

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

324.4910 Collecting sewer projects; pollution control needs; assignment of points.

Sec. 4910.

(1) Points assigned to a collecting sewer project as a complete measure of pollution control needs shall not exceed 15.

(2) Two points shall be assigned for each of the following interests subject to pollution-caused injuries, which injuries will be corrected or substantially lessened by the proposed project:

- (a) Public health, safety, or welfare, but not including bathing.
- (b) Public water supply for domestic use.
- (c) Water supply for commercial or industrial use.
- (d) Irrigation or livestock water supply for agricultural use.
- (e) Organized public recreational use including bathing.
- (f) Aesthetic value or utility of riparian lands.
- (g) Water supply for wild animals, birds, and fish and adverse effects on aquatic life or plants.
- (h) Usefulness of fish or game for human consumption.

(3) Collecting sewers required to be constructed in compliance with a judgment rendered by a court of competent jurisdiction, a stipulation or an order of the department, or an agreement with the department of public health shall be assigned from 1 to 4 points in accordance with the following schedule, if the stipulation, order, or agreement specifically recites the existence of unlawful pollution and was in effect not less than 30 days before the deadline for filing applications and if the pollution abatement date is such that compliance would make it necessary to start construction during the year ending:

- (a) June 30 of the fiscal year for which the application is filed, 4 points.
- (b) June 30 of the first succeeding fiscal year, 3 points.
- (c) June 30 of the second succeeding fiscal year, 2 points.
- (d) June 30 of the third succeeding fiscal year, 1 point.

(4) An applicant in default of a performance date specified by an order, stipulation, or agreement may be assigned points under the preceding schedule only at the discretion of the department.

(5) A collecting sewer project for which construction contracts were awarded before the deadline date for filing applications shall be assigned 4 points. The combined total points assigned pursuant to subsections (3) to (5) shall not exceed 4 points.

History: 1994, Act 451, Eff. Mar. 30, 1995

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