

Update to the Michigan State Implementation Plan for the Michigan 2015 Ozone Nonattainment Areas Emission Inventories



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Michigan Department of Environment, Great Lakes, and Energy
Air Quality Division

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Attachment A Public Notice Document

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Introduction

The Clean Air Act (CAA), Section 172(c)(3), requires each state with a nonattainment area to submit a base year inventory to the United States Environmental Protection Agency (USEPA). The CAA, Section 182(a)(1), contains additional requirements for base year inventories in ozone nonattainment areas. Title 40 of the Code of Federal Regulations (CFR) further delineates requirements for the base year inventory.

Michigan contains four Marginal nonattainment areas for the 2015 ozone National Ambient Air Quality Standard (NAAQS). This document describes the CAA and CFR base year emissions inventory requirements for Marginal ozone nonattainment areas, the methodology used to obtain a base year emission inventory for each of the four ozone nonattainment areas, and the emission inventories themselves.

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) is proposing to include the emission inventories contained in this document as a revision to the Michigan State Implementation Plan (SIP) to comply with the CAA and CFR requirements. EGLE understands that these emission inventories are sufficient for the Marginal classification ozone nonattainment areas. If, in the future, any nonattainment area gets bumped up to a Moderate or above ozone classification level, EGLE will update the base year inventory, if necessary, to comply with those requirements.

Clean Air Act and Code of Federal Regulations Requirements

Together, the requirements listed in the following sections contain the general requirements for an ozone nonattainment area base year emission inventory.

1. Clean Air Act, Sections 172(c)(3) and 182(a)(1)

The CAA, Section 172(c)(3), governs general nonattainment plan inventories and states:

Such plan provisions shall include a comprehensive, accurate, current inventory of actual emissions from all sources of the relevant pollutant or pollutants in such area, including such periodic revisions as the Administrator may determine necessary to assure that the requirements of this part are met.

The CAA, Section 182(a)(1), governs an ozone nonattainment area base year inventory and states:

Within 2 years after November 15, 1990, the State shall submit a comprehensive, accurate, current inventory of actual emissions from all sources, as described in section 7502(c)(3) of this title, in accordance with guidance provided by the Administrator.

2. Title 40 of the Code of Federal Regulations §51.1315(a)

40 CFR §51.1315(a) corresponds to the requirements in CAA section 182(a)(1). This section of the CFR states:

For each nonattainment area, the state shall submit a base year inventory as defined by §51.1300(p) to meet the emissions inventory requirement of CAA section 182(a)(1). This inventory shall be submitted no later than 24 months after the effective date of designation. The inventory year shall be selected consistent with the baseline year for the RFP plan as required by §51.1310(b).

40 CFR §51.1300(p) defines base year inventory as:

Base year inventory for the nonattainment area means a comprehensive, accurate, current inventory of actual emissions from sources of VOC and NO_x emitted within the boundaries of the nonattainment area as required by CAA section 182(a)(1).

40 CFR §51.1310(b) sets out the requirements for Reasonable Further Progress (RFP). RFP is a requirement for ozone nonattainment areas at the Moderate classification level or above. Currently, none of Michigan's ozone nonattainment areas are classified as Moderate or above, therefore, the RFP requirements do not apply to this base year emission inventory.

Base Year Emission Inventory Elements

The USEPA's 2017 Emissions Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze Regulations (Guidance) further delineates the elements of a base year emission inventory. The Guidance contains recommendations to submit a "comprehensive, accurate, current inventory of actual emissions from all sources of the relevant pollutants," as required by the CAA. The elements of a base year inventory and EGLE's compliance with those elements are listed in sections 1 through 5, below.

1. Choice of Inventory Year

The Guidance states the baseline year for an ozone NAAQS is partially determined by the transportation conformity rule at 40 CFR §93.119(e)(4). This rule states that the baseline inventory year must be:

The most recent year for which EPA's Air Emissions Reporting Rule (40 CFR Part 51, Subpart A) requires submission of on-road mobile source emissions inventories as of the effective date of designations...

This effectively means the State should use the most recent National Emissions Inventory (NEI) available for the 2015 ozone NAAQS base year emission inventory. The most recent NEI available is the 2017 NEI, which EGLE's Air

Quality Division (AQD) used to create the inventories listed in Tables 4 through 7.

As required by the CAA, Section 105, Performance Partnership Agreements, the AQD prepares and submits emissions estimates used by the USEPA to create the NEI. The 2017 NEI and its related documentation can be found at <https://www.epa.gov/air-emissions-inventories/2017-national-emissions-inventory-nei-data>.

2. Pollutants to be Included

The Guidance restates the requirement in 40 CFR §51.1300(p) that a base year emission inventory for ozone must “include actual emissions from sources of VOC and NO_x...” The Guidance also states that the regulatory definition of Volatile Organic Compounds (VOCs) should be used to determine the VOC component of the inventory. The regulatory definition of VOC is found at 40 CFR §51.100(s).

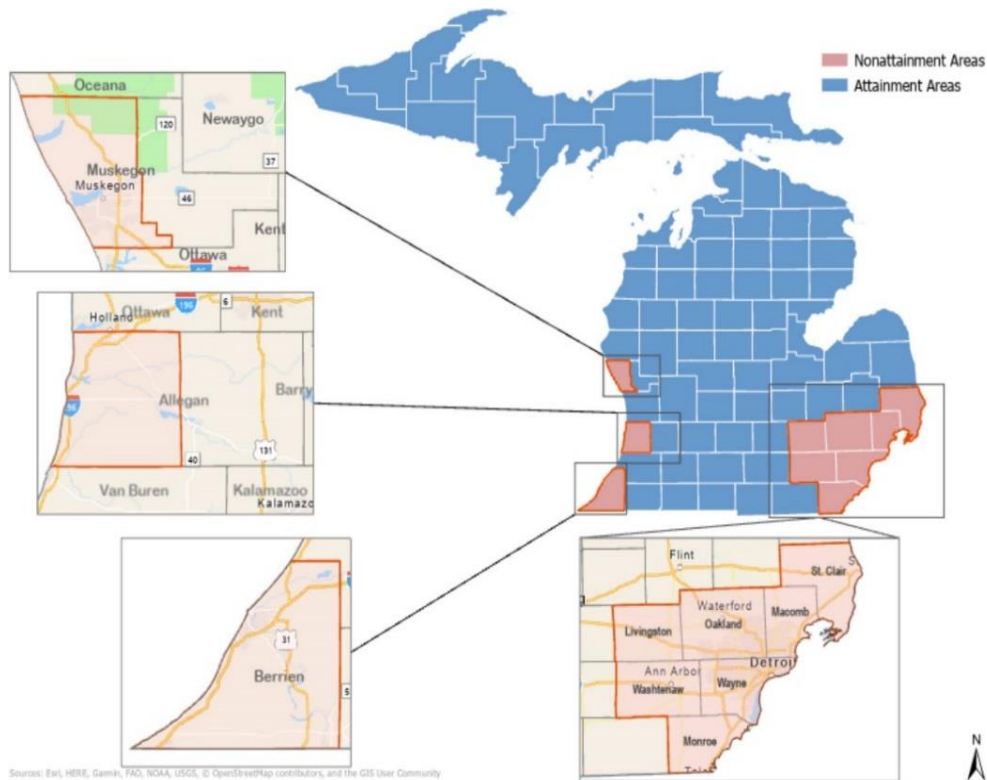
EGLE has prepared a base year emission inventory for Nitrogen Oxides (NO_x) and the regulatorily defined VOCs in Tables 4 through 7, below.

3. Spatial Extent

The Guidance restates the requirement in both CAA, Section 182(a)(1), and 40 CFR §51.1300(p) that the emissions must be “emitted within the boundaries of the nonattainment area as required by CAA section 182(a)(1).”

Michigan has four ozone nonattainment areas as shown in the insets in Figure 1. The Allegan, Berrien, and Muskegon nonattainment areas are in West Michigan and contain either single or partial county areas. The Southeast Michigan nonattainment area contains seven counties: Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne.

Figure 1. Michigan's 2015 Ozone Nonattainment Areas.



Two of the nonattainment areas, Berrien County and Southeast Michigan, contain full counties. As such, the AQD used the NEI county-level data to obtain the emissions that are emitted within the nonattainment boundary.

The other two nonattainment areas are the partial county areas of Allegan and Muskegon Counties. For these two counties, the AQD used a different approach to obtain the emissions within the nonattainment areas. First, the AQD used a Geographic Information System (GIS) map to determine the size of the partial county nonattainment areas per square mile. Then, the AQD obtained the full county size from the United States Census Bureau Quick Facts. Finally, the AQD computed the ratio of the nonattainment area to the whole county area for the event, onroad, and nonroad sectors. This resulted in the scaling factors listed in Table 1, below.

Table 1. Partial County Scaling Factors.

County	Full County Area (miles ²)	Partial County Area (miles ²)	Ratio	Scaling Factor
Allegan	825.23	409.7571903	0.496536954	0.50
Muskegon	499.25	287.203139	0.575269182	0.58

Each scaling factor was then applied to the nonpoint, onroad, and nonroad county-level NEI data to obtain the emissions emitted within the partial county nonattainment areas. For the point sector, the AQD filtered the NEI data to obtain emissions only from sources located within the nonattainment areas.

4. Determination of Typical Ozone Season Day

The Guidance defines ozone season day emissions as “an average day’s emissions for a typical ozone season work weekday.” The Guidance recommends determining typical ozone season day emissions using the following method:

Agencies should estimate emissions from a specific period (month, week, selected days, or a day) where emissions (and other factors) resulting in ozone values above the level of the NAAQS leading to nonattainment. The preference should be given for weekdays...unless there is a reason to use other days. An ozone season day emissions value should be calculated by summing the emissions on those days and dividing by the number of days included in the sum.

As stated above, the AQD is using the 2017 NEI data to estimate the emissions for these base year inventories. The 2017 NEI contains annual emissions estimates, therefore, the AQD completed the analysis listed in the subsections below to obtain typical ozone season day emissions presented in Tables 4 through 7, below.

a. Typical ozone season month

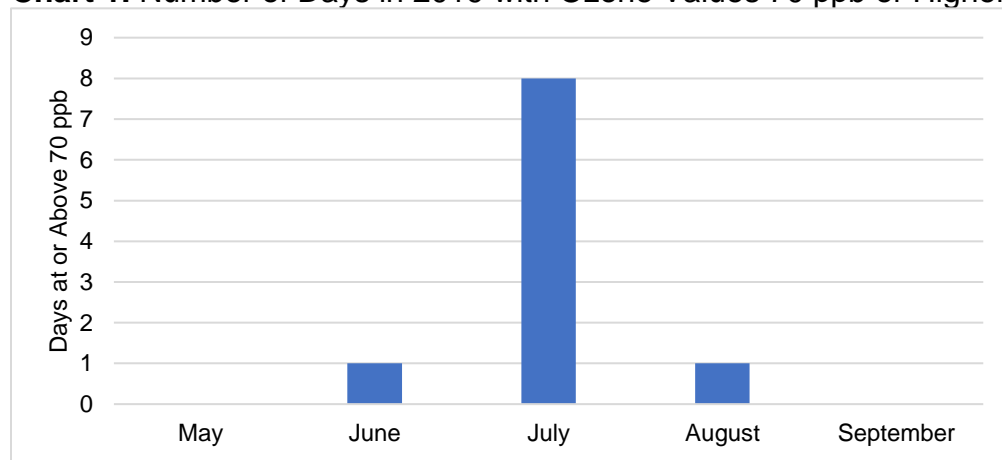
To determine which month represents a typical ozone season month, the AQD first defined a typical ozone season day, then assessed which months contained the most typical ozone season days or the days with the highest measured values or greatest impact on the design values.

The 2015 Ozone NAAQS was set at 70 parts per billion (ppb), therefore, the AQD assumed all days with ambient air monitor values at or above 70 ppb are “typical ozone season” days. Design values are the three-year average of the 4th highest 8-hour average ozone value. Design values are used to determine an area’s nonattainment status and, therefore, come into play when determining a “typical ozone season” month.

Michigan’s ozone season runs from March through October; however, Michigan does not historically see ozone values of 70 ppb or higher during March, April, or October. Therefore, the AQD reasoned that a typical ozone season month in Michigan would be the one month, between May and September, with the highest number of 70 ppb or higher days. If there was more than one month identified, then the AQD would also consider the monitored value of the high ozone day and its impact on design values.

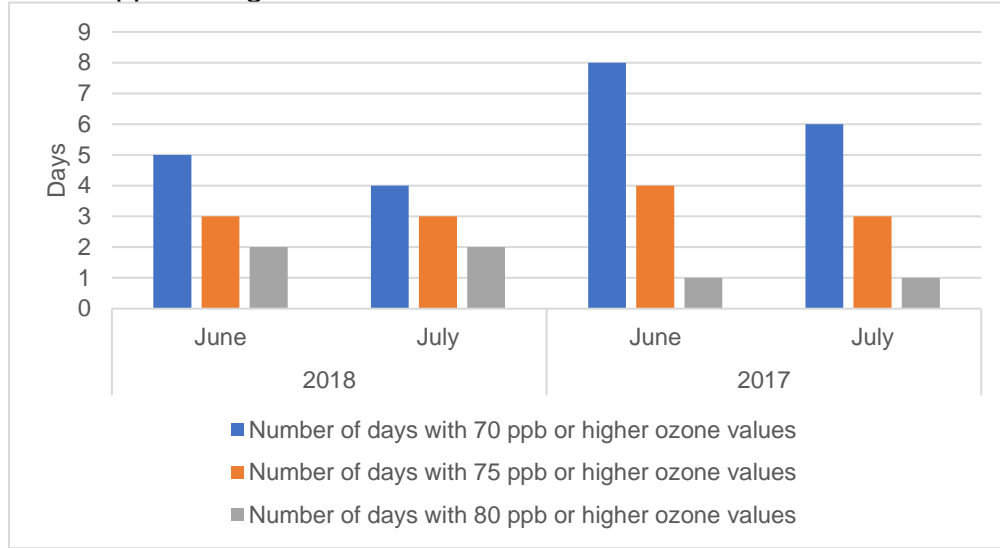
In 2019 there were 10 days with ozone values of 70 ppb or higher. Eight of those days were in July (Chart 1). This indicates that July would be a typical ozone season month in Michigan.

Chart 1. Number of Days in 2019 with Ozone Values 70 ppb or Higher.



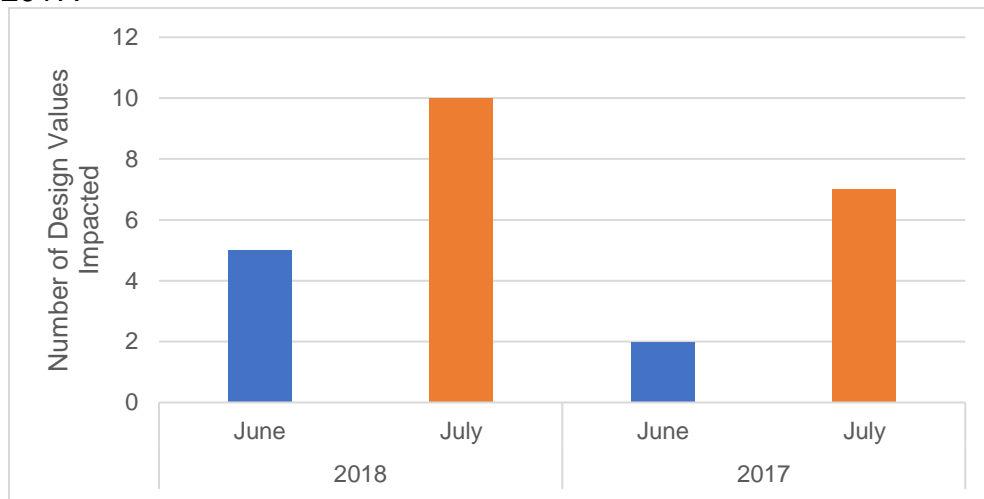
To confirm this, the AQD looked back at 2018 and 2017. In those years June had a higher number of days with ozone values of 70 ppb or higher. When further analysis included days with ozone values at or above 80 ppb, June and July then contained the same number of days (Chart 2).

Chart 2. 2018 and 2017, June vs July, Number of Days at 70 ppb, 75 ppb, and 80 ppb or Higher.



The AQD then analyzed the impact the days at or above 70 ppb had on the design values of the monitors. Chart 3 shows that in both 2018 and 2017, more design values were impacted on typical ozone season days in July than June.

Chart 3. Number of Design Values Impacted in June vs July 2018 and 2017.



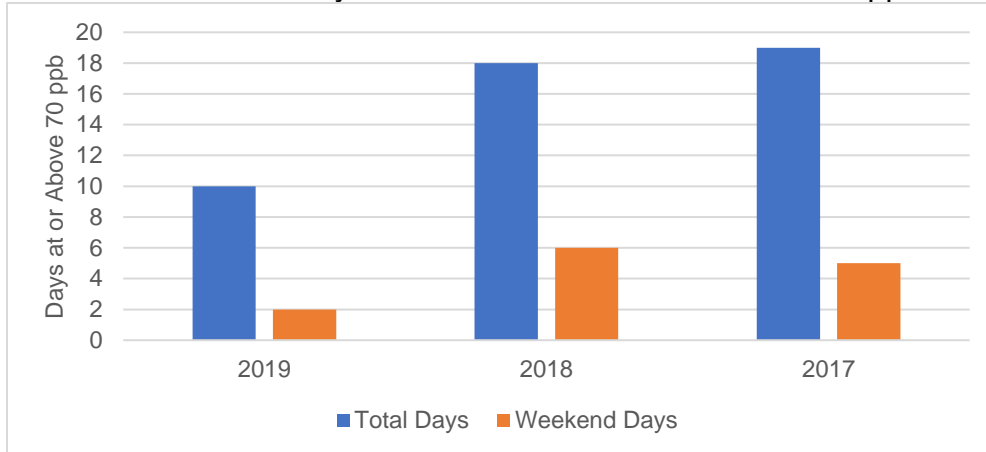
In 2019 July contained far more typical ozone days than any other summer month in Michigan. In 2018 and 2017 June contained slightly more typical ozone days than July. However, further analysis revealed that July was still the month with the greatest impact on the ozone design values, those used to determine nonattainment. For both 2017 and 2018 July contained the same number of extremely high ozone days (those over 85 ppb) as June. Also, the typical ozone season days had a greater impact on the design

values during July 2017 and 2018. Therefore, July is more representative of a typical ozone season month in Michigan.

b. Weekend day inclusion

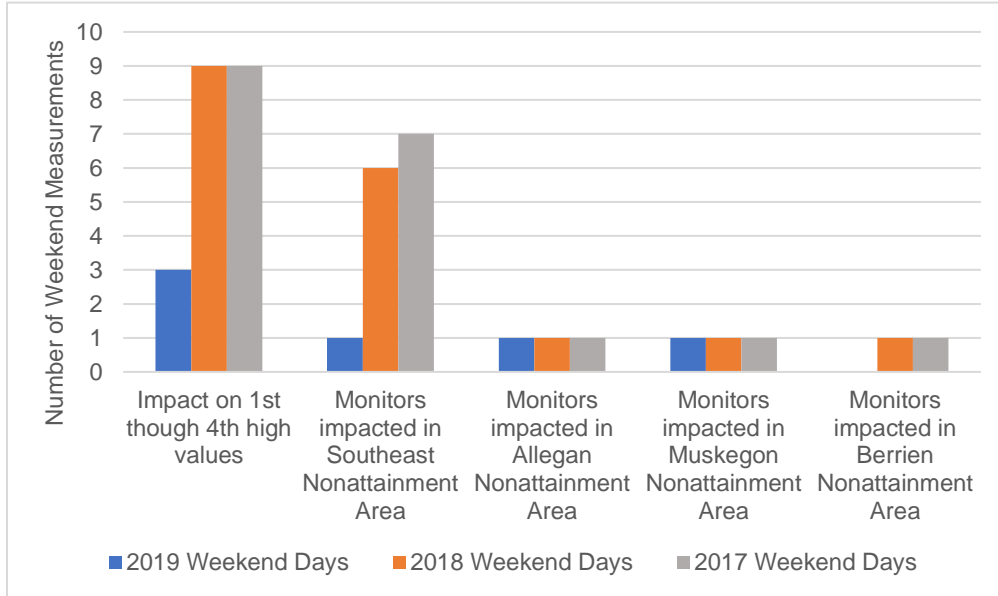
Michigan has few days overall with ozone values at or above 70 ppb. Over the last three years, that number has fallen from 19 days in 2017 to 10 days in 2019. Of those days, a handful are weekend days; just 5 in 2017, 6 in 2018, and 2 in 2019 (Chart 4).

Chart 4. Number of Days with Ozone Values at or Above 70 ppb.



The AQD analyzed the impact the weekend days had on the design values. Chart 5 shows the number of monitors in each nonattainment area impacted by the weekend day values and the total number of design values impacted by those measurements. For the three years analyzed, the weekend days impacted the design value at more than one ozone monitor and in multiple nonattainment areas. This demonstrated impact necessitates inclusion of the weekend days in calculating the typical ozone season day emission values.

Chart 5. Number of Weekend Measurements Impacting Design Values and Different Nonattainment Areas.



The AQD determined that including weekend days in the typical ozone season day emission derivation is appropriate. The values measured on the weekend days have a large impact on individual monitor design values. In addition, the impact on design values is seen consistently throughout all the ozone nonattainment areas.

c. Determining tons per ozone season day from the NEI data

As stated above, the AQD is utilizing the 2017 NEI data for these base year emissions inventories. The 2017 NEI estimates annual emissions. The AQD created a tons per ozone season day estimate from the NEI data in the following manner. Surrogate emissions data were obtained that included monthly emissions profiles. Using that data, a conversion factor was calculated and applied to obtain daily emissions from the NEI annual values. For partial county nonattainment areas, a scaling factor was also applied before obtaining the emissions.

As stated above, the AQD determined that July is a typical Michigan ozone season month. To obtain July emissions, the AQD used the NEI Collaborative 2016v1 modeling platform (2016v1) data. The data and TSD for the 2016v1 are available at <ftp://newftp.epa.gov/Air/emismod/2016/v1/>. Specifically, the AQD extracted July and annual data from the 2016fh_16j file by county and modeling data category. Then, the July emissions were divided by the annual total. This number was then divided by 31, the number of days in July. The result is a table of conversion factors (Tables 2 and 3), which can be used to determine the tons of NOx or VOC per ozone season day from the 2017 NEI data.

A conversion factor was determined for each NEI data category, except for the Event category, which is primarily comprised of wildfire emissions. The AQD determined the Event category emissions were too low and too variable from year to year to benefit from applying a conversion factor (Tables 4 through 7). The AQD took a more conservative approach and assumed all Event emissions should be included in the nonattainment inventory.

Table 2. Nonattainment County NOx Conversion Factors from 2016v1.

County	Data Category				
	Point	Nonpoint*	Nonroad	Onroad	Biogenics
Allegan	0.002901	0.00254	0.003498	0.002754	0.004767
Berrien	0.002727	0.001772	0.003854	0.00269	0.004601
Livingston	0.002727	0.001139	0.003434	0.002536	0.004687
Macomb	0.002723	0.001328	0.003338	0.002536	0.004635
Monroe	0.002566	0.001723	0.003996	0.002552	0.005113
Muskegon	0.000915	0.002083	0.004244	0.002699	0.004840
Oakland	0.002889	0.001158	0.003256	0.002538	0.004584
St. Clair	0.003918	0.002384	0.004401	0.002549	0.004683
Washtenaw	0.002726	0.001229	0.003376	0.002551	0.004793
Wayne	0.003114	0.001277	0.003317	0.002559	0.004668

*Nonpoint does not include biogenic emissions

Table 3. Nonattainment County VOC Conversion Factors from 2016v1.

County	Data Category				
	Point	Nonpoint*	Nonroad	Onroad	Biogenics
Allegan	0.002756	0.002868	0.004453	0.002798	0.007649
Berrien	0.002736	0.002635	0.004694	0.002783	0.007255
Livingston	0.002835	0.002479	0.004305	0.002659	0.007907
Macomb	0.002765	0.002678	0.004008	0.002632	0.007567
Monroe	0.002800	0.002517	0.004875	0.002723	0.007796
Muskegon	0.002639	0.002646	0.005584	0.002719	0.007353
Oakland	0.002732	0.002636	0.004049	0.002642	0.007771
St. Clair	0.002996	0.002528	0.005289	0.002631	0.007648
Washtenaw	0.002739	0.002716	0.004387	0.002675	0.007836
Wayne	0.002772	0.002659	0.004148	0.002705	0.007773

*Nonpoint does not include biogenic emissions

The 2016v1 derived conversion factors were then applied to the 2017 NEI county-level data to obtain tons per ozone season day emissions. For the Southeast Michigan and Berrien nonattainment areas, this resulted in the NOx and VOC inventory listed in Tables 4 and 5.

For the Allegan and Muskegon nonattainment areas, the AQD applied a scaling factor (Table 1) before finalizing the NOx and VOC inventories. The scaling factor was derived as discussed in the Spatial Extent section above. The AQD then applied this scaling factor to the tons per ozone season day emissions. The result is emissions solely contained within the partial nonattainment areas, listed in Tables 6 and 7.

Complete Base Year Emission Inventory

The Guidance suggests that to comply with the comprehensive inventory requirement of the CAA, Sections 172(c)(3) and 182(a)(1), the State should include NOx and VOC emissions from the Point, Nonpoint, Nonroad, Onroad, and Event data categories. Biogenic emissions, which are normally included in the Nonpoint category, should also be included.

EGLE's nonattainment inventory for the 2015 ozone NAAQS nonattainment areas is presented in Tables 4 through 7, below.

Table 4. Complete Southeast Michigan Nonattainment Areas NOx Inventory (Tons per Ozone Season Day).

County	Emissions by Data Category						Total NOx Emissions
	Event	Biogenics	Nonpoint*	Nonroad	Onroad	Point	
Livingston	0.04	1.32	0.72	1.13	5.78	1.53	10.52
Macomb	0.02	1.21	3.78	3.83	16.19	2.55	27.58
Monroe	0.01	2.29	1.43	1.31	5.22	16.05	26.31
Oakland	0.08	1.37	5.22	7.54	29.68	2.83	46.72
St. Clair	0.03	1.99	3.04	1.42	3.98	55.62	66.08
Washtenaw	0.05	1.73	1.45	1.64	9.35	2.56	16.78
Wayne	0.05	1.00	7.77	2.71	36.79	41.35	89.67
Total Nonattainment Area NOx Emissions							283.66

*Nonpoint emissions do not include Biogenic emissions.

Table 5. Complete Southeast Michigan Nonattainment Areas VOC Inventory (Tons per Ozone Season Day).

County	Emissions by Data Category						Total VOC Emissions
	Event	Biogenics	Nonpoint*	Nonroad	Onroad	Point	
Livingston	0.65	22.11	6.1	1.77	3.14	0.42	34.19
Macomb	0.47	13.64	28.46	4.77	11.5	8.22	67.06
Monroe	0.18	13.17	5.79	2.02	2.66	0.97	24.79
Oakland	1.48	33.00	36.72	10.62	18.55	2.61	102.98
St. Clair	0.59	28.77	5.68	2.41	2.45	3.16	43.06
Washtenaw	0.77	22.67	15.56	2.59	5.12	0.61	47.32
Wayne	1.05	24.51	57.45	8.5	21.74	15.19	128.44
Total Nonattainment Area VOC Emissions							447.84

*Nonpoint emissions do not include Biogenic emissions.

Table 6. Complete West Michigan Nonattainment Areas NOx Inventory (Tons per Ozone Season Day).

County	Emissions by Data Category						Total Nonattainment Area NOx Emissions
	Event	Biogenics	Nonpoint*	Nonroad	Onroad	Point	
Allegan	0.02	0.96	0.73	0.83	2.83	1.76	7.13
Berrien	0.02	1.42	1.11	1.35	6.70	2.09	12.69
Muskegon	0.02	0.49	1.01	0.79	2.91	0.19	5.41

*Nonpoint emissions do not include Biogenic emissions.

Table 7. Complete West Michigan Nonattainment Areas VOC Inventory (Tons per Ozone Season Day).

County	Emissions by Data Category						Total Nonattainment Area VOC
	Event	Biogenics	Nonpoint*	Nonroad	Onroad	Point	
Allegan	0.33	18.12	3.72	0.90	1.50	0.60	25.17
Berrien	0.41	19.69	6.47	2.03	3.49	0.95	33.04
Muskegon	0.30	19.97	3.79	1.40	2.04	0.49	27.99

*Nonpoint emissions do not include Biogenic emissions.

Clean Air Act, Section 110(I), Requirement

This proposed SIP submittal is a revision to the SIP; therefore, the CAA, Section 110(I), must be considered. Section 110(I) governs the submittal of SIP revisions and states:

The Administrator shall not approve a revision of a plan if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in section 7501 of this title), or any other applicable requirement of this chapter.

EGLE’s compliance with Section 110(I) is demonstrated by strengthening the SIP with the addition of the emission inventories listed in Tables 4 through 7, above. Nothing in this document would interfere with any applicable requirement concerning attainment, reasonable further progress, or any other applicable CAA requirement.

Title 40 of the Code of Federal Regulations, Part 51, Appendix V Requirements

40 CFR Part 51, Appendix V, contains requirements EGLE must follow to revise the SIP. The applicable requirements and EGLE’s fulfillment of them are as follows:

1. Formal Request

Appendix V requires all SIP submittals contain a formal letter of submittal from the governor or the governor’s designee requesting the USEPA approval of the SIP revision.

A letter dated July 3, 2019, from Governor Gretchen Whitmer to the USEPA, Region 5, delegates authority from the Governor to EGLE’s Director to make any SIP submittal, request, or application under the CAA. This letter was submitted to

the USEPA on July 30, 2019, for inclusion in the Michigan SIP and is available upon request. This delegation of authority and the cover letter that is included with this SIP submittal to the USEPA satisfy the formal request requirement.

2. Necessary Legal Authority

Appendix V requires states submit evidence the State has the necessary legal authority under state law to adopt and implement the requested SIP revision.

Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 Public Act 451, as amended, and Executive Reorganization Order 2011-1 provide EGLE with the legal authority under state law to implement and enforce the provisions of the Michigan SIP. A copy has been submitted to the USEPA through previous SIP submittals and is available upon request.

3. Sufficient Public Notice

Appendix V requires the State to submit evidence that public notice was given of the proposed change consistent with procedures approved by the USEPA, including the date of publication of such notice.

An opportunity for public comment and hearing was provided as required by Appendix V. A copy of the public notice for this SIP revision is included in Attachment A.

4. Valid Public Hearing

Appendix V requires the State submit a certification that a public hearing, if held, was held in accordance with the information provided in the public notice and the State's Administrative Procedures Act.

EGLE provided an opportunity for a public hearing, upon request, as stated in the public notice (Attachment A). The AQD did not receive any requests for a public hearing by the stated date in the public notice, therefore, the AQD canceled the public hearing.

5. Public Comments

Appendix V requires the State to compile any public comments and the State's responses to them in the SIP submittal.

EGLE did not receive any public comments on this SIP submittal.

ATTACHMENT A

Public Notice Document



Public Comment Period for Revisions to the Michigan State Implementation Plan

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) opened a public comment period for revisions to the Michigan State Implementation Plan (SIP) on September 7th, 2020, which will remain open until 9:00 p.m. EST on October 14, 2020. The purpose of the public comment period and virtual public hearing, if requested, are to allow all interested parties an opportunity to comment on the proposed SIP revisions.

Proposed SIP Revisions:

- Emission Inventories for the 2015 ozone National Ambient Air Quality Standard (NAAQS) nonattainment areas
- Updates to the statewide Emission Statement Program.

In the proposed SIP revisions, EGLE is demonstrating compliance with the requirements for an Emission Statement Program and sufficient emissions inventories to comply with the Clean Air Act requirements.

The public is encouraged to [review the proposed SIP revisions](#) and present comments through the end of the public comment period. All statements received during the public comment period will be considered by the AQD prior to submitting the SIP revision to the United States Environmental Protection Agency. Once all comments are considered, EGLE may submit the SIP revision as written, submit it with minor changes, or make major changes that require an additional public comment period.

Submitting Comments:

There are several ways to submit comments on the proposed SIP revisions.



Email your comment to WolfE1@michigan.gov. Please include “Comments on SIP Revisions” in the subject line.



Mail your comment to Erica Wolf, Michigan Department of the Environment, Great Lakes, and Energy (EGLE), Air Quality Division, SIP Unit, P.O. Box 30260, Lansing, Michigan 48909-7760.



At a public hearing, if held.

If requested in writing by October 6th, 2020, a virtual public hearing will be held on October 14th, 2020 at 6:00 p.m. with information on how to attend posted on the Air Quality Division’s (AQD) webpage at Michigan.gov/Air. If requested, the virtual public hearing will be preceded by an informational session.

Individuals without internet access and who are interested in receiving printed copies of the documents related to the proposed SIP revision or who need accommodations or other assistance to effectively participate in the hearing should contact Lorraine Hickman at 517-582-3494 or HickmanL@michigan.gov.

This public notice is given in accordance with federal regulations for the SIP.

NOTE: The Department of Environment, Great Lakes, and Energy (EGLE) has closed its offices and other facilities to visits from the public to help mitigate the spread of COVID-19. Necessary public meetings/hearings will be postponed to the extent possible or held virtually. When held virtually, every attempt will be made to accommodate and include individuals from diverse groups, including, but not limited to translation for those with limited English proficiency and provide call in numbers for those without internet access. Other options will also be considered on a case-by-case basis.

Michigan's Environmental Justice Policy promotes the fair, non-discriminatory treatment and meaningful involvement of Michigan's residents regarding the development, implementation, and enforcement of environmental laws, regulations, and policies by this state. Fair, non-discriminatory treatment intends that no group of people, including racial, ethnic, or low-income populations, will bear a disproportionately greater burden resulting from environmental laws, regulations, policies, and decision-making. Meaningful involvement of residents ensures an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health.