

Act No. 333
Public Acts of 2004
Approved by the Governor
September 22, 2004
Filed with the Secretary of State
September 23, 2004
EFFECTIVE DATE: September 23, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Senators Brater, Thomas, Birkholz, Basham, Scott, Olshove, Switalski, Cherry, Prusi and Schauer

ENROLLED SENATE BILL No. 722

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 14501 (MCL 324.14501), as amended by 1998 PA 289, and by adding section 14514.

The People of the State of Michigan enact:

Sec. 14501. As used in this part:

- (a) "Department" means the department of environmental quality.
- (b) "Director" means the director of the department of environmental quality.
- (c) "Environmental wastes" means all environmental pollutants, wastes, discharges, and emissions, regardless of how they are regulated and regardless of whether they are released to the general environment or the workplace environment.
- (d) "Pollution prevention" means all of the following:
 - (i) "Source reduction" as defined in the pollution prevention act of 1990, subtitle G of title VI of the omnibus budget reconciliation act of 1990, Public Law 101-508, 42 U.S.C. 13101 to 13109.
 - (ii) "Pollution prevention" as described in the United States environmental protection agency's pollution prevention statement dated June 15, 1993.
 - (iii) Environmentally sound on-site or off-site reuse or recycling.
- (e) "RETAP" means the retired engineers technical assistance program created in section 14511.
- (f) "Retap fund" means the retired engineers technical assistance program fund created in section 14512.
- (g) "Small business" means a business that is not dominant in its field as defined in 13 C.F.R. part 121, and meets both of the following requirements:
 - (i) Is independently owned or operated, by a person that employs 500 or fewer individuals.
 - (ii) Is a small business concern as defined in the small business act, Public Law 85-536, 72 Stat. 384.

Sec. 14514. The department may promulgate rules to implement and administer this part.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 723 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved

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Governor