



# Meet the Partners!



ENVIRONMENTAL  
TRANSFORMATION  
MOVEMENT OF FLINT



Dr. Lawrence  
Reynolds





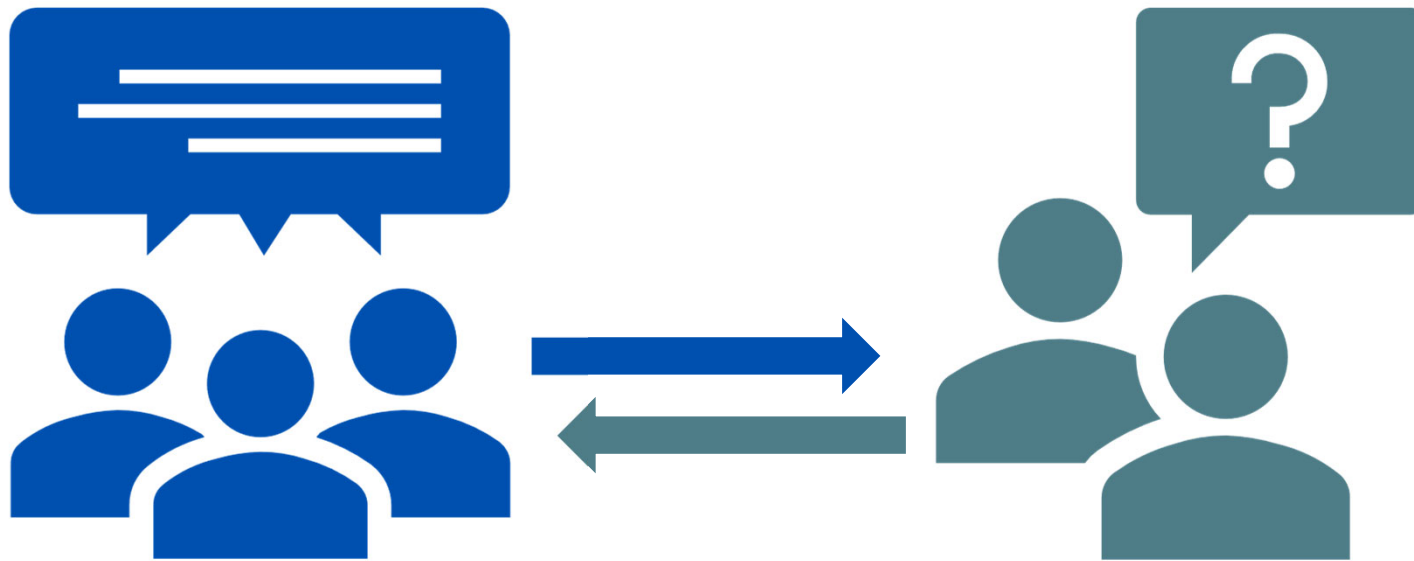
All lines are  
muted during  
the meeting.



We are  
recording  
this meeting.



# How will things work tonight?



**EGL**E



# Group Norms



Listen actively  
and with an  
ear to  
understanding



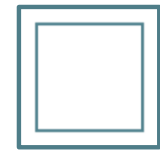
Ask questions  
and request  
clarification.



Criticize ideas,  
not  
individuals.



Communicate  
respectfully



Take  
space/make  
space

.



# How to ask a question?



Use the “Q/A”  
box in at the  
bottom of your  
screen.



Click the “hand”  
icon at the  
bottom of your  
screen.



Type #2 into  
your phone.

**#2**  
**EGL**



# Air Pollution from Industry: Decisions, and How You Can Influence Them

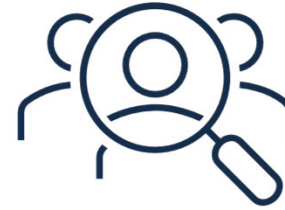
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Chuku Oje, EGLE

Skyler Sanderson, EPA



# Goals for the session



What is an air permit?



What are the state and federal roles in air permitting?



Understanding of air quality terms.



What makes a permit go out for comment?



How do you make a comment?



What comments can be given?



What type of comments can make the most impact?







# Knowledge check!



1. Have you ever provided feedback, comments or otherwise taken part in a comment period for an air permit?



## Two separate Agencies: One state and one federal



- The Michigan Department of Environment, Great Lakes and Energy



- The United States Environmental Protection Agency



# Work together to protect the air



- Air quality regulations
- Air permitting
- Inspections and enforcement
- Air monitoring
- Air toxics
- Data collection
- More!



## Definitions

U.S. EPA – United States Environmental Protection Agency

Clean Air Act (CAA) – National law regulating air quality

EPA Region 5 – Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin

# Who We Are – EPA



Federal agency implementing and overseeing **Clean Air Act** permit programs



Provide policy and technical support to state, tribal, and local governments



Review air permits



Answer questions about air permitting



Provide training



Review scientific data, including health data

**EGLE**



## Definitions

U.S. EPA – United States Environmental Protection Agency

EGLE – Michigan Department of Environment, Great Lakes, and Energy

AQD – Air Quality Division

# Who We Are – AQD



Division within **EGLE** that regulates companies releasing air pollutants to the air in Michigan.



Given authority by **EPA** to regulate facilities.



Performs various activities, including:

Air quality monitoring

Inspections and enforcement

Reviewing permit applications



# THE CASE STUDY: METAL SHREDDER IN HOWELL, MICHIGAN



# Case Study: News Coverage

## Padnos seeks to build new shredder plant

Scrap company reportedly has filed for permits to open a shredder yard in Howell, Michigan.

HOWELL

## **PADNOS Iron and Metal CFO: Concern about industrial shredder in Howell 'overblown'**

## **Flyer Opposing Shredder In Howell Prompts Questions**

July 23, 2021

HOWELL

## **State officials reviewing air quality issues for proposed Howell metal shredder**

NEWS

## **Padnos drops lawsuit against city of Howell, agrees to enclose new shredder**

NEWS

## **Catholic Charities, landlord files new lawsuit against Padnos shredder in Howell**

**EGL**



# Background – Metal Shredder in Howell, MI

- The company applied for a permit to install a scrap metal shredder and associated equipment.
- Permit needed because the proposed equipment would emit air contaminants.
- An existing scrap metal yard.
- Recycles all types of metals – sheet metal and auto scrap.





# What is a metal shredder?



Courtesy of CA.gov

**EGLE**



# Case Study: Community Concerns

- A local community group expressed concerns to AQD.
  - Air emissions
  - Public health
  - Fires
  - Odors
  - Noise
  - Increase in local traffic
  - Local water quality
  - Property values



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# What is an Air Permit?

- Legal agreement between the company and the state
- Contains:
  - Rules that apply to the process
  - Emission Limits
  - Material Limits
  - Operational Restrictions
  - Testing
  - Monitoring and Recordkeeping



# A closer look...

- **Emission Limits** – how much of each type of pollutant can be released.
- **Material Limits** – how much of a material can be used.
- **Operational Restrictions** – how the equipment must be operated.
- **Testing** – verifies emission limits or that equipment is operating like it should.
- **Monitoring and Recordkeeping** – how the company tracks that they are meeting the other conditions.

Always have a rule  
or rules associated  
with them!



# What is practical enforceability?

Example:

- An **emission limit** and how the company will show they are meeting it (**operational restriction**).
- How is that information kept (**monitoring and recordkeeping**)

Example:

- **Emission limit:** 58 pounds per day of Particulate Matter
- **Operational restriction:** properly operate baghouse
- **Monitoring and Recordkeeping:** record the pressure drop across the control device once per day
- **Testing:** done to make sure the baghouse is working as it should



# Case Study: What does a permit look like?

## I. EMISSION LIMIT(S)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring / Testing Method	Underlying Applicable Requirements
1. VOC (as propane)	23.7 tpy <sup>a</sup>	12-month rolling time period as determined at the end of each calendar month	Stack portion of EU-SHREDDER	SC V.2, SC V.3, SC VI.6	R 336.1702(a)
2. PM	0.05 lbs/ per 1000 lbs of exhaust gas <sup>b</sup>	Hourly	Stack portion of EU-SHREDDER	SC V.2, SC V.3	R 336.1331
3. PM10	59.4 lb/day <sup>a</sup>	Calendar Day	Stack portion of EU-SHREDDER	SC V.2, SC V.3, SC VI.7	40 CFR 52.21 (c) & (d)
4. PM2.5	37.3 lb/day <sup>a</sup>	Calendar Day	Stack portion of EU-SHREDDER	SC V.2, SC V.3,	40 CFR 52.21 (c) & (d)

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# Why is practical enforceability important?



- We cannot be at every company all the time.
- Allows us to have checks and balances between inspections.
- Creates the ability to request records at any time.
- Includes double checks through testing.
- Proves rules are being met if no test method exists.





## Knowledge check!



2. What does a permit need to make it practically enforceable?
- A. A limit
  - B. A way to monitor the limit
  - C. Recordkeeping to show compliance with the limit
  - D. All of the above
  - E. Only A and C





# Why do air permits go out for comment?

What would the unrestricted releases be?

1. Are they high enough for comment to be required?

2. Are they high enough, but the company wants to take limits to below the threshold, but above another threshold?

3. Is there known public interest?

If yes, then comment is required

If no, comment may not be required

If yes, then comment is required

If no, comment may not be required

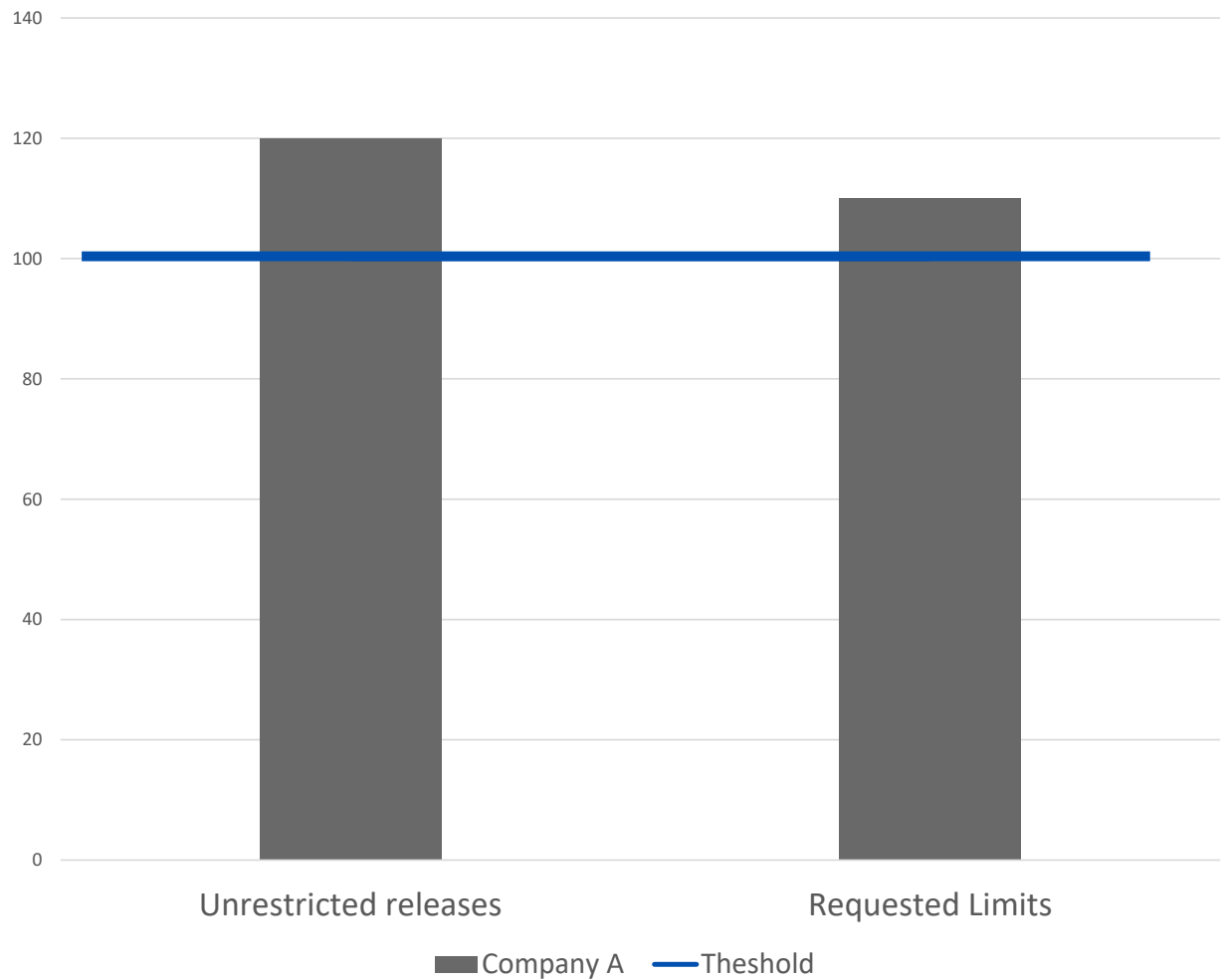
If yes, then comment is required

## Major vs Minor Source

Company A submitted a permit application to release particulate matter.

### Company A: **MAJOR** Source

- Worst case is 120 tons = over the threshold and
- Requested limit is 110 tons = over the threshold.
- Public comment required .

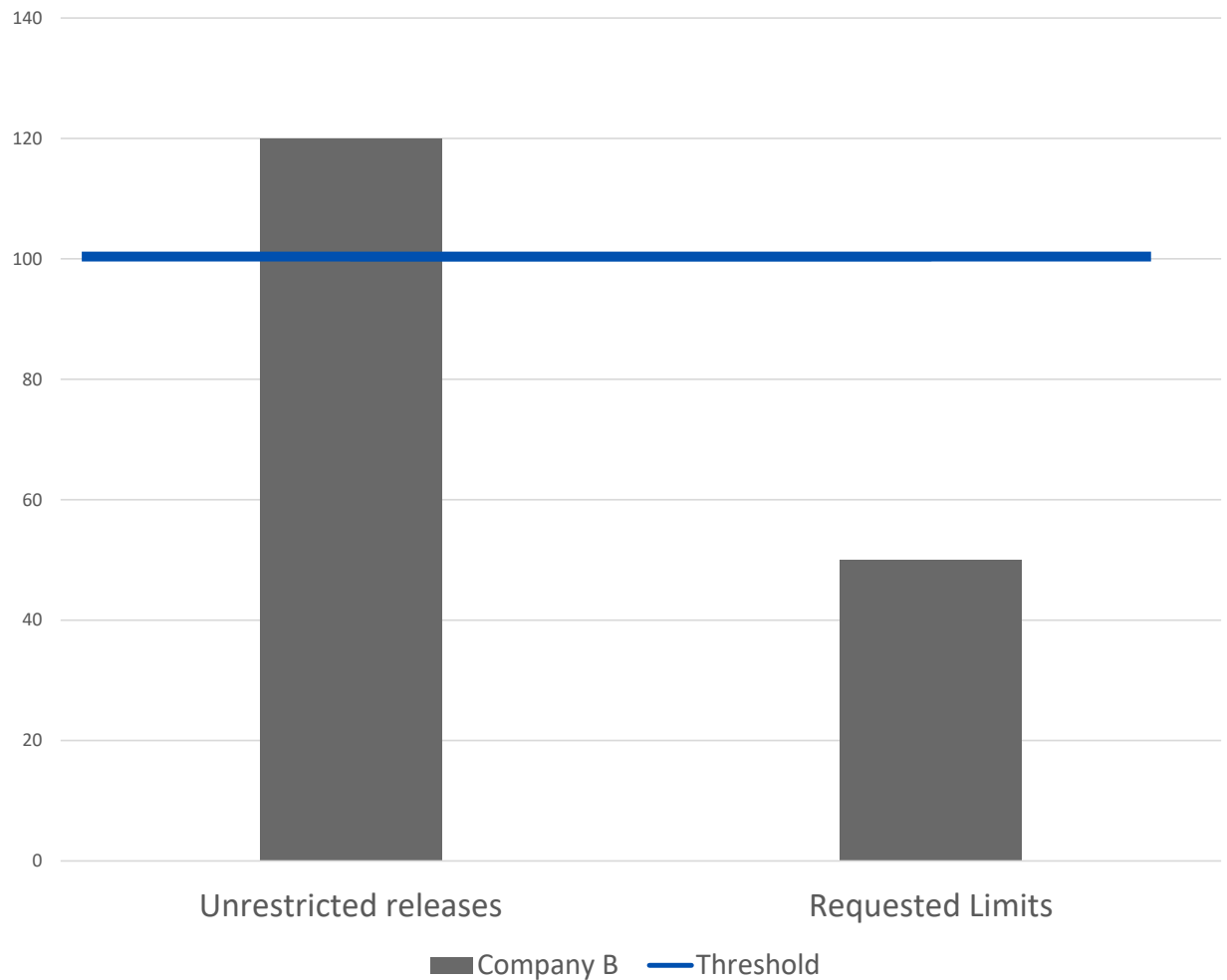


## Major vs Minor Source

Company B submitted a permit application to release particulate matter.

### Company A: **MAJOR** Source

- Worst case is 120 tons = over the threshold and
- Requested limit is 50 tons = below the threshold.
- Public comment NOT required

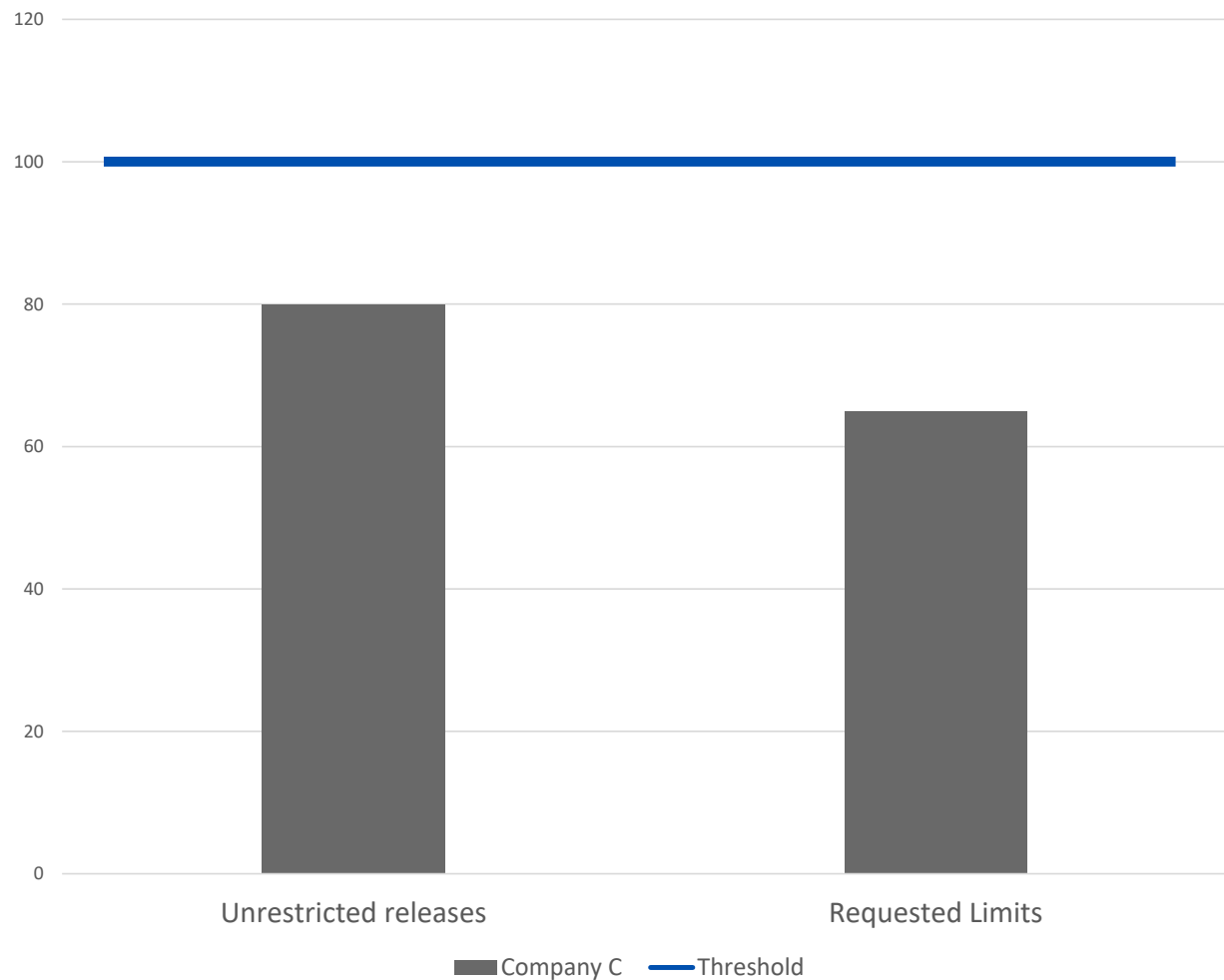


## Major vs Minor Source

Company C wants to make screws. It will emit particulate matter.

### Company C: **MINOR** Source

- Worst case is 80 tons = under the threshold and
- Requested limit is 65 tons = below the threshold.
- Public comment NOT required





## Knowledge check!



3. True or False – A MAJOR source has unrestricted emissions of a pollutant over a certain threshold.
4. True or False – MINOR sources are not required to be opened for comment but may be for other reasons.



# Case Study: Why did the Padnos permit go out for public comment?



# The Permitting Process



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## AQD Limitations

Authority to address air quality only

Zoning, traffic, and noise are addressed at the town/county level

Water or other related issues addressed by other EGLE Division

## Case Study: Key Permit Review Points

- Included requirements to reduce dust
- Permit included limits and testing requirements
- A mercury study was performed due to the proposed site's location near bodies of water
- Company must meet all the legal requirements before a permit is issued, including health-based standards.





## Key Points

Comments can be submitted at any time during the comment period

The general public can communicate directly with AQD staff with questions regarding the project

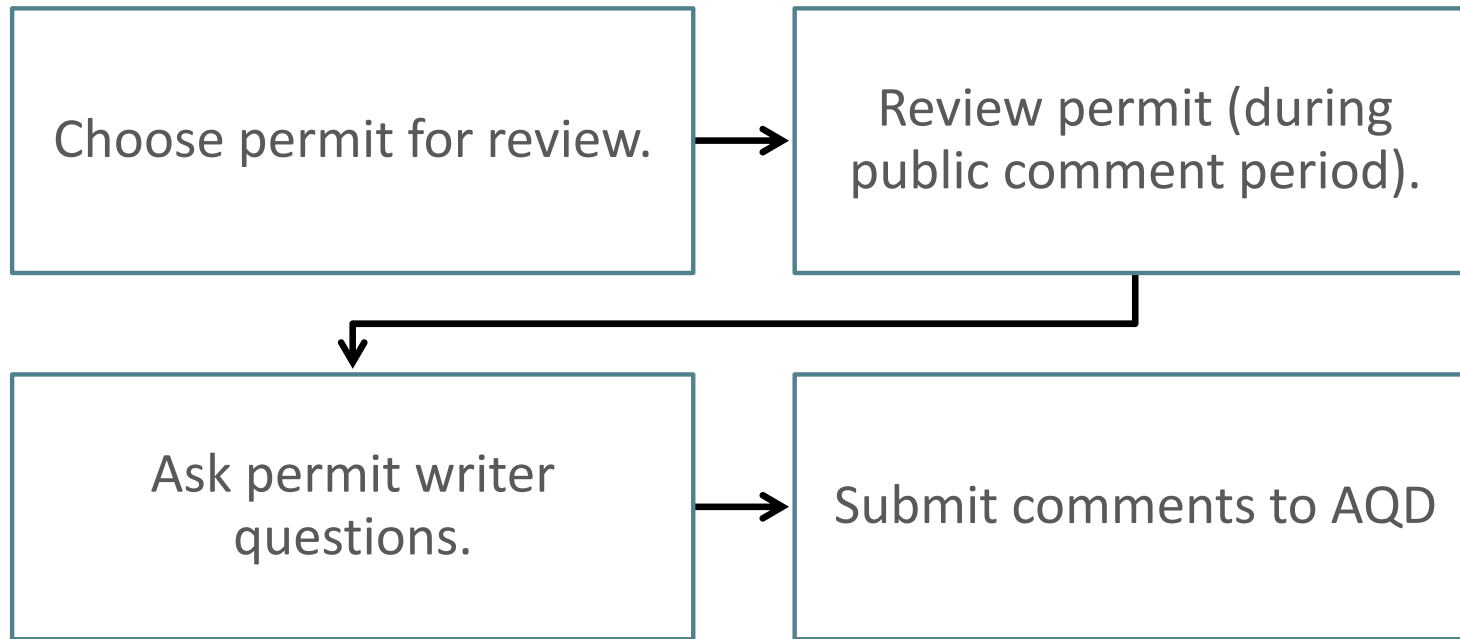
The public may also submit comments during the hearing (see public notice doc)

## Case Study: Public Comment - AQD

- Draft permit and documents detailing the technical review sent out for comment
- Comment period lasted 45 days
- A virtual hearing was held due to COVID-19
- AQD presented on the technical review and draft permit
- Held Question and Answer Session
- Ended with a public hearing to take comments on the record



# How does EPA get involved?



# How does EPA choose and review permits?

## How we choose:

- Big polluters
- Construction permits
- State target lists
- Environmental justice
- Public interest

## What we look for:

- Correct type of permit
- Includes all applicable federal rules designed to be protective
- Permits are “practically enforceable”  
– limits verified through monitoring, recordkeeping, and reporting



# Case Study: How did EPA choose this permit?

**Seeks New Permit For Industrial Shredder In I**  
2, 2020

by Mathews & Jon King / news@whmi.com

Local news story

... this year to install an open-air  
... is moving forward with a request

... is proposing to install and operate  
... ed, it would include a scrap metal  
... cyclable metals. Material not able  
... uipment would have air emissions

Questions from  
public



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## Definitions

VOC – volatile organic compounds (turns into smog)

PM – particulate matter (like dust or soot)

PM<sub>10</sub> – particulate matter less than 10 microns in diameter

PM<sub>2.5</sub> – particulate matter less than 2.5 microns in diameter

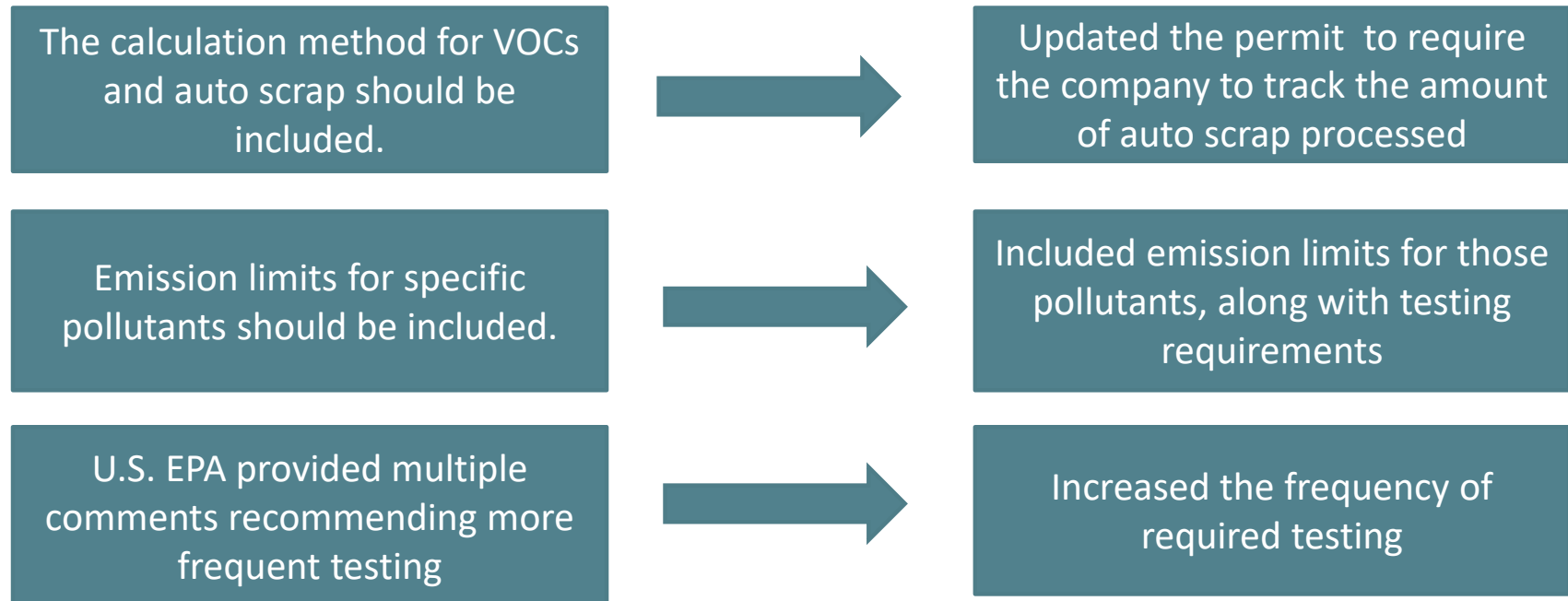
Opacity – amount of dust/smoke you can see (visible emissions)

# Case Study: What did EPA comment on?

- Requested:
  - More frequent testing for **VOC, PM, PM<sub>10</sub>, PM<sub>2.5</sub>**, or justify why initial test is sufficient
  - More frequent monitoring for **visible emissions**, or justify why the initial test is sufficient



# Case Study: Key Comments & Changes Made



# Case Study: Example of a permit change

- Example Comment:

*“... A stack limit should be included for **mercury** based on more accurate emissions factors, as appropriate, as well as a stack testing requirement to verify that limit.”*

- Permit Change:

I. EMISSION LIMIT(S)

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3. PM10	59.4 lb/day <sup>a</sup>	Calendar Day	Stack portion of EU-SHREDDER	SC V.2, SC V.3, SC VI.7	40 CFR 52.21 (c) & (d)
4. PM2.5	37.3 lb/day <sup>a</sup>	Calendar Day	Stack portion of EU-SHREDDER	SC V.2, SC V.3, SC VI.7	40 CFR 52.21 (c) & (d)
5. Mercury <sup>1</sup>	6.0 lb/yr <sup>a</sup>	12-month rolling time period as determined at the end of each calendar month	Stack portion of EU-SHREDDER	SC V.2, SC V.3, SC VI.8	R 336.1225
6. Lead	2.61 lb/yr <sup>a</sup>	12-month rolling time period as determined at the end of each calendar month	EU-SHREDDER	SC V.3, SC VI.9	R 336.1225 (d)
7. Hexavalent Chromium <sup>1</sup>	2.61 lb/yr <sup>a</sup>	12-month rolling time period as determined at the end of each calendar month	Stack portion of EU-SHREDDER	SC V.2, SC V.3, SC VI.10	R 336.1225

<sup>a</sup> Compliance with this limit will be demonstrated by multiplying the emission factor in SC VI.6, 7, 8, 9, or 10 (or emission factor obtained from a stack test) by the throughput.

<sup>b</sup> Calculated on a dry gas basis



# Case Study: Comments without changes

- Zoning related
- Unsupportive of the project
- Not specific enough
- Misunderstanding of the permit or rule
- Outside of our authority of rules
- ...





# What is an effective comment?

Comments relating to air quality and/or the draft permit

Comments that call into question some aspect of the review

Comments that point out a flaw in the draft conditions or permit application data

At a minimum, comments should make the AQD look over its review

Comments that affect the draft permit don't require an advanced science background or degree





## Knowledge check!



5. What **might** lead to change or what kinds of comments can EGLE address within their authority?
- A. Emission limits
  - B. Technical review of the permit
  - C. Zoning, noise or truck traffic
  - D. Whether there is support or opposition
  - E. Both A and B



# What questions should you ask yourself?



1. Are these limits practically enforceable?
2. How is the company limiting releases?
3. Is there enough testing?
4. Does the recordkeeping make sense?
5. Were all the pollutants addressed?
6. Do I have more questions?

Talk to the permit engineer or inspector!



# How to prepare a comment

- Tell us what permit application or company you are commenting on
- Be precise and descriptive
- If possible, refer to a rule
- Consider giving an explanation
- Provide any supporting information that may be helpful
- Make sure to provide your contact information and any affiliation you have



# Ways to make a comment



Send us an email



Write us a letter



Leave us a voicemail



Or speak your  
comment at a public  
hearing – if one is held





## Knowledge check!



6. True or false: You can comment through email, a letter, by leaving a voicemail, or by speaking at a public hearing.
7. True or false: A comment given one time has less weight than the same given numerous times.



# The Final Decision – 3 choices

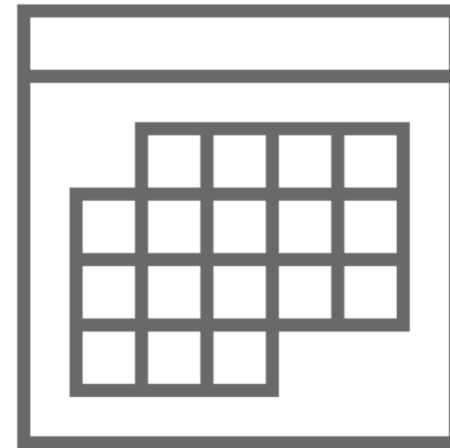


- Grant the permit as drafted
- Grant with changes
- Deny the permit



# How long does a decision take?

- It depends!
- Rules with decision timelines
  - No public comment: 180 days from complete application.
  - With public comment: 240 days from complete application.





# What happens next?



All comments are reviewed.



Should changes be made to the permit?



A response to comments document is prepared.



The decision maker reviews the response to comments and the final permit, if any



A decision is made.



All interested parties are notified about the decision



## Key Points

A permit from the AQD does NOT allow a facility to immediately begin operation

A permit or permission from EGLE or EPA does not override local ordinances and zoning requirements

A facility must obtain all the necessary permits to operate

## Case Study: Final Decision

- The permit was issued with changes
- The permit contained enhanced monitoring and testing requirements
- A response to comments document was released
- The company is still responsible for obtaining other permits and following local laws



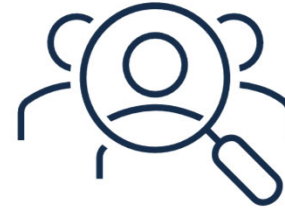
# QUESTIONS?



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# Goals for the session



What is an air permit?



What are the state and federal roles in air permitting?



Understanding of air quality terms.



What makes a permit go out for comment?



How do you make a comment?



What comments can be given?

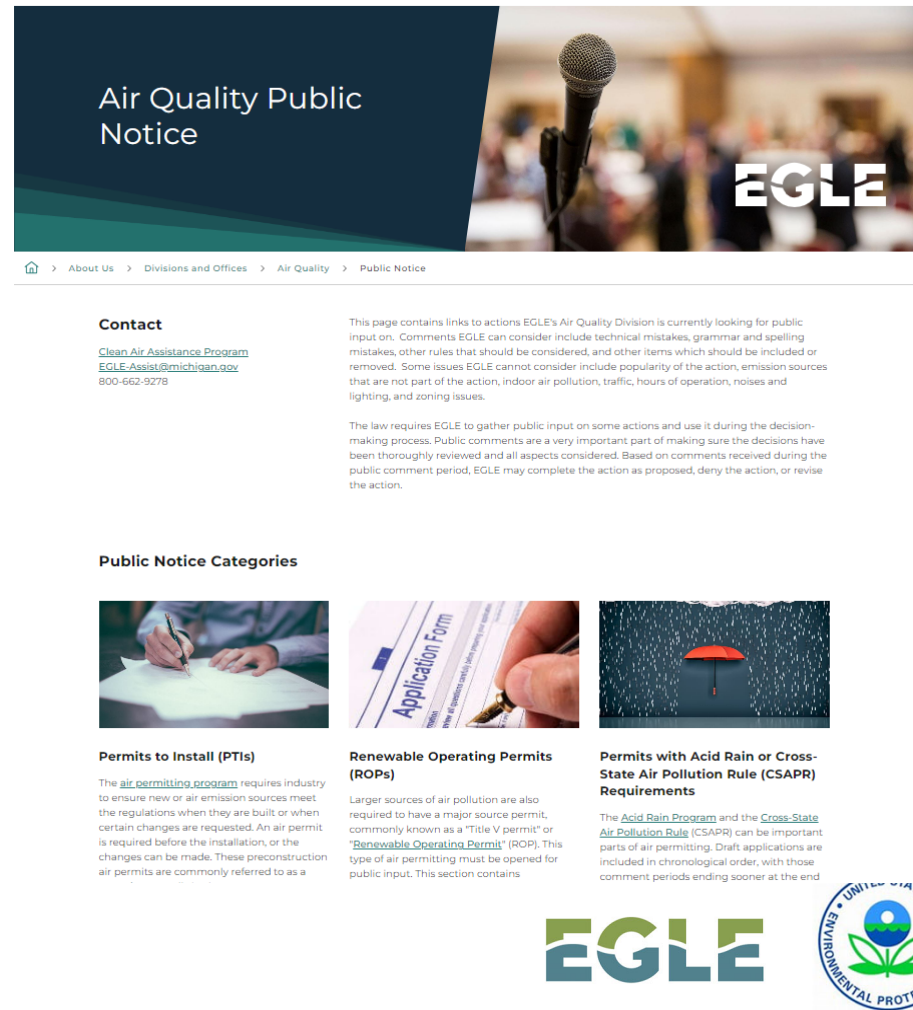


What type of comments can make the most impact?



# How can you find out about potential projects around you?

- Your local municipality
- [Pending applications list](#)
- [The EGLE Calendar](#)
- [Subscribe](#) to lists you are interested in
  - Air Quality
  - Environmental Justice
  - Brownfields
  - Water, etc.



The screenshot shows the EGLE Air Quality Public Notice webpage. The header features the title "Air Quality Public Notice" and the EGLE logo. Below the header is a navigation bar with links: Home, About Us, Divisions and Offices, Air Quality, and Public Notice. The main content area is divided into three columns. The first column, titled "Contact", provides information about the Clean Air Assistance Program, including the email [EGLE-Assist@Michigan.gov](mailto:EGLE-Assist@Michigan.gov) and the phone number 800-662-9278. The second column contains a paragraph about the public input process and a link to the "Public Notice Categories". The third column, titled "Public Notice Categories", lists three categories: "Permits to Install (PTIs)", "Renewable Operating Permits (ROPs)", and "Permits with Acid Rain or Cross-State Air Pollution Rule (CSAPR) Requirements". Each category has a brief description and a link to the relevant information. The footer of the webpage displays the EGLE logo and the Michigan Department of Environment and Natural Resources logo.

## Air Quality Public Notice

Home > About Us > Divisions and Offices > Air Quality > Public Notice

### Contact

[Clean Air Assistance Program](#)  
[EGLE-Assist@Michigan.gov](mailto:EGLE-Assist@Michigan.gov)  
800-662-9278

This page contains links to actions EGLE's Air Quality Division is currently looking for public input on. Comments EGLE can consider include technical mistakes, grammar and spelling mistakes, other rules that should be considered, and other items which should be included or removed. Some issues EGLE cannot consider include popularity of the action, emission sources that are not part of the action, indoor air pollution, traffic, hours of operation, noises and lighting, and zoning issues.

The law requires EGLE to gather public input on some actions and use it during the decision-making process. Public comments are a very important part of making sure the decisions have been thoroughly reviewed and all aspects considered. Based on comments received during the public comment period, EGLE may complete the action as proposed, deny the action, or revise the action.

### Public Notice Categories

#### Permits to Install (PTIs)

The [air permitting program](#) requires industry to ensure new or air emission sources meet the regulations when they are built or when certain changes are requested. An air permit is required before the installation, or the changes can be made. These preconstruction air permits are commonly referred to as a

#### Renewable Operating Permits (ROPs)

Larger sources of air pollution are also required to have a major source permit, commonly known as a "Title V permit" or "[Renewable Operating Permit](#)" (ROP). This type of air permitting must be opened for public input. This section contains

#### Permits with Acid Rain or Cross-State Air Pollution Rule (CSAPR) Requirements

The [Acid Rain Program](#) and the [Cross-State Air Pollution Rule](#) (CSAPR) can be important parts of air permitting. Draft applications are included in chronological order, with those comment periods ending sooner at the end

**EGLE**

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

## Resources – Digging Deeper

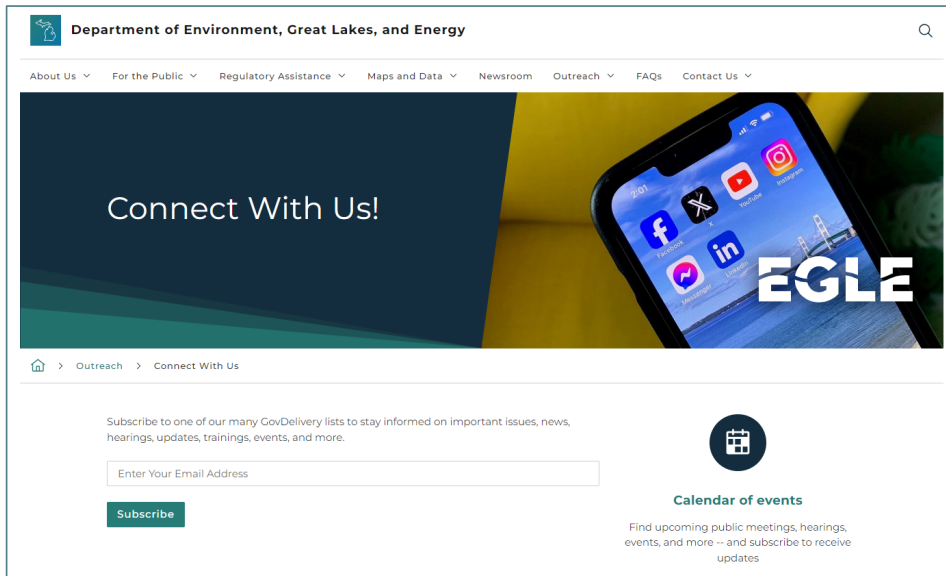
- [Practical Enforceability video](#)
- [Flint Air Quality Learning Session](#) (video)
- [How to Complete an Air Permit Application](#)




# Find out more! Keep in touch!

Sign up to get information:  
[Michigan.gov/EGLE/Outreach/Connect](https://Michigan.gov/EGLE/Outreach/Connect)

Sign up for air quality alerts:  
[Enviroflash.info/signup.cfm](https://Enviroflash.info/signup.cfm)





What topics are still circling for you or what would you like us to do a deeper dive on at a future session?

Final thoughts...





# Contact Us!

- EGLE's Environmental Assistance Center
  - 1-800-662-9278
  - [EGLE-Assist@Michigan.gov](mailto:EGLE-Assist@Michigan.gov)
- Chuku Oje, EGLE AQD, Permit Engineer  
[OjeC@Michigan.gov](mailto:OjeC@Michigan.gov)
- Skyler Sanderson, U.S. EPA, Region 5  
[Sanderson.Skyler@epa.gov](mailto:Sanderson.Skyler@epa.gov)





Thank you!