

Legislative Analysis



REPEAL REQUIREMENT FOR ANNUAL WASTEWATER REPORT

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House Bill 4994

Sponsor: Rep. Eileen Kowall

Committee: Natural Resources, Tourism, and Outdoor Recreation

Complete to 10-3-11

A SUMMARY OF HOUSE BILL 4994 AS INTRODUCED 9-20-11

House Bill 4994 would repeal Section 3111 (MCL 324.3111) of the Natural Resources and Environmental Protection Act (NREPA), which requires any person doing business in Michigan that discharges wastewater that contains wastes (in addition to sanitary sewage) to the waters of the state or to any sewer system to file an annual report with the Department of Environmental Quality (DEQ).

The report must contain the following information: the nature of the enterprise; the quantities of materials used in and incidental to its manufacturing processes; the by-products and waste products that appear on a register of critical materials compiled by the DEQ (contained in rules at R 299.9003); and the estimated annual total number of gallons of wastewater, including process and cooling water to be discharged to the waters of the state or to any sewer system.

Under Section 3111, the DEQ can only use the information for the purposes of water pollution control and must provide proper and adequate facilities and procedures to safeguard confidential manufacturing processes. Anyone operating in violation of this section is subject to penalties as contained in the act. R 299.9001 - 9007 of the Michigan Administrative Code has been promulgated under the authority of this section and contains additional reporting requirements.

FISCAL IMPACT:

House Bill 4994 would have no fiscal impact on the Department of Environmental Quality. The Annual Wastewater Reporting program requirements were suspended in April of 2009. According to the Department, DEQ's development of efficiencies in data management in this program area and monthly electronic reports from the business community eliminate the need for an annual wastewater report. Because House Bill 4994 eliminates a reporting requirement that the Department had already suspended, the bill would have no additional costs or savings to the DEQ.

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