



ENHANCED PUBLIC PARTICIPATION PROCESS COAL-FIRED POWER PLANT PERMIT TO INSTALL APPLICATIONS

Issue

The Air Quality Division (AQD) is currently reviewing permit applications for several new coal-fired power plants. There is considerable interest from legislators, the general public, and other groups in each of these proposals. Given the issues under consideration, the potential environmental impacts and the interest, additional education, and public comment opportunities are warranted.

Summary

Coal-fired power plants are controversial due to the resulting air emissions and the debate over the need for additional energy. Enhanced public participation efforts are essential in order to assure all interested parties are afforded the opportunity to become involved by being informed and providing comment. In consideration of the issues, locations, potential environmental and human health implications, potential for controversy, and specific needs of the public, the AQD has already taken steps to provide meaningful public involvement opportunities. The AQD has placed information on their website related to the pending coal-fired power plant projects, including copies of each permit application. Further, the AQD is in the process of developing a procedure to accept public comment via the internet. The following recommendations represent further steps to provide for enhanced public involvement. By providing easy access to the proposal details, offering information about the public participation process, and explaining the duties, powers, and limitations of the AQD, there will be more effective involvement regarding each proposal.

Recommendation

The AQD will expeditiously enhance the public information and participation opportunities as follows:

1. General Education Activities

- *Website Postings* – In order to provide information to all interested parties, the AQD placed the electronic copies of each of the coal-fired power plant applications on the AQD website as of February 13, 2008. This site has been further enhanced with links to a description of the permitting process and the document entitled “A Citizen’s Guide to Participation in Michigan’s Air Pollution Control Program.”
- *General Education Session* – The AQD will host a general information session in Lansing to provide information and educate all interested parties on the AQD regulatory process. The topics will include general information regarding the rules, permitting process, public comment process, appeal process, etc., as well as an overview of each of the coal plant proposals. The recommended time frame is early summer 2008 with a target audience of legislators, environmental groups, and the public. Electronic distribution of the session is being explored. Details will be available shortly.

2. Individual Project Education and Public Participation Activities

- *Notifications* – The AQD is required to provide a minimum of 30 days of public notice for public comment periods and hearings on proposed agency action on the permit to install applications for coal-fired boilers. A direct mailing is sent to all individuals who have previously expressed interest in a proposal. In addition to making the permit applications available on their website (see following paragraph), the AQD proposes additional outreach including public radio announcements, a press release, and the republishing of the public notice in the newspaper closer to the informational meeting and public hearing.

- *Website Postings* – The AQD will continue their practice of posting the public notice documents on the website. This includes the public notice, Fact Sheet, and draft permit terms and conditions. Additionally, the AQD is establishing a process to accept public comment via the internet.
- *Public Comment Period* - The formal public comment period of 60 days is proposed. During this time, informational meetings and a multi-day public hearing will be held. The comment period will extend up to 20 days beyond the public hearing, allowing additional time for comments to be submitted.
- *Project Informational Sessions* – It is essential that the public have their questions answered as part of the public participation process. The AQD will use two different formats for the informational sessions.
 - *Panel Discussion* - An informational session for each application will be held approximately 20 days into the public comment period. The format is a panel discussion, with DEQ staff fielding questions from the audience. A moderator will oversee this session. The AQD is looking into securing a moderator for these activities due to the expected level of interest. The moderator should be an impartial party. There will be no public hearing associated with this session and no oral public comments will be accepted.
 - *Open-House Discussion* - Information sessions will be held for one hour prior to the public hearing. Staff will be available at various stations outside the hearing room. This will allow one-on-one opportunities for the public. Staff will also be available during all other public hearing times to answer questions.
- *Written Public Comments* - Written public comments will be received throughout the public comment period. The comments may be submitted via regular mail to the Permit Section Supervisor, MDEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760; via the public comment email address; or to the AQD at the public informational meetings and hearing.
- *Public Hearing to Provide for Oral Testimony* - The public hearing will be held in the community where the facility is proposed approximately 40 days into the public comment period. Additional hearing times are scheduled to accommodate the anticipated public comment. On the first day of the public hearing, there will be an open-house discussion at 5:00 p.m., followed by the public hearing accepting oral testimony from 7:00 p.m. until 10:00 p.m. The second day of the hearing will be the next calendar day and will include opportunities for oral testimony throughout the day (12:00 p.m. – 3:00 p.m. and 6:00 p.m. – 9:00 p.m.). These hearings will be recorded. Staff will be available at all times to answer questions. The AQD is looking into securing a moderator for these activities due to the expected level of interest, including acting as the Hearing Officer. The moderator should be an impartial party.

*Note – All days and times are approximate and will be confirmed during the scheduling process based upon available resources.