# **ENVIRONMENTAL JUSTICE** WHAT YOU NEED TO KNOW

LILLIAN L. WOOLLEY, PE

Michigan Aggregates Association Annual Conference February 3, 2022







### **GOOD NEIGHBORS**

Don't wait until you need something to develop a good relationship with your neighbors.

Working with the community can be very engaging for employees.

Part of being a member of any community is doing your share.

# **OVERVIEW**

Regulatory Tools
Environmental Protections
Company Reputation
Finding a Path Forward

### ENVIRONMENTAL JUSTICE (EJ) AT USEPA

#### **Environmental Justice**

CONTACT US SHARE (f) (Y) (🖂)

#### Environmental Justice (EJ) Home

Learn About Environmental Justice

EJ 2020 Action Agenda

National Environmental Justice Advisory Council

Grants and Resources

EJ in Your Community

Federal Interagency Working Group on EJ

EJ and National Environmental Policy Act

EJ and Title VI

EJ for Tribes and Indigenous Peoples

Equitable Development and EJ

Community Voices on EJ

### **EJ Tools**

#### **EJSCREEN: Environmental Justice Screening and Mapping Tool**

EJSCREEN is an environmental justice screening and mapping tool that provides EPA and the public with a nationally consistent approach to characterizing potential areas that may warrant further consideration, analysis, or outreach. A series of short tutorial videos on the basic EJSCREEN functionality is available on the EJSCREEN Videos page. To help beginners get started using the tool, <u>a basic step-by-step walk-through of EJSCREEN</u> is also available.

#### NEPAssist

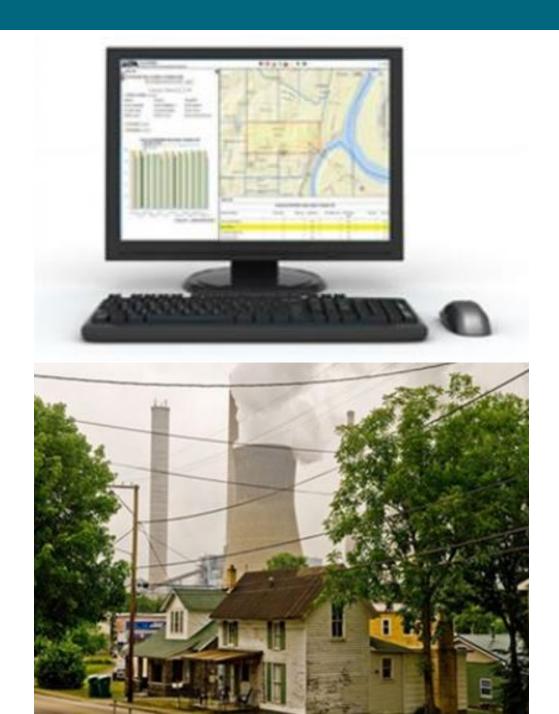
NEPAssist is a tool that facilitates the environmental review process and project planning in relation to environmental considerations. The web-based application draws environmental data dynamically from EPA Geographic Information System databases and web services and provides immediate screening of environmental assessment indicators for a user-defined area of interest. A NEPAssist Training Video shows users how to use the basic features in NEPAssist.

#### Tribal-Focused Environmental Risk and Sustainability Tool (T-FERST)

Tribal-FERST is an online information and GIS mapping tool designed to provide tribes with easy access to the best available human health and ecological science. Users can follow step-by-step guidance for identifying priority issues, compiling data, ranking and addressing risks, and assessing impacts of actions taken.

### **EJ SCREENS**





### **EJ SCREEN**

- Demographic factors and a single environmental indicator come together in the EJ Index.
- Each environmental indicator has its own EJ Index.
- The EJ Index is higher in block groups with large numbers of mainly low-income and/or minority residents with a higher environmental indicator value.
- For each environmental factor, the EJ Index finds the block groups that contribute the most toward the nationwide disparity in that environmental factor. By "disparity" in this case we mean the difference between the environmental indicator's average value among these demographic groups and the average in the US population.

### **MIEJ SCREEN**

- Draft is not yet available and will undergo a 60 day comment period
- Uses data similar to EPA's EJ Screen but has some updated information
- All data is a few years old and environmental conditions are getting better (so old data is not representative)

Indicator	Details	Source	Data Year		flice of the Environmental Justice Public Advocate - MiEJscreen Technical Report (draft)		📚 II 🗄 0 G 🖨 🖄 T
<b>Environmental Cor</b>	nditions: Environmental Exposure Indicators			Esri World Geocoder	*		Layer List 🛛 🛸
NATA Air Toxics Cancer Risk	Lifetime cancer risk from inhalation of air toxics	EPA EJSCREEN, retrieved 2020	2014	E F I R H	x Late		Layers Q
NATA Respiratory Hazard Index	Air toxics respiratory hazard index (ratio of exposure concentration to health-based reference concentration)	EPA EJSCREEN, retrieved 2020	2014	MiEJscreen Score Percentile MiEJScorePL 91 - 100 81 - 90	Sut Sy Barter Sut Sy Bio	Suc	Environmental Conditions Percentile    Ropulation Characteristics Score Percentile      1) Environmental Conditions: Exposure
NATA Diesel PM	Diesel particulate matter level in air, µg/m3	EPA EJSCREEN, retrieved 2020	2014	71 - 80 61 - 70 51 - 60 41 - 50	M Star		
Ozone	Ozone summer seasonal average of daily maximum 8-hour concentration in air in parts per billion	EPA EJSCREEN, retrieved 2020	2017	vilma) 31 - 40 21 - 30 11 - 20 0 - 10	WISESMAN	Dwe	
Particulate Matter (PM <sub>2.5</sub> )	PM <sub>2.5</sub> levels in air, μg/m3 annual average	EPA EJSCREEN, retrieved 2020	2017	Rochester La Austin	a Crosse Ford for Lie: Shikopper		2) Environmental Conditions: Environmental     Effects    e) Cleanup Sites Proximity    e) Treasment and Disposal Facilities     Proximity
Traffic Density	Traffic density within a buffered (150 meters) census tract, normalized vehicles per day/adjusted length-based road (miles)	Michigan Department of Transportation, Annual average daily traffic (AADT) volumes and National functional classification (NFC) data files	2019	Maser City Wilkingon RTH AMERICA	Madisen     Allwacker       Dahugee     Bone Lonna Rockfare       Rockfare     Verkegen Chicago Auror       Deregont     One	17	

### **MICHIGAN EJ SCREEN**

- Considers some additional factors
- Scoring is slightly different
- No information on its use
- As a screening tool hopeful that you could lower the score with more relevant data
- EGLE still makes final decision on whether EJ must be considered

	Environmental Exposure	<b>Environmental Effects</b>	Sensitive Populations	Socioeconomic Factor	
	NATA Air Toxics Cancer Risk	Proximity to Cleanup Sites	Asthma	Low Income Population	
Categories	NATA Respiratory Hazard Index NATA Diesel Particulate Matter Particulate Matter (PM <sub>2.5</sub> ) Ozone Traffic Density	Proximity to Hazardous Waste Facilities Impaired Water Bodies Proximity to Solid waste Sites and Facilities Lead Paint Indicator Proximity to RMP Sites Wastewater Discharge Indicator	Cardiovascular Disease Low Birth Weight Infants Blood Lead Level Life Expectancy	Black, Indigenous, People of Color Population Educational Attainment Linguistic Isolation Population Under Age 5 Population Over Age 64 Unemployment Housing Burden	
Indicators	Environmental Conditions (Average percentile of Environmental Exposure indicators + 0.5 x average percentile of Environmental Effects indicators) 2		Population Characteristics (Average percentile of Sensitive Population indicators x average percentile of Socioeconomic Factor indicators) 2		
Score	Final Composite Score = Environmental Conditions score x Population Characteristics score MiEJScreen Score				

### **ENVIRONMENTAL JUSTICE IN MICHIGAN**

- More public comment periods and hearings
- Better public access (including translating materials)
- Materials posted online

#### **ABOUT THE OFFICE**

The **Office of the Environmental Justice Public Advocate** was created by Governor Whitmer's **Executive Order 2019-06** to serve as an external and internal advocate and catalyst for ensuring Environmental Justice throughout the state. Led by the Environmental Justice Public Advocate, the Office works collaboratively across state government to advance Environmental Justice and equity in Michigan, as well as addressing Environmental Justice concerns and complaints.

#### SPOTLIGHT



Michigan Environmental Justice Conference May 18-20, 2021



Environmental Michig Justice Projects and Co Initiatives Envir



Michigan Advisory d Council on Environmental Justice (MACEJ)



Interagency Environmental Justice Response Team (IEJRT) Limited English Proficiency (LEP) Plan Plan de dominio limitado del inglés

خطة لأوى الكفاءة المحدودة

في اللغة الانجليزية



• EJ Community Resiliency Planning Pilot – The Office of the Environmental Justice Public Advocate, along with community partners, is initiating a pilot project in 48217/Southwest Detroit to build an EJ Community Resiliency plan development process. Funded through a grant from the EPA, the project is a two-year planning process designed to provide guidelines for addressing issues that impact communities to provide a blueprint for resiliency.

• Air Quality in EJ Community Schools – The Office is collaborating with the EGLE Energy Office to launch an EJ Community Schools Air Quality program to assess HVAC systems in a select number of schools in EJ communities. The fully funded assessments are designed to determine needs in public school building to protect students from air borne contaminants.

• EJ Community Mobile Air Project - The Office, in conjunction with EGLE's Air Quality Division, has launched a mobile air monitoring project utilizing a fleet of Purple Air monitors to address short term and immediate air quality concerns. The monitors can assess small particulate matter (PM 2.5) in the air.

Michigan Wild Rice Initiative – The Office coordinates the Michigan Wild Rice Initiative (MWRI). The initiative stems from a collective understanding
among State and Tribal governments that the protection and restoration of wild rice in Michigan should be elevated in importance. It brings
together specialist and managers from all 12 federally-recognized tribes, multiple state departments and federal agencies, and others to share
information, coordinate approaches, and elevate awareness about wild rice conservation and restoration.

#### WHAT IS ENVIRONMENTAL JUSTICE?

### EJ POLICY AND PROCEDURES

- Requires EGLE to appoint a Compliance Coordinator
- Allows for complaints
- Describes the process by which complaints are investigated and resolved
- Requires documentation of compliance
- EGLE is currently working to resolve one complaint

EGLE

#### DEPARTMENT POLICY AND PROCEDURE

09-024 Nondiscrimination in EGLE Programs

Original Effective Date: October 28, 2015 Last Revision Date: January 21, 2020 Distribution: All EGLE Employees and EGLE Web Site

#### ISSUE

Title 40 of the Code of Federal Regulations (CFR), Part 7, Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency, prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in programs or activities receiving federal assistance from the United States Environmental Protection Agency (EPA). It requires recipients of federal assistance from the EPA to:

- A. Collect, maintain, and provide information showing compliance with 40 CFR Part 7.
- B. Designate a person to be the Nondiscrimination Compliance Coordinator to coordinate efforts to comply with 40 CFR Part 7.
- C. Adopt grievance procedures that assure the prompt and fair resolution of discrimination complaints alleging violations of 40 CFR Part 7.
- D. Provide continuing and prominent public notice of nondiscrimination on the basis of race, color, national origin, age, sex, or disability, and of the identity and contact information for the Nondiscrimination Compliance Coordinator.

As set forth below, it is the Michigan Department of Environment, Great Lakes, and Energy's (EGLE) policy not to discriminate on the basis of several factors, including those in 40 CFR Part 7 and other applicable state and federal laws. In addition, EGLE adopts the following procedures to implement the requirements of 40 CFR Part 7.

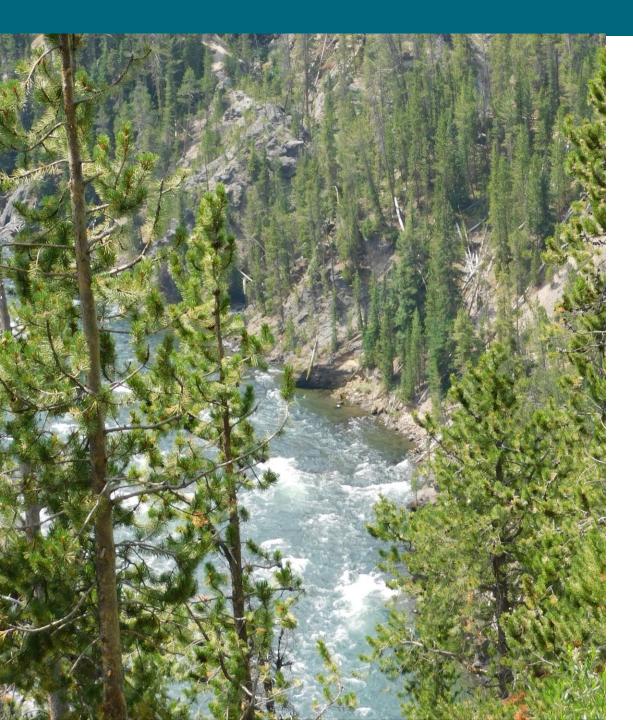
### MICHIGAN ENVIRONMENTAL JUSTICE CONFERENCE

- EGLE hosted a national conference in May lasting three days
- Sessions hosted by State and National experts on EJ
- Still searching for "win-win" examples
- Don't often see the regulated community represented

EGLE / TRAINING AND WORKSHOPS



If you didn't get the chance to register for the conference, you can still view all of the Zoom Webinars by clicking on the *Watch Video* links in the agenda below. You will simply need to enter the Invitation Code, **2021MICHIGANEJ**.



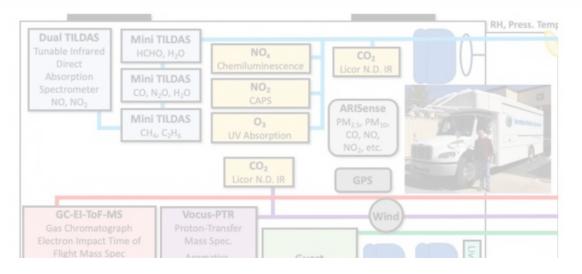
### USEPA AND EGLE PROTECTIONS

- Federal and State Regulations Protect Public Health
- NAAQS, NESHAP and air toxics screening levels periodically reviewed
- Regulations and standard are subject to public comment
- Air quality now is much better than 30 years ago
- Environmental protections are much greater now than 30 years ago

### AMBIENT AIR QUALITY

DIFFERENCES FROM ONE NEIGHBORHOOD TO ANOTHER

### Mobile Real-Time Measurements dINFORMATION ds for Monitoring and Modeling



Air Quality in Industrial Fence Line Communities

Jay Olaguer Assistant Division Director, Air Quality Division

> EGLE Air Advisory Council December 15, 2021

### **ENVIRONMENTAL PROBLEMS**

- The system isn't perfect.
- Companies are not perfect.
- Zoning or local governments unfamiliar with company operations or applicable regulations.
- Changes in company operations are not well communicated or understood by stakeholders.
- Complaints not addressed promptly.



# **Public interest is high**

This event has passed

### TELL BERKELEY ASPHALT: NO PERMIT FOR HIGHER SULFUR EMISSIONS

Tuesday | October 18, 2016 | 8:00 am — Thursday | October 20, 2016 | 5:00 pm

#### **Online Event**

Berkeley Asphalt has been emitting more sulfur dioxide from its plant near schools and day care centers than its permit allows – so the Air Quality District told them to apply for a looser permit. Tell the Air District what you think of that. The deadline for comments on the Berkeley Asphalt permit application is October 20. Comments can be submitted by mail, email, or phone. Include the permit application number, and the name and address of the facility or proposed facility.

Visit Event Website >>



#### TAKE ACTION TO STOP AJAX FROM BUILDING A BIG ASPHALT PLANT NEAR FLINT AND GENESEE TWP. FAMILIES!



1) CONTACT MI DEPT. OF ENVIRONMENT, GREAT LAKES & ENERGY (EGLE) BY WED. SEPT. 22, 11:59 PM

Say why you don't want the plant here. if you have breathing problems, and too many people still don't know about Ajax's plans. Ø (517) 284-0900

EGLE-AQD-PTIPublicComments@Michigan.gov

#### 2) SIGN THE PETITIONS TO GOVERNOR WHITMER

HTTPS://BIT.LY/STOP-AJAX-WE-DESERVE-JUSTICE

HTTPS://BITLY/STOP-AJAX-BEFORE-ITS-TOO-LATE

#### TAKE ACTION TO STOP AJAX FROM BUILDING A BIG ASPHALT PLANT NEAR FLINT AND GENESEE TWP. FAMILIES!



#### SIGN UP ON THE STOP AJAX INTEREST FORM

Let us know how to reach you and how you want to help. Share the link with your friends! https://bit.ly/Stop-Ajax-Sign-Up

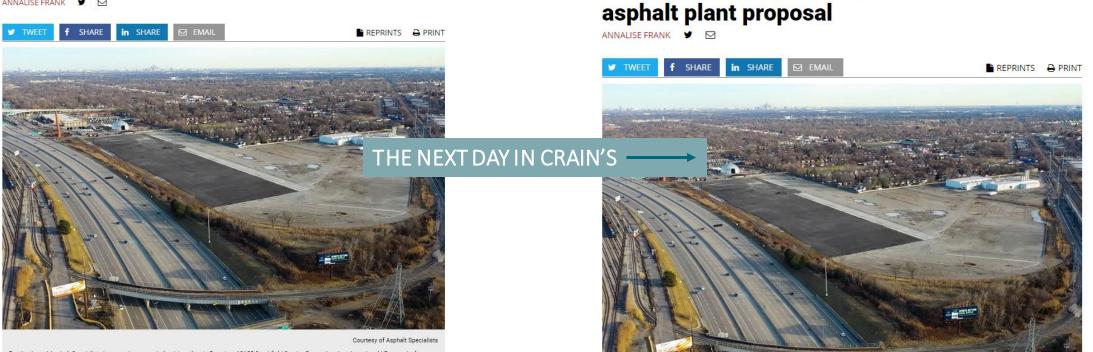
#### **GIVE AJAX A PIECE OF YOUR MIND!**

Tell Ajax's Principal CEO James Jacob why the asphalt plant doesn't belong in our community. Be respectful, yet firm that another polluting plant is not welcome here.

# **Asphalt Plant Opposition**

November 30, 2021 07:28 AM

#### Asphalt facility proposed in northwest Detroit ANNALISE FRANK Y



December 01, 2021 04:04 PM

After flood of opposition, Detroit turns down

Pontiac-based Asphalt Specialists is proposing an asphalt mixing plant in Detroit at 12155 Southfield Service Dr., on the site where the old Farmer Jack headquarters stood

### **COMPANY REPUTATION**

- Company image is important in public perception
- Both EGLE and USEPA post information

- Its accuracy is dependent upon accuracy of company reports
- Use of default emission factors, etc. may not be in company's best interest

Sometimes you can't see yourself clearly until you see yourself through the eyes of others.

Ellen DeGeneres

### **COMPANY REPUTATION**

- Company web pages
- Company reports or public statements

NGO websites

Correct misinformation! •

Environmental Topics	Laws & Regulations About EPA	Search EPA.gov
ECHQ	Enforcement and Compliance History Online	ECHO Gov Login Contact U
Quick Search	Quick Se	arch
Search Options	Search By Location Facility Name/ID	
Analyze Trends	Enter city, state, and/or zip code	Search
Find EPA Cases	Use EPA's Enforcement and Compliance History Online	More Search Options website to search for facilities in your
Data Services	community to assess their compliance with environme	



EGLE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

ABOUT EGLE	AIR	LAND	WASTE	WATER		
AIR						
News & Info	EGLE / AIR					
Compliance	Air Quality Source Information					
Emissions	Contact: See Below Agency: Environment, Great Lakes, and Energy					
Permits	The Air Quality Division posts information about facilities regulated by state and federal air guality regulations in					
Monitoring	the State of Michigan. This information includes, but is not limited to, Permits to Install (PTI), Renewable Operating Permits (ROP), inspection reports, stack test report executive summaries, enforcement documents, annual emissions reports, and air quality actions open for comment*.					
SIP & Attainment						

Search

#### Facility Information (Permits, Violations, Emissions Testing, and More)

Facility files (including asbestos and dry cleaning sources) consist of minor and major source air permits emissions testing, violation notices and responses, compliance evaluations, staff activity reports, and more. Facility information is updated with any existing new files every Monday.

Sources are identified by State Registration Number (SRN), an Unidentified Facility Number (beginning with the letter "U"), or an Establishment Number (beginning with the letters "EN") and are sorted by:

- Source ID No. (SRN, EN, or U)
- County & City
- Source Name
- ZIP Code

### **CORRESPONDENCE IS PUBLICLY AVAILABLE**

#### Summary

XSXX is trying to make every effort to prevent this situation from being raised to a High Priority Violation (HPV). XXX eported the high CO on No. 11 Boiler and both of the mercury QA failures as deviations on the Title V ROP Certification that was submitted to Joel Asher on March 8, 2017. XXX would like to thank you for your time and consideration on this matter. We look forward to working proactively with you to resolve this and any future issues. This response is being submitted electronically and one hard copy will be mailed to you unless otherwise requested. Please contact me if any of the conditions in this letter are not acceptable or if you have any questions.

In accordance with the XXX environmental program, the plant continually strives to operate efficiently, with a commitment to continual improvement, prevention of pollution, and compliance with all regulatory requirements. Its commitment to environmental compliance is very important, and the past efforts to maintain environmental compliance and remain a good neighbor are well documented

If you have any questions regarding these issues, or this response, please contact XXX

I explained to Mr. Joseph that the crew just started lunch shifts, and I was just wrapping up a MDOT contract for I-696. He stated he could not, and we will proceed.

After going around and around over the wheel wash and the 2 days that were blank on report, (90 minutes) I'd had enough, my patience was spent, and my office assistant and 2 of my operators were stepping in after witnessing how rude he was to me. Before anything escalated, I walked to the door and asked him to leave. (3x's I asked politely).

As I said previously, I was in the middle of completeing a task, and lunch, when he demanded we do an inspection according to "Permit".

facility has implemented the procedures outlined in Appendix B except for the unsatisfactory dimensions of the rumble strips on-site it. It will be recommended that the facility obtain an additional rumble strip pad to meet a minimum requirement of three tire revolutions. The facility currently is not in full compliance with the requirements of the Federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451; and the Michigan Department Environment, Great Lakes, and Energy-Air Quality Division (EGLE-AQD) Administrative Rules, conditions of the facility's PTI 14XXXA, and Consent Judgement 154XXA-CE.



### **REGULATORY AGENCIES ARE NOT SUPPORTIVE**

- 2. Enhance EGLE's ability to evaluate air toxics concerns EGLE requests the USEPA partner with EGLE to establish a greater understanding of risks from air toxics in Michigan's environmental justice communities. EGLE requests financial assistance from the USEPA for creation and operation of a comprehensive air toxics network that will allow the State of Michigan to assess risks in overburdened communities proximate to clusters of industrial facilities. EGLE also requests that the USEPA provide technical expertise to help design the network, properly site monitors, evaluate data collected, and conduct broader scientific evaluations to correlate monitored levels of toxic pollutants with other relevant existing data (e.g., traffic data).
- 3. Provide additional clarity to the States on implementing federal standards in environmental justice communities EGLE asks the USEPA to call a summit of state and federal leaders to discuss these policies, including the challenges and opportunities related to addressing cumulative risks. Capitalizing on input from the States as the primary agencies implementing the nation's environmental programs, this summit should be structured to catalyze a comprehensive evaluation of the effectiveness of federal laws and regulations in protecting overburdened communities. To provide the basis for that conversation, EGLE requests that the USEPA provide written guidance to the States as soon as possible, defining how the States should specifically be addressing environmental justice considerations in premitting and enforcement procedures. Among other purposes, this guidance is necessary to ensure consistency across the nation in implementation of federal regulations.

EGLE is grateful to the USEPA for your partnership in pursuing our shared commitment to environmental justice. We look forward to collaborating with you to provide overburdened populations and the business community greater clarity and predictability in how environmental justice principles will be applied in the important regulatory decisions we make every day.

Sincere

Liesl Eichler Clark Director 517-284-6712



### Chemicals under review for October 2021

Every month, the Michigan Department of Environment, Great Lakes, and Energy's Air Quality Division toxicologists determine what air toxic chemicals, if any, need to be reviewed.

No chemicals were added to the <u>Chemicals Under Review List</u> this past month nor were there any chemicals added or updated in the <u>Air Toxics Screening Level database</u>.

The calcium chloride (CAS# 10043-52-4) ITSL of 0.1 µg/m<sup>3</sup> (annual averaging time) is rescinded due to the lack of supporting information for the derivation of the screening level.

Chemical screening levels are health-based and are reviewed for various reasons. The primary reasons are to develop a screening level if there is not one or to evaluate a screening level to see if new data indicates a change may be needed.

If you have any questions on any other air toxic screening level, please contact <u>Doreen</u> <u>Lehner</u>, Air Quality Division, at 517-582-3779. Find more information on our webpage at <u>Michigan.gov/Air.</u>

# YOUR PATH FORWARD...

### **BE IN COMPLIANCE!**



### COMPLAINTS

- Many of the most contentious issues are initiated by complaints from nearby residents
- Have a system in place where neighbors can report complaints
- Address any complaints promptly



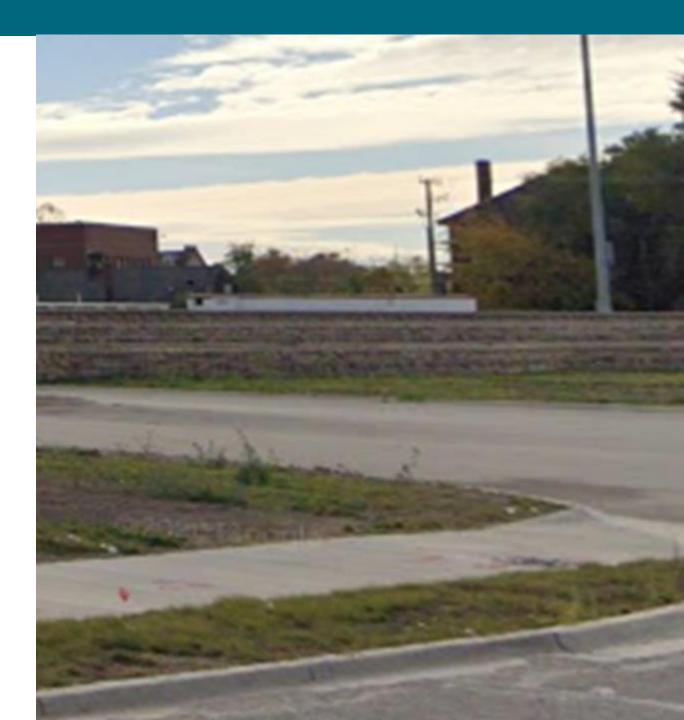
### **BE A GOOD NEIGHBOR**

Odors and fugitive dust are leading causes of complaints

• Take active measures to reduce fugitive dust and odors

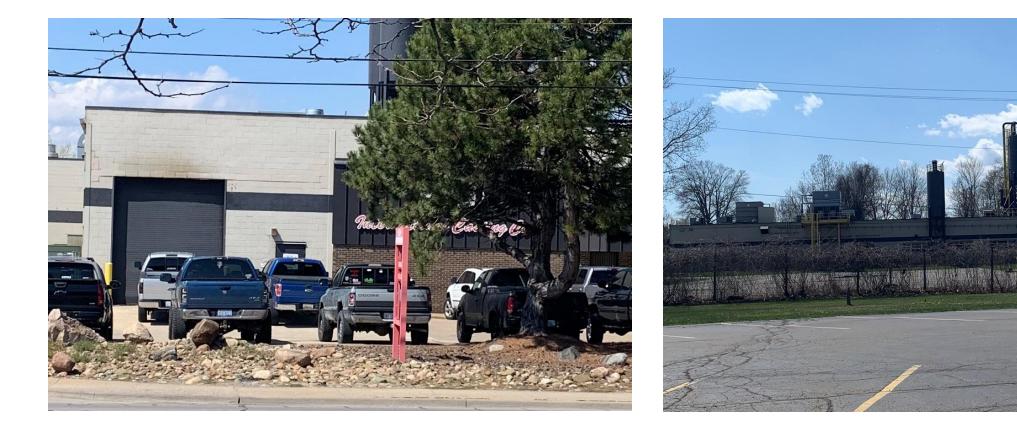
### Visibility

- Landscaping
- Housekeeping



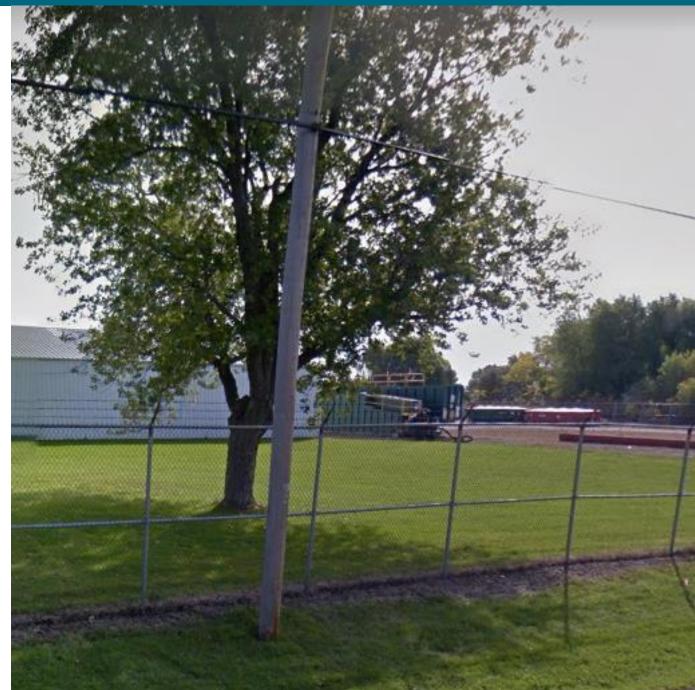
### **GOOD FENCES MAKE GOOD NEIGHBORS...**

• Casting facility with trees and fences.



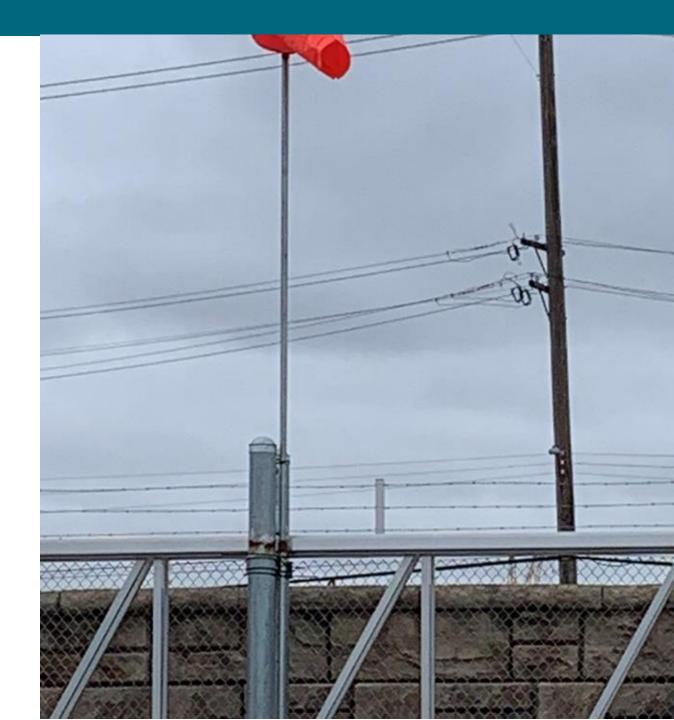
### **NEW FENCE**

- This facility predates the neighborhood surrounding it.
- Complaints were reduced with a new fence.
- Neighbors found company operations more amenable when they didn't have to see pipe racks, etc.



### **BEYOND COMPLIANCE**

- Make an extra effort to meet compliance obligations and ensure record keeping is in good order
- Don't be a nuisance!
- Engage with neighborhood
- Involve company personnel in professional or charitable organizations
- Be viewed as an asset to the community



### **NEIGHBORHOOD GROUPS**

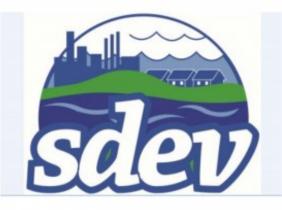
• Get involved!

### **Southwest Detroit Environmental Vision**

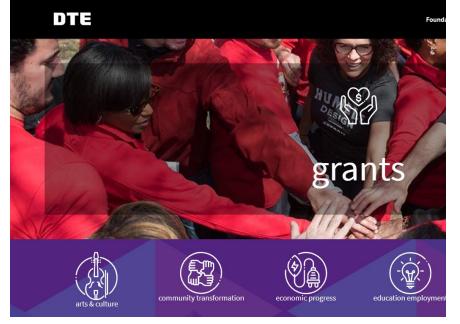
Partner Organization

#### Partnerships and Partner Organizations

Community Action Against Asthma Detroit Community-Academic Urban Research Center Healthy Environments Partnership Detroit Future City Detroit Hispanic Development Corporation Detroiters Working for Environmental Justice Green Door Initiative Southwest Detroit Environmental Vision (SDEV) is a 501(c)(3) nonprofit organization. Our mission is to improve the environment and strengthen the economy of Southwest Detroit. We work together with residents, community organizations, government agencies, schools, businesses and industry to combat environmental issues, including: indoor and outdoor air quality, blight (illegal dumping, graffiti, abandoned homes), and incompatible land use. SDEV is funded through memberships, individual and corporate depetitions, and corporate depetitions.



# **ITS NOT ENOUGH TO BE IN COMPLIANCE**



#### Community Initiative To Boost Detroit

etroit, MI - /PRNewswire/ -- As part of a comprehensive three-year astside neighborhoods around the Detroit Assembly Complex, or runched Detroit's Greenest Initiative, the company's plan to make friendly neighborhood.

ty and environmental upgrades coming to neighborhood stormv ty pavilion installation scheduled for fall 2021 ie art air monitoring station, completed in late 2020, is providing



ABOUT US CAREERS OPERATION:



No man is a good citizen, a good neighbor, a good friend, or a good man just because he obeys the law. The intrinsic worth is determined mainly by the intrinsic make-up.

Clarence Darrow

### ASSET TO THE COMMUNITY

- Address community concerns whenever possible.
- Join in neighborhood groups and be engaged.
- Don't just get involved when you need something!



# **SHARE INFORMATION**

### The Environmental Impact of Asphalt Plants

Hundreds of communities across the country coexist peacefully with asphalt plants. These facilities are in urban, suburban, and rural areas, and most of them are and storage of these materials is carefully monitored known as good neighbors who are engaged with their community and dedicated to sustainable operations.

However, there is a lot of misleading and often daunting information about asphalt plants and asphalt products. Therefore, it's important to understand what's fact, what's fiction, and what the differences are between different types of asphalt products.

As with any industrial facility, it's helpful to understand what happens behind the gates at an asphalt plant. This paper provides basic information about what happens at an asphalt plant including how it impacts your neighborhood, the community, and the environment.

#### Well Regulated by the U.S. EPA

Asphalt plants, or more accurately asphalt pavement mixing facilities, are industrial operations that mix liquid asphalt binder (also called asphalt cement) with crushed rock, gravel, and sand (collectively called aggregates) to make pavement. Asphalt binder, the glue that binds the aggregates together, is one of many distilled products obtained from the oil refining process. Similar to other refined oils, such as lubricating oils, asphalt binder is processed to meet defined standards. Some mixes also require additives, which can



NATIONAL ASPHALT **PAVEMENT ASSOCIATION** 

range from chemicals that improve mix performance to natural fibers that strength specialty mixes. The use and regulated.

Asphalt pavement mixing facilities are well-regulated by federal and state environmental agencies, and they employ multiple emission control systems. The small amount of emissions released from these control systems are closely monitored to ensure they stay well below any permitted level set by the U.S. Environmental Protection Agency (EPA) and other regulators to ensure that they pose no health or environmental risk to nearby communities.

In fact, over a decade ago, the EPA reviewed emissions from asphalt plants and determined that such facilities are not a major source of air pollution and were subsequently delisted by the agency.<sup>1</sup> Subsequent studies by various regulatory agencies have verified that emissions from asphalt pavement mixing facilities do not present an environmental or public health hazard.

#### Emissions — Very Low and Getting Lower

The majority of emissions at asphalt mixing facilities come from the combustion of fuel, such as natural gas, that are used to dry and heat the rock or aggregate and to keep the temperature of the asphalt hot. Most of the other potential emissions, such as the dust gener-





PAVEMENT ASSOCIATION The National Asphalt Pavement Association (NAPA), founded in 1955, represents more than 1,100 asphalt producers, paving contractors, and affiliated businesses that build the

network of roads so critical to the American economy. The asphalt pavement industry has a long history of working with regulatory authorities and federal agencies to develop and promote innovations that enhance the sustainability of asphalt pavements, improve worker safety, protect the environment, and save taxpayers money.

- There are approximately 3,500 asphalt plants in the U.S. The industry supports, directly or indirectly, 260,000 American jobs that cannot be exported overseas.
- Of the 2.6 million miles of paved roads in the U.S., 94% are surfaced with asphalt.
- Asphalt pavement is a precisely engineered product composed of 95 percent aggregates (stone, sand, and gravel), and 5 percent asphalt cement, a petroleum product.
- Asphalt plants are well-regulated by the EPA and other state and federal regulatory agencies.
- In 2002, the EPA officially delisted asphalt plants as a major source of air pollution.
- Asphalt is 100% reusable, and is the most reused and recycled product in the U.S.
- Asphalt plant emissions are very low and getting lower due to innovative control systems and manufacturing technology.
- From time-to-time, odors may emanate from an asphalt plant while noticeable, these odors pose no danger to plant personnel or the communities in which a plant operates.

### **GOING FORWARD...**

- Strong environmental compliance programs are essential
- Good relationship with neighbors is important for environmental permitting events (and in general

#### EGLE / AIR / PERMITS

#### **Air Permit Public Notices**

#### Contact: Annette Switzer, 517-643-3847 Agency: Environment, Great Lakes, and Energy

The law requires EGLE to allow the public to comment on some permitting actions. Public comments are a very important part of making sure the action that will be taken has been thoroughly reviewed. Based on comments received during the public comment period and the comments received at the hearing, EGLE may complete the action as proposed, deny the action, or revise the action.

Comments EGLE can consider include technical mistakes, grammar and spelling mistakes, other rules that should be considered, and why the action does not comply with the rules. Some issues EGLE cannot consider include popularity of the action, emission sources that are not part of the action, indoor air pollution, traffic, hours of operation, noises and lighting, and zoning issues.

To learn more about the about the public hearing process, view the "Public Hearings - What You Should Know" document.

#### **Public Notice Documents**

- New Source Review (NSR) Permits Open for Comment 1
   NSR Permits Pending Decisions 1
- NSR Permits Final Decisions 🔁
- Renewable Operating Permit (ROP) Public Notice 📆



#### More Information

- Pending NSR Applications List
   NSR Applications & Permits of
   Interest
- Final Conditions for Active NSR Permits
- EGLE Calendar



# QUESTIONS? THANK YOU!

**CONTACT LILLIAN:** 

LLWOOLLEY@FISHBECK.COM

248.324.4785

