
Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4295 (Substitute H-2 as passed by the House)
Sponsor: Representative Rose Bogardus
House Committee: Conservation, Environment and Recreation
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 10-27-97

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to provide that, before granting a permit or certificate of coverage for a sewage/anaerobic lagoon that served a residential area, the Department of Environmental Quality (DEQ) would have to satisfy specified public notice requirements promulgated under the bill.

The bill would require the DEQ to notify each municipality that would be affected by the permit grant by mailing a notice of the permit application to the chief executive officer of the municipality. The Department would have to promulgate rules that would establish criteria based on scientific data for when a municipality would be considered "affected".

The DEQ would have to notify the health department of each county that was contiguous to a pond or lake that would be a discharge site, and of each municipality that would be downstream to a discharge site in a creek, stream, or river. The bill would require the notice of the permit application to be published in the local newspapers and the newspapers of general circulation in each downstream municipality.

The bill also would allow a person to request a public hearing, for those areas that would be affected by the permit, within 60 days after the public notice was last published.

Currently, a person requesting a new or increased wastewater discharge permit must file an application with the DEQ that includes the nature of the enterprise or development, the amount and source of water to be used, the proposed point of discharge of the waste into State waters, and a statement outlining the expected bacterial, physical, chemical, and other known characteristics of the wastes. The DEQ has up to 180 days to grant or deny a permit, and may condition the permit upon the restrictions that it considers necessary to guard adequately against unlawful uses of State waters.

MCL 324.3113

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government depending on the number of new water use permits and notices and hearings required.

The DEQ estimates an average of 15 permits per year, a potential cost of \$2,000 per permit notice,

and potentially \$20,000 in hearing costs, for a possible total of \$50,000 per year.

Fiscal Analyst: G. Cutler

S9798\S4295SA

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.