
McCoig Materials, LLC

RESPONSE TO COMMENTS DOCUMENT

August 17, 2011

PERMIT No. 242-10



Rick Snyder, Governor

Air Quality Division Michigan Department of Environmental Quality

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I. PUBLIC PARTICIPATION PROCESS

Permit to Install application No. 242-10, for McCoig Materials, LLC, is for increased production in the concrete batch plant located at 1441 Springwells Court, Dearborn, Michigan. The public participation process involved providing information for public review including a fact sheet, proposed permit terms and conditions, a public comment period, an informational meeting, a public hearing, and the receipt of written and verbal public comments on staff's analysis of the application and the proposed permit.

On June 15, 2011, copies of the Notice of Air Pollution Comment Period and Public Hearing, the Fact Sheet, and the draft terms and conditions were placed on the Department of Environmental Quality (DEQ or Department), Air Quality Division (AQD) Home Page (<http://www.michigan.gov/air>). Also on that date, the AQD mailed 117 letters to persons who had previously expressed interest via letter and had provided a complete address. In addition, a notice announcing the Public Comment Period, Public Informational Meeting, and Public Hearing was placed in the *Michigan Chronicle*. The notice provided pertinent information regarding the proposed action; the locations of available information; a telephone number to request additional information; the date, time, and location of the Public Informational Meeting and Public Hearing; the closing date of the Public Comment Period; and the address where written comments were being received.

The Informational Meeting was held on July 19, 2011, at the Kemeny Center Gymnasium, 2260 Fort Street, Detroit, Michigan. This location was selected due to its proximity to the facility and the size of the room. Approximately 45 people attended the Informational Meeting. A panel of representatives from the AQD was available to answer questions regarding the proposed project. The meeting began at 5:00 p.m. and concluded at approximately 6:45 p.m.

The Public Hearing was held on July 19, 2011, at the Kemeny Center Gymnasium, 2260 Fort Street, Detroit, Michigan. The hearing began at 7:00 p.m. with Mr. Bryce Feighner as the Hearings Officer and Ms. Mary Ann Dolehanty attended, on behalf of Mr. G. Vinson Hellwig, as the decision maker. Only comments on the proposed permit action were received. In addition, staff of the AQD was available outside the room to answer any questions. Approximately 45 were in attendance at the Public Hearing with 15 people presenting verbal comments. The Public Hearing concluded at 7:50 p.m.

A total of approximately four written comments were received during the Public Comment Period and the hearing.

The remainder of this document is a listing of the significant comments received during the public comment period and hearing regarding the proposed permit and the Department's response.

II. SUMMARY OF SIGNIFICANT COMMENTS

A. Public Health and Environment Concerns

Comment:

Facility emissions are a concern because there are already health problems in the community. Asthma and cancer rates appear to be high. Why has there not been a health study done of the community?

AQD Response:

The AQD is determined to protect the health and welfare of all citizens of the State of Michigan. To accomplish this, the AQD utilizes the state and federal air quality rules and regulations that are in place to protect public health and the environment. The federal Clean Air Act includes the National Ambient Air Quality Standards (NAAQS) for six criteria pollutants to protect public health. These standards define the maximum concentration of the pollutants in the breathing zone that would protect the health of the most sensitive populations, including those with heart, respiratory, neurological and asthma problems. The emissions from the proposed facility were evaluated in light of the standards. Based on AQD experience, the emissions will not affect the attainment status of the area or cause exceedances of the NAAQS.

In addition, chemicals that do not have an established NAAQS must meet the applicable AQD health-based screening levels for air toxics. Screening levels are developed to protect from cancer and non-cancer effects. The best available information is used to establish safe exposure levels and exposure times that are protective against cancer and non-cancer health effects. Harmful health effects are not anticipated to occur over a lifetime of exposure for any pollutant concentrations that are below these health criteria. The emissions from the facility were compared to the applicable screening levels as allowed for in Michigan's Rules for Air Pollution Control. Emissions of most of these chemicals were so small as to be exempt from detailed review. However, emissions of selenium and manganese required comparison to the screening levels. The selenium and manganese emissions demonstrated compliance with the applicable health-based screening levels and do not pose a health concern.

The AQD has discussed with the Michigan Department of Community Health (MDCH) and the federal Agency for Toxic Substances and Disease Registry (ATSDR) the request of community members for a health study. At this point, these agencies have not committed to conduct a health study. MDCH conducted a 2008 study of asthma rates in Detroit ZIP codes, and found that asthma rates in Detroit were high (http://www.getastmahelp.org/main_stats_11.asp). There can be many potential causes of elevated asthma rates, including indoor and outdoor air pollution. The current permit review did not find any indication that the proposed facility emissions of air pollutants would aggravate asthma in the community; however, the increase in diesel truck emissions can aggravate asthma in the community. However, as discussed in another response to comment, the AQD does not have authority to account for an increase in diesel truck emissions in the permit review process.

Cancer rates are a common concern in communities, because the cancer incidence rate in our society is approximately one in every three people over their lifetime. Unlike with asthma, the MDCH does not have cancer statistics compiled at the local level, such as for individual ZIP

codes. However, studies by AQD and EPA of the levels of air pollutants in Detroit indicate that the air pollutants may be associated with an additional lifetime cancer risk of approximately 1 in 10,000. Although that may be considered to be an unacceptable risk level for air quality, it does not suggest that outdoor air pollution is a major cause of cancer in communities. The AQD will continue to work with MDCH and ATSDR to attempt to address resident's concerns for air quality and health.

Comment:

VOC emissions can cause respiratory problems. Selenium and manganese emissions also cause a concern.

AQD Response:

VOC emissions can contribute to ozone formation downwind, and VOC air toxics can potentially cause adverse effects at sufficiently high exposure levels and duration. The AQD permit review evaluated these potential concerns and concluded that the facility emissions would not result in ambient air levels that pose a concern for adverse health effects. Selenium and manganese emissions were also evaluated and found to not pose a significant public health concern.

Comment:

There is a need for an analysis of the cumulative impacts of multiple emission sources.

AQD Response:

The cumulative impacts of air toxics in Detroit have been evaluated by the AQD and EPA, from air quality monitoring studies and from emissions data and modeling exercises (http://www.michigan.gov/deq/0,1607,7-135-3310_4105-139044--,00.html; www.epa.gov/ttn/atw/nata2005/; www.epa.gov/dears). These studies have identified some concerns for cumulative cancer risk, and for potential neurological effects primarily due to manganese. The Detroit air pollutant levels are typical for large urban areas in the U.S., due to mobile source and industrial emissions. The concerns that have been identified indicate room for improvement. However, they do not indicate a significant public health hazard in Detroit or suggest that identifiable health effects would be observable in the community due to air toxics.

The U.S. Environmental Protection Agency has identified six criteria pollutants as principal pollutants of concern to the public: carbon monoxide, lead, sulfur dioxide, ozone, nitrogen dioxide and fine particulate matter. The cumulative impact of all emission sources on each of these criteria pollutants is compared to the health protective National Ambient Air Quality Standards (NAAQS). For these six pollutants, southeast Michigan is in attainment with all but the NAAQS for fine particulate matter (PM_{2.5}), and the more recent data indicate that the air quality of Detroit attains all of the standards. The emissions permitted for McCoig will not significantly affect efforts to bring the area into attainment with the PM_{2.5} NAAQS, or to continue to be in attainment with the other NAAQS.

The quantity and nature of the emissions from this source did not raise particular concerns for cumulative air toxics impacts and risks, and thus they were not evaluated during the permit review in the context of existing “cumulative” air toxics levels.

Comment:

What do odors do to people?

AQD Response:

Odors that are strong, objectionable, and long enough in duration can result in health symptoms such as nausea or headache. However, odors do not always pose health risks, and some air pollutants can pose a health risk at levels that do not cause odors.

Comment:

How does the community benefit from breathing the increased production?

AQD Response:

Air pollutants do not benefit community members, but are a typical result of mobile sources, industrial activity, and many human activities. The levels of air pollutants determine if they pose significant risks of adverse public health or welfare effects. The AQD is confident that the regulatory requirements for criteria pollutants and air toxics ensure that facility emissions will not result in exposures that negatively impact the public health or welfare.

Comment

A commenter opposes the McCoig expansion's particulate matter emissions because the area is nonattainment for particulate matter.

AQD Response

Several counties in southeast Michigan, including Wayne County, are currently designated “nonattainment” for particulate matter less than 2.5 microns in diameter (PM2.5). However, air monitoring data for the past three years show that the area is now meeting the NAAQS for PM2.5. Based on that data, the MDEQ submitted a request to the US EPA on July 5, 2011, to redesignate the area to attainment. This request includes a maintenance plan that will ensure that the area will continue to meet the current PM2.5 NAAQS. Reductions in PM2.5 emissions will be realized from a variety of sources, including federal MACT standards for hazardous air pollutants, federal diesel emissions programs, and federal mobile source control programs for both on-road and non-road sources. The total PM2.5 emissions due to increased production at the McCoig facility would be about two tons per year. These emissions will have a negligible effect on the attainment or nonattainment status of the area.

Comment

The permit does not address the effects of increased truck traffic. How much truck traffic will the increased production at McCoig cause, and what will be the effects? This facility affects an environmental justice area, and things like diesel retrofits should be considered, along with routing trucks to avoid residential areas.

AQD Response

There are many aspects of a facility, beyond a facility's emissions, that are concerns for people living nearby. These include things that are not within AQD's jurisdiction, such as effects on property values, noise, traffic, etc. Truck routing and emissions from truck operation, along with these, are reasonable concerns. While these are important issues, the Air Quality Division does not have jurisdiction to address these matters. The decision as to whether to approve or disapprove an air permit application, regardless of location, would depend on whether the proposed facility would comply with all the applicable air regulations.

B. Air Toxics and Risk Assessment

Comment

One commenter was concerned about the additional selenium and manganese emissions from the production increase.

AQD Response

As noted in a previous response, the selenium and manganese emissions meet the applicable health-based screening levels and do not pose a significant public health risk.

C. Public Participation Process

Comment

A commenter expressed concern that nothing is ever done after these meetings. What is the point of the public hearing?

AQD Response

The MDEQ publishes a draft permit and a preliminary determination to give the public as much information as possible. The draft permit conditions reflect the rules and laws that the facility must operate under. The draft permit itself is the preliminary determination. The purpose of the public participation process, including the public hearing, is to obtain input on the preliminary determination from all affected parties, including the applicant and general public. This helps the decision-maker to make a more informed final decision on the permit application.

Comment

The decision-maker is not present, and should be here to listen to peoples' comments.

AQD Response

The decision-maker takes seriously the responsibility to attend the public hearing. He was unable to attend due to a family medical emergency. He was represented at the public hearing by the AQD Permit Section supervisor.

D. Miscellaneous

Comment

People in the area don't want the facility here.

AQD Response

The AQD is not authorized to consider popular sentiment in its permitting decisions. Both the state and federal air pollution control laws are established by the legislative process and any changes to the regulations must go through this process. These laws are in place to protect public health and welfare. The role of the AQD is to implement the laws.

Comment

Increasing production suggests an increased possibility of violations. While the MDEQ does have staffing challenges, there should be increased "physical" monitoring during the initial increase. Another commenter expressed concern for the DEQ's ability to enforce the fugitive dust plan.

AQD Response

The AQD is responsible for assuring compliance with the Clean Air Act, Public Act 451, and the rules and regulations promulgated under Act 451. The AQD takes this responsibility very seriously and through its network of district air inspectors and administrative staff endeavors to ensure that every facility subject to these air regulations is in full compliance with them. This is carried out through an ongoing presence of diligent oversight to include scheduled inspections, routine visits, response to citizen complaints, and office review of required company submittals. Any violation detected is followed up by a notice of violation. Those violations that rise to the level of High Priority Violation are referred for enforcement. The lesser violations cited are handled within the district and resolved through cooperative actions between the district and the company cited. No violation is allowed to go unresolved.

Comment

A commenter was concerned that a recent permit action shows that baghouses, used at McCoig, are not always effective.

AQD Response

The McCoig process uses baghouses (fabric filter collectors) to control particulate matter emissions from cement weighing and handling and from truck loading. Properly installed, maintained, and operated baghouses are quite effective for these operations. The permit conditions for McCoig require that the baghouses be "installed, maintained, and operated in a satisfactory manner." The permit conditions also require that the baghouses be equipped with pressure drop monitors that sound an alarm when the pressure drop is too high. The alarm would signify a problem with the collector. These measures will help ensure that the baghouses are effective.

Comment

A commenter was concerned that McCoig would be using caustic materials, such as benzene, in making cement.

AQD Response

Portland cement is the main caustic material normally used in making concrete. Emissions of cement from the facility are quite low because, as noted above, the permit conditions ensure that the baghouses that control the cement emissions are effective. Benzene is not a material typically used in concrete batch plants.

Comment

There should be an ambient air monitor installed in this community.

AQD Response

The AQD has four permanent ambient air monitoring stations within approximately two miles of McCoig. These stations monitor lead, ozone, particulate matter less than 10 microns in diameter (PM10), particulate matter less than 2.5 microns in diameter (PM2.5), sulfur dioxide (SO₂), trace metals, volatile organic compounds, semi-volatile compounds, and meteorological parameters. The monitoring results are published every year in the Annual Air Quality Report. The 2009 Annual Air Quality Report can be downloaded from the internet at http://michigan.gov/documents/deq/AQD-aqe-2009-AIR-QUALITY-REPORT_322419_7.pdf. In addition, the AQD has conducted limited monitoring within the residential area defined by the 48217 ZIP Code. This monitoring has shown that the AQD's four air monitoring stations are representative of the ambient air concentrations found within the 48217 ZIP Code area. Last, as required by Permit to Install No. 63-08B, Marathon Petroleum will be establishing four more air monitoring stations in the area, beginning within approximately one year.

Comment

How can we be sure that the DEQ will be able to continue the air monitoring?

AQD Response

The US EPA requires that the AQD annually solicit public comment and review on its ambient air quality monitoring network. In its 2012 Network Review, AQD committed to continue its current operations at its four ambient air monitoring stations in southwest Detroit. In addition, the monitoring program soon to be established as part of Marathon Petroleum's Permit to Install No. 63-08B cannot be discontinued for a period of ten years without a permit revision subject to public comment.

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