



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



PHILLIP D. ROOS
DIRECTOR

VIA EMAIL

TO: Representative Douglas Wozniak, Chair, JCAR
Senator Paul Wojno, Alternate Chairperson, JCAR
Catherine Edwards, House Majority Policy Office
Desmond Miller, Senate Majority Policy Office
Tim Reeves, Counsel, JCAR
Rachel Hughart, Counsel, JCAR

FROM: Sydney Hart, Legislative Liaison, Office of Legislative Affairs

DATE: February 13, 2025 *Sydney Hart*

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set No. 2023-14 EQ

Rules Background

Administrative Rule 336.1902 (Rule 902) was originally promulgated in 2008 and last updated in 2021. This rule incorporates the adoption by reference (ABR) material that supports the Michigan Air Pollution Control Rules (MAPCR).

Due to the broad nature of the reference material housed within Rule 902, it impacts a large variety and number of industries regulated under the MAPCR. These rules are revised as needed to reflect the most current reference material versions and prices, and to support the MAPCR.

Summary of Proposed Rule Changes

The proposed rules provide revisions and additional adopted standards to support revisions pending or completed in other rule parts developed to fulfill the ozone requirements under the federal Clean Air Act, 42 U.S.C. 7401 et seq (CAA). The proposed revisions also consist of:

- Updates to reference prices to align with what is currently offered by the respective sources, including the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD);
- Revisions to the publication dates referenced;
- References 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.

Stakeholder Engagement

The rules have been drafted with input from stakeholders to address their concerns as sufficiently as possible while still complying with the requirements outlined in the federal CAA. This stakeholder workgroup was originally established in late 2019 to address CAA ozone requirements, which initiated revising the Part 9 rules. The workgroup convened

periodically, both in person and virtually, to discuss work and research during the development of these rules.

The stakeholders consisted primarily of environmental consultants, facility environmental staff, environmental group representatives, academia representatives, and additional EGLE staff.

Public Engagement and Public Hearing/Comment/Information

A public hearing was held on May 22, 2024, in Constitution Hall, William Ford Conference Room, 2nd Floor, South Tower, 525 West Allegan Street, Lansing, Michigan 48933. The public hearing was also available virtually. This public hearing was for three rule packages, Part 1, Part 8, and Part 9 rules. Nine people attended the hearing in person, all of whom were EGLE staff, and nine attended virtually. Eight people spoke at the hearing; five of whom were staff members conducting the hearing. No one spoke at the hearing regarding the Part 9 rule package.

The public comment period began on April 22, 2024, and ended at 5:00 p.m. on May 22, 2024. The AQD received no written comment submittals for the Part 9 rule package.

Modifications Made Due to Public Comment

No changes were made due to public comment.

Significant Issues Not Incorporated in the Final Proposed Rules

No significant issues were brought up during the rulemaking process that did not make it into the final proposed rules.

Attachments: List of Stakeholder Group Participants
List of Public Commenters

cc/att: Phillip D. Roos, Director, EGLE
Aaron B. Keatley, Chief Deputy Director, EGLE
James Clift, Deputy Director, EGLE
Travis Boeskool, Deputy Director, EGLE
Annette Switzer, EGLE
Dale Shaw, EGLE
Cari DeBruler, EGLE

List of Stakeholder Group Participants

Name	Affiliation
Alec Kownacki	EGLE
Alexandria Muench	Ajax Metal
Anthony Percha	GZA GeoEnvironmental, Inc.
Barry J Marietta	DTE Energy
Bob Byrnes	EGLE
Brandi Campbell	University of Michigan
Brandy Brown	EGLE
Brian Carley	EGLE
Brian Warner	Wolverine Power Cooperative
Caroline Liethen	Michigan Manufacturers Association
Carrie Brown	The Household & Commercial Products Association
Charles Dunn	Midland Cogeneration Venture
Charlie Anderson	Solutia Inc.
Chris McFarlane	TC Energy
Chris Occhipinti	NTH Consultants
Chris Waltman	TC Energy
Chris Zeigler	The American Petroleum Institute
Chuck Mills	Asphalt Pavement Association of Michigan
Cindy Smith	EGLE
Claire Linkhart	The American Petroleum Institute
Dan Zimmerman	EDL Energy (Granger)
Dana Oleniacz	Environmental Information Logistics
Dave Blatnik	Marathon Petroleum
Dave Krause	Ajax Metal
David Darling	American Coatings Association
Erica Shuff	EGLE
Frank Buono	Ajax Metal
Gary Jones	PRINTING United Alliance
Greg Myers	Marathon Petroleum
Jason Aagenes	Cleveland-Cliffs Inc.
Jason Geer	Michigan Oil and Gas Association
Jason Prentice	Consumers Energy
Jay Olaguer	EGLE
Jeff Hummel	General Motors
Jeff Pfof	Environmental Partners, Inc.
Jeffrey Korniski	EGLE

Jennifer Clark	Michigan Oil and Gas Association
Jessica Alderton	General Motors
Jim Walker	Consumers Energy
Joe Hazewinkel	Wolverine Power Cooperative
John Caudell	As-Needed Resources
Kate Ross	Consumers Energy
Kelly Guertin	DTE Energy
Kenneth Baker	Selfridge ANG Base
Kim Alfonsi	Barr Engineering
Kim Essenmacher	General Motors
Kurt Kissling	Warner Norcross + Judd LLP
Lillian Woolley	Fishbeck
Lisa Fishbeck	TCE Energy
Marissa Vaerten	EGLE
Mark Paasche	Selfridge ANG Base
Michael E. Gruber II	Consumers Energy
Michael Wood	Wolverine Power Cooperative
Michele Buckler	Detroit Diesel Corporation
Mike Lebeis	DTE Energy
Nicholas Georges	The Household & Commercial Products Association
Regina Strong	EGLE
Rhett Cash	American Coatings Association
Rich Zavoda	Cleveland-Cliffs Inc.
Rick Burns	NTH Consultants
Rob Streight	Ford Motor Company
Robert Irvine	EGLE
Ryan Birkenholz	Golder
Sandra Walker	Stellantis
Sara Kaltunas	Packaging Corp. of America
Saranya Panneerselvam	Ajax Metal
Scott Venman	Barr Engineering
Stephanie Jarrett	Fishbeck
Steve Walters	Waste Management
Steven Kohl	Warner Norcross + Judd LLP
Sue Kuieck	Fishbeck
Tina Reynolds	Michigan Environmental Council
Tom Shanley	EGLE
Tracey McDonald	EGLE
Zac Adelman	LADCO

List of Public Commenters

Name	Affiliation
N/A	N/A