, to complete the review of the demonstration.

(3) If the federal land manager's review of the applicant's demonstration results in a finding that the emissions from the proposed major source or major modification would have an adverse impact on the air quality related values of class I lands, including visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would not cause or contribute to concentrations that would exceed the maximum allowable increases for a class I area, and if the department concurs with such finding, then the department shall not approve the permit application.

(4) If the department determines that the emissions from a proposed major source or major modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a class I area, the department shall not approve a permit application unless the applicable requirements of Michigan's state implementation plan are otherwise met and 1 of the following occurs:

(a) The applicant submits a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse

Redundant phrase in federal approved SIP was deleted in Michigan Rule.

visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would cause or contribute to concentrations that would exceed the maximum allowable increases for a class I area. The department may then, provided that applicable requirements are otherwise met, issue the permit with emission limitations to assure that emissions of sulfur dioxide, particulate matter, and oxides of nitrogen would not exceed the following maximum allowable increases over minor source baseline concentration for the pollutants:

Table 183

[See attached table]

(b) If the department cannot approve the permit application under R 336.2816(4)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in Table 183 for periods of 24 hours or less, the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse impact on the air quality related values of class I lands, including visibility, and that both the governor and the federal land manager have granted a sulfur dioxide variance for the federal class I area on which variance the public has received notice and opportunity for public hearing.

(c) If the department cannot approve

impact on the air quality related values of class I lands, including visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would cause or contribute to concentrations that would exceed the maximum allowable increases for a class I area. The department may then, provided that applicable requirements are otherwise met, issue the permit with emission limitations to assure that emissions of sulfur dioxide, particulate matter, and oxides of nitrogen would not exceed the following maximum allowable increases over minor source baseline concentration for the pollutants:

Table 183

[See attached table]

(b) If the department cannot approve the permit application under R 336.2816(4)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in table 183 for periods of 24 hours or less, the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse impact on the air quality related values of class I lands, including visibility, and that both the governor and the federal land manager have granted a sulfur dioxide variance for the federal class I area on which variance the public has received notice and opportunity for public hearing.

(c) If the department cannot approve

Michigan Rule Table includes Maximum Allowable Increase measurement for fine particles (PM 2.5) in particulate matter category

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the permit application under R 336.2816(4)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in Table 183 for periods of 24 hours or less, and the department cannot approve the permit application under R 336.2816(4)(b) because the federal land manager does not concur with the governor's issuance of a sulfur dioxide variance that is otherwise consistent with R 336.2816(4)(b), the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the president that a sulfur dioxide variance is in the national interest and the president concurs with the issuance of the sulfur dioxide variance by the governor. The applicant shall transfer the recommendations of the governor and the federal land manager to the president in any case where the governor recommends a variance in which the federal land manager does not concur.

(5) The department will not issue a permit affecting a class I area in which a sulfur dioxide variance was granted under R 336.2816(4)(b) or (c), unless the permit includes emission limitations necessary to assure that emissions of sulfur dioxide from the major source or major modification would not, during any day on which the otherwise applicable maximum allowable increases are exceeded, cause or contribute to concentrations which would exceed the following maximum allowable increases over the baseline concentration and to assure that emissions would not cause or contribute to concentrations which

the permit application under R 336.2816(4)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in table 183 for periods of 24 hours or less, and the department cannot approve the permit application under R 336.2816(4)(b) because the federal land manager does not concur with the governor's issuance of a sulfur dioxide variance that is otherwise consistent with R 336.2816(4)(b), the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the president that a sulfur dioxide variance is in the national interest and the president concurs with the issuance of the sulfur dioxide variance by the governor. The applicant shall transfer the recommendations of the governor and the federal land manager to the president in any case where the governor recommends a variance in which the federal land manager does not concur.

(5) The department will not issue a permit affecting a class I area in which a sulfur dioxide variance was granted under R 336.2816(4)(b) or (c), unless the permit includes emission limitations necessary to assure that emissions of sulfur dioxide from the major source or major modification would not, during any day on which the otherwise applicable maximum allowable increases are exceeded, cause or contribute to concentrations which would exceed the following maximum allowable increases over the baseline concentration and to assure that emissions would not cause or contribute to concentrations which exceed the otherwise applicable

Capitalization difference

<p>exceed the otherwise applicable maximum allowable increases for periods of exposure of 24 hours or less for more than 18 days, not necessarily consecutive, during any annual period.</p> <p>Table 184</p> <p>[See attached table]</p>	<p>maximum allowable increases for periods of exposure of 24 hours or less for more than 18 days, not necessarily consecutive, during any annual period.</p> <p>Table 184</p> <p>[See attached table]</p> <p>History: 2006 AACS; 2008 AACS; 2011 AACS; 2012 AACS.</p>	
<p>R 336.2817 Public participation. Rule 1817.</p> <p>(1)The department shall notify all applicants within a specified time period as to the completeness of the application or any deficiency in the application or information submitted. If there is a deficiency, then the date of receipt of the application shall be the date on which the department received all required information.</p> <p>(2)Within 120 days after receipt of a technically complete application, the department shall do all of the following:</p> <p>(a)Make a preliminary determination whether construction should be approved, approved with conditions, or disapproved.</p> <p>(b) Make available in at least 1 location in each region in which the proposed major source would be constructed a copy of all materials the applicant submitted, a copy of the preliminary determination, and a copy or summary of other materials, if any, considered in making the preliminary determination.</p> <p>(c) Notify the public, by advertisement in a newspaper of general circulation in each region in which the proposed major source would be constructed,</p>	<p>R 336.2817 Public participation. Rule 1817.</p> <p>(1) The department shall notify all applicants within a specified time period as to the completeness of the application or any deficiency in the application or information submitted. If there is a deficiency, then the date of receipt of the application shall be the date on which the department received all required information.</p> <p>(2) Within 120 days after receipt of a technically complete application, the department shall do all of the following:</p> <p>(a) Make a preliminary determination whether construction should be approved, approved with conditions, or disapproved.</p> <p>(b) Make available in at least 1 location in each region in which the proposed major source would be constructed a copy of all materials the applicant submitted, a copy of the preliminary determination, and a copy or summary of other materials, if any, considered in making the preliminary determination.</p> <p>(c) Notify the public, by advertisement in a newspaper of general circulation in each region in which the proposed major source would be constructed, of the application, the preliminary</p>	

<p>of the application, the preliminary determination, the degree of increment consumption that is expected from the major source or major modification, and of the opportunity for comment at a public hearing as well as written public comment.</p> <p>(d) Send a copy of the notice of public comment to the applicant, to the United States environmental protection agency, and to officials and agencies having cognizance over the location where the proposed construction would occur. The notice shall also be sent to any other state or local air pollution control agencies; the chief executives of the city and county where the major source would be located; any comprehensive regional land use planning agency; and any state, federal land manager, or Indian governing body whose lands may be affected by emissions from the major source or major modification.</p> <p>(e) Provide opportunity for a public hearing for interested persons to appear and submit written or oral comments on the air quality impact of the major source, alternatives to it, the control technology required, and other appropriate considerations.</p> <p>(f) Consider all written comments submitted within a time specified in the notice of public comment and all comments received at any public hearing in making a final decision on the approvability of the application. The department shall make all comments available for public inspection in the same locations where the department made available</p>	<p>determination, the degree of increment consumption that is expected from the major source or major modification, and of the opportunity for comment at a public hearing as well as written public comment.</p> <p>(d) Send a copy of the notice of public comment to the applicant, to the United States environmental protection agency, and to officials and agencies having cognizance over the location where the proposed construction would occur. The notice shall also be sent to any other state or local air pollution control agencies; the chief executives of the city and county where the major source would be located; any comprehensive regional land use planning agency; and any state, federal land manager, or Indian governing body whose lands may be affected by emissions from the major source or major modification.</p> <p>(e) Provide opportunity for a public hearing for interested persons to appear and submit written or oral comments on the air quality impact of the major source, alternatives to it, the control technology required, and other appropriate considerations.</p> <p>(f) Consider all written comments submitted within a time specified in the notice of public comment and all comments received at any public hearing in making a final decision on the approvability of the application. The department shall make all comments available for public inspection in the same locations where the department made available preconstruction information relating to the proposed major source or major modification.</p> <p>(g) Make a final determination</p>	
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<p>preconstruction information relating to the proposed major source or major modification.</p> <p>(g) Make a final determination whether construction should be approved, approved with conditions, or disapproved.</p> <p>(h) Notify the applicant in writing of the final determination and make the notification available for public inspection at the same location where the department made available preconstruction information and public comments relating to the major source.</p>	<p>whether construction should be approved, approved with conditions, or disapproved.</p> <p>(h) Notify the applicant in writing of the final determination and make the notification available for public inspection at the same location where the department made available preconstruction information and public comments relating to the major source.</p> <p>History: 2006 AACs.</p>	<p>Capitalization difference</p>
<p>R 336.2818 Source obligation. Rule 1818. (1) Approval to construct shall not relieve an owner or operator of the responsibility to comply fully with applicable provisions of the state implementation plan and any other requirements under local, state, or federal law.</p> <p>(2) If a particular major source or major modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the major source or major modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of R 336.2810 to R 336.2819 shall apply to the major source or major modification as though construction had not yet commenced on the major source or major modification.</p> <p>(3) All of the following provisions apply to any regulated new source review pollutant emitted from projects at existing emissions units at a major stationary source, other than projects at a major source with a plantwide applicability limit, where</p>	<p>R 336.2818 Source obligation. Rule 1818. (1) Approval to construct shall not relieve an owner or operator of the responsibility to comply fully with applicable provisions of the state implementation plan and any other requirements under local, state, or federal law.</p> <p>(2) If a particular major source or major modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the major source or major modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of R 336.2810 to R 336.2819 shall apply to the major source or major modification as though construction had not yet commenced on the major source or major modification.</p> <p>(3) All of the following provisions apply to any regulated new source review pollutant emitted from projects at existing emissions units at a major stationary source, other than projects at a major source with a plantwide applicability limit, where</p>	

there is a reasonable possibility, as defined in R 336.2818(3)(f), that a project that is not a part of a major modification may result in a significant emissions increase of such pollutant, and the owner or operator elects to use the method specified in R 336.2801(II)(ii)(A) to (C) for calculating projected actual emissions:

(a) Before beginning actual construction of the project, the owner or operator shall document and maintain a record of all of the following information:

(i) A description of the project.
(ii) Identification of the emissions unit or units whose emissions of a regulated new major source review pollutant may be affected by the project.

(iii) A description of the applicability test used to determine that the project is not a major modification for any regulated new source review pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under R 336.2801(II)(ii)(C) and an explanation for why such amount was excluded, and any netting calculations, if applicable.

(b) If the emissions unit is an existing electric utility steam generating unit, then before beginning actual construction, the owner or operator shall provide a copy of the information required by subdivision (a) of this subrule to the department. This subdivision does not require the owner or operator of the unit to obtain any determination from the department before beginning actual construction.

(c) The owner or operator shall

there is a reasonable possibility, as defined in R 336.2818(3)(f), that a project that is not a part of a major modification may result in a significant emissions increase of such pollutant, and the owner or operator elects to use the method specified in R 336.2801(II)(ii)(A) to (C) for calculating projected actual emissions:

(a) Before beginning actual construction of the project, the owner or operator shall document and maintain a record of all of the following information:

(i) A description of the project.
(ii) Identification of the emissions unit or units whose emissions of a regulated new major source review pollutant may be affected by the project.

(iii) A description of the applicability test used to determine that the project is not a major modification for any regulated new source review pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under R 336.2801(II)(ii)(C) and an explanation for why such amount was excluded, and any netting calculations, if applicable.

(b) If the emissions unit is an existing electric utility steam generating unit, then before beginning actual construction, the owner or operator shall provide a copy of the information required by subdivision (a) of this subrule to the department. This subdivision does not require the owner or operator of the unit to obtain any determination from the department before beginning actual construction.

(c) The owner or operator shall monitor the emissions of a regulated

monitor the emissions of a regulated new source review pollutant that could increase as a result of the project and that is emitted by any emissions unit identified in subdivision (a)(ii) of this subrule; and calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of 5 years following resumption of regular operations after the change, or for a period of 10 years following resumption of regular operations after the change if the project increases the design capacity or potential to emit of that regulated new major source review pollutant at the emissions unit.

(d) If the unit is an existing electric utility steam generating unit, then the owner or operator shall submit a report to the department within 60 days after the end of each year during which records are generated under subdivision (c) of this subrule setting out the unit's annual emissions during the calendar year before submission of the report.

(e) If the unit is an existing unit other than an electric utility steam generating unit, then the owner or operator shall submit a report to the department if the annual emissions, in tons per year, from the project exceed the baseline actual emissions by a significant amount for that regulated new source review pollutant, and if such emissions differ from the preconstruction projection. The owner or operator shall submit the report to the department within 60 days after the end of such year. The report shall contain all of the following:

(i) The name, address, and telephone number of the major stationary

new source review pollutant that could increase as a result of the project and that is emitted by any emissions unit identified in subdivision (a)(ii) of this subrule; and calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of 5 years following resumption of regular operations after the change, or for a period of 10 years following resumption of regular operations after the change if the project increases the design capacity or potential to emit of that regulated new major source review pollutant at the emissions unit.

(d) If the unit is an existing electric utility steam generating unit, then the owner or operator shall submit a report to the department within 60 days after the end of each year during which records are generated under subdivision (c) of this subrule setting out the unit's annual emissions during the calendar year before submission of the report.

(e) If the unit is an existing unit other than an electric utility steam generating unit, then the owner or operator shall submit a report to the department if the annual emissions, in tons per year, from the project exceed the baseline actual emissions by a significant amount for that regulated new source review pollutant, and if such emissions differ from the preconstruction projection. The owner or operator shall submit the report to the department within 60 days after the end of such year. The report shall contain all of the following:

(i) The name, address, and telephone number of the major stationary source.

(ii) The annual emissions as

<p>source.</p> <p>(ii) The annual emissions as calculated under subdivision (c) of this subrule.</p> <p>(iii) Any other information that the owner or operator wishes to include in the report; for example, an explanation as to why the emissions differ from the preconstruction projection.</p> <p>(f) A reasonable possibility occurs when the owner or operator calculates the project to result in either of the following:</p> <p>(i) A projected actual emissions increase of at least 50% of the amount that is a significant emissions increase, as defined in R 336.2801(rr), without reference to the amount that is a significant net emissions increase for the regulated new source review pollutant.</p> <p>(ii) A projected actual emissions increase that, added to the amount of emissions excluded under R 336.2801(ll)(ii)(C), sums to at least 50% of the amount that is a significant emissions increase, as defined in R 336.2801(rr), without reference to the amount that is a significant net emissions increase for the regulated new source review pollutant.</p> <p>For a project for which a reasonable possibility occurs only within the meaning of R 336.2818(3)(f)(ii), and not also within the meaning of R 336.2818(3)(f)(i), then the provisions of R 336.2818(3)(b) to (e) do not apply to the project.</p> <p>(4) The owner or operator of the major source shall make the information required to be documented and maintained under this rule</p>	<p>calculated under subdivision (c) of this subrule.</p> <p>(iii) Any other information that the owner or operator wishes to include in the report; for example, an explanation as to why the emissions differ from the preconstruction projection.</p> <p>(f) A reasonable possibility occurs when the owner or operator calculates the project to result in either of the following:</p> <p>(i) A projected actual emissions increase of at least 50% of the amount that is a significant emissions increase, as defined in R 336.2801(rr), without reference to the amount that is a significant net emissions increase for the regulated new source review pollutant.</p> <p>(ii) A projected actual emissions increase that, added to the amount of emissions excluded under R 336.2801(ll)(ii)(C), sums to at least 50% of the amount that is a significant emissions increase, as defined in R 336.2801(rr), without reference to the amount that is a significant net emissions increase for the regulated new source review pollutant. For a project for which a reasonable possibility occurs only within the meaning of R 336.2818(3)(f)(ii), and not also within the meaning of R 336.2818(3)(f)(i), then the provisions of R 336.2818(3)(b) to (e) do not apply to the project.</p> <p>(4) The owner or operator of the major source shall make the information required to be documented and maintained under this rule available for review upon request for inspection by the department or the general public under MCL 324.5516(2).</p>	
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<p>available for review upon request for inspection by the department or the general public under MCL 324.5516(2).</p>	<p>History: 2006 AACS; 2008 AACS.</p>	
<p>R 336.2819 Innovative control technology. Rule 1819. (1) An owner or operator of a proposed major stationary source or major modification may request the department to approve a system of innovative control technology. (2) The department may, with notice to and advice from each affected state, determine that the major source or major modification may employ a system of innovative control technology, if all of the following occurs: (a) The proposed control system would not cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function. (b) The owner or operator agrees to achieve a level of continuous emissions reduction equivalent to that which would have been required by R 336.2810 (2), by a date specified by the department. The date shall not be later than 4 years from the time of startup or 7 years from permit issuance. (c) The major source or major modification would meet the requirements equivalent to those in R 336.2810 and R 336.2811, based on the emissions rate that the major stationary source employing the system of innovative control technology would be required to meet on the date specified by the department. (d) The major source or major modification would not do either of the following before the date</p>	<p>R 336.2819 Innovative control technology. Rule 1819. (1) An owner or operator of a proposed major stationary source or major modification may request the department to approve a system of innovative control technology. (2) The department may, with notice to and advice from each affected state, determine that the major source or major modification may employ a system of innovative control technology, if all of the following occurs: (a) The proposed control system would not cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function. (b) The owner or operator agrees to achieve a level of continuous emissions reduction equivalent to that which would have been required by R 336.2810(2), by a date specified by the department. The date shall not be later than 4 years from the time of startup or 7 years from permit issuance. (c) The major source or major modification would meet the requirements equivalent to those in R 336.2810 and R 336.2811, based on the emissions rate that the major stationary source employing the system of innovative control technology would be required to meet on the date specified by the department. (d) The major source or major modification would not do either of the following before the date specified by the department:</p>	

specified by the department:

- (i) Cause or contribute to any violation of an applicable national ambient air quality standard.
- (ii) Impact any area where an applicable increment is known to be violated.
- (e) All other applicable requirements including those for public participation have been met.
- (f) The provisions of R 336.2816, relating to class I areas, have been satisfied with respect to all periods during the life of the major source or major modification.
- (3) The department shall withdraw an approval to employ a system of innovative control technology made under this rule, if any of the following occurs:
 - (a) The proposed system fails by the specified date to achieve the required continuous emissions reduction rate.
 - (b) The proposed system fails before the specified date so as to contribute to an unreasonable risk to public health, welfare, or safety.
 - (c) The department decides at any time that the proposed system is unlikely to achieve the required level of control or to protect the public health, welfare, or safety.
 - (4) If a major source or major modification fails to meet the required level of continuous emissions reduction within the specified time period, or if the approval is withdrawn under subrule (3) of this rule, then the department may allow the major source or major modification up to an additional 3 years to meet the requirement for the application of best available control technology through use of a

- (i) Cause or contribute to any violation of an applicable national ambient air quality standard.
- (ii) Impact any area where an applicable increment is known to be violated.
- (e) All other applicable requirements including those for public participation have been met.
- (f) The provisions of R 336.2816, relating to class I areas, have been satisfied with respect to all periods during the life of the major source or major modification.
- (3) The department shall withdraw an approval to employ a system of innovative control technology made under this rule, if any of the following occurs:
 - (a) The proposed system fails by the specified date to achieve the required continuous emissions reduction rate.
 - (b) The proposed system fails before the specified date so as to contribute to an unreasonable risk to public health, welfare, or safety.
 - (c) The department decides at any time that the proposed system is unlikely to achieve the required level of control or to protect the public health, welfare, or safety.
 - (4) If a major source or major modification fails to meet the required level of continuous emissions reduction within the specified time period, or if the approval is withdrawn under subrule (3) of this rule, then the department may allow the major source or major modification up to an additional 3 years to meet the requirement for the application of best available control technology through use of a demonstrated system of control.

History: 2006 AACs.

demonstrated system of control.		
<p>R 336.2823 Actuals plantwide applicability limits (PALs).</p> <p>Rule 1823.(1) The following definitions apply to the use of actuals PALs consistent with this rule. If a term is not defined in these paragraphs, it shall have the meaning given in R 336.2801 or R 336.1101 to R 336.1127.</p> <p>(a) "Actuals PAL for a major stationary source" means a PAL based on the baseline actual emissions of all emissions units at the major source that emit or have the potential to emit the PAL pollutant.</p> <p>(b) "Allowable emissions" means allowable emissions as defined in R 336.2801, except as this definition is modified by the following:</p> <p>(i) The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.</p> <p>(ii) An emissions unit's potential to emit shall be determined using the definition in R 336.2801, except that the words "or enforceable as a practical matter" should be added after "federally enforceable."</p> <p>(c) "Small emissions unit" means an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the significant level for that PAL pollutant, as defined in R 336.2801 or in the clean air act, whichever is lower.</p> <p>(d) "Major emissions unit" means either of the following:</p> <p>(i) Any emissions unit that emits or has the potential to emit 100 tons per</p>	<p>R 336.2823 Actuals plantwide applicability limits (PALs).</p> <p>Rule 1823. (1) The following definitions apply to the use of actuals PALs consistent with this rule. If a term is not defined in these paragraphs, it shall have the meaning given in R 336.2801 or R 336.1101 to R 336.1127.</p> <p>(a) "Actuals PAL for a major stationary source" means a PAL based on the baseline actual emissions of all emissions units at the major source that emit or have the potential to emit the PAL pollutant.</p> <p>(b) "Allowable emissions" means allowable emissions as defined in R 336.2801, except as this definition is modified by the following:</p> <p>(i) The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.</p> <p>(ii) An emissions unit's potential to emit shall be determined using the definition in R 336.2801, except that the words "or enforceable as a practical matter" should be added after "federally enforceable."</p> <p>(c) "Small emissions unit" means an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the significant level for that PAL pollutant, as defined in R 336.2801 or in the clean air act, whichever is lower.</p> <p>(d) "Major emissions unit" means either of the following:</p> <p>(i) Any emissions unit that emits or has the potential to emit 100 tons per year or more of the PAL pollutant in an attainment area.</p>	

<p>year or more of the PAL pollutant in an attainment area.</p> <p>(ii) Any emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the clean air act for nonattainment areas.</p> <p>(e) "Plantwide applicability limitation" or "PAL" means an emission limitation expressed in tons per year, for a pollutant at a major stationary source, that is enforceable as a practical matter and established source-wide in accordance with this rule.</p> <p>(f) "PAL effective date" means the date of issuance of the PAL permit. However, the PAL effective date for an increased PAL is the date any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.</p> <p>(g) "PAL effective period" means the period beginning with the PAL effective date and ending 10 years later.</p> <p>(h) "PAL major modification" means, notwithstanding the definitions for major modification and net emissions increase, any physical change in or change in the method of operation of the PAL major source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.</p> <p>(i) "PAL permit" means the permit to install issued under R 336.1201(1)(a) or R 336.1214a that establishes a PAL for a major stationary source.</p> <p>(j) "PAL pollutant" means the pollutant for which a PAL is established at a major stationary</p>	<p>(ii) Any emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the clean air act for nonattainment areas.</p> <p>(e) "Plantwide applicability limitation" or "PAL" means an emission limitation expressed in tons per year, for a pollutant at a major stationary source, that is enforceable as a practical matter and established source-wide in accordance with this rule.</p> <p>(f) "PAL effective date" means the date of issuance of the PAL permit. However, the PAL effective date for an increased PAL is the date any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.</p> <p>(g) "PAL effective period" means the period beginning with the PAL effective date and ending 10 years later.</p> <p>(h) "PAL major modification" means, notwithstanding the definitions for major modification and net emissions increase, any physical change in or change in the method of operation of the PAL major source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.</p> <p>(i) "PAL permit" means the permit to install issued under R 336.1201(1)(a) or R 336.1214a that establishes a PAL for a major stationary source.</p> <p>(j) "PAL pollutant" means the pollutant for which a PAL is established at a major stationary source.</p> <p>(k) "Significant emissions unit" means an emissions unit that emits or has the potential to emit a PAL</p>	
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<p>source.</p> <p>(k) "Significant emissions unit" means an emissions unit that emits or has the potential to emit a PAL pollutant in an amount that is equal to or greater than the significant level, as defined in R 336.2801 or in the clean air act, whichever is lower, for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit.</p> <p>(2) The following provisions describe the applicability of other federal regulations to major sources with PALs:</p> <p>(a)The department may approve the use of an actuals PAL for any existing major stationary source if the PAL meets all of the requirements of this rule. The term "PAL" shall mean "actuals PAL" in this rule.</p> <p>(b) Any physical change in or change in the method of operation of a major stationary source that maintains its total source-wide emissions below the PAL level, meets the requirements of this rule, and complies with the PAL permit. If the change complies with the PAL permit, then the following statements apply:</p> <p>(i)The change is not a major modification for the PAL pollutant.</p> <p>(ii)The change does not have to otherwise be approved under prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations.</p> <p>(iii)The change is not subject to R 336.2818(2), restrictions on relaxing enforceable emission limitations that the major stationary source used to avoid</p>	<p>pollutant in an amount that is equal to or greater than the significant level, as defined in R 336.2801 or in the clean air act, whichever is lower, for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit.</p> <p>(2) The following provisions describe the applicability of other federal regulations to major sources with PALs:</p> <p>(a) The department may approve the use of an actuals PAL for any existing major stationary source if the PAL meets all of the requirements of this rule. The term "PAL" shall mean "actuals PAL" in this rule.</p> <p>(b) Any physical change in or change in the method of operation of a major stationary source that maintains its total source-wide emissions below the PAL level, meets the requirements of this rule, and complies with the PAL permit. If the change complies with the PAL permit, then the following statements apply:</p> <p>(i) The change is not a major modification for the PAL pollutant.</p> <p>(ii) The change does not have to otherwise be approved under prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations.</p> <p>(iii) The change is not subject to R 336.2818(2), restrictions on relaxing enforceable emission limitations that the major stationary source used to avoid applicability of the major new source review program.</p> <p>(c) Except as provided under subdivision (b)(iii) of this subrule, a major stationary source shall continue to comply with all applicable federal or state requirements, emission</p>	
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<p>applicability of the major new source review program.</p> <p>(c) Except as provided under subdivision (b)(iii) of this subrule, a major stationary source shall continue to comply with all applicable federal or state requirements, emission limitations, and work practice requirements that were established before the effective date of the PAL.</p> <p>(3) As part of a permit application requesting a PAL, the owner or operator of a major stationary source shall submit the following information to the department for approval:</p> <p>(a) A list of all emissions units at the major source designated as small, significant or major based on their potential to emit. In addition, the owner or operator of the major source shall indicate which, if any, federal or state applicable requirements, emission limitations, or work practices apply to each unit.</p> <p>(b) Calculations of the baseline actual emissions with supporting documentation. Baseline actual emissions shall include emissions associated not only with operation of the unit, but also emissions associated with startup, shutdown, and malfunction.</p> <p>(c) The calculation procedures that the major stationary source owner or operator proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (13)(a) of this rule.</p> <p>(4) The following requirements establish PALs:</p>	<p>limitations, and work practice requirements that were established before the effective date of the PAL.</p> <p>(3) As part of a permit application requesting a PAL, the owner or operator of a major stationary source shall submit the following information to the department for approval:</p> <p>(a) A list of all emissions units at the major source designated as small, significant or major based on their potential to emit. In addition, the owner or operator of the major source shall indicate which, if any, federal or state applicable requirements, emission limitations, or work practices apply to each unit.</p> <p>(b) Calculations of the baseline actual emissions with supporting documentation. Baseline actual emissions shall include emissions associated not only with operation of the unit, but also emissions associated with startup, shutdown, and malfunction.</p> <p>(c) The calculation procedures that the major stationary source owner or operator proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (13)(a) of this rule.</p> <p>(4) The following requirements establish PALs:</p> <p>(a) The department may establish a PAL at a major stationary source, provided that, at a minimum, the following requirements are met:</p> <p>(i) The PAL shall impose an annual emission limitation in tons per year, that is enforceable as a practical matter, for the entire major stationary source. For each month during the</p>	
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<p>(a)The department may establish a PAL at a major stationary source, provided that, at a minimum, the following requirements are met:</p> <p>(i)The PAL shall impose an annual emission limitation in tons per year, that is enforceable as a practical matter, for the entire major stationary source. For each month during the PAL effective period after the first 12 months of establishing a PAL, the major stationary source owner or operator shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous 12 consecutive months is less than the PAL, a 12-month average rolled monthly. For each month during the first 11 months from the PAL effective date, the major stationary source owner or operator shall show that the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL.</p> <p>(ii) The PAL shall be established in a PAL permit that meets the public participation requirements in subrule (5) of this rule.</p> <p>(iii)The PAL permit shall comply with subrule (7) of this rule.</p> <p>(iv) The PAL shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit or have the potential to emit the PAL pollutant at the major stationary source.</p> <p>(v)Each PAL shall regulate emissions of only 1 pollutant.</p> <p>(vi)Each PAL shall have a PAL effective period of 10 years.</p> <p>(vii)The owner or operator of the major stationary source with a PAL</p>	<p>PAL effective period after the first 12 months of establishing a PAL, the major stationary source owner or operator shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous 12 consecutive months is less than the PAL, a 12-month average rolled monthly. For each month during the first 11 months from the PAL effective date, the major stationary source owner or operator shall show that the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL.</p> <p>(ii) The PAL shall be established in a PAL permit that meets the public participation requirements in subrule (5) of this rule.</p> <p>(iii) The PAL permit shall comply with subrule (7) of this rule.</p> <p>(iv) The PAL shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit or have the potential to emit the PAL pollutant at the major stationary source.</p> <p>(v) Each PAL shall regulate emissions of only 1 pollutant.</p> <p>(vi) Each PAL shall have a PAL effective period of 10 years.</p> <p>(vii) The owner or operator of the major stationary source with a PAL shall comply with the monitoring, recordkeeping, and reporting requirements provided in subrules (12) to (14) of this rule for each emissions unit under the PAL through the PAL effective period.</p> <p>(b) Emissions reductions of a PAL pollutant that occur during the PAL effective period are not creditable as decreases for emissions offsets unless the level of the PAL is reduced by the</p>	
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<p>shall comply with the monitoring, recordkeeping, and reporting requirements provided in subrules (12) to (14) of this rule for each emissions unit under the PAL through the PAL effective period.</p> <p>(b)Emissions reductions of a PAL pollutant that occur during the PAL effective period are not creditable as decreases for emissions offsets unless the level of the PAL is reduced by the amount of the emissions reductions and the reductions would be creditable in the absence of the PAL.</p> <p>(5)PALs for existing major stationary sources shall be established, renewed, or increased, through a permit to install issued under R 336.1201(1)(a). The department shall provide the public with notice of the proposed approval of a PAL permit and at least a 30-day period for submittal of public comment. The department Shall address all material comments before taking final action on the permit.</p> <p>(6)The following apply to setting the 10-year actuals PAL level:</p> <p>(a)Except as provided in subdivision</p> <p>(b) of this subrule, the actuals PAL level for a major stationary source shall be established as the sum of the baseline actual emissions of the PAL pollutant for each emissions unit at the major source; plus an amount equal to the applicable significant level for the PAL pollutant as defined in R 336.2801 or the clean air act, whichever is lower. When establishing the actuals PAL level, for a PAL pollutant, only 1 consecutive 24-month period shall</p>	<p>amount of the emissions reductions and the reductions would be creditable in the absence of the PAL.</p> <p>(5) PALs for existing major stationary sources shall be established, renewed, or increased, through a permit to install issued under R 336.1201(1)(a). The department shall provide the public with notice of the proposed approval of a PAL permit and at least a 30-day period for submittal of public comment. The department shall address all material comments before taking final action on the permit.</p> <p>(6) The following apply to setting the 10-year actuals PAL level:</p> <p>(a) Except as provided in subdivision</p> <p>(b) of this subrule, the actuals PAL level for a major stationary source shall be established as the sum of the baseline actual emissions of the PAL pollutant for each emissions unit at the major source; plus an amount equal to the applicable significant level for the PAL pollutant as defined in R 336.2801 or the clean air act, whichever is lower. When establishing the actuals PAL level, for a PAL pollutant, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for all existing emissions units. However, a different consecutive 24-month period may be used for each different PAL pollutant. Emissions associated with units that were permanently shut down after this 24-month period shall be subtracted from the PAL level. The department shall specify a reduced PAL level, in tons per year, in the PAL permit to become effective on the future compliance dates of any applicable federal or state regulatory requirement before issuance of the</p>	
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be used to determine the baseline actual emissions for all existing emissions units. However, a different consecutive 24-month period may be used for each different PAL pollutant. Emissions associated with units that were permanently shut down after this 24-month period shall be subtracted from the PAL level. The department shall specify a reduced PAL level, in tons per year, in the PAL permit to become effective on the future compliance dates of any applicable federal or state regulatory requirement before issuance of the PAL permit. For example, if the major source owner or operator will be required to reduce emissions from industrial boilers in half from baseline emissions of 60 parts per million oxides of nitrogen to a new rule limit of 30 parts per million, then the permit shall contain a future effective PAL level that is equal to the current PAL level reduced by half of the original baseline emissions of the units.

(b) For newly constructed units, which do not include modifications to existing units, on which actual construction began after the 24-month period, instead of adding the baseline actual emissions as specified in subdivision (a) of this subrule, the emissions shall be added to the PAL level in an amount equal to the potential to emit of the units.

(7) The PAL permit shall contain, at a minimum, all of the following information:

(a) The PAL pollutant and the applicable source-wide emission limitation in tons per year.

(b) The PAL permit effective date and

PAL permit. For example, if the major source owner or operator will be required to reduce emissions from industrial boilers in half from baseline emissions of 60 parts per million oxides of nitrogen to a new rule limit of 30 parts per million, then the permit shall contain a future effective PAL level that is equal to the current PAL level reduced by half of the original baseline emissions of the units.

(b) For newly constructed units, which do not include modifications to existing units, on which actual construction began after the 24-month period, instead of adding the baseline actual emissions as specified in subdivision (a) of this subrule, the emissions shall be added to the PAL level in an amount equal to the potential to emit of the units.

(7) The PAL permit shall contain, at a minimum, all of the following information:

(a) The PAL pollutant and the applicable source-wide emission limitation in tons per year.

(b) The PAL permit effective date and the expiration date of the PAL (PAL effective period).

(c) Specification in the PAL permit that if a major stationary source owner or operator applies to renew a PAL under subrule (10) of this rule before the end of the PAL effective period, then the PAL shall not expire at the end of the PAL effective period. It shall remain in effect until a revised PAL permit is issued by the department.

(d) A requirement that emission calculations for compliance purposes include emissions from startups, shutdowns, and malfunctions.

(e) A requirement that, once the PAL

<p>the expiration date of the PAL (PAL effective period).</p> <p>(c) Specification in the PAL permit that if a major stationary source owner or operator applies to renew a PAL under subrule (10) of this rule before the end of the PAL effective period, then the PAL shall not expire at the end of the PAL effective period. It shall remain in effect until a revised PAL permit is issued by the department.</p> <p>(d) A requirement that emission calculations for compliance purposes include emissions from startups, shutdowns, and malfunctions.</p> <p>(e) A requirement that, once the PAL expires, the major stationary source is subject to subrule (9) of this rule.</p> <p>(f) The calculation procedures that the major stationary source owner or operator shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (3)(a) of this rule.</p> <p>(g) A requirement that the major stationary source owner or operator monitor all emissions units in accordance with the provisions under subrule (13) of this rule.</p> <p>(h) A requirement to retain the records required under subrule (13) of this rule on site. The records may be retained in an electronic format.</p> <p>(i) A requirement to submit the reports required under subrule (14) of this rule by the required deadlines.</p> <p>(j) Any other requirements that the department determines necessary to</p>	<p>expires, the major stationary source is subject to subrule (9) of this rule.</p> <p>(f) The calculation procedures that the major stationary source owner or operator shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (3)(a) of this rule.</p> <p>(g) A requirement that the major stationary source owner or operator monitor all emissions units in accordance with the provisions under subrule (13) of this rule.</p> <p>(h) A requirement to retain the records required under subrule (13) of this rule on site. The records may be retained in an electronic format.</p> <p>(i) A requirement to submit the reports required under subrule (14) of this rule by the required deadlines.</p> <p>(j) Any other requirements that the department determines necessary to implement and enforce the PAL.</p> <p>(8) All of the following apply to the PAL effective period and reopening of the PAL permit:</p> <p>(a) The department shall specify a PAL effective period of 10 years.</p> <p>(b) All of the following apply to reopening of the PAL permit.</p> <p>(i) During the PAL effective period, the department shall reopen the PAL permit to do any of the following:</p> <p>(A) Correct typographical and calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL.</p> <p>(B) Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets under new source review for major sources in nonattainment areas regulations.</p>	
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<p>implement and enforce the PAL.</p> <p>(8) All of the following apply to the PAL effective period and reopening of the PAL permit:</p> <p>(a)The department shall specify a PAL effective period of 10 years.</p> <p>(b) All of the following apply to reopening of the PAL permit.</p> <p>(i)During the PAL effective period, the department shall reopen the PAL permit to do any of the following:</p> <p>(A) Correct typographical and calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL.</p> <p>B)Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets under new source review for major sources in nonattainment areas regulations.</p> <p>C)Revise the PAL to reflect an increase in the PAL as provided under subrule (11) of this rule.</p> <p>(ii)The department may reopen the PAL permit to accomplish any of the following:</p> <p>(A)Reduce the PAL to reflect newly applicable federal requirements with compliance dates after the PAL effective date.</p> <p>(B)Reduce the PAL consistent with any other requirement that is enforceable as a practical matter and that the state may impose on the major stationary source under the state implementation plan.</p> <p>(C) Reduce the PAL if the department determines that a reduction is necessary to avoid causing or contributing to a national ambient air quality standard or PSD increment violation, or to an adverse impact on an air quality related value that has been identified</p>	<p>(C) Revise the PAL to reflect an increase in the PAL as provided under subrule (11) of this rule.</p> <p>(ii) The department may reopen the PAL permit to accomplish any of the following:</p> <p>(A) Reduce the PAL to reflect newly applicable federal requirements with compliance dates after the PAL effective date.</p> <p>(B) Reduce the PAL consistent with any other requirement that is enforceable as a practical matter and that the state may impose on the major stationary source under the state implementation plan.</p> <p>(C) Reduce the PAL if the department determines that a reduction is necessary to avoid causing or contributing to a national ambient air quality standard or PSD increment violation, or to an adverse impact on an air quality related value that has been identified for a federal class I area by a federal land manager and for which information is available to the general public.</p> <p>(iii) Except for a permit reopening for the correction of typographical and calculation errors that do not increase the PAL level, all reopenings shall be carried out in accordance with the public participation requirements of subrule (5) of this rule.</p> <p>(9) Any PAL that is not renewed in accordance with subrule (10) of this rule shall expire at the end of the PAL effective period, and the following requirements shall apply:</p> <p>(a) Each emissions unit, or each group of emissions units, that existed under the PAL shall comply with an allowable emission limitation under a revised permit established according to both of the following:</p> <p>(i) Within the time frame specified</p>	
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for a federal class I area by a federal land manager and for which information is available to the general public.

(iii) Except for a permit reopening for the correction of typographical and calculation errors that do not increase the PAL level, all reopenings shall be carried out in accordance with the public participation requirements of subrule (5) of this rule.

(9) Any PAL that is not renewed in accordance with subrule (10) of this rule shall expire at the end of the PAL effective period, and the following requirements shall apply:

(a) Each emissions unit, or each group of emissions units, that existed under the PAL shall comply with an allowable emission limitation under a revised permit established according to both of the following:

(i) Within the time frame specified for PAL renewals in subrule (10)(b) of this rule, the major stationary source shall submit a proposed allowable emission limitation for each emissions unit, or each group of emissions units, if such a distribution is more appropriate as determined by the department, by distributing the PAL allowable emissions for the major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under subrule (10)(e) of this rule, the distribution shall be made as if the PAL had been adjusted.

(ii) The department shall determine whether and how the PAL

for PAL renewals in subrule (10)(b) of this rule, the major stationary source shall submit a proposed allowable emission limitation for each emissions unit, or each group of emissions units, if such a distribution is more appropriate as determined by the department, by distributing the PAL allowable emissions for the major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under subrule (10)(e) of this rule, the distribution shall be made as if the PAL had been adjusted.

(ii) The department shall determine whether and how the PAL allowable emissions shall be distributed and issue a revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the department determines is appropriate.

(b) Each emissions unit shall comply with the allowable emission limitation on a 12-month rolling basis. The department may approve the use of monitoring systems, such as source testing and emission factors, other than CEMS, CERMS, PEMS or CPMS to demonstrate compliance with the allowable emission limitation.

(c) Until the department issues the revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as required under subrule (9)(a)(ii) of this rule, the major source shall continue to comply with a source-wide, multiunit emissions cap equivalent to the level of the PAL emission limitation.

<p>allowable emissions shall be distributed and issue a revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the department determines is appropriate.</p> <p>(b) Each emissions unit shall comply with the allowable emission limitation on a 12-month rolling basis. The department may approve the use of monitoring systems, such as source testing and emission factors, other than CEMS, CERMS, PEMS or CPMS to demonstrate compliance with the allowable emission limitation.</p> <p>(c) Until the department issues the revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as required under subrule (9)(a)(ii) of this rule, the major source shall continue to comply with a source-wide, multiunit emissions cap equivalent to the level of the PAL emission limitation.</p> <p>(d) Any physical change or change in the method of operation at the major stationary source shall be subject to major new source review requirements if such change meets the definition of major modification in R 336.2801.</p> <p>(e) The major stationary source owner or operator shall continue to comply with any state or federal applicable requirements that may have applied either during the PAL effective period or before the PAL effective period, except for those emission limitations that had been established under R 336.2818(2), but were eliminated by the PAL under subrule (2)(b)(iii) of this rule.</p> <p>(10) All of the following apply to</p>	<p>(d) Any physical change or change in the method of operation at the major stationary source shall be subject to major new source review requirements if such change meets the definition of major modification in R 336.2801.</p> <p>(e) The major stationary source owner or operator shall continue to comply with any state or federal applicable requirements that may have applied either during the PAL effective period or before the PAL effective period, except for those emission limitations that had been established under R 336.2818(2), but were eliminated by the PAL under subrule (2)(b)(iii) of this rule.</p> <p>(10) All of the following apply to renewal of a PAL:</p> <p>(a) The department shall comply with subrule (5) of this rule in approving any request to renew a PAL for a major stationary source and shall provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During public review, any person may propose a PAL level for the major source for consideration by the department.</p> <p>(b) A major stationary source owner or operator shall submit a timely application to the department to request renewal of a PAL. A timely application is one that is submitted at least 6 months before, but not earlier than 18 months from, the date of permit expiration. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the owner or operator of a major stationary source submits a complete application to renew the PAL within this time period, then the PAL shall continue to</p>	
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renewal of a PAL:

- (a) The department shall comply with subrule (5) of this rule in approving any request to renew a PAL for a major stationary source and shall provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During public review, any person may propose a PAL level for the major source for consideration by the department.
- (b) A major stationary source owner or operator shall submit a timely application to the department to request renewal of a PAL. A timely application is one that is submitted at least 6 months before, but not earlier than 18 months from, the date of permit expiration. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the owner or operator of a major stationary source submits a complete application to renew the PAL within this time period, then the PAL shall continue to be effective until the revised permit with the renewed PAL is issued.
- (c) The application to renew a PAL permit shall contain all of the following information:
 - (i) The information required in subrule (3)(a) to (c) of this rule.
 - (ii) A proposed PAL level.
 - (iii) The sum of the potential to emit of all emissions units under the PAL, with supporting documentation.
 - (iv) Any other information the owner or operator requests the department to consider in determining the appropriate level for renewing the PAL.
- (d) In determining whether and how to adjust the PAL, the department

- be effective until the revised permit with the renewed PAL is issued.
- (c) The application to renew a PAL permit shall contain all of the following information:
 - (i) The information required in subrule (3)(a) to (c) of this rule.
 - (ii) A proposed PAL level.
 - (iii) The sum of the potential to emit of all emissions units under the PAL, with supporting documentation.
 - (iv) Any other information the owner or operator requests the department to consider in determining the appropriate level for renewing the PAL.
- (d) In determining whether and how to adjust the PAL, the department shall consider the following:
 - (i) If the emissions level calculated in accordance with subrule (6) of this rule is equal to or greater than 80% of the PAL level, the department may renew the PAL at the same level without considering the factors in subrule (10)(d)(ii) of this rule.
 - (ii) The department may set the PAL at a level that it determines to be more representative of the major source's baseline actual emissions, or that it determines to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the major source's voluntary emissions reductions, or other factors as specifically identified by the department in its written rationale.
 - (iii) Notwithstanding subrule (10)(d)(i) and (ii) of this rule, both of the following shall apply:
 - (A) If the potential to emit of the major stationary source is less than the PAL, then the department shall adjust the PAL to a level not greater

<p>shall consider the following:</p> <p>(i) If the emissions level calculated in accordance with subrule (6) of this rule is equal to or greater than 80% of the PAL level, the department may renew the PAL at the same level without considering the factors in subrule (10)(d)(ii) of this rule.</p> <p>(ii) The department may set the PAL at a level that it determines to be more representative of the major source's baseline actual emissions, or that it determines to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the major source's voluntary emissions reductions, or other factors as specifically identified by the department in its written rationale.</p> <p>(iii) Notwithstanding subrule (10)(d)(i) and (ii) of this rule, both of the following shall apply:</p> <p>(A) If the potential to emit of the major stationary source is less than the PAL, then the department shall adjust the PAL to a level not greater than the potential to emit of the Major source.</p> <p>(B) The department shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source has complied with subrule (11) of this rule.</p> <p>(e) If the compliance date for a state or federal requirement that applies to the PAL major source occurs during the PAL effective period, and if the department has not already adjusted for the requirement, then the PAL shall be adjusted at the time of PAL permit renewal or renewable operating permit renewal, whichever</p>	<p>than the potential to emit of the major source.</p> <p>(B) The department shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source has complied with subrule (11) of this rule.</p> <p>(e) If the compliance date for a state or federal requirement that applies to the PAL major source occurs during the PAL effective period, and if the department has not already adjusted for the requirement, then the PAL shall be adjusted at the time of PAL permit renewal or renewable operating permit renewal, whichever occurs first.</p> <p>(11) The following shall apply to increasing a PAL during the PAL effective period:</p> <p>(a) The department may increase a PAL emission limitation only if the major stationary source complies with the following provisions:</p> <p>(i) The owner or operator of the major stationary source shall submit a complete application to request an increase in the PAL limit for a PAL major modification. The application shall identify the emissions units contributing to the increase in emissions so as to cause the major stationary source's emissions to equal or exceed its PAL.</p> <p>(ii) As part of this application, the major stationary source owner or operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units assuming application of BACT equivalent controls, plus the sum of the allowable emissions of the new or modified emissions units, exceeds the PAL. The level of control that would</p>	<p>Capitalization difference</p>
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<p>occurs first.</p> <p>(11)The following shall apply to increasing a PAL during the PAL effective period:</p> <p>(a) The department may increase a PAL emission limitation only if the major stationary source complies with the</p> <p>Following provisions:</p> <p>(i) The owner or operator of the major stationary source shall submit a complete application to request an increase in the PAL limit for a PAL major modification.</p> <p>The application shall identify the emissions units contributing to the increase in emissions so as to cause the major stationary source's emissions to equal or exceed its PAL.</p> <p>(ii) As part of this application, the major stationary source owner or operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units assuming application of BACT equivalent controls, plus the sum of the allowable emissions of the new or modified emissions units, exceeds the PAL. The level of control that would result from BACT equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding 10 years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions unit must currently comply.</p> <p>(iii) The owner or operator obtains a</p>	<p>result from BACT equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding 10 years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions unit must currently comply.</p> <p>(iii) The owner or operator obtains a major new source review permit for all emissions units identified in subrule (11)(a)(i) of this rule, regardless of the magnitude of the emissions increase resulting from them, that is, no significant levels apply. These emissions units shall comply with any emissions requirements resulting from the major new source review process, even though they have also become subject to the PAL or continue to be subject to the PAL.</p> <p>(iv) The PAL permit shall require that the increased PAL level shall be effective on the day any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.</p> <p>(b) The department shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units, assuming application of BACT equivalent controls as determined under subdivision (a)(ii) of this subrule, plus the sum of the baseline actual emissions of the small emissions units.</p>	
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major new source review permit for all emissions units identified in subrule (11)(a)(i) of this rule, regardless of the magnitude of the emissions increase resulting from them, that is, no significant levels apply. These emissions units shall comply with any emissions requirements resulting from the major new source review process, even though they have also become subject to the PAL or continue to be subject to the PAL.

(iv) The PAL permit shall require that the increased PAL level shall be effective on the day any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

(b) The department shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units, assuming application of BACT equivalent controls as determined under subdivision (a)(ii) of this subrule, plus the sum of the baseline actual emissions of the small emissions units.

(c) The PAL permit shall be revised to reflect the increased PAL level Under the public notice requirements of subrule (5) of this rule.

(12) The following are monitoring requirements for PALs:

(a) All of the following general provisions are required:

(i) Each PAL permit shall contain enforceable requirements for the monitoring system that accurately determine plantwide emissions of the PAL pollutant in terms of mass per unit of time. Any monitoring system

(c) The PAL permit shall be revised to reflect the increased PAL level under the public notice requirements of subrule (5) of this rule.

(12) The following are monitoring requirements for PALs:

(a) All of the following general provisions are required:

(i) Each PAL permit shall contain enforceable requirements for the monitoring system that accurately determine plantwide emissions of the PAL pollutant in terms of mass per unit of time. Any monitoring system authorized for use in the PAL permit shall be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by the system shall meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL permit.

(ii) The PAL monitoring system shall employ 1 or more of the 4 general monitoring approaches in subdivision (b) of this subrule and shall be approved by the department.

(iii) Notwithstanding paragraph (ii) of this subdivision, the PAL may also employ an alternative monitoring approach that meets paragraph (i) of this subdivision if approved by the department.

(iv) Failure to use a monitoring system that meets the requirements of this rule renders the PAL invalid.

(b) The following are acceptable general monitoring approaches when conducted in accordance with subdivisions (c) to (i) of this subrule:

(i) Mass balance calculations for activities using coatings or solvents.

(ii) CEMS.

(iii) CPMS or PEMS.

<p>authorized for use in the PAL permit shall be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by the system shall meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL permit.</p> <p>(ii) The PAL monitoring system shall employ 1 or more of the 4 general monitoring approaches in subdivision (b) of this subrule and shall be approved by the department.</p> <p>(iii) Notwithstanding paragraph (ii) of this subdivision, the PAL may also employ an alternative monitoring approach that meets paragraph (i) of this subdivision if approved by the department.</p> <p>(iv) Failure to use a monitoring system that meets the requirements of this rule renders the PAL invalid.</p> <p>(b) The following are acceptable general monitoring approaches when conducted in accordance with subdivisions (c) to (i) of this subrule:</p> <p>(i) Mass balance calculations for activities using coatings or solvents.</p> <p>(ii) CEMS.</p> <p>(iii) CPMS or PEMS.</p> <p>(iv) Emission factors.</p> <p>(c) An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents shall meet all of the following requirements:</p> <p>(i) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the emissions unit.</p> <p>(ii) Assume that the emissions unit</p>	<p>(iv) Emission factors.</p> <p>(c) An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents shall meet all of the following requirements:</p> <p>(i) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the emissions unit.</p> <p>(ii) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process.</p> <p>(iii) Where the vendor of a material or fuel, which is used in or at the emissions unit, publishes a range of pollutant content from such material, then the owner or operator shall use the highest value of the range to calculate the PAL pollutant emissions unless the department determines there is site-specific data or a site-specific monitoring program to support another content within the range.</p> <p>(d) An owner or operator using CEMS to monitor PAL pollutant emissions shall meet both of the following requirements:</p> <p>(i) CEMS shall comply with applicable performance specifications found in 40 C.F.R. part 60, appendix B, adopted by reference in R 336.2801a.</p> <p>(ii) CEMS shall sample, analyze, and record data at least every 15 minutes while the emissions unit is operating.</p> <p>(e) An owner or operator using CPMS or PEMS to monitor PAL pollutant emissions shall meet both of the following requirements:</p> <p>(i) The CPMS or the PEMS shall be</p>	
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emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process.

(iii) Where the vendor of a material or fuel, which is used in or at the emissions unit, publishes a range of pollutant content from such material, Then the owner or operator shall use the highest value of the range to calculate the PAL pollutant emissions unless the department determines there is site-specific data or a site-specific monitoring program to support another content within the range.

(d) An owner or operator using CEMS to monitor PAL pollutant emissions shall meet both of the following requirements:

(i) CEMS shall comply with applicable performance specifications found in 40 C.F.R. part 60, appendix B, adopted by reference in R 336.2801a.

(ii)CEMS shall sample, analyze, and record data at least every 15 minutes while the emissions unit is operating.

(e) An owner or operator using CPMS or PEMS to monitor PAL pollutant emissions shall meet both of the following requirements:

(i) The CPMS or the PEMS shall be based on current site-specific data demonstrating a correlation between the monitored parameters and the PAL pollutant emissions across the range of operation of the emissions unit.

(ii) Each CPMS or PEMS shall sample, analyze, and record data at least every 15 minutes, or at another less frequent interval approved by the department, while the emissions unit is operating.

based on current site-specific data demonstrating a correlation between the monitored parameters and the PAL pollutant emissions across the range of operation of the emissions unit.

(ii) Each CPMS or PEMS shall sample, analyze, and record data at least every 15 minutes, or at another less frequent interval approved by the department, while the emissions unit is operating.

(f) An owner or operator using emission factors to monitor PAL pollutant emissions shall meet all of the following requirements:

(i) All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development.

(ii) The emissions unit shall operate within the designated range of use for the emission factor, if applicable.

(iii) If technically practicable, the owner or operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within 6 months of PAL permit issuance, unless the department determines that testing is not required.

(g) A major source owner or operator shall record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the PAL permit.

(h) Notwithstanding the requirements

Michigan Rule corrects typographical lettering tab error

<p>(f) An owner or operator using emission factors to monitor PAL pollutant emissions shall meet all of the following requirements:</p> <p>(i) All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development.</p> <p>(ii) The emissions unit shall operate within the designated range of use for the emission factor, if applicable.</p> <p>(iii) If technically practicable, the owner or operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within 6 months of PAL permit issuance, unless the department determines that testing is not required.</p> <p>(f) A major source owner or operator shall record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the PAL permit.</p> <p>(h) Notwithstanding the requirements in subdivisions (c) to (g) of this subrule, if an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameters and the PAL pollutant emissions rate at all operating points of the emissions unit, then the department shall do either of the following at the time of permit issuance:</p> <p>(i) Establish default values for</p>	<p>in subdivisions (c) to (g) of this subrule, if an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameters and the PAL pollutant emissions rate at all operating points of the emissions unit, then the department shall do either of the following at the time of permit issuance:</p> <p>(i) Establish default values for determining compliance with the PAL based on the highest potential emissions reasonably estimated at each unmonitored operating point.</p> <p>(ii) Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameters and the PAL pollutant emissions is a violation of the PAL.</p> <p>(i) All data used to establish the PAL pollutant shall be revalidated through performance testing or other scientifically valid means approved by the department. Testing shall occur at least once every 5 years after issuance of the PAL.</p> <p>(13) The PAL permit shall require the following recordkeeping requirements:</p> <p>(a) Require an owner or operator to retain a copy of all records necessary to determine compliance with this rule and the PAL, including a determination of each emissions unit's 12-month rolling total emissions, for 5 years from the date of such record.</p> <p>(b) Require an owner or operator to retain a copy of all of the following records, for the duration of the PAL effective period plus 5 years:</p> <p>(i) A copy of the PAL permit application and any applications for revisions to the PAL.</p>	
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<p>determining compliance with the PAL based on the highest potential emissions reasonably estimated at each unmonitored operating point.</p> <p>(ii) Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameters and the PAL pollutant emissions is a violation of the PAL.</p> <p>(i) All data used to establish the PAL pollutant shall be revalidated through performance testing or other scientifically valid means approved by the department. Testing shall occur at least once every 5 years after issuance of the PAL.</p> <p>(13) The PAL permit shall require the following recordkeeping requirements:</p> <p>(a) Require an owner or operator to retain a copy of all records necessary to determine compliance with this rule and the PAL, including a determination of each emissions unit's 12-month rolling total emissions, for 5 years from the date of such record.</p> <p>(b) Require an owner or operator to retain a copy of all of the following records, for the duration of the PAL effective period plus 5 years:</p> <p>(i) A copy of the PAL permit application and any applications for revisions to the PAL.</p> <p>(ii) Each annual certification of compliance under the renewable operating permit and the data relied on in certifying compliance.</p> <p>(14) The owner or operator shall submit semiannual monitoring reports and prompt deviation reports to the department in accordance with the applicable renewable operating permit program. The reports shall</p>	<p>(ii) Each annual certification of compliance under the renewable operating permit and the data relied on in certifying compliance.</p> <p>(14) The owner or operator shall submit semiannual monitoring reports and prompt deviation reports to the department in accordance with the applicable renewable operating permit program. The reports shall meet the following requirements:</p> <p>(a) The semiannual report shall be submitted to the department concurrently with the semiannual report required by the renewable operating permit for the stationary source. The report shall contain all of the following information:</p> <p>(i) The identification of owner and operator and the permit number.</p> <p>(ii) Total annual emissions in tons per year based on a 12-month rolling total for each month in the reporting period recorded under subrule (13)(a) of this rule.</p> <p>(iii) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions.</p> <p>(iv) A list of emissions units modified or added to the major stationary source during the preceding 6-month period.</p> <p>(v) The number, duration, and cause of deviations or monitoring malfunctions, other than the time associated with zero and span calibration checks, and any corrective action taken.</p> <p>(vi) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully</p>	
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<p>meet the following requirements:</p> <p>(a) The semiannual report shall be submitted to the department concurrently with the semiannual report required by the renewable operating permit for the stationary source. The report shall contain all of the following information:</p> <p>(i) The identification of owner and operator and the permit number.</p> <p>(ii) Total annual emissions in tons per year based on a 12-month rolling total for each month in the reporting period recorded under subrule (13)(a) of this rule.</p> <p>(iii) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions.</p> <p>(iv) A list of emissions units modified or added to the major stationary source during the preceding 6-month period.</p> <p>(v) The number, duration, and cause of deviations or monitoring malfunctions, other than the time associated with zero and span calibration checks, and any corrective action taken.</p> <p>(vi) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, and whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by subrule (12)(g) of this rule.</p> <p>(vii) A signed statement by the</p>	<p>operational or replaced with another monitoring system, and whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by subrule (12)(g) of this rule.</p> <p>(vii) A signed statement by the responsible official, as defined by the applicable renewable operating permit program, certifying the truth, accuracy, and completeness of the information provided in the report.</p> <p>(b) The major stationary source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL requirements, including periods where monitoring is not available. A report submitted under R 336.1213(3)(c) shall satisfy the reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the major source's renewable operating permit. The reports shall contain all of the following information:</p> <p>(i) The identification of owner and operator and the permit number.</p> <p>(ii) The PAL requirement that experienced the deviation or that was exceeded.</p> <p>(iii) Emissions resulting from the deviation or the exceedance.</p> <p>(iv) A signed statement by the responsible official, as defined by the renewable operating permit, certifying the truth, accuracy, and completeness of the information provided in the report.</p> <p>(c) The owner or operator shall submit to the department the results of any revalidation test or method within 3 months after completion of</p>	
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responsible official, as defined by the applicable renewable operating permit program, certifying the truth, accuracy, and completeness of the information provided in the report.

(b) The major stationary source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL requirements, including periods where monitoring is not available. A report submitted under R 336.1213(3)(c) shall satisfy the reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the major source's renewable operating permit. The reports shall contain all of the following information:

(i) The identification of owner and operator and the permit number.

(ii) The PAL requirement that experienced the deviation or that was exceeded.

(iii) Emissions resulting from the deviation or the exceedance.

(iv) A signed statement by the responsible official, as defined by the renewable operating permit, certifying the truth, accuracy, and completeness of the information provided in the report.

(c) The owner or operator shall submit to the department the results of any revalidation test or method within 3 months after completion of the test or method.

(15) The owner or operator of a facility complying with an actuals PAL may install a new emissions unit without first obtaining a permit to install under R 336.1201, if the following requirements are met:

(a) The new emissions unit will not cause a meaningful change in the nature or quantity of toxic air

the test or method.

(15) The owner or operator of a facility complying with an actuals PAL may install a new emissions unit without first obtaining a permit to install under R 336.1201, if the following requirements are met:

(a) The new emissions unit will not cause a meaningful change in the nature or quantity of toxic air contaminants emitted from the major stationary source, unless the new emissions unit is otherwise exempt under R 336.1278 to R 336.1290. In determining whether the new emissions unit will cause a meaningful change in the nature or quantity of toxic air contaminants, the following shall apply:

(i) The owner or operator shall demonstrate to the department that a meaningful change in the nature or quantity of toxic air contaminants has not occurred. The owner or operator may devise its own method to perform this demonstration subject to approval by the department. However, if the applicant demonstrates that all toxic air contaminant emissions from a new emissions unit are within the levels specified in R 336.1226 or R 336.1227, then a meaningful change in toxic air contaminants has not occurred.

(ii) If, using the methods described in paragraph (i) of this subdivision, the owner or operator determines that the installation of new emission units will cause a meaningful change in the nature or quantity of toxic air contaminant emissions, then the owner or operator shall obtain a state-only enforceable permit to install under R 336.1201(1)(b).

(iii) A copy of the demonstration

Capitalization difference

contaminants emitted from the major stationary source, unless the new emissions unit is otherwise exempt under R 336.1278 to R 336.1290.

In determining whether the new emissions unit will cause a meaningful change in the nature or quantity of toxic air contaminants,

The following shall apply:

(i) The owner or operator shall demonstrate to the department that a meaningful change in the nature or quantity of toxic air contaminants has not occurred.

The owner or operator may devise its own method to perform this demonstration subject to approval by the department.

However, if the applicant demonstrates that all toxic air contaminant emissions from a new emissions unit are within the levels specified in R 336.1226 or R 336.1227, then a meaningful change in toxic air contaminants has not occurred.

(ii) If, using the methods described in paragraph (i) of this subdivision, the owner or operator determines that the installation of new emission units will cause a meaningful change in the nature or quantity of toxic air contaminant emissions, then the owner or operator shall obtain a state-only enforceable permit to install under R 336.1201(1)(b).

(iii) A copy of the demonstration required by paragraph

(i) of this subdivision shall be kept on site for the life of the new emissions unit and made available to the department upon request.

(b) The new emissions unit will not emit a regulated new source review pollutant that is not subject to a PAL,

required by paragraph (i) of this subdivision shall be kept on site for the life of the new emissions unit and made available to the department upon request.

(b) The new emissions unit will not emit a regulated new source review pollutant that is not subject to a PAL, unless the new emissions unit is eligible for an exemption listed in R 336.1201 to R 336.1290.

(c) The new emissions unit will not be a newly constructed or reconstructed major source of hazardous air pollutants.

(d) The installation of the new emissions unit will not cause the violation of any other applicable requirement.

(e) The owner or operator shall notify the department of the installation of a new emissions unit using the procedure specified in R 336.1215(3)(c).

History: 2006 AACS.

<p>unless the new emissions unit is eligible for an exemption listed in R 336.1201 to R 336.1290.</p> <p>(c) The new emissions unit will not be a newly constructed or reconstructed major source of hazardous air pollutants.</p> <p>(d) The installation of the new emissions unit will not cause the violation of any other applicable requirement.</p> <p>(e) The owner or operator shall notify the department of the installation of a new emissions unit using the procedure specified in R 336.1215(3)(c).</p>		
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**STATE OF MICHIGAN IMPLEMENTATION PLAN
PART 19:
NEW SOURCE REVIEW FOR MAJOR SOURCES IMPACTING NONATTAINMENT
AREAS**

DRAFT #1 last reviewed/edited by KJS on April 11, 2013

Approved SIP	Rules Implemented by State of Michigan	Comments
	<p><u>R 336.2901 Definitions.</u> <u>Rule 1901.</u> The following definitions apply to terms used in this part. If a term defined here is also defined elsewhere in these rules, then the definition contained here supersedes for this part only: (a) <u>“Actual emissions” means the actual rate of emissions of a regulated new source review pollutant from an emissions unit, as determined under R 336.1101(b), except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a plantwide applicability limit under R 336.2907. Instead, the terms “projected actual emissions” and “baseline actual emissions” shall apply for those purposes.</u> (b) <u>“Baseline actual emissions” means the rate of emissions, in tons per year, of a regulated new source review pollutant, as determined by the following:</u> (i) <u>For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately</u></p>	<p>There is no corresponding federal SIP.</p>

preceding when the owner or operator begins actual construction of the project. The department shall allow the use of a different time period upon a determination that it is more representative of normal source operation. The following shall apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period.

(C) For a regulated new source review pollutant, when a project involves multiple emissions units, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(D) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (i)(B) of this subdivision.

(ii) For an existing emissions unit, other than an electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period

immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the department for a permit required under R 336.1201, whichever is earlier, except that the 10-year period shall not include any period earlier than November 15, 1990. All of the following shall apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had the major stationary source been required to comply with the limitations during the consecutive 24-month period. However, if an emission limitation is part of a maximum achievable control technology standard that the United States environmental protection agency proposed or promulgated under 40 C.F.R. part 63, then the baseline actual emissions need only be adjusted if the department has taken credit for such emissions reductions in an attainment demonstration or maintenance plan. Title 40 C.F.R. Part 63 is adopted by reference in R 336.2901a.

(D) For a regulated new source

review pollutant, when a project involves multiple emissions units, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(E) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (B) and (C) of this paragraph.

(iii) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.

(iv) For a plant wide applicability limit for a major stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units under paragraph (i) of this subdivision, for other existing emissions units under paragraph (ii) of this subdivision, and for a new emissions unit under paragraph (iii) of this subdivision.

(c) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and

construction of permanent storage structures. “A change in method of operation” refers to those on-site activities other than preparatory activities which mark the initiation of the change.

(d) “Best available control technology” or “BACT” means an emissions limitation, including a visible emissions standard, based on the maximum degree of reduction for each regulated new source review pollutant which would be emitted from any proposed major stationary source or major modification which the department, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. Application of best available control technology shall not result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 C.F.R. part 60 or 61, adopted by reference in R 336.2901a. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, then a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. The standard shall, to the degree possible, set forth the

emissions reduction achievable by implementation of the design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

(e) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on 1 or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, except the activities of any vessel. Pollutant-emitting activities are part of the same industrial grouping if they have the same 2-digit major group code associated with their primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. For assistance in converting North American industrial classification system codes to standard industrial classification codes see <http://www.census.gov/epcd/naics02/>.

(f) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or post-combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

(g) "Clean coal technology demonstration project" means a project using funds appropriated under the heading "department of energy-clean coal technology," up to

a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the United States environmental protection agency. The federal contribution for a qualifying project shall be at least 20% of the total cost of the demonstration project.

(h) [Reserved]

(i) “Commence” as applied to construction of a major stationary source or major modification means that the owner or operator has all necessary preconstruction approvals or permits and has either of the following:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time.

(ii) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(j) “Construction” means any physical change or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

(k) “Continuous emissions monitoring system” or “CEMS” means all of the equipment that may be required to meet the data acquisition and availability requirements of this rule, to sample, condition, if applicable, analyze, and provide a record of emissions on a continuous basis.

(l) “Continuous emissions rate

monitoring system” or “CERMS” means the total equipment required for the determination and recording of the pollutant mass emissions rate, in terms of mass per unit of time.

(m) “Continuous parameter monitoring system” or “CPMS” means all of the equipment necessary to meet the data acquisition and availability requirements of this rule, to monitor process and control device operational parameters and other information, and to record average operational parameter values on a continuous basis.

(n) “Electric utility steam generating unit” means any steam electric generating unit that is constructed for the purpose of supplying more than 1/3 of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

(o) “Emissions unit” means any part of a stationary source that emits or would have the potential to emit any regulated new source review pollutant. The term emissions unit includes an electric steam generating unit. Each emissions unit can be classified as either new or existing based on the following:

(i) A new emissions unit is any emissions unit that is, or will be, newly constructed and that has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is any

emissions unit that does not meet the definition of a new emissions unit. A replacement unit is an existing emissions unit and no creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. Replacement unit means all of the following:

(A) The emissions unit is a reconstructed unit as defined within R 336.1118(b) or the emissions unit completely takes the place of an existing emissions unit.

(B) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(C) The replacement does not alter the basic design parameters of the process unit.

(D) The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

(p) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

(q) "Hydrocarbon combustion flare" means either a flare used to comply with an applicable new source performance standard or maximum achievable control technology standard, including uses of flares during startup, shutdown, or malfunction permitted under such a standard, or a flare that serves to control emissions of waste streams comprised predominately of hydrocarbons and containing not

more than 230 milligrams per dry standard cubic meter hydrogen sulfide.

(r) “Lowest achievable emission rate” or “LAER” means, for any source, the more stringent rate of emissions based on either of the following:

(i) The most stringent emissions limitation that is contained in the implementation plan of any state for the same class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that the limitations are not achievable.

(ii) The most stringent emissions limitation that is achieved in practice by the same class or category of stationary sources. This limitation, when applied to a modification, means the lowest achievable emissions rate for the new or modified emissions units within a stationary source. Application of the term shall not permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source performance standard.

(s) “Major modification” means the following:

(i) Any physical change in or change in the method of operation of a major stationary source that would result in both of the following:

(A) A significant emissions increase of a regulated new source review pollutant.

(B) A significant net emissions increase of that pollutant from the major stationary source.

(ii) Any significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds shall

be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include any of the following:

(A) Routine maintenance, repair, and replacement.

(B) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the energy supply and environmental coordination act of 1974, 15 U.S.C. §792 et seq., or any superseding legislation, or by reason of a natural gas curtailment plan under the federal power act of 1995, 16 U.S.C. §791-828c et seq.

(C) Use of an alternative fuel by reason of an order or rule under section 125 of the clean air act.

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

(E) Use of an alternative fuel or raw material by a stationary source which meets either of the following:

(1) The source was capable of accommodating before December 21, 1976, unless the change would be prohibited under any federally enforceable permit condition that was established after December 12, 1976, under prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations.

(2) The source is approved to use under any permit issued under R 336.1201(1)(a).

(F) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition that was established after December 21, 1976, under R

336.1201(1)(a).

(G) Any change in ownership at a stationary source.

(H) [Reserved]

(I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with both of the following:

(1) The state implementation plan.

(2) Other requirements necessary to attain and maintain the national ambient air quality standard during the project and after it is terminated.

(iv) This definition shall not apply with respect to a particular regulated new source review pollutant when the major stationary source is complying with the requirements of R 336.2907 for a plantwide applicability limit for that pollutant. Instead, the definition in

R 336.2907(1)(h) shall apply.

(v) For the purposes of applying the requirements of R 336.2902(8) to modifications at major stationary sources of nitrogen oxides located in ozone nonattainment areas or in ozone transport regions, whether or not subject to subpart 2, part D, title 1 of the clean air act, any significant net emissions increase of nitrogen oxides is considered significant for ozone.

(vi) Any physical change in, or change in the method of operation of, a major stationary source of volatile organic compounds that results in any increase in emissions of volatile organic compounds from any discrete operation, emissions unit, or other pollutant emitting activity at the source shall be considered a significant net emissions increase and a major modification for ozone, if the major stationary source is located in

an extreme ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act.

(t) "Major stationary source" means all of the following:

(i) Any of the following:

(A) Any stationary source of air pollutants that emits or has the potential to emit 100 tons per year or more of any regulated new source review pollutant, except that lower emissions thresholds shall apply in areas subject to subpart 2, subpart 3, or subpart 4 of part D, title 1 of the clean air act, according to the following:

(1) In any serious ozone nonattainment area, 50 tons per year of volatile organic compounds.

(2) In an area within an ozone transport region except for any severe or extreme ozone nonattainment area, 50 tons per year of volatile organic compounds.

(3) In any severe ozone nonattainment area, 25 tons per year of volatile organic compounds.

(4) In any extreme ozone nonattainment area, 10 tons per year of volatile organic compounds.

(5) In any serious nonattainment area for carbon monoxide, where the department has determined that stationary sources contribute significantly to carbon monoxide levels in the area, 50 tons per year of carbon monoxide.

(6) In any serious nonattainment area for PM-10, 70 tons per year of PM-10.

(B) For the purposes of applying the requirements of R 336.2902(8) to stationary sources of nitrogen oxides located in an ozone nonattainment area or in an ozone transport region, any stationary source which emits, or

has the potential to emit, 100 tons per year or more of nitrogen oxide emissions, except that the following emission thresholds shall apply in areas subject to subpart 2 of part D, title 1 of the clean air act:

(1) In any ozone nonattainment area classified as marginal or moderate, 100 tons per year or more of nitrogen oxides.

(2) In any ozone nonattainment area classified as a transitional, submarginal, or incomplete or no data area, when such area is located in an ozone transport region, 100 tons per year or more of nitrogen oxides.

(3) In any area designated under section 107(d) of the clean air act as attainment or unclassifiable for ozone that is located in an ozone transport region, 100 tons per year or more of nitrogen oxides.

(4) In any serious nonattainment area for ozone, 50 tons per year or more of nitrogen oxides.

(5) In any severe nonattainment area for ozone, 25 tons per year or more of nitrogen oxides.

(6) In any extreme nonattainment area for ozone, 10 tons per year or more of nitrogen oxides.

(C) Any physical change that would occur at a stationary source not qualifying under R 336.2901(t)(i)(A) or (B) as a major stationary source, if the change would constitute a major stationary source by itself.

(ii) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(iii) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this paragraph whether it is a major stationary source, unless the source belongs to 1 of the

following categories of stationary sources:

(A) Coal cleaning plants, with thermal dryers.

(B) Kraft pulp mills.

(C) Portland cement plants.

(D) Primary zinc smelters.

(E) Iron and steel mills.

(F) Primary aluminum ore reduction plants.

(G) Primary copper smelters.

(H) Municipal incinerators capable of charging more than 250 tons of refuse per day.

(I) Hydrofluoric, sulfuric, or nitric acid plants.

(J) Petroleum refineries.

(K) Lime plants.

(L) Phosphate rock processing plants.

(M) Coke oven batteries.

(N) Sulfur recovery plants.

(O) Carbon black plants, furnace process.

(P) Primary lead smelters.

(Q) Fuel conversion plants.

(R) Sintering plants.

(S) Secondary metal production plants.

(T) Chemical process plants. The term chemical process plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industrial Classification System codes 325193 or 312140.

(U) Fossil-fuel boilers, or combination thereof, totaling more than 250 million British thermal units per hour heat input.

(V) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.

(W) Taconite ore processing plants.

(X) Glass fiber processing plants.

(Y) Charcoal production plants.

(Z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.

(AA) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the clean air act.

(u) “Necessary preconstruction approvals or permits” mean a permit issued under R 336.1201(1)(a) that is required by R 336.2802 or R 336.2902.

(v) “Net emissions increase” means all of the following:

(i) With respect to any regulated new source review pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero:

(A) The increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under R 336.2902(2).

(B) Any other increases and decreases in actual emissions at the major stationary source that are occur within the contemporaneous period and are otherwise creditable. with the particular change and are otherwise creditable. Baseline actual emissions for calculating increases and decreases shall be determined as provided in the definition of baseline actual emissions, except that subdivisions (b)(i)(C) and (b)(ii)(D) of this rule shall not apply.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs before the date that the increase from the particular change occurs. The contemporaneous period must meet all of the following:

(A) Begins on the date 5 years before construction on the particular change commences.

(B) Ends on the date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if all of the following occur: An increase or decrease in actual emissions is creditable only if the department has not relied on it in issuing a permit under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.

(A) It occurs within a 5-year period.

(B) The department has not relied on it in previously issuing a permit for the source under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level. The magnitude of a creditable, contemporaneous increase in actual emissions is determined by the amount that the new level of actual allowable emissions following the increase exceeds the emissions unit's baseline actual emissions prior to the increase. This means actual allowable emissions and baseline actual emissions are determined from the date of the contemporaneous increase. Baseline actual emissions shall be determined as provided in the definition of baseline actual emissions, except that paragraphs (b)(i)(C) and (b)(ii)(D) of this subdivision shall not apply.

(v) A contemporaneous decrease in actual emissions is creditable only to the extent that all of the following

occur:

(A) The old level of actual emission or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions. The magnitude of a creditable contemporaneous decrease is determined by the lower of the following:

(1) The amount by which the emission unit's baseline emissions prior to the decrease exceed the level of actual allowable emissions following the decrease.

(2) The amount by which the emission unit's allowable emissions prior to the decrease exceed the level of actual allowable emissions following the decrease.

(3) In determining the magnitude of a creditable contemporaneous decrease, actual allowable emissions and baseline actual emissions are determined from the date of the contemporaneous decrease. Baseline actual emissions shall be determined as provided in the definition of baseline actual emissions except that paragraphs (b)(i)(C) and (b)(ii)(D) of this subdivision shall not apply.

(B) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins.

(C) The department has not relied on it in issuing any permit under R 336.1201(1)(a) or R 336.1214a.

(D) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vi) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes

operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(vii) The definition of actual emissions in R 336.1101(b) shall not apply for determining creditable increases and decreases after a change, instead the definitions of the terms “projected actual emissions” and “baseline emissions” shall be used.

(w) “Nonattainment major new source review” or “NSR” program means the requirements of this rule, R 336.1220, or R 336.1221. A permit issued under any of these rules is a major new source review permit.

(x) [Reserved]

(y) [Reserved]

(z) “Potential to emit” means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally legally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(aa) “Predictive emissions monitoring system” or “PEMS” means all of the equipment necessary to monitor process and control device operational parameters and other information and calculate and record the mass emissions rate on a

continuous basis.

(bb) "Prevention of significant deterioration" or "PSD" permit means any permit that is issued under R 336.2802 or the prevention of significant deterioration of air quality regulations or under 40 C.F.R. §52.21, adopted by reference in R 336.2901a.

(cc) "Project" means a physical change in, or change in the method of operation of, an existing major stationary source. (dd) "Projected actual emissions" means the following:

(i) The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated new source review pollutant in any 1 of the 5 12-month periods following the date the unit resumes regular operation after the project, or in any 1 of the 10 12-month periods following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit of that regulated new source review pollutant and full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

(ii) In determining the projected actual emissions before beginning actual construction, the owner or operator of the major stationary source shall do the following:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and

compliance plans under the approved state implementation plan.

(B) Include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(C) Exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions of this rule and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

(D) Elect to use the emissions unit's potential to emit in tons per year instead of calculating projected actual emissions.

(ee) "Regulated new source review pollutant" means any of the following:

(i) Nitrogen oxides of nitrogen or any volatile organic compounds.

(ii) Any pollutant for which a national ambient air quality standard has been promulgated. Ozone, sulfur dioxide, oxides of nitrogen, PM-10, PM 2.5, lead, and carbon monoxide.

(iii) Any pollutant that is a constituent or precursor of a general pollutant listed under paragraphs (i) or (ii) of this subdivision, provided that a constituent or precursor pollutant may only be regulated under new source review as part of regulation of the general pollutant.

(ff) "Secondary emissions" means emissions that would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from

the major stationary source or major modification itself. For the purpose of this rule, secondary emissions shall be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any off-site support facility that would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions that come directly from a mobile source such as emissions from the tailpipe of a motor vehicle, from a train, or a vessel.

(gg) "Significant" means all of the following:

(i) "Significant" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants at a rate of emissions that would equal or exceed any of the following pollutant emission rates:

(A) Carbon monoxide: 100 tons per year.

(B) Nitrogen oxides: 40 tons per year.

(C) Sulfur dioxide: 40 tons per year.

(D) Ozone: 40 tons per year of volatile organic compounds or of nitrogen oxides.

(E) Lead: 0.6 tons per year.

(F) PM-10: 15 tons per year of PM-10.

(G) PM 2.5: 10 tons per year of PM 2.5; 40 tons per year of sulfur dioxide emissions; 40 tons per year of nitrogen oxide emissions.

(ii) Notwithstanding the significant emissions rate for ozone in R 336.2901(gg)(i)(D), significant

means, in reference to an emissions increase or a net emissions increase, any increase in actual emissions of volatile organic compounds that would result from any physical change in, or change in the method of operation of, a major stationary source located in a serious or severe ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act, if such emissions increase of volatile organic compounds exceeds 25 tons per year.

(iii) For the purposes of applying the requirements of R 336.2902(8) to modifications at major stationary sources of nitrogen oxides located in an ozone nonattainment area or in an ozone transport region, the significant emission rates and other requirements for volatile organic compounds in R 336.2901(gg)(i)(D), R 336.2901(gg)(ii) and R 336.2901(gg)(v) shall apply to nitrogen oxides emissions.

(iv) Notwithstanding the significant emissions rate for carbon monoxide in R 336.2901(gg)(i)(A), significant means, in reference to an emissions increase or a net emissions increase, any increase in actual emissions of carbon monoxide that would result from any physical change in, or change in the method of operation of, a major stationary source in a serious nonattainment area for carbon monoxide if such increase equals or exceeds 50 tons per year, provided that the United States environmental protection agency has determined that the stationary sources contribute significantly to carbon monoxide levels in that area.

(v) Notwithstanding the significant emissions rates for ozone in R 336.2901(gg)(i)(D) and R

	<p><u>336.2901(gg)(ii), any increase in actual emissions of volatile organic compounds from any emissions unit at a major stationary source of volatile organic compounds located in an extreme ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act shall be considered a significant net emissions increase.</u></p> <p><u>(hh) “Significant emissions increase” means, for a regulated new source review pollutant, an increase in emissions that is significant for that pollutant.</u></p> <p><u>(ii) “Stationary source” means any building, structure, facility, or installation which emits or may emit a regulated new source review pollutant.</u></p> <p><u>(jj) “Temporary clean coal technology demonstration project” means a clean coal technology demonstration project that is operated for a period of 5 years or less, and that complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.</u></p> <p><u>History: 2008 AACCS; 2011 AACCS; 2012 AACCS.</u></p>	
	<p><u>R 336.2901a Adoption by reference.</u></p> <p><u>Rule 1901a.</u> <u>For the purpose of clarifying the definitions in these rules, the following documents are adopted by reference in these rules. Copies of the documents are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O.Box 30260, Lansing, Michigan 48909-7760, at a</u></p>	<p>There is no corresponding federal SIP.</p>

cost as of the time of adoption of these rules (AQD price). Copies of may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania, 15250 7954, at a cost as of the time of adoption of these rules (GPO), or on the United States government printing office internet web site at <http://www.access.gpo.gov>.

(a) Title 40 C.F.R. 51.902(b), 40 C.F.R., part 51, appendix S, section IV, "Sources That Would Locate in a Designated Nonattainment Area," (2006), AQD price \$55.00/GPO price \$45.00.

(b) Title 40 C.F.R., §52.21, "Prevention of Significant Deterioration of Air Quality," (2006), AQD price \$70.00/GPO price \$60.00.

(c) Title 40 C.F.R., part 60, "Standards of Performance for New Stationary Sources," (2006), AQD price \$68.00/GPO price \$58.00 for 60.1-end and AQD price \$67.00/GPO price \$57.00 for the appendices.

(d) Title 40 C.F.R., part 61, "National Emission Standards for Hazardous Air Pollutants," (2006), AQD price \$55.00/GPO price \$45.00.

(e) Title 40 C.F.R., part 63, "National Emission Standards for Hazardous Air Pollutants for Source Categories," (2006), AQD \$68.00/GPO \$58.00 for 63.1-63.599; AQD \$60.00/GPO \$50.00 for 63.600-63.1199; AQD \$60.00/GPO \$50.00 for 63.1200-63.1439; AQD \$42.00/GPO \$32.00 for 63.1440-63.6175; AQD \$42.00/GPO \$32.00 for 63.6580-63.8830; and AQD \$45.00/GPO \$35.00 for 63.8980-end.

(f) Table 1 of the United States

	<p><u>environmental protection agency's "Recommended Policy on Control of Volatile Organic Compounds," 42 FR 35314, July 8, 1977, at no cost.</u></p> <p><u>Copies of table 1 may be obtained from the Library of Michigan, State Law Library, 525 West Ottawa Street, P.O. Box 30007, Lansing, Michigan 48909, E-mail lmlawlib@michigan.gov, at no cost.</u></p> <p><u>History: 2008 AACCS.</u></p>	
	<p><u>R 336.2902 Applicability.</u></p> <p><u>Rule 1902.</u> (1) <u>This part applies to the construction of each new major stationary source or major modification that is both of the following:</u></p> <p><u>(a) Located in a nonattainment area.</u></p> <p><u>(b) Major for the pollutant for which the area is designated nonattainment.</u></p> <p><u>For areas designated as nonattainment for ozone, this part shall apply only to any new major stationary source or major modification that is major for volatile organic compounds or nitrogen oxides.</u></p> <p><u>(2) This part applies to the construction of new major sources and major modifications to existing sources as follows:</u></p> <p><u>(a) Except as otherwise provided in subrule (3) of this rule, and consistent with the definition of major modification, a project is a major modification for a regulated new source review pollutant if it causes both of the following emissions increases:</u></p> <p><u>(i) A significant emissions increase.</u></p> <p><u>(ii) A significant net emissions increase. The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions</u></p>	<p>There is no corresponding federal SIP.</p>

increase, then the project is a major modification only if it also results in a significant net emissions increase.

(b) The procedure for calculating whether a significant emissions increase will occur depends upon the type of emissions units being modified. The procedure for calculating whether a significant net emissions increase will occur at the major stationary source is contained in the definition of net emissions increase. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.

(c) The actual-to-projected-actual applicability test may be used for projects that only involve existing emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions, for each existing emissions unit, equals or exceeds the significant amount for that pollutant.

(d) The actual-to-potential test may be used for projects that involve construction of new emissions units or modification of existing emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the potential to emit from each new and modified emissions unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.

(e) The hybrid test may be used for

projects that involve multiple types of emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the appropriate methods specified above in this subrule as applicable with respect to each emissions unit, for each type of emissions unit equals or exceeds the significant amount for that pollutant.

(3) Any major stationary source for a plantwide applicability limit for a regulated new source review pollutant shall comply with R 336.2907.

(4) The provisions of this rule do not apply to a source or modification that would be a major stationary source or major modification only if fugitive emissions to the extent quantifiable are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

- (a) Coal cleaning plants, with thermal dryers.
- (b) Kraft pulp mills.
- (c) Portland cement plants.
- (d) Primary zinc smelters.
- (e) Iron and steel mills.
- (f) Primary aluminum ore reduction plants.
- (g) Primary copper smelters.
- (h) Municipal incinerators capable of charging more than 250 tons of refuse per day.
- (i) Hydrofluoric, sulfuric, or citric acid plants.
- (j) Petroleum refineries.
- (k) Lime plants.
- (l) Phosphate rock processing plants.
- (m) Coke oven batteries.
- (n) Sulfur recovery plants.

(o) Carbon black plants, furnace process.

(p) Primary lead smelters.

(q) Fuel conversion plants.

(r) Sintering plants.

(s) Secondary metal production plants.

(t) Chemical process plants.

(u) Fossil-fuel boilers, or combination thereof, totaling more than 250 million British thermal units per hour heat input.

(v) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.

(w) Taconite ore processing plants.

(x) Glass fiber processing plants.

(y) Charcoal production plants.

(z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.

(aa) Any other stationary source category which, as of August 7, 1980, is regulated under section 111 or 112 of the clean air act.

(5) The following additional construction and permitting requirements apply:

(a) Approval to construct shall not relieve any owner or operator of the responsibility to comply fully with any other applicable requirements and any other requirements under local, state, or federal law.

(b) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforcement limitation that was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the

requirements of R 336.2908 shall apply to the source or modification as though construction had not yet commenced on the source or modification.

(6) The following provisions apply to projects at existing emissions units at a major stationary source that is subject to either prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations in circumstances where there is a reasonable possibility that a project that is not a part of a major modification may result in a significant emissions increase and the owner or operator elects to use the method in R 336.2901(dd) or R 336.2801(ll) for calculating projected actual emissions:

(a) Before beginning actual construction of the project, the owner or operator shall document and maintain a record of the following information:

(i) A description of the project.

(ii) Identification of the emissions units whose emissions of a regulated new source review pollutant may be affected by the project.

(iii) A description of the applicability test used to determine that the project is not a major modification for any regulated new source review pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions

excluded under R 336.2901(dd)(ii)(C) and an explanation for why such amount was excluded, and any netting calculations, if applicable.

(b) If the emissions unit is an existing electric utility steam generating unit, before beginning actual construction,

the owner or operator shall provide a copy of the information required by subdivision (a) of this subrule to the department. This subdivision does not require the owner or operator of such a unit to obtain any determination from the department before beginning actual construction.

(c) The owner or operator shall monitor the emissions of any regulated new source review pollutant that could increase as a result of the project and that is emitted by any emissions units identified under subdivision (a)(ii) of this subrule and calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of 5 years following resumption of regular operations after the change, or for period of 10 years following resumption of regular operations after the change if the project increases the design capacity or potential to emit of that regulated new source review pollutant at the emissions unit.

(d) If the unit is an existing electric utility steam generating unit, then the owner or operator shall submit a report to the department within 60 days after the end of each year during which records shall be generated under subdivision (c) of this subrule setting out the unit's annual emissions during the year that preceded submission of the report.

(e) If the unit is an existing unit other than an electric utility steam generating unit, then the owner or operator shall submit a report to the department if the annual emissions, in tons per year, from the project identified pursuant to this subrule, exceed the baseline actual emissions by a significant amount for that

regulated new source review pollutant, and if such emissions differ from the preconstruction projection. The report shall be submitted to the department within 60 days after the end of such year. The report shall contain all of the following information:

(i) The name, address and telephone number of the major stationary source.

(ii) The annual emissions as calculated under subdivision (c) of this subrule.

(iii) Any other information that the owner or operator wishes to include in the report, for example, an explanation as to why the emissions differ from the preconstruction projection.

(f) A reasonable possibility that a project may result in a significant emissions increase occurs when the project is subject to R 336.1201(1)(a) and is not exempted from the requirement to obtain a permit to install by R 336.1278 to R 336.1290. If the owner or operator determines that the project is exempted by R 336.1278 to R 336.1290, then the owner or operator may proceed with the project without obtaining a permit to install. If an owner or operator develops calculations for the project pursuant to R 336.2901(dd) or R 336.2801(ll), the calculations may be used for the purpose of demonstrating compliance with R 336.1278a(1)(c).

(7) The owner or operator of the source shall make the information required to be documented and maintained under this rule available for review upon a request for inspection by the department, or the general public under section 5516(2) of the act, MCL 324.5516(2).

(8) The requirements of this part that apply to major stationary sources and major modifications of volatile organic compounds shall also apply to nitrogen oxides emissions from major stationary sources and major modifications of nitrogen oxides in an ozone transport region or in any ozone nonattainment area, except in ozone nonattainment areas or portions of an ozone transport region where the United States environmental protection agency has granted a NOx waiver applying the standards set forth under section 182(f) of the clean air act and the waiver continues to apply.

History: 2008 AACS.

R 336.2903 Additional permit requirements for sources impacting nonattainment areas.

Rule 1903. (1) No new major stationary source or major modification shall be constructed in an area designated as attainment or unclassifiable for any national ambient air quality standard under section 107 of the clean air act, without first applying for a permit to install under R 336.1201(1)(a). The department shall not approve any permit to install that would cause or contribute to a violation of any national ambient air quality standard. (2) A major source or major modification shall be considered to cause or contribute to a violation of a national ambient air quality standard when the source or modification would, at a minimum, exceed the following significance levels in table 191 at any locality that does not or would not meet the applicable national standard:

TABLE 191

There is no corresponding federal SIP.

	<p><u>Significance Levels</u></p> <p>[See attached table]</p> <p><u>(3) The owner of a major stationary source or major modification subject to this rule may reduce the impact of its emissions upon air quality by obtaining sufficient emission reductions to, at a minimum, compensate for its adverse ambient impact where the major source or major modification would otherwise cause or contribute to a violation of any national ambient air quality standard. In the absence of such emission reductions, the department shall deny the proposed construction.</u></p> <p><u>(4) This rule shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is located in a nonattainment area.</u></p> <p>History: 2008 AACS; 2012 AACS.</p>	
	<p><u>R 336.2907 Actuals plantwide applicability limits or PALs.</u></p> <p><u>Rule 1907.</u> <u>(1) The following definitions apply to the use of actuals PALs. If a term is not defined in these paragraphs, then it shall have the meaning given in R 336.2901:</u></p> <p><u>(a) "Actuals PAL for a major stationary source" means a PAL based on the baseline actual emissions of all emissions units at the source that emit or have the potential to emit the PAL pollutant.</u></p> <p><u>(b) "Allowable emissions" means allowable emissions as defined in R 336.1101(k), except this definition is modified in the following manner:</u></p> <p><u>(i) The allowable emissions for any emissions unit shall be calculated</u></p>	<p>There is no corresponding federal SIP.</p>

considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.

(ii) An emissions unit's potential to emit shall be determined using the definition in R 336.2901(z), except that the words "or enforceable as a practical matter" shall be added after "legally enforceable."

(c) "Small emissions unit" means an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the significant level for that PAL pollutant.

(d) "Major emissions unit" means either of the following:

(i) Any emissions unit that emits or has the potential to emit 100 tons per year or more of the PAL pollutant in an attainment area.

(ii) Any emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the clean air act for nonattainment areas. For example, in accordance with the definition of major stationary source in section 182(c) of the clean air act, an emissions unit is a major emissions unit for volatile organic compounds if the emissions unit is located in a serious ozone nonattainment area and it emits or has the potential to emit 50 or more tons of volatile organic compounds per year.

(e) "Plantwide applicability limitation" or "PAL" means an emission limitation, expressed in tons per year, for a pollutant at a major stationary source that is enforceable as a practical matter and established source-wide in accordance with this rule.

(f) "PAL effective date" generally means the date of issuance of the PAL permit. However, the PAL effective date for an increased PAL is the date any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

(g) "PAL effective period" means the period beginning with the PAL effective date and ending 10 years later.

(h) "PAL major modification" means, notwithstanding R 336.2901(s) and (v), the definitions for major modification and net emissions increase, any physical change in or change in the method of operation of the PAL source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.

(i) "PAL permit" means the permit to install that establishes a PAL for a major stationary source.

(j) "PAL pollutant" means the pollutant for which a PAL is established at a major stationary source.

(k) "Significant emissions unit" means an emissions unit that emits or has the potential to emit a PAL pollutant in an amount that is equal to or greater than the significant level for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit.

(2) The following requirements pertain to applicability:

(a) The department may approve the use of an actuals PAL for any existing major stationary source if the PAL meets the requirements of this rule. "PAL" means "actuals PAL" in this rule.

(b) The department shall not allow an actuals PAL for volatile organic

compounds or nitrogen oxides for any major stationary source located in an extreme ozone nonattainment area.

(c) For physical change in or change in the method of operation of a major stationary source that maintains its total source-wide emissions below the PAL level, meets the requirements of this rule, and complies with the PAL permit, all of the following shall apply:

(i) Is not a major modification for the PAL pollutant.

(ii) Does not have to be approved through the permitting requirements of this rule.

(iii) Is not subject to the provisions in R 336.2902(5)(b), restrictions on relaxing enforceable emission limitations that the major stationary source used to avoid applicability of the nonattainment major new source review program.

(d) Except as provided under subdivision (c)(iii) of this subrule, a major stationary source shall continue to comply with all applicable federal, state, or local requirements, emission limitations, and work practice requirements that were established before the effective date of the PAL.

(3) As part of a permit application requesting a PAL, the owner or operator of a major stationary source shall submit all of the following information to the department for approval:

(a) A list of all emissions units at the source designated as small, significant, or major based on their potential to emit. In addition, the owner or operator of the source shall indicate which, if any, federal, state, or local applicable requirements, emission limitations, or work practices apply to each unit.

(b) Calculations of the baseline actual emissions with supporting documentation. Baseline actual emissions shall include emissions associated not only with operation of the unit, but also emissions associated with startup, shutdown, and malfunction.

(c) The calculation procedures that the major stationary source owner or operator proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (13)(a) of this rule.

(4) The following general requirements apply for establishing PALs:

(a) The department may establish a PAL at a major stationary source, provided that, at a minimum, all the following requirements are met:

(i) The PAL shall impose an annual emission limitation in tons per year, which is enforceable as a practical matter, for the entire major stationary source. For each month during the PAL effective period after the first 12 months of establishing a PAL, the major stationary source owner or operator shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous 12 consecutive months is less than the PAL (a 12-month total, rolled monthly). For each month during the first 11 months from the PAL effective date, the major stationary source owner or operator shall show that the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL.

(ii) The PAL shall be established in a permit to install that meets the public participation requirements in subrule (5) of this rule.

(iii) The PAL permit to install shall contain all the requirements of subrule (7) of this rule.

(iv) The PAL shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit or have the potential to emit the PAL pollutant at the major stationary source.

(v) Each PAL shall regulate emissions of only 1 pollutant.

(vi) Each PAL shall have a PAL effective period of 10 years.

(vii) The owner or operator of the major stationary source with a PAL shall comply with the monitoring, recordkeeping, and reporting requirements provided in subrules (12) to (14) of this rule for each emissions unit under the PAL through the PAL effective period.

(b) At no time, during or after the PAL effective period, are emissions reductions of a PAL pollutant, which occur during the PAL effective period, creditable as decreases for purposes of offsets under R 336.2908(5) unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.

(5) PALs for existing major stationary sources shall be established, renewed, or increased through a permit to install issued under R 336.1201(1)(a). The department shall provide the public with notice of the proposed approval of a PAL permit and at least a 30-day period for submittal of public comment. The department shall

address all material comments before taking final action on the permit.

(6) The following apply to setting the 10-year actuals PAL level.

(a) Except as provided in subdivision (b) of this subrule, the actuals PAL level for a major stationary source shall be established as the sum of the baseline actual emissions of the PAL pollutant for each emissions unit at the source; plus an amount equal to the applicable significant level for the PAL pollutant. When establishing the actuals PAL level, for a PAL pollutant, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for all existing emissions units. However, a different consecutive 24-month period may be used for each different PAL pollutant. Emissions associated with units that were permanently shut down after this 24-month period shall be subtracted from the PAL level. The department shall specify a reduced PAL level, in tons per year, in the PAL permit to become effective on the future compliance date of any applicable federal or state regulatory requirements before issuance of the PAL permit. For instance, if the source owner or operator will be required to reduce emissions from industrial boilers in half from baseline emissions of 60 parts per million nitrogen oxides to a new rule limit of 30 parts per million, then the permit shall contain a future effective PAL level that is equal to the current PAL level reduced by half of the original baseline emissions of such unit.

(b) For newly constructed units, which do not include modifications to existing units, on which actual

construction began after the 24-month period, instead of adding the baseline actual emissions as specified in subdivision (a) of this subrule, the emissions shall be added to the PAL level in an amount equal to the potential to emit of the units.

(7) The PAL permit shall contain, at a minimum, all of the following information:

(a) The PAL pollutant and the applicable source-wide emission limitation in tons per year.

(b) The PAL permit effective date and the expiration date of the PAL (PAL effective period).

(c) Specification in the PAL permit that if a major stationary source owner or operator applies to renew a PAL under subrule (10) of this rule before the end of the PAL effective period, then the PAL shall not expire at the end of the PAL effective period. The PAL shall remain in effect until a revised PAL permit is issued by the department.

(d) A requirement that emission calculations for compliance purposes include emissions from startups, shutdowns, and malfunctions.

(e) A requirement that, once the PAL expires, the major stationary source is subject to subrule (9) of this rule.

(f) The calculation procedures that the major stationary source owner or operator shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (13)(a) of this rule.

(g) A requirement that the major stationary source owner or operator monitor all emissions units under subrule (12) of this rule.

(h) A requirement to retain on-site the

records required under subrule (13) of this rule. The records may be retained in an electronic format.

(i) A requirement to submit the reports required under subrule (14) of this rule by the required deadlines.

(j) Any other requirements that the department determines necessary to implement and enforce the PAL.

(8) The following shall apply to the PAL effective period and reopening of the PAL permit:

(a) The department shall specify a PAL effective period of 10 years.

(b) The following shall apply to reopening of the PAL permit:

(i) During the PAL effective period, the department shall reopen the PAL permit to do any of the following:

(A) Correct typographical or calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL.

(B) Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets under R 336.2908(5)(b) through (h).

(C) Revise the PAL to reflect an increase in the PAL as provided under subrule (11) of this rule.

(ii) The department may reopen the PAL permit for any of the following:

(A) Reduce the PAL to reflect newly applicable federal requirements with compliance dates after the PAL effective date.

(B) Reduce the PAL consistent with any other requirement, that is enforceable as a practical matter, and that the department may impose on the major stationary source under the state implementation plan.

(C) Reduce the PAL if the department determines that a

reduction is necessary to avoid causing or contributing to a national ambient air quality standard or PSD increment violation, or to an adverse impact on an air quality related value that has been identified for a federal class I area by a federal land manager and for which information is available to the general public.

(iii) Except for a permit reopening for the correction of typographical or calculation errors that do not increase the PAL level, all other reopenings shall be carried out in accordance with the public participation requirements of subrule (5) of this rule.

(9) Any PAL, which is not renewed in accordance with the procedures in subrule

(10) of this rule, shall expire at the end of the PAL effective period, and the following requirements of this paragraph shall apply:

(a) Each emissions unit, or each group of emissions units, that existed under the PAL shall comply with an allowable emission limitation under a revised permit established according to the following procedures:

(i) Within the time frame specified for PAL renewals in subrule (10)(b) of this rule, the major stationary source shall submit a proposed allowable emission limitation for each emissions unit, or each group of emissions units, if such a distribution is more appropriate as determined by the department, by distributing the PAL allowable emissions for the major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as

required under subrule (10)(e) of this rule, then the distribution shall be made as if the PAL had been adjusted.

(ii) The department shall determine whether and how the PAL allowable emissions will be distributed and issue a revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the department determines is appropriate.

(b) Each emissions unit shall comply with the allowable emission limitation on a 12-month rolling basis. The department may approve the use of monitoring systems other than CEMS, CERMS, PEMS or CPMS to demonstrate compliance with the allowable emission limitation.

(c) Until the department issues the revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, the source shall continue to comply with a source-wide, multi-unit emissions cap equivalent to the level of the PAL emission limitation.

(d) Any physical change or change in the method of operation at the major stationary source shall be subject to the nonattainment major new source review requirements if the change meets the definition of major modification in R 336.2901(s).

(e) The major stationary source owner or operator shall continue to comply with all state, federal, or local applicable requirements that may have applied either during the PAL effective period or before the PAL effective period, except for those emission limitations that were eliminated by the PAL under subrule (2)(c)(iii) of this rule.

(10) The following shall apply to renewal of a PAL:

(a) The department shall follow the procedures specified in subrule (5) of this rule in approving any request to renew a PAL for a major stationary source, and shall provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During such public review, any person may propose a PAL level for the source for consideration by the department.

(b) A major stationary source owner or operator shall submit a timely application to the department to request renewal of a PAL. A timely application is one that is submitted at least 6 months before, but not earlier than 18 months from, the date of permit expiration. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the owner or operator of a major stationary source submits a complete application to renew the PAL within this time period, then the PAL shall continue to be effective until the revised permit with the renewed PAL is issued.

(c) The application to renew a PAL permit shall contain all of the following information:

(i) The information required in subrule (3) of this rule.

(ii) A proposed PAL level.

(iii) The sum of the potential to emit of all emissions units under the PAL with supporting documentation.

(iv) Any other information the owner or operator wishes the department to consider in determining the appropriate level for renewing the PAL.

(d) In determining whether and how

to adjust the PAL, the department shall consider either of the options outlined in paragraphs (i) and (ii) of this subdivision. The adjustment shall comply with paragraph (iii) of this subdivision.

(i) If the emissions level calculated in accordance with subrule (6) of this rule is equal to or greater than 80% of the PAL level, the department may renew the PAL at the same level without considering the factors in paragraph (ii) of this subdivision.

(ii) The department may set the PAL at a level that it determines to be more representative of the source's baseline actual emissions, or that it determines to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the source's voluntary emissions reductions, or other factors as specifically identified by the department in its written rationale.

(iii) Notwithstanding paragraphs (i) and (ii) of this subdivision, both of the following shall apply:

(A) If the potential to emit of the major stationary source is less than the PAL, then the department shall adjust the PAL to a level not greater than the potential to emit of the source.

(B) The department shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source has complied with subrule (11) of this rule.

(e) If the compliance date for a state, federal, or local requirement that applies to the PAL source occurs during the PAL effective period, and if the department has not already adjusted for such requirement, then

the PAL shall be adjusted at the time of PAL permit renewal or renewable operating permit renewal, whichever occurs first.

(11) The following shall apply to increasing a PAL during the PAL effective period:

(a) The department may increase a PAL emission limitation only if the major stationary source complies with the following provisions:

(i) The owner or operator of the major stationary source shall submit a complete application to request an increase in the PAL limit for a PAL major modification. The application shall identify the emissions units contributing to the increase in emissions so as to cause the major stationary source's emissions to equal or exceed its PAL.

(ii) As part of this application, the major stationary source owner or operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units assuming application of BACT equivalent controls, plus the sum of the allowable emissions of the new or modified emissions units exceeds the PAL. The level of control that would result from BACT equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding 10 years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions

unit shall currently comply.

(iii) The owner or operator obtains a major new source review permit for all emissions units identified in paragraph (i) of this subdivision, regardless of the magnitude of the emissions increase resulting from them (that is, no significant levels apply). These emissions units shall comply with any emissions requirements resulting from the nonattainment major new source review program process (for example, LAER), even though they have also become subject to the PAL or continue to be subject to the PAL.

(iv) The PAL permit shall require that the increased PAL level shall be effective on the day any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

(b) The department shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units, assuming application of BACT equivalent controls as determined in subdivision (a)(ii) of this subrule, plus the sum of the baseline actual emissions of the small emissions units.

(c) The PAL permit shall be revised to reflect the increased PAL level under the public notice requirements of subrule (5) of this rule.

(12) The following shall apply to monitoring requirements for PALs:

(a) The following general requirements shall apply:

(i) Each PAL permit shall contain enforceable requirements for the monitoring system that accurately determines plantwide emissions of

the PAL pollutant in terms of mass per unit of time. Any monitoring system authorized for use in the PAL permit shall be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by the system shall meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL permit.

(ii) The PAL monitoring system shall employ 1 or more of the 4 general monitoring approaches meeting the minimum requirements set forth in subdivision (b) of this subrule and shall be approved by the department.

(iii) Notwithstanding paragraph (ii) of this subdivision, an owner or operator may also employ an alternative monitoring approach that meets paragraph (i) of this subdivision if approved by the department.

(iv) Failure to use a monitoring system that meets the requirements of this rule renders the PAL invalid.

(b) Minimum performance requirements for approved monitoring approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in subdivisions (c) to (i) of this subrule:

(i) Mass balance calculations for activities using coatings or solvents.

(ii) CEMS.

(iii) CPMS or PEMS.

(iv) Emission factors.

(c) An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents shall meet all of the following requirements:

(i) Provide a demonstrated means of

validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the emissions unit.

(ii) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process.

(iii) Where the vendor of a material or fuel, which is used in or at the emissions unit, publishes a range of pollutant content from such material, then the owner or operator shall use the highest value of the range to calculate the PAL pollutant emissions unless the department determines there is site-specific data or a site-specific monitoring program to support another content within the range.

(d) An owner or operator using CEMS to monitor PAL pollutant emissions shall meet both of the following requirements:

(i) CEMS shall comply with applicable performance specifications found in 40 C.F.R. part 60, appendix B, adopted by reference in R 336.2901a.

(ii) CEMS shall sample, analyze, and record data at least every 15 minutes while the emissions unit is operating.

(e) An owner or operator using CPMS or PEMS to monitor PAL pollutant emissions shall meet both of the following requirements:

(i) The CPMS or the PEMS shall be based on current site-specific data demonstrating a correlation between the monitored parameters and the PAL pollutant emissions across the range of operation of the emissions unit.

(ii) Each CPMS or PEMS shall

sample, analyze, and record data at least every 15 minutes, or at another less frequent interval approved by the department, while the emissions unit is operating.

(f) An owner or operator using emission factors to monitor PAL pollutant emission shall meet all of the following requirements:

(i) All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development.

(ii) The emissions unit shall operate within the designated range of use for the emission factor, if applicable.

(iii) If technically practicable, the owner or operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within 6 months of PAL permit issuance, unless the department determines that testing is not required.

(g) A source owner or operator shall record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the PAL permit.

(h) Notwithstanding the requirements in subdivision (c) to (g) of this subrule, if an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameters and the PAL pollutant emissions rate at all operating points of the emissions unit, then the

department shall, at the time of permit issuance do either of the following:

(i) Establish default values for determining compliance with the PAL based on the highest potential emissions reasonably estimated at such operating points.

(ii) Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameters and the PAL pollutant emissions is a violation of the PAL.

(i) All data used to establish the PAL pollutant must be re-validated through performance testing or other scientifically valid means approved by the department. Testing shall occur at least once every 5 years after issuance of the PAL.

(13) All of the following recordkeeping requirements shall apply:

(a) The PAL permit shall require an owner or operator to retain a copy of all records necessary to determine compliance with this rule and of the PAL, including a determination of each emissions unit's 12-month rolling total emissions, for 5 years from the date of the record.

(b) The PAL permit shall require an owner or operator to retain a copy of all of the following records for the duration of the PAL effective period plus 5 years:

(i) A copy of the PAL permit application and any applications for revisions to the PAL.

(ii) Each annual certification of compliance pursuant to renewable operating permit and the data relied on in certifying the compliance.

(14) The owner or operator shall submit semiannual monitoring reports

and prompt deviation reports to the department in accordance with the source's renewable operating permit. The reports shall meet all of the following requirements:

(a) The semiannual report shall be submitted to the department within 30 days of the end of each reporting period. This report shall contain all of the following information:

(i) The identification of owner and operator and the permit number.

(ii) Total annual emissions, tons per year, based on a 12-month rolling total for each month in the reporting period recorded under subrule (13)(a) of this rule.

(iii) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions.

(iv) A list of any emissions units modified or added to the major stationary source during the preceding 6-month period.

(v) The number, duration, and cause of any deviations or monitoring malfunctions, other than the time associated with zero and span calibration checks, and any corrective action taken.

(vi) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by

	<p><u>subrule (12)(g) of this rule.</u></p> <p><u>(vii) A signed statement by the responsible official, as defined by the applicable renewable operating permit, certifying the truth, accuracy, and completeness of the information provided in the report.</u></p> <p><u>(b) The major stationary source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL requirements, including periods where no monitoring is available. A report submitted under R 336.1213(3)(c)(ii) shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the source's renewable operating permit. The reports shall contain all of the following information:</u></p> <p><u>(i) The identification of owner and operator and the permit number.</u></p> <p><u>(ii) The PAL requirement that experienced the deviation or that was exceeded.</u></p> <p><u>(iii) Emissions resulting from the deviation or the exceedance.</u></p> <p><u>(iv) A signed statement by the responsible official, as defined by the source's renewable operating permit, certifying the truth, accuracy, and completeness of the information provided in the report.</u></p> <p><u>(c) The owner or operator shall submit to the department the results of any revalidation test or method within 3 months after completion of the test or method.</u></p> <p><u>History: 2008 AACS.</u></p>	
	<p><u>R 336.2908 Conditions for approval of a major new source review permit in a nonattainment area.</u></p> <p><u>Rule 1908.</u> (1) The department may</p>	<p>There is no corresponding federal</p>

only issue a permit approving the construction of a new major stationary source or major modification in a nonattainment area if the department has determined that the owner or operator of the major stationary source or major modification will comply with all of the provisions of this rule.

(2) The owner or operator of the proposed major stationary source or major modification shall provide an analysis of alternative sites, sizes, production processes, and environmental control techniques for the proposed major stationary source or major modification which demonstrates that the benefits of the proposed major stationary source or major modification significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

(3) The major stationary source or major modification shall comply with the lowest achievable emissions rate for each regulated new source review pollutant for which the area is designated as nonattainment.

(4) All stationary sources which have a potential to emit 100 or more tons per year of any air contaminant regulated under the clean air act, which are located in the state, and which are owned or controlled by the owner, operator, or an entity controlling, controlled by, or under common control with, the owner or operator of the proposed major stationary source or major modification shall be in compliance with all applicable local, state, and federal air quality regulations or and shall be in compliance with a legally enforceable permit condition or order

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of the department specifying a plan and timetable for compliance.

(5) Before the start-up of the new major stationary source or major modification, an emission reduction offset for each major nonattainment air contaminant shall be provided consistent with the following provisions:

(a) The baseline for determining credit for emissions reductions is the emissions limit under the state implementation plan in effect at the time the application to construct is filed, except that the offset baseline shall be the actual emissions of the source from which offset credit is obtained where either of the following occurs:

(i) The demonstration of reasonable further progress and attainment of ambient air quality standards is based upon the actual emissions of sources located within the nonattainment area.

(ii) The state implementation plan does not contain an emissions limitation for that source or source category.

(b) The following requirements apply to emissions offset credits:

(i) Where the allowable emissions are greater emissions than the potential to emit of the source, emissions offset credit shall be allowed only for control below this potential.

(ii) For an existing fuel combustion source, credit shall be based on the source's allowable emissions for the type of fuel being burned at the time the application to construct is filed. If the existing source commits to switch to a cleaner fuel at some future date, then emissions offset credit based on the allowable, or actual, emissions for the fuels involved is not acceptable,

unless the permit is conditioned to require the use of a specified alternative control measure which would achieve the same degree of emissions reduction should the source switch back to a dirtier fuel at some later date. The department shall ensure that adequate long-term supplies of the new fuel are available before granting emissions offset credit for fuel switches.

(c) An emission reduction credit shall not be creditable as an emission offset unless it meets the following requirements:

(i) Emissions reductions that have been achieved by shutting down an existing emission unit or curtailing production or operating hours may be generally credited for offsets only if they meet all of the following requirements:

(A) The reductions are surplus, permanent, quantifiable and federally enforceable.

(B) The shutdown or curtailment occurred after the last day of the base year for the SIP planning process.

The department may choose to consider a prior shutdown or curtailment to have occurred after the last day of the base year if the projected emissions inventory used to develop the attainment demonstration explicitly includes emissions from such previously shutdown or curtailed emission units. However, credit shall not be given for shutdowns that occurred before August 7, 1977.

(ii) Emissions reductions that are achieved by shutting down an existing emissions unit or curtailing production or operating hours and that do not meet the requirements of R 336.2908(5)(c)(i)(A)(B) may be

generally credited only if they meet either of the following:

(A) The shutdown or curtailment occurred on or after the date the construction permit application is filed.

(B) The applicant can establish that the proposed new emissions unit is a replacement for the shutdown or curtailed emissions unit, and the emissions reductions are surplus, permanent, quantifiable and federally enforceable.

(d) Emissions credit shall not be allowed for replacing 1 hydrocarbon compound with another of lesser reactivity, except for those compounds listed in table 1 of the United States environmental protection agency's "Recommended Policy on Control of Volatile Organic Compounds," 42 FR 35314, July 8, 1977, adopted by reference in R 336.2901a.

(e) All emission reductions claimed as offset credit shall be federally enforceable.

(f) Offsets shall be obtained from the same nonattainment area as the proposed major source or major modification, except another nonattainment area may be used if both of the following conditions are met:

(i) The other area has an equal or higher nonattainment classification than the area in which the proposed source is located.

(ii) Nonattainment air contaminant emissions from the other area contribute to a violation of a national ambient air quality standard in the nonattainment area in which the proposed major source or major modification would be located.

(g) Credit for an emissions reduction

may be claimed to the extent that the reviewing authority has not relied on it in issuing any permit required by R 336.1220 or R 336.2902 and the department has not relied on it in demonstrating attainment or reasonable further progress.

(h) The total tonnage of increased emissions, in tons per year, resulting from a major modification that must be offset shall be determined by summing the difference between the allowable emissions after the modification and the actual emissions before the modification for each emissions unit. Unless specified otherwise in this rule, the offset ratio for each nonattainment air pollutant that will be emitted in significant amounts from a new major source or major modification located in a nonattainment area that is subject to subpart 1, part D, title 1 of the clean air act shall be at least 1:1.

(i) The provisions of this subrule do not apply to emissions resulting from proposed major sources or major modifications to the extent that the emissions are temporary and will not prevent reasonable further progress towards attainment of any applicable standard. Examples of temporary emissions include emissions from all of the following:

(i) Pilot plants.

(ii) Portable facilities which will be relocated outside the nonattainment area within 18 months.

(iii) The construction phase of a new major stationary source or major modification.

(6) For facilities meeting the emissions offset requirements of R 336.2908(5) for ozone nonattainment areas that are subject to subpart 2, part D, title 1 of the clean air act, the

facility must meet the following requirements:

(a) The ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be as follows:

(i) In any marginal nonattainment area for ozone, the ratio shall be 1.1:1.

(ii) In any moderate nonattainment area for ozone, the ratio shall be 1.15:1.

(iii) In any serious nonattainment area for ozone, the ratio shall be 1.2:1.

(iv) In any severe nonattainment area for ozone, the ratio shall be 1.3:1, except that the ratio may be 1.2:1 if all existing major sources in the severe nonattainment area use BACT for the control of VOC.

(v) In any extreme nonattainment area for ozone, the ratio shall be 1.5:1, except that the ratio may be 1.2:1 if all existing major sources in the extreme nonattainment area use BACT for the control of VOC.

(b) Notwithstanding the requirements of R 336.2908(6)(a) for meeting the requirements of R 336.2908(5), the ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be 1.15:1 for all areas within an ozone transport region that is subject to subpart 2, part D, title 1 of the clean air act except for serious, severe, and extreme ozone nonattainment areas that are subject to subpart 2, part D, title 1 of the clean air act.

(c) For each facility meeting the emissions offset requirements of R 336.2908(5) for ozone nonattainment areas that are subject to subpart 1, part D, title 1 of the clean air act but are not subject to subpart 2, part D, title 1 of the clean air act, including 8-hour ozone nonattainment areas

subject to 40 C.F.R. 51.902(b), the ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be 1:1. Title 40 C.F.R. 51.902(b) is adopted by reference in R 336.2901a.

(7) The requirements of this section that apply to major stationary sources and major modifications of PM-10 and PM 2.5 shall also apply to major stationary sources and major modifications of PM-10 and PM 2.5 precursors, except when the department determines that such sources do not contribute significantly to PM-10 and PM 2.5 levels that exceed the PM-10 and PM 2.5 ambient standards in the area.

History: 2008 AACS; 2012 AACS.

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Pollutant	Averaging Time				
	Annual	24 hours	8 hours	3 hours	1 hour
Sulfur dioxide	1.0 ug/m ³	5 ug/m ³		25 ug/m ³	
PM-10	1.0 ug/m ³	5 ug/m ³			
PM 2.5	0.3 ug/m ³	1.2 ug/m ³			
Nitrogen dioxide	1.0 ug/m ³				
Carbon Monoxide			500 ug/m ³		2000 ug/m ³