

SENATE BILL No. 697

October 10, 2001, Introduced by Senators BULLARD and MC COTTER and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 5510 (MCL 324.5510).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5510. In accordance with this part and rules promul-
2 gated under this part, the department may, after notice and
3 opportunity for public hearing, deny or revoke a permit issued
4 under this part if any of the following circumstances exist:

5 (a) Installation, modification, or operation of the source
6 will violate this part, rules promulgated under this part, or the
7 clean air act, unless the source is in compliance with a legally
8 enforceable schedule of compliance contained in a permit or
9 order.

10 (b) Installation, construction, reconstruction, relocation,
11 alteration, or operation of the source presents or may present an

1 imminent and substantial endangerment to human health, safety, or
2 welfare, or the environment.

3 (c) The person applying for the permit makes a false repre-
4 sentation or provides false information during the permit review
5 process.

6 (d) The source has not been installed, constructed, recon-
7 structed, relocated, altered, or operated in a manner consistent
8 with the application for a permit or as specified in a permit.

9 (e) The person owning or operating the source fails to pay
10 an air quality fee assessed under this part.

11 (f) The person proposes a major offset source or ~~the owner~~
12 ~~or operator of a proposed~~ A major offset modification ~~that~~ AND
13 THE PERSON owns or operates another source in the state that has
14 the potential to emit 100 tons or more per year of any air con-
15 taminant regulated under the clean air act and that ~~source~~ is
16 in violation of this part, rules promulgated under this part, the
17 clean air act, or a permit or order issued under this part,
18 unless the OTHER source is in compliance with a legally enforce-
19 able schedule of compliance contained in a permit or order.

20 (G) WITHIN THE 5-YEAR PERIOD PRECEDING THE NOTICE, CONTINU-
21 OUS OR REPEATED SIGNIFICANT VIOLATIONS OF THIS PART, RULES
22 PROMULGATED UNDER THIS PART, THE CLEAN AIR ACT, OR A PERMIT OR
23 ORDER ISSUED UNDER THIS PART HAVE BEEN COMMITTED AT THE SOURCE,
24 UNLESS THE SOURCE HAS BEEN IN COMPLIANCE WITH A LEGALLY ENFORCE-
25 ABLE SCHEDULE OF COMPLIANCE CONTAINED IN A PERMIT OR ORDER.