

**SUBSTITUTE FOR  
HOUSE BILL NO. 5608**

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding sections 5534 and 5534a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       **SEC. 5534. THE DEPARTMENT SHALL ESTABLISH A PROGRAM TO**  
2   **IMPLEMENT THE NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR**  
3   **POLLUTANTS PROGRAM FOR ASBESTOS AS PROVIDED IN 40 CFR PART 61,**  
4   **SUBPART M. IN IMPLEMENTING THIS PROGRAM, THE DEPARTMENT SHALL**  
5   **INSPECT ASBESTOS REMOVALS AND DEMOLITIONS FOR COMPLIANCE WITH 40**  
6   **CFR PART 61, SUBPART M. FOLLOWING RECEIPT OF A NOTIFICATION OF AN**  
7   **ASBESTOS REMOVAL OR DEMOLITION, THE DEPARTMENT MAY CONDUCT AN**  
8   **INSPECTION TO ENSURE COMPLIANCE. EACH STATE FISCAL YEAR, THE**  
9   **DEPARTMENT SHALL COMPLETE AN INSPECTION FOR A MINIMUM OF 25% OF THE**  
10   **INITIAL NOTIFICATIONS RECEIVED UNDER 40 CFR 61.145. THE OWNER OR**

1 OPERATOR THAT SUBMITTED THE NOTIFICATION OF ASBESTOS REMOVAL OR  
2 DEMOLITION IS RESPONSIBLE FOR PAYMENT OF A NOTIFICATION FEE OF  
3 \$100.00. IN ADDITION, THE OWNER OR OPERATOR IS RESPONSIBLE FOR  
4 PAYMENT OF \$10.00 FOR EACH TIME THE SUBMITTED NOTIFICATION IS  
5 MODIFIED. THE DEPARTMENT SHALL ASSESS THE NOTIFICATION FEE AND  
6 SHALL DEPOSIT ALL FEES AND PAYMENTS RECEIVED INTO THE ASBESTOS  
7 INSPECTION FUND CREATED IN SECTION 5534A.

8 SEC. 5534A. (1) THE ASBESTOS INSPECTION FUND IS CREATED WITHIN  
9 THE STATE TREASURY.

10 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM  
11 ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL  
12 DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT  
13 TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS.

14 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL  
15 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

16 (4) THE DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE FUND FOR  
17 AUDITING PURPOSES.

18 (5) THE DEPARTMENT SHALL EXPEND MONEY FROM THE FUND, UPON  
19 APPROPRIATION, ONLY TO CONDUCT INSPECTIONS AND RELATED ACTIVITIES  
20 UNDER SECTION 5534.

21 (6) AS USED IN THIS SECTION, "FUND" MEANS THE ASBESTOS  
22 INSPECTION FUND CREATED IN SUBSECTION (1).

23 Enacting section 1. This amendatory act takes effect 90 days  
24 after the date it is enacted into law.