

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 18. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY

R 336.2807 Redesignation.

Rule 1807. (1) All areas of the state, except those designated as class I pursuant to R 336.2805 are designated as class II. Redesignation, except as otherwise precluded by R 336.2805, may be proposed by the department, as provided in subrule (2) of this rule, subject to approval by the United States environmental protection agency as a revision to the state implementation plan.

(2) The department may submit to the United States environmental protection agency a proposal to redesignate areas of the state class I or class II, based on all of the following:

(a) At least 1 public hearing has been held under MCL 324.5511.

(b) Other states, Indian governing bodies, and federal land managers whose lands may be affected by the proposed redesignation were notified at least 30 days before the public hearing.

(c) A discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic, social, and energy effects of the proposed redesignation, was prepared and made available for public inspection at least 30 days before the hearing and the notice announcing the hearing contained appropriate notification of the availability of such discussion.

(d) Before the issuance of notice respecting the redesignation of an area that includes any federal lands, the department has provided written notice to the appropriate federal land manager and afforded adequate opportunity, not more than 60 days, to confer with the department respecting the redesignation and to submit written comments and recommendations. In redesignating an area with respect to which a federal land manager had submitted written comments and recommendations, the department shall have published a list of any inconsistency between the redesignation and comments and recommendations, together with the reasons for making the redesignation against the recommendation of the federal land manager.

(e) The department has proposed the redesignation after consultation with the elected leadership of local and other substate general purpose governments in the area covered by the proposed redesignation.

History: 2006 MR 23, Eff. Dec. 4, 2006.