

HOUSE BILL No. 4472

February 26, 2009, Introduced by Reps. Roberts, Tlaib, Scripps, Switalski, Haugh, Warren, Roy Schmidt, Hammel, Bennett, Liss, Lindberg, Polidori, Nerat, Gonzales, Rogers, Rocca, Haase, Slavens, Kennedy and Meadows and referred to the Committee on Great Lakes and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 3106 (MCL 324.3106).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3106. (1) The department shall establish pollution
2 standards for lakes, rivers, streams, and other waters of the state
3 in relation to the public use to which they are or may be put, as
4 it considers necessary. The department shall issue permits that
5 will assure compliance with state standards to regulate municipal,
6 industrial, and commercial discharges or storage of any substance
7 that may affect the quality of the waters of the state. The
8 department may set permit restrictions that will assure compliance
9 with applicable federal law and regulations. The department may

1 ~~ascertain and~~ determine for record and in making its order what
2 volume of water actually flows in all streams, and the high and low
3 water marks of lakes and other waters of the state, affected by the
4 waste disposal or pollution of any persons. The department may
5 promulgate rules and issue orders restricting the polluting content
6 of any waste material or polluting substance discharged or sought
7 to be discharged into any lake, river, stream, or other waters of
8 the state. The department shall take all appropriate steps to
9 prevent any pollution the department considers to be unreasonable
10 and against public interest in view of the existing conditions in
11 any lake, river, stream, or other waters of the state.

12 (2) IN ORDER TO ASSURE COMPLIANCE WITH THIS PART AND PERMITS
13 ISSUED UNDER THIS PART, THE DEPARTMENT SHALL CONDUCT AN UNANNOUNCED
14 INSPECTION OF EACH FACILITY THAT HAS BEEN ISSUED A PERMIT
15 AUTHORIZING A DISCHARGE INTO SURFACE WATER, OTHER THAN A STORM
16 WATER DISCHARGE, AS FOLLOWS:

17 (A) AN EPA MAJOR FACILITY AS DEFINED IN SECTION 3120 SHALL BE
18 INSPECTED ANNUALLY.

19 (B) AN EPA MINOR FACILITY AS DEFINED IN SECTION 3120 SHALL BE
20 INSPECTED EVERY OTHER YEAR.