

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.1407 Clean corporate citizen designation; disqualification; conduct.

Sec. 1407.

(1) To qualify for a clean corporate citizen designation, a facility shall not have been the subject of any of the following at any time within the preceding 3 years:

- (a) A conviction for a criminal violation of an applicable state environmental requirement.
- (b) An assessment by a court of appropriate jurisdiction, of a civil fine, penalty, or damages of \$10,000.00 or more for violation of an applicable state environmental requirement.
- (c) A determination, by a court of appropriate jurisdiction, of responsibility for an illegal action that substantially endangered the public health, safety, or welfare or the environment.
- (d) A departmental assessment, a judicial consent decree, or an administrative consent order, imposing a fine or damages of \$32,500.00 or more, excluding the cost of any supplemental environmental project used to offset a fine, for a violation of an applicable state environmental requirement.

(2) A facility does not qualify for a clean corporate citizen designation if the department determines that the facility was responsible for a pattern of illegal actions, at any time within the preceding 3 years, that endangered the public health, safety, or welfare or the environment.

(3) To qualify for a clean corporate citizen designation, a facility shall address any outstanding violation that is cited in a violation notice that, as determined by the department, substantially endangers the public health, safety, or welfare or the environment, by doing 1 or more of the following:

- (a) Promptly resolving the violation.
- (b) Demonstrating to the department, the United States environmental protection agency, or the local enforcing agency that issued the violation notice that the violation did not occur.
- (c) Adhering to a compliance schedule that is acceptable to the department, the United States environmental protection agency, or the local enforcing agency that issued the violation notice, to correct the violation.

History: Add. 2012, Act 554, Imd. Eff. Jan. 2, 2013

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