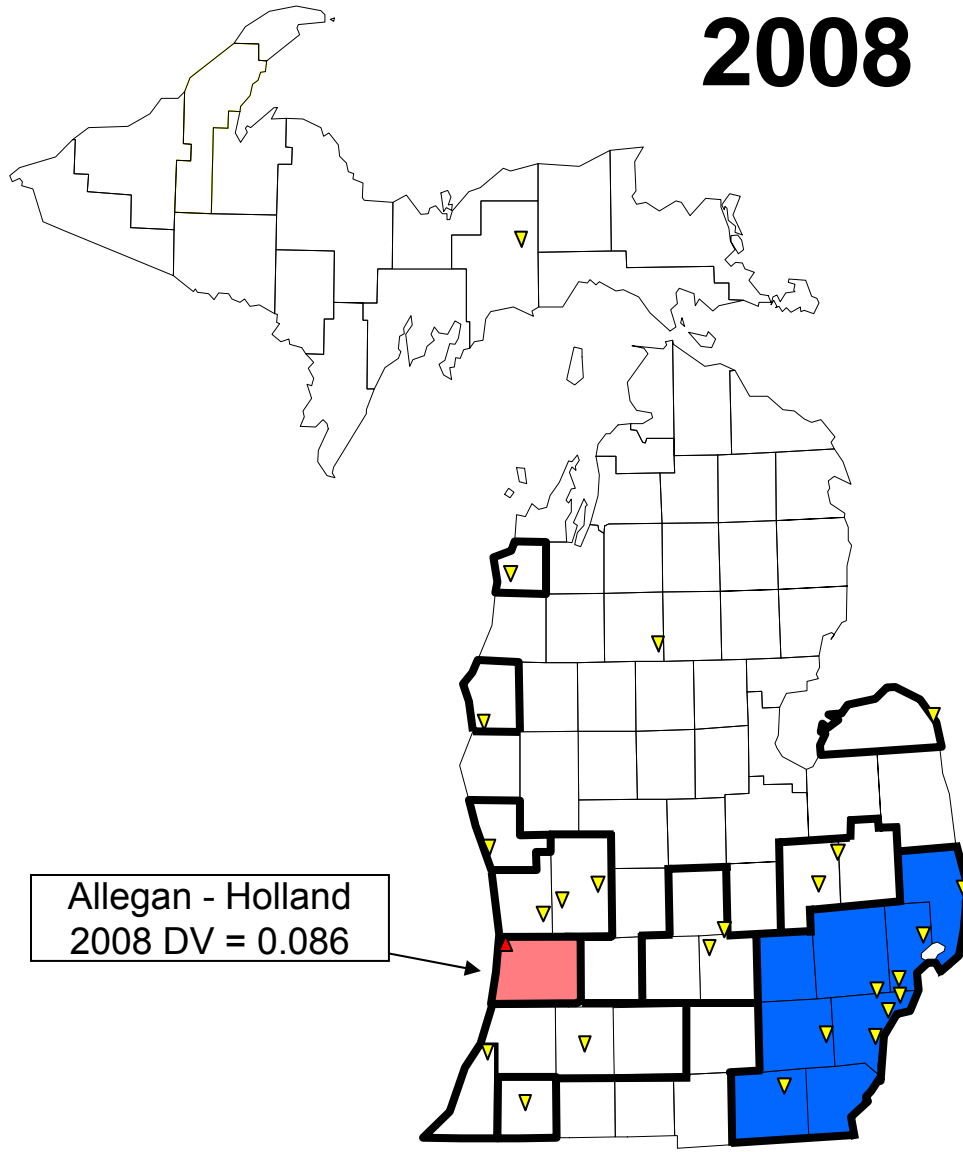


Michigan Air Program Update

G. Vinson Hellwig
Air & Waste Management
Association and
Environmental Law Section of
the State Bar of Michigan
November 5, 2008



Ozone Nonattainment 2008



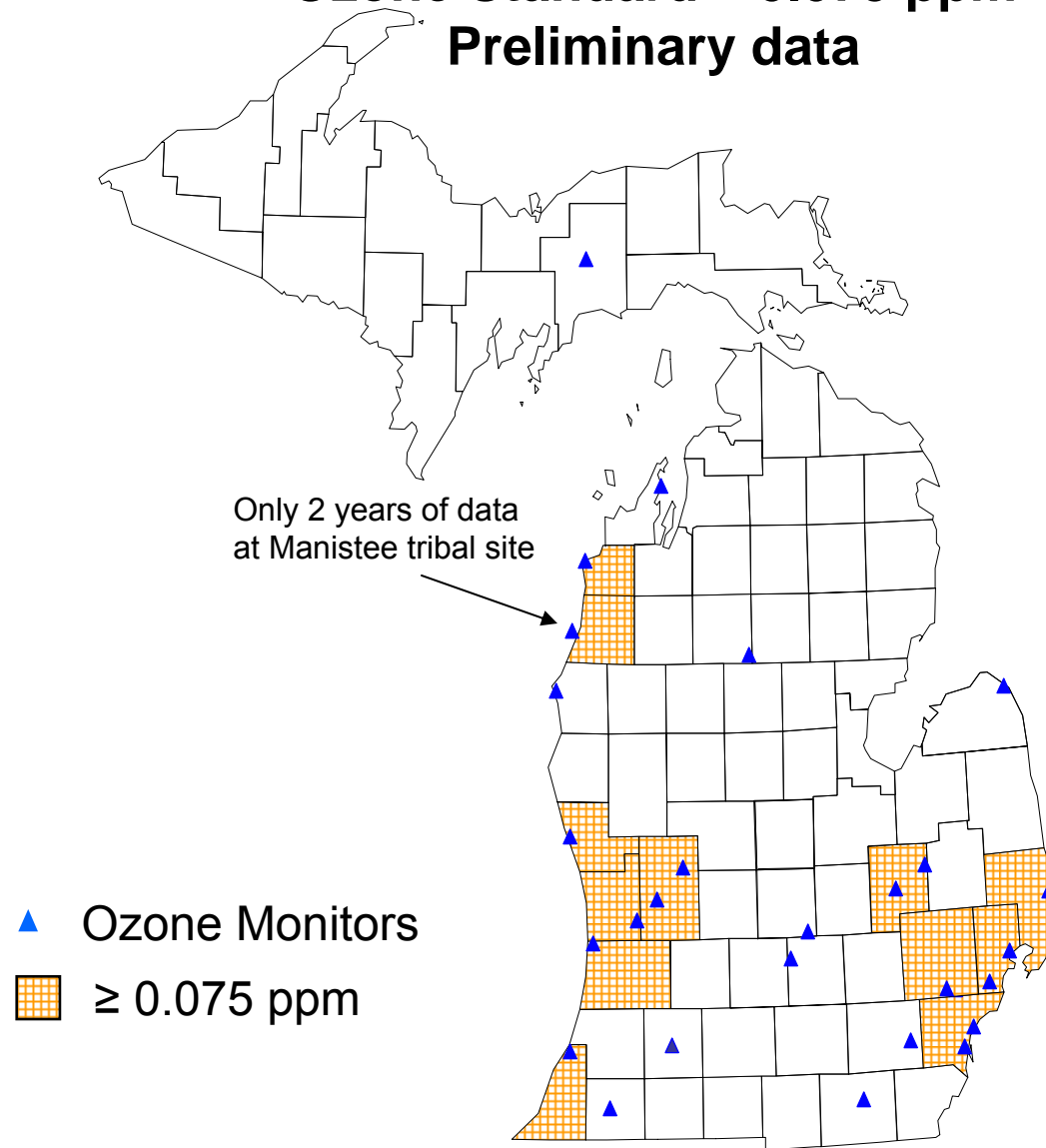
8 Counties SE Michigan

Preliminary data qualifies for attainment redesignation meeting the 0.08 standard.

Lenawee, Livingston, Macomb, Monroe, Oakland, St.Clair, Washtenaw, Wayne

2006-2008

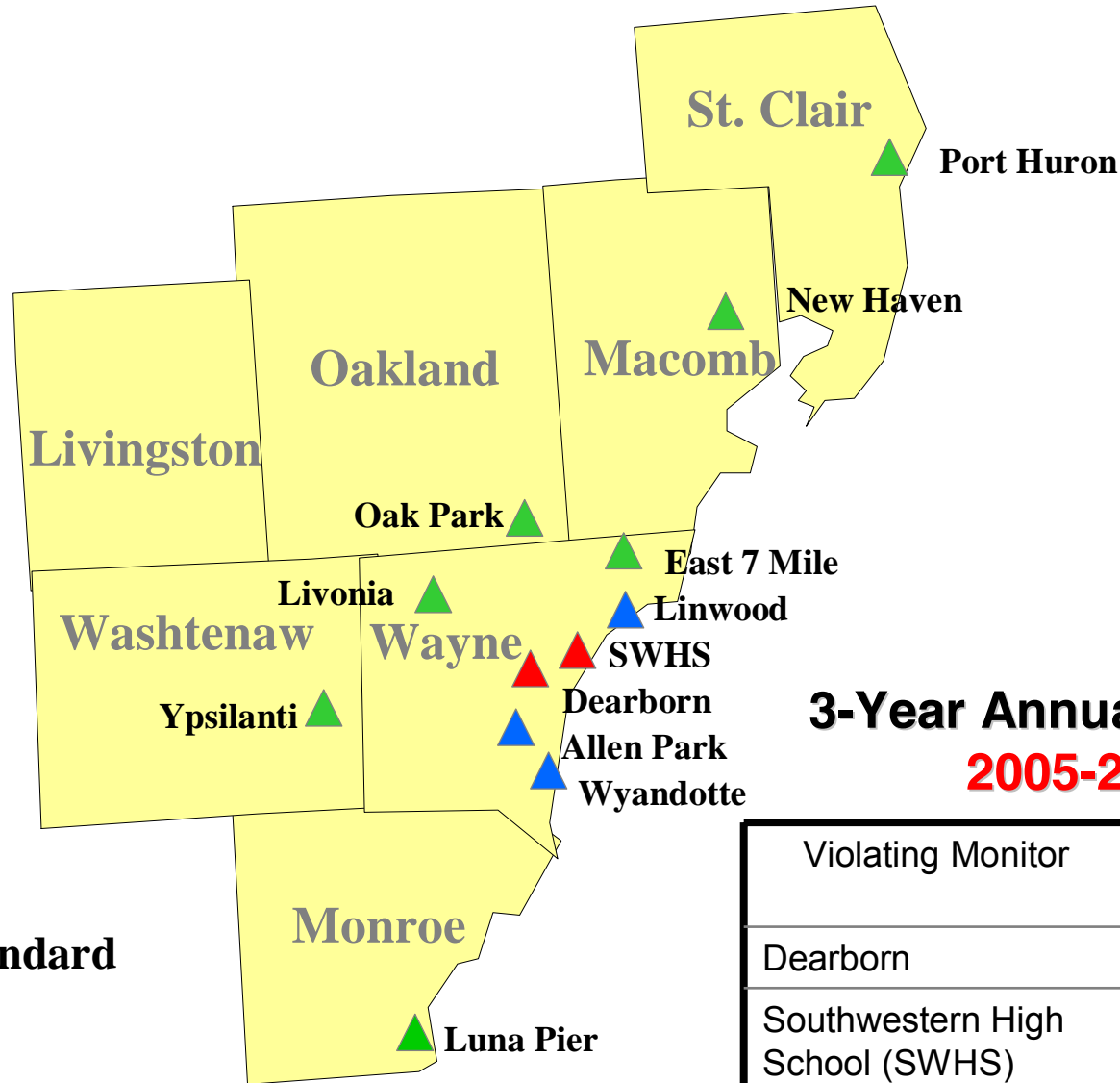
Ozone Standard ≥ 0.075 ppm
Preliminary data



Southeast Michigan Annual PM2.5 Nonattainment Area



Southeast Michigan Annual PM2.5 Nonattainment Area

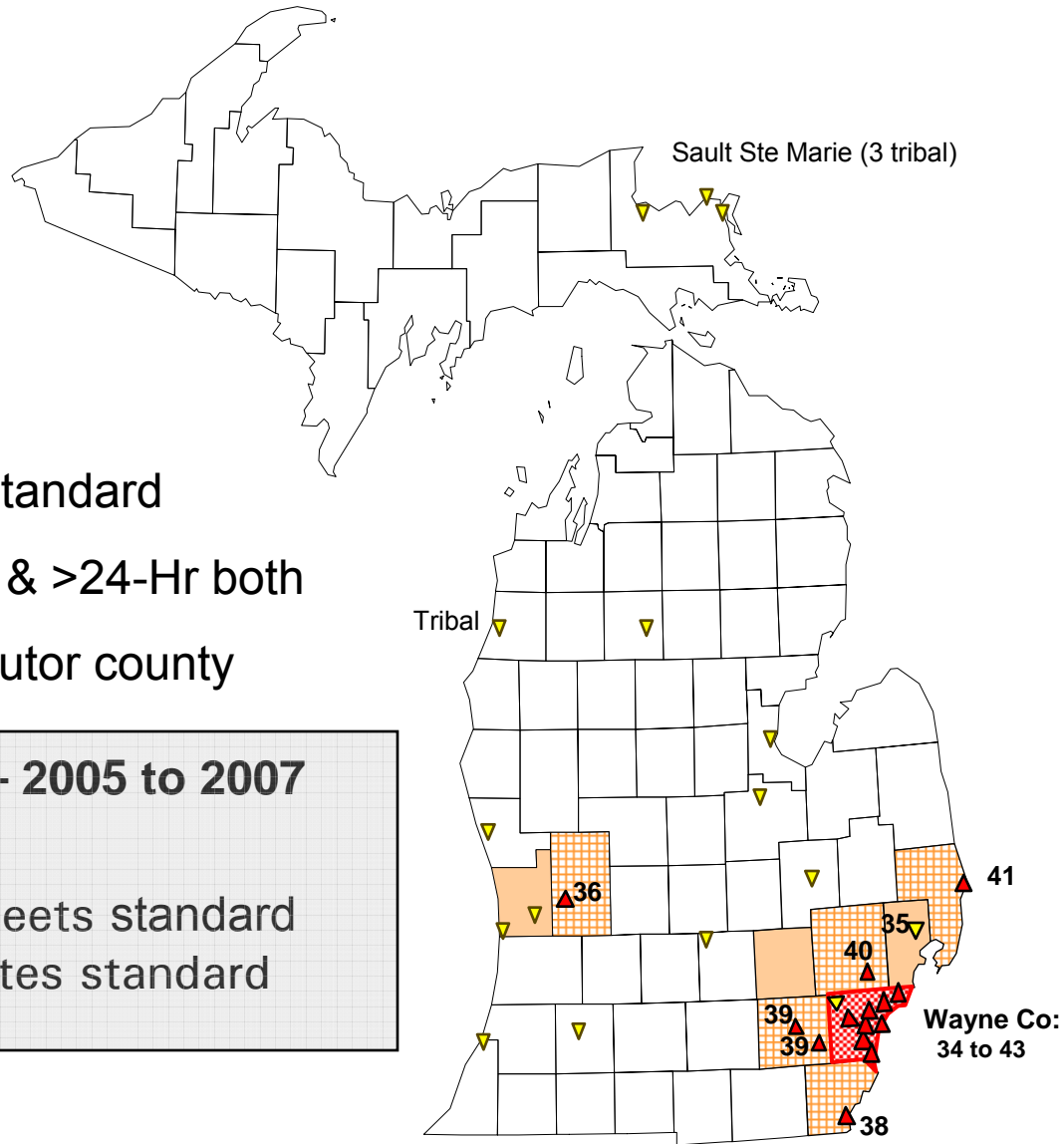





- ▲ < standard
- ▲ > standard
- ▲ originally > standard

PM 2.5 Problem Area – Detroit/Dearborn





Daily PM_{2.5} NAAQS



-  > 24-Hr standard
-  > Annual & >24-Hr both
-  = Contributor county

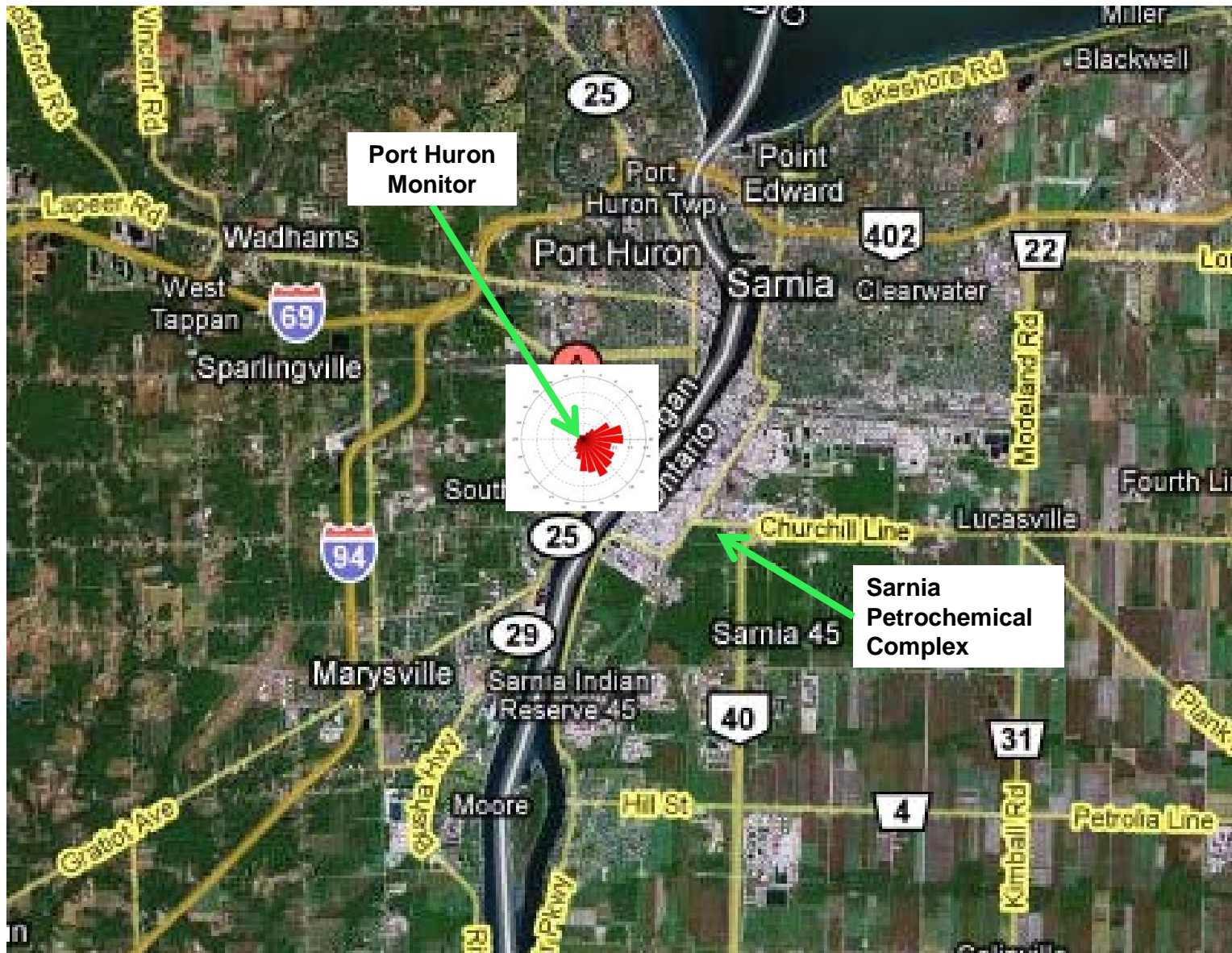
24-hour PM_{2.5} – 2005 to 2007

-  = Yellow meets standard
-  = Red violates standard

Timeline for Daily PM_{2.5} NAAQS

Promulgation of NAAQS	Sept. 2006
State Designation Recommendations	Dec. 18, 2007
Final Designation Signature - EPA	Dec. 18, 2008
Deadline for QA'd 2008 data submittal	February 20, 2009
Effective Date of Designations	April 2009
Proposed SIP Due Date	2012
Attainment Date	2014

Port Huron Monitor



New Lead NAAQS

- Not to exceed 0.15 ug/m³ averaged over 3 months
- Primary and secondary NAAQS are the same
- Dearborn monitor attains
- New monitors required
 - TSP particle size retained
 - Population-oriented monitoring is required in all combined statistical areas > 500,000
 - Source-oriented monitoring criteria based on emission inventories – 1 ton per year

Rules and SIPs

- PM 2.5 SIP – submitted
 - with CAIR scenario only
- Haze SIP – out for comment
 - with and without CAIR scenarios are addressed
- BART Rule – effective last month
 - BART determinations on non-EGUs
 - May extend to EGUs
- Mercury Rule – comment period closed
- NSR for major sources in nonattainment areas - submitted

Clean Air Interstate Rule

- Mandate for vacatur not signed yet
 - Petitions for rehearing filed
 - Court-ordered responses:
 - whether any party is seeking vacatur of CAIR
 - whether the court should stay its mandate until Respondent promulgates a revised rule
- Plus EPA may respond to question:
- whether a stay of the court's mandate in lieu of immediate vacatur would suffice

Michigan Mercury Rule

- 90 percent reduction by 2015
- System averaging to achieve reductions
- Off ramps to address technical and economic issues
- Public hearing – Oct. 2, 2008
- Comment period closed – Oct. 17, 2008
- Will be a major component in responding to New England states and New York Sec. 319(g) petition

Air Fee Authorization

- Nov. 6, 2008 – Stakeholder Meeting