



Connecticut

Delaware

District of Columbia

Maine

Maryland

Massachusetts

New Hampshire

New Jersey

New York

Pennsylvania

Penobscot Indian Nation

Rhode Island

St. Regis Mohawk Tribe

Vermont

June 28, 2021

Robert Irvine
Michigan Department of Environment, Great Lakes, and Energy
Air Quality Division, SIP Development Unit
P.O. Box 30260
Lansing, MI 48909-7760

*Re: Proposed SIP Revision: State Implementation Plan Submittal for
Regional Haze Second Planning Period*

Dear Mr. Irvine:

The Mid-Atlantic/Northeast Visibility Union (MANE-VU) appreciates the opportunity to comment on the Michigan Department of Environment, Great Lakes, and Energy's (EGLE's) State Implementation Plan Submittal for Regional Haze Second Planning Period dated May 2021 (hereinafter, the EGLE submittal). MANE-VU is the regional visibility planning organization of the air agencies in the Mid-Atlantic and Northeast, consisting of eleven states, two tribal nations, and the District of Columbia. It coordinates regional haze planning activities to help its members reduce visibility impairment at Class I areas in the MANE-VU region in furtherance of achieving the national visibility goals of EPA's Regional Haze Rule (RHR).

To ensure that reasonable progress in visibility protection is made at its own Class I areas and all Class I areas throughout the U.S., MANE-VU offers the following comments on the EGLE submittal. The EGLE submittal is of interest to MANE-VU because Michigan was identified by MANE-VU to significantly contribute to visibility impairment at Class I areas in the MANE-VU region.

MANE-VU consulted with Michigan and other states identified as "contributing" and Michigan was included in the states receiving the MANE-VU Inter-RPO "Ask" for contributing states.¹ As required by 40 CFR § 51.308(f)(2)(ii)(A), the EGLE response and resolution to this Ask must be detailed in the EGLE submittal for review and action by EPA and Federal Land

MANE-VU Class I Areas

Acadia National Park
Maine

Brigantine Wilderness
New Jersey

Great Gulf Wilderness
New Hampshire

Lye Brook Wilderness
Vermont

Moosehorn Wilderness
Maine

Presidential Range
Dry River Wilderness
New Hampshire

Roosevelt Campobello
International Park
Maine/New Brunswick,
Canada

¹ *Statement of the Mid-Atlantic/Northeast Visibility Union (MANE-VU) States Concerning a Course of Action in Contributing States Located Upwind of MANE-VU Toward Assuring Reasonable Progress for the Second Regional Haze Implementation Period (2018-2028)*, August 25, 2017. Available at <https://otcair.org/manevu/document.asp?fview=Formal%20Actions>.

Managers (FLMs) prior to approval. MANE-VU's comments on the EGLE submittal are described in the sections below.

Table 1

As a point of technicality, although Table 1 does show the 2028 glide path point, it fails to show the uniform rate of progress, measured in deciviews of improvement per year, as required by RHR §51.308(f)(1) (vi)(A).

Section D

In Section D, starting on page 13, EGLE repeatedly cites “low haze levels in this 10-year SIP cycle” as a reason that no further controls are reasonable for many of the sources it selected for analysis. EPA's Regional Haze Guidance does allow for the consideration of visibility when evaluating whether further controls are reasonable. However, per page 28 of the Guidance, it is the visibility benefits of the potential control measure, not the current visibility conditions, that should be used in the evaluation.

Further, EGLE repeatedly states that the remaining useful life for many of its selected sources may be minimal and it is being evaluated by the company on a year-to-year basis. However, this is open-ended and EGLE makes no definitive attempt to demonstrate what the remaining useful life is.

Table 4

MANE-VU suspects that the 2nd and 3rd columns of this table accidentally contain the numbers for the 20% clearest days. Also, the text just above Table 4 mistakenly mentions 20% clearest days. Additionally, there is a typo in Table 4: 16.44 dv should be 16.94 dv.

Section G.1

Towards the bottom of page 25, EGLE states that “Monitoring data to date and the 2028 modeling results continue to show visibility impacts at Michigan's two Class 1 areas remain well below the glidepath. This is the basis for EGLE determining no additional controls are reasonable on the affected sources for this 2018-2028 time period.” We note that EPA does not consider being below the glidepath as a “safe harbor” from considering additional controls that may be necessary to make reasonable further progress towards the RHR and CAA goals of natural conditions by 2064.

Section H.1 Progress report elements

This section is missing a very important component: an analysis tracking emissions of pollutants contributing to visibility impairment from all sources and activities within the State, as required by RHR § 51.308(g)(4). Although Section 4 of the LADCO TSD does a very good job of summarizing the emissions that were used in the modeling, this does not satisfy the requirements of § 51.308(g)(4). Per § 51.308(g)(4): “With respect to all sources and activities, the analysis must extend at least through the most recent year for which the state has submitted emissions inventory information to the Administrator in compliance with the triennial reporting requirements of subpart A of this part as of a date 6 months preceding the required date of the progress report.” and “With respect to sources that report directly to a centralized emissions data system operated by the Administrator, the analysis must extend at least through the most recent

year for which the Administrator has provided a State-level summary of such reported data or an internet-based tool by which the State may obtain such a summary as of a date 6 months preceding the required date of the progress report.”

Gathering and reporting such data will not only meet the requirements of § 51.308(g)(4), but can also inform fulfilling the requirements of § 51.308(g)(5), an assessment of significant changes in emissions, which also seems to be missing from the EGLE submittal. EGLE mentions in its submittal that it produces inventories that are in compliance with the Air Emissions Reporting Rule requirements, but the most recent inventories submitted to fulfill these requirements should be reported in EGLE’s regional haze SIP to satisfy the above-mentioned requirements of the RHR.

Meeting the MANE-VU Ask

MANE-VU coordinated with its members to identify a set of Inter-RPO Asks for the upwind contributory states that were deemed necessary to achieve reasonable progress in visibility improvement at MANE-VU Class I areas. The MANE-VU Inter-RPO Asks were discussed with the upwind contributing states as part of the Regional Haze Consultation Process, in which Michigan participated. In accordance with RHR § 51.308(f)(2)(ii)(A), “The State must demonstrate that it has included in its implementation plan all measures agreed to during state-to-state consultations or a regional planning process, or measures that will provide equivalent visibility improvement.” To this end, EGLE should implement the measures in the MANE-VU Inter-RPO Ask,² or equivalent measures, to reduce emissions from sulfates and nitrates and improve visibility at MANE-VU Class I areas impacted by emissions from Michigan. Further, RHR § 51.208(f)(2)(ii)(C) states, “In any situation in which a State cannot agree with another State on the emission reduction measures necessary to make reasonable progress in a Mandatory Class I Federal area, the State must describe the actions taken to resolve the disagreement.” If EGLE elects not to implement the MANE-VU Inter-RPO Ask, then EGLE should include in its SIP the specific actions, such as the adoption of equivalent emission reduction measures, that it proposes to take to resolve EGLE’s disagreement with MANE-VU’s assertion that EGLE’s implementation of the measures in the MANE-VU Inter-RPO Ask are necessary to make reasonable progress at Class I areas in the MANE-VU region.

According to RHR § 40 CFR 51.308(f)(2)(ii)(B), States must consider in their Regional Haze SIPs the emission reduction measures identified by other States as being necessary to make reasonable progress in the mandatory Class I Federal area. EGLE did not attempt to consider the MANE-VU Inter-RPO Ask. EGLE simply stated that because visibility impacts at Michigan’s two Class I areas are below the glidepath, they will not be considering additional controls for this planning period.

MANE-VU recognizes that St. Clair Power Plant is scheduled to be shut down in 2022 as described in Section B of the EGLE submittal. However, MANE-VU asks that EGLE document in its SIP that this shutdown is permanent and enforceable.

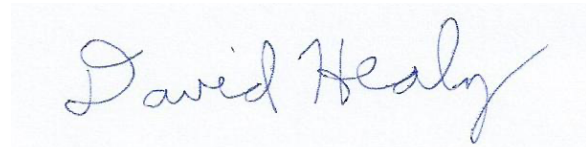
² See footnote 1.

Thank you for your consideration of these comments. Please do not hesitate to contact us by email at Sharon.Davis@dep.nj.gov and David.S.Healy@des.nh.gov if you have specific questions regarding the content of this letter.

Sincerely,

A handwritten signature in black ink that reads "Sharon Davis". The signature is written in a cursive style.

Sharon Davis
New Jersey Department of Environmental Protection and Co-Chair of MANE-VU Technical Support Committee

A handwritten signature in blue ink that reads "David Healy". The signature is written in a cursive style.

David Healy
New Hampshire Department of Environmental Services and Co-Chair of MANE-VU Technical Support Committee

cc: MANE-VU Directors
MANE-VU Technical Support Committee