

Department of Environment, Great Lakes and Energy
Air Quality Division
Administrative Rules for Part 8. Emission Limitations and Prohibitions-Oxides of Nitrogen
Rule Set 2023-13 EQ

NOTICE OF PUBLIC HEARING

Wednesday, May 22, 2024

01:00 PM

In Person: Ford Conference Room, 2nd Floor, South Tower, Constitution Hall, 525 West Allegan Street,
Lansing, MI 48933

Virtual: <https://bit.ly/3wZt1VQ> To join by phone: 636-651-3142, conference code 374288

The Department of Environment, Great Lakes and Energy will hold a public hearing to receive public comments on proposed changes to the Part 8. Emission Limitations and Prohibitions-Oxides of Nitrogen rule set.

The Part 8 proposed rule set contains rules developed to fulfill federal Clean Air Act, 42 USC 7401et seq (CAA) requirements for sources of oxides of nitrogen (NOx). Michigan must create new rules to address a change to a moderate classification in nonattainment areas under provisions of the National Ambient Air Quality Standards (NAAQS). These rules are often referred to as NOx “Reasonably Available Control Technologies” (RACT). For past NAAQS, EGLE was not required to promulgate RACT rules for NOx sources in the nonattainment areas established under those standards. With the establishment of a new standard and a new classification, Michigan must create RACT rules to align with requirements of Section 182(b)(2) of the CAA. EGLE must promulgate new rules setting emission standards and operational requirements for certain types of NOx emission sources for the nonattainment areas.

Additionally, existing Part 8 Rules addressing the “NOx State Implementation Plan (SIP) Call” federal program will be modified to address minor improvements suggested by representatives of the United States Environmental Protection Agency.

By authority conferred on the director of the Department of Environment, Great Lakes, and Energy by sections 5503 and 5512 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.5503 and 324.5512, and Executive Reorganization Order Nos. 1995-16, 2009-31, 2011-1, and 2019 -1, MCL 324.99903, 324.99919, 324.99921, and 324.99923.

The proposed rules will take effect immediately after filing with the Secretary of State. The proposed rules are published on the State of Michigan's website at www.michigan.gov/ARD and in the 5/1/2024 issue of the Michigan Register. Copies of these proposed rules may also be obtained by mail or electronic mail at the following email address: McDonaldT@Michigan.gov.

Comments on these proposed rules may be made at the hearing, by mail, or by electronic mail at the following addresses until 5/22/2024 at 05:00PM.

Trace McDonald

P.O. Box 30260, Lansing, MI 48909-7760

McDonaldT@Michigan.gov

The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 517-599-1938 to make arrangements.