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Brian D. Devlin, Director

REQUEST FOR RULEMAKING

Name of Agency:

Department of Environmental Quality

Division:

Air Quality Division

Contact Person:

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Date:

February 13, 2004

A. Title of Proposed Rule:

Michigan Air Pollution Control Rules, Part 2 – Air Use Approval

B. Rule Set to be Amended Identified by Rule Numbers:

R 336.1201 through R 336.1299

C. Estimated Timetable:

RFR submitted: 2/24/04

Rules Drafted: 8/13/04

ORR Informal Review: 9/10/04

LSB Informal Review: 10/8/04

Incorporate changes and Prepare for Publication: 10/15/04

Publication/Notice of Hearing: 11/12/04
Response to Public Hearing Report: 12/17/04
DEQ EX DIV/ORR approval of changes after Public Hearing 1/13/05
LSB Formal Certification: 1/26/05
ORR Formal Certification: 2/2/05
Prepare/Submit to JCAR: 2/17/05
JCAR Review: 3/10/05
Potential legislative Review: 3/31/05
File Rules with Secretary of State: 4/11/05
Rules go into effect: 4/18/05

D. Brief Description of Proposed Rule:

Rule 336.1220 will be rescinded. All relevant citations in the Part 2, Air Use Approval, rules will be changed to reflect the state's new permitting authority.

E. State or Federal Statutory or Regulatory Basis for Proposed Rule:

Sections 5503, 5504, and 5512, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), require the promulgation of rules. Sections 110(a)(2)(C), 160 through 169b, and 170 through 179b of the federal Clean Air Act and 40 C.F.R. §§51.165 and 51.166 contain detailed provisions requiring permitting of new and modified major sources of air pollution.

F. Problem the Proposed Rule Intends to Address:

The proposed Part 18 rules contain complete PSD and major NSR permitting programs, including public participation and appellate procedures. Rule 336.1220, which contains the current NSR permitting program, will be rescinded, because it will become obsolete when the proposed Part 18 rules are effective. Additionally several citations throughout the Part 2 rules will be updated to reflect the new Part 18 rules.

RAO: _____
DATE: 2/24/04

ORR OFFICER: _____
DATE: 2/25/04

ORR # 2004-007EQ

ORR RESPONSE:
 APPROVAL
 DISAPPROVAL
 MORE INFORMATION