

# MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

## AIR QUALITY DIVISION

### PART 18. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY

#### **R 336.2817 Public participation.**

Rule 1817. (1) The department shall notify all applicants within a specified time period as to the completeness of the application or any deficiency in the application or information submitted. If there is a deficiency, then the date of receipt of the application shall be the date on which the department received all required information.

(2) Within 120 days after receipt of a technically complete application, the department shall do all of the following:

(a) Make a preliminary determination whether construction should be approved, approved with conditions, or disapproved.

(b) Make available in at least 1 location in each region in which the proposed major source would be constructed a copy of all materials the applicant submitted, a copy of the preliminary determination, and a copy or summary of other materials, if any, considered in making the preliminary determination.

(c) Notify the public, by advertisement in a newspaper of general circulation in each region in which the proposed major source would be constructed, of the application, the preliminary determination, the degree of increment consumption that is expected from the major source or major modification, and of the opportunity for comment at a public hearing as well as written public comment.

(d) Send a copy of the notice of public comment to the applicant, to the United States environmental protection agency, and to officials and agencies having cognizance over the location where the proposed construction would occur. The notice shall also be sent to any other state or local air pollution control agencies; the chief executives of the city and county where the major source would be located; any comprehensive regional land use planning agency; and any state, federal land manager, or Indian governing body whose lands may be affected by emissions from the major source or major modification.

(e) Provide opportunity for a public hearing for interested persons to appear and submit written or oral comments on the air quality impact of the major source, alternatives to it, the control technology required, and other appropriate considerations.

(f) Consider all written comments submitted within a time specified in the notice of public comment and all comments received at any public hearing in making a final decision on the approvability of the application. The department shall make all comments available for public inspection in the same locations where the department made available preconstruction information relating to the proposed major source or major modification.

(g) Make a final determination whether construction should be approved, approved with conditions, or disapproved.

(h) Notify the applicant in writing of the final determination and make the notification available for public inspection at the same location where the department made available preconstruction information and public comments relating to the major source.

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