

---

---

# FCA US LLC

## RESPONSE TO COMMENTS DOCUMENT

May 12, 2021

PERMIT No. 33-20

---

---



Gretchen Whitmer, Governor

**Air Quality Division**  
**Michigan Department of Environment, Great Lakes, and Energy**

*INTERNET: <https://www.michigan.gov/air>*

Mary Ann Dolehanty, Director  
Air Quality Division  
Constitution Hall, 2<sup>nd</sup> Floor, South Tower  
525 West Allegan Street  
P.O. Box 30260  
Lansing, Michigan 48909-7760  
Phone: 800-662-9278  
Fax: 517-335-0012

## Table of Contents

<b>Section</b>	<b>Page</b>
Public Participation Process.....	2
Summary of Comments Resulting in Changes to the Permit.....	3
Summary of Significant Comments .....	4
Public Health and Environment Concerns .....	4
Environmental Justice Concerns .....	7
Air Toxics and Risk Assessment .....	8
Emergencies and Safety Concerns .....	10
Dispersion Modeling .....	10
Odor Concerns.....	11
Best Available Control Technology Review .....	11
Permit Requirements .....	12
Emissions .....	12
Monitoring .....	14
Permit Review Process .....	17
Public Participation Process.....	18
Miscellaneous .....	18

## I. PUBLIC PARTICIPATION PROCESS

Permit to Install application No. 33-20, for FCA US LLC (FCA), Jefferson North Assembly Plant (JNAP), is for the installation of a new coating line, moving an existing repair operation, and changes to some existing equipment located at 2101 Conner Street, Detroit, Michigan. There were two public participation processes for this application. This involved providing information for public review including two public comment periods, each of which provided a Technical Fact Sheet, a Proposed Project Summary, proposed permit terms and conditions, informational meeting(s), a public hearing, and the receipt of written and verbal public comments on staff's analysis of the application and the proposed permit. A second public participation process was required due to changes requested by the applicant to the proposed project.

On the dates listed below, copies of a 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>).

- August 5, 2020. The AQD also sent 29 emails and mailed 3 letters to persons who had previously expressed interest and had provided complete contact information.
- February 10, 2021. The AQD also sent 107 emails to persons who had previously expressed interest and had provided complete contact information.

On each of these dates, a Notice announcing the public comment period, virtual public informational meetings, and virtual public hearing was placed in the *Michigan Chronicle*. Each 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 meeting(s) and virtual public hearing was located; the closing date of the respective public comment period; the address and email where written comments were being received; and the telephone number where verbal comments were being received.

The three 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.
- March 16, 2021; the meeting began at 6:00 p.m. and concluded at the beginning of the virtual public hearing at approximately 7:00 p.m.

The first virtual public hearing was held on September 9, 2020. This 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 action were received. Approximately 35 people attended at the public hearing with four providing verbal comments. The virtual public hearing concluded at approximately 7:10 p.m.

The second virtual public hearing was held on March 16, 2021. The hearing began at 7:00 p.m. with Ms. Jenifer Dixon as the Hearings Officer and Dr. Eduardo Olaguer, Assistance AQD

Director, as the decision maker. Only comments on the proposed permit action were received. Approximately 43 people attended the public hearing with eleven providing verbal comments. The virtual public hearing concluded at approximately 7:45 p.m.

A total of fourteen sets of written comments were received during the public comment periods and hearings. 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 periods and hearings regarding the proposed permit and the Department's response. The first section discusses the comments received that resulted in changes to the final permit terms and conditions 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 the final permit.

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

### Comment

Under Emission Limits in Section I of FG-FACILITY, Special Conditions (SC) I.1-4 for volatile organic compounds (VOC) have underlying applicable requirements (UARs) listed as R 336.1225, R 336.1702(a), and 40 CFR 52.21.

These SCs should include a requirement for Michigan's Prevention of Significant Deterioration (PSD) rules, found in Part 18 of the State of Michigan (SOM) Air Pollution Control Rules. Additionally, the 40 CFR 52.21 reference should include (j) since this is a PSD Best Available Control Technology (BACT) limit.

### AQD Response

After reviewing the facility's permitting history, the AQD agrees SC I.1-4 of FG-FACILITY are PSD BACT limits. The 40 CFR 52.21 UAR should include a (j) and an SOM Part 18 UAR should be added to clarify these are PSD BACT limits.

### Condition Change

UAR "R 336.2810" has been added to SC I.1-4 of FG-FACILITY. UAR 40 CFR 52.21 has been updated to 40 CFR 52.21(j) to properly cite Federal PSD BACT. The updated Emission Limit table in FG-FACILITY is:

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring / Testing Method	Underlying Applicable Requirements
1. VOC	995.3 tpy	12-month rolling time period as determined at the end of each calendar month	FG-FACILITY	SC VI.1	R 336.1225, R 336.1702(a), R 336.2810, 40 CFR 52.21(j)
2. VOC	4.8 lbs per job	12-month rolling time period as determined at the end of each calendar month	FG-FACILITY	SC VI.1	R 336.1225, R 336.1702(a), R 336.2810, 40 CFR 52.21(j)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring / Testing Method	Underlying Applicable Requirements
3. VOC	4.6 lbs per job <sup>a</sup>	12-month rolling time period as determined at the end of each calendar month	FG-FACILITY	SC VI.1	R 336.1225, R 336.1702(a), R 336.2810, 40 CFR 52.21(j)
4. VOC	4.4 lbs per job <sup>b</sup>	12-month rolling time period as determined at the end of each calendar month	FG-FACILITY	SC VI.1	R 336.1225, R 336.1702(a), R 336.2810, 40 CFR 52.21(j)

<sup>a</sup> This emission limit becomes applicable in the 7th month after the trial operation date in the notification required per SC VII.4. The 4.8 lbs VOC/job limit in SC I.2 will no longer be applicable.

<sup>b</sup> This emission limit becomes applicable in the 13<sup>th</sup> month after the trial operation date in the notification required per SC VII.4. The 4.6 lbs VOC/job limit in SC I.3 will no longer be applicable.

**Comment**

Appendix 9, Recordkeeping Provisions, does not include the provisions found in FG-FACILITY, SC VI. 5. and SC VII. 3. These SCs should be in Appendix 9 to clarify which additional recordkeeping requirements are the result of using an Actual-to-Projected Actual test (A2A) as part of the hybrid applicability analysis.

**AQD Response**

The AQD agrees adding references to the referenced SCs in Appendix 9 adds clarity to requirements resulting from the use of an A2A analysis.

**Condition Change**

To clarify the requirements for VOCs and oxides of nitrogen (NOx) are based on the use of an A2A, the following sentence has been added to the end of the first paragraph in Appendix 9:

*The monitoring, recordkeeping, and reporting requirements for the pollutants listed below are listed in FGFACILITY, SC VI.5 and SC VII.3.*

**III. SUMMARY OF SIGNIFICANT COMMENTS**

**A. Public Health and Environment Concerns**

**Comment**

Several comments were received stating concerns about the truck traffic creating dust, additional pollution, and creating unsafe conditions, including for the protected bicycle space near the facility.

**AQD Response**

The AQD does not have the authority to regulate the traffic surrounding the facility, nor to dictate the physical design. However, although not included or required in the permit application review, 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 MAPPAs at the following link:  
<https://www.deq.state.mi.us/aps/downloads/permits/PubNotice/14-19/14-19AdditionalProjects.pdf>.

Recommendations were made based on this traffic study, such as fixed travel corridors, surface street and intersection improvements, and additional traffic lights with improved timing. There is also a call-in number (1-800-737-6789) for citizens to communicate concerns for facility-related traffic.

#### Comment

There is no buffer between nearby citizens and the facility. The plant should be required to plant many more trees and shrubs around the facility, or to relocate to a remote location so it will no longer affect the health of citizens. Either of these options will help residents living nearby with health-related issues.

#### AQD Response

While the AQD does not have the authority to require a permittee to plant trees surrounding a facility, as part of the MAPPAs, plans for multiple environmental projects were described, including the planting of approximately 1,000 trees in the area. Please see the MAPPAs at the following link: <https://www.deq.state.mi.us/aps/downloads/permits/PubNotice/14-19/14-19AdditionalProjects.pdf>

Decisions regarding zoning and the placement of industrial facilities are made by local governments and are not within the authority of the AQD. The application review determined all rules and regulations would be met and pollutant impacts were within their respective standards on all public property surrounding the 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 that the risk assessment be made public.

#### AQD Response

The AQD uses air quality rules and regulations to protect public health and the environment. For example, the National Ambient Air Quality Standards (NAAQS) are developed from health-based research studies. These standards are set to be health protective for the general public, including sensitive groups like people with respiratory disease. Including an evaluation for the ozone nonattainment area, the emissions from both the Detroit Assembly Complex Mack (Mack) and JNAP projects were evaluated and found to meet air quality rules and regulations.

Along with community members' personal stories, reports like the [interim report from the Michigan Coronavirus Racial Disparities Task Force](#) have documented the impacts of COVID-19 in Black communities, like those around FCA. Likewise, the AQD is aware of reports like "[Detroit: The Current Status of the Asthma Burden](#)" about high asthma rates in the area.

Air pollution is one factor that may worsen illnesses like asthma, but there are multiple, influential factors, such as family history, respiratory infections, allergies, occupational exposure,

smoking, and obesity. Likewise, some research studies have linked air pollution to increased vulnerability to COVID-19. The research around the virus is constantly evolving, as there are multiple, influential factors being investigated.

At the same time, health risk assessments have been done that can help characterize the air quality around FCA. [The United States Environmental Protection Agency's \(USEPA\) National Air Toxics Assessment \(NATA\)](#) gives an idea of the health risk of breathing approximately 180 pollutants. NATA also includes a review of cumulative hazards for cancer risk and respiratory risk. NATA does this based on outdoor air emission information for sources including FCA, as well as other industrial sources, mobile sources, and even some natural sources like trees. Based on the most recent NATA results, the air quality in the area surrounding FCA is not expected to be a health concern.

#### 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 previously, the project meets all applicable standards and the AQD does not expect any adverse effects to public health or the environment.

To learn more regarding indoor air quality, the USEPA has additional information regarding portable air cleaners, as well as furnace and HVAC filters, at the following link: <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, the rules and regulations the equipment was subject to at that time, and the results of the case-by-case review 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 this project has been determined by a Best Available Control Technology 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/job (lbs VOC/job) emission limits that range from 4.5 to 5.73. After the emission limits in the PTI become fully realized, JNAP will lower from a 4.8 lbs VOC/job limit down to 4.4.

Comment

Several comments were received stating additional protections, such as air filters, should be provided for community members, especially at schools and for residents with health issues.

AQD Response

The review for this PTI, through the application of applicable rules and regulations, 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 for each application, the AQD performed an additional analysis for combined cumene and ethylbenzene emissions from both facilities. 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 the PTI are protective of the public, including sensitive groups such as children and residents with health issues.

**B. Environmental Justice Concerns**

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, and to make sure it is complying with its Title VI obligations during the process of issuing this permit?

AQD Response

The AQD recognizes there are Environmental Justice concerns in the area, as well as its obligations under Title VI.

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.

Also, the Office of the Environmental Justice Public Advocate is holding Environmental Justice roundtables, as well as the Michigan Environmental Justice Conference to be held from May 18-20, 2021. Additional information can be found at the following website: [michigan.gov/environmentaljustice/](https://michigan.gov/environmentaljustice/)

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 worked with the Office of Environmental Justice Public Advocate to provide opportunities for enhanced public involvement for this permit beyond the requirements of the Clean Air Act as well as the Michigan Natural Resources and Environmental Protection Act. These activities included:

- Providing Proposed Project Summaries about the permit application and review to help provide less technical summaries of the proposed project and review completed.
- Corresponding with individuals who expressed interest in the facility during previous permitting actions.
- Holding each public comment period for longer than the required 30 days to allow citizens more time to provide comments.
- Holding three virtual informational sessions, each of which included a brief presentation of the project as well as the opportunity for citizen's questions to be answered.
- Encouraging citizens who may have limited internet access to provide written comments, or to use the public comment call-in number to provide verbal comments. Four verbal comments were received through the voicemail system.
- Keeping both comment periods open past each hearing to allow individuals more time to comment and consider the proposed action.
- Responding to comments by providing an additional air toxics analysis to evaluate the total impacts of cumene and ethylbenzene from both the Mack and JNAP facilities.

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 this facility.

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. 33-20, 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.

### **C. 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 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 toxic air contaminants (TAC).

The ways the AQD has assessed cumulative impacts is discussed in detail below and 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>), 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. The review process for the JNAP 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 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 cumulative risk for toxics in the way the commenter is requesting, the AQD does look at risk in the way our current rules allow. 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 its Secondary Risk Screening Level (SRSL) and ethylbenzene was 17.8 percent of its SRSL. A SRSL is a health-based standard that protects against a cancer risk of 1 in 100,000 people based on lifetime exposure. The SRSL is compared to the combined impacts for the entire source, which showed emissions are well below the health-based screening levels.

#### **D. Emergencies and Safety 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, including efforts through the Office of the Environmental Justice Public Advocate. More information regarding the Office of the Environmental Justice Public Advocate is available in Section A, toward the beginning of this document.

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.

#### **E. Dispersion Modeling**

##### Comment

I respect the AQD's overall computer modeling efforts and studies, but computer models are only valid when the input variables are true and accurate. When human health is involved, no computer modeling is acceptable unless it is proven.

##### AQD Response

As part of the application review process, the AQD must evaluate the predicted impacts from a proposed project, one method of which is through a computer simulation known as modeling.

Dispersion modeling was developed to predict the impact of emissions because it is not feasible to place an air monitor at every location surrounding a facility. For this application, dispersion modeling was performed with the American Meteorological Society/Environmental Protection Agency Regulatory Model, AERMOD. In 2005 the USEPA formally adopted AERMOD as the

preferred dispersion model for many regulatory applications. This adoption was done after more than a decade of development, evaluation, and review.

Emission rates used in the air modeling analysis follow the USEPA's guidance for existing equipment. The modeled emission rates also account for maximum production rates and capacities for new equipment. These emission rates are considered a worst-case emission scenario and stack testing will be performed to verify emission rates from new equipment.

Therefore, the results of the dispersion modeling for this application are as accurate as can currently be achieved.

## **F. Odor Concerns**

### Comment

From time to time, we are able to smell emissions from another automotive assembly plant. We then have to contact the state to have them ask the company to check their equipment, which is inefficient and sad. With technological advancements, there should not be any emissions from these operations.

### AQD Response

The AQD understands there may be detectable odors in the area surrounding facilities, and the reporting process may seem inefficient. The AQD has recently implemented an online form to file complaints, which can be found on our website, [www.michigan.gov/air](http://www.michigan.gov/air), on the right under, 'Submit an Air Quality Complaint'.

Similar to reducing emissions, one factor that helps minimize odors is the proper operation of control equipment. The permit includes an Operation and Maintenance (O&M) Plan containing specific requirements, including inspections and calibrations, for control equipment that must be performed to ensure, as best as possible, proper operation is maintained. The AQD reviews the O&M Plan, as well as the required records the facility must keep for control equipment inspections and calibrations, to ensure the Plan is being followed properly.

## **G. Best Available Control Technology (BACT) Review**

### Comment

During the second comment period, one commenter asked whether the facility, as a new plant, considered powder paints, which have significantly less VOCs.

### AQD Response

JNAP is an existing facility and a BACT review was performed for the application. This review found the installation of control equipment on the new tutone booth, as well as the current operation of powder and spray coatings with current levels of control, to be BACT. The use of powder coatings in the new tutone process is not feasible because it would have compatibility issues with existing vehicle painting processes that do not use powder coating. The tutone booth paints the roof of a vehicle and varying coating technologies would result in quality differences with the remainder of the vehicle. Existing operations at the facility are designed for the use of spray coatings, and a switch to powder coatings would require a complete redesign

of the facility. This complete redesign was found to be cost prohibitive for the purposes of a BACT analysis.

The commenter may be referring to the application for PTI No. 14-19A for modifications at the FCA Mack Plant which was issued on October 30, 2020, and included an evaluation of powder coatings. Since the FCA Mack Plant is new, the applicant could incorporate powder coatings into the overall design; however, powder coatings do not provide the coating quality required for the type of vehicle being produced at the Mack facility. Please see page 12 in the original [Response to Comments Document for PTI No. 14-19](#) for further detail.

## **H. Permit Requirements**

### **Emissions**

#### Comment

Multiple comments received stated the application should not be issued because emissions should be further reduced with air pollution control equipment, especially since the Mack Plant will be creating pollution at higher levels than the Engine plant it is replacing.

#### 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 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

Please explain how emissions are limited coming from the plant to help the community understand how this process works.

#### AQD Response

Emissions from an automotive assembly plant are created through the use of certain materials in the facility, such as paints and sealers, as well as the burning of fuels.

Depending on the process and the applicable rules and regulations, the exhaust from these processes may be required to go through control equipment specifically designed to reduce the emissions. For example, all exhaust from spray painting at the facility is required to go through filter systems that capture a large amount of particulate matter to prevent it from emitting. Also, certain spray painting operations are required to then be vented to control equipment called an oxidizer where VOCs are burned. The permit contains requirements that ensure proper operation of the control equipment.

There are further details in the Technical Fact Sheet.

#### Comment

Emissions 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 not allowed to incorporate the source of funding for a project in determining acceptable levels of proposed emissions.

Comment

The control equipment has a 95% efficiency; that is not sufficient because there is still 5% being emitted.

AQD Response

The requirement of 95% control for the oxidizers is the minimum level of control allowed based on the BACT review. Emissions have been evaluated based on this efficiency and found to be below the respective standards for each pollutant. Maintenance records, operating records, and testing will ensure the control equipment operates at or above the minimum acceptable efficiency.

Comment

Why is EGLE looking at this project on a 'per job' basis instead of at the total? How does the pounds per job limit work?

AQD Response

An application review evaluates the entire proposed process and ensures the applicable rules and regulations will be met.

For an automotive assembly plant, emissions are typically based on usage rates of different materials and the production of vehicles. The flexible permit format takes the review of all the various pieces of equipment in a process and combines the overall emissions to set two emission limits; 1) a mass emission limit in tons per year, and 2) a pounds per saleable vehicle ("job") produced (lbs/job). The facility calculates their total emissions over the past 12 months and divides by the number of jobs produced over that same time period. So long as the facility meets both limits, it is complying with the applicable rules and regulations.

The entire proposed process has been evaluated. One way for the facility to show compliance is on a "per job" basis.

Comment

The emission limits are written "per year". The facility could over-pollute for three months, then not pollute for 2 months, then over-pollute for 5 months and still be within the 12-month limits. How do you monitor for that?

AQD Response

Although many emission limits in the permit are written as "per year" limits, the application review is performed for both "per year" and short-term emissions. Short-term emissions, based on maximum production rates and equipment capacities so they represent worst-case emissions, were evaluated and found to meet all respective standards.

It should also be noted the facility must keep records of source monitoring, such as inspections of particulate control equipment or operating temperature of the oxidizers, on a more frequent

schedule (weekly or continuous) to show emissions will be acceptable on a short-term basis.

## **Monitoring**

### Comment

Several comments were received requesting monitoring data be made available to the public either through an application (app) or an online web portal.

### AQD Response

The AQD has historically used the word “monitoring” in different ways and will provide some clarification, as the term “monitoring” can be used for different reasons.

The AQD performs “outdoor ambient air monitoring” statewide to measure the actual concentration of specific pollutants in the air. The air monitoring network that is maintained and operated by the AQD is robust and meets all federal requirements. The data from this type of monitoring is used for several reasons, including:

- Verifying whether ambient air standards are being met,
- Incorporated into a modeling analysis as background data, and
- To provide the public with an assessment of their air quality.

State-operated ambient air monitoring stations report data in “near-real time” to the following website: [deqmiair.org](http://deqmiair.org). There is approximately a 1-hour delay in the data at that site.

The FCA-operated outdoor ambient air station that was included as part of the issuance of PTI No. 14-19, at FCA’s request, began collecting data in November 2020. This site is operated by a contractor and is being used to supplement data from the state-operated stations. Though not required as part of our air monitoring network, this station provides information about the ambient air quality for certain pollutants adjacent to the facility.

Data from the FCA station is submitted to and verified by the AQD. This data will then be periodically uploaded to the USEPA Air Quality System (AQS) website at: <https://www.epa.gov/outdoor-air-quality-data>.

Please note, ambient air monitoring data is **not** used to demonstrate compliance by a single source. Facility compliance is verified by the testing, source monitoring, and recordkeeping requirements contained in a permit, which is considered “source monitoring.”

“Source monitoring, another type of monitoring discussed during the informational sessions and comments, includes monitoring and recordkeeping of specific processes within the facility, such as how much certain materials are used or at what temperature an oxidizer is operating. There are permit requirements that source monitoring data be provided to the AQD so proper operation of important equipment at the facility can be verified.

The AQD does not currently have the resources to provide, nor the authority to require a facility to provide, monitoring data through a web portal or application in real time. Prior to submittal to the AQD, data from both the FCA-operated ambient air monitoring station and source

monitoring is not considered public information. However, data submitted to the AQD can be obtained through a Freedom of Information Act (FOIA) request.

#### Comment

There were several comments wanting the AQD to require FCA to have increased monitoring.

#### AQD Response

Regarding additional ambient air monitors:

- EGLE receives funding from the USEPA to create and operate a statewide air pollution monitoring network. The federal regulations specify the number and types of monitors the AQD has to operate, which often is tied to large population areas. Some requirements are tied to industrial source emissions and the AQD has a requirement to operate “near-roadway” sites. The number and type of monitors that are required is also connected to our funding. When possible, the AQD locates and conducts extra monitoring that is not required, as funding allows, in order to be able to provide information about air quality to the public. The AQD does our best to locate monitoring stations around the state to provide as much geographic coverage as possible and to provide representative measurements based on the predicted pollutants. For some pollutants, a monitoring station nearby is representative of a larger geographic area or region. Because there are not enough resources to have monitors everywhere, computer models can be relied upon to give an estimate of the concentrations.

Regarding increased source monitoring:

- Source monitoring and recordkeeping requirements are based upon the applicable rules and regulations, including the USEPA Auto Protocol, which contain specific methods for how an automotive assembly line measures and calculates emissions. These requirements are consistent with both historic and recent automotive assembly plants and additional source monitoring is not deemed necessary at this time.

#### Comment

Several comments noted monitoring should be based on actual emissions rather than on models and machine efficiency. This could be done through continuous monitoring technology since other techniques are based on stack testing, which is not reliable.

#### AQD Response

A PTI application review is based upon the maximum emissions from a project, which are referred to as “allowable” emissions. The application review includes proposed emission rates for pollutants and, where necessary, computer modeling to verify the proposed emission rates will meet applicable standards.

As noted above, ambient air monitoring is the measurement of the actual concentrations of pollutants in the ambient air, and is not used to verify compliance of a facility with its permit.

Different methods can be used for source monitoring to determine actual emissions. 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 these systems at a facility such as an automotive assembly line, CEMS systems are not being required at JNAP. Instead, source monitoring, testing, and recordkeeping at JNAP will use materials usage, mass balance calculations, and stack testing methods for calculating actual emissions.

Mass balance involves keeping track of 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 is consistent with both historically and recently permitted automotive manufacturing facilities. Based on the process for performing and verifying results, stack testing and mass balance calculations are sufficient to verify actual emissions from this facility and if 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 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 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 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 permit will be incorporated into the existing Renewable Operating Permit (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 held liable if the information is falsified.

#### Comment

This permit should be denied because it will be over 13 months before the promises of this project are met. This will make it nearly impossible to regulate.

#### AQD Response

The 13 months refers to the time period allowed after the new equipment associated with this project is installed for the pounds per job limit to drop from 4.8 to 4.4. The decreases in allowable ton per year emission limits will occur when the facility begins operation after the new equipment is installed, and there is specific language built into the permit for when specific limits apply.

As noted earlier, JNAP operates under an existing ROP. If a PTI application were denied, the facility would continue to operate under the existing ROP, which includes testing, monitoring, and recordkeeping requirements. There would be no gap in source monitoring at the facility.

### **I. 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 JNAP, why should emissions from the JNAP and Mack Plants 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 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](#) for the first public comment period.

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. JNAP and the Mack Engine plant were separate stationary sources but were determined to be the same stationary source after issuance of PTI No. 14-19, which converted the Mack Engine plant to an automotive assembly plant. However, being part of the same stationary source does not affect whether projects should be combined for the purposes of project aggregation; this is still dependent on whether the projects are substantially related.

## **J. Public Participation Process**

### Comment

The overwhelming weight of comments at the public hearings have been against these projects. It is clear that no one in the impact or surrounding areas believe that this permit is sufficient to protect their health. If the public engagement process is to be effective, there needs to be a shift in how the state hears the concerns of residents, and they should be meaningfully incorporated into EGLE's decision making.

### AQD Response

The AQD is responsible for assuring compliance with the Clean Air Act, applicable 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, and the AQD takes this responsibility very seriously.

The AQD understands the community has concerns regarding the project and the majority of the comments received have been in opposition. The AQD is, by law, not allowed to base a permit decision on whether there is widespread support or opposition to the permit. The rules and regulations have specific criteria and processes the AQD must follow to determine if a proposed project will comply. 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.

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.

## **K. Miscellaneous**

### Comment

There were several comments during both comment periods regarding requests that the community made during the community benefits process that remain unfulfilled.

### AQD Response

These comments are in reference to requirements for the MAPPA that was 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 MAPPA was 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 MAPPA, are not being planned at this time. However, the AQD discussed the status of the MAPPA 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 2020.
- Environmental and Sustainability Education Program for local students is under development.
- The Chandler Park Conservatory Partnership is planned to begin in 2021.
- 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: [stellantis4detroit.com](http://stellantis4detroit.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 2021.

#### Comment

Several comments were received regarding the community benefits agreement, some specifically noting residents not receiving funds for home repairs/renovations from the housing repair grant program. There were also calls that the funding amount should be increased.

#### 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, the CBA is a separate document from the MAPPA required by PTI No. 14-19A. The AQD has no authority over the CBA or any amendments/re negotiations of the original agreement.

Information regarding the housing repair grant program for residents can be found at: [stellantis4detroit.com](http://stellantis4detroit.com). Information regarding home repair grants is found under ‘Community Benefits’ -> ‘Neighborhood and Housing Improvements.’

It is the AQD’s understanding 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

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

This comment references the review for PTI No. 14-19A for the FCA Mack Plant, for which a decision was made on October 30, 2020.

The review for PTI No. 14-19A was subject to Nonattainment New Source Review (NNSR). One requirement of NNSR is to obtain offsets for the proposed increases in the nonattainment pollutant(s). Offsets are reductions in the same pollutant that must be obtained from the same nonattainment area. In this case, the nonattainment area consists of the entirety of Livingston, Macomb, Monroe, Oakland, Saint Clair, Washtenaw, and Wayne counties in southeast Michigan.

This seven county area is considered a single nonattainment area because ozone is a “regional” and “transportable” pollutant. A regional pollutant is one that may impact areas far away from emission sources. Ozone is not emitted directly; rather, it is formed after VOCs or NOx combine with the atmosphere. Wind blows VOCs, NOx, or already-created ozone from one area into another, which is referred to as “transport”. Dependent on the weather, transport of ozone can cause higher measurements in different areas than where the emissions are created.

For additional information regarding ozone and nonattainment, please see this document: [Ozone and Nonattainment Frequently Asked Questions](#).

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

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	1,085.8 tpy
PM 10	42.4 tpy
NOx	153.9 tpy
CO	133.65 tpy
SO2	3.4 tpy

Once the updated emission limits in PTI No. 33-20 become applicable, JNAP allowed emissions will 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 the Mack Plant is permitted under PTI No. 14-19A. There is some existing natural gas-fired building heat that is not part of that 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

The total emissions from the combined facilities will be:

Total Emissions from JNAP and Mack

<b>Pollutant</b>	<b>Limit</b>
VOC	1,337.8 tpy
PM	48.8 tpy

<b>Pollutant</b>	<b>Limit</b>
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.

Prepared by: David Thompson