



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



BILL ANALYSIS

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

Senate Bill 73 (as introduced 1-25-05)

Sponsor: Senator Patricia L. Birkholz

Committee: Natural Resources and Environmental Affairs

Date Completed: 4-18-05

### **CONTENT**

**The bill would amend Part 55 (Air Pollution Control) of the Natural Resources and Environmental Protection Act to establish a start date for emissions offsets eligible to be applied to a permit to install a process or process equipment that emits or might emit an air contaminant.**

Part 55 prohibits a person from installing, constructing, reconstructing, relocating, altering, or modifying any process or process equipment without obtaining from the Department of Environmental Quality (DEQ) a permit to install, or a permit to operate if applicable, authorizing the conduct or activity. Part 55 also requires the DEQ to promulgate rules to establish a permit to install program, which the Department must administer. The permit to install program applies to each new or modified process or process equipment that emits or might emit an air contaminant.

Under the bill, the start date for emissions offsets eligible to be applied to a permit to install would be the date established by Federal rule, or, if a date were not established by Federal rule, January 1 of the year after the emissions baseline year used to prepare the relevant State implementation plan. The bill would require the DEQ to use the air emissions inventory established under Section 5503(k) of the Act to track available emissions offsets. (Section 5503(k) allows the DEQ to require reports on sources and the quality and nature of emissions, including information necessary to maintain an emissions inventory.)

(Under the Act, "air contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, or any combination of those items. "Process" means an action, operation, or a series of operations or actions that emits or has the potential to emit an air contaminant. "Process equipment" means all equipment, devices, and auxiliary components, including air pollution control equipment, stacks, and other emission points, used in a process.)

MCL 324.5505

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Jessica Runnels

S0506\s73sa

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.