

**Annual Administrative Code Supplement
2022 Edition**

**DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF THE DIRECTOR
DELAYED REGISTRATION OF BIRTHS**

R 326.1
Source: 1997 AACS.

R 326.2
Source: 1997 AACS.

R 326.3
Source: 1997 AACS.

R 326.4
Source: 1997 AACS.

R 326.5
Source: 1997 AACS.

DISTRICT AND COUNTY HEALTH DEPARTMENTS

PART 1. SERVICES

R 327.1
Source: 1997 AACS.

R 327.2
Source: 1997 AACS.

R 327.3
Source: 1997 AACS.

R 327.4
Source: 1997 AACS.

R 327.5
Source: 1997 AACS.

R 327.6
Source: 1997 AACS.

R 327.7
Source: 1997 AACS.

R 327.8
Source: 1997 AACS.

R 327.9
Source: 1997 AACS.

R 327.10
Source: 1997 AACS.

PART 2. PERSONNEL CLASSIFICATION AND QUALIFICATIONS

R 327.41

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Source: 2014 AACS.

R 327.45

Source: 2014 AACS.

R 327.47

Source: 1997 AACS.

R 327.51

Source: 1979 AC.

R 327.53

Source: 1979 AC.

R 327.55

Source: 1979 AC.

R 327.57

Source: 1979 AC.

R 327.59

Source: 1979 AC.

R 327.61

Source: 1979 AC.

R 327.63

Source: 1979 AC.

R 327.65

Source: 1979 AC.

R 327.67

Source: 1979 AC.

R 327.69

Source: 1979 AC.

R 327.71

Source: 2014 AACS.

R 327.73

Source: 2014 AACS.

R 327.75

Source: 2014 AACS.

R 327.77

Source: 2014 AACS.

DEPARTMENT OF COMMUNITY HEALTH

HEALTH PROGRAMS ADMINISTRATION - BUREAU OF CHILDREN AND FAMILY PROGRAMS

DETERMINATION OF DEATHS OF CHILDREN

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R 330.1
Source: 2007 AACS.

R 330.2
Source: 2007 AACS.

R 330.3
Source: 2007 AACS.

R 330.4
Source: 2007 AACS.

DIRECTOR OF COMMUNITY HEALTH
GENERAL RULES

R 330.20
Source: 1997 AACS.

R 330.21
Source: 1997 AACS.

R 330.30
Source: 1997 AACS.

R 330.31
Source: 1997 AACS.

R 330.32
Source: 1997 AACS.

R 330.33
Source: 1997 AACS.

R 330.34
Source: 1997 AACS.

R 330.35
Source: 1997 AACS.

R 330.36
Source: 1997 AACS.

R 330.37
Source: 1997 AACS.

R 330.40
Source: 1997 AACS.

R 330.41
Source: 1997 AACS.

R 330.42
Source: 1997 AACS.

R 330.43
Source: 1997 AACS.

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R 330.44
Source: 1997 AACS.

R 330.45
Source: 1997 AACS.

R 330.46
Source: 1997 AACS.

R 330.47
Source: 1997 AACS.

R 330.48
Source: 1997 AACS.

R 330.50
Source: 1997 AACS.

R 330.51
Source: 1997 AACS.

R 330.52
Source: 1997 AACS.

R 330.53
Source: 1997 AACS.

R 330.54
Source: 1997 AACS.

R 330.55
Source: 1997 AACS.

R 330.56
Source: 1997 AACS.

R 330.60
Source: 1997 AACS.

R 330.61
Source: 1997 AACS.

R 330.62
Source: 1997 AACS.

R 330.63
Source: 1997 AACS.

R 330.64
Source: 1997 AACS.

R 330.70
Source: 1997 AACS.

R 330.80
Source: 1997 AACS.

R 330.81
Source: 1997 AACS.

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R 330.82
Source: 1997 AACS.

R 330.83
Source: 1997 AACS.

R 330.84
Source: 1997 AACS.

R 330.90
Source: 1997 AACS.

R 330.91
Source: 1997 AACS.

R 330.92
Source: 1997 AACS.

R 330.93
Source: 1997 AACS.

R 330.94
Source: 1997 AACS.

R 330.95
Source: 1997 AACS.

R 330.96
Source: 1997 AACS.

R 330.97
Source: 1997 AACS.

R 330.98
Source: 1997 AACS.

R 330.99
Source: 1997 AACS.

R 330.100
Source: 1997 AACS.

R 330.101
Source: 1997 AACS.

R 330.102
Source: 1997 AACS.

R 330.103
Source: 1997 AACS.

R 330.104
Source: 1997 AACS.

R 330.105
Source: 1997 AACS.

R 330.106
Source: 1997 AACS.

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- R 330.107**
Source: 1997 AACS.
- R 330.108**
Source: 1997 AACS.
- R 330.109**
Source: 1997 AACS.
- R 330.111**
Source: 1997 AACS.
- R 330.112**
Source: 1997 AACS.
- R 330.113**
Source: 1997 AACS.
- R 330.114**
Source: 1997 AACS.
- R 330.115**
Source: 1997 AACS.
- R 330.116**
Source: 1997 AACS.
- R 330.117**
Source: 1997 AACS.

HEALTH LEGISLATION AND POLICY DEVELOPMENT

GENERAL RULES

PART 1. DEPARTMENT OF MENTAL HEALTH

SUBPART 1. GENERAL PROVISIONS

- R 330.1001**
Source: 1998-2000 AACS.
- R 330.1005**
Source: 1983 AACS.
- R 330.1010**
Source: 1997 AACS.
- R 330.1015**
Source: 1979 AC.
- R 330.1017**
Source: 1981 AACS.
- R 330.1019**
Source: 1983 AACS.
- R 330.1021**
Source: 1979 AC.

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R 330.1028
Source: 1979 AC.

R 330.1031
Source: 1979 AC.

R 330.1034
Source: 1979 AC.

R 330.1037
Source: 1979 AC.

R 330.1041
Source: 1979 AC.

R 330.1045
Source: 1979 AC.

R 330.1051
Source: 1979 AC.

R 330.1053
Source: 1979 AC.

R 330.1055
Source: 1979 AC.

R 330.1057
Source: 1979 AC.

R 330.1059
Source: 1979 AC.

R 330.1075
Source: 1997 AACS.

**SUBPART 4. LICENSING AND REGULATION OF MENTAL HEALTH HOSPITALS, PSYCHIATRIC
FACILITIES, AND PSYCHIATRIC UNITS**

R 330.1201
Source: 1988 AACS.

R 330.1210
Source: 1984 AACS.

R 330.1213
Source: 1979 AC.

R 330.1214
Source: 1990 AACS.

R 330.1215
Source: 1979 AC.

R 330.1220
Source: 1979 AC.

R 330.1223

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Source: 1979 AC.

R 330.1226

Source: 1979 AC.

R 330.1228

Source: 1979 AC.

R 330.1232

Source: 1979 AC.

R 330.1235

Source: 1979 AC.

R 330.1239

Source: 1990 AACS.

R 330.1243

Source: 1990 AACS.

R 330.1250

Source: 1979 AC.

R 330.1252

Source: 1979 AC.

R 330.1255

Source: 1986 AACS.

R 330.1260

Source: 1979 AC.

R 330.1265

Source: 1981 AACS.

R 330.1267

Source: 1979 AC.

R 330.1269

Source: 1983 AACS.

R 330.1274

Source: 1979 AC.

R 330.1275

Source: 1990 AACS.

R 330.1276

Source: 1988 AACS.

R 330.1279

Source: 1979 AC.

R 330.1281

Source: 1986 AACS.

R 330.1285

Source: 1986 AACS.

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R 330.1287
Source: 1986 AACS.

R 330.1289
Source: 1986 AACS.

R 330.1291
Source: 1986 AACS.

R 330.1295
Source: 1979 AC.

R 330.1299
Source: 1979 AC.

SUBPART 5. FOSTER CARE CONTRACT REVOCATION

R 330.1401
Source: 1997 AACS.

SUBPART 6. FAMILY SUPPORT SUBSIDY PROGRAM

R 330.1601
Source: 2004 AACS.

R 330.1606
Source: 2004 AACS.

R 330.1607
Source: 1990 AACS.

R 330.1611
Source: 1984 AACS.

R 330.1613
Source: 1984 AACS.

R 330.1616
Source: 1984 AACS.

R 330.1621
Source: 1990 AACS.

R 330.1626
Source: 1990 AACS.

R 330.1631
Source: 1984 AACS.

R 330.1636
Source: 1984 AACS.

R 330.1641
Source: 1984 AACS.

R 330.1643
Source: 1984 AACS.

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R 330.1646
Source: 1984 AACS.

R 330.1651
Source: 1984 AACS.

R 330.1656
Source: 2003 AACS.

**SUBPART 7. PLACEMENT OF ADULTS WHO HAVE A MENTAL ILLNESS OR A DEVELOPMENTAL
DISABILITY INTO COMMUNITY-BASED DEPENDENT LIVING SETTINGS**

R 330.1701
Source: 1996 AACS.

R 330.1702
Source: 1996 AACS.

R 330.1703
Source: 1996 AACS.

R 330.1704
Source: 1996 AACS.

**SUBPART 8. CERTIFICATION OF SPECIALIZED PROGRAMS OFFERED IN ADULT FOSTER CARE HOME
TO CLIENTS WITH MENTAL ILLNESS OR DEVELOPMENTAL DISABILITY**

R 330.1801
Source: 1996 AACS.

R 330.1802
Source: 1996 AACS.

R 330.1803
Source: 1996 AACS.

R 330.1804
Source: 1996 AACS.

R 330.1805
Source: 1996 AACS.

R 330.1806
Source: 1996 AACS.

R 330.1807
Source: 1996 AACS.

R 330.1808
Source: 1996 AACS.

R 330.1809
Source: 1996 AACS.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

BEHAVIORAL HEALTH & DEVELOPMENTAL DISABILITIES ADMINISTRATION

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COMMUNITY HEALTH PROGRAMS

R 330.2005
Source: 1986 AACS.

R 330.2006
Source: 2018 AACS.

R 330.2007
Source: 1986 AACS.

R 330.2008
Source: 2018 AACS.

R 330.2007

R 330.2009
Source: 1979 AC.

R 330.2010
Source: 2018 AACS.

R 330.2011
Source: 1979 AC.

R 330.2012
Source: 1981 AACS.

R 330.2013
Source: 1984 AACS.

R 330.2014
Source: 1986 AACS.

R 330.2022
Source: 1986 AACS.

SUBPART 2. COMMUNITY MENTAL HEALTH BOARD REPORTS

R 330.2035
Source: 1979 AC.

R 330.2038
Source: 1986 AACS.

R 330.2039
Source: 1986 AACS.

R 330.2041
Source: 2018 AACS.

R 330.2044
Source: 1979 AC.

R 330.2051
Source: 1979 AC.

R 330.2052

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Source: 1979 AC.

R 330.2055

Source: 1979 AC.

R 330.2058

Source: 2018 AACS.

SUBPART 4. COMMUNITY MENTAL HEALTH BOARD

R 330.2063

Source: 1979 AC.

R 330.2067

Source: 1986 AACS.

R 330.2071

Source: 1986 AACS.

SUBPART 5. COMMUNITY MENTAL HEALTH DIRECTOR

R 330.2081

Source: 1990 AACS.

SUBPART 6. CHILDREN'S DIAGNOSTIC AND TREATMENT SERVICE

R 330.2105

Source: 1990 AACS.

R 330.2110

Source: 1990 AACS.

R 330.2115

Source: 1990 AACS.

R 330.2120

Source: 1990 AACS.

R 330.2125

Source: 1990 AACS.

R 330.2130

Source: 1990 AACS.

R 330.2135

Source: 1997 AACS.

SUBPART 7. CERTIFICATION PROCESS

R 330.2701

Source: 1997 AACS.

R 330.2702

Source: 1997 AACS.

R 330.2703

Source: 1997 AACS.

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SUBPART 8. CERTIFICATION STANDARDS

R 330.2801
Source: 1997 AACS.

R 330.2802
Source: 1997 AACS.

R 330.2803
Source: 1997 AACS.

R 330.2804
Source: 1997 AACS.

R 330.2805
Source: 1997 AACS.

R 330.2806
Source: 1997 AACS.

R 330.2807
Source: 1997 AACS.

R 330.2808
Source: 1997 AACS.

R 330.2809
Source: 1997 AACS.

R 330.2810
Source: 1997 AACS.

R 330.2811
Source: 1997 AACS.

R 330.2812
Source: 1997 AACS.

R 330.2813
Source: 1997 AACS.

R 330.2814
Source: 1997 AACS.

PART 3. STATE AND COUNTY FINANCIAL RESPONSIBILITY

R 330.3005
Source: 1979 AC.

R 330.3007
Source: 1979 AC.

R 330.3009
Source: 1979 AC.

R 330.3010
Source: 1997 AACS.

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R 330.3013
Source: 1979 AC.

R 330.3015
Source: 1979 AC.

R 330.3016
Source: 1979 AC.

R 330.3017
Source: 1986 AACS.

**PART 4. ADMINISTRATIVE ACTION FOR MENTALLY ILL PERSONS REQUIRING TREATMENT AND
THOSE DEEMED CLINICALLY SUITABLE FOR HOSPITALIZATION**

SUBPART 1. DESIGNATED HOSPITALS

R 330.4005
Source: 1997 AACS.

R 330.4008
Source: 1997 AACS.

SUBPART 2. TRANSFER REQUIREMENTS

R 330.4011
Source: 1986 AACS.

R 330.4013
Source: 1986 AACS.

R 330.4015
Source: 1997 AACS.

SUBPART 3. ADMISSION CONDITIONS

R 330.4025
Source: 1997 AACS.

R 330.4028
Source: 1997 AACS.

R 330.4031
Source: 1979 AC.

R 330.4033
Source: 1997 AACS.

R 330.4035
Source: 1997 AACS.

R 330.4039
Source: 1981 AACS.

R 330.4043
Source: 1997 AACS.

R 330.4045

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Source: 1986 AACS.

R 330.4047

Source: 1986 AACS.

R 330.4049

Source: 1986 AACS.

R 330.4051

Source: 1979 AC.

R 330.4055

Source: 1979 AC.

R 330.4059

Source: 1997 AACS.

SUBPART 4. PERIODIC REVIEW

R 330.4065

Source: 1997 AACS.

R 330.4067

Source: 1997 AACS.

SUBPART 5. RELEASE AND DISCHARGE

R 330.4075

Source: 1997 AACS.

R 330.4077

Source: 1990 AACS.

R 330.4081

Source: 1997 AACS.

R 330.4083

Source: 1990 AACS.

R 330.4086

Source: 1997 AACS.

R 330.4089

Source: 1979 AC.

R 330.4091

Source: 1997 AACS.

R 330.4093

Source: 1997 AACS.

R 330.4095

Source: 1997 AACS.

PART 4A. CIVIL ADMISSION AND DISCHARGE PROCEDURES FOR EMOTIONALLY DISTURBED MINORS

SUBPART 1. GENERAL PROVISIONS

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R 330.4501
Source: 1990 AACS.

R 330.4510
Source: 1997 AACS.

R 330.4512
Source: 1997 AACS.

R 330.4515
Source: 1997 AACS.

SUBPART 2. ADMISSIONS

R 330.4601
Source: 1997 AACS.

R 330.4603
Source: 1990 AACS.

R 330.4606
Source: 1997 AACS.

R 330.4611
Source: 1990 AACS.

SUBPART 3. PERIODIC REVIEW

R 330.4616
Source: 1997 AACS.

SUBPART 4. CHANGE IN STATUS OF HOSPITALIZATION

R 330.4620
Source: 1990 AACS.

R 330.4621
Source: 1997 AACS.

R 330.4626
Source: 1990 AACS.

R 330.4631
Source: 1990 AACS.

R 330.4636
Source: 1990 AACS.

R 330.4641
Source: 1990 AACS.

R 330.4646
Source: 1990 AACS.

SUBPART 5. OBJECTION TO HOSPITALIZATION PROCESS

R 330.4651
Source: 1990 AACS.

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R 330.4656
Source: 1990 AACS.

R 330.4661
Source: 1990 AACS.

**PART 5. ADMINISTRATIVE ACTION FOR DEVELOPMENTALLY DISABLED PERSONS REQUIRING CARE
AND TREATMENT**

SUBPART 1. DESIGNATED RESIDENTIAL FACILITIES

R 330.5005
Source: 1986 AACS.

R 330.5008
Source: 1997 AACS.

SUBPART 2. TRANSFER REQUIREMENTS

R 330.5011
Source: 1997 AACS.

R 330.5013
Source: 1997 AACS.

R 330.5015
Source: 1979 AC.

SUBPART 3. ADMISSION CONDITIONS

R 330.5025
Source: 1997 AACS.

R 330.5028
Source: 1997 AACS.

R 330.5031
Source: 1981 AACS.

R 330.5033
Source: 1983 AACS.

R 330.5039
Source: 1979 AC.

R 330.5043
Source: 1979 AC.

R 330.5045
Source: 1997 AACS.

SUBPART 4. PERIODIC REVIEW

R 330.5065
Source: 1997 AACS.

R 30.5067
Source: 1979 AC.

SUBPART 5. RELEASE AND DISCHARGE

R 330.5075
Source: 1997 AACS.

R 330.5077
Source: 1979 AC.

R 330.5081
Source: 1997 AACS.

R 330.5083
Source: 1997 AACS.

R 330.5086
Source: 1981 AACS.

R 330.5089
Source: 1979 AC.

R 330.5091
Source: 1979 AC.

R 330.5093
Source: 1997 AACS.

R 330.5095
Source: 1997 AACS.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

BEHAVIORAL HEALTH & DEVELOPMENTAL DISABILITIES ADMINISTRATION

GUARDIANSHIP FOR RECIPIENTS OF MENTAL HEALTH SERVICES

R 330.6006
Source: 2018 AACS.

R 330.6008
Source: 1979 AC.

R 330.6011
Source: 1979 AC.

R 330.6013
Source: 2018 AACS.

R 330.6015
Source: 1979 AC.

R 330.6019
Source: 2018 AACS.

R 330.6022
Source: 2018 AACS.

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R 330.6025
Source: 1979 AC.

R 330.6027
Source: 1979 AC.

R 330.6031
Source: 1986 AACS.

PART 7. RIGHTS OF RECIPIENTS OF MENTAL HEALTH SERVICES

SUBPART 1. GENERAL PROVISIONS

R 330.7001
Source: 2009 AACS.

R 330.7002
Source: 1998-2000 AACS.

R 330.7003
Source: 1998-2000 AACS.

R 330.7005
Source: 1998-2000 AACS.

SUBPART 2. RIGHTS OF RECIPIENTS OF MENTAL HEALTH SERVICES

R 330.7009
Source: 2007 AACS.

R 330.7011
Source: 2007 AACS.

R 330.7012
Source: 1998-2000 AACS.

R 330.7014
Source: 1998-2000 AACS.

R 330.7017
Source: 1998-2000 AACS.

R 330.7029
Source: 1998-2000 AACS.

R 330.7032
Source: 1998-2000 AACS.

R 330.7035
Source: 1998-2000 AACS.

R 330.7037
Source: 1998-2000 AACS.

R 330.7045
Source: 1998-2000 AACS.

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R 330.7046
Source: 2007 AACS.

R 330.7051
Source: 1998-2000 AACS.

SUBPART 3. ADDITIONAL RIGHTS OF RESIDENTS OF FACILITIES

R 330.7125
Source: 1998-2000 AACS.

R 330.7131
Source: 1997 AACS.

R 330.7135
Source: 1998-2000 AACS.

R 330.7139
Source: 1998-2000 AACS.

R 330.7142
Source: 1998-2000 AACS.

R 330.7145
Source: 1998-2000 AACS.

R 330.7151
Source: 1998-2000 AACS.

R 330.7158
Source: 2007 AACS.

R 330.7161
Source: 1998-2000 AACS.

R 330.7165
Source: 1998-2000 AACS.

R 330.7171
Source: 1981 AACS.

R 330.7175
Source: 1998-2000 AACS.

R 330.7181
Source: 1998-2000 AACS.

R 330.7185
Source: 1998-2000 AACS.

R 330.7188
Source: 1998-2000 AACS.

R 330.7189
Source: 1998-2000 AACS.

R 330.7191
Source: 1998-2000 AACS.

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R 330.7195
Source: 1998-2000 AACS.

SUBPART 3. ADDITIONAL RIGHTS OF RESIDENTS OF FACILITIES

R 330.7199
Source: 2012 AACS.

R 330.7205
Source: 1998-2000 AACS.

R 330.7221
Source: 1997 AACS.

R 330.7227
Source: 1998-2000 AACS.

R 330.7229
Source: 1998-2000 AACS.

R 330.7231
Source: 1998-2000 AACS.

R 330.7235
Source: 1998-2000 AACS.

R 330.7239
Source: 1998-2000 AACS.

R 330.7243
Source: 2009 AACS.

R 330.7251
Source: 1998-2000 AACS.

R 330.7253
Source: 1998-2000 AACS.

R 330.7254
Source: 1998-2000 AACS.

R 330.7260
Source: 1981 AACS.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITY ADMINISTRATION

FINANCIAL LIABILITY FOR MENTAL HEALTH SERVICES

PART 8. FINANCIAL LIABILITY FOR MENTAL HEALTH SERVICES

SUBPART 1. DEPARTMENT OF MENTAL HEALTH

R 330.8005 Definitions.

Rule 8005. As used in this part:

- (a) "Assets" means real and personal property that is owned, in whole or in part, by the responsible party and that has cash value or equity value.
- (b) "Department" means the department of health and human services.

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- (c) "Dependent" means an individual who is allowed as an exemption under section 30 of the income tax act of 1967, 1967 PA 281, MCL206.30.
- (d) "Excess medical expenses" means medical and dental expenses that exceed the threshold dictated by section 16 of the internal revenue code of 1986, 26 USC 213, that would be allowed to be deducted on itemized tax returns, less expenses for medical health services for the individual paid to the department or community mental health services programs.
- (e) "Family of 1" means the individual who has no dependent.
- (f) "Family of 2" means the individual and their spouse.
- (g) "Family size" means a family unit consisting of the individual, spouse, and dependents.
- (h) "Individual" means the individual, minor or adult, that receives services from the department or a community mental health services program or from a provider under contract with the department or a community mental health services program.
- (i) "Liquid asset" means an asset that can be easily converted to cash. Examples of liquid assets include, but are not limited to, the following:
- (i) Checking and savings accounts.
 - (ii) Cash.
 - (iii) Certificates of deposit.
 - (iv) Treasury bills.
 - (v) Money market investments.
 - (vi) Bonds.
 - (vii) Marketable securities, including stocks and bonds.
 - (viii) Pensions.
 - (ix) Deferred compensation.
 - (x) Annuities.
 - (xi) Other funds that can be withdrawn or used as collateral for a loan.
- (j) "Poverty guidelines" means the version of the poverty threshold as issued annually by the United States Department of Human Services.
- (k) "Protected assets" means the portion of assets, as specified in these rules, that must not be considered when the total financial circumstance is used to determine financial liability.
- (l) "Protected income" means the portion of income, as specified in these rules, that must not be considered when the total financial circumstance is used to determine financial liability.
- (m) "Qualifying income" means income from whatever source derived, regardless of whether the source is reported on federal or state returns. Qualifying income includes, but is not limited to, the following:
- (i) Earned and unearned income.
 - (ii) Government benefits.
 - (iii) Other entitlements.
- (n) "Responsible party" means a person who is financially liable for services furnished to an individual, including the individual, and, as applicable, the individual's spouse and parent or parents of a minor.
- (o) "Spouse" means the legal marriage partner of the individual.
- (p) "Undue financial burden" means a determination of ability-to-pay that would unduly impact the health and well-being of the individual or dependents to access the basic necessities of life, including, but not limited to, food, housing, clothing, and healthcare.

History: 1979 AC; 1981 AACS; 1997 AACS; 2022 MR 18, Eff. Sept. 27, 2022.

R 330.8008

Source: 1997 AACS.

R 330.8012

Source: 1997 AACS.

R 330.8014

Source: 1979 AC.

R 330.8016

Source: 1979 AC.

R 330.8018

Source: 1979 AC.

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R 330.8021
Source: 1979 AC.

R 330.8024
Source: 1981 AACS.

SUBPART 2. COMMUNITY MENTAL HEALTH

R 330.8201
Source: 1997 AACS.

R 330.8204
Source: 1997 AACS.

R 330.8205
Source: 1997 AACS.

R 330.8206
Source: 1997 AACS.

R 330.8207
Source: 1997 AACS.

R 330.8208
Source: 1997 AACS.

R 330.8209
Source: 1997 AACS.

R 330.8210
Source: 1997 AACS.

R 330.8214
Source: 1997 AACS.

R 330.8215
Source: 1997 AACS.

R 330.8217
Source: 1997 AACS.

R 330.8220
Source: 1997 AACS.

R 330.8224
Source: 1997 AACS.

R 330.8227
Source: 1997 AACS.

R 330.8229
Source: 1997 AACS.

R 330.8230
Source: 1997 AACS.

R 330.8234
Source: 1997 AACS.

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R 330.8237

Source: 1997 AACS.

R 330.8238

Source: 1997 AACS.

R 330.8239 Determination of ability-to-pay for non-residential services; parents of an individual; member or non-member of the household.

Rule 8239. (1) *A responsible party's ability-to-pay* for nonresidential services must be the amount established by this rule's *non-residential ability-to-pay* table based upon the responsible party's qualifying income and the most current poverty guidelines. The responsible party's ability-to-pay must be established on a per-session, monthly, or annual basis, and the basis selected, and methodology used must be identified and described in the department's and community mental health services program's written policies.

(2) The ability-to-pay for a parent of an individual must be determined, as follows:

- (a) If the parents of an individual, or the individual and spouse, are members of the same household, the department or community mental health services program shall use the combined qualifying income to determine the ability-to-pay.
- (b) If the parents of an individual, or the individual and spouse, are not members of the same household, the ability-to-pay of each parent or of the individual and their spouse is determined separately.
- (c) A parent shall not be determined to have an ability-to-pay for more than 1 individual at any 1 time, and a parent's total liability for 2 or more individuals shall not exceed 18 years.
- (d) If either parent or either spouse has been made solely responsible for an individual's medical and hospital expenses by a court order, the other parent or spouse is determined to have no ability-to-pay.
- (e) The ability-to-pay of the parent or spouse made solely responsible by court order must be determined in accordance with this section. The ability-to-pay of a parent made solely responsible by court order must be reduced by the amount of child support the parent pays for the individual.
- (f) If an individual receives services for more than 1 year, the department or community mental health services program must annually redetermine the adult responsible parties' ability-to-pay.

(3) An ability-to-pay may be determined on a per-session basis for nonresidential services other than respite care services. During a calendar month, the per-session ability-to-pay must not be more than the monthly ability-to-pay amount determined from the non-residential ability-to-pay process and table specified as follows:

- (a) Determine the percent of poverty specified as the current federal minimum mandatory income level to qualify for medical assistance program or its successor, as specified in the patient protection and affordable care act of 2010, Public Law 111-148, or its successor.
- (b) Multiply 100% of poverty guideline income for family size by the percentage determined in subdivision (a) of this subrule. The result is the income level at which the responsible party will have zero ability-to-pay from this table.
- (c) Determine qualifying income.
- (d) Divide qualifying income by income calculated in subdivision (b) of this subrule and convert to a percentage.
- (e) Match the percentage determined in subdivision (d) of this subrule to the table in subrule (4) of this rule to determine the percent of income to charge as the ability-to-pay.
- (f) Deduct from qualifying income the poverty guideline income for family size determined in subrule (b) of this rule, at which the responsible party will have zero ability-to-pay. The result is income available for cost of care.
- (g) Multiply the percentage determined in subrule (e) of this rule by income available for cost of care determined in subrule (f) of this rule. The result is the annual ability-to-pay.

(4) The following income and ability-to-pay crosswalk table must be used in the determination of the percent income for subrule (3)(e) of this rule.

Qualifying income as percent of applicable poverty guidelines charged as ability-to-pay	Percentage of Income
100%	0%
101 - 125%	3%
126 - 150%	4%
151 - 175%	5%
176 - 200%	6%
201 - 225%	7%
226 - 250%	8%

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251 - 275%	9%
276 - 300%	10%
301 - 325%	11%
326 - 350%	12%
351 - 375%	13%
376 - 400%	14%
401 +	15%

(5) The per-session ability-to-pay is applicable to each session of service provided to all individuals for whom the responsible party has an obligation to pay under section 804 of the mental health code, 1974 PA 258, MCL 330.1804, but may not be, in aggregate, more than the monthly ability-to-pay amount.

(6) A responsible party who has been determined under the medical assistance program or its successor to be Medicaid eligible is determined to have a \$0.00 ability-to-pay for all mental health services other than inpatient. The ability-to-pay for inpatient services must be the amount determined as the patient pay amount by the medical assistance program or its successor.

(7) If the ability-to-pay for parents is assessed separately and their combined ability-to-pay is more than the cost of services, then the charges must be prorated based on the ratio of each parent's income.

(8) A responsible party may request a new determination, based on the party's total financial circumstances, within 30 days after notification of the initial determination made from the ability-to-pay process and table specified in subrule (4) of this rule.

(9) Parents of children receiving public mental health services under the home and community-based waivers are determined to have a \$0.00 ability-to-pay for the services provided as part of the community-based waivers for children. Parents shall independently arrange and pay for services that exceed or are not included in the services provided under the home and community-based waivers for children if the parent desires expanded services or those services are not included.

History: 1989 AACCS; 1997 AACCS; 2022 MR 18, Eff. Sept. 27, 2022.

R 330.8240 Determination of fee for respite services.

Rule 8240. (1) The fee for respite services for a full day or any portion of the day must be determined by dividing the monthly ability-to-pay amount determined from the non-residential table specified in R 330.8239 by 30 and rounding up to the nearest dollar but must not be more than the cost of services. A responsible party may request a new determination under R 330.8239(8).

(2) Respite fees charged during a calendar month may not be, in aggregate, more than the monthly ability-to-pay amount determined from the non-residential table.

History: 1989 AACCS; 1997 AACCS; 2022 MR 18, Eff. Sept. 27, 2022.

R 330.8241

Source: 1997 AACCS.

R 330.8242 Ability-to-pay determinations based on total financial circumstances.

Rule 8242. (1) If a responsible party's ability-to-pay is determined pursuant to section 819 of the mental health code, 1974 PA 258, MCL 330.1819, all the following provisions apply:

(a) The financial determination based on the responsible party's total financial circumstances must consider all the following as specified in these process and table in subrule (2)(i) of this rule:

(i) Qualifying income and protected income.

(ii) Net liquid assets and protected assets.

(iii) Applicable poverty guidelines for family size.

(iv) Excess medical expenses.

(v) Court-ordered payments, including those payments from a divorce decree.

(vi) Student loan payments.

(vii) Additional tax obligations assessed by municipal, county, state, or federal taxing authorities.

(b) If the responsible party is the individual and is a family of 1 who has no expenses other than room and board expenses in an inpatient, specialized residential, or supported independent housing, an alternate full financial determination under subrule (2) of this rule must be completed that does not take into consideration all the provisions specified in R 330.8242. This alternate full financial determination must only include the following:

(i) Qualifying income and protected income.

(ii) Net liquid assets and protected assets.

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- (iii) The personal needs allowance under the medical assistance program or its successor.
- (iv) Expense deduction equal to the provider payment rate for appropriate living arrangements allowed under the medical assistance program or its successor.
- (c) When determining ability-to-pay for an individual receiving inpatient services, one half of any compensation paid to the individual for performing labor under section 736 of the mental health code, 1974 PA 258, MCL 330.1736, must be protected.
- (d) Protected assets must be the same asset limit amounts allowed for the Medicaid group 2 category under the medical assistance program or its successor.
- (e) The department shall develop policies, procedures, and other tools for use in calculating a responsible party's ability-to-pay under these rules.
- (2) The public mental health system full financial consideration ability-to-pay process and table is described as follows:
 - (a) Determine the percent of poverty specified as the current federal minimum mandatory income level to qualify for medical assistance programs or its successor as specified in the patient protection and affordable care act of 2010, Public Law 111-148, or its successor.
 - (b) Determine net assets by subtracting all costs incurred to liquidate liquid assets, including protected assets, from liquid assets.
 - (c) Determine qualifying income.
 - (d) Deduct from qualifying income to determine total income available for cost of care for all the following:
 - (i) Protected income.
 - (ii) Poverty guideline for family size at percent or poverty determined in subdivision (a) of this subrule.
 - (iii) Excess medical expenses.
 - (iv) Court ordered payments, including a divorce decree.
 - (v) Student loan payments.
 - (vi) Additional tax obligations assessed by municipal, county, state, or federal taxing authority. The result is income available for cost of care.
 - (e) Divide qualifying income from subdivision (c) of this subrule by the poverty guidelines for family size at 100% of poverty and convert to a percentage.
 - (f) Match percentage determined in subdivision (e) of this subrule to the table in subrule (3) of this rule to determine the percent of income available for cost of care to charge as ability-to-pay.
 - (g) Multiply the percentage determined in subdivision (f) of this subrule by the income available for cost of care determined in subdivision (a) of this subrule. The result is the annual ability-to-pay from income.
 - (h) Add net assets from subdivision (b) of this subrule to the annual ability-to-pay from income determined from subdivision (g) of this subrule. The result is the annual ability-to-pay.
 - (3) The following income and ability-to-pay crosswalk table must be used in the determination of the percent income for subrule (2)(f) of this rule.

Qualifying Income as a Percent of applicable poverty guidelines.	% Of Income charged as Ability- to-Pay
100%	0%
101 - 200%	10%
201 - 250%	15%
251 - 300%	20%
301 - 400%	25%
401+	30%

- (4) The alternate calculation process for full financial consideration for ability-to-pay is as follows:
 - (a) Determine net assets by subtracting all costs incurred to liquidate liquid assets and protected assets from liquid assets.
 - (b) Determine qualifying income.
 - (c) Deduct from qualifying income, as applicable, all the following:
 - (i) Protected income.
 - (ii) Personal needs allocation.
 - (iii) Expense deduction equal to the provider payment rate for appropriate living arrangements as allowed under the medical assistance program or its successor. The result is the income available for the cost of care.

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(d) Add net assets from subdivision (a) of this subrule to income available for cost of care from subdivision (c) of this subrule. The result is the annual ability-to-pay.

History: 1997 AACCS; 2022 MR 18, Eff. Sept. 27, 2022.

R 330.8244

Source: 1997 AACCS.

R 330.8250

Source: 1997 AACCS.

R 330.8251

Source: 1997 AACCS.

R 330.8254

Source: 1997 AACCS.

R 330.8256

Source: 1997 AACCS.

R 330.8257

Source: 1997 AACCS.

R 330.8264

Source: 1997 AACCS.

R 330.8267

Source: 1997 AACCS.

R 330.8270

Source: 1997 AACCS.

R 330.8273

Source: 1997 AACCS.

R 330.8275

Source: 1997 AACCS.

R 330.8277

Source: 1997 AACCS.

R 330.8279 Undue financial burden.

Rule 8279. A responsible party's ability-to-pay must not create an undue financial burden that does either of the following:

(a) Unduly impacts the health and well-being of the individual or their dependents as determined by the ability to access the basic necessities of life, including, but not limited to, food, housing, clothing, and healthcare.

(b) Deprives the party and his or her dependents of the financial means to maintain or reestablish the individual in a reasonable and appropriate community-based setting.

History: 1997 AACCS; 2022 MR 18, Eff. Sept. 27, 2022.

R 330.8280

Source: 1997 AACCS.

R 330.8284

Source: 1997 AACCS.

PART 9. MISCELLANEOUS PROVISIONS

SUBPART 1. LAFAYETTE CLINIC

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R 330.9001
Source: 1997 AACS.

R 330.9005
Source: 1997 AACS.

R 330.9007
Source: 1997 AACS.

R 330.9009
Source: 1997 AACS.

R 330.9011
Source: 1997 AACS.

SUBPART 2. NEURO-PSYCHIATRIC INSTITUTE

R 330.9121
Source: 1997 AACS.

R 330.9123
Source: 1997 AACS.

R 330.9125
Source: 1997 AACS.

SUBPART 3. ADMINISTRATIVE PROCEDURE

R 330.9201
Source: 1997 AACS.

R 330.9205
Source: 1997 AACS.

R 330.9208
Source: 1997 AACS.

R 330.9210
Source: 1997 AACS.

R 330.9215
Source: 1997 AACS.

R 330.9220
Source: 1997 AACS.

R 330.9222
Source: 1997 AACS.

R 330.9225
Source: 1997 AACS.

SUBPART 4. IMPACT STATEMENTS

R 330.9301
Source: 1986 AACS.

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R 330.9306
Source: 1986 AACS.

SUBPART 5. CONDUCT ON DEPARTMENT PROPERTY

R 330.9401
Source: 1988 AACS.

R 330.9406
Source: 1988 AACS.

R 330.9411
Source: 1988 AACS.

R 330.9416
Source: 1988 AACS.

R 330.9421
Source: 1988 AACS.

R 330.9426
Source: 1988 AACS.

R 330.9431
Source: 1988 AACS.

PART 10. CRIMINAL PROVISIONS

SUBPART 1. TRANSFER OF PRISONERS

R 330.10001
Source: 1997 AACS.

R 330.10002
Source: 1997 AACS.

R 330.10003
Source: 1997 AACS.

R 330.10004
Source: 1997 AACS.

R 330.10005
Source: 1997 AACS.

R 330.10006
Source: 1997 AACS.

R 330.10006a
Source: 1997 AACS.

R 330.10007
Source: 1997 AACS.

R 330.10008
Source: 1981 AACS.

R 330.10009

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Source: 1981 AACS.

R 330.10010

Source: 1997 AACS.

R 330.10011

Source: 1981 AACS.

R 330.10012

Source: 1997 AACS.

R 330.10013

Source: 1981 AACS.

R 330.10014

Source: 1981 AACS.

R 330.10015

Source: 1997 AACS.

R 330.10016

Source: 1997 AACS.

R 330.10017

Source: 1997 AACS.

R 330.10018

Source: 1997 AACS.

R 330.10019

Source: 1997 AACS.

R 330.10020

Source: 1997 AACS.

R 330.10021

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R 330.10022

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R 330.10024

Source: 1997 AACS.

R 330.10025

Source: 1997 AACS.

R 330.10026

Source: 1997 AACS.

R 330.10027

Source: 1997 AACS.

R 330.10028

Source: 1997 AACS.

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R 330.10029
Source: 1997 AACS.

SUBPART 2. FORENSIC EXAMINATIONS

R 330.10055
Source: 1988 AACS.

R 330.10056
Source: 1988 AACS.

R 330.10057
Source: 1988 AACS.

R 330.10058
Source: 1988 AACS.

R 330.10059
Source: 1988 AACS.

R 330.10061
Source: 1979 AC.

R 330.10065
Source: 1979 AC.

R 330.10067
Source: 1979 AC.

R 330.10071
Source: 1979 AC.

R 330.10079
Source: 1979 AC.

R 330.10085
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R 330.10087
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R 330.10089
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R 330.10091
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R 330.10093
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R 330.10095
Source: 1979 AC.

R 330.10097
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R 330.10099
Source: 1979 AC.

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**DEPARTMENT OF COMMUNITY HEALTH
HEALTH LEGISLATION AND POLICY DEVELOPMENT
GENERAL RULES**

PART 11. ENFORCEMENT SYSTEM FOR LONG-TERM CARE FACILITIES

R 330.11001
Source: 1998-2000 AACS.

R 330.11002
Source: 1998-2000 AACS.

R 330.11003
Source: 1998-2000 AACS.

R 330.11004
Source: 1998-2000 AACS.

R 330.11005
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R 330.11006
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R 330.11007
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R 330.11008
Source: 1998-2000 AACS.

R 330.11009
Source: 1998-2000 AACS.

R 330.11010
Source: 1998-2000 AACS.

R 330.11011
Source: 1998-2000 AACS.

R 330.11012
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R 330.11013
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R 330.11014
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R 330.11015
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R 330.11016
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R 330.11017
Source: 1998-2000 AACS.

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**DEPARTMENT OF TREASURY
STATE HOSPITAL FINANCE AUTHORITY
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R 331.1
Source: 1997 AACS.

R 331.2
Source: 1997 AACS.

R 331.3
Source: 1997 AACS.

R 331.4
Source: 1997 AACS.

R 331.5
Source: 1997 AACS.

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R 331.10
Source: 1997 AACS.

R 331.11
Source: 1997 AACS.

R 331.12
Source: 1997 AACS.

R 331.13
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

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MICHIGAN MEDICAL MARIHUANA

GENERAL RULES

R 333.101
Source: 2015 AACS.

R 333.103
Source: 2015 AACS.

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R 333.105
Source: 2015 AACS.

R 333.107
Source: 2015 AACS.

R 333.109
Source: 2015 AACS.

R 333.111
Source: 2015 AACS.

R 333.113
Source: 2015 AACS.

R 333.115
Source: 2009 AACS.

R 333.117
Source: 2015 AACS.

R 333.119
Source: 2015 AACS.

R 333.121
Source: 2015 AACS.

R 333.123
Source: 2015 AACS.

R 333.125
Source: 2015 AACS.

R 333.126
Source: 2015 AACS.

R 333.127
Source: 2015 AACS.

R 333.131
Source: 2015 AACS.

R 333.133
Source: 2015 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF MEDICAL MARIHUANA REGULATION

MEDICAL MARIHUANA FACILITIES

PART 1. GENERAL PROVISIONS

R 333.201
Source: 2020 AACS.

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R 333.202
Source: 2020 AACS.

R 333.203
Source: 2020 AACS.

R 333.205
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R 333.206
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R 333.207
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R 333.208
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R 333.214
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R 333.220
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R 333.221
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Source: 2020 AACS.

R 333.232

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R 333.245

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R 333.261

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R 333.274

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R 333.276

Source: 2020 AACS.

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R 333.281
Source: 2020 AACS.

R 333.282
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R 333.291
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R 333.299
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DEPARTMENT OF HEALTH AND HUMAN SERVICES

POLICY AND INNOVATION DIVISION

NONOPIOID DIRECTIVE

R 333.1001
Source: 2019 AACS.

R 333.1002
Source: 2019 AACS.

R 333.1003
Source: 2019 AACS.

R 333.1004
Source: 2019 AACS.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

DIRECTOR'S OFFICE

IONIZING RADIATION RULES GOVERNING THE USE OF RADIATION MACHINES

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PART 1. GENERAL PROVISIONS FOR THE USE OF RADIATION MACHINES

R 333.5001
Source: 2016 AACS.

R 333.5002
Source: 2016 AACS.

R 333.5003
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R 333.5004
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R 333.5005
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R 333.5010
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EXEMPTIONS

R 333.5015
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R 333.5018
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R 333.5020
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R 333.5021
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R 333.5023
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R 333.5024
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R 333.5026
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PART 2. REGISTRATION OF RADIATION MACHINES

R 333.5031
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R 333.5046
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PART 3. STANDARDS FOR PROTECTION AGAINST RADIATION FOR USERS OF RADIATION MACHINES

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R 333.5051
Source: 2016 AACS.

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R 333.5055
Source: 2016 AACS.

OCCUPATIONAL DOSE LIMITS

R 333.5057
Source: 2016 AACS.

R 333.5058
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R 333.5059
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RADIATION DOSE LIMITS FOR INDIVIDUAL MEMBERS OF THE PUBLIC

R 333.5060
Source: 2016 AACS.

R 333.5061
Source: 2016 AACS.

SURVEYS AND MONITORING

R 333.5063
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R 333.5067
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R 333.5068
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R 333.5069
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R 333.5071
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R 333.5072
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R 333.5073
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R 333.5075
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RECORDS

R 333.5077
Source: 2016 AACS.

R 333.5079
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R 333.5080
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R 333.5081
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R 333.5082
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R 333.5083
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R 333.5084
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NOTIFICATIONS AND REPORTS

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R 333.5087

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Source: 2016 AACS.

R 333.5088

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R 333.5089

Source: 2016 AACS.

**PART 4. NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS FOR USERS OF
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R 333.5091

Source: 2016 AACS.

R 333.5092

Source: 2016 AACS.

R 333.5093

Source: 2016 AACS.

R 333.5094

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R 333.5096

Source: 2016 AACS.

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R 333.5098

Source: 2016 AACS.

R 333.5100

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R 333.5101

Source: 2016 AACS.

PART 6. INDUSTRIAL RADIOGRAPHIC OPERATIONS AND INSTALLATIONS

R 333.5281

Source: 2016 AACS.

R 333.5282

Source: 2016 AACS.

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R 333.5293

Source: 2016 AACS.

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R 333.5296
Source: 2016 AACS.

R 333.5297
Source: 2016 AACS.

R 333.5298
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R 333.5299
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REQUIREMENTS FOR CLASS D RADIOGRAPHIC OPERATIONS

R 333.5302
Source: 2016 AACS.

R 333.5305
Source: 2016 AACS.

R 333.5306
Source: 2016 AACS.

R 333.5307
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R 333.5308
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R 333.5309
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PART 7. MEDICAL X-RAY INSTALLATIONS

R 333.5311
Source: 2016 AACS.

THERAPEUTIC MACHINES OPERATED ABOVE 85 KVP

R 333.5312
Source: 2016 AACS.

R 333.5315
Source: 2016 AACS.

R 333.5317
Source: 2016 AACS.

THERAPEUTIC MACHINES OPERATED AT OR BELOW 85 KVP

R 333.5321
Source: 2016 AACS.

R 333.5322
Source: 2016 AACS.

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R 333.5323
Source: 2016 AACS.

FIXED RADIOGRAPHIC INSTALLATIONS

R 333.5325
Source: 2016 AACS.

R 333.5331
Source: 2016 AACS.

R 333.5333
Source: 2016 AACS.

FIXED FLUOROSCOPIC INSTALLATIONS

R 333.5337
Source: 2016 AACS.

R 333.5347
Source: 2016 AACS.

R 333.5348
Source: 2016 AACS.

MOBILE OR PORTABLE DIAGNOSTIC X-RAY EQUIPMENT

R 333.5351
Source: 2016 AACS.

R 333.5352
Source: 2016 AACS.

R 333.5353
Source: 2016 AACS.

MISCELLANEOUS AND SPECIAL INSTALLATIONS

R 333.5355
Source: 2016 AACS.

PART 8. MEDICAL EXTREMITY X-RAY INSTALLATIONS

R 333.5361
Source: 2016 AACS.

FIXED RADIOGRAPHIC INSTALLATIONS

R 333.5362
Source: 2016 AACS.

R 333.5365
Source: 2016 AACS.

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R 333.5366
Source: 2016 AACS.

MOBILE OR PORTABLE RADIOGRAPHIC EQUIPMENT

R 333.5368
Source: 2016 AACS.

PART 9. DENTAL X-RAY INSTALLATIONS

R 333.5371
Source: 2016 AACS.

CONVENTIONAL (SINGLE TUBE) INSTALLATIONS

R 333.5372
Source: 2016 AACS.

R 333.5373
Source: 2016 AACS.

R 333.5375
Source: 2016 AACS.

R 333.5376
Source: 2016 AACS.

MULTIPLE TUBE INSTALLATIONS

R 333.5378
Source: 2016 AACS.

R 333.5379
Source: 2016 AACS.

R 333.5380
Source: 2016 AACS.

R 333.5381
Source: 2016 AACS.

PANORAMIC INSTALLATIONS

R 333.5383
Source: 2016 AACS.

R 333.5384
Source: 2016 AACS.

R 333.5385
Source: 2016 AACS.

R 333.5386
Source: 2016 AACS.

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CEPHALOMETRIC INSTALLATIONS

R 333.5388
Source: 2016 AACS.

R 333.5389
Source: 2016 AACS.

R 333.5390
Source: 2016 AACS.

R 333.5391
Source: 2016 AACS.

MULTIPLE PURPOSE INSTALLATIONS

R 333.5395
Source: 2016 AACS.

HAND-HELD PORTABLE DENTAL X-RAY SYSTEMS

R 333.5396
Source: 2020 AACS.

OTHER TYPES OF INSTALLATIONS

R 333.5397
Source: 2016 AACS.

PART 10. VETERINARY X-RAY INSTALLATIONS

R 333.5401
Source: 2016 AACS.

THERAPEUTIC MACHINES USED FOR VETERINARY X-RAY TREATMENT

R 333.5402
Source: 2016 AACS.

R 333.5403
Source: 2016 AACS.

R 333.5404
Source: 2016 AACS.

FIXED RADIOGRAPHIC INSTALLATIONS

R 333.5405
Source: 2016 AACS.

R 333.5407
Source: 2016 AACS.

R 333.5409
Source: 2016 AACS.

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FIXED FLUOROSCOPIC INSTALLATIONS

R 333.5411
Source: 2016 AACS.

R 333.5417
Source: 2016 AACS.

R 333.5418
Source: 2016 AACS.

MOBILE OR PORTABLE DIAGNOSTIC X-RAY EQUIPMENT

R 333.5421
Source: 2016 AACS.

R 333.5422
Source: 2016 AACS.

R 333.5423
Source: 2016 AACS.

MISCELLANEOUS AND SPECIAL INSTALLATIONS

R 333.5425
Source: 2016 AACS.

PART 11. PARTICLE ACCELERATOR INSTALLATIONS

R 333.5431
Source: 2016 AACS.

R 333.5432
Source: 2016 AACS.

LICENSE OR REGISTRATION

R 333.5435
Source: 2016 AACS.

CLASSIFICATION

R 333.5437
Source: 2016 AACS.

R 333.5438
Source: 2016 AACS.

R 333.5439
Source: 2016 AACS.

R 333.5440
Source: 2016 AACS.

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R 333.5441
Source: 2016 AACS.

R 333.5442
Source: 2016 AACS.

SAFETY REQUIREMENTS FOR THE USE OF PARTICLE ACCELERATORS

R 333.5445
Source: 2016 AACS.

R 333.5446
Source: 2016 AACS.

R 333.5447
Source: 2016 AACS.

R 333.5448
Source: 2016 AACS.

R 333.5449
Source: 2016 AACS.

R 333.5450
Source: 2016 AACS.

R 333.5452
Source: 2016 AACS.

PART 13. MISCELLANEOUS SOURCES

R 333.5481
Source: 2016 AACS.

ANALYTICAL X-RAY SOURCES

R 333.5482
Source: 2016 AACS.

R 333.5484
Source: 2016 AACS.

R 333.5485
Source: 2016 AACS.

R 333.5486
Source: 2016 AACS.

R 333.5487
Source: 2016 AACS.

COLD-CATHODE GAS DISCHARGE TUBES

R 333.5491
Source: 2016 AACS.

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R 333.5492
Source: 2016 AACS.

R 333.5493
Source: 2016 AACS.

R 333.5494
Source: 2016 AACS.

R 333.5495
Source: 2016 AACS.

ELECTRON MICROSCOPES

R 333.5505
Source: 2016 AACS.

R 333.5507
Source: 2016 AACS.

R 333.5508
Source: 2016 AACS.

OTHER MISCELLANEOUS SOURCES

R 333.5511
Source: 2016 AACS.

PART 14. MAMMOGRAPHY

GENERAL PROVISIONS

R 333.5601
Source: 2016 AACS.

R 333.5602
Source: 2016 AACS.

R 333.5603
Source: 2016 AACS.

R 333.5604
Source: 2016 AACS.

MAMMOGRAPHY AUTHORIZATION

R 333.5605
Source: 2016 AACS.

R 333.5606
Source: 2016 AACS.

R 333.5607
Source: 2016 AACS.

R 333.5608

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Source: 2016 AACS.

R 333.5609

Source: 2016 AACS.

R 333.5610

Source: 2016 AACS.

R 333.5611

Source: 2016 AACS.

R 333.5612

Source: 2016 AACS.

R 333.5613

Source: 2016 AACS.

PERSONNEL

R 333.5626

Source: 2016 AACS.

R 333.5627

Source: 2016 AACS.

R 333.5628

Source: 2016 AACS.

R 333.5629

Source: 2016 AACS.

R 333.5630

Source: 2016 AACS.

R 333.5634

Source: 2016 AACS.

R 333.5635

Source: 2016 AACS.

X-RAY EQUIPMENT

R 333.5637

Source: 2016 AACS.

R 333.5655

Source: 2016 AACS.

R 333.5656

Source: 2016 AACS.

MEDICAL RECORDS AND MAMMOGRAPHY REPORTS

R 333.5657

Source: 2016 AACS.

QUALITY ASSURANCE

R 333.5658
Source: 2016 AACS.

R 333.5667
Source: 2016 AACS.

R 333.5668
Source: 2016 AACS.

R 333.5669
Source: 2016 AACS.

STEREOTACTIC BREAST BIOPSY

PERSONNEL

R 333.5674
Source: 2016 AACS.

R 333.5675
Source: 2016 AACS.

X-RAY EQUIPMENT

R 333.5676
Source: 2016 AACS.

R 333.5677
Source: 2016 AACS.

R 333.5678
Source: 2016 AACS.

MEDICAL RECORDS AND STEREOTACTIC BREAST BIOPSY REPORTS

R 333.5679
Source: 2016 AACS.

R 333.5681
Source: 2016 AACS.

R 333.5682
Source: 2016 AACS.

R 333.5683
Source: 2016 AACS.

QUALITY ASSURANCE

R 333.5684
Source: 2016 AACS.

R 333.5685
Source: 2016 AACS.

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R 333.5686
Source: 2016 AACS.

R 333.5687
Source: 2016 AACS.

R 333.5688
Source: 2016 AACS.

R 333.5689
Source: 2016 AACS.

R 333.5690
Source: 2016 AACS.

R 333.5691
Source: 2016 AACS.

R 333.5692
Source: 2016 AACS.

R 333.5693
Source: 2016 AACS.

R 333.5694
Source: 2016 AACS.

R 333.5695
Source: 2016 AACS.

R 333.5696
Source: 2016 AACS.

R 333.5697
Source: 2016 AACS.

PART 15. COMPUTED TOMOGRAPHY INSTALLATIONS

R 333.5701
Source: 2016 AACS.

R 333.5703
Source: 2016 AACS.

R 333.5705
Source: 2016 AACS.

R 333.5707
Source: 2016 AACS.

R 333.5709
Source: 2016 AACS.

R 333.5711
Source: 2016 AACS.

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R 333.5713
Source: 2016 AACS.

R 333.5715
Source: 2016 AACS.

R 333.5717
Source: 2016 AACS.

R 333.5719

R 333.5721
Source: 2016 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
GENERAL RULES
PART 1. DEFINITIONS

R 336.11
Source: 1997 AACS.

R 336.12
Source: 1997 AACS.

R 336.13
Source: 1997 AACS.

R 336.14
Source: 1997 AACS.

PART 2. AIR USE APPROVAL

R 336.21
Source: 1997 AACS.

R 336.26
Source: 1997 AACS.

R 336.28
Source: 1997 AACS.

R 336.29
Source: 1997 AACS.

R 336.30
Source: 1997 AACS.

R 336.31
Source: 1997 AACS.

R 336.32
Source: 1997 AACS.

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R 336.33
Source: 1997 AACS.

R 336.34
Source: 1997 AACS.

R 336.35
Source: 1997 AACS.

R 336.36
Source: 1997 AACS.

PART 3. EMISSION LIMITATIONS AND PROHIBITIONS

R 336.41—R 336.49
Source: 1997 AACS.

R 336.42
Source: 1997 AACS.

R 336.43
Source: 1997 AACS.

R 336.44
Source: 1997 AACS.

R 336.45
Source: 1997 AACS.

R 336.46
Source: 1997 AACS.

R 336.47
Source: 1997 AACS.

R 336.48
Source: 1997 AACS.

R 336.49
Source: 1997 AACS.

PART 4. TESTING AND SAMPLING

R 336.51
Source: 1997 AACS.

R 336.52
Source: 1997 AACS.

R 336.53
Source: 1997 AACS.

R 336.54
Source: 1997 AACS.

PART 5. AIR CLEANING DEVICES AND COLLECTED CONTAMINANTS

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R 336.61
Source: 1997 AACS.

R 336.62
Source: 1997 AACS.

PART 6. AIR POLLUTION EPISODES

R 336.71
Source: 1997 AACS.

R 336.72
Source: 1997 AACS.

R 336.73
Source: 1997 AACS.

R 336.74
Source: 1997 AACS.

R 336.75
Source: 1997 AACS.

R 336.76
Source: 1997 AACS.

R 336.77
Source: 1997 AACS.

R 336.78
Source: 1997 AACS.

R 336.79
Source: 1997 AACS.

PART 7. ANNUAL REPORTING AND SURVEILLANCE FEES

R 336.81
Source: 1997 AACS.

R 336.82
Source: 1997 AACS.

R 336.83
Source: 1997 AACS.

PART 8. SUSPENSION OF ENFORCEMENT

R 336.91
Source: 1997 AACS.

R 336.92
Source: 1997 AACS.

R 336.93
Source: 1997 AACS.

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R 336.94
Source: 1997 AACS.

R 336.95
Source: 1997 AACS.

R 336.96
Source: 1997 AACS.

R 336.97
Source: 1997 AACS.

PART 10. ORGANIZATION, OPERATIONS, AND PROCEDURES

R 336.101
Source: 1997 AACS.

R 336.102
Source: 1997 AACS.

R 336.103
Source: 1997 AACS.

R 336.104
Source: 1997 AACS.

R 336.105
Source: 1997 AACS.

R 336.106
Source: 1997 AACS.

R 336.107
Source: 1997 AACS.

R 336.108
Source: 1997 AACS.

PART 11. HEARINGS

R 336.111
Source: 1997 AACS.

R 336.112
Source: 1997 AACS.

R 336.113
Source: 1997 AACS.

R 336.114
Source: 1997 AACS.

R 336.115
Source: 1997 AACS.

R 336.116
Source: 1997 AACS.

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PART 14. EXTENSION OF COMPLIANCE DATE PAST JANUARY 1, 1980

R 336.141
Source: 1997 AACS.

R 336.142
Source: 1997 AACS.

R 336.143
Source: 1997 AACS.

R 336.144
Source: 1997 AACS.

R 336.145
Source: 1997 AACS.

R 336.146
Source: 1997 AACS.

R 336.147
Source: 1997 AACS.

AIR QUALITY DIVISION
ANNUAL REPORTING

R 336.201
Source: 1980 AACS.

R 336.202
Source: 1986 AACS.

R 336.203
Source: 1997 AACS.

R 336.204
Source: 1987 AACS.

R 336.205
Source: 1980 AACS.

DEPARTMENT OF ENVIROMENTAL QUALITY

AIR QUALITY DIVISION

DISBURSEMENT OF AIR POLLUTION SURVEILLANCE FEES TO LOCAL UNITS

R 336.501
Source: 1998-2000 AACS.

R 336.502
Source: 1998-2000 AACS.

R 336.503
Source: 1998-2000 AACS.

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R 336.504
Source: 1998-2000 AACS.

R 336.505
Source: 1998-2000 AACS.

R 336.506
Source: 1998-2000 AACS.

R 336.507
Source: 1998-2000 AACS.

R 336.508
Source: 1998-2000 AACS.

MOTOR VEHICLE EMISSIONS INSPECTION/MAINTENANCE PROGRAM

R 336.601
Source: 1997 AACS.

R 336.602
Source: 1997 AACS.

R 336.603
Source: 1997 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 1. GENERAL PROVISIONS

R 336.1101
Source: 2016 AACS.

R 336.1102
Source: 2016 AACS.

R 336.1103
Source: 2016 AACS.

R 336.1104
Source: 2008 AACS.

R 336.1105
Source: 2008 AACS.

R 336.1106
Source: 2016 AACS.

R 336.1107
Source: 2016 AACS.

R 336.1108

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Source: 2016 AACS.

R 336.1109

Source: 2016 AACS.

R 336.1112

Source: 2016 AACS.

R 336.1113

Source: 2016 AACS.

R 336.1114

Source: 2016 AACS.

R 336.1115

Source: 2016 AACS.

R 336.1116

Source: 2016 AACS.

R 336.1118

Source: 2016 AACS.

R 336.1119

Source: 2016 AACS.

R 336.1120

Source: 2016 AACS.

R 336.1121

Source: 2016 AACS.

R 336.1122

Source: 2016 AACS.

R 336.1123

Source: 2016 AACS.

R 336.1127

Source: 2016 AACS.

R 336.1128

Source: 1980 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 2. AIR USE APPROVAL

R 336.1201

Source: 2016 AACS.

R 336.1201a

Source: 2016 AACS.

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R 336.1202
Source: 2016 AACS.

R 336.1203
Source: 2016 AACS.

R 336.1204
Source: 2003 AACS.

R 336.1205
Source: 2016 AACS.

R 336.1206
Source: 2016 AACS.

R 336.1207
Source: 2016 AACS.

R 336.1208
Source: 1997 AACS.

R 336.1208a
Source: 2016 AACS.

R 336.1209
Source: 2016 AACS.

R 336.1210
Source: 2016 AACS.

R 336.1211
Source: 2016 AACS.

R 336.1212
Source: 2019 AACS.

R 336.1213
Source: 2016 AACS.

R 336.1214
Source: 2016 AACS.

R 336.1214a
Source: 2016 AACS.

R 336.1215
Source: 2016 AACS.

R 336.1216
Source: 2016 AACS.

R 336.1217
Source: 2016 AACS.

R 336.1218

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Source: 2016 AACS.

R 336.1219

Source: 2016 AACS.

R 336.1220

Source: 2016 AACS.

R 336.1221

Source: 1997 AACS.

R 336.1224

Source: 2019 AACS.

R 336.1225

Source: 2016 AACS.

R 336.1226

Source: 2019 AACS.

R 336.1227

Source: 2016 AACS.

R 336.1228

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R 336.1229

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R 336.1230

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R 336.1231

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R 336.1232

Source: 2016 AACS.

R 336.1233

Source: 2016 AACS.

R 336.1240

Source: 2016 AACS.

R 336.1241

Source: 2016 AACS.

R 336.1277

Source: 2016 AACS.

R 336.1278

Source: 2016 AACS.

R 336.1278a

Source: 2016 AACS.

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- R 336.1279**
Source: 2003 AACS.
- R 336.1280**
Source: 2016 AACS.
- R 336.1281**
Source: 2016 AACS.
- R 336.1282**
Source: 2016 AACS.
- R 336.1283**
Source: 2016 AACS.
- R 336.1284**
Source: 2016 AACS.
- R 336.1285**
Source: 2019 AACS.
- R 336.1286**
Source: 2016 AACS.
- R 336.1287**
Source: 2016 AACS.
- R 336.1288**
Source: 2016 AACS.
- R 336.1289**
Source: 2016 AACS.
- R 336.1290**
Source: 2016 AACS.
- R 336.1291**
Source: 2016 AACS.
- R 336.1299**
Source: 2016 AACS.

PART 3. EMISSION LIMITATIONS AND PROHIBITIONS—PARTICULATE MATTER

- R 336.1301**
Source: 2002 AACS.
- R 336.1302**
Source: 1997 AACS.
- R 336.1303**
Source: 2002 AACS.
- R 336.1310**
Source: 2013 AACS.

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R 336.1320
Source: 1998-2000 AACS.

R 336.1330
Source: 2013 AACS.

R 336.1331
Source: 2002 AACS.

R 336.1349
Source: 2012 AACS.

R 336.1350
Source: 1985 AACS.

R 336.1351
Source: 1985 AACS.

R 336.1352
Source: 1985 AACS.

R 336.1353
Source: 1985 AACS.

R 336.1354
Source: 1985 AACS.

R 336.1355
Source: 1985 AACS.

R 336.1356
Source: 1985 AACS.

R 336.1357
Source: 1985 AACS.

R 336.1358
Source: 1998-2000 AACS.

R 336.1359
Source: 1985 AACS.

R 336.1360
Source: 1985 AACS.

R 336.1361
Source: 1998-2000 AACS.

R 336.1362
Source: 1998-2000 AACS.

R 336.1363
Source: 1998-2000 AACS.

R 336.1364
Source: 1985 AACS.

R 336.1365

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Source: 1985 AACS.

R 336.1366

Source: 1985 AACS.

R 336.1367

Source: 1985 AACS.

R 336.1370

Source: 1981 AACS.

R 336.1371

Source: 2002 AACS.

R 336.1372

Source: 2002 AACS.

R 336.1374

Source: 2002 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 4. EMISSION LIMITATIONS AND PROHIBITIONS—SULFUR BEARING COMPOUNDS

R 336.1401

Source: 2019 AACS.

R 336.1401a

Source: 2019 AACS.

R 336.1402

Source: 2019 AACS.

R 336.1403

Source: 2002 AACS.

R 336.1404

Source: 2019 AACS.

R 336.1405

Source: 2008 AACS.

R 336.1406

Source: 2008 AACS.

R 336.1407

Source: 2013 AACS.

R 336.1420

Source: 2019 AACS.

R 336.1430

Source: 2016 AACS.

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PART 5. EXTENSION OF SULFUR DIOXIDE COMPLIANCE

DATE FOR POWER PLANTS PAST JANUARY 1, 1980

R 336.1501
Source: 1997 AACS.

R 336.1502
Source: 1997 AACS.

R 336.1503
Source: 1997 AACS.

R 336.1504
Source: 1997 AACS.

R 336.1505
Source: 1997 AACS.

R 336.1506
Source: 1997 AACS.

R 336.1507
Source: 1997 AACS.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

**PART 6. EMISSION LIMITATIONS AND PROHIBITIONS—EXISTING SOURCES OF VOLATILE ORGANIC
COMPOUND EMISSIONS**

R 336.1601
Source: 2002 AACS.

R 336.1602
Source: 2002 AACS.

R 336.1603
Source: 1997 AACS.

R 336.1604
Source: 2002 AACS.

R 336.1605
Source: 2002 AACS.

R 336.1606
Source: 2002 AACS.

R 336.1608
Source: 2002 AACS.

R 336.1609
Source: 1989 AACS.

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- R 336.1610**
Source: 2017 AACS.
- R 336.1611**
Source: 2017 AACS.
- R 336.1612**
Source: 2017 AACS.
- R 336.1613**
Source: 2017 AACS.
- R 336.1614**
Source: 2017 AACS.
- R 336.1615**
Source: 1980 AACS.
- R 336.1616**
Source: 2002 AACS.
- R 336.1617**
Source: 2002 AACS.
- R 336.1618**
Source: 2017 AACS.
- R 336.1619**
Source: 2017 AACS.
- R 336.1620**
Source: 1998-2000 AACS.
- R 336.1621**
Source: 1998-2000 AACS.
- R 336.1622**
Source: 2017 AACS.
- R 336.1623**
Source: 2002 AACS.
- R 336.1624**
Source: 1998-2000 AACS.
- R 336.1625**
Source: 2017 AACS.
- R 336.1626**
Source: 1997 AACS.
- R 336.1627**
Source: 2017 AACS.
- R 336.1628**
Source: 2017 AACS.
- R 336.1629**

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Source: 2017 AACS.

R 336.1630

Source: 2002 AACS.

R 336.1631

Source: 2002 AACS.

R 336.1632

Source: 2017 AACS.

R 336.1651

Source: 2017 AACS.

R 336.1660

Source: 2017 AACS.

R 336.1661

Source: 2017 AACS.

**PART 7. EMISSION LIMITATIONS AND PROHIBITIONS—NEW SOURCES OF VOLATILE ORGANIC
COMPOUND EMISSIONS**

R 336.1701

Source: 2002 AACS.

R 336.1702

Source: 2002 AACS.

R 336.1703

Source: 2002 AACS.

R 336.1704

Source: 2002 AACS.

R 336.1705

Source: 2002 AACS.

R 336.1706

Source: 1997 AACS.

R 336.1707

Source: 1997 AACS.

R 336.1708

Source: 1997 AACS.

R 336.1709

Source: 1997 AACS.

R 336.1710

Source: 1997 AACS.

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 8. EMISSION LIMITATIONS AND PROHIBITIONS- OXIDES OF NITROGEN

R 336.1801 Emission of oxides of nitrogen (NO_x) from non-SIP call stationary sources.

Rule 801 (1) As used in this rule:

- (a) "Btu" means a British thermal unit
- (b) "Capacity factor" means either of the following:
 - (i) The ratio of a unit's actual annual electric output, expressed in megawatt hour, to the unit's nameplate capacity times 8,760 hours.
 - (ii) The ratio of a unit's annual heat input, expressed in million Btu or equivalent units of measure, to the unit's maximum design heat input, expressed in million Btus per hour or equivalent units of measure, times 8,760 hours.
- (c) "Electricity-generating utility unit" means a unit that produces electricity for sale.
- (d) "Fossil fuel-fired" means the actual combustion of fossil fuel, which includes coke oven gas, alone or in combination with any other fuel, where either of the following quantities are greater than 50% on an annual basis:
 - (i) Sum of the mass of fossil fuels combusted divided by the total mass of all fuels combusted.
 - (ii) Sum of the annual heat inputs for fossil fuels combusted divided by the total heat input for all fuels combusted. Annual heat inputs are on a Btu basis.
- (e) "Low-NO_x burners" means 1 of several developing combustion technologies used to minimize the formation of emissions of nitrogen oxides. As applicable to cement kilns, low-NO_x burners means a type of cement kiln burner system designed to minimize (NO_x) formation by controlling flame turbulence, delaying fuel/air mixing, and establishing fuel-rich zones for initial combusting, that for firing of solid fuel in the burning end zone of a kiln's main burner includes an indirect firing system or comparable technique for the main burner in the burning end zone of the kiln to minimize the amount of primary air supplied through the burner. In an indirect firing system, 1 air stream is used to convey pulverized fuel from the grinding equipment and at least 1 or more other air streams are used to supply primary air to the burning end zone kiln burner of the kiln with the pulverized fuel, with intermediate storage of the fuel, and necessary safety and explosion prevention systems associated with the intermediate storage of fuel.
- (f) "Mid-kiln system firing" means the secondary firing in a kiln system by injecting solid fuel at an intermediate point in the kiln system using a specially designed heat injection mechanism for the purpose of decreasing NO_x emissions through coal burning part of the fuel at lower temperatures and reducing conditions at the fuel injection point that may destroy some of the NO_x.
- (g) "Non-SIP call source" means any stationary source of NO_x emissions that is not a NO_x budget source subject to R 336.1802.
- (h) "NO_x" means oxides of nitrogen.
- (i) "Ozone control period" means the period of May 1 through September 30.
- (j) "Peaking unit" means an electricity-generating utility unit that has an average capacity factor of not more than 10% during the previous 3 calendar years and a capacity factor of not more than 20% in each of those calendar years.
- (k) "Process heater" means any combustion equipment which is fired by a liquid fuel or a gaseous fuel, or both, and which is used to transfer heat from the combustion gases to a process fluid, superheated steam, or water.
- (l) "SIP" means state implementation plan.
- (m) "Unit" means a fossil fuel-fired combustion device.
- (2) Except as provided in subrule (11) of this rule, any fossil fuel fired unit that meets both of the following requirements is subject to this rule:
 - (a) A unit that has the potential to emit more than 25 tons of NO_x each ozone control period.
 - (b) A unit that has a maximum rated heat input capacity of more than 250 million Btu, per hour.
- (3) An owner or operator of an emission unit subject to this rule shall comply with the following provisions, as applicable:
 - (a) An owner or operator of a fossil fuel-fired, electricity-generating utility unit that serves a generator that has a nameplate capacity of less than 25 megawatts shall comply with the appropriate NO_x emission limit in table 81 of this rule.
 - (b) An owner or operator of a fossil fuel-fired boiler or process heater shall meet the emission limits contained in table 81 of this rule.
 - (c) An owner or operator of a gas-fired boiler or process heater that fires gaseous fuel that contains more than 50% hydrogen by volume shall comply with an NO_x emission limit of 0.25 pounds per million Btu heat input.
 - (d) An owner or operator of a stationary internal combustion engine that is subject to the provisions of this rule and has a maximum rated heat input capacity that is the heat input at 80 degrees Fahrenheit at sea level and takes into account inlet and exhaust losses shall comply with the following NO_x emission limits, as applicable:

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- (i) For a natural gas-fired stationary internal combustion engine - 14 grams of NO_x per brake horsepower hour at rated output.
- (ii) For a diesel-fired stationary internal combustion engine - 10 grams of NO_x per brake horsepower hour at rated output.
- (e) An owner or operator of a cement kiln that is subject to the provisions of this rule shall reduce kiln NO_x emissions by any of the following methods:
 - (i) Low NO_x burners.
 - (ii) Mid-kiln system firing.
 - (iii) A 25% rate-based reduction of NO_x from 1995 levels. Compliance with this paragraph is based on calculations showing that the emission rate, on a pounds of NO_x per ton of clinker produced basis, during each compliance ozone control period, has been reduced below the 1995 ozone control period emission rate by 25%.
- (f) An owner or operator of a stationary gas turbine that is subject to the provisions of this rule and which has a maximum rated heat input capacity that is the heat input at 80 degrees Fahrenheit at sea level and takes into account inlet and exhaust losses shall comply with an emission limit of 75 parts per million, dry volume, corrected to 15% oxygen, at rated capacity.
- (4) The method for determining compliance with the emission limits in subrule (3) of this rule is as follows:
 - (a) If the emission limit is in the form of pounds of NO_x per million Btu, then the unit is in compliance if the sum of the mass emissions from the unit that occurred during the ozone control period, divided by the sum of the heat input from the unit that occurred during the ozone control period, is less than or equal to the limit in subrule (3) of this rule.
 - (b) For an emission unit not subject to subdivision (a) of this subrule, the method for determining compliance shall be a method acceptable to the department.
- (5) The owner or operator of a boiler, process heater, stationary internal combustion engine, stationary gas turbine, cement kiln, or any other stationary emission unit that is subject to the provisions of subrule (3) of this rule shall measure NO_x emissions by any of the following:
 - (a) Performance tests described in subrule (6) of this rule.
 - (b) Through the use of a continuous emission monitor in accordance with the provisions of subrule (8) of this rule.
 - (c) According to a schedule and using a method acceptable to the department.
- (6) An owner or operator of an emission unit that measures NO_x emissions by performance tests as specified in subrule (5) of this rule shall do all of the following:
 - (a) Conduct an initial performance test not later than 90 days after the compliance deadline. For an emission unit that is not in service on or after the compliance deadline, the owner or operator shall contact the department and schedule an alternate initial performance test as agreed to by the department.
 - (b) After the initial performance test, conduct a compliance performance test each ozone control period or according to the following schedule:
 - (i) After 2 consecutive ozone control periods in which the emission unit demonstrates compliance, an owner or operator shall conduct performance tests at least once every 2 years during the ozone control period.
 - (ii) After a total of 4 consecutive ozone control periods in which the emission unit has remained in compliance, an owner or operator shall conduct performance tests at least once every 5 years during the ozone control period.
 - (c) If an emission unit is not in compliance at the end of an ozone control period, then the owner or operator shall conduct a compliance performance test each ozone control period, but may elect to use the alternative schedule specified in subdivision (b) of this subrule.
 - (d) An owner or operator shall submit 2 copies of each compliance performance test to the department within 60 days after completing the testing. The test results must be presented and include data as requested in the department format for submittal of source emission test plans and reports. All performance test reports must be kept on file at the plant and made available to the department upon request.
- (7) An owner or operator of an emission unit that is required to conduct performance testing under subrule (5) of this rule shall submit a test plan to the department, not less than 30 days before the scheduled test date. To ensure proper testing, the plan must supply the information in the department format for submittal of source emission test plans and reports. The owner or operator shall give the department a reasonable opportunity to witness the tests.
- (8) An owner or operator of an emission unit that measures NO_x emissions by a continuous emission monitoring system or an alternate method, as specified in subrule (5) of this rule, shall do either of the following:
 - (a) Use the procedures set forth in 40 CFR part 60, subpart A and appendix B, adopted by reference in R 336.1902 and comply with the quality assurance procedures in part 60, appendix F, adopted by reference in R 336.1902 or 40 CFR part 75, adopted by reference in R 336.1902 and associated appendices, as applicable and acceptable to the department.
 - (b) Use a previously installed continuous emission monitoring system to demonstrate compliance with this rule as long as the previously installed continuous emission monitoring system monitors NO_x pursuant to other applicable federal, state, or local rules, meets the installation, testing, operation, calibration, and reporting requirements specified by those federal, state, or local rules, and is acceptable to the department.

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(9) The owner or operator of an emission unit that is subject to this rule shall submit a summary report, in an acceptable format, to the department within 60 days after the end of each ozone control period. The report must include all of the following information:

- (a) The date, time, magnitude of emissions, and emission rates where applicable, of the specified emission unit.
- (b) If emissions or emission rates exceed the emissions or rates allowed for in the ozone control period by the applicable emission limit, the cause, if known, and any corrective action taken.
- (c) The total operating time of the emission unit during the ozone control period.
- (d) For continuous emission monitoring systems, system performance information shall include the date and time of each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of the system repairs or adjustments. When the continuous monitoring system has not been inoperative, repaired, or adjusted, the information must be stated in the report.

(10) Table 81 reads as follows:

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Table 81

Boilers and process heaters with heat input capacity of 250 million Btu or more NO _x emission limitations (pounds NO _x per million Btu of heat input averaged over the ozone control period)	
Fuel type	Emission limit
Natural gas	0.20
Distillate oil	0.30
Residual oil	0.40
Coal (1) Coal spreader stoker (2) Pulverized coal fired	0.40 0.40
Gas (other than natural gas) ¹	0.25
<p>For units operating with a combination of gas, oil, or coal, a variable emission limit calculated as the heat input weighted average of the applicable emission limits must be used. The emission limit is determined as follows:</p> <p>Emission limit = a(0.20) + b(applicable oil limit) + c(applicable coal limit) + d(0.25)</p> <p>Where:</p> <p>a = Is the percentage of total heat input from natural gas b = Is the percentage of total heat input from oil c = Is the percentage of total heat input from coal d = Is the percentage of total heat input from gas (other than natural gas)</p>	

¹ This may include a mixture of gases. In this case, natural gas may be part of the mixture.

(11) The provisions of this rule do not apply to the following emission unit or units:

(a) A unit that is subject to NO_x standards or a NO_x federal trading programs that have been promulgated in a federal implementation plan under section 110(c) of the clean air act, 42 USC 7410, required under section 126 of the clean air act, 42 USC 7426, or promulgated in a federal regulation under 40 CFR part 51, part 60, or part 97.

(b) A unit that is subject to any other rule included in this part.

(c) A peaking unit. The owner or operator shall retain records of capacity for a period of 5 years demonstrating that the unit meets the definition of a peaking unit. The unit becomes subject to the provisions of this rule on January 1 of the year following failure to meet the peaking unit definition.

(d) A stationary gas turbine that is subject to a new source performance standard contained in 40 CFR part 60, subpart GG or KKKK, adopted by reference in R 336.1902.

History: 1998-2000 AACS; 2002 AACS; 2009 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1802 Applicability under oxides of nitrogen (NO_x) budget trading program.

Rule 802. (1) This rule establishes the applicability for NO_x budget units as described in these rules. Except as provided in subrule (2) of this rule, units that meet all of the following requirements are NO_x budget units and are subject to the requirements of this rule and R 336.1810:

(a) Units that meet the definition of a NO_x budget unit as defined in R 336.1803(q).

(b) Units that are located in the Michigan fine grid zone.

(2) A unit described in subrule (1) of this rule is not a NO_x budget unit, if the unit has a federally enforceable permit that includes the following requirements:

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- (a) A restriction on the unit to burn only natural gas or fuel oil during ozone control periods.
 - (b) A restriction of the unit's operation during each ozone control period by 1 of the following methods such that the unit's potential NO_x mass emissions for the ozone control period are limited to 25 tons or less:
 - (i) By restricting the mass emissions to 25 tons or less of NO_x as measured by a certified CEMS in accordance with 40 CFR 75.70 to 75.75, or, alternatively, 40 CFR 60.13, adopted by reference in R 336.1902.
 - (ii) By restricting the unit's operating hours to no more than the number calculated by dividing 25 tons of potential NO_x mass emissions by the unit's maximum potential hourly NO_x mass emissions. The maximum potential hourly NO_x mass emissions are determined by multiplying a rate in either subparagraph (A) or (B) of this paragraph by the value in subparagraph (C) of this paragraph:
 - (A) The default NO_x emission rate in 40 CFR 75.19, table LM-2, that would otherwise be applicable assuming that the unit burns only the type of fuel, for example, only natural gas or fuel oil, that has the highest default NO_x emission factor of any type of fuel that the unit is allowed to burn under the fuel use restriction in subdivision (a) of this subrule.
 - (B) The maximum NO_x emission rate established in accordance with 40 CFR 75.19(c)(1)(iv), which is adopted by reference in R 336.1902.
 - (C) The unit's maximum rated hourly heat input. The owner or operator of the unit may petition the department to use a lower value for the unit's maximum rated hourly heat input than the value as defined in R 336.1803(k). The department may approve the lower value if the owner or operator demonstrates that the maximum hourly heat input specified by the manufacturer or the highest observed hourly heat input, or both, are not representative, and that the lower value is representative of the unit's current capabilities because modifications have been made to the unit limiting its capacity permanently.
 - (iii) By restricting the amount of fuel that can be used based on total heat input by dividing 25 tons by an NO_x mass emission rate in either subparagraph (A) or (B) of paragraph (ii) of this subdivision and multiplying by the fuel heat content using the highest default gross calorific value under 75.19, table LM-5, and using a billing fuel flow meter to determine the quantity of fuel being used or other fuel flow monitoring method device approved by AQD. Title 40 CFR part 75 is adopted by reference in R 336.1902.
 - (c) A requirement that the owner or operator of the unit shall retain records on site for a period of 5 years. The records must show hours of operation for units with the operating hours restriction, volumes of fuel burned and maximum default gross calorific values for units with the heat input restriction, CEMS data for units with the CEMS exemption, and all other information necessary to demonstrate that requirements of the permit related to these restrictions were met.
 - (d) A requirement that the owner or operator of the unit shall report the unit's hours of operation, heat input, or CEMS measured NO_x emissions to the department by November 1 of each year for which the unit is subject to the federally enforceable permit incorporating the provisions of R 336.1802(2). If the hours of operation are required to be reported, the owner or operator shall treat any partial hour of operation as a whole hour of operation.
 - (3) The department shall notify the United States Environmental Protection Agency, in writing, within 30 days of either of the following scenarios:
 - (a) A unit is issued a federally enforceable permit under subrule (2) of this rule.
 - (b) Any of the following provisions apply to a unit's federally enforceable permit previously issued by the department under subrule (2) of this rule:
 - (i) The permit is revised to remove any restriction established pursuant subrule (2) of this rule.
 - (ii) The permit includes any restriction established pursuant to subrule (2) of this rule that is no longer applicable.
 - (iii) The permit conditions do not comply with any restriction.
 - (4) A unit shall be treated as commencing operation, on September 30 of the ozone control period in which either of the following conditions apply:
 - (a) The fuel use restriction, operating hours, or emissions restriction is no longer applicable.
 - (b) The unit does not comply with the fuel use restriction, operating hours, or emissions restriction.
- History: 2002 AACs; 2004 AACs; 2022 MR 9, Eff. May 13, 2022.

R 336.1802a Rescinded.

History: 2007 AACs.; 2009 AACs; 2022 MR 9, Eff. May 13, 2022.

R 336.1803 Definitions.

Rule 803. As used in R 336.1802 to R 336.1810:

- (a) "Administrator" means, for purposes of complying with reporting requirements in this part, both of the following:
 - (i) The United States Environmental Protection Agency, for sources using 40 CFR part 75 monitoring requirements to comply.

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- (ii) The department of environment, Great Lakes, and energy, for sources using 40 CFR part 60 or alternative monitoring requirements to comply.
- (b) “Benchmark apportionment” means a point of reference against which the ozone control period NO_x emissions from a NO_x budget source affected unit will be compared to if the state exceeds its ozone season budget of 2,209 tons.
- (c) “Commence operation” means to have begun any mechanical, chemical, or electronic process, including, with regard to a unit, start-up of a unit's combustion chamber. Except as provided in R 336.1802(2) for a unit that is a NO_x budget unit under R 336.1802(1) on the date of commencement of operation, the date remains the unit's date of commencement of operation even if the unit is subsequently modified, reconstructed, or repowered. Except as provided in R 336.1802(2), for a unit that is not a NO_x budget unit under R 336.1802(1) on the date of commencement of operation, the date the unit becomes a NO_x budget unit under R 336.1802(1) is the unit's date of commencement of operation.
- (d) “Continuous Emission Monitoring System” (CEMS) means the equipment used to sample, analyze, measure, and provide, by means of readings taken at least once every 15 minutes, using an automated data acquisition and handling system (DAHS), a permanent record of NO_x emissions, stack gas volumetric flow rate or stack gas moisture content, as applicable, in a manner consistent with 40 CFR part 75 or 40 CFR part 60, appendices B and F, as applicable.
- (e) “Department” means the department of environment, Great Lakes, and energy.
- (f) “Emissions” means air pollutants exhausted from a unit or source into the atmosphere, as measured, recorded, and reported to the administrator by the NO_x authorized account representative or responsible official.
- (g) “EPA” means the United States environmental protection agency.
- (h) “Fossil fuel” means natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from natural gas, petroleum, or coal.
- (i) “Generator” means a device that produces electricity.
- (j) “Heat input” means, with regard to a specified period to time, the product, in million Btu/time, of the gross calorific value of the fuel, in Btu/pound, divided by 1,000,000 Btu/million Btu and multiplied by the fuel feed rate into a combustion device, in pounds of fuel/time, as measured, recorded, and reported to the administrator by the NO_x authorized account representative or responsible official. Heat input does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust from other sources.
- (k) “Maximum design heat input” means the ability of a unit to combust a stated maximum amount of fuel per hour, in million Btu/hour, on a steady state basis, as determined by the physical design and physical characteristics of the unit.
- (l) “Maximum potential hourly heat input” means an hourly heat input, in million Btu/hour, used for reporting purposes when a unit lacks certified monitors to report heat input for any unit that uses 40 CFR part 75 to comply with this part. If the unit intends to use 40 CFR part 75, appendix D, to report heat input, this value should be calculated, in accordance with 40 CFR part 75, using the maximum fuel flow rate and the maximum gross calorific value. If the unit intends to use a flow monitor and a diluent gas monitor, this value should be reported, in accordance with 40 CFR part 75, using the maximum potential flowrate and either the maximum carbon dioxide concentration, in CO₂, or the minimum oxygen concentration, in percent O₂.
- (m) “Maximum rated hourly heat input” means a unit specific maximum hourly heat input (in million Btu/hour) which is the higher of the manufacturer's maximum rated hourly heat input or the highest observed hourly heat input.
- (n) “Michigan fine grid zone” means the geographical area that includes all of the following counties:
- (i) Allegan.
 - (ii) Barry.
 - (iii) Bay.
 - (iv) Berrien.
 - (v) Branch.
 - (vi) Calhoun.
 - (vii) Cass.
 - (viii) Clinton.
 - (ix) Eaton.
 - (x) Genesee.
 - (xi) Gratiot.
 - (xii) Hillsdale.
 - (xiii) Ingham.
 - (xiv) Ionia.
 - (xv) Isabella.
 - (xvi) Jackson.
 - (xvii) Kalamazoo.
 - (xviii) Kent.

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- (xix) Lapeer.
- (xx) Lenawee.
- (xxi) Livingston.
- (xxii) Macomb.
- (xxiii) Mecosta.
- (xxiv) Midland.
- (xxv) Monroe.
- (xxvi) Montcalm.
- (xxvii) Muskegon.
- (xxviii) Newaygo.
- (xxix) Oakland.
- (xxx) Oceana.
- (xxxi) Ottawa.
- (xxxii) Saginaw.
- (xxxiii) Saint Clair.
- (xxxiv) Saint Joseph.
- (xxxv) Sanilac.
- (xxxvi) Shiawassee.
- (xxxvii) Tuscola.
- (xxxviii) Vanburen.
- (xxxix) Washtenaw.
- (xl) Wayne.

(o) "Monitoring system" means any monitoring system, including a CEMS or an accepted monitoring system that meets the requirements of 40 CFR part 60 or 40 CFR part 75, or an alternative monitoring system that has been approved by the department.

(p) "Nameplate capacity" means the maximum electrical generating output, in Mwe, that a generator can sustain over a specified period of time when not restricted by seasonal or other deratings as measured in accordance with the United States Department of Energy standards.

(q) "NOx budget unit" means the following:

(i) For units that commenced operation before January 1, 1997, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1995 or 1996 a generator producing electricity for sale.

(ii) For units that commenced operation on or after January 1, 1997, and before January 1, 1999, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and that did not serve during 1997 or 1998 a generator producing electricity for sale.

(iii) For units that commence operation on or after January 1, 1999, a unit that has a maximum design heat input of more than 250,000,000 Btu's per hour and to which either of the following provisions applies:

(A) The unit at no time serves a generator producing electricity for sale.

(B) The unit at any time serves a generator producing electricity for sale, if any such generator has a nameplate capacity of 25 megawatts or less and has the potential to use not more than 50% of the potential electrical output capacity of the unit.

(iv) All units listed in 40 CFR 97, subpart E, appendix B, adopted by reference in R 336.1902, in this state, except those listed that have since been decommissioned, dismantled, or permanently retired.

(v) All units qualifying as a cogeneration unit and not considered a cross state air pollution rule NOx ozone season group 2 unit as listed in 40 CFR 97.804(b), adopted by reference in R 336.1902.

(r) "NOx budget source" means any source that has 1 or more NOx budget units.

(s) "Operator" means any person that operates, controls, or supervises a NOx budget unit, a NOx budget source, and includes, but is not limited to, any holding company, utility system, or plant manager of such a unit or source.

(t) "Owner" means any of the following:

(i) Any holder of any portion of the legal or equitable title in a NOx budget unit.

(ii) Any holder of a leasehold interest in a NOx budget unit.

(iii) Any purchaser of power from a NOx budget unit. Unless expressly provided for in a leasehold agreement, owner does not include a passive lessor, or a person that has an equitable interest through a passive lessor, whose rental payments are not based, either directly or indirectly, upon the revenues or income from the NOx budget unit.

(iv) With respect to any general account, any person that has an ownership interest with respect to the NOx allowances held in the general account and is subject to the binding agreement for the NOx authorized account representative to represent that person's ownership interest with respect to the NOx allowances.

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(u) "Ozone control period" means the period of May 1 to September 30. The term "ozone control period" replaces the term "control period" as used in 40 CFR part 96.1 to 96.88 and part 97.1 to 97.88.

(v) "Potential electrical output capacity" means 33% of a unit's maximum design heat input.

(w) "Receive" or "receipt of" means, when referring to the permitting authority or the administrator, to come into possession of a document, information, or correspondence, either in writing or through an authorized electronic transmission, as indicated in an official correspondence log, or by a notation made on the document, information, or correspondence, by the permitting authority or the administrator in the regular course of business.

(x) "Source" means any governmental, institutional, commercial, or industrial structure, installation, plant, building, or facility that emits or has the potential to emit any regulated air pollutant under the clean air act, 42 USC 7401 to 7671q. For purposes of section 502(c) of the clean air act, 42 USC 7661a, a source, including a source with multiple units, is considered a single facility.

(y) "Submit" or "serve" means to send or transmit a document, information, or correspondence to the person specified in accordance with the applicable regulation, as follows:

(i) In person.

(ii) By United States Postal Service.

(iii) By other means of dispatch or transmission and delivery. Compliance with any "submission," "service," or "mailing" deadline is determined by the date of dispatch, transmission, or mailing and not the date of receipt.

(z) "Ton" or "tonnage" means any short ton or 2,000 pounds. For the purpose of determining the NOx emissions, total tons for an ozone control period is calculated as the sum of all recorded hourly emissions, or the tonnage equivalent of the recorded hourly emissions rates, with any remaining fraction of a ton equal to or greater than 0.50 ton deemed to equal 1 ton and any fraction of a ton less than 0.50 ton deemed to equal zero tons.

(aa) "Unit" means a fossil fuel-fired stationary boiler, combustion turbine, or combined cycle system that meets any of the following criteria:

(i) For units that commenced operation before January 1, 1996, the combustion of fossil fuel, alone or in combination with any other fuel, where fossil fuel actually combusted comprises more than 50% of the annual heat input on a Btu basis during 1995, or, if a unit had no heat input in 1995, during the last year of operation of the unit prior to 1995.

(ii) For units that commenced operation on or after January 1, 1996, and before January 1, 1997, the combustion of fossil fuel, alone or in combination with any other fuel, where fossil fuel actually combusted comprises more than 50% of the annual heat input on a Btu basis during 1996.

(iii) For units that commence operation on or after January 1, 1997, either of the following apply:

(A) The combination of fossil fuel, alone or in combustion with any other fuel, where fossil fuel actually combusted comprises more than 50% of the annual heat input on a Btu basis during any year.

(B) The combination of fossil fuel, alone or in combination with any other fuel, where fossil fuel is projected to comprise more than 50% of the annual heat input on a Btu basis during any year, provided that the unit shall be fossil fuel-fired as of the date, during such year, on which the unit begins combusting fossil fuel.

History: 2002 AACS; 2007 AACS; 2009 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1804 Rescinded.

History: 2002 SSVD; 2004 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1805 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1806 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1807 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1808 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1809 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1810 Allowance apportionments under NOx budget program.

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Rule 810. (1) The department shall establish a budget program for the ozone control period for NO_x budget units and located within the Michigan fine grid zone. Total NO_x emission apportionments are limited to 2,209 tons, for each ozone control period.

(2) Pursuant to R 336.1802(1), the department shall apportion a benchmark of NO_x emissions for each NO_x budget unit that will be used for comparison to actual NO_x emissions from the NO_x budget units at the source. The benchmarks will be apportioned and maintained as follows:

(a) For NO_x budget units that commence operation before May 1, 2020, these units must have a combined budget of 1,699 tons, except when the budget is modified as described in subrule (2)(d) of this rule.

(b) For any new NO_x budget unit commencing operation after May 1, 2020, or any unit the EPA designates as a NO_x SIP call subject source after May 1, 2020, the department shall establish a benchmark apportionment from the new unit set-aside pool for each ozone season control apportionment year of 510 tons, or the most current new unit set aside pool as established in subrule (2)(d) of this rule.

(c) Benchmark apportionments for all NO_x budget units and sources are maintained and made available by the department and updated annually by April 1. These benchmark apportionments are established according to the requirements described in subrules (2)(a), (2)(b) and (2)(d) of this rule, and use a combination of federally enforceable permit limits, maximum nameplate capacities with an appropriate emission factor, physical limitations, and other attributes of the unit or process as applicable. This budget establishes a benchmark apportionment for each active NO_x budget unit that is summed by source to create a NO_x budget source total benchmark apportionment. Bases for the established budgets and adjustments to those budgets are included with the benchmark apportionment information that is made available.

(d) The new unit set aside pool and associated apportionment budget are updated as appropriate in the following ways:

(i) For any new NO_x budget unit as described in subrule (2)(b) of this rule, the department shall establish a NO_x emission limit for the ozone period based on federally enforceable conditions in a permit to install. The department shall include appropriate monitoring, recordkeeping, and reporting requirements for ozone season NO_x emissions within the issued permit.

(ii) For units that are permanently retired the responsible official for the NO_x budget source shall do one of the following:

(A) Notify the department's air quality division within 30 days of the NO_x budget unit's permanent retirement and not emit any NO_x from the retired unit starting on the date that the unit is permanently retired. They will then have their corresponding benchmark apportionments revoked and added to the new unit set aside pool described in subrule (2)(b) of this rule at the end of the calendar year unless the facility meets the requirements of subrule (2)(d)(ii)(B) of this rule. The source total benchmark apportionment in the budget will be adjusted accordingly.

(B) Identify at the time of retirement of any NO_x budget unit installed before May 1, 2020, if the facility would like to transfer the retired units' apportionments to new units installed in the same ozone season,

(iii) If ownership of a NO_x budget unit of NO_x budget source is transferred as described in R 336.1219, all associated unit benchmark apportionments transfer with the unit to the new owner.

(3) The owner or operator of a NO_x budget unit shall monitor and record NO_x emissions during the ozone control period using 1 of the following methods:

(a) In accordance with 40 CFR part 75 monitoring requirements that include, but are not limited to, data substitution procedures and monitoring and reporting requirements. The owner or operator shall report to the EPA's clean air markets division the information required by 40 CFR part 75 and the department the information required in subpart (4) of this rule.

(b) The owner or operator may make a request to the department to monitor and record NO_x emissions in accordance with methodologies acceptable under 40 CFR part 60. The owner or operator shall submit a monitoring plan to the department to be approved describing how the amount of NO_x emissions in tons per ozone control period will be determined from the 40 CFR part 60 NO_x emission rate data. The owner or operator shall report to the department the information as described in the approved plan and the information in subpart (4) of this rule.

(c) The owner or operator of a NO_x budget unit that is natural gas-fired and whose NO_x mass emissions is 25 tons or less over each of the 3 previous ozone seasons may opt for alternative monitoring and recordkeeping. Except as provided in subparagraph (iii) of this subdivision, those choosing this option shall notify the department of their intention before the next ozone season to use the following alternative monitoring and recordkeeping methods:

(i) The hourly NO_x mass emissions or emission rate are determined by multiplying a rate in either subparagraph (A) or (B) of this paragraph by the unit's maximum rated hourly heat input, except as allowed in subparagraph (C) of this paragraph:

(A) The default NO_x emission rate of 1.5 lbs/million Btu for boilers or 0.7 lbs/million Btu for turbines.

(B) The maximum NO_x emission rate established in accordance with 40 CFR 75.19(c)(1)(iv) or similar methodology.

(C) The owner or operator of the NO_x budget unit may petition the department to use a lower value for the unit's maximum rated hourly heat input as described in R 336.1802(2)(b)(ii)(C).

(ii) The owner or operator of the NO_x budget unit shall retain records on site for a period of 5 years. The records must show, as applicable, the hourly NO_x mass emissions, hours of operation, hourly volumes of fuel burned and maximum default gross

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calorific values, CEMS data, and all other information necessary to demonstrate the amount of NO_x emitted during the ozone season.

(iii) Any NO_x budget unit that is natural gas-fired and has less than 3 years of NO_x mass emissions of 25 tons or less may petition the department to use alternative monitoring and recordkeeping as allowed in this subdivision. The petition must include all the reasons why the predictive NO_x emissions for the next ozone season will remain at 25 tons or less. The petition must be approved by the department before using the alternative monitoring and recordkeeping methods described in this subrule.

(iv) Any NO_x budget unit that is using this alternative monitoring and recordkeeping method and exceeds 25 tons for the ozone season must comply with either subdivision (a) or (b) of this subrule starting with the next ozone season. Once the unit has 3 consecutive years of data showing emissions of 25 tons or less, the owner or operator may request to the department to use the alternative monitoring and recordkeeping methods described in this subdivision of this rule before the next ozone season.

(4) The owner or operator of a NO_x budget unit shall submit to the department all the following information by November 1 each year:

(a) The type of each unit subject to this rule with an identifying name or number, or both.

(b) The name and address of the plant where the unit is located.

(c) The name and telephone number of the responsible official or their authorized representative responsible for demonstrating compliance with this rule.

(d) A report documenting, to the satisfaction of the department, each subject unit's hours of operation, heat input, total NO_x emissions for the ozone control period and related materials that include, but are not limited to, the amount of fuel used, types of fuels burned, emission factor verified or revised by most recent stack test, and other information that was used to determine total NO_x emissions for the ozone season, as applicable. For the purposes of this rule, this information must be used to determine "actual NO_x emissions" for affected units.

(e) In any year in which a unit located in an area designated as non-attainment for an ozone standard as of the end of the ozone control period exceeds its unit benchmark apportionment, a report documenting, to the satisfaction of the department, a description of reasons for the exceedance of the benchmark and actions taken to meet benchmark apportionment levels in the future.

(f) A certification by a responsible official or their authorized representative that states, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

(5) Any year in which the total actual NO_x emissions of all affected units exceed 2,209 tons, all of the following must occur:

(a) Each source's total actual NO_x emissions of affected units will be compared to their source total benchmark apportionment as described in and established in subrule (2) of this rule.

(b) Within 30 days after receipt of a request by the department, each source that was determined to be exceeding their source total benchmark apportionment must submit a report to the air quality division that includes the following:

(i) An explanation of the circumstances that caused the source to exceed their benchmark apportionment.

(ii) An approvable plan describing what actions will be taken to prevent recurrences. This plan must contain a timeline of all actions to take place in response to the exceedance.

(iii) For those that do not already have one, sources exceeding their benchmark apportionment will apply for and obtain a permit to install with federally enforceable NO_x emission limits for the ozone season.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1811 Rescinded.

History: 2002 AACS; 2004 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1812 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1813 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1814 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1815 Rescinded.

History: 2002 AACS; 2022 MR 9, Eff. May 13, 2022.

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R 336.1816 Rescinded.

History: 2002 AACs; 2022 MR 9, Eff. May 13, 2022.

R 336.1817 Rescinded.

History: 2002 AACs; 2022 MR 9, Eff. May 13, 2022.

R 336.1818 Emission limitations for stationary internal combustion engines.

Rule 818. (1) As used in this rule:

(a) "Affected engine" means a stationary internal combustion engine that is a large NOx SIP call engine, or any other stationary internal combustion engine that is subject to NOx control under a compliance plan established under subrule (3) of this rule.

(b) "Diesel engine" means a compression ignited 2- or 4-stroke engine in which liquid fuel injected into the combustion chamber ignites when the air has been compressed to a temperature sufficiently high for auto-ignition.

(c) "Dual fuel engine" means any stationary reciprocating internal combustion engine in which a liquid fuel, typically diesel fuel, is used for compression ignition and gaseous fuel, typically natural gas, is used as the primary fuel.

(d) "Engine seasonal NOx 2007 tonnage reduction" means the year 2007 ozone control period NOx emissions reductions value (tons) for a large NOx SIP call engine, which is based on an NOx control efficiency of 82% for large gas-fired engines and 90% for diesel and dual-fuel engines.

(e) "Facility seasonal NOx 2007 tonnage reduction" means the total of the engine ozone control period NOx 2007 tonnage reductions attributable to all of an owner or operator's large NOx SIP call engines.

(f) "Large NOx SIP call engine" means a stationary internal combustion engine emitting more than 1 ton of NOx per average ozone control period day in 1995.

(g) "Lean-burn engine" means any 2- or 4-stroke spark-ignited engine that is not a rich-burn engine.

(h) "Ozone control period" means the period of May 1 to September 30.

(i) "Past NOx emission rate" means the emission rate of an affected engine in grams per brake horsepower-hour as determined by performance testing consistent with the requirements of 40 CFR part 60, appendix A, as adopted by reference in R 336.1902. Where the performance test data are not available, the past NOx emission rate may be determined by the department on a case-by-case basis using, for example, appropriate emission factors. For large NOx SIP call engines, the past NOx emission rate is the uncontrolled emission rate.

(j) "Projected operating hours" means the projected actual number of hours of operation per ozone control period for an affected engine.

(k) "Projected NOx emission rate" means the projected emission rate in grams per brake horsepower-hour after installation of controls on an affected engine.

(l) "Rich-burn engine" means a spark-ignited stationary internal combustion engine in which the concentration of oxygen in the exhaust stream before any dilution is 1% or less measured on a dry basis.

(m) "Stationary internal combustion engine" means an internal combustion engine of the reciprocating type that is either attached to a foundation at a facility or is designed to be capable of being carried or moved from 1 location to another and remains at a single site at a building, structure, facility, or installation for more than 12 consecutive months. An engine, or engines, that replaces an engine at a site that is intended to perform the same or similar function as the engine replaced is included in calculating the consecutive time period.

(2) The requirements of this rule apply to the owner or operator of a large NOx SIP call engine located in the Michigan fine grid zone.

(3) An owner or operator of a large NOx SIP call engine shall not operate the engine in the ozone control period unless the owner or operator complies with either the requirements of a compliance plan that meets the following provisions or the emission rate limitations expressed as NOx listed in subdivision (b) of this subrule:

(a) Compliance plan includes the following:

(i) Must be approved by the department.

(ii) Must demonstrate enforceable emission reductions from 1 or more stationary internal combustion engines equal to or higher than the facility seasonal NOx 2007 tonnage reduction.

(iii) May cover some or all engines at an individual facility or at several facilities or at all facilities in the Michigan fine grid zone that are under control of the same owner or operator.

(iv) Must include the following items:

(A) A list of affected engines, including the engine's manufacturer, model, facility location address, and facility state registration number.

(B) The projected ozone control period hours of operation for each affected engine and supporting documentation.

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(C) A description of the NO_x emissions control installed, or to be installed, on each affected engine and documentation to support the projected NO_x emission rates.

(D) The past and projected NO_x emission rates for each affected engine in grams per brake horsepower-hour.

(E) A numerical demonstration that the emission reductions obtained from all affected engines will be equivalent to or greater than the owner or operator's facility seasonal NO_x 2007 tonnage reduction, based on the difference between the past NO_x emission rate and the projected NO_x emission rate multiplied by the projected operating hours for each affected engine.

(F) Provisions for monitoring, reporting, and recordkeeping for each affected engine.

(v) The projected NO_x emission rate in grams per brake horsepower-hour for each affected engine must be included in a federally enforceable permit.

(b) The following are NO_x emission rate limitations:

(i) Rich-burn, 1.5 grams per brake horsepower per hour.

(ii) Lean-burn, 3.0 grams per brake horsepower per hour.

(iii) Diesel, 2.3 grams per brake horsepower per hour.

(iv) Dual fuel, 1.5 grams per brake horsepower per hour.

(4) An owner or operator subject to the requirements of subrule (3) of this rule shall comply with the following requirements:

(a) Each affected engine subject to this rule shall perform monitoring sufficient to yield reliable data for each ozone control period that is representative of a source's compliance with the projected NO_x emission rate in subrule (3)(a) of this rule or the emission rate limit specified in subrule (3)(b) of this rule. The monitoring may include 1 of the following:

(i) Performance tests consistent with either of the applicable provisions of 40 CFR part 60 or part 75 adopted by reference in R 336.1902. An owner or operator of an affected engine shall submit a test plan to the department not less than 30 days before the scheduled test date. To ensure proper testing, the plan must supply the information in the department format for submittal of source emission test plans and reports. The owner or operator shall give the department a reasonable opportunity to witness the tests. An owner or operator shall submit 2 copies of each compliance performance test to the department within 60 days of completion of the testing. The test results must be presented and include data as requested in the department format for submittal of source emission test plans and reports.

(ii) A parametric monitoring program that specifies operating parameters, and their ranges, that shall provide reasonable assurance that each engine's emissions are consistent with the requirements of subrule (3) of this rule.

(iii) A predictive emissions measurement system that relies on automated data collection from instruments.

(iv) A continuous emission monitoring system that complies with the procedures set forth in 40 CFR part 60, subpart A and appendix B, and with the quality assurance procedures in part 60, appendix F; or 40 CFR part 75, as applicable and acceptable to the department. An owner or operator of an emission unit which elects this option shall submit a monitoring plan to the department not less than 30 days before installation. The owner or operator shall provide the department with a 30-day notice before a relative accuracy test audit.

(b) Recordkeeping requirements are as follows:

(i) Maintain all records necessary to demonstrate compliance with the requirements of this rule for a period of 5 calendar years at the plant at which the affected engine is located. The records shall be made available to the department and the United States Environmental Protection Agency upon request.

(ii) For each engine subject to the requirements of this rule, the owner or operator shall maintain records of all of the following:

(A) Identification and location of each engine subject to the requirements of this subrule.

(B) Calendar date of record.

(C) The number of hours the unit is operated during each ozone control period compared to the projected operating hours.

(D) Type and quantity of fuel used.

(E) The results of all compliance tests.

(c) An owner or operator subject to the requirements of this rule shall submit the results of all compliance tests to the department within 60 days after the completion of the testing.

History: 2006 AACs; 2022 MR 9, Eff. May 13, 2022.

R 336.1821 Rescinded.

History: 2007 AACs; 2009 AACs; 2022 MR 9, Eff. May 13, 2022.

R 336.1822 Rescinded.

History: 2007 AACs.; 2009 AACs; 2022 MR 9, Eff. May 13, 2022.

R 336.1823 Rescinded.

History: 2007 AACs.; 2009 AACs; 2022 MR 9, Eff. May 13, 2022.

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R 336.1824 Rescinded.

History: 2007 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1825 Rescinded.

History: 2007 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1826 Rescinded.

History: 2007 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1830 Rescinded.

History: 2007 AACS.; 2009 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1831 Rescinded.

History: 2007 AACS.; 2009 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1832 Rescinded.

History: 2007 AACS.; 2009 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1833 Rescinded.

History: 2007 AACS.; 2009 AACS; 2022 MR 9, Eff. May 13, 2022.

R 336.1834 Rescinded.

History: 2007 AACS; 2022 MR 9, Eff. May 13, 2022.

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AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 9. EMISSION LIMITATIONS AND PROHIBITIONS – MISCELLANEOUS

R 336.1901

Source: 2015 AACS.

R 336.1902

Source: 2021 AACS.

R 336.1906

Source: 2015 AACS.

R 336.1910

Source: 1980 AACS.

R 336.1911

Source: 2015 AACS.

R 336.1912

Source: 2015 AACS.

R 336.1913

Source: 2001 AACS.

R 336.1914

Source: 2001 AACS.

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R 336.1915
Source: 2002 AACS.

R 336.1916
Source: 2016 AACS.

R 336.1930
Source: 2016 AACS.

R 336.1931
Source: 2015 AACS.

R 336.1932
Source: 2015 AACS.

R 336.1933
Source: 2013 AACS.

R 336.1940
Source: 2015 AACS.

R 336.1941
Source: 2015 AACS.

R 336.1942
Source: 2015 AACS.

R 336.1943
Source: 2015 AACS.

R 336.1944
Source: 2015 AACS.

R 336.1945
Source: 2015 AACS.

R 336.1946
Source: 2015 AACS.

R 336.1947
Source: 2015 AACS.

R 336.1948
Source: 2015 AACS.

R 336.1949
Source: 2015 AACS.

R 336.1950
Source: 2015 AACS.

R 336.1951
Source: 2015 AACS.

R 336.1952

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Source: 2015 AACS.

R 336.1953

Source: 2015 AACS.

R 336.1954

Source: 2015 AACS.

R 336.1955

Source: 2015 AACS.

R 336.1956

Source: 2015 AACS.

R 336.1957

Source: 2015 AACS.

R 336.1958

Source: 2015 AACS.

R 336.1959

Source: 2015 AACS.

R 336.1960

Source: 2015 AACS.

R 336.1970

Source: 2015 AACS.

R 336.1971

Source: 2019 AACS.

R 336.1972

Source: 2015 AACS.

R 336.1973

Source: 2019 AACS.

R 336.1974

Source: 2021 AACS.

PART 10. INTERMITTENT TESTING AND SAMPLING

R 336.2001

Source: 2009 AACS.

R 336.2002

Source: 2002 AACS.

R 336.2003

Source: 2002 AACS.

R 336.2004

Source: 2009 AACS.

R 336.2005

Source: 2006 AACS.

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R 336.2006
Source: 1993 AACS.

R 336.2007
Source: 2002 AACS.

R 336.2010
Source: 1997 AACS.

R 336.2011
Source: 2005 AACS.

R 336.2012
Source: 2002 AACS.

R 336.2013
Source: 2002 AACS.

R 336.2014
Source: 2002 AACS.

R 336.2021
Source: 2002 AACS.

R 336.2030
Source: 1985 AACS.

R 336.2031
Source: 1985 AACS.

R 336.2032
Source: 1985 AACS.

R 336.2033
Source: 1985 AACS.

R 336.2040
Source: 2002 AACS.

R 336.2041
Source: 2002 AACS.

PART 11. CONTINUOUS EMISSION MONITORING

R 336.2101
Source: 2002 AACS.

R 336.2102
Source: 1980 AACS.

R 336.2103
Source: 1980 AACS.

R 336.2103a
Source: 2014 AACS.

R 336.2104
Source: 2014 AACS.

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R 336.2150
Source: 2014 AACS.

R 336.2151
Source: 2014 AACS.

R 336.2152
Source: 1980 AACS.

R 336.2153
Source: 2014 AACS.

R 336.2154
Source: 1980 AACS.

R 336.2155
Source: 2014 AACS.

R 336.2156
Source: 2009 AACS.

R 336.2157
Source: 2014 AACS.

R 336.2158
Source: 2014 AACS.

R 336.2159
Source: 2002 AACS.

R 336.2160
Source: 2014 AACS.

R 336.2161
Source: 2014 AACS.

R 336.2170
Source: 2014 AACS.

R 336.2175
Source: 2014 AACS.

R 336.2176
Source: 2014 AACS.

R 336.2189
Source: 2002 AACS.

R 336.2190
Source: 2002 AACS.

R 336.2199
Source: 2014 AACS.

PART 12. EMISSION AVERAGING AND EMISSION REDUCTION CREDIT TRADING

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- R 336.2201**
Source: 2007 AACS.
- R 336.2202**
Source: 2007 AACS.
- R 336.2203**
Source: 2007 AACS.
- R 336.2204**
Source: 2007 AACS.
- R 336.2205**
Source: 2007 AACS.
- R 336.2206**
Source: 2007 AACS.
- R 336.2207**
Source: 2007 AACS.
- R 336.2208**
Source: 2007 AACS.
- R 336.2209**
Source: 2007 AACS.
- R 336.2210**
Source: 2007 AACS.
- R 336.2211**
Source: 2007 AACS.
- R 336.2212**
Source: 2007 AACS.
- R 336.2213**
Source: 2007 AACS.
- R 336.2214**
Source: 2007 AACS.
- R 336.2215**
Source: 2007 AACS.
- R 336.2216**
Source: 2007 AACS.
- R 336.2217**
Source: 2007 AACS.
- R 336.2218**
Source: 2007 AACS.

PART 13. AIR POLLUTION EPISODES

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R 336.2301
Source: 1997 AACS.

R 336.2302
Source: 1997 AACS.

R 336.2303
Source: 1997 AACS.

R 336.2304
Source: 1997 AACS.

R 336.2305
Source: 1997 AACS.

R 336.2306
Source: 1997 AACS.

R 336.2307
Source: 1997 AACS.

R 336.2308
Source: 1997 AACS.

PART 14. CLEAN CORPORATE CITIZEN PROGRAM

R 336.2401
Source: 1998-2000 AACS.

R 336.2402
Source: 1998-2000 AACS.

R 336.2403
Source: 1998-2000 AACS.

R 336.2404
Source: 1998-2000 AACS.

R 336.2405
Source: 1998-2000 AACS.

R 336.2406
Source: 1998-2000 AACS.

R 336.2407
Source: 1998-2000 AACS.

R 336.2408
Source: 1998-2000 AACS.

R 336.2409
Source: 1998-2000 AACS.

R 336.2412
Source: 1998-2000 AACS.

R 336.2413

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Source: 2014 AACS.

R 336.2414

Source: 2014 AACS.

R 336.2415

Source: 2014 AACS.

R 336.2420

Source: 1998-2000 AACS.

PART 15. EMISSION LIMITATIONS AND PROHIBITIONS—MERCURY

R 336.2501

Source: 2013 AACS.

R 336.2502

Source: 2013 AACS.

R 336.2502a

Source: 2013 AACS.

R 336.2503

Source: 2013 AACS.

R 336.2504

Source: 2013 AACS.

R 336.2505

Source: 2013 AACS.

R 336.2506

Source: 2013 AACS.

R 336.2507

Source: 2013 AACS.

R 336.2508

Source: 2013 AACS.

R 336.2509

Source: 2013 AACS.

R 336.2510

Source: 2013 AACS.

R 336.2511

Source: 2009 AACS.

R 336.2512

Source: 2013 AACS.

R 336.2513

Source: 2013 AACS.

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R 336.2514
Source: 2013 AACS.

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AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 16. ORGANIZATION, OPERATION, AND PROCEDURES

R 336.2601
Source: 1997 AACS.

R 336.2602
Source: 1997 AACS.

R 336.2603
Source: 1997 AACS.

R 336.2604
Source: 1997 AACS.

R 336.2605
Source: 1997 AACS.

R 336.2606
Source: 2018 AACS.

R 336.2607
Source: 2018 AACS.

R 336.2608
Source: 1997 AACS.