

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

SUBPART 1
PCB COMPOUNDS

324.14701 Definitions.

Sec. 14701. As used in this subpart:

(a) "Department" means the department of environmental quality.

(b) "PCB" means the class of chlorinated biphenyl, terphenyl, higher polyphenyl, or mixtures of these compounds produced by replacing 2 or more hydrogen atoms on the biphenyl, terphenyl, or higher polyphenyl molecule with chlorine atoms. PCB does not include chlorinated biphenyls, terphenyls, higher polyphenyls, or mixtures of these compounds that have functional groups attached other than chlorine unless that functional group on the chlorinated biphenyls, terphenyls, higher polyphenyls, or mixtures of these compounds is determined to be dangerous to the public health, safety, and welfare under section 14703.

(c) "Ppm" means parts per million.

History: 1994, Act 451, Eff. Mar. 30, 1995;—Am. 2004, Act 562, Imd. Eff. Jan. 3, 2005.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Waste Management Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled at MCL 324.99901 of the Michigan Compiled Laws.

Popular name: Act 451

Popular name: NREPA

324.14702 Department of environmental quality; responsibility; rules.

Sec. 14702. The department is responsible for the administration and implementation of this subpart to protect the public health, safety, and welfare from the toxic effects and environmental dangers of PCB. The department shall promulgate rules to implement and administer this subpart.

History: 1994, Act 451, Eff. Mar. 30, 1995;—Am. 2004, Act 562, Imd. Eff. Jan. 3, 2005.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Waste Management Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled at MCL 324.99901 of the Michigan Compiled Laws.

Popular name: Act 451

Popular name: NREPA

324.14703 Determination by rule of sufficient danger; recommendation of special committee.

Sec. 14703. After receiving a recommendation by affirmative majority vote of a special committee consisting of a representative of the department, the director of labor and economic growth, and the director of the department of community health, the department shall by rule determine, within the concentrations prescribed by this subpart, whether the chlorinated biphenyls, terphenyls, higher polyphenyls, or mixtures of these compounds named in the recommendation and having certain functional groups in addition to chlorine attached to the molecule constitute a sufficient danger to the public health, safety, and welfare as to be regulated as a PCB by this subpart.

History: 1994, Act 451, Eff. Mar. 30, 1995;—Am. 2004, Act 562, Imd. Eff. Jan. 3, 2005.

Popular name: Act 451

Popular name: NREPA

324.14704 Disposition of certain solid or liquid wastes, or of certain items, products, or materials.

Sec. 14704. A person shall not dispose of solid or liquid waste resulting from the use in his or her business of PCB or an item, product, or material containing a concentration equal to or greater than 100 ppm of PCB except in conformity with rules promulgated by the department.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA

324.14705 Violation as misdemeanor; penalty.

Sec. 14705. A person who violates this subpart or a rule promulgated under this subpart is guilty of a misdemeanor punishable by a fine of not less than \$2,500.00 or more than \$25,000.00. Each day that a

violation of this subpart or a rule promulgated under this subpart continues shall be considered a separate violation.

History: 1994, Act 451, Eff. Mar. 30, 1995;—Am. 2004, Act 562, Imd. Eff. Jan. 3, 2005.

Popular name: Act 451

Popular name: NREPA