



HOUSE BILL No. 4201

January 30, 1995, Introduced by Reps. Pitoniak, Profit, DeHart, DeMars, Varga, Walberg, Martinez, Anthony, Hanley, Brewer, Freeman and Brater and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend Act No. 315 of the Public Acts of 1969, entitled "Mineral well act," as amended, being sections 319.211 to 319.236 of the Michigan Compiled Laws, by adding section 16b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 315 of the Public Acts of 1969, as
2 amended, being sections 319.211 to 319.236 of the Michigan
3 Compiled Laws, is amended by adding section 16b to read as
4 follows:

5 SEC. 16B. (1) A PERSON WHO APPLIES FOR A PERMIT TO DRILL OR
6 CONVERT A WELL FOR PURPOSES OF USING THAT WELL FOR THE DISPOSAL
7 OF HAZARDOUS WASTE, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,

1 SHALL INCLUDE WITH HIS OR HER APPLICATION A DISCLOSURE STATEMENT
2 THAT INCLUDES ALL OF THE FOLLOWING:

3 (A) THE FULL NAME AND BUSINESS ADDRESS OF ALL OF THE
4 FOLLOWING:

5 (i) THE APPLICANT.

6 (ii) THE 5 PERSONS HOLDING THE LARGEST SHARES OF THE EQUITY
7 IN OR DEBT LIABILITY OF THE PROPOSED FACILITY. THE SUPERVISOR
8 MAY WAIVE ALL OR ANY PORTION OF THIS REQUIREMENT FOR AN APPLICANT
9 THAT IS A CORPORATION WITH PUBLICLY TRADED STOCK.

10 (iii) THE OPERATOR, IF KNOWN.

11 (iv) IF KNOWN, THE 3 EMPLOYEES OF THE OPERATOR WHO WILL HAVE
12 THE MOST RESPONSIBILITY FOR THE DAY-TO-DAY OPERATION OF THE
13 FACILITY.

14 (v) ANY OTHER BUSINESS ENTITY IN WHICH ANY PERSON OTHER THAN
15 AN INDIVIDUAL REQUIRED TO BE LISTED IN SUBPARAGRAPHS (i) TO (iv)
16 HAS AT ANY TIME HAD 25% OR MORE OF THE EQUITY IN OR DEBT LIABIL-
17 ITY OF THAT BUSINESS ENTITY. THE SUPERVISOR MAY WAIVE ALL OR ANY
18 PORTION OF THIS REQUIREMENT FOR AN APPLICANT THAT IS A CORPORA-
19 TION WITH PUBLICLY TRADED STOCK.

20 (B) ALL CONVICTIONS FOR CRIMINAL VIOLATIONS OF ANY ENVIRON-
21 MENTAL STATUTE ENACTED BY A FEDERAL, STATE, CANADIAN, OR PROVIN-
22 CIAL AGENCY FOR EACH PERSON REQUIRED TO BE LISTED UNDER THIS
23 SUBSECTION. IF DEBT LIABILITY IS HELD BY A CHARTERED LENDING
24 INSTITUTION, INFORMATION REQUIRED IN THIS SUBDIVISION AND SUBDI-
25 VISIONS (C) AND (D) SHALL NOT BE REQUIRED FROM THAT INSTITUTION.

26 (C) A LISTING OF ALL ENVIRONMENTAL PERMITS OR LICENSES
27 ISSUED BY A FEDERAL, STATE, CANADIAN, OR PROVINCIAL AGENCY HELD

1 BY EACH PERSON REQUIRED TO BE LISTED UNDER THIS SUBSECTION THAT
2 WERE PERMANENTLY REVOKED BECAUSE OF NONCOMPLIANCE.

3 (D) A LISTING OF ALL ACTIVITIES AT PROPERTY OWNED OR OPER-
4 ATED BY EACH PERSON REQUIRED TO BE LISTED UNDER THIS SUBSECTION,
5 IF THE INCIDENT RESULTED IN A THREAT OR POTENTIAL THREAT TO THE
6 ENVIRONMENT, AND PUBLIC FUNDS WERE USED TO FINANCE AN ACTIVITY TO
7 MITIGATE THE THREAT OR POTENTIAL THREAT TO THE ENVIRONMENT,
8 EXCEPT IF THE PUBLIC FUNDS EXPENDED TO FACILITATE THE MITIGATION
9 OF ENVIRONMENTAL CONTAMINATION WERE VOLUNTARILY AND EXPEDITIOUSLY
10 RECOVERED FROM THE APPLICANT OR OTHER LISTED PERSON WITHOUT
11 LITIGATION.

12 (2) IF ANY INFORMATION REQUIRED TO BE INCLUDED IN THE DIS-
13 CLOSURE STATEMENT CHANGES, OR IS SUPPLEMENTED AFTER THE FILING OF
14 THE STATEMENT, THE APPLICANT, PERMITTEE, OR LICENSEE SHALL PRO-
15 VIDE THAT INFORMATION TO THE SUPERVISOR IN WRITING, WITHIN 30
16 DAYS OF THE CHANGE OR ADDITION.

17 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SUPERVI-
18 SOR MAY DENY AN APPLICATION FOR A PERMIT IF THERE ARE ANY LIST-
19 INGS PURSUANT TO SUBSECTION (1)(B), (C), OR (D) AS ORIGINALLY
20 DISCLOSED OR AS SUPPLEMENTED.