

Michigan Office of Administrative Hearings and Rules
611 West Ottawa Street; 2nd Floor, Ottawa Building
Lansing, MI 48933
Phone: (517) 335-8658 FAX: (517) 335-9512

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate the rules must complete and submit this form electronically to the Michigan Office of Administrative Hearings and Rules (MOAHR) at MOAHR-Rules@michigan.gov.

1. Agency Information:

Agency name:	Department of Environment, Great Lakes, and Energy		
Division/Bureau/Office:	Air Quality Division (AQD)		
Name, title, phone number, and e-mail of person completing this form:	Erica Wolf, Environmental Quality Analyst, 517-284-6766, Wolfe1@Michigan.gov		
Name of Departmental Regulatory Affairs Officer reviewing this form:	Dave Fiedler		

2. Rule Set Information:

MOAHR assigned rule set number:	2017-062 EG
Title of proposed rule set:	Part 4. Emission Limitations and Prohibitions – Sulfur-Bearing Compounds

3. Purpose for the proposed rules and background:

The primary purpose of the proposed rules is to update material adopted by reference and a definition. These updates are necessary to keep the testing methods and definitions used in Part 4 of the Air Pollution Control Rules up to date.

4. Summary of proposed rules:

Proposed R 336.1401, R 336.1402, and R 336.1404 updates American Society of Testing and Materials and federal standards adopted by reference. Proposed R 336.1401a removes the definition of used oil. That definition has been replaced by a more specific definition in R 336.1121(c). R 336.1420, which pertains to the Clean Air Interstate Rule SO₂ trading program, is proposed to be rescinded because the entire rule is addressed by an adoption by reference in R 336.1902(1)(t) and (u).

5. List names of newspapers in which the notice of public hearing was published and publication dates (attach copies of affidavits from each newspaper as proof of publication).

Oakland Press, May 31, 2019
The Mining Journal, June 3, 2019
Lansing State Journal, June 3, 2019

6. Date of publication of rules and notice of public hearing in *Michigan Register*:

June 15, 2019 - Issue 10

7. Time, date, location, and duration of public hearing:

Monday, July 1, 2019; 1:00 p.m. – 2:00 p.m. Erickson Conference Room, Constitution Hall; 525 West Allegan Street, Lansing, MI

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://dtmb.state.mi.us/DTMBORR/Rules.aspx?type=Number&id=R 336.1401>

9. List of the name and title of agency representative(s) attending public hearing:

Mary Ann Dolehanty, AQD Director; Tricia Bizoukas, AQD Department Analyst; Cari DeBruler, AQD Department Analyst; and Erica Wolf, AQD Environmental Quality Analyst

10. Persons submitting comments of support:

None

11. Persons submitting comments of opposition:

None

AFFIDAVIT OF PUBLICATION
2125 Butterfield Dr, Suite 102N • Troy MI 48084

MI DEQ-AIR QUALITY
PO BOX 30260

ATTN: ADMINISTRATION

LANSING, MI 48909

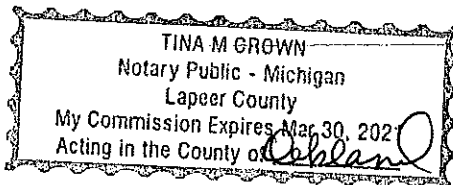
STATE OF MICHIGAN,
COUNTY OF OAKLAND

The undersigned Cyndy Slater, being duly sworn the he/she is the principal clerk of Royal Oak Tribune, Oakland Press, theoaklandpress.com, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

MI DEQ-AIR QUALITY

Published in the following edition(s):

Oakland Press	05/31/19
theoaklandpress.com	05/31/19
Royal Oak Tribune	05/31/19



Sworn to the subscribed before me this 31st May 2019

Tina M. Grown

Notary Public, State of Michigan
Acting in Oakland County

Advertisement Information

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MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION
PART 4. EMISSIONS LIMITATIONS AND PROHIBITIONS - SULFUR BEARING COMPOUNDS
Rule Set 2017-062 EG

NOTICE OF PUBLIC HEARING
Monday, July 1, 2019
Constitution Hall, Erickson Conference Room, 2nd Floor, South Tower
325 West Allegan Street, Lansing, Michigan
1:00 p.m.

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), will hold a public hearing on Monday, July 1, 2019, at Constitution Hall, Erickson Conference Room, at 1:00 p.m. The hearing will be held to receive public comments on proposed changes to the Part 4. Emissions Limitations and Prohibitions - Sulfur Bearing Compounds.

The proposed rule set (2017-062 EG) will amend the current rules to clarify which testing methods and federal standards are applicable to the rules and remove a redundant definition. Once approved, the rules will be submitted as an amendment to the Michigan State Implementation Plan (SIP). The comment period and hearing will fulfill requirements contained in the state administrative rules and result in a revision to Michigan's SIP under the federal Clean Air Act.

These rules are promulgated by authority conferred on the Director of EGLE by Section 5512 of the Natural Resources and Environmental Protection Act, 1994 PA 667, as amended; MCL 324.5512. These rules will take immediate effect upon filing with the Secretary of State.

The rules (2017-062 EG) are published on the Michigan Office of Administrative Hearings and Rules' Web site at Michigan.gov/AOHAR. Click on "Administrative Rules", "Pending Rule Activity" and then "Pending Rule Changes". Under "Rules by Department," click on "Environment, Great Lakes, and Energy." Scroll to AIRQUAL 2017-062 EG and click on "Revision Text." The rules will also be published in the June 15, 2019 issue of the Michigan Register.

Any interested person is invited to attend and present his or her views. It is requested that all statements be submitted in writing for the hearing record. Anyone unable to attend may submit comments by writing to the following address by 5:00 p.m. on Monday, July 1, 2019. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Air Quality Division
Michigan Department of Environment, Great Lakes, and Energy
Attention: Tisha Wolf
325 West Allegan Street, Lansing, Michigan 48901
Phone: 517-324-4199
Fax: 517-324-7499
E-Mail: WolfT@Michigan.gov

The hearing site is accessible, including handicap parking. People with disabilities requiring additional accommodations in order to participate in the hearing (such as information in alternative formats) should contact the AQD at 517-284-6740 at least 5 days prior to the hearing date. Individuals attending the meeting are requested to refrain from using heavily scented personal care products in order to enhance accessibility for everyone. Information at this meeting will be presented by speakers and printed handouts.

Published: May 31, 2019

The Mining Journal

Upper Michigan's Largest Daily Newspaper

249 W. Washington St., P.O. Box 430, Marquette, Michigan 49855. Phone (906)228-2500. Fax (906)228-3273.

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 06 2019

AIR QUALITY DIVISION

For the County of **MARQUETTE**

In the matter of: Notice of Public Hearing

Air Quality Division

Michigan Department of Environment, Great Lakes, and Energy

Part 4. Emissions Limitations and Prohibitions - Sulfur Bearing Compounds

July 1, 2019

Size: 2 x 9

State of **MICHIGAN**, County of Marquette ss.

JAMES A. REEVS

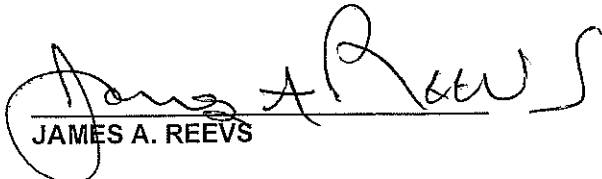
being duly sworn, says that he is

PUBLISHER

of **THE MINING JOURNAL**

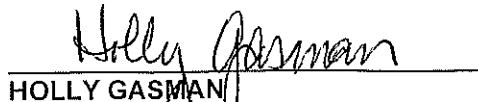
a newspaper published and circulated in
said county and otherwise qualified
according to Supreme Court Rule; that
annexed hereto is a printed copy of a
notice which was published in said
newspaper on the following date, or
dates, to-wit

June 3, 2019



JAMES A. REEVS

Subscribed and sworn to before me this 3rd day of June 2019.



HOLLY GASMAN

Notary Public for **MARQUETTE** County, Michigan

Acting in the County of Marquette

My commission expires: May 25, 2025

AFFIDAVIT OF PUBLICATION

LSJ MEDIA

300 S. Washington Square, Suite 300, Lansing, MI 48933

State of Michigan, County of Macomb

IN THE MATTER OF: NOTICE-LSJ3603010

MI DEPT DEQ-AIR QUALITY DIV

MI DEPT DEQ-AIR QUALITY DIV
525 WALLEGAN ST FL S

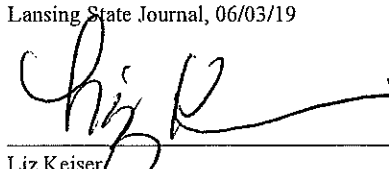
LANSING, MI 48933

Being duly sworn, says that he/she is authorized by the publisher of Lansing State Journal, to swear that a certain notice, a copy of which is annexed here to, was published in the following publication:

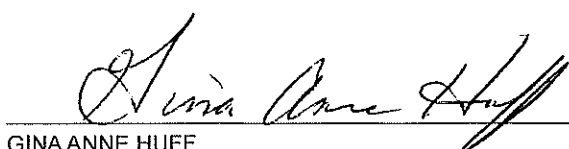
1. Published in the English language for the dissemination of general and/or legal news, and
2. Has a bonfide list of paying customers or has been published at least once a week in the same community without interruption for at least 2 years, and
3. Has been established, published and circulated at least once a week without interruption for at least one (1) year in the community where the publication is to occur.

* SEE ATTACHED

Lansing State Journal, 06/03/19


Liz Keiser

SUBSCRIBED AND SWORN TO BEFORE ME THIS 3rd DAY OF June, 2019


GINA ANNE HUFF

Notary Public State of Michigan

County of Livingston

My commission expires March 9, 2023

Acting in the County of Macomb

0003603010, LSJ-L26241

LSJ-LSJ-Lansing State Journal

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND
AIR QUALITY DIVISION

PART 4. EMISSIONS LIMITATIONS AND PROHIBITIONS – SULFUR BEARING
Rule Set 2017-062 EG

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These rules are promulgated by authority conferred on the Director of EGLE by the Michigan Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5512. The rules will be filed with the Secretary of State.

The rules (2017-062 EG) are published on the Michigan Office of Administrative Rules website at Michigan.gov/MOAR. Click on "Administrative Rules", "Pending Rules Active". Under "Rules by Department," click on "Environment, Great Lakes, and Energy". Click on "Revision Text." The rules will also be published in the June 15, 2019 issue of the Michigan Register.

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Air Quality Division
Michigan Department of Environment, Great Lakes, and Energy
Attention: Erica Wolf
525 West Allegan Street, Lansing, Michigan
Lansing, Michigan 48909
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E-Mail: WolfE1@Michigan.gov

The hearing site is accessible, including handicap parking. People with disabilities in order to participate in the hearing (such as information in alternative formats) at least 5 days prior to the hearing date. Individuals attending the meeting are asked to bring their own personal care products in order to enhance accessibility for everyone. The hearing will be held in a room with a sign that reads "Public Hearing".

LSJ3603010

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JUN 10 2019

AIR QUALITY DIVISION