

Center and MEC Appeal GM Building Permit to U.S. EPA

By Gregory V. Button

Recently, the Ecology Center and the Michigan Environmental Council (MEC) filed an administrative appeal of a Michigan Department of Environmental Quality (MDEQ) air quality permit for the new General Motors assembly plant in Delta Township, outside Lansing. The organizations are asking the U.S. EPA to review MDEQ's decision to not require the installation of cost-effective pollution control technology as mandated under the federal Clean Air Act.

GM's new facility will use a combination of powder, water-based, and solvent-based paints for coating new vehicles, but the MDEQ did not require GM to install pollution control equipment that would eliminate the emission of 250–400 tons of volatile organic compounds (VOCs) per year. The Clean Air Act requires the installation of Best Available Control Technology (BACT) for new processes that result in significant increases of air pollution.

VOCs are harmful to the environment, can damage the liver, kidneys, and nervous system, and may pose a cancer risk to humans. The emissions also lead to the formation of ground-level ozone, which is responsible for triggering thousands of asthma attacks each year. As currently designed, the facility will emit up to 1,275 tons of VOCs into the air each year, making it the largest single source of such pollutants in the Lansing area, and among the top five in the state.

“Given the availability of cost-effective emission-control technology, which is clearly required under the Clean Air Act, it is irresponsible for

the MDEQ to not hold GM to the same pollution standards that it holds other companies to in the state,” said Ecology Center Director Mike Garfield.

During the MDEQ permit comment period, the Ecology Center and MEC called for installation of control technology on the water-based painting process. Moreover, MDEQ internal documents recognized GM's failure to properly consider additional pollution control equipment. Despite obvious flaws cited by staff, MDEQ Director Russ Harding approved the permit application without the further pollution control requirements.

“Once again, the MDEQ has failed in its duty to protect public health and the environment,” stated Isaac Elnecave, Air Quality Specialist at MEC. “New facilities must be required to use the modern pollution control equipment to ensure that the public health of the plant's neighbors are protected,” said Elnecave.

The Ecology Center and MEC filed their appeal with the U.S. EPA's Environmental Appeals Board, arguing that the DEQ abused its agency discretion by ignoring critical facts related to the BACT determination. This direct appeal to the EPA Board expedites the appeal process so that a final determination can be made as soon as possible.

“We strongly support this plant being built in the Lansing area and the resulting economic development,” Garfield added. “If MDEQ Director Russ Harding discharged his duty to uphold the law, we wouldn't now be forced to challenge this permit.”