

HOUSE BILL No. 5184

October 10, 2001, Introduced by Reps. Cassis, DeVuyst, Stewart, Pappageorge, Howell, Jelinek, Plakas, Toy, Birkholz, Shackleton and Middaugh and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 5510 (MCL 324.5510).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5510. In accordance with this part and rules promul-
2 gated under this part, the department may, after notice and
3 opportunity for public hearing, deny or revoke a permit issued
4 under this part if any of the following circumstances exist:

5 (a) Installation, modification, or operation of the source
6 will violate this part, rules promulgated under this part, or the
7 clean air act, unless the source is in compliance with a legally
8 enforceable schedule of compliance contained in a permit or
9 order.

10 (b) Installation, construction, reconstruction, relocation,
11 alteration, or operation of the source presents or may present an

1 imminent and substantial endangerment to human health, safety, or
2 welfare, or the environment.

3 (c) The person applying for the permit makes a false repre-
4 sentation or provides false information during the permit review
5 process.

6 (d) The source has not been installed, constructed, recon-
7 structed, relocated, altered, or operated in a manner consistent
8 with the application for a permit or as specified in a permit.

9 (e) The person owning or operating the source fails to pay
10 an air quality fee assessed under this part.

11 (f) The person proposes a major offset source or ~~the owner~~
12 ~~or operator of a proposed~~ A major offset modification ~~that~~ AND
13 THE PERSON owns or operates another source in the state that has
14 the potential to emit 100 tons or more per year of any air con-
15 taminant regulated under the clean air act and that ~~source~~ is
16 in violation of this part, rules promulgated under this part, the
17 clean air act, or a permit or order issued under this part,
18 unless the OTHER source is in compliance with a legally enforce-
19 able schedule of compliance contained in a permit or order.

20 (G) WITHIN THE 5-YEAR PERIOD PRECEDING THE NOTICE, CONTINU-
21 OUS OR REPEATED SIGNIFICANT VIOLATIONS OF THIS PART, RULES
22 PROMULGATED UNDER THIS PART, THE CLEAN AIR ACT, OR A PERMIT OR
23 ORDER ISSUED UNDER THIS PART HAVE BEEN COMMITTED AT THE SOURCE,
24 UNLESS THE SOURCE HAS BEEN IN COMPLIANCE WITH A LEGALLY ENFORCE-
25 ABLE SCHEDULE OF COMPLIANCE CONTAINED IN A PERMIT OR ORDER.