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# **FCA US, LLC**

## **RESPONSE TO COMMENTS DOCUMENT**

**October 30, 2020**

**PERMIT No. 14-19A**

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**Gretchen Whitmer, Governor**

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## I. PUBLIC PARTICIPATION PROCESS

Permit to Install (PTI) Application No. 14-19A, for FCA Detroit Assembly Complex Mack (Mack), is for modifications to a previously permitted automotive assembly line to be located at 4000 Saint Jean Street, Detroit, Michigan. A final decision has been made for PTI No. 14-19A.

The public participation process also included PTI Application No. 33-20, for FCA Jefferson North Assembly Plant (JNAP) for the installation of a new tutone coating process, moving an existing rapid reprocess repair operation, and various refurbishments/upgrades to existing equipment at 2101 Conner Street, Detroit, Michigan. A final decision for PTI Application No. 33-20 is still pending at this time.

The public participation process involved providing information for public review including a Technical Fact Sheet, a Proposed Project Summary, proposed permit terms and conditions, a public comment period, two virtual informational meetings, a virtual public hearing, and the receipt of written and verbal public comments on the proposed permits.

On August 5, 2020, copies of the Notice of Air Pollution Comment Period and Public Hearing (Notice), Technical Fact Sheet, Proposed Project Summary, and draft terms and conditions were placed on the Michigan Department of Environment, Great Lakes, and Energy (EGLE or Department), Air Quality Division (AQD) home page (<https://www.michigan.gov/air>). Also on that date, the AQD sent 29 emails and mailed 3 letters to persons who had previously expressed interest and had provided a complete address. In addition, the Notice announcing the public comment period, virtual public informational meetings, and virtual 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 where information on how to join the virtual public informational meetings and virtual public hearing was located; the closing date of the public comment period; the address and email where written comments were being received; and the telephone number where verbal comments were being received.

The two virtual informational meetings were held by the AQD with a panel of AQD representatives to answer questions via an online web meeting as follows:

- August 25, 2020, the meeting began at 6:00 p.m. and concluded at approximately 6:45 p.m.
- September 9, 2020, the meeting began at 6:00 p.m. and concluded at the beginning of the virtual public hearing at approximately 6:50 p.m.

The virtual public hearing was held on September 9, 2020. The hearing began immediately following the informational session with Ms. Jenifer Dixon as the Hearings Officer and Ms. Mary Ann Dolehanty, AQD Director, as the Decision Maker. Only comments on the proposed permit actions were received. Approximately 35 people were in attendance at the public hearing with four providing verbal comments. The virtual public hearing concluded at approximately 7:10 p.m.

A total of six sets of written comments were received during the public comment period and at the hearing. There were three verbal comments left via voicemail.

The remainder of this document is a listing of the significant comments received during the public comment period and hearing regarding the proposed permits and the Department's response. The first section discusses the comments received that resulted in changes to the final terms and conditions for PTI No. 14-19A and the basis for each change. The last section discusses the Department's response to all other significant comments that did not result in changes to PTI No. 14-19A.

## II. SUMMARY OF COMMENTS RESULTING IN CHANGES TO THE PERMIT

### PTI No. 14-19A, Mack Plant Project

#### Comment

During the public participation period, AQD staff noted two special conditions in FGNGEQUIP regarding natural gas combustion equipment were not updated based on the proposed modifications.

- FGNGEQUIP, SC IV.2 & SC IV.3: language regarding the sealer curing oven was not removed. Since the sealer curing oven is no longer being installed, it should be removed from this condition.
- FGNGEQUIP, SC IV.3, required that all air supply houses, air handling units, space heaters, and E-coat, primer, topcoat, and sealer curing oven(s) in FGNGEQUIP shall be direct-fired units. The space heaters were modeled as a volume-source; therefore, they should not be required to be direct-fired.

#### AQD Response

The sealer curing oven language has also been removed from FGNGEQUIP SC IV.2 & SC IV.3. The AQD has removed the requirements for space heaters to be direct-fired from FGNGEQUIP SC IV.3.

#### Condition Changes

FGNGEQUIP, SC IV.2 has been changed to the following:

2. The permittee shall not operate any air handling units, any air supply houses, and any curing ovens in EUECOAT, EUPRIMER, and EUTOPCOAT in FGNGEQUIP unless the respective dry filter particulate control systems are installed, maintained, and operated in a satisfactory manner. Satisfactory operation of the dry filter control system includes conducting the required monitoring and recordkeeping pursuant to FGAUTOASSEMBLY, SC VI.2. **(R 336.1205(1)(a) & (3), R 336.1331, 40 CFR 52.21(c) & (d))**

FGNGEQUIP, SC IV.3 has been changed to the following:

3. All air supply houses, air handling units, and E-coat, primer, and topcoat oven(s) in FGNGEQUIP shall be direct-fired units. **(R 336.1205, R 336.1225, 40 CFR 52.21(c) & (d))**

### III. SUMMARY OF SIGNIFICANT COMMENTS

#### A. Public Health and Environment Concerns

##### Comment

The protected bicycle space along Jefferson and Connor isn't as safe as it should be. There should be a greater priority given to safety over speed of movement in this area. The plant prefers speed to get more vehicles out, but it creates unsafe conditions during non-peak times, which encourages other car drivers to drive recklessly and far faster than the posted speed limit. This can only be addressed with design.

##### AQD Response

FCA and the City of Detroit had a traffic impact study performed in 2019 that was included as an amendment to the Mack Additional Projects Plan Amendment (MAPPA) submitted to the AQD in February 2020. Details and recommendations of the traffic study can be found in Appendix G of the MAPPA: <https://www.deq.state.mi.us/aps/downloads/permits/PubNotice/14-19/14-19AdditionalProjects.pdf> The AQD does not have the authority to regulate the traffic surrounding the Mack facility, nor to dictate design of the facility.

##### Comment

The plant should be required to plant many more trees and shrubs around the perimeter of their plant to help soak up the particulates that they emit. This will help residents living nearby with health-related issues and help other locals that travel the corridor in their daily lives.

##### AQD Response

As part of the MAPPA, plans for multiple environmental projects were described, including the planting of approximately 1,000 trees in the area: <https://www.deq.state.mi.us/aps/downloads/permits/PubNotice/14-19/14-19AdditionalProjects.pdf>. The AQD has not required additional tree planting as we do not have the authority to require a permittee to plant trees surrounding a facility.

##### Comment

COVID-19 has aggressively impacted and devastated the Black community. Residents around FCA have high asthma rates and respiratory illness, and this project will lead to even more. Many of the pollutants released may make them more vulnerable to COVID-19. We are demanding FCA provide a COVID-19 health risk assessment, specifically for the African American community, and the risk assessment be made public.

##### AQD Response

The AQD knows asthma, respiratory illness, and COVID-19 are concerns for the Detroit community. However, the Clean Air Act does not require FCA to provide a health risk assessment, as the commenter requested.

It is difficult to link air quality directly to the development of asthma and other illnesses. Although air pollution is one factor that may contribute, there are multiple factors that can make populations more sensitive to the development of these diseases, such as family history, respiratory infections, allergies, occupational exposure, smoking, and obesity.

The AQD has the authority to utilize state and federal air quality rules and regulations that are established to protect public health and the environment. The National Ambient Air Quality

Standards (NAAQS), included in the federal Clean Air Act, are the maximum concentration of certain pollutants that would protect the health of the most sensitive individuals, including those with heart, respiratory, neurological, and asthma problems. The emissions from the Mack project were evaluated and found to be below those standards.

Chemicals emitted by the process that do not have an established NAAQS must meet the applicable AQD health-based screening levels. These screening levels are developed to protect public health, including sensitive groups, based on toxicological research. Harmful health effects are not anticipated to occur for any pollutant concentrations that are below these levels. These chemicals were modeled and then compared to the applicable screening levels and all were found to be below their respective health-based screening levels.

#### Comment

I am concerned about the air quality for surrounding communities and would like to know more about protective filters and devices that are specific for residents. Are there other recommendations for residents to reduce this health impact?

#### AQD Response

As noted in the previous response, the Mack project meets all applicable standards and the AQD does not expect any adverse effects to public health or the environment.

However, if community members want to learn more regarding indoor air quality, the United States Environmental Protection Agency (USEPA) has additional information regarding portable air cleaners, as well as furnace and HVAC filters <https://www.epa.gov/indoor-air-quality-iaq/air-cleaners-and-air-filters-home>.

#### Comment

FCA should ensure greater air pollution controls and make it clear how this plan is comparable to protections installed in their suburban plants.

#### AQD Response

Any application submitted to the AQD is reviewed on a case-by-case basis to ensure it complies with the applicable rules and regulations.

The level of control at different facilities is dependent on when equipment was installed or modified, what rules and regulations the equipment was subject to when installed or modified, and the results of the case-by-case reviews of those applicable rules and regulations. Automotive assembly lines, both suburban and urban, have varying levels of control as a result of differences in these factors during the permit review process.

The level of air pollution control for the Mack Plant project has been determined by a Lowest Achievable Emission Rate review. The result of this review supports the level of air pollution control that will be installed and operated, as well as the allowed VOC emissions.

Existing facilities with permits formatted under the flexible permit initiative have pounds of VOC per job (lb/job) emission limits that range from 4.5 to 5.73. The Mack Plant has a lb/job limit of 3.0, which is one of the lowest emitting plants in the nation.

#### Comment

FCA should provide additional protections for community members, especially at schools and for

residents with health issues.

#### AQD Response

The review for this application, through the application of AQD guidance, computer dispersion modeling, and the toxics analysis, has shown the expected pollutant impacts are below their respective standards.

In addition to the required toxics analysis, the AQD performed an additional analysis for combined cumene and ethylbenzene emissions from both facilities in response to another comment. The additional analysis is discussed in the next section, and still showed the respective health-based screening level would be met for each of these chemicals.

Based on the results of the modeling and toxics analyses, the emission limits and control equipment requirements in this PTI are protective of the public, including sensitive groups such as children and residents with health issues.

#### **Air Toxics and Risk Assessment**

##### Comment

EGLE can and should use its Rule 228 authority to assess cumulative impacts when making permitting decisions increasing emissions near historically marginalized communities. Title VI requires EGLE to utilize its authority under Rule 228 to assess cumulative effects in Environmental Justice communities. How and when are cumulative impacts taken into consideration by EGLE?

##### AQD Response

The AQD is concerned about cumulative impacts and has evaluated impacts of air pollutants in several ways. It should be noted, the AQD disagrees that we have the authority under Rule 228 to assess cumulative impacts from a source, the way the commenter is suggesting. The AQD has, on a limited basis, used its authority under Rule 228 to conduct analyses to look at the aggregate effects of one pollutant, for example the bio accumulative effects of mercury.

The way the AQD has assessed cumulative impacts as discussed in detail below, these include:

- Ambient air monitoring.
- Air dispersion modeling for criteria pollutants.
- Additional analyses for Cumene and Ethylbenzene.

It can be determined what is in the ambient air through monitoring and modeling. The USEPA criteria pollutants are sulfur dioxide (SO<sub>2</sub>), Nitrogen Oxides (NO<sub>x</sub>), particulate matter equal to or less than 10 micrometers in diameter (PM<sub>10</sub>), particulate matter equal to or less than 2.5 micrometers in diameter (PM<sub>2.5</sub>), carbon monoxide, lead, and ozone. The monitored impacts of all emission sources for a criteria pollutant are compared to the NAAQS, which are protective of public health. The data shows all of the criteria pollutants are in attainment with the exception of ozone. The proposed FCA permits do not significantly cause or contribute to the area's nonattainment (NA) of the ozone standard.

The cumulative impact of individual sources can be reviewed for the same criteria pollutants through a modeling analysis. Based on AQD guidance, the review process for the Mack application included cumulative modeling analyses for NO<sub>x</sub> and PM<sub>2.5</sub>. These modeling analyses included emissions for these pollutants from both FCA plants, as well as nearby sources. The results of the modeling analyses showed there are no expected violations of any national standard for these pollutants.

Air pollutants that are not among the seven criteria pollutants are referred to as toxic air contaminants (TACs) or air toxics. The cumulative impacts of air toxics have been evaluated by the AQD and the USEPA, based on air quality monitoring studies, such as the Detroit Air Toxic Initiatives in 2005 and 2010. The AQD does not look at cumulative risk for air toxics in the way the commenter is referring. The AQD knows this is a concern for the community. The air toxics rules provide limited opportunities to combine multiple air toxics into the review and to account for background levels. Although unable to look at a true cumulative risk for toxics, the AQD does look at risk in the way our current process allows. The health-protective screening levels for TACs are set at conservatively low air concentrations based on toxicological/carcinogenic studies and are designed to protect sensitive groups.

As the emissions of cumene and ethylbenzene were specifically noted as a concern to the commenter, the AQD performed an additional modeling analysis from all the sources emitting those specific compounds at JNAP and Mack. It was found that cumene was 14.3 percent of the Secondary Risk Screening Level (SRSL) and ethylbenzene was 17.8 percent of the SRSL. These combined impacts for the entire source are well below the health-based screening levels.

The AQD permit review process addressed all air pollutant emissions from the proposed project. The AQD must review permit applications within their regulatory authority, which includes numerous provisions to protect the public health from emissions of criteria pollutants and TACs.

EGLE's Policy 09-024 Nondiscrimination in EGLE Programs outlines the Department's policy to comply with Title VI obligations to prohibit discrimination on the basis of race, color, national origin, age, sex, or disability in programs or activities, including meaningful access to persons with limited English proficiency and persons with disabilities.

To comply with its Title VI obligations, the AQD has provided opportunities for enhanced public participation beyond the requirements of the Clean Air Act as well as the Michigan Natural Resources and Environmental Protection Act. These activities included:

- In response to comments, provided an additional air toxics analysis to evaluate the total impacts of cumene and ethylbenzene from both facilities.

## **B. Emergencies, Safety, and Odor Concerns**

### Comment

I hope that EGLE and FCA will do more in partnership with community organizations to ensure residents know who to call to report emissions and odor problems, as that may be something many residents may not know. There is a hotline and getting that information more widely known would help the residents let both EGLE and FCA hear directly when there are complaints.

### AQD Response

EGLE is continually trying to improve how information is provided to communities throughout

Michigan.

EGLE's Environmental Assistance Center (EAC) may be contacted at 800-662-9278 from 8:00 a.m. to 4:30 p.m., Monday to Friday, or through email at [EGLE-Assist@Michigan.gov](mailto:EGLE-Assist@Michigan.gov). The EAC can provide one-on-one assistance or referral to the proper program within EGLE.

The EAC website is: [https://www.michigan.gov/egle/0,9429,7-135-3307\\_36106---,00.html](https://www.michigan.gov/egle/0,9429,7-135-3307_36106---,00.html). This website contains links to different programs, general environmental information, and contact information for program specialists for the various EGLE programs. In addition, there are links on this page to submit air quality complaints or report spills. Submittals through these links are addressed during the work hours stated above.

For odor complaints during business hours, residents may also contact Mr. Jeff Korniski at the Detroit District Office at 313-912-6255. If Mr. Korniski is not available, please contact the Detroit District Office general number at 313-456-4700.

During non-business hours, residents should contact the Pollution Emergency Alerting System (PEAS) at 800-292-4706. This telephone number is operated by EGLE and is staffed 24 hours per day. Information received by the PEAS operator is quickly forwarded to the appropriate agencies.

### **C. Permit Requirements**

#### **Emissions**

##### Comment

This application should not be issued because emissions from the source should be further reduced.

##### AQD Response

The allowable emission levels, as well as required testing, monitoring, and recordkeeping requirements, were established as part of the review of the applicable rules and regulations. The review included evaluation of individual pollutants, including computer dispersion modeling for NO<sub>x</sub>, PM<sub>2.5</sub>, and TACs. The evaluation showed no pollutant impacts are above the allowed standards and are, therefore, not expected to impact public health or the environment. The AQD cannot require a facility to further reduce emissions if the proposed level shows compliance with all applicable rules and regulations.

##### Comment

The emissions could be and should be lower based on the public funding used for this project. Half of the project is publicly funded; new and better equipment should be used instead of old equipment being retrofitted and re-engineered.

##### AQD Response

The AQD is unclear as to the basis for the commenter's statement that "half of the project is publicly funded," but the AQD is not allowed to incorporate the source of funding for a project in determining acceptable levels of proposed emissions. The AQD also does not have the regulatory authority to dictate whether a company installs new equipment or retrofits existing equipment, so long as all applicable rules and regulations are being met.

## **Monitoring**

### Comment

FCA has not met all of the criteria for monitoring their emissions. Continuous monitoring technology is available on the market and I don't see a reason why FCA is staying away from this technology. Other techniques are based on stack testing, which is not reliable. There is a lot of respiratory disease along the street and no technology is being used to ensure the health of the people.

### AQD Response

The Mack Plant application review included proposed emission rates for pollutants and, where necessary, computer modeling to verify the proposed emission rates will meet applicable standards.

Different methods can be used to monitor emissions from a process. Some examples of these methods are Continuous Emissions Monitors (CEMS), stack testing, and mass balance and recordkeeping.

CEMS are devices which are calibrated to measure given pollutants in the exhaust stream of the process and measure continuously. At a facility, such as an automotive assembly line, there are a relatively large number of emission points; installing a CEMS at each emission point or stack is cost prohibitive. In addition, CEMS systems, especially for VOCs or particulate matter (PM), also have relatively complex calibration checks that would require additional, specially-trained personnel.

Based on the complexities of installing, maintaining, and operating CEMS systems at a facility such as an automotive assembly line, monitoring at these types of facilities uses mass balance and stack testing methods for monitoring emissions.

Mass balance involves monitoring the usage of materials, such as coatings or natural gas, and calculating emissions based on different factors, such as control efficiency.

Stack testing involves taking a representative volume of the exhaust gases and analyzing the gases for the specified pollutants. Stack sampling is not a continuous process and represents a snapshot of the emissions at the time the stack test was done.

The AQD does not agree with the statement that stack testing is not reliable. There are numerous quality assurance techniques that are associated with performing a stack test, including:

- The stack testing must be performed by a certified tester.
- A test protocol must be submitted to, and receive acceptance from, the AQD prior to any stack test used for compliance purposes. The test protocol is a detailed plan for how the testing shall be performed, including the proposed federally-approved Test Method(s), process descriptions, and scheduling.
- Each test method performed contains quality control checks that must be met for the testing to be considered valid.
- The AQD reserves the right to witness any testing and thoroughly reviews reports before approving or denying results submitted by the tester.

- Stack testing must be performed during normal operation, so the results are representative of the process.

The use of stack testing to verify emissions at the Mack Plant is consistent with both historically and recently permitted automotive manufacturing facilities. Based on the process for performing and verifying results, stack testing is sufficient to verify emissions from this facility and installation of CEMS is unnecessary.

#### Comment

Several comments were received asking why FCA gets to self-monitor and submit recordkeeping information, instead of the AQD or the public having direct access to this process. These comments stated that the permit should not be issued until this process is changed and FCA is not allowed to perform its own monitoring and recordkeeping.

#### AQD Response

The Mack Plant PTI requires FCA to submit emissions reports to the AQD that include actual emissions, as well as supporting information for how those emissions were calculated. AQD staff performs a detailed review of usage rates, test data, emission calculations, operational data, and any other information that is required to verify the information in the reports. The public may access the information submitted through Freedom of Information Act (FOIA) requests.

Although FCA is allowed to monitor and submit the facility information to the AQD, this process is not done so with impunity. The facility is part of a stationary source that is considered a major source of emissions. The Mack Plant permit will be incorporated into the existing ROP for this stationary source. The ROP requires the company to certify they are in compliance with the terms and conditions of their permit semi-annually. The responsible official of any facility that has an ROP can be criminally prosecuted if the responsible official falsified information.

### **D. Permit Review Process**

#### Comment

With FCA converting its Mack facility into the assembly site for production of the Jeep Grand Cherokee and Durango, which are also produced at the Jefferson North Assembly Plant, why should emissions from these neighboring buildings be considered separately?

#### AQD Response

The guidance for aggregation of projects (i.e., should these two applications be reviewed as a single project) is the "Prevention of Significant Deterioration and Nonattainment New Source Review (NNSR): Aggregation; Reconsideration" final action, 83 Fed. Reg. 57,324, as published on November 15, 2018. This final action provides guidance that emissions from two or more projects should be combined into a one larger project when they are "substantially related" for the purposes of determining major NNSR applicability. Factors that were taken into consideration for that determination were described in the [Technical Fact Sheet](#).

Although Mack and JNAP have many similarities, the two projects are not technically dependent upon one another, nor do the projects share any steps in the automobile production process. The Mack and JNAP assembly lines are entirely separate manufacturing processes with separate body shops, paint shops, final assembly areas, and supporting equipment, such as repair operations and natural gas equipment. In addition, coatings applied to an automobile

(electrodeposition, primer, basecoat, and clearcoat) are designed to be compatible. The primer and basecoat operations at the Mack and JNAP paint shops use different coating technologies that are not designed to be used in the other plant.

Since the two projects were determined to not be substantially related, they are considered separate projects and emissions were evaluated separately.

## **Miscellaneous**

### Comment

There are a number of requests that the community made during the community benefits process that remain unfulfilled. I would encourage EGLE, through your ongoing conversations with FCA, to raise the fact that there are a number of outstanding items that residents are continuing to push for.

### AQD Response

The requirements for the MAPPAs were added to PTI No. 14-19 at FCA's request. The AQD does not have the legal authority to require a permittee to perform additional projects in conjunction with a permit application.

The MAPPAs were submitted to the AQD on February 7, 2020, and approved by the AQD. The details of the plan can be found here:

<https://www.deq.state.mi.us/aps/downloads/permits/PubNotice/14-19/14-19AdditionalProjects.pdf>

Additional projects, beyond what is included in the MAPPAs, are not being planned at this time. However, the AQD discussed the status of the MAPPAs with FCA, who provided the following updates:

- The Stormwater Park is approximately 80 percent completed; an urban nature trail is planned to be added in the near future
- The Green Buffer is behind schedule, but FCA has met with "Greening of Detroit" to help communications with residents regarding voluntary planting of trees on residential property. Forty trees have been planted along Connor Avenue and the plans for Lot 12 for stormwater runoff are scheduled to be finished by the end of the year.
- Environmental and Sustainability Education Program for local students is under development.
- The Chandler Park Conservatory Partnership is planned to begin next year.
- Installation of solar-powered bus stop shelters is expected in 2020 and 2021.
- A quarterly newsletter has been established. It is called the FCA4Detroit Quarterly and can be accessed at: [fca4detroit.com](http://fca4detroit.com).
- Plans for an event, including providing rain barrels to interested residents, has been delayed due to COVID-19 concerns, but it is tentatively planned for the spring of 2021.

### Comment

Several comments were received regarding the housing repair grant program and residents not receiving funds for home repairs/renovations. The comments stated this should be taken into consideration as part of the permit review.

#### AQD Response

The program for providing funding to residents for home projects was mentioned in the MAPPA as part of the original Community Benefits Agreement (CBA). However, that portion of the CBA is not part of the MAPPA required by the PTI. Information regarding the housing repair grant program for residents can be found at: [fca4detroit.com](http://fca4detroit.com).

It is the AQD's understanding the distribution of funding from this program is administered by the City of Detroit Housing and Revitalization Department, which can be contacted at 313-224-6380. Additional information for the Housing and Revitalization Department can be found at: [detroitmi.gov/departments/housing-and-revitalization-department](http://detroitmi.gov/departments/housing-and-revitalization-department).

#### Comment

A lack of environmental monitoring data exists surrounding the plant. An approved project should include a plan for source monitoring.

#### AQD Response

During the review process for PTI No. 14-19, two conditions were added (FGAUTOASSEMBLY, SCs IX.7 and IX.8) stating FCA shall install and operate an ambient air monitoring program at the facility and submit records of the air monitoring data collected to the AQD. Those conditions were added at FCA's request, as the AQD does not have the authority to require a permittee to perform ambient air monitoring.

It should be noted ambient air monitoring data is not used to demonstrate compliance by a single source. Facility compliance is verified by the testing, monitoring of operational data, and recordkeeping requirements contained in the permit. The data obtained from this station will supplement the numerous other air monitoring stations in Wayne County and southeast Michigan areas.

FCA submitted the Revised Ambient Air Quality Monitoring Program Work Plan to the AQD on February 7, 2020. The AQD reviewed and approved the revised Work Plan, which contains details regarding the pollutants to be measured. Details for the monitoring plan can be found at: <https://www.deq.state.mi.us/aps/downloads/permits/PubNotice/14-19/14-19RevisedAAQMWorkPlan.pdf>

The exact location has been determined and the air monitoring station is currently under construction.

#### Comment

I was appalled to learn earlier in the permitting process that FCA was able to trade emissions reductions in the white suburb of Warren for emissions increases in the majority-Black city of Detroit. This is blatant environmental racism.

#### AQD Response

One requirement of NNSR is to obtain offsets for the proposed increases in the NA pollutant(s). Offsets are reductions in the same pollutant that must be obtained from the same NA area. In this case, the NA area consists of the entirety of Livingston, Macomb, Monroe, Oakland, Saint Clair, Washtenaw, and Wayne counties in southeast Michigan.

NNSR regulations are equally applicable to the entire NA area. There is no regulatory pathway allowing the AQD to require a specific location for a project within a NA area, or where the offsets are to be obtained, so long as they are obtained within the same NA area as the project.

Comment

EGLE must hold FCA to the most stringent standards of proof and necessity and should not approve any FCA application to increase air pollution in our communities if the health and safety of our residents will be imperiled.

AQD Response

The AQD permit review process addresses air quality issues and does not have the authority to determine the necessity of a proposed project. The AQD has the authority to ensure the pollutants generated from the facility will comply with all applicable state and federal air quality regulations. The Mack application review has determined this permit, as approved, will meet those regulations.

Comment

What are the total emissions of each of these facilities, including those proposed in these permits?

AQD Response

Note, to fully respond to this comment, the AQD has included emissions from JNAP, though the permit decision on the application is still pending and could be subject to change.

The stationary source operates under ROP No. #MI-ROP-N2155-2017. The ROP was issued prior to the permitting for the Mack assembly line and currently contains requirements only for JNAP. The allowed emission limits in the FG-FACILITY portion of the ROP cover the entire JNAP facility and are currently set at the values in the following table:

Current JNAP Allowed Emissions in ROP

<b>Pollutant</b>	<b>Limit</b>
VOC	1085.8 tpy
PM 10	42.4 tpy
NOx	153.9 tpy
CO	133.65 tpy
SO2	3.4 tpy

If the JNAP application is approved as currently drafted and after the updated allowed emission limits in PTI No. 33-20 become applicable, JNAP allowed emission would be:

Updated JNAP Allowed Emissions in PTI No. 33-20

<b>Pollutant</b>	<b>Limit</b>
VOC	995.3 tpy
PM	42.4 tpy
PM10	42.4 tpy
PM2.5	42.4 tpy
NOx	133.4 tpy
CO	97.0 tpy
SO2	3.4 tpy

The large majority of equipment at Mack is permitted under PTI No. 14-19A. There is some existing natural gas-fired building heat that is not part of this PTI. This portion of the building heat has historically been part of a larger group of natural gas equipment (called EU-HEATERS) when Mack operated as an engine plant, which included air handling units, heaters, ovens, and hot water boilers. Some of that equipment is being removed due to the changeover of the facility to an automotive assembly line, and emissions from the remaining building heat equipment are not expected to increase from past actuals. As a conservative measure, the maximum actual emission level for each pollutant from EU-HEATERS for the last five years was added to the project emissions for PTI No. 14-19A. This results in the emission levels in the following table:

Mack Emissions:

<b>Pollutant</b>	<b>Limit</b>
VOC	382.5 tpy
PM	6.37 tpy
PM10	6.37 tpy
PM2.5	6.37 tpy
NOx	45.4 tpy
CO	88.6 tpy
SO2	0.65 tpy

If both PTIs are approved (note, the Permit Decision on JNAP is still pending), the total emissions from the combined facilities would be:

Total Emissions from JNAP and Mack

<b>Pollutant</b>	<b>Limit</b>
VOC	1,337.8 tpy
PM	48.8 tpy
PM10	48.8 tpy
PM2.5	48.8 tpy
NOx	178.8 tpy
CO	185.6 tpy
SO2	4.05 tpy

There are differences in the allowed, expected, and actual emissions. Allowed emissions are what is evaluated during an application review and the maximum emissions allowed under a permit. Expected emissions are based on predicted future operations, and actual emissions are what is released to the atmosphere.

#### Comment

EGLE must recognize its importance to me as a resident. We have not been heard by the mayor, city council members, or the neighborhood council. EGLE has a great deal of power as to whether pollution is increased and to whether FCA will do the right thing and work harder to lower emissions, increase protections, and improve monitoring.

#### AQD Response

The AQD is responsible for assuring compliance with the Clean Air Act, certain federal regulations, State of Michigan Public Act 451, and the rules and regulations promulgated under

Act 451. In addition, there are other federal rules and regulations that are under the responsibility of the State of Michigan to verify compliance. These rules and regulations were established to protect public health and the environment. The AQD takes this responsibility very seriously.

The rules and regulations have specific criteria and processes the AQD must follow to determine if a proposed project will comply. If a submitted application does not meet a particular rule or regulation, it must be addressed before a permit can be issued. The AQD will only issue a permit when the technical review shows all applicable rules and regulations have been met and a draft permit contains the proper emission limits, monitoring, recordkeeping, and reporting requirements to verify compliance.

#### Comment

FCA is located in an Environmental Justice community, what has EGLE Air Quality Division done to provide additional outreach and resources to this community?

#### AQD Response

The AQD recognizes there are Environmental Justice concerns in the area and worked with the Office of Environmental Justice Public Advocate for enhanced public involvement.

For the proposed Mack permit, the AQD encouraged meaningful public involvement in several ways:

- The AQD provided a Proposed Project Summary about the permit applications and reviews to help provide a less technical summary of the proposed projects and reviews completed.
- The AQD corresponded with individuals who expressed interest in the facility during previous permitting actions.
- The public comment period was held for 45 days to allow citizens more time to provide comments.
- The AQD held two virtual informational sessions that included a brief presentation of the two projects as well as the opportunity for citizen's questions to be answered.
- To assist commenters who may have limited internet access, the AQD encouraged citizens to provide written comments, and established a call-in number for anyone wishing to provide verbal comments. The AQD received four verbal comments through the voicemail system.

As with any public comment period, a mailing list was developed of interested citizens. All parties who commented will be added to the AQD's interested party list for future notifications about proposed air permitting actions for these facilities.

The AQD strives to protect the health and welfare of all citizens of the State of Michigan. The established state and federal air quality standards and rules are designed to be protective for all segments of society, including sensitive groups. The AQD has not attempted to determine the economic or racial demographics of the area, but has determined PTI No. 14-19A, as approved, will meet all applicable air quality standards and health protective requirements and is not expected to have a negative impact on the community.

Comment

What is EGLE doing to make sure it is complying with its Title VI obligations during the process of issuing these permits?

AQD Response

EGLE's Policy 09-024 Nondiscrimination in EGLE Programs outlines the Department's policy to comply with Title VI obligations to prohibit discrimination on the basis of race, color, national origin, age, sex, or disability in programs or activities, including meaningful access to persons with limited English proficiency and persons with disabilities.

To comply with its Title VI obligations, the AQD has provided opportunities for enhanced public participation beyond the requirements of the Clean Air Act as well as the Michigan Natural Resources and Environmental Protection Act. These activities included:

- Providing a Proposed Project Summary which outlines the process in a less technical manner.
- Provided 45 days for public comment.
- Held an additional informational session prior to the hearing to provide information to the public and an opportunity to answer questions.
- Kept the comment period open past the hearing to allow individuals more time to comment and consider the proposed action.
- Continued the use of a public comment call in number so verbal comments can be taken for those without internet access.
- In response to comments, provided an additional air toxics analysis to evaluate the total impacts of cumene and ethylbenzene from both facilities.

Comment

Will EGLE create a tool to inform policy decisions that may contribute to the inequitable distribution of environmental hazards, including cumulative risks?

AQD Response

EGLE has established the position of Environmental Justice Public Advocate, Ms. Regina Strong, who is tasked to lead the state's Interagency Environmental Justice Response Team. As part of the work being done under this team, a number of sub-workgroups were formed including: Planning and Policy, Data and Research, Training, and Communications and Outreach. The Data and Research Workgroup is responsible for creating a Michigan specific screening tool for Environmental Justice. This tool will be utilized by EGLE staff to help make informed decisions.

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