

**Michigan Office of Administrative Hearings and Rules**

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**AGENCY REPORT TO THE  
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

**1. Agency Information**

**Agency name:**

Environment, Great Lakes and Energy

**Division/Bureau/Office:**

Air Quality Division

**Name of person completing this form:**

Cari DeBruler

**Phone number of person completing this form:**

517-899-5275

**E-mail of person completing this form:**

DEBRULER@chicago.gov

**Name of Department Regulatory Affairs Officer reviewing this form:**

Dale Shaw

**2. Rule Set Information**

**MOAHR assigned rule set number:**

2020-60 EQ

**Title of proposed rule set:**

Part 9: Emission Limitation and Prohibitions - Miscellaneous

**3. Purpose for the proposed rules and background:**

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R 336.1902, “Adoptions of standards by reference,” provides information for the reference material appearing throughout the Michigan Air Pollution Control Rules. This information consists of the following: physical and web addresses, price, and publication dates. The proposed revisions consist primarily of updates to reference prices to align with what is currently offered by the respective sources, including the AQD. The update also revises the publication dates referenced. Revisions were also made to the physical and web addresses listed in the rule in order to reflect the current information and availability of these reference materials from their respective agencies.

R 336.1974, “Emission standards for existing commercial and industrial solid waste incinerators” (CISWI), addresses the Section 111(d) requirement under the Clean Air Act to limit emissions of air pollutants from CISWI units as stated in Title 40 of the Code of Federal Regulations (CFR), Part 60, Standards of Performance for New Stationary Sources, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units. The proposed revisions to R 336.1974 address the most recent amendments to Subpart DDDD made by the United States Environmental Protection Agency (USEPA) on March 18, 2019. The rule revisions will account for the changes to Subpart DDDD. The proposed revisions to R 336.1974 will result in a rule that directly mirrors Subpart DDDD except for the compliance date. The compliance date of the rule, as required under MCL 24.247, will be 7 days after rule promulgation. The compliance date in Subpart DDDD has passed, so Michigan units will need to be in compliance on the effective date of the rules.

#### **4. Summary of proposed rules:**

The proposed rule set (2020-60 EQ) will amend the current rules to:

R 336.1902, “Adoptions of standards by reference.” Proposed revisions consist primarily of updates to reference prices to align with what is currently offered by the respective sources, including the AQD. The update also revises the publication dates referenced. Revisions were also made to the physical and web addresses listed in the rule to reflect the current information and availability of these reference materials from their respective agencies.

R 336.1974, “Emission standards for existing commercial and industrial solid waste incinerators” (CISWI). Proposed revisions address the most recent amendments to Subpart DDDD made by the United States Environmental Protection Agency (USEPA) on March 18, 2019. The rule revisions will account for the changes to Subpart DDDD, which would result in a rule that directly mirrors Subpart DDDD except for the compliance date. The compliance date of the rule, as required under MCL 24.247, will be 7 days after rule promulgation. The compliance date in Subpart DDDD has passed; therefore, Michigan units will need to be in compliance 7 days after rule promulgation.

#### **5. List names of newspapers in which the notice of public hearing was published and publication dates:**

The Oakland Press, March 1, 2021; Lansing State Journal, March 1, 2021; The Mining Journal, March 1, 2021

#### **6. Date of publication of rules and notice of public hearing in Michigan Register:**

3/15/2021

#### **7. Date, time, and location of public hearing:**

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3/31/2021 01:00 PM at Virtual Zoom Meeting ,  
[https://us02web.zoom.us/webinar/register/WN\\_cVXU1T03RBCUKZ-7anwjTQ](https://us02web.zoom.us/webinar/register/WN_cVXU1T03RBCUKZ-7anwjTQ)

**8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:**

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=188>

**9. List of the name and title of agency representative(s) attending public hearing:**

Mary Ann Dolehanty - Air Quality Division Director; Jenifer Dixon – Division Liaison; Bob Irvine – Unit Supervisor; Marissa Stegman – Environmental Quality Analyst; Erica Wolf – Environmental Quality Analyst; Trace McDonald – Environmental Engineer; Cari DeBruler – Departmental Analyst; Dale Shaw – Regulatory Affairs Officer

**10. Persons submitting comments of support:**

No comments of support were received.

**11. Persons submitting comments of opposition:**

No comments of opposition were received.

**12. Identify any changes made to the proposed rules based on comments received during the public comment period:**

	<b>Name &amp; Organization</b>	<b>Comments made at public hearing</b>	<b>Written Comments</b>	<b>Agency Rationale for change</b>	<b>Rule number &amp; citation changed</b>
1					

**13. Date report completed:**

7/9/2021