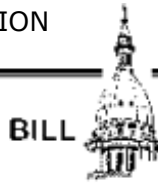




Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

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House Bill 4721 (Substitute S-1 as reported)  
Sponsor: Representative Doug Bennett  
House Committee: Great Lakes and Environment  
Senate Committee: Natural Resources and Environmental Affairs

**CONTENT**

The bill would amend Part 201 (Environmental Remediation) of the Natural Resources and Environmental Protection Act to delay until June 5, 2012, the sunset on a fee for a determination that a person is exempt from liability after the completion of a baseline environmental assessment (BEA). Currently, the fee is set to expire on June 5, 2007.

Under Part 201, within six months after the completion of a BEA, a person may petition the Department of Environmental Quality (DEQ) for a determination that he or she meets the requirements for exemption from liability and, in conjunction with that exemption, a determination that the proposed use of a facility satisfies his or her obligations under Section 20107a (which describes what someone must do if the person owns or operates property he or she knows is a facility). Until June 5, 2007, a petition must be accompanied by a fee of \$750, which the DEQ must deposit into the Cleanup and Redevelopment Fund. The bill would require the fee until June 5, 2012.

(Part 201 defines "baseline environmental assessment" as an evaluation of environmental conditions that exist at a facility at the time of purchase, occupancy, or foreclosure that reasonably defines the existing conditions and circumstances at the facility so that, in the event of a subsequent release of contaminants, there is a means of distinguishing the new release from existing contamination. "Facility" means any area, place, or property where a hazardous substance exceeding certain concentrations has been released or deposited.)

MCL 324.20129a

Legislative Analyst: Julie Cassidy

**FISCAL IMPACT**

The \$750 fee annually generates \$250,000. The revenue is deposited into the Cleanup and Redevelopment Fund, which is used for cleanup projects.

Date Completed: 5-18-07

Fiscal Analyst: Jessica Runnels