



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

VIA E-MAIL

TO: Governor Gretchen Whitmer
Members of the Michigan Legislature

FROM: Liesl Eichler Clark, Director 

DATE: February 28, 2020

SUBJECT: Air Quality Division Annual Program Report – Fiscal Year 2019

In accordance with Section 5522(8) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, attached is the Department of Environment, Great Lakes, and Energy's (EGLE) Air Quality Division (AQD) Annual Program Report for fiscal year 2019.

If you need further information, please contact Michael Jackson, Manager, Administration Section, AQD, at 517-284-6733; or you may contact me at 517-284-6708.

Attachment

cc/att: Chris Harkins, Director, Senate Fiscal Agency
Mary Ann Cleary, Director, House Fiscal Agency
Chris Kolb, Director, State Budget Office
JoAnne Huls, Chief of Staff, Governor's Office
Jennifer Flood, Legislative and Public Affairs Director, Governor's Office
Emily Laidlaw, Policy Director, Governor's Office
Abbey Frazier, Senate Fiscal Agency
Austin Scott, House Fiscal Agency
Jacques McNeely, State Budget Office
Jennifer Harrison, State Budget Office
Carly Kirk, State Budget Office
Aaron B. Keatley, Chief Deputy Director, EGLE
Amy Epkey, Senior Deputy Director, EGLE
Sarah M. Howes, Legislative Liaison, EGLE
David Fiedler, Regulatory Affairs Officer, EGLE
Paul McDonald, EGLE
Dale Shaw, EGLE
Mary Ann Dolehanty, EGLE
Michael Jackson, EGLE

**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION ANNUAL PROGRAM REPORT – FISCAL YEAR 2019**

This year-end report from the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), is required to detail Emissions Control Fund appropriations. The information is organized as directed by Section 5522(8) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451).

A) A total of 114.3 full-time equated positions performed enforcement, compliance, and permitting activities. From that total, 61.6 full-time equated positions performed these activities in the Title V Program as defined in Section 5501 of Act 451. The other 53.7 full-time equated positions performed enforcement, compliance, and permitting activities in the non-Title V Program.

B) Permits to Install:

i. There were 419 permit to install (PTI) applications received in fiscal year (FY) 2019.

ii.

Permits to Install - Final Actions	Total Number
Final action taken on applications and permits.	593
Applications approved.	373
Applications denied.	2
Applications and permits voided (63 of which were due to issuance of Renewable Operating Permits).	237

iii.

Approved Permits to Install	Total Number
Number required to complete public participation before final action.	8
Number not required to complete public participation before final action.	365

iv. The average number of final permit actions per reviewer (full-time equated) is 33.

	Permits to Install	Percentage	Total Number
v.	Applications reviewed for administrative completeness within 10 days of receipt by EGLE.	96	357
vi.	Applications reviewed for technical completeness within 30 days of receipt by EGLE.	99	369
vii.	Applications submitted to EGLE that were administratively complete as received.	95	353
viii.	Applications for which a final approval was taken within 60 days of receipt of a technically complete application for those not required to complete public participation or within 120 days if public participation was required.	80	299

C) Renewable Operating Permit (ROP) Program:

- i. A total of 87 ROP applications were received in FY 2019.
- ii. The AQD received 48 new requests for ROP modifications in FY 2019.

ROP - Final Actions	Total Number
Final action taken on ROP applications.	40
Applications approved.	40
Applications denied.	0
Applications voided (withdrawn by the applicant).	5

ROP		Percentage	Total Number
iii.	Permit applications initially processed within the required time.	83	5
iv.	Permit renewals processed within the required time.	85	29
	Permit modifications processed within the required time.	35	10
v.	Permit applications reopened by EGLE.	n/a	1
vi.	General permits issued by EGLE.	n/a	n/a

*NOTE: An ROP modification application is made once a subject facility has obtained a Permit to Install and has commenced operations. The intent of the ROP modification is to incorporate the new requirements from the Permit to Install into the ROP. The ROP is renewed every five years. If a modification is submitted within 18 months of the renewal date, the modification will be held and the change requested in the modification will be made in the renewal process. While the renewal is pending or until the changes have been incorporated into the ROP, a facility continues to operate under the conditions of the Permit to Install. This process does not affect the ability to operate nor the AQD's ability to ensure compliance. The AQD started processing modifications in February 2012. The AQD staff processed 31 modifications outside of an ROP renewal or voidance process. Out of 77 existing modification applications, 35 will be incorporated during the ROP renewal.

- D) There were 499 (including Asbestos) Violation Notices sent during FY 2019.
- E) Penalty money collected from all consent orders and judgments was \$1,444,902.
- F) Enforcement actions that included payment of penalty:

Company Name	Correction Actions
Sebewaing Light and Water	AQD No. 2018-06
Wood Island Waste Management, Inc.	AQD No. 2018-14
Michigan Cleaners	AQD No. 2018-16
Knauf Insulation, Inc.	AQD No. 2018-17
Paddock Manor Limited Dividend Housing Association, LP	AQD No. 2018-18
Michigan Sugar Company	AQD No. 2018-19
Dock Foundry, LLC DBA Metal Technologies Three Rivers Gray Iron Plant	AQD No. 2018-20
LexaMar Corporation	AQD No. 2018-21
Brandon Dumont	AQD No. 2019-01
Alpena Public Schools	AQD No. 2019-02
R.T.R. Service Corporation	AQD No. 2019-03
MI Bunker, LLC	AQD No. 2019-04
Premier Finishes, LLC	AQD No. 2019-05
Huron Tool and Engineering	AQD No. 2019-06

Company Name	Correction Actions
Siemens' Ford Inc.	AQD No. 2019-07
Hollerbach Excavating, Inc.	AQD No. 2019-08
Kro-Pro, LLC	AQD No. 2019-09
Berne Enterprises, Inc.	AQD No. 2019-10
Michigan Sugar Company	AQD No. 2019-11
Lapeer Plating & Plastics, Inc.	AQD No. 2019-12
Den-Man Contractors, Inc.	AQD No. 2019-13
American Seating Company	AQD No. 2019-14
Bolle Contracting, LLC	AQD No. 2019-15
AmeriTi Manufacturing Company, f/k/a Global Titanium Inc.	AQD No. 2019-16
Mueller Brass Company	AQD No. 2019-17
Picalli Real Estate Investments, LLC	AQD No. 2019-18
Brembo North America, Inc.	AQD No. 2019-19
Axium Group, LLC	AQD No. 2019-20
Dicastal North America, Inc.	AQD No. 2019-21
Ventra Fowlerville, LLC	AQD No. 2019-22
LG Chem Michigan, Inc.	AQD No. 2019-24
Quality Environmental Services, Inc.	AQD No. 2019-25
Michigan Sugar Company	17-727-CE
City of Detroit, Detroit Building Authority, Detroit Land Bank	18-862-CE
Simply Construction and Excavation, LLC	19-0270-CE
Peter Adamo	19-217-CE

- G) The total number of inspections was 1,030. The number of inspections done for ROP sources was 254. The number of inspections of non-ROP sources was 776.
- H) A total of 4,485 complaints were received during FY 2019 (3,289 of the 4,485 complaints pertain to the Arbor Hills Landfill). Complaints were logged, prioritized, evaluated, and resolved according to the AQD's procedures. A complaint is considered resolved if the problem has been abated, a Violation Notice requesting a compliance program has been sent, the district staff was not able to verify the problem, or the complaint was not under the AQD's jurisdiction and a referral was made to the appropriate agency. An on-site inspection was conducted for approximately 73 percent of the complaints. A telephone call or letter followed up the other complaints.
- I) The following represents the number of contested case hearings and civil actions initiated and completed, and the number of voluntary consent orders, administrative penalty orders, and emergency orders entered or issued for Title V sources:

Enforcement	Total Number
Hearings	0
Civil Actions	4
Consent Orders	27
Administrative Orders	5
Emergency Orders	0

- J) Revenue in the fund at the end of FY 2019 was \$432,888.

The information on the following page is required by Section 5522(9) of Act 451:

AQD EXPENDITURES BY FUND AND PROGRAM FUNCTION:

Program Function	General and Other Funds Total	EPA Grants	Air Fees	Total
Permit Section	2,267,299	352,915	76	2,620,290
Enforcement Unit	12,913	88,498	512,140	613,551
Field Operations	3,278,362	1,850,549	6,279,954	11,408,865
Air Quality Evaluation Section	3,613,497	3,932,597	176,635	7,722,729
Administration	669,958	41,881	861,836	1,573,675
Total AQD Expenditures	9,842,029	6,266,440	7,830,641	23,939,110
Revenues Appropriated	10,027,400	7,277,800	10,188,000	27,493,200

NOTE: Air Emissions Fund expenditures of \$138,500 from EGLE's Environmental Support Division are not included in the above totals.

GENERAL AND OTHER FUNDS

Program Function	General Fund	Refined Petroleum Fund	Dry Cleaning License Fees	Oil & Gas	Public Utility Assessment	Total
Permit Section	1,621,990	610,682		34,626		2,267,298
Enforcement Unit	11,204	1,709				12,913
Field Operations	2,811,564	229,848	130,653	106,297		3,278,362
Air Quality Evaluation Section	912,363	2,616,057			85,078	3,613,498
Administration	510,852	145,919	13,187			669,958
Total AQD Expenditures	5,867,973	3,604,215	143,840	140,923	85,078	9,842,029
Revenues Appropriated	5,904,700	3,625,500	205,100	142,100	150,000	10,027,400