

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

***** 324.21510a THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 324.21510a.amended

324.21510a Responsibility of owner or operator for deductible amount.

Sec. 21510a. (1) Prior to submitting a claim under this part, an owner or operator is responsible for a deductible amount as follows:

(a) Subject to subdivision (b), \$50,000.00 per claim.

(b) If the owner or operator or its affiliate owns or operates fewer than 8 refined petroleum underground storage tanks and pays the authority an annual fee of \$500.00 per refined petroleum underground storage tank, \$15,000.00 per claim. For purposes of this subdivision, each compartment of a multiple compartment refined petroleum underground storage tank is considered a refined petroleum underground storage tank for purposes of calculating the annual fee.

(2) The due date for the annual fee paid pursuant to subsection (1)(b) shall be set by the authority.

(3) The deductible amount applies to each claim. However, 2 or more claims arising out of the same, interrelated, associated, repeated, or continuous releases or a series of related releases shall be considered a single claim and be subject to 1 claim limit and 1 deductible amount. Any claim which takes place over 2 or more claim periods shall be subject to 1 claim limit and 1 deductible amount.

(4) An owner or operator that submits a claim under section 21515 shall include work invoices or other evidence that the deductible amount described in subsection (1) has been met. The expenses toward meeting the deductible amount shall be documented and shall comply with the following:

(a) Expenses for items listed in the schedule of costs shall be at or below the allowable reimbursement amount listed in the schedule of costs.

(b) Expenses for items that are not listed in the schedule of costs shall be reasonable and necessary considering conditions at the site based upon a competitive bidding process established by the authority.

History: Add. 2014, Act 416, Imd. Eff. Dec. 30, 2014.

Popular name: Act 451

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