

Legislative Analysis



MANDATE REPORTS OF RELEASES OF POLLUTING MATERIAL

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House Bill 5586

Sponsor: Rep. Daniel Acciavatti

Committee: Great Lakes and Tourism

Complete to 3-16-04

A SUMMARY OF HOUSE BILL 5586 AS INTRODUCED 2-19-04

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to require a person responsible for the release of any polluting material to the surface waters or groundwaters of the state in excess of the “threshold reporting quantity” (as defined later) to report the release immediately to the Department of Environmental Quality and each local health department whose jurisdictional area included affected waters.

Within 10 days of such a release, the responsible person would have to submit to the DEQ and each appropriate local health department a full written explanation of the cause of the release, the amount of polluting material released, the time the release began and ended, response measures taken or to be taken, the amount of polluting material recovered, and measures undertaken to prevent a similar occurrence.

MCL 324.3101 and 324.3111b

[The definition of “threshold reporting quantity” used in the bill is from R 324.2002 of the Michigan Administrative Code. That rule defines the term to mean any of the following:

- For releases of oil to the surface of the ground, 50 pounds.
- For releases of oil to the waters of the state, any quantity that causes unnatural turbidity, color, visible sheens, oil films, foams, solids, or deposits in the receiving waterbody.
- For release of salt to the surface of the ground, or waters of the state, 50 pounds in solid form, unless the use is authorized by the department for deicing purposes, or 50 gallons in liquid form, unless authorized by the department as a dust suppressant or deicing agent or permitted under part 31 of the act.

- For releases of all other polluting materials, the quantity specified in table 1 in R 324.2009, or any quantity that causes unnatural turbidity, color, visible sheens, oil films, foams, solids, or deposits in the receiving waterbody.]

FISCAL IMPACT:

The bill would not have a fiscal impact on the state or on local governmental units.

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