

HOUSE BILL No. 4207

February 8, 2011, Introduced by Reps. Kurtz, Wayne Schmidt, Damrow, Daley, Cotter, Farrington, Somerville and Agema and referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 5512 (MCL 324.5512).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5512. (1) The department shall promulgate rules for
2 purposes of doing all of the following:

3 (a) Controlling or prohibiting air pollution.

4 (b) Complying with the clean air act.

5 (c) Controlling any mode of transportation that is capable of
6 causing or contributing to air pollution.

7 (d) Reviewing proposed locations of stationary emission
8 sources.

9 (e) Reviewing modifications of existing emission sources.

10 (f) Prohibiting locations or modifications of emission sources

1 that impair the state's ability to meet federal ambient air **QUALITY**
2 standards.

3 (g) Establishing suitable emission standards consistent with
4 **FEDERAL** ambient air quality standards ~~established by the federal~~
5 ~~government~~ and factors including, but not limited to, conditions of
6 the terrain, wind velocities and directions, land usage of the
7 region, and the anticipated characteristics and quantities of
8 potential air pollution sources. This part does not prohibit the
9 department from denying or revoking a permit to operate a source, **A**
10 process, or process equipment that would adversely affect human
11 health or other conditions important to the life of the community.

12 (h) Implementing sections 5505 and 5506.

13 **(2) THE DEPARTMENT SHALL NOT PROMULGATE RULES UNDER THIS ACT**
14 **TO PROHIBIT THE OPEN BURNING OF HOUSEHOLD WASTE FROM A 1-FAMILY OR**
15 **2-FAMILY DWELLING AT THE LOCATION OF THE DWELLING.**

16 **(3)** ~~(2)~~ Unless otherwise provided in this part, each rule,
17 permit, or administrative order promulgated or issued under this
18 part prior to November 13, 1993 shall remain in effect according to
19 its terms unless the rule or order is inconsistent with this part
20 or is revised, amended, or repealed.