



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Ozone Nonattainment & Part 6 Reasonably Available Control Technology (RACT) Rules

WM A&WMA 2023 Spring Conference

April 26, 2023

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Overview

2015 Ozone NAAQS requirements

West Michigan Planning

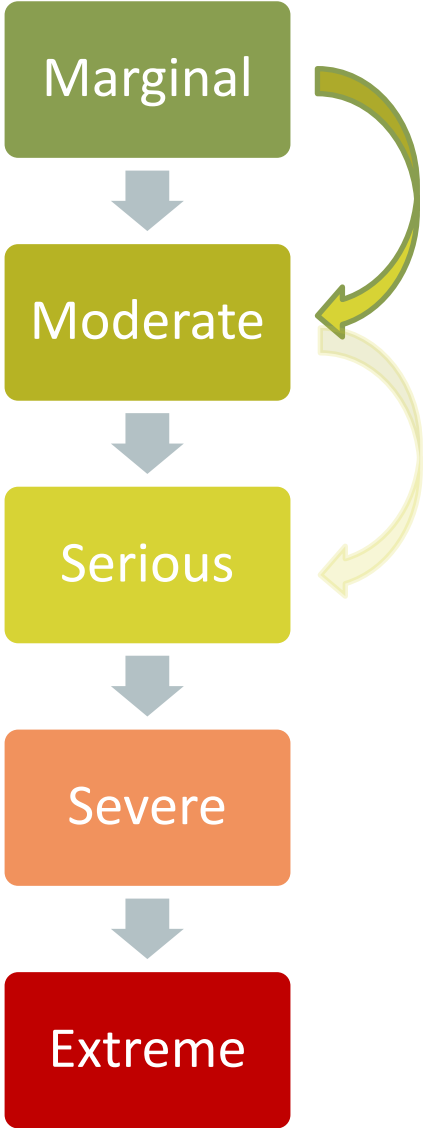
Part 6 rule package updates

Next steps for industry

Future AQD work

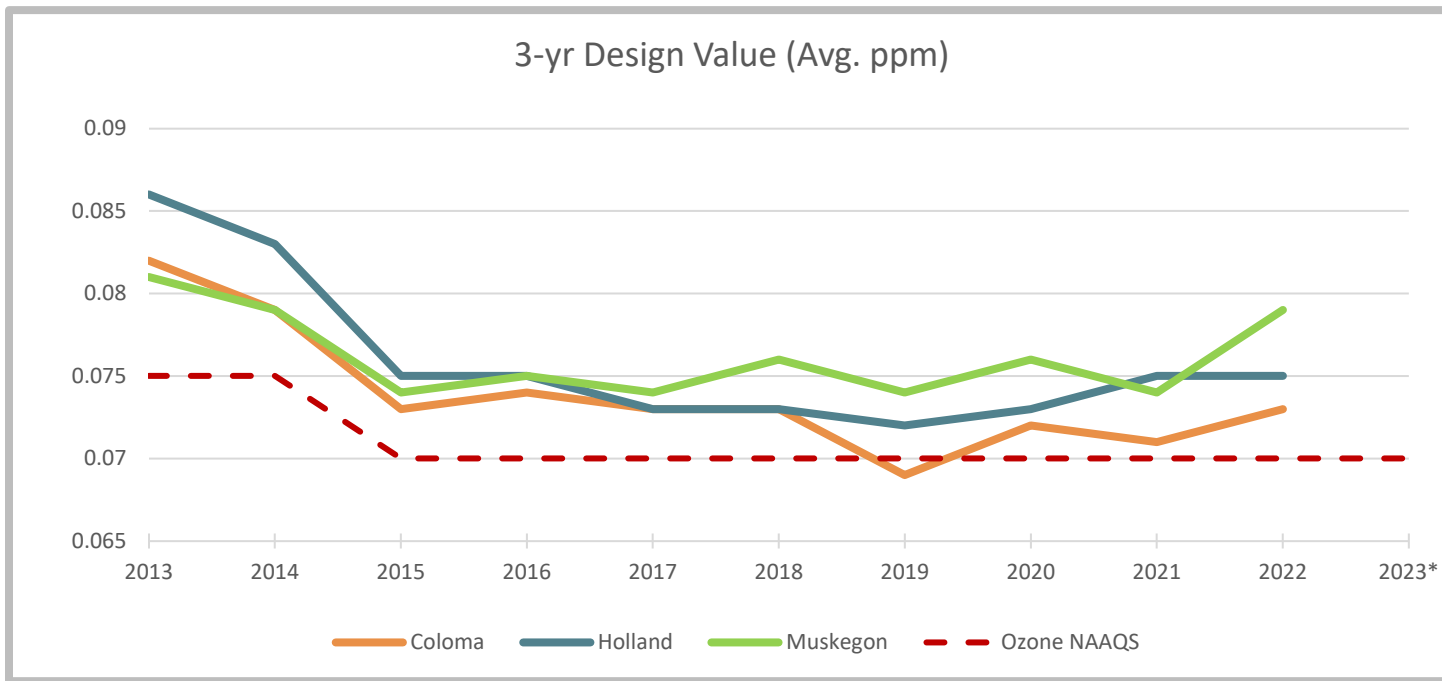
Resources

Reclassification Update



CAA Requirement	MARGINAL	MODERATE	SERIOUS
New Source Review Offsets	1.1 to 1	1.15 to 1	1.2 to 1 Major => 50tpy
Attainment Date	3 years (2021)	6 years (2024)	9 years (2027)
VOC and NOx RACT	No	Yes	Yes Extended to sources > 50 tpy
Reasonable Further Progress Reductions	No	15% VOC	+9% VOC and/or NOx
Vehicle Inspection & Maintenance Program	No	Basic <i>*Southeast MI only</i>	Enhanced <i>*Southeast MI only</i>

West Michigan Ozone Monitoring Update



4th Highest Values (ppb)

Site	2021		2022		Allowable	Actual	Actual (Date)
	2021	2022	2023	2023	2023	2023	2023
Coloma	69	74	69	63	69	63	4/13/2023
Holland	78	73	61	62	61	62	4/13/2023
Muskegon	75	82	55	59	55	59	4/13/2023

Coloma		Holland		Muskegon	
Value, ppb	Date	Value, ppb	Date	Value, ppb	Date
83	4/14/23	73	4/14/23	67	4/14/23
65	4/11/23	65	4/11/23	62	4/10/23
64	4/10/23	64	4/10/23	61	4/11/23
63	4/13/23	63	4/12/23	60	4/12/23
62	4/12/23	62	4/13/23	59	4/13/23
		57	4/9/23	57	4/15/23
		56	4/15/23	52	4/9/23
				51	3/28/23

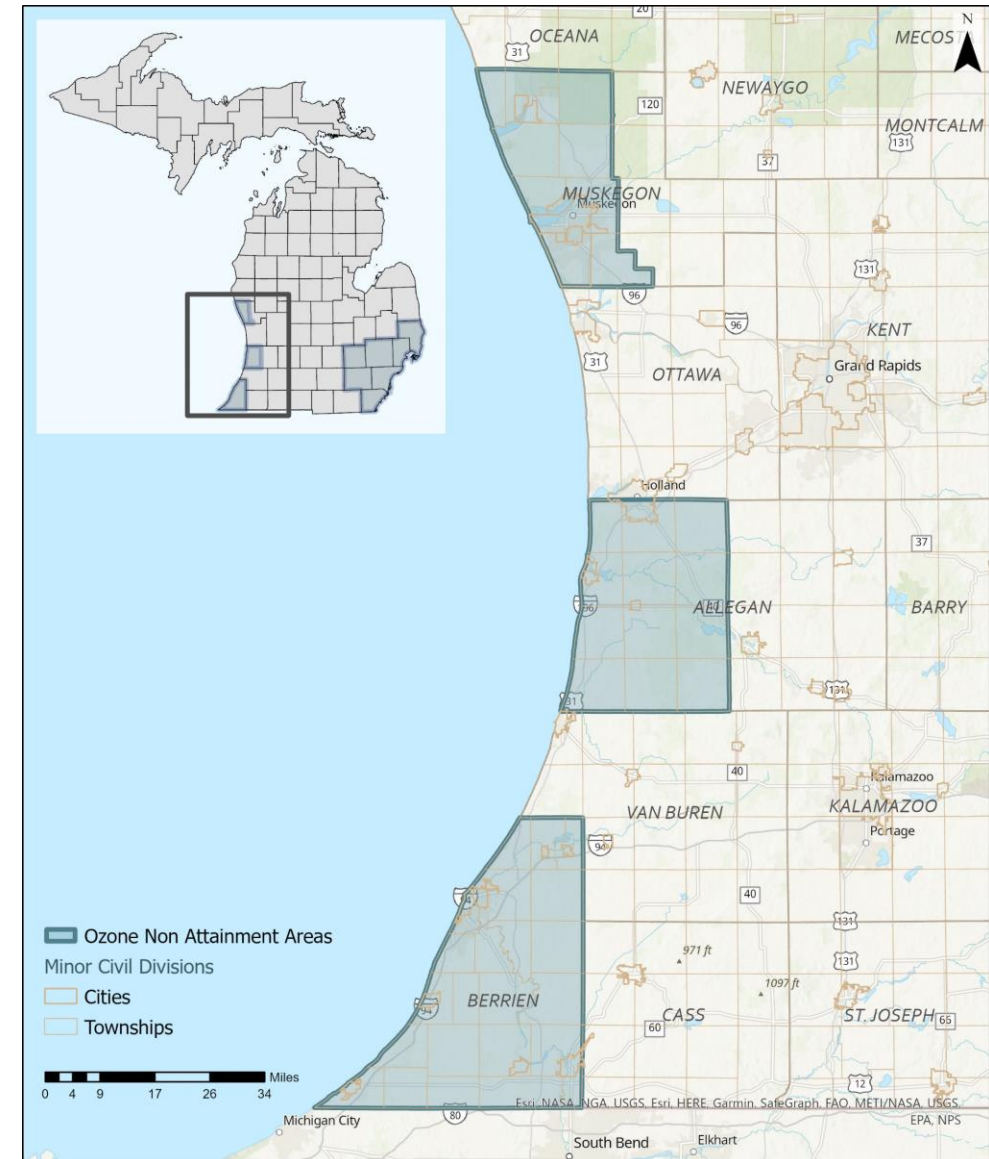
West Michigan Planning

- Reclassification effective November 7, 2022
- Nonattainment SIP was due January 1, 2023. Expected to be out for public comment in May 2023
- Nonattainment SIP submittal in first half of 2023 (revised after all “elements” are in place)
 - VOC / NO_x RACT (future SIP submittal)
 - Reasonable Further Progress
 - RACT, Consumer Products & AIM rules
 - Contingency Measures
 - Attainment Demonstration Modeling
 - Various other elements that have been or will be addressed
 - Environmental Justice

Marginal



Moderate



Part 6 Rules - Overview

17 new rules; 22 rules amended; 1 rule rescinded

Comment Period – Fall 2022

- 13 comment letters received
- 20 revisions made

Stakeholder workgroup formed Late 2019

RACT limits and exemption thresholds align with current USEPA Control Technique Guideline (CTG) documents

Consumer Products and Architectural & Industrial Maintenance (AIM) rules adopt Ozone Transport Commission (OTC) Model Rules

Rule Package Update

Part 6: Existing sources of VOCs



MAJOR RULE REVISIONS

Existing Dates (R601)

Previous

Rules	Date
R 336.1604 through R 336.1618	July 1, 1979
R 336.1619 through R 336.1625	July 1, 1980
R 336.1628	January 5, 1981
R 336.1629	January 20, 1984
R 336.1630 and R 336.1631	July 1, 1987
R 336.1632	Effective date
Any process or process equipment not subject to the provisions of any rule in this part.	July 1, 1979

Rules	Date
R 336.1604 through R 336.1605	July 1, 1979
R 336.1606 through R 336.1609	March 1, 2023
R 336.1610	July 1, 1979
R 336.1610a	March 1, 2023
R 336.1611 through R 336.1617	July 1, 1979
R 336.1618 and R 336.1619	March 1, 2023
R 336.1620	July 1, 1980
R 336.1620a	March 1, 2023
R 336.1621	July 1, 1980
R 336.1621a	March 1, 2023
R 336.1622 through R 336.1624	July 1, 1980
R 336.1624a	March 1, 2023
R 336.1625	July 1, 1980
R 336.1628	January 5, 1981
R 336.1629	January 20, 1984
R 336.1630	July 1, 1987
R 336.1631 and R 336.1644	March 1, 2023
Any process or process equipment not subject to the provisions of any rule in this part.	July 1, 1979

***Rules 660 & 662 (Consumer Products and AIM) contain a January 1, 2023 compliance date*

Minor Revisions

R611

Existing Cold Cleaners

R618

Emulsified cutback paving asphalt

R622

Petroleum Refineries – monitoring program

R623

Storage of petroleum liquids

R625

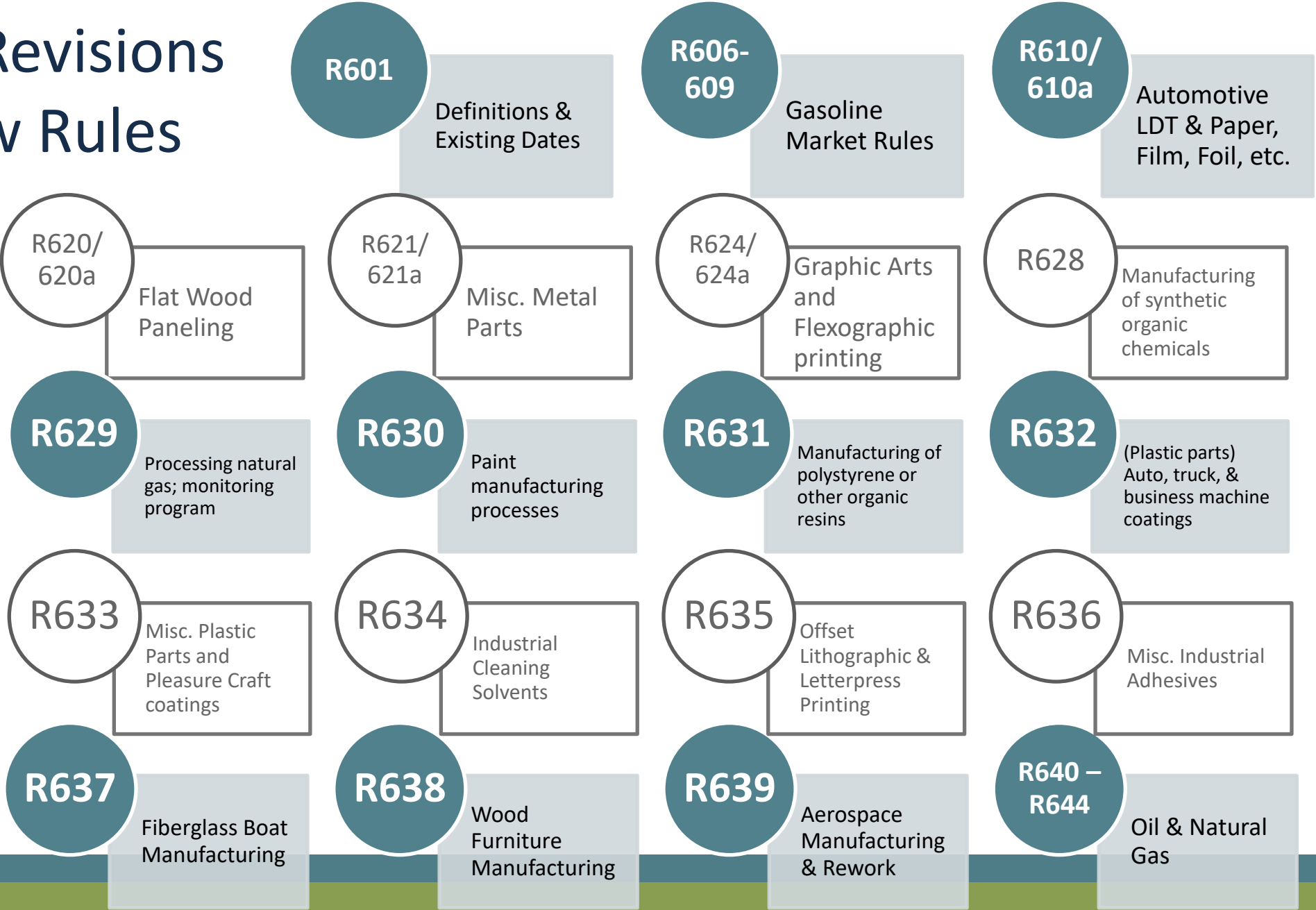
Synthesized pharmaceutical products

R627

Delivery vessels; vapor recovery

Added references to R602, cleaned up adoption by reference language, etc.

Major Revisions & New Rules



R602

Alternative RACT

— Unique circumstance (i.e., process/economic)

— Facility can't meet applicable RACT rule

(see list within rule for options)

AQD Permit contact:
Dave Thompson

Alternative RACT – Rule 602(2)

Facility requests the use of R602(2) as part of a permit application or consent order

Demonstration provided by facility.

Notify all parties involved (AQD permit/enforcement/district/SIP staff and Region 5 EPA)

Permit or Order Writing Process

Public Comment and Hearing Process

Issue PTI or Consent Order

Submit permit or consent order to EPA through a SIP submittal

R602

Case-by-Case RACT

- Facility in 2015 NAA
- Potential VOC > 100 tpy
- No RACT requirements have been established

**Review rule for more details*

**We are working through applicability requirements*

AQD Contact:
District staff

Case-by-Case RACT – Rule 602(4)

Within 3 months after rule promulgation

- Provide initial facility information to AQD and USEPA

Within 6 months after rule promulgation

- RACT proposal for each source of VOC at the facility
 - List of each source; size or capacity; physical description; estimate of potential and actual VOC emissions; schedule for completion; testing, monitoring, recordkeeping; etc.
 - RACT analysis (technical and economic support)

AQD approves, denies, or modifies each RACT proposal

Within 6 months of AQD's approval

- Facility must implement RACT proposal *(unless alternative timeline is identified in proposal).*

AQD submits approved RACT program for SIP approval by USEPA

Main Revisions

- New exemption limits (generally - please see proposed rules for specific exemptions):
 - 15 pounds per day or 2.7 tons per year.
 - This replaces *the existing 2,000 pounds per month, 10 tons per year exemption most rules previously allowed.*
- All exemptions, permits, and rules must be evaluated independently.
 - Anyone using the [Part 2 exemptions from permitting](#), must also ensure compliance with other parts in the Michigan Air Pollution Control Rules, including, but not limited to Part 6.
 - If your permits do not align with the new rule revisions, you do not necessarily need to apply to get your permit updated.
- Recordkeeping – daily unless always using compliant coatings, then you can keep monthly records.
 - Currently developing guidance
- Consumer Products (Rule 660) went from Phase II to Phase IV OTC Model Rule
- Michigan adopted AIM Phase II OTC Model Rule

Source Categories Impacted

Surface Coating

- R610, R610a, R620, R620a, R621, R621a, R632, R633, R636-R639

Gasoline Marketing

- R606-609 & R627

Oil and Natural Gas

- R640-644

Printing

- R624, R624a, R635

Industrial Cleaning Solvents

- R634

Consumer Products and AIM

- R660 & R662

What to do now?

Review the revised rules



Figure out which one(s) are applicable to your source



Work with AQD field and SIP staff if you have questions.

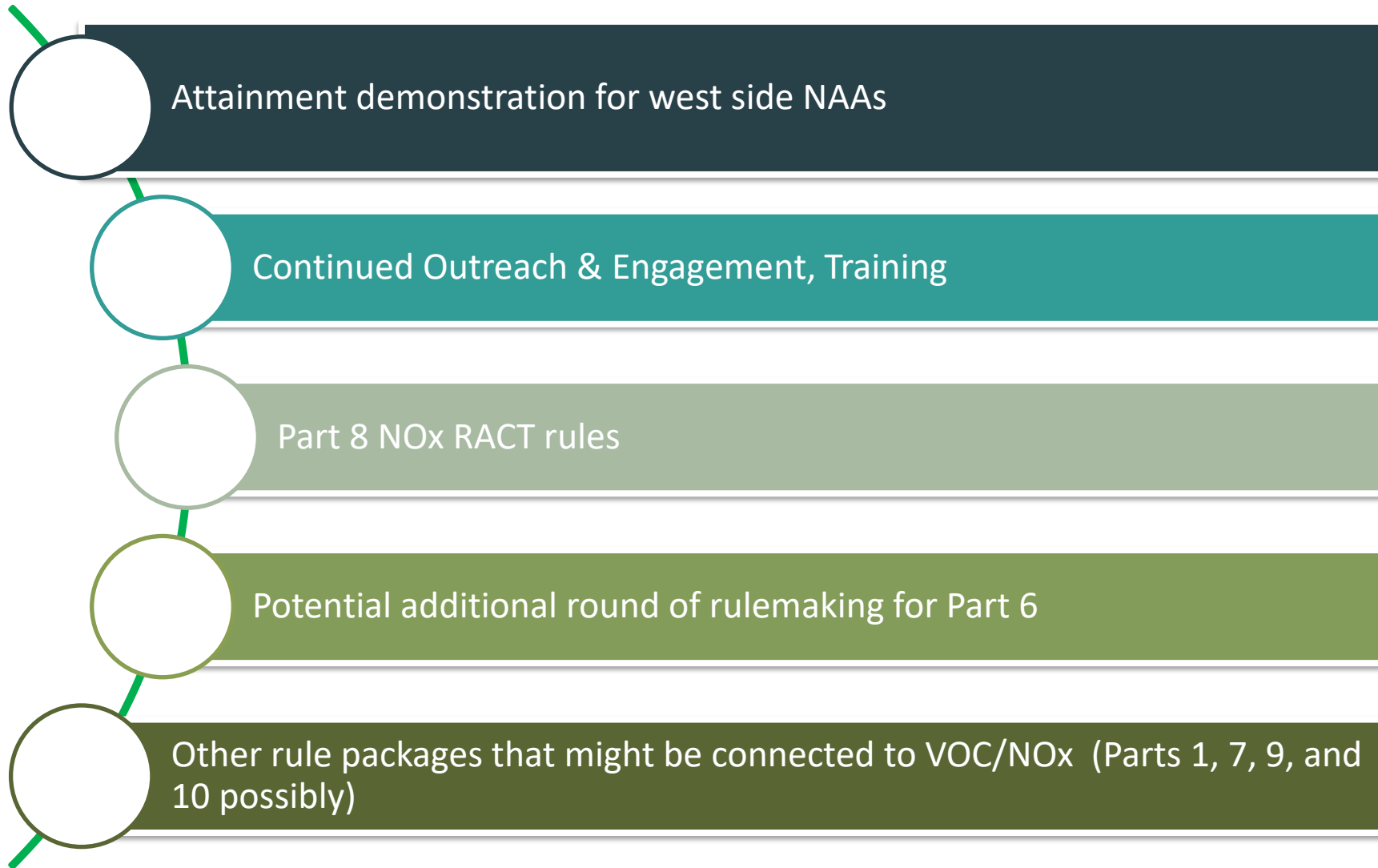


Implement the rules (reformulate / new controls)



**Part 6 proposed rule set documents ([link](#))*

Future Work



Part 8 – NOx RACT rule update

R841 - Internal combustion engines

R842 – Boilers

R843 - Turbines

R844 - Miscellaneous (lime, asphalt plants, glass, etc.)

R845 –Alternative – will need SIP approval

R846 – Case-by-Case / site specific – will need SIP approval

- Considering last minute informal comments from stakeholders and EPA
- RFR, RIS and Draft rules are close. Next step...AQD review
- Draft rules, as currently written, apply only in NAAs... at existing sources and all new units
- Future SIP submittal (not part of Nonattainment Demo submittal)

Helpful Links

- EGLE AQD SIP Ozone Nonattainment Webpage
<https://www.michigan.gov/egle/about/organization/air-quality/state-implementation-plan/ozone-nonattainment>
- EGLE AQD air monitor sites and nonattainment area map
<https://egle.maps.arcgis.com/apps/webappviewer/index.html?id=9a4c80a5c7fa4088971757504a3c0ba1>
- Pending Part 6 rule revisions
<https://ars.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1377>
- *Federal Register*: Reclassification of Areas Classified as Marginal for the 2015 Ozone National Ambient Air Quality Standards
<https://www.govinfo.gov/content/pkg/FR-2022-10-07/pdf/2022-20460.pdf>

Questions

Thank you!

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