

**SUBSTITUTE FOR
HOUSE BILL NO. 4188**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding sections 5519 and 5519a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 5519. (1) The department shall establish a program to**
2 **implement the National Emission Standard for Asbestos, 40 CFR part**
3 **61, subpart M.**

4 **(2) Each year, the department shall complete inspections for**
5 **compliance with 40 CFR part 61, subpart M, of at least the**
6 **following applicable percentage of asbestos renovations and**
7 **demolitions for which original notice of intention was received**
8 **under 40 CFR 61.145:**

9 **(a) 15% for 2023 and 2024.**

1 (b) 20% for 2025 and 2026.

2 (c) 25% for 2027 and thereafter.

3 (3) An owner or operator that submits a notice of intention of
4 asbestos removal or demolition is responsible for payment of a
5 notification fee of \$100.00. In addition, the owner or operator is
6 responsible for payment of a \$10.00 modification fee each time the
7 submitted notice is modified. Fees under this subsection shall be
8 paid electronically in the manner provided for by the department. A
9 public entity may pass through the cost for the notice fee and any
10 modification fee to the asbestos abatement contractor, unless the
11 pass through would violate the terms of a contract entered into
12 before the effective date of the amendatory act that added this
13 section. The department shall assess and collect the fees and shall
14 transmit fee revenue to the state treasurer for deposit in the
15 asbestos inspection fund created in section 5519a.

16 (4) As used in this section, "asbestos abatement contractor"
17 means that term as defined in section 103 of the asbestos abatement
18 contractors licensing act, 1986 PA 135, MCL 338.3103.

19 Sec. 5519a. (1) The asbestos inspection fund is created in the
20 state treasury.

21 (2) The state treasurer may receive money or other assets from
22 any source for deposit into the asbestos inspection fund. The state
23 treasurer shall direct the investment of money in the fund and
24 credit to the fund interest and earnings from the investments.

25 (3) The department is the administrator of the asbestos
26 inspection fund for audits of the fund. The department shall expend
27 money from the fund, upon appropriation, only to conduct
28 inspections and related activities under section 5519.

29 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.