



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 17 2015

REPLY TO THE ATTENTION OF:

Barb Rosenbaum, Chief
Air Quality Evaluation Section
Michigan Department of Environmental Quality
P.O. Box 30260
Lansing, Michigan 48909-7760

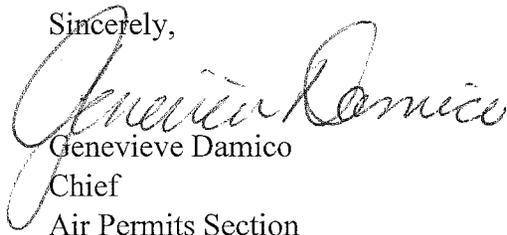
Dear Ms. Rosenbaum:

I am writing with respect to the proposed changes to Part 2 of R336.291 currently open for comment. The U.S. Environmental Protection Agency is seeking clarification on the Michigan Department of Environmental Quality's (MDEQ's) interpretation of R336.1291. The rule states, "the requirement to obtain a permit to install does not apply to **any emission unit** in which potential emissions meet the conditions listed..." (emphasis added). The language as written can be interpreted to mean that multiple emission units could be installed at the same time provided that each unit is less than the thresholds listed in the rule, or the rule to require that the total potential to emit of all units installed as part of a single project be less than the listed thresholds. If MDEQ's intent was that the thresholds apply to the activity as a whole, EPA does recommend that "emission unit" be replaced with "activity" for clarity.

I would also like to take this opportunity to remind MDEQ that it must provide a demonstration pursuant to §110(l) of the Clean Air Act with its request to approve the changes into the State Implementation Plan as this will be a relaxation of the currently approved rules. MDEQ's interpretation of R336.1291 will have an impact on the §110(l) demonstration. If the interpretation is that the threshold applies to each individual emission unit and the requirements of R336.1278 are the backstop for the project as a whole, the demonstration must assume that the allowable increases are the major source thresholds, not the thresholds listed in R336.1291.

If you have any questions with respect to this letter, please contact Rachel Rineheart, of my staff, at (312) 886-7017.

Sincerely,


Genevieve Damico
Chief
Air Permits Section