



Air Quality Division Laws and Rules Referencing Public Participation

- [40 CFR, Part 124](#), requires that a public hearing on a proposed permit action be held whenever the AQD finds “on the basis of requests, a significant degree of public interest in a draft permit” or “such a hearing might clarify one or more issues involved in the permit decision.”
- [Act 451 Section 5511](#), requires the AQD to hold a public hearing whenever there exists a known public controversy.
- [Act 451 Section 5511\(3\)](#) states that the AQD shall not “issue, renew, or significantly modify any operating permit issued under section 5506, or enter into a consent order, without providing public notice, including offering an opportunity for public comment and a public hearing on the...proposed consent order.” The AQD holds hearings on Renewable Operating Permits and Administrative Consent Orders when requested, or when there exists a known public controversy for the person entering the consent order with the AQD.
- [Rule 205\(1\)\(b\)](#), promulgated pursuant to Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), provides specific requirements about public notice and public hearings for permit actions
- [Rule 214\(3\)\(c\)](#) requires for ROPs the department shall provide not less than 30 days for public comment and shall give notice of any public hearing not less than 30 days in advance of the hearing.
- [Act 306 Section 24.242\(1\)](#) requires all state agencies, including EGLE, to public notice for 10-60 days for public comment.
- [40 CFR Part 51 Subpart F](#) requires each SIP document to provide an opportunity to request a hearing and at least a 30-day comment period.

Notes:

- Air Toxics Screening Levels and Air Monitoring Network Review require a public comment period, but not a hearing.
- List created as a reference guide for AAC Members.
- Contains minimum requirements for air quality public participation.