

## Complying with Permit and Reporting Requirements

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# Complying with Permit and Reporting Requirements

## Compliance Monitoring

A Permit to Install is not like a driver's license that must be obtained and then produced when requested to demonstrate that you have one; permit conditions affect plant operations on an ongoing basis and must be continuously met to ensure that air quality goals are achieved. Facilities are expected to comply with all Permit to Install conditions and to be able to demonstrate this compliance to the Michigan Department of Environmental Quality (MDEQ). It is imperative that someone within the facility is very familiar with all of the facility air use permits, is responsible for overseeing compliance with permit conditions, and is available for consultation during the MDEQ compliance monitoring process.

This document does not constitute a procedure or guideline for compliance monitoring conducted by the MDEQ and is not binding upon the agency. This document does not create any rights, substantially nor procedurally, beyond those created by applicable statutes, regulations, and common law. The following discussion refers to the Permit to Install program, not the Renewable Operating Permit (Title V) program.

### **What is the Purpose of Compliance Monitoring?**

The primary objective of MDEQ compliance monitoring activities is to ensure that operation of air pollution sources is conducted in compliance with air quality regulations, permit conditions, and other established requirements (such as those in previous violation settlement documents).

This is performed through:

- Inspections
- Complaint response
- Review of tests, records, etc.
- Follow-up on violations found

Compliance monitoring activities are primarily conducted by staff of the MDEQ's Air Quality Division (AQD) district offices. It is possible that a compliance inspection could happen at any time, especially if there has been a complaint lodged against the facility.

### **Inspections**

Inspections are usually conducted for one or more of the following reasons:

1. To ensure the source is constructed and operated as the owner described it in the permit application.
2. To ensure the regulation, permit conditions, and other regulatory requirements are met.
3. To review records kept on the plant site.

4. To perform a site investigation for a pending installation application.
5. To identify expected changes and provide information on associated regulatory requirements.

The MDEQ chooses which sources to inspect each year based on targeting (i.e., a ranking of sources as a function of source and size, compliance history, and air quality impacts), efficiency (location of sources in comparison to other priority sources), need for site investigations (most often for new sources), and resources. These factors cause a focus on those plants that are a major source of emissions, have opted out of Title V, are subject to new regulations, are in non-compliance with regulations, or are in nonattainment areas.

Preparation for the inspection begins at the district office. Among other things, the MDEQ inspector reviews the plant file to become familiar with the processes to be inspected, the applicable regulations, the compliance history, and any outstanding issues concerning the facility. The inspector then arrives at the plant and identifies himself/herself and explains why he/she is there. If a plant environmental contact is known, the inspector will ask for that specific person when arriving at the plant. Since most inspections are conducted without advance arrangement, the environmental contact may not be available and another plant representative may participate in the inspection instead. Inspections typically focus on the following:

- Observations of equipment design, process and control system operating parameters and monitors, and emission characteristics.
- Records of process and control equipment and facility operation.
- Production and materials usage amounts and emission rates.
- Required monitoring data and testing results related to compliance with emission limitations and standards.
- Collection of samples of emission, materials, or fuels.
- Applicability of new source review permit requirements.
- Ambient air quality monitoring.

The Michigan Air Pollution Act provides MDEQ the authority to enter and inspect any property at reasonable times for the purpose of investigating either an actual or suspected source of air pollution or ascertaining compliance or noncompliance with the act, rules, the Clean Air Act, permits, or orders. An inspector must present credentials and state the authority and purpose of the investigation. The Act also allows the MDEQ to review and copy records; do inspections of processes, control and monitoring equipment; and sample or monitor emissions or other parameters. The MDEQ is authorized to use contractors to sample and monitor on its behalf or delegate their investigatory authority to another state department or a local air pollution agency. If entry is refused, the Attorney General can seek an administrative warrant to gain access, or file a civil action against the owner or operator.

Following the inspection, the MDEQ staff person documents the inspection on an activity report. This describes the processes inspected, the compliance status, any discussions that took place, etc. Activity reports are also used to document complaints, phone discussions with company staff, and other plant-related contacts.

## **Complaint Response**

Complaints are typically received verbally at MDEQ, AQD district offices through the Pollution Emergency Alerting System (PEAS) hotline, or in writing. Follow-up occurs on most complaints. The response is based on MDEQ jurisdiction on the issue, the air quality impact, and the urgency. An on-site response may occur after normal work hours if the situation warrants. Along with the typical observations made on any inspection, the MDEQ will likely attempt to determine both the plant and process responsible for the complaint, the degree of severity of the situation, and any malfunctions or unusual operating conditions that may have caused the complaint. Most complaints occur as a result of offensive odors or deposition on property.

## **Testing, Monitoring, and Recordkeeping**

Testing is generally performed by highly trained individuals to measure emissions or the accuracy of continuous emission monitors or parameter monitors. Testing is preceded by development of a protocol to describe the sampling and analysis procedures that will be used to conduct the test. The MDEQ staff review the protocol to assess whether the test will yield acceptable results. The MDEQ staff may also be present during the testing to observe visible emissions, operating conditions, and actual testing procedures. Operating conditions are compared with expected "worst case" conditions and the allowable operating limitations. The test report is reviewed to further assess testing procedures and to compare the test results with regulatory requirements.

With respect to monitoring, the quality assurance of monitors to assure data accuracy is described in Tab 11 - *Continuous Emission Monitoring*.

Records are reviewed on site or through reports sent to the MDEQ district offices. Typically, they are reviewed to assess compliance status with respect to emission limits, operating restrictions, or material limits.

## **Criminal Investigation**

Criminal investigations are conducted by Environmental Conservation Officers (ECOs) in the MDEQ Office of Criminal Investigations. These officers are trained in law enforcement, environmental regulations, criminal investigation techniques, and prosecution of criminal violations. When a criminal investigation is conducted, other MDEQ staff provide technical support to the ECO who directs and coordinates the case. A decision to bring a criminal prosecution is made by the Attorney General, a county prosecutor, or a U.S. Attorney when the investigation has been completed.

## **Violation Follow-up**

For any violations identified through inspections, complaint response, review of reports, or lack of a required submittal, a Letter of Violation (LOV) is sent to the plant owner or operator. LOVs are typically issued within 2-3 weeks of the inspection or report review. LOVs include a description of the violation, the basis for the compliance determination (e.g., inspection, report review, etc.), a request for a corrective action program to resolve and/or prevent reoccurrence of the violation, and a deadline for a response. MDEQ district staff track the responses to LOVs (or lack of a response), evaluate submitted corrective action programs, and identify the need to formalize compliance programs.

Violations can result in escalated enforcement action if the district does not receive an adequate corrective action program or if the violation is of a type that is significant, requires an extended schedule and formal commitment to correct the violation, one for which a "deterrent" is appropriate, or to avoid federal enforcement action. More specifics about enforcement actions will be described in a later section.

### **What Should You Do to Maintain Compliance?**

The responsibility to comply with air quality regulations lies with the facility owner or operator. One of the most effective ways to ensure this occurs is to incorporate the requirements into the business operations of the plant. Permit conditions and air quality regulations affect plant day-to-day operations. Plant personnel should be thoroughly familiar with the specific restrictions and ensure they are met just as they ensure that product quality, production levels, and other day-to-day parameters are achieved. Common permit conditions that affect daily production include: limits on hours of operation or on material usage, minimum incinerator temperature requirements, required maintenance of control equipment, specifications on fuel type or paint solvent content, and recordkeeping. Failure to obtain and comply with permits are some of the most common, yet significant, violations. This is serious because the permit review and approval process is the primary mechanism to improve air quality.

Plant operators should be ready for an inspection at any time. Considering the potential liabilities, it is better to correct problems and maintain compliance than to wait for the inevitable inspection and then be found in violation. The costs of compliance and liability for outstanding compliance issues will increase the longer the violation exists. Plant personnel should be trained to follow air quality requirements, promptly report or correct problems, and know the consequences of noncompliance.

The records that are required by air quality permits or regulations can be an important tool for plant personnel to recognize and correct violations quickly. These should not just be completed and sent to the MDEQ. They should be reviewed and acted upon by plant management.

Company management should consider environmental requirements when bidding on new jobs: Can you meet the customer's specifications while complying with air quality regulations? Do you have enough lead time to obtain air quality permits before production deadlines come into effect? How do limits on production in existing permits impact the ability to fill new orders? Submitting applications for air quality permits prior to the bidding process will provide information about pollution controls and limitations that affect the capital outlay and other expenses for process or control equipment. This should be considered when bidding for the project. Obtaining permits prior to construction and operation, as required by law, will avoid potential penalties and work stoppage that impact the company's ability to meet customer deadlines.

In particular, permit applicants should carefully consider whether limitations on production (sometimes sought to avoid triggering certain federal regulatory requirements) can truly be achieved in light of current and future business expectations. If you propose such limitations, make sure they can be met because failure to maintain the regulatory status that such limits provide is a serious violation. If operational needs change and production limits can no longer

be met, plan ahead and revise the permit terms before production changes are made. For example, if a permit applicant chooses to accept limits on production in order to avoid becoming a "major" source as defined in the federal Prevention of Significant Deterioration (PSD) program, a high priority should be placed on maintaining that status. Without revising the permit's production limits (and agreeing to any additional requirements that result from "major" status) prior to actual increases in production, the source will be considered to be a major source operating without a PSD permit. This is a significant violation at both the state and federal levels and will likely result in enforcement action seeking both stoppage of the violation and penalties.

### **Permit to Install Conditions**

An issued Permit to Install will have a number of conditions associated with it. These conditions fall into two categories: general and special conditions. General conditions are not unique to a given source and are found in all permits. General conditions reference specific rules associated with the Air Pollution Act. In essence, these conditions are regarded as non-negotiable parts of a Permit to Install. Examples of general conditions are:

#### **GENERAL CONDITIONS**

1. The process or process equipment covered by this permit shall not be reconstructed, relocated, or modified, unless a Permit to Install authorizing such action is issued by the Department, except to the extent such action is exempt from the Permit to Install requirements by any applicable rule. **[R336.1201(1)]**
2. If the installation, construction, reconstruction, relocation, or modification of the equipment for which this permit has been approved has not commenced within 18 months, or has been interrupted for 18 months, this permit shall become void unless otherwise authorized by the Department. Furthermore, the permittee or the designated authorized agent shall notify the Department via the Supervisor, Permit Section, Air Quality Division, Michigan Department of Environmental Quality, P.O. Box 30260, Lansing, Michigan 48909, if it is decided not to pursue the installation, construction, reconstruction, relocation, or modification of the equipment allowed by this Permit to Install. **[R336.1201(4)]**
3. If this Permit to Install is issued for a process or process equipment located at a stationary source that is not subject to the Renewable Operating Permit program requirements pursuant to R336.1210, operation of the process or process equipment is allowed by this permit if the equipment performs in accordance with the terms and conditions of this Permit to Install. **[R336.1201(6)(b)]**
4. The Department may, after notice and opportunity for a hearing, revoke this Permit to Install if evidence indicates the process or process equipment is not performing in accordance with the terms and conditions of this permit or is violating the Department's rules or the Clean Air Act. **[R336.1201(8), Section 5510 of Act 451, PA 1994]**

5. The terms and conditions of this Permit to Install shall apply to any person or legal entity that now or hereafter owns or operates the process or process equipment at the location authorized by this Permit to Install. If the new owner or operator submits a written request to the Department pursuant to R336.1219 and the Department approves the request, this permit will be amended to reflect the change of ownership or operational control. The request must include all of the information required by subrules (1)(a), (b), and (c) of R336.1219. The written request shall be sent to the District Supervisor, Air Quality Division, Michigan Department of Environmental Quality. **[R336.1219]**
6. Operation of this equipment shall not result in the emission of an air contaminant which causes injurious effects to human health or safety, animal life, plant life of significant economic value, or property, or which causes unreasonable interference with the comfortable enjoyment of life and property. **[R336.1901]**
7. The permittee shall provide notice of an abnormal condition, start-up, shutdown, or malfunction that results in emissions of a hazardous or toxic air pollutant which continue for more than one hour in excess of any applicable standard or limitation, or emissions of any air contaminant continuing for more than two hours in excess of an applicable standard or limitation, as required in Rule 912, to the Department. The notice shall be provided not later than two business days after start-up, shutdown, or discovery of the abnormal condition or malfunction. Written reports, if required, must be filed with the Department within 10 days after the start-up or shutdown occurred, within 10 days after the abnormal conditions or malfunction has been corrected, or within 30 days of discovery of the abnormal condition or malfunction, whichever is first. The written reports shall include all of the information required in Rule 912(5). **[R336.1912]**
8. Approval of this permit does not exempt the permittee from complying with any future applicable requirements which may be promulgated under Part 55 of 1994 PA 451, as amended, or the Federal Clean Air Act.
9. Approval of this permit does not obviate the necessity of obtaining such permits or approvals from other units of government as required by law.
10. Operation of this equipment may be subject to other requirements of Part 55 of 1994 PA Act 451, as amended, and the rules promulgated thereunder.
11. Except as provided in subrules (2) and (3) or unless the special conditions of the Permit to Install include an alternate opacity limit established pursuant to subrule (4) of R336.1301, the permittee shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of density greater than the most stringent of the following. The grading of visible emissions shall be determined in accordance with R336.1303. **[R336.1301]**

- a) A six-minute average of 20 percent opacity, except for one six-minute average per hour of not more than 27 percent opacity.
  - b) A visible emission limit specified by an applicable federal new source performance standard.
  - c) A visible emission limit specified as a condition of this permit to install.
12. Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air. Transport of collected air contaminants in Priority I and II areas requires the use of material handling methods specified in R336.1370(2). **[R336.1370]**
13. The Department may require the permittee to conduct acceptable performance tests, at the permittee's expense, in accordance with R336.2001 and R336.2003, under any of the conditions listed in R336.2001. **[R336.2001]**

## SPECIAL CONDITIONS

### Emission and Material Limits

For most permits, the emission limits and material limits may be put into the following similar type of table or non-tabular form:

	Pollutant	Equipment	Limit	Time Period	Testing/ Monitoring Method	Applicable Requirement
1.1a						
1.1b						
1.1c						
This area to be used for additional text, notes or comments with respect to the emission limits in the table.						

If a permit has only one emission limit, the permit may contain the following condition:

“The **POLLUTANT** emission from **EU (emission unit)/FG (flexible group)/PORTION OF THE EU** shall not exceed **LIMIT UNITS.**”

### Process/Operational Limits

Examples

The permittee shall not **ACTIVITY EU/FG/PORTION OF THE EU** for more than **HOURS** per 12-month rolling time period as determined at the end of each calendar month.

The permittee shall not operate **EU/FG/PORTION OF THE EU** unless the program for continuous fugitive emissions control for all plant roadways, the plant yard, all material storage piles, and all material handling operations specified in Appendix **APPENDIX NO.** has been implemented and is maintained.

All waste **MATERIALS** shall be captured and stored in closed containers and shall be disposed of in an acceptable manner in compliance with all applicable rules and regulations.

## Equipment

### Examples

The permittee shall equip and maintain the **EU/FG/PORTION OF THE EU** with **APPLICATOR TYPE** or equivalent technology with comparable transfer efficiency. For HVLP applicators, the permittee shall keep test caps available for pressure testing. The permittee shall equip and maintain the **EU/FG/PORTION OF THE EU** with a dry, low-NOx combustor.

The permittee shall not operation **EU/FG/PORTION OF THE EU** unless the thermal oxidizer is installed, maintained, and operated in a satisfactory manner. Satisfactory operation of the thermal oxidizer includes a minimum VOC capture efficiency of **PERCENT** percent (by weight), a minimum VOC destruction efficiency of **PERCENT** percent (by weight), and maintaining a minimum temperature of **TEMPERATURE** °F and a minimum retention time of 0.5 seconds.

## Testing

### Examples

Within 180 days after commencement of trial operation, verification of **POLLUTANT** emission rates from **EU/FG/PORTION OF THE EU**, by testing at owner's expense, in accordance with Department requirements, will be required. No less than **DAYS** days prior to testing, a complete test plan shall be submitted to the AQD. The final plan must be approved by the AQD prior to testing. Verification of emission rates includes the submittal of a complete report of the test results to the AQD within 60 days following the last date of the test.

Within 60 days after achieving maximum production rate, but not later than 180 days after commencement of trial operation, federal Standards of Performance for New Stationary Sources require evaluation of visible emissions from **EU/FG/PORTION OF THE EU**, at owner's expense, in accordance with 40 CFR Part 60 Subparts A and **SUBPART**. Visible emission observation procedures must have prior approval by the AQD. Verification of visible emissions includes the submittal of a complete report of opacity observations to the AQD within 45/60/90 days following the last date of the evaluation.

The HAP content of any MATERIAL, AS RECEIVED/AS APPLIED, shall be determined using manufacturer's formulation data. Upon request of the AQD District Supervisor, the manufacturer's HAP formulation data shall be verified using EPA Test Method 311.

## Monitoring

### Examples

The permittee shall install, calibrate, maintain and operate in a satisfactory manner a device to monitor and record the PARAMETER FOR/FROM EU/FG/PORTION OF THE EU on a TIMEFRAME basis.

The permittee shall conduct an ambient air monitoring program for POLLUTANT in a manner and with instrumentation approved by the AQD Air Monitoring Unit.

The permittee shall monitor emissions and operating information in accordance with the federal Standards of Performance for New Stationary Sources as specified in 40 CFR Part 60 Subparts A and SUBPART.

## Recordkeeping/Reporting/Notification

### Examples

The permittee shall keep, in a satisfactory manner, TIMEFRAME TYPE OF RECORD(S)/INFORMATION for EU/FG/PORTION OF THE EU. All records shall be submitted to the AQD District Supervisor in an acceptable format within 30 days following the end of the TIMEFRAME in which the records were collected.

The permittee shall keep, in a satisfactory manner, TIMEFRAME TYPE OF RECORD(S)/INFORMATION for EU/FG/PORTION OF THE EU. All records shall be kept on file for a period of at least five years and made available to the Department upon request.

The permittee shall maintain a current listing from the manufacturer of the chemical composition of each MATERIAL, including the weight percent of each component. The data may consist of Material Safety Data Sheets, manufacturer's formulation data, or both, as deemed acceptable by the AQD District Supervisor. All records shall be kept on file for a period of at least five years and made available to the Department upon request.

There are numerous other special conditions in Permits to Install covering visible emission limits, stacks/vents, permit dates, portable equipment, and Clean Unit requirements. The environmental manager or responsible person at a facility needs to understand all of the permit conditions and should clarify conditions with the MDEQ staff to ensure continuing compliance with their facility's permits.

## **Emissions Reporting**

The federal Clean Air Act requires that an inventory of air pollution emissions be maintained and updated every year. The MDEQ, AQD maintains the annual emission inventory for stationary sources of air pollution in Michigan. The inventory system contains information on facilities ranging in size from small commercial operations to large industrial manufacturing complexes. Both private and governmental air emission sources are included.

The AQD, by authority conferred to the MDEQ through *Article II, Chapter 1, Part 55 (Air Pollution Control) of P.A. 451 of 1994* (formerly Act 348 of Public Acts of 1965) and administrative rule R 336.202 updates this inventory by requesting facilities to fill out emission reporting forms. Data from the emission reporting forms are submitted to the U.S. Environmental Protection Agency to be added to the national data bank. This information is used to track air pollution trends, to determine the effectiveness of current air pollution control programs, to serve as a basis for future year projections of air quality, to track source compliance, to provide information for permit review, and to calculate the emissions portion of the air quality fee.

By state law, information on the amount and type of air contaminants emitted from a facility is open to the public. Therefore, the emissions data contained in the inventory system are available for use by anyone. Access to the data and further information may be obtained by contacting the AQD.

Starting with the 1998 reporting year, the AQD introduced a new system for companies to report emissions: the Michigan Air Emissions Reporting System (MAERS). MAERS replaced the old Michigan Air Pollution Reporting (MAPR) forms (i.e. AQ-10, AQ-24, AQ-29, and AQ-30). The main differences between MAERS and the old MAPR forms are that MAERS is designed for electronic reporting (although submitting paper forms is also acceptable), in MAERS equipment is grouped by emission units to be consistent with permits, and with MAERS facilities submit emission estimates directly instead of providing information for the AQD to perform calculations.

### **Who Must Report?**

Rule 2 (R 336.202) of the Annual Reporting Section of the *Administrative Rules* provides that “the department (Michigan Department of Environmental Quality) shall require an annual report from a commercial, industrial, or governmental source of emissions of an air contaminant if, in the judgment of the department, information on the quantity and composition of an air contaminant emitted from the source is considered by the department as necessary for the proper management of air resources.” Therefore, a company must submit a MAERS report if it receives notification from the AQD that a report is required.

The AQD has provided some guidance on who must report emissions in its Operational Memorandum No. 13. According to this memo, facilities that are specifically required to report emissions or compliance status in accordance with a state Air Pollution Control Rule or federal Clean Air Act requirement will be included in MAERS. Any facility that wishes to participate in the emissions trading program, that is subject to a New Source Performance Standard (NSPS), or that opts out of the Renewable Operating Permit (ROP) program (through Rule 208[a] or by an opt-out permit) will also be included. In addition, facilities with actual emissions greater than the following thresholds will be included in MAERS and will be notified to report emissions annually:

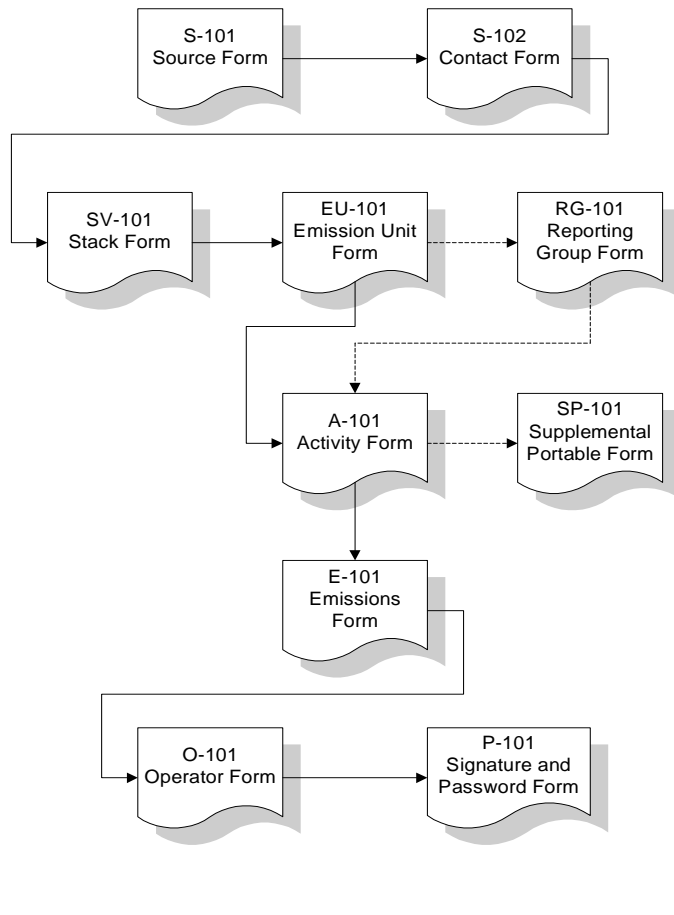
Carbon monoxide (CO)	100 tons per year
Nitrogen oxides (NOx)	40 tons per year
Sulfur dioxide (SO <sub>2</sub> )	40 tons per year
Particulate matter (PM)	25 tons per year
Particulate matter (PM-10)	15 tons per year
Volatile organic compounds (VOC)	10 tons per year
Lead (Pb)	0.6 tons per year

### **When is the Report Due?**

Emissions reports are due by March 15 of each year. The AQD is required to notify each facility at least 45 days prior to the deadline for submitting the report. This notification occurs in mid January each year.

### **What Information is Reported?**

There are a series of forms to be completed for the MAERS report. These forms are found in a booklet entitled *Michigan Air Emissions Reporting System (MAERS) General Instructions, Examples and Reference Tables*. MAERS asks for general source information, equipment identification, process information, emissions information and operator certification. The general source information includes location, owner and contacts. Equipment identification is a description of stacks, emission units and reporting groups. Process information includes Source Classification Codes (SCC), operating schedules, and material information. Emissions information includes estimated emissions for each criteria pollutant and how these estimates were calculated. Additionally, every facility must designate an operator to certify that the submitted information is true, accurate and complete. The following figure lists the forms and indicates the type of information required for each form.



#### General Source Information

#### Equipment Identification

1. Stacks - not all have to be listed
2. Exempt Devices - not all have to be listed
3. Emission units
4. Reporting groups - not required

#### Process Information

1. SCC - description
2. Material usage schedule and operating schedule
3. Material information
4. Throughput by County (portable sources only)

#### Emissions Information

1. Each applicable pollutant
2. Emission basis required
3. Include calculations

#### Operator Information and Certification

-----> OPTIONAL

-----> REQUIRED

## Forms Description

The Michigan Air Emissions Reporting System consists of ten forms, however not every facility will have to submit all ten. The S-101, S-102, EU-101, A-101, E-101, O-101, and P-101 forms must be submitted by everyone. The SV-101 form only needs to be submitted if a facility has stacks that exceed certain reporting thresholds. The RG-101 form is an optional form. The SP-101 is required only for portable sources. Both the SP-101 and P-101 forms are paper copy forms that cannot be submitted electronically; they must be mailed to the appropriate district office.

**S-101 Source form:** This form records the source location and owner information.

**S-102 Contact form:** This form records the contact information.

**SV-101 Stack form:** This form applies to stacks connected to an emission unit reported on the EU-101 Emission Unit Form.

**EU-101 Emission Unit form:** This form records information concerning the operation of an emission unit.

**RG-101 Reporting Group form:** This optional form records a grouping of emission units that is created for simplification of reporting emissions.

**A-101 Activity form:** This form records operating schedules and material information for the emission unit or reporting group.

**SP-101 Supplemental Portable form:** This form is for portable sources only. This paper copy form records throughput information percentages per county and must be mailed to the appropriate district office.

**E-101 Emissions form:** This form is required for all sources to report their actual annual emissions from an emission unit or reporting group.

**O-101 Operator form:** This form records the operator information.

**P-101 Signature and Password form:** The signature box is used to certify the paper copy or electronically submitted package. The password provides authorization for AQD to receive the electronic submittal for processing.

### **Calculating Emissions**

Facilities must calculate their emissions from each reported SCC code to complete a MAERS report. While MAERS provides an emissions estimator based on available emission factors, other methods of estimating emissions are acceptable. For assistance with emission calculations, consult the *Calculating Air Emissions for MAERS* guidebook, which is available on the Internet at: [www.michigan.gov/deq](http://www.michigan.gov/deq). (Click on "Assistance and Support Services," then "Technical Assistance," then "Clean Air Assistance," and select "Publications-MAERS.") Information on emission factors from the AP-42 can also be found in Tab 15 - *Sources of Air Permit Information* of this manual.

### **MAERS Software**

MAERS software is available to allow facilities to submit their annual reports electronically. The electronic forms contain the same information required by the paper forms. One advantage to using the software as opposed to completing the hard copy forms is that the facility information will be pre-filled in the software. There are no pre-filled hard copy forms. The MAERS software also has an emissions estimator that will calculate emissions using emission factors contained in the software. Detailed guidance for completing the electronic MAERS forms is available in the *MAERS Workbook* which is available on the internet in the same place as the above-mentioned *Calculating Air Emissions for MAERS* guidebook.

### **What is the Penalty for Not Reporting Emissions Information?**

Completion and submittal of the MAERS forms is mandatory for identified sources. A person who knowingly falsifies a report or fails to respond is guilty of a misdemeanor punishable by a fine of not more than \$10,000 per day and imprisonment for not more than one year for each violation.

Information collected through MAERS is important to maintaining the emissions inventory. The emissions inventory contains data on the estimated amount of pollutants emitted into the air annually. The AQD uses this information to help select companies for inspection and to monitor and control air pollution within the state. This inventory is important to establish a baseline inventory in nonattainment areas and for calculation of fees. Companies need to make a concerted effort to provide the AQD with accurate and timely information when requested to submit these forms. Assistance with forms can be accessed by calling the AQD district office where the facility is located.