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Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

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House Bill 4636 (as passed by the House)  
Sponsor: Representative James M. Middaugh  
House Committee: Conservation, Environment and Recreation

### **CONTENT**

The bill would amend Part 201 (Environmental Response) of the Natural Resources and Environmental Protection Act to extend for two years, until June 5, 1999, the requirement that a person pay a \$750 fee when submitting a petition to the Department of Environmental Quality (DEQ) for a determination about a baseline environmental assessment. The bill also would require the DEQ to submit to the Legislature an annual report about petitions filed and determinations made.

Under the Act, within six months after completion of a baseline environmental assessment (BEA), a person may petition the DEQ for a determination that the person qualifies for an exemption from liability for hazardous substance cleanup costs. (This exemption applies to someone who becomes the owner or operator of a facility (contaminated property) on or after June 5, 1995, if a BEA is conducted before or within 45 days after the date of purchase, occupancy, or foreclosure, and the owner or operator discloses the results of a BEA to the DEQ and subsequent purchaser or transferee if the BEA confirms that the property is a facility.) The Act required the petition to be accompanied by a \$750 fee, until June 5, 1997. The bill would extend that date to June 5, 1999.

The Act also required the DEQ, by December 5, 1996, to report to the Legislature on the number of petitions received, the average length of time the DEQ took to issue written determinations, the number of times determinations were not issued within the required time period (15 business days after receipt), and the approximate amount of Department staff time necessary to issue a determination. The bill would require the DEQ to submit this report annually.

MCL 324.20129a

Legislative Analyst: S. Margules

### **FISCAL IMPACT**

According to the Department of Environmental Quality, this bill would allow the continued receipt of \$250,000-\$300,000 in fee revenue per year (from over 300 petitions for BEA reviews annually).

Date Completed: 6-25-97

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.