

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE COMMUNICATION

August 26, 1998

TO: AQD Permit Section Staff
AQD Modeling & Meteorology Unit Staff

FROM: Greg Edwards, Acting Supervisor, Permit Section, AQD

SUBJECT: PSD "Minor Source Baseline Dates"

We have reviewed the dates that have been used since May 1981, as the "minor source baseline dates" for each Air Quality Control Region (AQCR) in Michigan. As a result of this review, some discrepancies have been uncovered. I am specifically not using the word "errors" here because this particular issue has been litigated several times at the federal level. The federal Prevention of Significant Deterioration (PSD) regulations regarding baselines were revised numerous times in the early 1980's. As a result of these revisions, most of the dates we have been using for particulate matter and sulfur dioxide do not reflect the language used in the current version of 40 CFR 52.21.

The "minor source baseline date" is important in a PSD permit application review because **all** emission increases and decreases after that date must be considered in the source impact analysis required by 40 CFR 52.21(k). The source impact analysis is the modeling study used by an applicant to demonstrate compliance with the national ambient air quality standards and PSD increments. The "minor source baseline date", is defined in 40 CFR 52.21(b)(14)(ii), in part, as:

"(T)he earliest date after the trigger date [August 7, 1977, for particulate matter and sulfur dioxide, and February 8, 1988, for nitrogen dioxide] on which a major stationary source or a major modification subject to 40 CFR 52.21... submits a complete application"

It is important to note that based on the above definition it does not matter whether the permit was issued or whether the facility was built, but only that the application was complete. Many problems were found with the minor source baseline dates we have been using. Some of them were not based on permits that were subject to PSD, some were based on permit issuance dates rather than application complete dates, and some did not take into account PSD permits issued by the EPA prior to delegation of the PSD program to Michigan

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on September 10, 1979. We have reviewed all of the existing "minor source baseline" dates for consistency with 40 CFR 52.21(b)(14)(ii). The biggest single change in any of the dates is to the particulate matter baseline date for AQCR No. 122, which moved forward 26 months (the previous date had been established based a permit that was not subject to PSD). Most of the other date changes are for time periods of six months or less.

Attached to this memo is a table which lists the corrected "minor source baseline dates" for nitrogen dioxide, particulate matter, and sulfur dioxide for each AQCR in Michigan and a map which shows which Counties are in each AQCR.

In addition, we investigated Michigan's historical use of AQCR's to establish the PSD minor source baseline dates. On the surface it is inconsistent with an August, 1980 federal register which suggests that "baseline areas" should be based on county boundaries. However, that federal register goes on to state that PSD baseline areas must be based on the designations in Section 107(d)(1) of the Clean Air Act. As listed in 40 CFR 81, subpart C, Michigan's Section 107 attainment and unclassified designations for nitrogen dioxide, particulate matter, and sulfur dioxide are based on the AQCR groupings. Therefore, the use of AQCR's remains appropriate to establish baseline dates for these air pollutants.

GME:DY:clk

Attachments

cc: Ms. Laura Gerleman, U.S. EPA, Region 5
Mr. Rick Johns, AQD
All AQD Section Supervisors
All AQD District Supervisors