

Administrative Rule Analysis



PART 9. EMISSION LIMITATIONS AND PROHIBITIONS – MISCELLANEOUS

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<http://www.house.mi.gov/hfa>

Department: Environmental Quality
Agency: Air Quality Division

Enabling Statute: Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 336.1902, MCL 336.1916, 336.1930, and 336.1973

Analysis Complete to: 10/21/2016

BACKGROUND AND SUMMARY OF PROPOSED RULES

These proposed rules would align state-level air quality regulations, as enforced by the Department of Environmental Quality (DEQ), with the standards for air quality defined in the federal Clean Air Act and enforced by the United States Environmental Protection Agency (EPA). The EPA delegates air quality programs to the appropriate state agency under the condition that the agency's regulations comply with EPA standards. These proposed rules are intended to maintain DEQ's compliance with EPA standards.

Proposed rules 902 and 930 clarify existing state rules to reduce potential confusion with EPA standards. Proposed rule 916 brings DEQ into compliance with the federal mandate to eliminate the affirmative defense provision except for state-specific rules. Proposed rule 973 is necessary to begin to provide for DEQ to take over the regulation of large municipal waste combustors in Michigan; these facilities are currently regulated at the federal level.

FISCAL IMPACT OF PROPOSED RULES

These proposed rules would not affect costs or revenues for the Department of Environmental Quality. The functions outlined in these proposed rules fall within the purview of DEQ's current regulatory functions. These proposed rules would not affect costs or revenues for local units of government. Local units of government that are currently subject to the regulation of large municipal waste combustors are unlikely to see a change in costs as a result of the shift from EPA regulation to DEQ regulation included in proposed rule 973.

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