

A CITIZEN'S GUIDE TO PARTICIPATION
IN
MICHIGAN'S AIR POLLUTION CONTROL PROGRAM



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THE MDEQ'S COMMITMENT TO PUBLIC PARTICIPATION

“Public Participation” is the active and meaningful involvement of the public in the governmental decision-making process.

The Michigan Department of Environmental Quality (MDEQ) realizes that an effective public participation process depends on the contributions of its citizens. That is why we encourage you to be actively involved in this process by sharing your opinions and ideas about air quality issues that matter to you, your family, and your community. The public participation process is the way in which government agencies can address your viewpoints, concerns, and preferences about certain decisions or issues that are made within your community. To help facilitate this process, the MDEQ remains committed to:

- Informing you of the consequences of taking, or not taking a proposed action.
- Demonstrating how to effectively participate in our decision-making processes so that you can provide valuable input.
- Keeping you informed about significant issues and proposed project changes.
- Providing you with equal access to information and to our decision-makers.
- Ensuring that you fully understand how our scientific and technical programs work and how air quality decisions are made.
- Addressing your concerns while also acknowledging the concerns of others who may have opposing points of view (i.e., businesses, neighborhood and community groups, and environmental organizations and interests).

“A Citizen’s Guide to Participation in Michigan’s Air Pollution Control Program” is designed to familiarize you with the concept of the public participation process, tell you how to effectively participate, and when that participation can occur during the decision-making process. This process gives all Michigan citizens equal opportunity to provide input in a fair and organized manner.

Early involvement creates opportunities for you to not only review the technical data of an air pollution project or activity, but to also address key community concerns and broaden the range of options to be considered in an air pollution control decision. Most importantly, public participation benefits you, your family, and neighbors most by allowing each to become an effective partner in Michigan’s environmental decision-making process.



What is Air Pollution?

Air **pollution** is everyone’s concern. While often invisible, pollutants in the air create **smog** and corrosive **acid rain**, cause cancer or other serious health problems, diminish the protective **ozone** layer in the upper atmosphere, and contribute to the potential for world climate change. Therefore, the control of air pollution is everybody’s business.

Air pollution has many sources. Some sources are obvious – like coal-fired boilers, municipal waste incinerators, automobiles, trucks, and buses. Others are not so obvious – like gasoline stations; dry cleaners;



outboard boating equipment; lawn, garden, farm, and construction equipment engines; certain paints, coatings, and varnishes; and various household products.

The MDEQ cannot be everywhere at once. That is why we must rely on you for input regarding Michigan's air issues. It is up to you to provide feedback regarding air quality issues that are affecting your quality of life. Learning and utilizing the public participation process will assure that your voice is heard.

Who are the Governing Agencies?



The federal **U.S. Environmental Protection Agency (USEPA)** and the **Michigan Department of Environmental Quality (MDEQ)** are the two government agencies responsible for environmental decision-making in Michigan. Most environmental decision-making incorporates some form of public participation. Environmental decisions can include the creation of new state and federal air pollution control laws and rules, the issuance of an air permit, or making sure existing air quality regulations are followed. Throughout each environmental decision making process, there are opportunities at both the state and federal level for public participation.



A Word About This Guide

Before we begin the in-depth look at this process, the following section gives an overview of the Michigan air pollution control program. To familiarize you with some of the air pollution terms used by the MDEQ, common terms have been **bolded** to indicate that an additional explanation of these terms is located in the glossary ([Appendix A](#)) of this publication.

Thank you for your interest in protecting our natural resources. It takes all of us to maintain healthy communities and keep Michigan's air clean.



AIR POLLUTION IN MICHIGAN

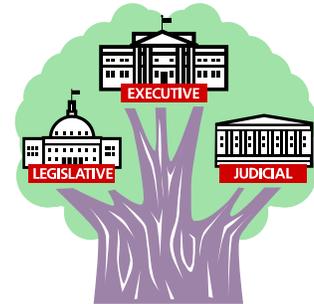




HOW IS AIR POLLUTION CONTROLLED IN MICHIGAN?

AGENCIES, LAWS, AND RULES

Air pollution control decisions affect everyone. Like the legislative process of the U.S. Constitution, which divides decision-making among three branches of government, the air pollution control decision-making process is full of similar “checks and balances.” Public participation is the means by which Michigan citizens are ensured that one part of the system does not overpower the other parts of the system. The [Clean Air Act](#) was designed around this “checks and balances” approach.



The basis for controlling all air pollution in the United States is the Clean Air Act. The Clean Air Act is a comprehensive federal law that regulates everything from acid rain production to the issuance of air permits to the monitoring of air pollution in both cities and rural areas.

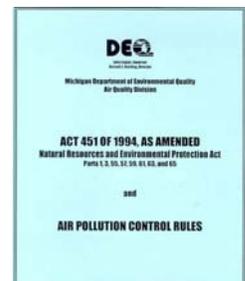
The Clean Air Act is overseen at the federal level by the USEPA. The Clean Air Act was first passed by Congress in 1970, and later amended in 1990. The amendments to the Act have 11 sections or titles. Each title has different regulatory provisions that are designed to protect various aspects of public health and welfare. The 1990 amendments were needed to improve air quality in the United States and offer:



- Regional strategies for cleaning up air pollution.
- An air quality permit program for larger sources that release pollutants into the air.
- Greater enforcement against air polluters.
- Businesses the flexibility and choice on the best way to reach air pollution clean-up and reduction goals.
- An opportunity for the general public to take part in determining how laws and rules will be carried out in each state.

The Clean Air Act allows individual states to have stronger pollution controls, but states are not allowed to have weaker air pollution controls than those set for the whole country. In Michigan, authority to implement the Clean Air Act is granted to the MDEQ’s **Air Quality Division (AQD)** through [Part 55 \(Air Pollution Control\) of Michigan’s Natural Resources and Environmental Protection Act \(NREPA\), Public Act 451 of 1994, as amended](#). An agreement with the USEPA known as a **State Implementation Plan (SIP)** describes the ways in which the MDEQ AQD will meet some of the requirements in the Clean Air Act. A SIP is a legal, enforceable collection of environmental regulations, permits, enforcement orders, and agreements that has been approved by the USEPA and is used by states to clean up polluted areas. Basically, a SIP explains how Michigan will do its job to improve the air quality under the Clean Air Act.

Located within the SIP are the [Michigan Air Pollution Control Rules](#). The Michigan Air Pollution Control Rules are regulations written by the MDEQ AQD that implement Part 55 of Michigan’s NREPA. As the Clean Air Act is divided into “titles,” the Michigan Air Pollution Control Rules are divided into “parts.” There are 17 “parts” in the Michigan Air Pollution Control Rules that cover everything from the levels of pollutants allowed in the air, to the issuance of permits, to the voluntary participation of companies in pollution prevention and pollution reduction programs.



INVESTIGATION AND ENFORCEMENT

Because the MDEQ AQD is responsible for ensuring that everyone complies with federal and state environmental requirements, from time to time, the MDEQ is called upon to investigate possible violations of the air pollution requirements. Some of these violations have led to enforcement actions that have included citations and fines for violators. The MDEQ AQD employs engineers, scientists, technicians, toxicologists, and meteorologists to carry out its air quality programs. Together they conduct hundreds of evaluations, investigations, and inspections of air pollution equipment and sources. Air quality investigation and enforcement is primarily the responsibility of the MDEQ AQD's [District Office](#) and Enforcement staff. The MDEQ AQD has eight district and two field offices with numerous field staff located throughout the state to address your questions and concerns about what types of pollution, and how much of each pollutant, is allowed to be emitted into the air. A map of the MDEQ's district and field offices is provided in [Appendix B](#).



COMPLAINTS

When air pollution interferes with your comfortable enjoyment of life and property, it should be reported to the appropriate MDEQ AQD district office. Reporting air pollution problems is another way Michigan citizens can participate in the state's air pollution control programs. By letting the MDEQ AQD know that an air pollution problem exists in your community, you are helping the state enforce its regulations. The map provided in [Appendix B](#) will help you locate the closest MDEQ AQD district office. The MDEQ also offers a toll-free telephone number (**800-662-9278**) to report air pollution problems and other air quality violations.



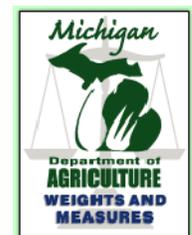
Air pollution problems can originate with either a company or individual. The following is a list of some of the typical air pollution problems that the MDEQ AQD investigates:

- Strong odors from commercial or industrial companies.
- Fall-out (such as soot, ash, or dust) that has settled on property.
- Excessive dust generation (from commercial or industrial operations). Complaints regarding dust from road traffic are referred to the county or local municipality, township, or village for resolution and follow-up.
- Open burning activities at commercial and industrial businesses.
- Events that cause significant health effects such as difficulties breathing, burning and itching of the skin or eyes, or life-threatening allergic reactions.



The MDEQ AQD does **NOT** investigate the following types of events:

- Aerial spraying/crop dusting. These complaints are referred to the Michigan Department of Agriculture (MDA), [Pesticide and Plant Pest Management Division's](#) toll-free number at 800-292-3939.
- Agricultural odors. The MDA determines if the odors are resulting from acceptable farming practices. If not, the agricultural operation will have to make the appropriate changes. Report all agricultural odor complaints to the MDA's toll free hotline at 888-632-1723.
- Indoor air pollution complaints, other than radon, regarding public or private buildings, homes, and businesses. These complaints are normally addressed by the



Michigan Occupational Safety and Health Administration (MIOSHA) or your local health department. [MIOSHA](#) can be contacted at 517-322-1608. Questions about radon gas testing and health risks should be directed to the MDEQ's toll free hotline at (800-RADON GAS/800-723-6642).

- Noise. In most cases, law enforcement agencies are responsible for enforcing noise ordinances at the local level.
- Open burning activities at private residences or on property regulated by a local open burning ordinance.
- Truck or bus exhaust and idling.

You can help the MDEQ AQD with its follow-up investigation of your complaint by:

- Documenting the event. Include the time, location, and duration of occurrence. Indicate whether or not the incident is on-going at the time of your report, or if it continues to occur at certain times or on certain days. Documentation can include a written account, photographs or video tape, and the time, date, and effect of the event.
- Contacting area businesses or neighbors in your community to see if they also experienced the air pollution event and believed it to be a similar nuisance to their living or work environment. If the event is a nuisance to many in the community, the MDEQ AQD district office staff will have a better idea of how to approach the problem when it affects more than one household or business.

When you file a complaint with the MDEQ AQD, you have the option of filing the complaint as "confidential." Being a "confidential" complainant means that your identity and contact information is protected by Section 13 of the [Michigan Freedom of Information Act \(FOIA\), Public Act 442 of 1976](#), and cannot be disclosed by staff of the MDEQ AQD. If this is your wish, please clearly specify so in your complaint request by letter, telephone, fax, or e-mail. In order for your complaint to be protected by the FOIA law, you must clearly state verbally or in writing that you would like your complaint to remain "confidential." Finally, should a complaint result in court action (either civil or criminal), confidentiality may be waived, compelling the MDEQ to disclose all known information regarding the complaint.

LOCAL GOVERNMENT AND AIR POLLUTION

There are some instances where the MDEQ and the AQD have little or no decision-making authority when it comes to decisions that are made based on local ordinances, rules, and regulations. The following is a description of some local agencies that often work alongside the MDEQ AQD on decisions involving other environmental programs; economic development; infrastructure construction and maintenance (such as public roads); and public health, safety, and welfare.

MUNICIPAL AND COUNTY HEALTH DEPARTMENTS



Municipal and county health departments also regulate environmental hazards. Their job is to protect public health by licensing various establishments and investigating local area contamination of air, land, and water. Local health departments work alongside the staff from the MDEQ and may take samples, conduct testing, and develop reports on a variety of contaminants and pollutants, based on need. Not all local health departments perform the same duties. To find out what environmental activities are conducted by your local health department, refer to your local telephone directory for additional information and resources.

COMMUNITY ZONING, PLANNING, AND DEVELOPMENT AGENCIES

Local area zoning essentially allocates the amount of land available for industry, commerce, and housing within a community. Any modifications or special use requests to existing land designations must go through the approval process of a community's zoning, planning, and development agency. Many local communities have local ordinance provisions (for example, special use of land permitting, variances to use a piece of land for a certain purpose, etc.) in their zoning codes that allow the community to review and approve developments that may not conform to the existing zoning code. Local zoning staff examine, review, and approve decisions that involve such things as the size and permitted use of a building in a local community, the current and future noise levels during and after the construction phase, and traffic patterns of a potential development, both during construction and after construction is completed.



It is important to note that local zoning ordinances do not influence state activities for air pollution control, and likewise, the state's air pollution activities do not have an influence over planning activities undertaken at the local level. The decision-making for community planning and development at the state and local levels are, for the most part, independent of one another. A final action by the MDEQ AQD or USEPA regarding an air pollution control program (such as the issuance of a permit) cannot be suspended or revoked by local area residents or local public officials. Although the MDEQ AQD could take action on an air pollution activity in your community, it is still up to local officials to approve other aspects of the development project such as approving and issuing building permits, the installation of fire safety prevention and protection systems, and traffic control mechanisms.

Local governments also maintain the authority to create ordinances and local laws that are more restrictive than those issued by the state. A good example is the issue of open burning. Many local governments are placing greater and greater restrictions on what can and cannot be burned within their communities. The most likely reason that a local community would impose a more restrictive requirement is the growing need to ensure the safety of all residents and their property and the community's resources. Therefore, it is up to the local government that created the more restrictive ordinance or law to also enforce it. The MDEQ or the state of Michigan cannot make a local jurisdiction enforce its own ordinance or law; enforcement of local ordinances and laws is the sole responsibility of the respective officials.

You can help the MDEQ foster a greater partnership between your local officials and state agency planning and development efforts by fully familiarizing yourself with the local laws, ordinances, and planning and economic development processes in your area. This includes asking your local officials important quality-of-life questions early in the planning process to determine the type and extent of potential environmental impacts that could be expected from a new area development. You can learn more about zoning projects in your area by contacting your local jurisdiction's zoning, planning, or development departments, which should be listed in the government section of your local telephone directory.

WHAT IS PUBLIC PARTICIPATION?





WHAT IS PUBLIC PARTICIPATION?

Public Participation means getting involved in the decision-making process of a government entity. When it comes to controlling air pollution in our state, there are four specific instances when you can let us know how you feel about decisions we are planning on implementing that may affect you, your family, or your community. These occur when:

- A permit is issued, reopened, or significantly modified.
- A change is made to the SIP, or a **state rule** is developed or modified.
- A formal complaint is filed against a facility or person who is violating a state or federal air pollution regulation.
- An **administrative consent order** is created to correct a violation of air pollution regulations.

Each of these activities requires the MDEQ AQD to provide some type of notice to the public. The **public notice** provides two opportunities for public participation:



- It allows you, as an interested party, to submit written comments during the public comment period in support or opposition of a proposed action or activity, guaranteeing timely response to your comments by the MDEQ AQD.
- It may include a formal public hearing at the conclusion of the public comment period, where additional verbal and written comments are submitted on a proposed air pollution activity.

THE BENEFITS OF PUBLIC PARTICIPATION

What are the benefits of getting involved in the state's air pollution decision-making process? First of all, the MDEQ and the USEPA are charged with making controversial decisions that affect the air quality of the community where you live. By providing input into the decision-making process of these government agencies, you can often help technical staff make more informed decisions about a proposed air pollution project. By becoming involved early in the process, you can gain clearer understanding of a company's air pollution obligations prior to the issuance of a permit, so concerns are explored *before* a pollution source starts operation.



Another benefit of publicly participating is learning how the state and the USEPA operate their air pollution control programs. This will enable you to monitor the actions of your local, state, and federal government officials. For example, as a concerned member of the public, you can request that the state or the USEPA take inspection or enforcement action against companies, or against other citizens who violate the air pollution control laws and rules (see the section entitled, "Filing an Air

Pollution Control Complaint" on pages 23-24). Being a public participant gives you the right to provide oversight to ensure that sources of air pollution, the MDEQ AQD, and the USEPA are meeting established federal and state laws, rules, guidelines, and policy. By having an interest in the state's air pollution decisions, and by having a concern for the environment, you are helping Michigan promote cleaner, more viable communities for all of its citizens.

PUBLIC PARTICIPATION: THE PUBLIC NOTICE PROCESS

Most decision-making within government agencies requires the agency to give you, the general public, notice of its intentions to make a decision that could affect you and/or your community. A **public notice** is a legally required announcement to the public of a decision that is underway and is often required by a state or federal law or local government ordinance. (A sample public notice is provided on the following page). It is a way for you to learn more about proposed governmental activities that are taking place in your community. The purpose of the public notice is to notify or request public comment on a proposed course of action. At the state level, public notices are posted for air pollution actions involving the **Permit to Install** program, the **Renewable Operating Permit** program, SIP or state rule development and changes, and administrative consent orders.

Public notices for controversial Permits to Install and Renewable Operating Permits are placed in the local daily and weekly newspapers where an air pollution source is located and at the offices of county clerks, city mayors, and township or village supervisors. If the content of the public notice has statewide application (for example, a state rule change), notices are then placed in major Michigan newspapers such as the [Grand Rapids Press](#), the [Lansing State Journal](#), the [Oakland Press](#), and the Marquette [Mining Journal](#).

Hard copies of public notices are also available locally at township, village, mayor, or county clerk offices; [MDEQ district offices](#); and the main MDEQ office in Lansing. Electronic copies of MDEQ AQD public notice documents are placed on the MDEQ's Web page for the [Permit to Install program](#), the [Renewable Operating Permit program](#), [state rule development and changes](#), and [administrative consent orders](#).



The MDEQ AQD is required to use the public notice process to announce that it has received a request for approval to implement an air pollution control activity that it regulates. General public notice documents from the MDEQ AQD include:

- The name and address of the office processing the permit action.
- The name and address of the permit applicant, the location of the company, and the name and mailing address of the responsible official (for Renewable Operating Permits only).
- A brief description of the air pollution control decision or action being taken and the activity seeking approval.
- The **emission** change involved in any air pollution control permit modification.
- The dates on which public comment on a proposed decision or action will be taken, along with a brief description of the public comment procedures.
- The availability of an MDEQ AQD fact sheet and staff analysis that provide additional information about the proposed air pollution control action or decision.
- The name, address, and telephone number of a person from whom interested persons may obtain further information, including but not limited to: copies of the draft air pollution control permit, fact sheet, staff report (if available), and air pollution control permit application.
- Other procedures by which the public may participate in the final decision.

The MDEQ AQD does some direct notification of an upcoming public comment to interested parties by mail. The direct notification is made to persons on the MDEQ AQD's general and local area mailing lists. These mailing lists include those who have been involved in previous MDEQ AQD public comment periods for other air pollution sources in the area; local and state officials; the USEPA; and, depending on the location of the facility, officials in Canada, Illinois, Indiana, Ohio, and/or Wisconsin.

PUBLIC PARTICIPATION: THE PUBLIC COMMENT PERIOD

The public comment period is also a legal requirement. The purpose of the public comment period is to allow you, industry representatives, interest groups, and other organizations to add a voice to the decision-making process. Public comment periods are used to gather feedback on the Permit to Install program, the Renewable Operating Permit program, state rule development and changes, and administrative consent orders. Due to the legal nature of civil consent judgments, a public comment period is not available for this air pollution control decision-making process.

All public comments must be made in writing. This part of the public participation process does not count oral statements made to MDEQ staff as public comments. The length of the public comment period is always stated in the public notice. In most cases, the MDEQ AQD's public comment periods for Permits to Install, Renewable Operating Permits, and state rule development and changes are for a minimum of 30 consecutive days, beginning the first day after the public notice announcing the beginning of the public comment period. If the 30th day of a public comment period falls on a weekend, state holiday, or other day when state government offices are closed during regular business hours, the public comment period ends at the close of the next day on which state offices are open for business. All comments must be postmarked by the close of the comment period.

Upon request, the MDEQ AQD may agree to extend the public comment period beyond 30 days. Such requests must be made in writing to the contact listed in the public notice document. Extensions, when granted, generally add an additional 7 to 15 days, during which public comment will continue to be accepted. Extensions for public comment are very rare and are made at the discretion of the MDEQ AQD. The person(s), group(s), or organization(s) seeking an extension may be required to demonstrate why the extra time is needed.

Tips on How to Provide Effective Public Comment

- Be specific in your statements and provide alternatives or suggestions for change to the government agency.
- Provide substantive comments. Substantive comments are statements based on a law, rule, or MDEQ AQD policy. Cite and use these whenever possible to support your argument.
- Attach supporting documentation as necessary to demonstrate your point.
- Make your comments in a timely manner in order to protect your right to appeal a decision.



PUBLIC PARTICIPATION: INFORMATIONAL MEETINGS

Information meetings are usually only held for Permit to Install applications when there is public comment initiated for a large pollution control project or for those projects that might be "controversial" in nature. The term "controversial" refers to an air pollution source's previous history based on the type of activity that is intended, an established company history in an area, or the location of a particular company. Informational meetings are typically informal and can be a panel-style question and answer session or held in an "open house" format where the MDEQ AQD staff is readily available to answer questions in a one-on-one

exchange. Questions posed during the informational meetings can range from discussions on the human health effects of air pollution to how often the company will be required to submit records to the MDEQ AQD.

Decisions on whether to hold an informational meeting are made by the MDEQ AQD's Permit Section Chief, in consultation with the MDEQ AQD Division Chief. Informational meetings are held immediately preceding a public hearing or on a separate evening prior to the hearing if there is large interest from the local community. These informational meetings give concerned citizens another opportunity to state their concerns, in addition to the open public comment period or scheduled public hearing. Whenever possible, notice of the informational meeting is provided when the public comment period is announced. When the informational meeting is to be held immediately preceding the formal hearing, the schedule will be stated on the public notice.



PUBLIC PARTICIPATION: PUBLIC HEARINGS

A **public hearing** is an opportunity for you and other members of the general public to express comments and concerns regarding an air pollution control action in person. Not all air pollution control activities undergo a public hearing. Hearings are often scheduled for many controversial projects or major (large air pollution) source decisions so that the initial public comment period can be extended or to offer you an additional opportunity for input, which is documented in a public forum. Public hearings can be held for air permitting actions under the Permit to Install and the Renewable Operating Permit programs, for administrative rule changes, and for administrative consent orders. Public hearings are always held when there are changes to Michigan's SIP.

The MDEQ AQD's public hearings are usually scheduled at the close of the initial public comment period and are included as part of the overall public comment process. A public hearing allows participants to provide their oral testimony "on the record," along with additional written comments. The public hearing does not provide participants with a chance to ask questions "on the record," although MDEQ AQD staff are often available onsite after the conclusion of the formal hearing process to answer additional questions.

Public hearings are recorded and transcribed for MDEQ AQD staff so they may review and respond to comments made during the public comment period and hearing process. If there are substantive written or oral comments made during the public comment and hearing process, the MDEQ AQD staff develop what is known as a "*Response to Comment Document*" (see sample on the following page). This document describes the air pollution control action under decision and provides a response to all significant comments made on the action from either the public comment period or the public hearing.

Although not required under the federal [Clean Air Act](#), the state of Michigan has elected to expand the Act's federal notification requirements to all persons who have submitted written and/or verbal comments and/or attended the public hearing of the permitting decision, and provides them with a copy of the *Response to Comment Document*. Therefore, all persons who submitted written comments, or who requested notification of the decision, are informed directly of the final decision and the procedures for appeal of a permit. All others may obtain hard copies of the MDEQ AQD's public comment and hearing documents and related correspondence from the MDEQ's main Lansing Office or any [MDEQ District or Field Office](#). The documents are also available at the MDEQ Web sites for the [Permits to Install](#) program, [Renewable Operating Permit](#) program, [state rule development and changes](#), and [consent orders](#). All comments submitted and response documents generated from the initial public comment period and public hearing process are available for review by the general public upon request.

COMPANY NAME

RESPONSE TO COMMENTS DOCUMENT

DATE

PERMIT NO. XXXXXX

SAMPLE



**Jennifer M. Granholm, Governor
Steven E. Chester, Director**

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II. SUMMARY OF COMMENTS RESULTING IN CHANGES TO THE PERMIT

Comment

AQD Response

Condition Change

III. SUMMARY OF SIGNIFICANT COMMENTS

A. Public Health and Environment Concerns

Comment

Several comments were received regarding the current health of individuals in the area, especially people with asthma or cancer. How will the increase in pollution affect the health of the people in the area? How will it affect the children and elderly? How will pollution levels affect people in the future?

AQD Response

The AQD is determined to protect the health and welfare of all citizens of the state of Michigan. To accomplish this, the AQD utilizes the state and federal air quality rules and regulations that are in place to protect public health and the environment. The federal Clean Air Act includes the National Ambient Air Quality Standards (NAAQS) to protect public health. These standards define the maximum concentration of certain air emissions in the breathing zone that would protect the health of the most sensitive individuals, including those with heart, respiratory, neurological and asthma problems. The emissions from the proposed facility were evaluated, compared to the standards, and found to be well below them (see Table 1 below).

In addition, chemicals that do not have an established NAAQS must meet the applicable AQD established health-based screening levels. Screening levels are developed to protect from cancer and non-cancer effects based on toxicological research. The best available information is used to establish safe exposure levels and exposure times that are protective against cancer and non-cancer health effects. Harmful health effects are not anticipated to occur over a lifetime of exposure for any pollutant concentrations that are below these health criteria. The emissions from the facility were modeled to determine impacts and were then compared to the applicable screening levels. All emissions are well below the applicable health-based screening levels. Table 2 compares the toxic air contaminant impacts with the applicable AQD health-based screening levels.

Table 1 – Opportunities for Public Involvement

State of Michigan – Department of Environmental Quality Opportunities for Public Involvement in Air Pollution Control Activities					
	<i>Public Notice Required?</i>	<i>Informational Meeting Required?</i>	<i>Public Comment Required?</i>	<i>Public Hearing Required?</i>	<i>Can Public Appeal Decision?</i>
Permit to Install					
for minor sources of air pollution	Depends on the type of permit	Depends on interest in permit	Depends on permit type	If requested	No
for major sources , synthetic minor sources, or PSD sources of air pollution	Yes – when draft permit is developed	Depends on interest in permit	Yes – included in Public Notice timeframe	If requested	Yes
Renewable Operating Permit					
	Yes – when draft permit is developed	No	Yes – included in Public Notice timeframe	If requested	Yes
SIP Changes					
	Yes	No	Yes	Yes	Yes
State Rule Development and Changes					
	Yes	No	Yes	Yes	Yes
Consent Orders/Judgments					
Administrative Consent Orders	Yes	No	Yes	If requested	No
Civil Consent Judgments	No	No	No	No	No

HOW TO BE AN EFFECTIVE PUBLIC PARTICIPANT



HOW TO BE AN EFFECTIVE PUBLIC PARTICIPANT

Now that you have an understanding of how Michigan’s public participation and air pollution control programs work, how can you become an equal partner in the environmental decision-making process? Being an effective public participant involves a commitment of time and effort in the areas of information gathering, document review, and activity monitoring to adequately prepare for public input opportunities that arise at the local, state, and federal levels. So, what is the best way for you to stay informed about decisions that affect the air quality in your community?

AT THE LOCAL LEVEL...

PROJECT’S INITIALIZATION, DEVELOPMENT, OR PRE-CONSTRUCTION PHASE: WHAT TO DO

- 1. Keep a watchful eye on actions of the local zoning, planning, or development agencies** as early approvals for new and expansion projects of air pollution often originate at the local level – long before an air pollution control activity is initiated at the state level. Make inquiries of local government officials to find out how a proposed project fits into larger political issues, local planning, and the company’s business plans. This is a prime opportunity to petition or lobby your local officials for changes that the community would like to see made to a proposed project’s development or expansion.
- 2. Request background information on the proposed project** from developers or the company’s owners/operators. In many cases, documentation can be obtained directly from your city, township, or village by making a [FOIA](#) request to the local government unit.
- 3. Attend all informational, committee, or board meetings** that list the proposed project as an agenda item for discussion. These meetings are all open to the public. **Actively participate in the public comment** portions of each meeting so that local officials are aware of your position and concerns on the proposed project. Make inquiries about anticipated day-to-day activities; the decision-making structure; timelines for, or delays to, project implementation; and the current or planned policies and procedures the facility will implement to help control air pollution in your community.



Some questions that can be asked of your local public officials include:

- What company will be in charge of construction development for this project?
- What is the timeline for this project's development, and what part of the project will be completed with each construction phase?
- What are the company's plans for minimizing excessive dust generation, noise, and traffic congestion or backups?
- What allowances have been made for residents and other businesses in the area while construction is taking place?
- Who do I contact if I have a problem with the project's construction? Is it the owner of the company, the foreman of the development company, or a local government official?



Freedom of Information Act (FOIA)

The Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, regulates and sets the requirements for the disclosure of public records by all public government bodies in the state. In general, all records except those specifically cited as exceptions (i.e., proprietary information) are covered by the FOIA.

To request information from the MDEQ under the Michigan FOIA, a written request must be submitted to the MDEQ's FOIA Officer at:

FOIA Officer
Michigan Department of Environmental Quality
P.O. Box 30473
Lansing, MI 48909-7973



There is no specific form that must be completed in order to make this request. Requests for information from local units of government must be made directly to the local government agency housing the public record.

What Information Do I Need to Include in My FOIA Request?

Please give as much detail as possible about the information you are seeking, including the street address of a company or property for which you are seeking information. The request must describe the record(s) or document(s) that you are looking for to sufficiently enable the MDEQ to find these record(s) or document(s). Be as specific as possible and include the dates of the record(s) or document(s), titles of reports, and/or names of relevant correspondents. The FOIA law requires that a public body must grant the request, deny the request, grant in part, deny in part, or invoke a ten-day response extension within five business days after the day the request is received.

What Are the Costs Involved?

The MDEQ may charge a fee for the necessary processing of a public record or providing a copy of a public record to a requester. The MDEQ may also charge for search, examination, review, and the separation of exempt from non-exempt information.

AT THE STATE LEVEL...

PUBLIC NOTICE PERIOD: WHAT TO DO

1. **Remain alert for when the MDEQ AQD intends to renew, reopen, or make significant changes to a permit, air pollution control rule, consent order, or program.** The MDEQ periodically posts proposed or upcoming activities for permitting, rule or program changes, and enforcement outcomes on its Web site. Air pollution control permit issuances are updated in the [Michigan Air Permits system](#), rule development and changes are posted on the MDEQ AQD [Proposed Amendments to the Michigan Air Pollution Control Rules](#) Web page, and enforcement actions are posted on the [MDEQ AQD Enforcement](#) Web page.



2. After the Public Notice is posted, **contact the MDEQ AQD early in the public participation process.** Identify the designated contact person for the public comment period as well as the MDEQ AQD staff person assigned to the project. This information appears in the public notice document. Public notices are available online in the *DEQ Calendar* and on the “AIR” portion of the MDEQ Web site (go to www.michigan.gov/degair), in local and state newspapers, and at some local government offices.



3. **Conduct background research** to learn more about a proposed air pollution activity and what is usually done to control pollution from that type of source. Descriptions of common industrial and manufacturing processes, and the type of air pollution control equipment that they use, are available on the USEPA’s Web site, www.epa.gov/air.

4. **Encourage facility owners/operators to research opportunities that would incorporate pollution prevention approaches** into an air pollution project or activity being undertaken. Pollution prevention techniques are voluntary efforts undertaken by an individual or industry to help eliminate or reduce the amount of pollution that is emitted from a company. Pollution prevention is a way of avoiding the creation of pollution in the first place. An example of pollution prevention that we all are familiar with is finding ways to reuse glass and plastic containers in our homes.



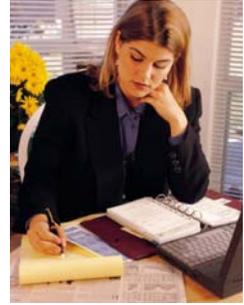
5. **Request copies of staff reports, fact sheets, and staff analyses** for the project through the state’s **Freedom of Information Act**. These are available at the beginning of the public comment period, or at least 30 days before a scheduled public hearing.



6. If the air pollution activity is permit-related, **check the compliance and enforcement history of an existing facility.** This information is available from the MDEQ AQD’s [District Offices](#) by FOIA request.

PUBLIC COMMENT PERIOD: WHAT TO DO

- 7. Submit written comments that are clear, concise, and well documented.** Comments and recommendations that are supported by the principles of sound science often have the strongest impact. In order to make your comments significant, make sure you draw a connection from your argument directly to a state or federal rule, policy, standard, or environmental requirement wherever possible. Remember that, by law, the MDEQ AQD must consider all significant written comments submitted during a formal comment period.



INFORMATIONAL MEETINGS: WHAT TO DO

- 8. Request that an informational meeting be held.** This is your opportunity to ask for “plain-English” interpretations of the technical data from MDEQ staff or to get other questions or concerns addressed about the effects of an air pollution activity in your community.
- 9. Review or collect research material.** If any information presented by the MDEQ needs further explanation, or some details are still unclear about the company’s project or any other planned air pollution program or activity, or if you have specific concerns that need to be addressed, attend the MDEQ AQD-sponsored community informational meetings. MDEQ AQD staff are more than happy to respond to your specific questions, issues, or concerns.

PUBLIC HEARING: WHAT TO DO

- 10. Request that a public hearing be held (if one is not already scheduled). Participate and provide oral or written testimony** at the hearing that supports your advocated position. Remember: only SIP changes guarantee that a public hearing will be held; all other pollution control programs do not require a public hearing unless someone specifically requests one in writing.



APPEALING AN AIR POLLUTION PROGRAM DECISION: WHAT TO DO

11. The Permit to Install Program

On some Permit to Install permit applications for larger sources of air pollution, those who filed comments during the public comment period or who participated in a public hearing still have an opportunity to challenge the MDEQ AQD’s decision to issue an air permit. These challenges are petitions made to an independent third party to hold a contested case hearing to review the basis for a state agency decision. A contested case hearing under the Permit to Install program is only available for permits issued for **Prevention of Signification Deterioration (PSD)** or **Non-attainment New Source Review** sources of air pollution. The result of a contested case hearing is



Important Note!

An Administrative Contested Case Hearing can only be requested for New Source Review permits classified as Prevention of Significant Deterioration (PSD) or Non-attainment New Source Review and by general public members who provided comment during the public comment period or public hearing.

a final MDEQ decision on the application for a permit. That decision, which is provided by the MDEQ Director, is based solely on the documentation presented in a contested case hearing.



[The State Office of Administrative Hearings and Rules \(SOAHR\)](#)

The SOAHR employs administrative law judges who conduct contested case hearings and make declaratory rulings on behalf of the MDEQ. The hearings are conducted under the [Administrative Procedures Act](#), Public Act 306 of 1969, as amended, and administrative rules promulgated under its authority. The right to a contested case hearing or declaratory ruling is available only for a permit issued under the Permit to Install program. Since PSD and Non-attainment New Source Review permits have a 33-day delayed effective date, it is important that a petition challenging the permit be filed within a 30-day window from when the permit was issued. Lastly, the SOAHR is the final decision-maker at the state level for decisions associated with Michigan's Permit to Install program. To learn more about the contested case hearing or declaratory rule process, see [Appendix C](#).

12. The Renewable Operating Permit Program

Petition letters objecting to the state's final decision to issue a Renewable Operating Permit must be made within 60 days after the end of the USEPA's 45-day review period. Only those members of the general public who participated in either the public comment period or public hearing retain the right to sue the state of Michigan for violating the law in the issuing of a Renewable Operating Permit. Petition letters are filed directly with both the MDEQ and the USEPA. Lawsuits are brought before the statewide judicial system.



13. **State Rule Development and Changes**: State rules can be appealed once the state and federal rulemaking process is finalized. Appeals regarding changes to the *Michigan Air Pollution Control Rules* are made directly through a court challenge before the state or federal judicial system.
14. **Administrative Consent Orders**: There is no appeal process available to object to finalized administrative consent orders.



An Important Reminder when Appealing an Air Pollution Decision

When filing an appeal (a request for a contested case hearing) with the MDEQ, it is important to remember what decisions are controlled at the state level and what decisions are decided at the local level by your city, township, or village. Objections to a state-issued decision, that are based on what the majority of local residents want or do not want and are not regulatory in application, are not considered to be a substantive basis to file an appeal (examples of non-substantive appeals related to an air pollution control decision include objections to truck traffic, excessive noise, and the use of a natural resource such as a local water supply). Objections to these types of non-regulatory issues can only be resolved by your local city, township, or village; the MDEQ AQD has no legal authority over non-regulatory issues. Remember: appeals that are filed to object to a state air pollution control decision must be directly applicable to the regulatory decision and based on sound science; a procedural misstep; or on a current federal or state law, rule, or regulation. The focus of an appeal should be limited to the air pollution activity only and whether or not the activity violates the decision criteria as laid out in statute, regulation, or rule or the overall effectiveness of the air pollution control measures proposed.

FILING AN AIR POLLUTION CONTROL COMPLAINT: WHAT TO DO

15. **Air pollution complaints** can be filed either by telephone, fax, e-mail, or letter to the following:



The Michigan Department of Environmental Quality (MDEQ)
Air Quality Division (AQD)
P.O. Box 30260
Lansing, MI 48909-7760
517-373-7023 **FAX: 517-373-1265**
800-662-9278 **e-Mail: deq-ead-env-assist@michigan.gov**

or you can call your local AQD District Office directly (see [Appendix B](#) for telephone and contact information). **Calling a district office directly can often provide the quickest response to your complaint.**

16. If your complaint involves an environmental emergency, please report all environmental emergencies to the MDEQ's Pollution Emergency Reporting System (PEAS) at:

800-292-4706 (within Michigan)
517-373-7660 (outside of Michigan)



An environmental emergency is considered to be a situation that is imminently dangerous to life and health, including incidents involving extremely hazardous chemicals; explosive materials; large fires; acts of terrorism; or a major spill or release that will have an environmental impact to the air, land, water, fish, or wildlife.

17. In order for the MDEQ AQD to properly address and adequately respond to your air pollution concerns, the following information should be included in all complaint reports of a possible air pollution violation:

- **Information on where the air pollution event is taking place**
 - Name of company or individual (if known)
 - Physical street address of company or individual (if known)
 - City, township, or village where the event is taking place
 - County where the event is taking place
- **Your personal contact information**
 - Full name (first and last)
 - Physical street address where you live
 - City, township or village where you live
 - County where you live
- **Description and duration of event**
 - List the type of event: smoke, ash fallout, fire, leak, odor, dust, etc.
 - What is causing the event (such as an activity, if known)?
 - How long has the event taken place (minutes/hours/days/weeks/years)?
 - Is it continuous or does it occur intermittently?



The following is an example of a typical complaint letter you might submit to the MDEQ AQD regarding an air pollution problem in your community.

SAMPLE COMPLAINT LETTER

May 6, 2006

Michigan Department of Environmental Quality (MDEQ)
Air Quality Division (AQD)
P.O. Box 30260
Lansing, MI 48909-7760

Dear Sir/Madame:

On Wednesday, May 5, 2006, my family and I witnessed an excessive amount of ash fall and experienced an excessive amount of ash fall and an egg-like odor coming from the nearby ABC Trans Automotive Company located at 234 Trans Highway in No Where, Michigan. This incident occurred about 11 a.m. and went on for another six hours after we noticed the beginning of the incident. This is the first time that we have experienced this event. A similar event occurred on April 1, 2006 with the same results.

We live approximately 1/2 mile from the facility at 5 Smith Road in No Where, Michigan. We would like the MDEQ's AQD to investigate this problem and talk to the facility owners/operators to determine what went wrong on both of these days to cause the ash fallout and egg-like odor. We would like you to follow up with us after your investigation to let us know what happened and whether or not the problem at ABC Trans Automotive might be resolved or could possibly occur again. Please feel free to call us at (269) 555-1212 if you need additional information.

Thank you for checking into and providing follow-up to the problem at ABC Trans Automotive Company. We really appreciate your efforts.

Sincerely,

Martin Hathaway
4567 Smith Road
No Where, MI 49231

In order to protect your rights to object to or appeal an air pollution activity or decision, it is important that you closely monitor every environmentally related decision made at the local, state, and federal level. The best way to do this at the statewide level is by watching for the bi-weekly [DEQ Calendar](#), as well as continually visiting the “[Air](#)” portion of the MDEQ Web site for actions and decisions taken by the MDEQ AQD. Having a solid understanding of how Michigan’s air pollution control program works, knowing how and where to access publicly available information, and how to appropriately provide input are the keys to becoming an effective public participant.

WHERE DO I GO IF I HAVE PROBLEMS, COMPLAINTS, OR QUESTIONS?

Sorting through the maze of available information to fully understand the regulatory responsibilities of an air pollution source can be an overwhelming task. It is important to keep in mind that all Michigan residents, industry and general public alike, must not only comply with the air quality regulations, but also with other state and federal environmental regulations that deal with such issues as waste generation, land management, and water quality. Like air pollution control, the state’s other environmental regulations also offer similar opportunities for public input.

Questions concerning public participation with the waste, land, and water-related regulations can be directed to the MDEQ **Michigan Environmental Assistance Program (EAP) at 800-662-9278**. MDEQ staff are available to answer your questions regarding public participation in the state’s other environmental programs as well as the air quality program and can respond to your questions and concerns to help you better understand all aspects of the MDEQ’s environmental efforts and programs.

Remember: It takes a partnership of government, industry, environmental groups, and the state’s citizens working together to keep our air clean. Protecting our natural resources is important. By knowing and understanding how to effectively participate in the state and federal air pollution control decision-making process, you can help the MDEQ prevent or reduce air pollution in Michigan.

APPENDIX A

GLOSSARY OF COMMONLY USED AIR POLLUTION CONTROL TERMS

Acid rain: Air *pollution* produced when acid chemicals are incorporated into rain, snow, fog, or mist. The "acid" in acid rain comes from sulfur oxides and nitrogen oxides, products of burning coal and other fuels, and from certain industrial processes. The sulfur oxides and nitrogen oxides are related to two strong acids: sulfuric acid and nitric acid. When sulfur dioxide and nitrogen oxides are released from power plants and other air pollution sources, winds blow them far from their source. If the acid chemicals in the air are blown into areas where the weather is wet, the acids can fall to earth in the rain, snow, fog, or mist. In areas where the weather is dry, the acid chemicals may become incorporated into dusts or smokes. Acid rain can damage the environment, human health, and property.

Administrative Consent Orders: A contractual agreement between the state of Michigan and a facility to remedy and correct one or more environmental violations of a state or federal regulation.

Air Quality Division (AQD): The state agency responsible for ensuring that federal air quality standards are met and maintained in Michigan. The AQD is located in the Michigan Department of Environmental Quality.

Attainment (area): A geographic area in which levels of a criteria air pollutant meet the health-based primary standard (national ambient air quality standard, or NAAQS) for the pollutant. An area may have an acceptable level for one criteria air pollutant but may have unacceptable levels for others. Thus, an area could be both in attainment and non-attainment at the same time. Attainment areas are defined using federal pollutant limits set by the USEPA.

Clean Air Act: The original Clean Air Act was passed in 1963, but our national air pollution control program is actually based on the 1970 version of the law. The 1990 Clean Air Act Amendments are the most far-reaching revisions of the 1970 law. In this summary, we refer to the 1990 amendments as the 1990 Clean Air Act.

Civil Consent Judgments: Court-ordered judgments between a facility and the state of Michigan that require judicial oversight and are used to get a violator of the environmental requirements back into compliance with state and federal regulations.

Emission: Release of *pollutants* into the air from an air pollution source. Sources emit pollutants. A *continuous emission monitoring system* (CEM) is instrumentation installed within ductwork that large air pollution sources are required to install to make continuous measurements of pollutant release.

Federal Register: The Federal Register is the official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents.

Freedom of Information Act (FOIA): A state law (Public Act 442 of 1976, as amended) that reserves the right of the public to inspect, copy, or receive full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees.

Informational meeting: An informal meeting that provides additional information to the general public regarding an upcoming air pollution control decision. Informational meetings are voluntarily provided by the MDEQ AQD as part of its public participation process.

Michigan Air Pollution Control Rules: These rules govern the MDEQ AQD's air pollution control programs and are found in Part 55 of the Natural Resources and Environmental Protection Act (Public Act 451 of 1994, as amended).

Michigan Department of Environmental Quality (MDEQ): The state agency in charge of carrying out state and federal environmental programs.

Non-Attainment (area): A geographic area in which the level of a criteria air pollutant is higher than the level allowed by the federal standards. A single geographic area may have acceptable levels of one criteria air pollutant but unacceptable levels of one or more other criteria air pollutants; thus, an area can be both in attainment and non-attainment at the same time. It has been estimated that 60 percent of Americans live in non-attainment areas.

Non-Attainment New Source Review Permit: A method used in the 1990 *Clean Air Act Amendments* to give companies that own or operate large (major) sources in "non-attainment" areas flexibility in meeting overall pollution reduction requirements when beginning or changing production processes. "Non-attainment" is a term that is used by the USEPA to indicate that an area of the country is not reaching the minimum federal health-based air quality standards. Non-attainment New Source Review permits are issued for major sources of air pollution that are located in areas that are not meeting the federal air quality standards. So, if the owner or operator of an air pollution source wishes to increase a release of a criteria air pollutant, an offset (a reduction of a somewhat greater amount of the same pollutant) must be obtained.

Ozone: A gas which is a variety of oxygen. The oxygen gas found in the air consists of two oxygen atoms stuck together; this is molecular oxygen. Ozone consists of three oxygen atoms stuck together into an ozone molecule. Ozone occurs in nature; it produces the sharp smell you notice near a lightning strike. High concentrations of ozone gas are found in a layer of the atmosphere -- the stratosphere -- high above the earth. Stratospheric ozone shields the earth against harmful rays from the sun, particularly ultraviolet B. *Smog's* main component is ozone; this ground-level ozone is a product of reactions among chemicals produced by the burning of gasoline and other fuels and chemicals found in products including solvents, paints, hairsprays, etc.

Permit to Install: The pre-construction permit issued by the MDEQ AQD for sources of air pollution. This is also one of two permitting programs administered by the MDEQ AQD.

Pollutants (pollution): Unwanted chemicals or other materials found in the air. Pollutants can harm health, the environment, and property. Many air pollutants occur as gases or vapors, but some are very tiny solid particles such as dust, smoke, or soot.

Pollution prevention: The installation of equipment, material substitutions, or changes in management practices to avoid the generation of waste, emissions into the air, or release of contaminants to water. For example, installing highly efficient paint spray guns will reduce the amount of air pollutants generated.

Prevention of Significant Deterioration or PSD (permit): A type of Permit to Install that is only issued for major sources of air pollution. Major source Permit to Install classification depends on whether an area of the state currently meets the federal air quality standards. PSD permits are issued for those major sources of air pollution that are located in areas that are meeting the federal air quality standards.

Public comment: A portion of the public participation process offered by government agencies that allows the general public to submit comments on a proposed activity or decision.

Public hearing: A portion of the public participation process offered by government agencies that allows the general public to submit public testimony (by letter or in person) of comments on a proposed activity or decision.

Public notice: A portion of the public participation process offered by government agencies that notifies the general public of an upcoming activity or decision.

Public participation: A method used by public agencies and other organizations that allows public input or feedback in a decision-making process.

Renewable Operating Permit: Also referred to as a “Title V” permit, the operating permit is for major sources of air pollution. Its purpose is to gather all applicable Clean Air Act requirements (including the requirements in a Permit to Install) under the umbrella of one permitting document.

Smog: A mixture of *pollutants*, mostly ground-level *ozone*, produced by chemical reactions in the air involving smog-forming chemicals. A major portion of smog-formers come from burning petroleum-based fuels such as gasoline. Other smog-formers, volatile organic compounds, are found in products such as paints and solvents. Smog can harm health, damage the environment, and cause poor visibility. Major smog occurrences are often linked to heavy motor vehicle traffic, sunshine, high temperatures and calm winds, or temperature inversion (a weather condition in which warm air is trapped close to the ground instead of rising). Smog is often worse away from the source of the smog-forming chemicals, since the chemical reactions that cause smog occur in the sky while the reacting chemicals are being blown away from their sources by winds.

State implementation plan (SIP): A detailed description of the programs a state will use to carry out its responsibilities under the *Clean Air Act*. State implementation plans are collections of the regulations used by a state to reduce air *pollution*. States submit state implementation plans to be approved by the USEPA if a plan or method of action meets the USEPA and Clean Air Act requirements. Members of the public are given opportunities to participate in review and approval of state implementation plans.

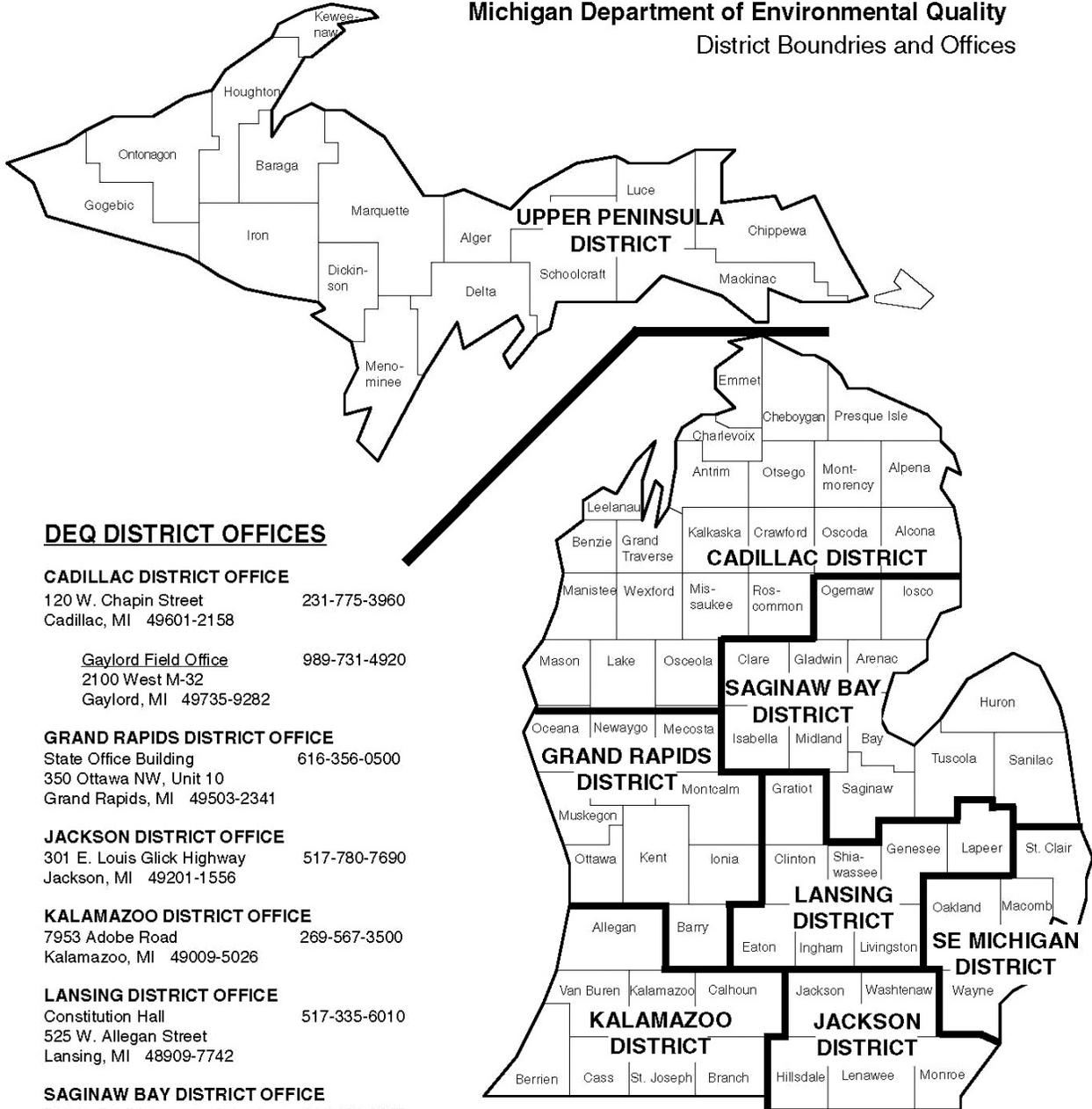
State rule (making): Legal authority given to the MDEQ AQD under Part 55 of the Natural Resources and Environmental Protection Act (Public Act 451 of 1994) to regulate air pollution in Michigan by setting and monitoring air pollution limits, issuing air pollution control permits, and providing resources for the enforcement of the air pollution requirements.

U. S. Environmental Protection Agency (USEPA): The federal agency within the Executive Branch of government that is responsible for developing, monitoring, and enforcing the country’s environmental regulations.

APPENDIX B

MDEQ DISTRICT AND FIELD OFFICE MAP

Michigan Department of Environmental Quality
District Boundries and Offices



DEQ DISTRICT OFFICES

CADILLAC DISTRICT OFFICE

120 W. Chapin Street 231-775-3960
Cadillac, MI 49601-2158

Gaylord Field Office 989-731-4920
2100 West M-32
Gaylord, MI 49735-9282

GRAND RAPIDS DISTRICT OFFICE

State Office Building 616-356-0500
350 Ottawa NW, Unit 10
Grand Rapids, MI 49503-2341

JACKSON DISTRICT OFFICE

301 E. Louis Glick Highway 517-780-7690
Jackson, MI 49201-1556

KALAMAZOO DISTRICT OFFICE

7953 Adobe Road 269-567-3500
Kalamazoo, MI 49009-5026

LANSING DISTRICT OFFICE

Constitution Hall 517-335-6010
525 W. Allegan Street
Lansing, MI 48909-7742

SAGINAW BAY DISTRICT OFFICE

503 N. Euclid Avenue, Suite 1 989-686-8025
Bay City, MI 48706-2925

SOUTHEAST MICHIGAN DISTRICT OFFICE

27700 Donald Court 586-753-3700
Warren, MI 48092-2793

Detroit Field Office 313-456-4700
Cadillac Place
3058 West Grand Boulevard, Suite 2-300
Detroit, MI 48202-6058

UPPER PENINSULA DISTRICT OFFICE

420 5th Street 906-346-8300
Gwinn, MI 49841

ENVIRONMENTAL ASSISTANCE CENTER

(for general information):
Telephone: 800-662-9278
Fax: 517-241-0673

POLLUTION EMERGENCIES

Telephone: 800-292-4706

DEQ WEB PAGE

www.michigan.gov/deq

APPENDIX C

MDEQ CONTESTED CASE HEARINGS AND DECLARATORY RULINGS - QUESTIONS AND ANSWERS

The following is a summary of the process involved in a contested case hearing and request for a declaratory ruling concerning the air permitting process.

Note: This section is for informational purposes only and does not constitute legal advice. The contested case hearing and declaratory ruling processes are controlled by the Administrative Procedures Act, Public Act 306 of 1969, as amended, and the administrative rules promulgated under the Michigan Air Pollution Control Rules.

GENERAL QUESTIONS: Contested Case Hearings and Declaratory Rulings

Question: What are contested cases and declaratory rulings?

A contested case is a proceeding where the legal rights, duties, or privileges of a named party are determined. While a contested case hearing is similar to a trial in a civil court, it is not as formal. The purpose of a contested case is to render a final state agency decision on the permit application being challenged.

Example: Two state environmental action groups object to a proposed volatile organic compound (VOC) emission limit as drafted in ABC Company's recently public noticed Permit to Install. Although they have submitted written comments during the public comment period stating their objection and reviewed the MDEQ AQD staff Response to Comments document, they still believe the limit is detrimental to the health and welfare of the community that surrounds ABC Company. The environmental action groups submit a request to have a contested case hearing held on whether or not ABC Company's Permit to Install should be issued. The Administrative Law Judge (ALJ) presides at the hearing, during which the parties offer evidence in support of their positions. At the close of the hearing, the ALJ issues a Proposal for Decision. The content of the hearing goes to the Director of the MDEQ, who makes the final agency decision on the permit.

A declaratory ruling is the determination of the applicability of an actual statement of undisputed facts to a statute, administrative rule, or order administered by the MDEQ. Declaratory rulings are not available for enforcement issues.

Example: Mr. John Doe, President of ABC Company, is considering an upgrade of his facility, which would include installation of new equipment. Mr. Doe wants to determine whether the installation of the new equipment would result in a modification of his existing permit. Mr. Doe submits a request for a declaratory ruling on this issue. The Director of the MDEQ would review the information submitted and issue a declaratory ruling on whether the change to the company's existing permit is considered a modification as defined under a statute, administrative rule, or order administered by the MDEQ.

APPENDIX C
**MDEQ Contested Case Hearings and Declaratory Rulings-
Questions and Answers (continued)**

Question: Who oversees the hearing proceedings of contested cases and declaratory rulings?

An Administrative Law Judge (ALJ), who must be an attorney licensed by the State Bar of Michigan, presides over contested cases hearings. At the conclusion of the hearing, the ALJ issues a Proposal for Decision based on the evidentiary record created during the hearing. **The final agency decision-maker in contested cases is the Director of the MDEQ.** The final agency decision is subject to limited appellate review in circuit court.

The Director of the MDEQ issues declaratory rulings. Since this process is dependent on the existence of uncontested facts, there is no need for an evidentiary hearing. An appeal of a declaratory ruling is similar to that of the final agency decision in a contested case hearing.

Question: What MDEQ air quality program decisions go before an ALJ?

The most common program decisions that go before an ALJ are those regarding the issuance of a permit.

Question: What costs are associated with filing a petition for a contested case or a request for a declaratory ruling?

There are no fees or costs associated with filing a petition for a contested case hearing or a request for a declaratory ruling. However, parties to contested cases are usually represented by attorneys who specialize in environmental and administrative law, and there may be fees and costs associated with providing this service. There may also be an additional cost associated with the use of expert witness testimony.

QUESTIONS: Declaratory Rulings

Question: Who is involved in a declaratory ruling?

A declaratory ruling involves only the person submitting the request for a ruling and the regulatory agency (i.e., the MDEQ AQD).

Question: What procedures should I follow if I want to have a declaratory ruling made?

All requests for a declaratory ruling must be on a form prepared by the MDEQ and provide the following information:

- The requesting person's name, mailing address, and telephone number.
- The requesting person's interest in the matter, including assertions regarding the person's legal standing to request a declaratory ruling.
- The statute, rule, or order to which the request applies.
- A detailed statement of the actual uncontested facts to which the statute, rule, or order may apply. Drawings, sketches, photographs, illustrations, and maps may be attached.

Question: What outcome can I expect if I file a petition for a declaratory ruling?

Within 60 days of receipt of a declaratory ruling request, the MDEQ will do one of the following:

- Deny the request and state the reasons for the denial.
- Grant the request and issue the declaratory ruling.

APPENDIX C
**MDEQ Contested Case Hearings and Declaratory Rulings-
Questions and Answers (continued)**

- Advise the person requesting the ruling that further clarification of the facts must be provided or that the department requires additional time to conduct a review, including, but not limited to, an on-site investigation.

It is important to remember that a denial of a declaratory ruling does not create the right to request a contested case hearing.

QUESTIONS: Contested Case Hearings

Question: Who is involved in a contested case hearing?

In a challenge to the issuance of a permit, the parties to a contested case are the petitioner (the person or organization that files the petition) and the MDEQ AQD. The holder of the challenged permit (such as the company of the air pollution source) has the right to intervene in the contested case. Intervention by a third party is available but may be limited depending on when the request is made.

During the hearing, the parties present witnesses who are subject to cross-examination. The testimony of the witnesses, who may be qualified to give expert opinion, along with the evidence admitted through testimony, provide the facts upon which the final agency decision must be based. The rules of evidence that apply to a non-jury civil trial are followed as much as possible. The hearing is designed to provide the parties with an efficient, fair, and impartial process that allows a decision to be made based on the issues presented.

Question: Where are the MDEQ's contested case hearings held?

All contested case hearings are held in Lansing, Michigan. However, the ALJ may order the hearing held in another location under the appropriate circumstance.

Question: What procedures should I follow to file for a contested case hearing, and what happens after I file the "Petition for Contested Case" form with the State Office of Administrative Hearings and Rules (SOAHR)?

All requests for contested case hearings by individuals, groups, organizations, or facilities must be received by either the SOAHR or the MDEQ within 30 days after receiving notice of the decision to approve or deny a permit. In order for a contested case to go forward, it must meet one of the three criteria as expressed in Michigan Rule 336.2830 (1)(b) (i-iii):

- The person (filing the contested case request) is the permit applicant and the person's written concerns, as expressed to the department during the permit review process, either before or during the 30-day public notice period, were not adequately addressed by the department in the permit review process.
- The person participated in the permit review process, either by submitting written comments during the 30-day public notice period or by attending the public hearing and mailing comments for the official record, and the comments were not adequately addressed by the department in the permit review process.
- The terms or conditions of the permit for which the person requests a hearing were added by the department after the 30-day notice period expired, and no additional opportunity for public input was offered by the department.

APPENDIX C
**MDEQ Contested Case Hearings and Declaratory Rulings-
Questions and Answers (continued)**

If you meet any one of these criteria, you must first fill out and submit a "Petition for Contested Case" form. Once the form is received, the petitioner is offered two options:

- To have the case prepared for a hearing at the earliest possible date, or
- To enter into an informal settlement discussion with the MDEQ AQD.

The benefit of the second option is the opportunity it provides the parties to meet and attempt to narrow the issues, or even resolve the matter entirely. Since this avoids the time and expense involved in a contested case hearing, the parties are encouraged to look at settlement of the issue as a viable option. While the discussions are on-going, the contested case is suspended, within reason, as long as status reports are periodically submitted during the settlement process. Should a settlement not be reached, the case will proceed to a hearing at the earliest possible date.

Once a party indicates that it is necessary to move the case to a hearing, the next steps are as follows:

- The ALJ sets the filing date for pre-hearing statements. All parties receive notice of the issues and proposed evidence for the hearing.
- Prior to the hearing, legal issues are resolved through the filing of motions.
- The parties can file motions on substantive legal issues prior to the hearing.
- After the hearing, the ALJ issues a Proposal for Decision (PFD) that contains findings of fact and conclusions of law. Each party may file written exceptions to the PFD. The record then goes before the Director of the MDEQ. **The MDEQ, as the final agency decision-maker, may accept, reject, or modify the PFD.**
- The MDEQ's decision is provided to all parties. Under the state's *Administrative Procedures Act*, a party has 60 days to appeal the decision to the circuit court.-

Question: What outcome can I expect if I file a petition to contest a MDEQ decision?

As the party requesting a review of a decision, the petitioner has the burden of moving forward with the process (for example, filing status reports on the air pollution activity and offering evidence first during the hearing). It is up to the petitioner to prove that the permit applicant is not entitled to the challenged permit under the applicable standards in Part 55 of Michigan's Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, and the *Michigan Air Pollution Control Rules* .

Question: What if I disagree with the decision rendered by the ALJ? What other options are available?

The final decision by the MDEQ can be appealed to circuit court under the provisions of the state's *Administrative Procedures Act*.

To request a hard copy of the administrative rules governing contested case and declaratory rulings, or the forms used to initiate either process, please contact:

STATE OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 30473
LANSING MI 48909-7973
(517) 335-4226 FAX (517) 335-5420

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT?

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
AIR PERMITS – Permit to Install		
<p>Who must get a Permit to Install</p> <p>Review: <i>Chapter 3 of the Permit to Install – Determining Applicability Guidebook</i></p>	<p>The MDEQ small business assistance Web site provides a short summary of who must get a Permit to Install in Michigan and offers additional guides that describe the various aspects of the state’s air permitting process (i.e., what the facility has to do to get a permit). Chapter 3 of the <i>Permit to Install – Determining Applicability Guidebook</i> can give you an overview of the types of facilities that require a permit.</p>	<p>www.michigan.gov/deqair</p> <p>Select “Clean Air Assistance” from the left menu. In the middle of the page under “Air Permitting” choose “Air Permits (Permits to Install).”</p> <p style="text-align: center;">OR</p> <p>Hard copies of the guides may be obtained by calling the MDEQ’s EAP at: 800-662-9278.</p>
<p>When a source of air pollutants is exempt from getting a permit</p> <p>Review: <i>Michigan Air Pollution Control Rules, Part 2</i></p>	<p>There are some activities in Michigan that do not require a permit. Michigan Air Pollution Control Rules 336.1278 through 336.1290 provide you with a list of activities that are exempt from the permitting process.</p>	<p>www.michigan.gov/deqair</p> <p>Select “Laws and Rules” from the left menu. In the middle of the page under “Laws and Rules” select “Air Pollution Control Rules” and look for Part 2, rules 336.1278 through 336.1290.</p> <p>Hard copies of the Exemptions may be obtained by contacting the EAP at 800-662-9278.</p>

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
AIR PERMITS – Permit to Install		
<p>What goes on in the Permit to Install process</p> <p>Review: Permit to Install Workbook: A Practical Guide to Completing an Air Permit Application</p>	<p>Chapter 2 of this workbook describes how the permit process works in Michigan. Reviewing Chapter 2 will give you an idea of what steps a permit applicant must go through before a permit can be issued.</p>	<p>www.michigan.gov/deqair</p> <p>Select “Clean Air Assistance” from the left-hand menu. In the middle of the page under “Air Permitting” choose “Air Permits (Permits to Install).”</p> <p style="text-align: center;">OR</p> <p>Hard copies of the workbook may be obtained by contacting the MDEQ’s EAP at 800-662-9278.</p>
<p>How to get a copy of a company’s Permit to Install</p>	<p>Reviewing the permit will give you an idea of how much of a certain pollutant can legally be put into the air, what types of controls the company is implementing to keep excessive pollution out of the air, and what types of records and reports of the company’s activities must be filed with the MDEQ. This information can be used to provide significant comment when called for during the public comment/hearing process.</p>	<p>www.michigan.gov/deqair</p> <p>Select “Permits” from the left-hand menu. In the middle of the page under “Air Permitting” choose “Air Permits (Permits to Install).” The “Michigan Air Permits System” Web site appears with information on Permits to Install in the left-hand column. Select “New Source Review Public Notice Documents,” or to view older Permits to Install, select “NSR Final Conditions” for the appropriate year that the permit was issued and choose a company name from the list.</p>
<p>Commenting on a proposed permit</p> <p>Review: Public Notice documents for Permits to Install</p>	<p>Examining the contents of a public notice document is an important first step in commenting on a proposed permit. The notice document shows you how to obtain copies of important documentation in order to be well informed and provide effective comment on a proposed permit.</p>	<p>www.michigan.gov/deqair</p> <p>Select “Permits” from the left-hand menu. Under “Information” in the middle of the page select “Permits to Install/New Source Review (PTI/NSR).” On the “Michigan Air Permits System” page, under the column that says “Permits to Install/New Source Review (PTI/NSR),” select “NSR Public Notice Documents.”</p>

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
AIR PERMITS – Renewable Operating Permit		
<p>Who must get a Renewable Operating Permit and how the permit process works</p> <p>Review: Chapter 1 of the PASS-ROP Workbook</p>	<p>This MDEQ small business assistance Web site provides a short summary of who must get a Renewable Operating Permit in Michigan. By reviewing Chapter 1 of the <i>Pass-ROP Workbook</i>, you can learn more about the Renewable Operating Permit Program, including its contents and the reasons why a Renewable Operating Permit is required for some facilities in Michigan.</p>	<p>www.michigan.gov/deqair</p> <p>Select “Clean Air Assistance” from the left-hand menu. In the middle of the page under “Air Permitting” choose “Renewable Operating Permit (ROP) Program.”</p> <p style="text-align: center;">OR</p> <p>Hard copies of the guides may be obtained by contacting the MDEQ’s EAP at 800-662-9278</p>
<p>Commenting on a proposed permit</p> <p>Review: Public Notice documents for Renewable Operating Permits</p>	<p>Examining the contents of a Public Notice document is an important first step in commenting on a proposed permit. The notice document shows you how to obtain copies of important documentation in order to be well informed and provide effective comment on a proposed permit.</p>	<p>www.michigan.gov/deqair</p> <p>Select “Permits” from the left-hand menu. Under “Information” in the middle of the page select “Renewable Operating Permits (ROP/title V).” On the “Michigan Air Permits System” page, under the column that says “Renewable Operating Permits (ROP/Title V),” select “Public Notice Process, Source Lists & Documents.”</p>

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WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
(THE) CLEAN AIR ACT		
<p>How do I get a copy of the federal Clean Air Act?</p> <p>Other Air Pollution Laws</p> <p>Review: <i>Michigan Natural Resources and Environmental Protection Act, P.A. 451 of 1994 (Act 451)</i></p>	<p>Reviewing the contents of the Clean Air Act will provide an in-depth look at how our nation intends to protect its air.</p> <p>The state law provides you with a comprehensive oversight of the environmental protection requirements for air, waste, land, and water.</p>	<p style="text-align: center;">www.epa.gov/air/oaq_caa.html/</p> <p style="text-align: center;">www.legislature.mi.gov</p>
<p>Other sections of Act 451 that are pertinent to air pollution control:</p> <p style="padding-left: 40px;">Part 55: Air Pollution Control</p> <p style="padding-left: 40px;">Part 57: Small Business Clean Air Assistance</p> <p style="padding-left: 40px;">Part 59: Air Pollution Control Facility; Tax Exemption</p>	<p>Part 55 provides you with a compilation of the applicable laws and rules for air pollution control.</p> <p>Part 57 establishes an air quality assistance program to help small businesses comply with the regulations. Because many of its assistance resources are in “plain-English,” you can use this program’s resources to learn more about the air quality requirements.</p> <p>Part 59 provides a tax exemption for companies to use if they install new air pollution control equipment. This will help you understand why some companies chose certain types of equipment to help them control certain types of pollutants.</p>	<p style="text-align: center;">www.legislature.mi.gov</p> <p style="text-align: center;">OR</p> <p style="text-align: center;">Contact the MDEQ AQD directly, at 517-373-7023 to order a copy of their <i>Michigan Air Pollution Control Rules</i> book.</p>

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
(THE) CLEAN AIR ACT		
<p>Other helpful guides</p> <p><i>The Plain English Guide to the Clean Air Act.</i></p>	<p><i>The Plain English Guide to the Clean Air Act</i> is a comprehensive summary of the Clean Air Act's air quality programs. This guide details how federal and state governments plan to keep our air clean.</p>	<p>www.epa.gov/air/oaqps/peg_caa/pegcaain.html</p> <p style="text-align: center;">OR</p> <p style="text-align: center;">For hard copies, contact: The USEPA's National Center for Environmental Publications P.O. Box 42419 Cincinnati, OH 45242-0419 800-490-9198 513-489-8695 (Fax) e-mail: ncepimal@one.net</p>
<p>Doing my part to keep Michigan's air clean</p> <p>Visit the Web site for:</p> <p><i>What You Can Do to Clean the Air</i></p>	<p>This is a USEPA-sponsored Web site that provides you with various strategies to reduce air pollution at home, in consumer purchasing, and in vehicle operation as well as methods to protect your family's health.</p>	<p style="text-align: center;">www.epa.gov/air/actions/</p>

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
CONTESTED CASE HEARINGS		
<p><u>State Office of Administrative Hearings (SOAHR)</u></p> <p><i>Filing a Petition for Contested Case or Declaratory Ruling</i></p>	<p>The State Office of Administrative Hearings and Rules (SOAHR) Web site will allow you to review previous contested case decisions and declaratory rulings to get an idea of how the process works and how the outcomes are documented. There is also information on the Web site to help you obtain copies of the form that must be filed to participate in the contested case process.</p>	<p style="text-align: center;">www.michigan.gov/deq</p> <p>Select the term, “Key Topics” from the left hand menu and then “Laws and Rules.” To access the SOAHR Web site, select “Administrative Hearings” from the left-hand drop down.</p>
ENFORCEMENT		
<p>Complaints: filing a new one or verifying the status of an existing one</p>	<p>The toll-free MDEQ hotline number takes you to the Environmental Assistance Center where your questions or concerns regarding an air pollution problem will be documented and investigated by air quality staff.</p>	<p style="text-align: center;">Contact the EAP at 800-662-9278</p> <p style="text-align: center;">Or</p> <p style="text-align: center;">Your local MDEQ AQD District Office (See <i>Appendix B</i> for contact information)</p>
<p>Letters of Violation (LOVs)</p>	<p>Reviewing the MDEQ-issued Letters of Violation, the enforcement history of, and the administrative consent orders for a facility will help you track air pollution problems that may exist in your community.</p>	<p style="text-align: center;">Contact the MDEQ AQD District Office closest to your community (see <i>Appendix B</i>).</p>
<p>A facility’s enforcement history</p>		
<p>Administrative Consent Orders</p>		

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
(The) FREEDOM OF INFORMATION ACT (FOIA)		
<p>DEQ FOIA Information</p> <p>Visit the Web site for:</p> <p>FOIA Fact Sheet</p>	<p>Reviewing the FOIA law provides you with an overview of which public agency records are accessible for review by the general public and which records are not. It also provides guidance on where to send requests to receive information on the department's programs.</p>	<p>www.michigan.gov/deq</p> <p>Select "Contact DEQ" at the top of the page then select "DEQ FOIA Information" under the "Contact Information" section in the middle of the page.</p> <p style="text-align: center;">OR</p> <p>Contact the FOIA coordinator at 517-241-8166</p>
<p>Where to get a copy of the FOIA law, also known as P.A. 442 of 1976</p>	<p>Reviewing the FOIA law provides you with an overview of which public agency records are accessible for review by the general public and which records are not.</p>	<p>www.legislature.mi.gov</p> <p>Under "Laws" on the left-hand menu, select "Freq Requests (alpha)"</p>
MONITORING THE AIR		
<p>Common pollutants in Michigan</p> <p>Visit the Web site for:</p> <p>Annual Air Quality Report</p> <p>What is an Air Contaminant/Pollutant?</p>	<p>The Annual Report provides you with a summary of the air quality data that is collected and the air quality trends in Michigan.</p> <p>This fact sheet informs you about the types of air contaminants and pollutants that exist and their relationship to the programs in the Clean Air Act.</p>	<p>www.michigan.gov/deqair</p> <p>Under "Spotlight" select "Air Publications." Under "Reports" in the middle of the page select "Annual Air Quality Reports" or call the MDEQ AQD at 517-335-6989.</p> <p>Select "Clean Air Assistance" from the left menu then under "Compliance Assistance" select "What is an Air Contaminant/Pollutant?"</p>

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
MONITORING THE AIR		
<p>The air in my community today</p> <p>Visit the Web site for:</p> <p><i>Air Quality Index (AQI)</i> <i>EnviroFlash in Michigan</i> <i>Ozone Action!</i></p>	<p>Each of these Web site resources provides you with air pollution forecasts and alerts when bad air quality is present in Michigan. It only covers those areas in Michigan where the MDEQ has placed an air pollution monitor and only for certain pollutants. Data is not available for all counties in Michigan.</p>	<p>www.michigan.gov/deqair</p> <p>Select "EnviroFlash" from the right-hand column.</p> 
<p>Pollutants subject to state or federal reporting requirements</p> <p>Visit the Web site for:</p> <p><i>Six Common Air Pollutants</i></p>	<p>This USEPA Web site explains the types of pollutants that are monitored nationwide, why the pollutant is a concern, the health and environmental effects of a pollutant, and the federal and state efforts that are underway to help reduce pollutants in your community, including the status of attainment and non-attainment in Michigan.</p>	<p>www.epa.gov/air/urbanair/6poll.html</p>
PUBLIC PARTICIPATION		
<p>Where to get public notice documents</p> <p>Review: <i>The DEQ Calendar</i></p>	<p>The <i>DEQ Calendar</i> is subscribable by e-mail and will inform you about upcoming environmental issues, permitting decisions, and related regulations. It also provides a list of available environmental conferences, workshops, and training programs in which the general public may participate.</p>	<p>www.michigan.gov/deqcalendar</p>
<p>Scheduled public hearings</p> <p>Review: <i>The DEQ Calendar</i></p>		

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
PUBLIC PARTICIPATION		
<p>Tips for reviewing and commenting on technical documents</p> <p>Review: <u>Public Involvement Handbook</u></p> <p>Subscribe to: <u>Environmental Listservs</u></p> <p>Visit the Web site for: <i>EPA's Concerned Citizen's Resources</i></p> <p>Research: <i>Common operations of common industrial and manufacturing processes</i></p> <p><i>Types of air pollution control equipment</i></p>	<p>This Handbook provides an overview of what opportunities exist in state government to participate in decision-making, as well as tips on how and when to effectively comment on the activities of statewide programs.</p> <p>Subscribing by e-mail to the Listserv allows you to receive notices and news of environmental program events, changes, or updates so that you can stay informed with the ongoing activities of the MDEQ.</p> <p>This USEPA-sponsored Web site provides you with up-to-date information on the environmental issues and human health risks associated with pollution. Staying on top of these issues is one of the best ways you, your family, and your community can help protect the environment.</p> <p>This resource provides an overview of the operations and products created by various industrial and manufacturing activities.</p> <p>This resource will give you an idea of what equipment exists for air pollution control and how this equipment works to control these pollutants.</p>	<p>www.michigan.gov/deq Select "News and Events" from the left menu, then "Citizen Involvement" from the drop-down menu. Under "<u>DEQ Citizen Involvement Resources</u>," select "Public Involvement Handbook."</p> <p>www.michigan.gov/deq Select "Inside DEQ" from the left-hand menu, then "Contact DEQ" from the drop-down menu. Under "Internet" in the middle of the page, select "Environmental Listserv Subscriptions."</p> <p>www.epa.gov/epahome/Citizen.html</p> <p>cfpub.epa.gov/compliance/resources/publication/s/assistance/sectors/</p> <p>www.epa.gov/ttn/catc/cica/atech_e.html</p>

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
RULEMAKING		
<p>Proposed Changes to Michigan's Air Pollution Control Rules</p>	<p>Staying on top of the development and changes that are made to the state's air pollution control rules gives you an overview of what air pollution requirements are mandated by the USEPA and the MDEQ.</p>	<p>www.michigan.gov/deqair</p> <p>Select "Laws and Rules" from the left menu then select "Proposed Amendments to Rules" under "Related Links" in the middle of the page.</p>
STATE IMPLEMENTATION PLANS		
<p>How to get a copy of the entire Michigan SIP</p>	<p>Reviewing the SIP provides you with a basic understanding of the authority given to states to implement an air pollution control program. Contents of the SIP can be used as a basis for public comment.</p>	<p>NOTE: The Michigan SIP is an extremely large document. It is only available for viewing electronically by visiting the USEPA Web site at:</p> <p>www.epa.gov/region5/air/sips/index.html</p>
<p>Upcoming SIP Changes</p>	<p>By accessing the MDEQ AQD's Assessment and Planning SIP Web site, you can view historical changes to Michigan's SIP and recent SIP submittals made to the USEPA</p>	<p>www.michigan.gov/deqair</p> <p>Select "Assessment and Planning" from the left menu then select "State Implementation Plan."</p>

APPENDIX D

WHAT RESOURCES ARE AVAILABLE SO THAT I CAN BE A MORE EFFECTIVE PUBLIC PARTICIPANT? *(continued)*

I Want More Information About...	How Will This Resource Help Me?	Where Can I Get This Resource?
OTHER ENVIROMENTALLY RELATED TOPICS		
The MDEQ Review: <i>Guide to DEQ Divisions and Offices</i>	This guide gives you an overview of the structure of the MDEQ, as well as a short description of the programs or activities that each of its divisions is responsible for.	www.michigan.gov/deq Select "Inside DEQ" from the left-hand menu then select "Guide to DEQ Divisions and Offices."
Land Protection and Development	This MDEQ Web site can provide you with more information on: gas, oil and minerals, geological mapping, geology, land clean up, development and redevelopment, soil erosion and sedimentation control, and storage tanks.	www.michigan.gov/deqland
Waste Generation and Disposal	This MDEQ Web site can provide you with more information on: hazardous and liquid industrial waste and its transporters, low level radioactive waste and radiological protection, medical waste, scrap tires, solid waste, and waste compliance and enforcement.	www.michigan.gov/deqwaste
Drinking Water, Ground Water, and Surface Water Protection	This MDEQ Web site can provide you with more information on: biosolids and industrial water pretreatment, drinking water, emergency response for releases to water, Great Lakes, groundwater discharge and modeling, inland lakes and streams, mosquito control, surface water, waste and waste waster security, water management, water quality monitoring, and wetlands protection.	www.michigan.gov/deqwater
Pollution Prevention Programs and Strategies	This MDEQ Web site can provide you with an overview of some of the initiatives being undertaken by business and industry to help improve the environment. Becoming familiar with what pollution prevention strategies exist can strongly improve your ability to effectively comment on a variety of program activities.	www.michigan.gov/deqp2