

Legislative Analysis



EXTEND \$750 BEA FEE 10 YEARS

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House Bill 4721 (Substitute H-1)

Sponsor: Rep. Doug Bennett

Committee: Great Lakes and the Environment

Complete to 5-14-07

A SUMMARY OF HOUSE BILL 4721 AS REPORTED FROM COMMITTEE

The bill would amend Part 201 (Environmental Remediation) of the Natural Resources and Environmental Protection Act to extend for 10 years the current \$750 fee, set to expire on June 5, 2007, that must accompany a petition filed with the Department of Environmental Quality (DEQ) for a written determination of the adequacy of a baseline environmental assessment (BEA). As amended, the bill would extend the fee until June 5, 2017.

MCL 324.20129a

FISCAL IMPACT:

This is a continuation of current policy that would allow the baseline environmental assessment program to continue. It would not increase state revenue.

BACKGROUND INFORMATION:

The \$750 fee contained in Section 20129a has been in place since June 5, 1995. Since then, the Section 20129a has been amended four times to extend the requirement for the fee. According to the DEQ, the BEA process allows new owners or operators to redevelop and reuse contaminated property without incurring liability for the existing contamination. The DEQ views the BEA process as a successful tool for the redevelopment of contaminated property. The \$750 fee, says the DEQ, pays for some but not all of the costs associated with the review of BEA petitions. The DEQ does not propose to increase the fee at this time, however, although that issue may be considered by its Part 201 workgroup.

POSITIONS:

The Department of Environmental Quality supports the bill. (5-9-07)

The Michigan Environmental Council supports the bill. (5-9-07)

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