

# HOUSE BILL NO. 4188

March 07, 2023, Introduced by Reps. Aiyash, Mentzer, McKinney, Tyrone Carter, Tsernoglou, Dievendorf, Wilson, Rheingans, Wegela, Hope, Paiz, Morgan, VanderWall, Byrnes, Puri, Conlin, Liberati and Weiss and referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.

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 the following**

1 percentage of asbestos renovations and demolitions for which notice  
2 of intention was received under 40 CFR 61.145:

3 (a) 15% for 2023 and 2024.

4 (b) 20% for 2025 and 2026.

5 (c) 25% for 2027 and thereafter.

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

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

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

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

28 Enacting section 1. This amendatory act takes effect 90 days  
29 after the date it is enacted into law.