

SENATE BILL No. 1655

December 2, 2008, Introduced by Senator VAN WOERKOM and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 3106 (MCL 324.3106).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3106. (1) The department shall establish pollution
2 standards for lakes, rivers, streams, and other waters of the state
3 in relation to the public use to which they are or may be put, as
4 it considers necessary. ~~The~~ **SUBJECT TO SUBSECTION (2), THE**
5 department shall issue permits that will assure compliance with
6 state standards to regulate municipal, industrial, and commercial
7 discharges or storage of any substance that may affect the quality
8 of the waters of the state. The department may set permit

1 restrictions that will assure compliance with applicable federal
2 law and regulations. The department may ascertain and determine for
3 record and in making its order what volume of water actually flows
4 in all streams, and the high- and low-water marks of lakes and
5 other waters of the state, affected by the waste disposal or
6 pollution of any persons. The department may promulgate rules and
7 issue orders restricting the polluting content of any waste
8 material or polluting substance discharged or sought to be
9 discharged into any lake, river, stream, or other waters of the
10 state. The department shall take all appropriate steps to prevent
11 any pollution the department considers to be unreasonable and
12 against **THE** public interest in view of the existing conditions in
13 any lake, river, stream, or other waters of the state.

14 (2) IF A PERMIT APPLIED FOR UNDER THIS PART REQUIRES A
15 DETERMINATION AS TO WHETHER THE LOWERING OF WATER QUALITY IS
16 NECESSARY TO SUPPORT IMPORTANT SOCIAL AND ECONOMIC DEVELOPMENT IN
17 THE AREA OF THE DISCHARGE, THAT DETERMINATION SHALL BE MADE BY THE
18 BOARD OF DIRECTORS OF THE MICHIGAN STRATEGIC FUND AS PROVIDED FOR
19 IN SECTION 7 OF THE MICHIGAN STRATEGIC FUND ACT, 1984 PA 270, MCL
20 125.2007.