



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: March 17, 2022

SUBJECT: Air Quality Division Annual Program Report – Fiscal Year 2021

In accordance with Section 5522(8) and (9) 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) report on the Air Quality Division Annual Program for fiscal year 2021.

If you need further information, please contact Jennifer Kang, Manager, Administration Section, Air Quality Division, at 517-582-0827; or you may contact me at 517-512-5992.

Attachment

cc/att: Kathryn Summers, Director, Senate Fiscal Agency  
Mary Ann Cleary, Director, House Fiscal Agency  
Chris Harkins, Director, State Budget Office  
JoAnne Huls, Chief of Staff, Governor's Office  
George W. Cook, III, Legislative Affairs Director, Governor's Office  
Marc Rehmann, Policy Director, Governor's Office  
Ben Dawson, Senate Fiscal Agency  
Austin Scott, House Fiscal Agency  
Jacques McNeely, State Budget Office  
Zach Hendrix, State Budget Office  
Aaron B. Keatley, Chief Deputy Director, EGLE  
Amy Epkey, Senior Deputy Director, EGLE  
Travis Boeskool, Legislative Liaison, EGLE  
Paul McDonald, EGLE  
Dale Shaw, EGLE  
Mary Ann Dolehanty, EGLE  
Jennifer Kang, EGLE

**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
AIR QUALITY DIVISION ANNUAL PROGRAM REPORT – FISCAL YEAR 2021**

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.

**A)** A total of 121.2 full-time equated positions performed enforcement, compliance, and permitting activities. From that total, 55.7 full-time equated positions performed these activities in the Title V Program as defined in Section 5501 of Part 55. The other 65.5 full-time equated positions performed enforcement, compliance, and permitting activities in the non-Title V Program.

**B) Permits to Install:**

i. There were 395 permit to install (PTI) applications received in fiscal year (FY) 2021.

ii.

Permits to Install - Final Actions	Total Number
Final action taken on applications and permits.	529
Applications approved.	320
Applications denied.	0
Applications and permits voided (44 of which were due to issuance of Renewable Operating Permits).	221

iii.

Approved Permits to Install	Total Number
Number required to complete public participation before final action.	12
Number <b>not</b> required to complete public participation before final action.	308

iv. The average number of final permit actions per reviewer (full-time equated) is 28.

	Permits to Install	Percentage	Total Number
v.	Applications reviewed for administrative completeness within 10 days of receipt by EGLE.	97	311
vi.	Applications reviewed for technical completeness within 30 days of receipt by EGLE.	100	319
vii.	Applications submitted to EGLE that were administratively complete as received.	97	310
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.	78	248

**C) Renewable Operating Permit (ROP) Program:**

- i. A total of 41 ROP applications were received in FY 2021.
- ii. The AQD received 93 new requests for ROP modifications in FY 2021.

<b>ROP - Final Actions</b>	<b>Total Number</b>
Final action taken on ROP applications.	56
Applications approved.	56
Applications denied.	0
Applications voided (withdrawn by the applicant).	0

	<b>ROP</b>	<b>Percentage</b>	<b>Total Number</b>
iii.	Permit applications initially processed within the required time.	100	1
iv.	Permit renewals processed within the required time.	53	30
	Permit modifications processed within the required time.	30	8
v.	Permit applications reopened by EGLE.	N/A	3
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. AQD staff processed 28 modifications outside of an ROP renewal or voidance process. Out of 107 existing modification applications, 62 will be incorporated during the ROP renewal.

**D)** There were 348 (including Asbestos) Violation Notices sent during FY 2021.

**E)** Penalty money collected from all consent orders and judgments was \$1,527,785.71.

**F)** Enforcement actions that included payment of penalty:

<b>Company Name</b>	<b>Enforcement Action</b>
United States Steel Corporation	AQD No. 2020-11
Marathon Petroleum Company	AQD No. 2020-13
Morbark, LLC	AQD No. 2020-15
City of Grand Rapids Water Resources Recovery Facility	AQD No. 2020-16
Bandit Industries	AQD No. 2020-17
Kassouni Manufacturing, Inc.	AQD No. 2020-18
Mold Masters Company	AQD No. 2020-19
Grede, LLC	AQD No. 2021-01

Company Name (Cont'd.)	Enforcement Action
Easton Investments, LLC	AQD No. 2021-02
ZA Design Build, LLC	AQD No. 2021-03
Lafarge Alpena Plant	AQD No. 2021-04
Energy Developments Lansing, LLC	AQD No. 2021-05
Bay Area Disposal, LLC	AQD No. 2021-06
Green Environmental Safety Commission, LLC	AQD No. 2021-07
Lukas & Sons Enterprises, Inc.	AQD No. 2021-08
St. Marys Cement U.S., LLC	AQD No. 2021-09
BASF Toda America, Inc.	AQD No. 2021-10
Verso Escanaba, LLC	AQD No. 2021-11
Iron City Enterprises	AQD No. 2021-12
Lansing Board of Water and Light	AQD No. 2021-13
Beauty Box Southfield	AQD No. 2021-14
Hansen's Quick Stop	AQD No. 2021-15
Cosma Casting Michigan	AQD No. 2021-16
Mr. Larry Garcia	AQD No. 2021-18
SJ Design & Construction, LLC	2020-627-CE
Detroit Renewable Power, LLC	2021-55-CE
Clancy Excavating Co.	2021-154-CE
Lemon Fresh Laundry and Dry Cleaning Centers, Inc.	2021-187-CE

- G) The total number of inspections was 892. The number of inspections done for ROP sources was 239. The number of inspections of non-ROP sources was 653.
- H) A total of 1,552 complaints were received during FY 2021 (566 of the 1,552 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 54 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	22
Administrative Penalty Orders	2
Emergency Orders	0

J) Revenue in the Title V fund at the end of FY 2021 was \$6,348,830.

The information on the following page is required by Section 5522(9) of Part 55:

**AQD EXPENDITURES BY FUND AND PROGRAM FUNCTION:**

<b>Program Function</b>	<b>General and Other Funds Total (50%)</b>	<b>USEPA Grants (28%)</b>	<b>Air Fees (22%)</b>	<b>Total (100%)</b>
Permit Section	2,440,758 (19%)	530,069 (7%)	1,420 (0%)	<b>2,972,247</b> (11%)
Enforcement Unit	304,694 (2%)	135,268 (2%)	411,156 (7%)	<b>851,118</b> (3%)
Field Operations	5,941,802 (45%)	2,517,822 (34%)	5,034,928 (85%)	<b>13,494,552</b> (51%)
Air Quality Evaluation Section	3,001,795 (23%)	4,256,060 (57%)	118,029 (2%)	<b>7,375,884</b> (28%)
Administration	1,484,872 (11%)	147 (0%)	373,460 (6%)	<b>1,858,479</b> (7%)
<b>Total AQD Expenditures</b>	<b>13,173,921</b> <b>(100%)</b>	<b>7,439,366</b> <b>(100%)</b>	<b>5,938,993</b> <b>(100%)</b>	<b>26,552,280</b> <b>(100%)</b>
Revenues Appropriated	13,389,622	7,474,647	10,561,800	31,426,069

NOTE: Air Emissions Fund expenditures of \$135,300 from EGLE's Environmental Support Division are not included in the above totals.

**GENERAL AND OTHER FUNDS**

<b>Program Function</b>	<b>General Fund</b>	<b>Refined Petroleum Fund</b>	<b>Dry Cleaning License Fees</b>	<b>Oil &amp; Gas</b>	<b>Public Utility Assessment</b>	<b>Renew MI</b>	<b>Total</b>
Permit Section	1,855,804	521,862		32,695		30,397	<b>2,440,758</b>
Enforcement Unit	232,871	71,823					<b>304,694</b>
Field Operations	4,443,983	281,270	121,779	70,762	4,405	1,019,603	<b>5,941,802</b>
Air Quality Evaluation Section	380,054	2,556,083			65,658		<b>3,001,795</b>
Administration	1,134,410	350,462					<b>1,484,872</b>
<b>Total AQD Expenditures</b>	<b>8,047,122</b>	<b>3,781,500</b>	<b>121,779</b>	<b>103,457</b>	<b>70,063</b>	<b>1,050,000</b>	<b>13,173,921</b>
Revenues Appropriated	8,047,122	3,781,500	213,400	147,600	150,000	1,050,000	<b>13,389,622</b>