

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994
AIR RESOURCES PROTECTION
Part 55
AIR POLLUTION CONTROL

324.5501 Definitions.

Compiler's Notes: <Paragraph><P>In this section, the reference to "(*Category F facility*)" evidently should read "(i) *Category F facility*".</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5502 Issuance of permit to install or operating permit to municipal solid waste incinerator; applicability of subsection (1); municipal solid waste incinerator existing prior to June 15, 1993.

Popular Name: Act 451

Popular Name: NREPA

324.5503 Powers of department.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities of the Air Quality 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.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

Admin Rule: <Paragraph><P>R 336.1101 et seq.; R 336.1122; and R 336.1201 et seq. of the Michigan Administrative Code.</P></Paragraph>

324.5504 Medical waste incineration facility; operating permit required; form and contents of application; compliance; validity and renewal of permit; review of operating permits; retrofitting facility; interim operating permit; rules; receipt of pathological or medical wastes generated off-site; records; definitions.

Popular Name: Act 451

Popular Name: NREPA

Admin Rule: <Paragraph><P>R 336.1901 et seq. of the Michigan Administrative Code.</P></Paragraph>

324.5505 Installation, construction, reconstruction, relocation, alteration, or modification of process or process equipment; permit to install or operate required; rules; trial operation; rules for issuance of general permit or certain exemptions; temporary locations; nonrenewable permits; failure of department to act on applications; appeal of permit actions.

Popular Name: Act 451

Popular Name: NREPA

324.5506 Operating permit.

Popular Name: Act 451

Popular Name: NREPA

324.5507 Administratively complete action; exemption from information requirements; "compliance plan" defined.

Popular Name: Act 451

Popular Name: NREPA

324.5508 "Section 112" defined; source, process, or process equipment not subject to best available control technology for toxics requirements or health based screening level requirements.

Popular Name: Act 451

Popular Name: NREPA

324.5509 "Malfunction" defined; rules; prohibition; actions taken by department; enforcement; conditions for applicability of subsections (3) to (5).

Compiler's Notes: <Paragraph><P>The general rules referenced in subsection (6) were promulgated and became effective July 26, 1995.
</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5510 Denial or revocation of permit; circumstances.

Popular Name: Act 451

Popular Name: NREPA

324.5511 List of permit applications; list of consent order public notices; notice, opportunity for public comment and public hearing required for certain permit actions.

Popular Name: Act 451

Popular Name: NREPA

324.5512 Rules.

Popular Name: Act 451

Popular Name: NREPA

Admin Rule: <Paragraph><P>R 336.1101 et seq.; R 336.1122; and R 336.1201 et seq. of the Michigan Administrative Code.</P></Paragraph>

324.5513 Car ferries and coal-fueled trains.

Popular Name: Act 451

Popular Name: NREPA

324.5514 Department of environmental quality; prohibited acts; "wood heater" defined.

Compiler's Notes: <Paragraph><P>Former MCL 324.5514, which pertained to disposal of United States flag by burning, was repealed by Act 102 of 2012, Imd. Eff. Apr. 19, 2012.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5515 Investigation; voluntary agreement; order; petition for contested case hearing; final order or determination; review.

Popular Name: Act 451

Popular Name: NREPA

324.5516 Public hearing; information available to the public; use of confidential information.

Popular Name: Act 451

Popular Name: NREPA

324.5517 Petition for relief from rule.

Popular Name: Act 451

Popular Name: NREPA

324.5518 Notice to discontinue pollution; hearing; suit brought by attorney general in circuit court; effectiveness and duration of order; notice to county emergency management coordinator.

Popular Name: Act 451
Popular Name: NREPA

324.5519 Asbestos emissions program; inspections; fees.

Compiler's Notes: <Paragraph><P>Former MCL 324.5519, which pertained to submission of emissions information to the department, was repealed by Act 245 of 1998, Imd. Eff. July 8, 1998.</P></Paragraph>

Popular Name: Act 451
Popular Name: NREPA

324.5519a Asbestos inspection fund.

Popular Name: Act 451
Popular Name: NREPA

324.5519b Annual asbestos program report.

Popular Name: Act 451
Popular Name: NREPA

324.5520 Repealed. 1998, Act 245, Imd. Eff. July 8, 1998.

Compiler's Notes: <Paragraph><P>The repealed section pertained to payment of emission fees.</P></Paragraph>

Popular Name: Act 451
Popular Name: NREPA

324.5521 Emissions control fund.

Popular Name: Act 451
Popular Name: NREPA

***** 324.5522 THIS SECTION MAY NOT APPLY: See subsection (11) *****

324.5522 Fee-subject facility; air quality fees; calculation of emissions charge and facility charge; annual report detailing activities of previous fiscal year; action by attorney general for collection of fees; applicability of section; condition.

Popular Name: Act 451
Popular Name: NREPA

324.5523 Issuance of permits and administration and enforcement of part, rules, and state implementation plan; delegation granted by department to certain counties.

Popular Name: Act 451
Popular Name: NREPA

324.5524 Fugitive dust sources or emissions.

Popular Name: Act 451
Popular Name: NREPA

324.5525 Definitions.

Popular Name: Act 451
Popular Name: NREPA

324.5526 Investigation; inspection; furnishing duplicate of analytical report; powers of department or authorized representative; entry or access to records refused; powers of attorney general; “authorized representative” defined.

Popular Name: Act 451
Popular Name: NREPA

324.5527 Emergency; definition; affirmative defense; burden of proof.

Popular Name: Act 451
Popular Name: NREPA

324.5528 Violation of part, rule, terms of permit, or order; agreement to correct violation; consent order; public notice and opportunity for public comment; providing copy of proposed consent order.

Popular Name: Act 451
Popular Name: NREPA

324.5529 Administrative fine; limitation; petition for review of fine.

Popular Name: Act 451
Popular Name: NREPA

324.5530 Commencement of civil action by attorney general; relief; costs; jurisdiction; defenses; fines.

Popular Name: Act 451
Popular Name: NREPA

324.5531 Violations as misdemeanors; violations as felonies; fines; defenses; definitions.

Popular Name: Act 451
Popular Name: NREPA

324.5532 Civil or criminal fines; factors to be considered in determining amount.

Popular Name: Act 451
Popular Name: NREPA

324.5533 Award; eligibility; rules.

Popular Name: Act 451
Popular Name: NREPA

324.5534 Repealed. 1999, Act 231, Imd. Eff. Dec. 28, 1999.

Compiler's Notes: <Paragraph><P>The repealed section pertained to certain violations exempt from penalties.</P></Paragraph>
Popular Name: Act 451
Popular Name: NREPA

324.5535 Suspension of enforcement; reasons; variance.

Popular Name: Act 451
Popular Name: NREPA

324.5536 Variance; considerations effecting.

Popular Name: Act 451
Popular Name: NREPA

324.5537 Variance; granting for undue hardship.

Popular Name: Act 451
Popular Name: NREPA

324.5538 Variance; period granted; report; conditions.

Popular Name: Act 451
Popular Name: NREPA

324.5539 Variance; revocation or modification of order; public hearing and notice required.

Popular Name: Act 451
Popular Name: NREPA

324.5540 Purpose of part; alteration of existing rights of actions or remedies.

Popular Name: Act 451
Popular Name: NREPA

324.5541 Construction of part; evidentiary effect of determination by commission.

Popular Name: Act 451
Popular Name: NREPA

324.5542 Effect on existing ordinances or regulations; local enforcement; cooperation with local governmental units.

Popular Name: Act 451

Popular Name: NREPA

Part 57
SMALL BUSINESS CLEAN AIR ASSISTANCE

324.5701 Definitions.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5702 “Small business stationary source” explained.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5703 Office of small business clean air ombudsman; creation; exercise of powers and duties; appointment of executive officer.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled at MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities of the Environmental Assistance Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled MCL 324.99901 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5704 Office of ombudsman; responsibilities and duties.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities of the Environmental Assistance 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.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5705 Small business clean air assistance program; creation; purpose.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled at MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities of the Environmental Assistance Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled MCL 324.99901 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5706 Access to information, records, and documents; assistance to ombudsman.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled at MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5707 Information obtained from small businesses; confidentiality.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled at MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.5708 Small business clean air compliance advisory panel.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities, including budgeting procurement and management-related functions, of the office of the small business clean air ombudsman to the Michigan jobs commission, see E.R.O. No. 1995-1, compiled at MCL 408.49 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

Part 59

AIR POLLUTION CONTROL FACILITY; TAX EXEMPTION

324.5901 "Facility" defined.

Popular Name: Act 451

Popular Name: NREPA

324.5902 Tax exemption certificate; application; contents; approval; notice; hearing; tax exemption.

Popular Name: Act 451

Popular Name: NREPA

324.5903 Tax exemption certificate; findings of department; notice to state tax commission; issuance and effective date of certificate.

Popular Name: Act 451

Popular Name: NREPA

324.5904 Tax exemptions; statement in certificate.

Popular Name: Act 451

Popular Name: NREPA

324.5905 Tax exemption certificate; issuance; mailing to applicant, local tax assessors, and treasury department; filing; notice of refusal.

Popular Name: Act 451

Popular Name: NREPA

324.5906 Tax exemption certificate; modification or revocation; grounds; notice and hearing; statute of limitations.

Popular Name: Act 451

Popular Name: NREPA

324.5907 Tax exemption certificate; refusal; appeal.

Popular Name: Act 451

Popular Name: NREPA

324.5908 State tax commission; rules; administration of part.

Popular Name: Act 451
Popular Name: NREPA

Part 61
EMISSIONS FROM VESSELS

324.6101 Vessels; blowing flues prohibited; exceptions.

Popular Name: Act 451
Popular Name: NREPA

324.6102 Violation; penalty; separate offenses.

Popular Name: Act 451
Popular Name: NREPA

Part 63
MOTOR VEHICLE EMISSIONS TESTING FOR WEST MICHIGAN

324.6301 Meanings of words and phrases.

Popular Name: Act 451
Popular Name: NREPA

324.6302 Definitions; A to D.

Popular Name: Act 451
Popular Name: NREPA

324.6303 Definitions; E to N.

Popular Name: Act 451
Popular Name: NREPA

324.6304 Definitions; P to T.

Popular Name: Act 451
Popular Name: NREPA

324.6305 Motor vehicle emissions inspection and maintenance program fund; account.

Popular Name: Act 451

Popular Name: NREPA

324.6306 Operation of motor vehicle; prohibition; testing; enforcement; inspection and maintenance program; implementation in Kent, Ottawa, and Muskegon counties; exclusion; test procedures and components; vehicles subject to inspection; rules; suspension of vehicle registration; suspension of program.

Popular Name: Act 451

Popular Name: NREPA

324.6307 Registration renewal; vehicle inspection and certificate of compliance or waiver required; validity; prohibition.

Popular Name: Act 451

Popular Name: NREPA

324.6308 Repealed. 1996, Act 564, Imd. Eff. Jan. 16, 1997.

Compiler's Notes: <Paragraph><P>The repealed section pertained to exemption of certain areas to requirements of part.</P></Paragraph>

Popular Name: Act 451

Popular Name: NREPA

324.6309 Judicial relief.

Popular Name: Act 451

Popular Name: NREPA

324.6310 Inspection fee; initial inspections; free reinspections; remittance and deposit of inspection fee.

Popular Name: Act 451

Popular Name: NREPA

324.6311 Vehicles exempt from inspection requirements of part.

Popular Name: Act 451
Popular Name: NREPA

324.6312 Public inspection stations; contracts with private entities to conduct inspections; competitive evaluation process; notice of requests for proposals and contract awards; factors to be considered during contractor evaluation process.

Popular Name: Act 451
Popular Name: NREPA

324.6313 Contract provisions.

Popular Name: Act 451
Popular Name: NREPA

324.6314 Public inspection stations.

Popular Name: Act 451
Popular Name: NREPA

324.6315 Certificate of waiver.

Popular Name: Act 451
Popular Name: NREPA

324.6316 Implementation of continuing education programs; protection of public from fraud and abuse; ensuring proper and accurate emission inspection results; evaluation; compilation of data; report.

Popular Name: Act 451
Popular Name: NREPA

324.6317 Certificate of compliance; issuance.

Popular Name: Act 451
Popular Name: NREPA

324.6318 Furnishing certain information about repair facility; guidelines; failure of vehicle to pass inspection; availability of certificates of waiver.

Popular Name: Act 451
Popular Name: NREPA

324.6319 Tampering with motor vehicle.

Popular Name: Act 451
Popular Name: NREPA

324.6320 Providing false information to public inspection station or department.

Popular Name: Act 451
Popular Name: NREPA

324.6321 Violations as misdemeanor; fine; separate offenses.

Popular Name: Act 451
Popular Name: NREPA

Part 65
MOTOR VEHICLE EMISSIONS TESTING FOR SOUTHEAST MICHIGAN

324.6501 Meanings of words and phrases.

Popular Name: Act 451
Popular Name: NREPA

324.6502 Definitions; C, D.

Popular Name: Act 451
Popular Name: NREPA

324.6503 Definitions; E to N.

Popular Name: Act 451

Popular Name: NREPA

324.6504 Definitions; P to T.

Popular Name: Act 451

Popular Name: NREPA

324.6505 Access to records; requests in writing; identification of record; reasonable charge.

Popular Name: Act 451

Popular Name: NREPA

324.6506 Testing or repair of motor vehicles; implementation of emissions inspection test program in Wayne, Oakland, and Macomb counties.

Popular Name: Act 451

Popular Name: NREPA

324.6507 Emissions inspection test program in Wayne, Oakland, and Macomb counties; conditions for implementation; contingency measures; adoption of cut points; equipment and test procedures; rules; suspension of vehicle registration.

Popular Name: Act 451

Popular Name: NREPA

324.6508 Motor vehicle emissions testing program fund; account.

Popular Name: Act 451

Popular Name: NREPA

324.6509 Renewal of registration; issuance of certificate of compliance or certificate of waiver required;

validity of certificate.

Popular Name: Act 451

Popular Name: NREPA

324.6510 Testing station; prohibited conduct.

Popular Name: Act 451

Popular Name: NREPA

324.6511 Testing station; fee; use of fee; conditions requiring free reinspection or issuance of certificate of compliance; initial inspections; remittance and disposition of fee.

Popular Name: Act 451

Popular Name: NREPA

324.6512 Vehicles exempt from inspection requirements.

Popular Name: Act 451

Popular Name: NREPA

324.6513 Motor vehicles subject to part and rules; exceptions.

Popular Name: Act 451

Popular Name: NREPA

324.6514 Motor vehicles purchased as new vehicles; evidence.

Popular Name: Act 451

Popular Name: NREPA

324.6515 Application for motor vehicle registration as evidence of owner's permanent place of residence.

Popular Name: Act 451

Popular Name: NREPA

324.6516 Inspection of motor vehicles; license to operate testing station; separate license and fee; mobile or temporary location; remote sensing devices; use of other instruments; display of license.

Popular Name: Act 451

Popular Name: NREPA

324.6517 Testing station license; application; information; fee; effective date and duration of license; reinstatement of surrendered, revoked, or expired repair facility registration; resumption of operation.

Popular Name: Act 451

Popular Name: NREPA

324.6518 Testing station; change of ownership; notice.

Popular Name: Act 451

Popular Name: NREPA

324.6519 Display of certain information; prohibited conduct.

Popular Name: Act 451

Popular Name: NREPA

324.6520 Testing station; certification by third-party organization.

Popular Name: Act 451

Popular Name: NREPA

324.6521 Fleet testing station; permit; requirements.

Popular Name: Act 451

Popular Name: NREPA

324.6522 Fleet testing station; change of ownership; notice.

Popular Name: Act 451
Popular Name: NREPA

324.6523 Fleet testing station; limitation.

Popular Name: Act 451
Popular Name: NREPA

324.6524 Fleet testing station; inspection by independent third party; prohibited conduct.

Popular Name: Act 451
Popular Name: NREPA

324.6525 False representations.

Popular Name: Act 451
Popular Name: NREPA

324.6526 Fleet testing station; issuance of certificate of compliance.

Popular Name: Act 451
Popular Name: NREPA

324.6527 Inspection appointment; issuance of certificate of compliance; report describing reason for rejection.

Popular Name: Act 451
Popular Name: NREPA

324.6528 Certificate of waiver; issuance; conditions; certain costs not considered in determining eligibility; criteria; temporary certificate; fee.

Popular Name: Act 451
Popular Name: NREPA

324.6529 Approval as emission inspector.

Popular Name: Act 451
Popular Name: NREPA

324.6530 Inspection; certificate of compliance or waiver obtained at licensed testing station.

Popular Name: Act 451
Popular Name: NREPA

324.6531 Compliance; determination by department; system for selection of qualified vehicles.

Popular Name: Act 451
Popular Name: NREPA

324.6532 Protection of public from fraud and abuse; quality assurance; evaluation of cost; effectiveness and benefits of inspection program; report.

Popular Name: Act 451
Popular Name: NREPA

324.6533 Testing station; fleet testing station; issuance of certificate of compliance; conditions.

Popular Name: Act 451
Popular Name: NREPA

324.6534 Information to be provided by public inspection station; availability of certificate of waiver.

Popular Name: Act 451
Popular Name: NREPA

324.6535 Tampering with motor vehicle.

Popular Name: Act 451

Popular Name: NREPA

324.6536 Providing false information about repair costs prohibited.

Popular Name: Act 451

Popular Name: NREPA

324.6537 Violations as misdemeanor; fine.

Popular Name: Act 451

Popular Name: NREPA

324.6538 Transfer and availability of vehicle emissions inspection and maintenance fund.

Popular Name: Act 451

Popular Name: NREPA

324.6539 Repeal of MCL 257.1051 to 257.1076.

Popular Name: Act 451

Popular Name: NREPA