

HOUSE BILL No. 4820

June 11, 2013, Introduced by Reps. Tlaib, Switalski, Townsend, Faris, Heise, Geiss, Dillon, Slavens, Irwin, McCann, Kandrevas, Roberts, Singh, Knezek, Durhal, Talabi and Cavanagh and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding sections 3111 and 5525a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3111. (1) A PERSON WHO STORES PET COKE FOR TRANSPORT OR
2 SHIPMENT SHALL OBTAIN A STORM WATER DISCHARGE PERMIT.

3 (2) AS USED IN THIS PART, "PET COKE" MEANS THAT TERM AS
4 DEFINED IN SECTION 5525A.

5 SEC. 5525A. (1) FOR THE PURPOSE OF THIS SECTION:

6 (A) "ACCUMULATION" MEANS ANY SURFACE DEPOSIT OF MATERIAL
7 GREATER THAN 3 OUNCES IN 1 SQUARE FOOT OTHER THAN INSIDE ENCLOSED
8 STORAGE OR INSIDE A CONVEYOR, TRANSPORT VEHICLE, COKER PIT, SLURRY
9 BIN, WATER COLLECTION CHANNEL, OR SEPARATION POND.

1 (B) "DRY MATERIAL" MEANS ANY MATERIAL THAT IS NOT MOIST
2 MATERIAL.

3 (C) "ENCLOSED STORAGE" MEANS ANY COMPLETELY ROOFED AND WALLED
4 STRUCTURE.

5 (D) "MATERIAL" MEANS ANY SUBSTANCE CONTAINING AT LEAST 50% BY
6 WEIGHT OF PET COKE. THE PERCENT BY WEIGHT SHALL BE DETERMINED BY AT
7 LEAST A 1-OUNCE SAMPLE TAKEN AT ANY RANDOM POINT.

8 (E) "MOIST MATERIAL" MEANS MATERIAL THAT HAS A MOISTURE
9 CONTENT THAT IN NO PLACE IS LESS THAN 8.3%.

10 (F) "PET COKE" MEANS A SOLID CARBONACEOUS RESIDUE PRODUCED
11 FROM A COKER AFTER CRACKING AND DISTILLATION FROM PETROLEUM
12 REFINING OPERATIONS.

13 (G) "PILE" MEANS ANY AMOUNT OF MATERIAL THAT ATTAINS A HEIGHT
14 OF 3 FEET OR MORE, OR A TOTAL SURFACE AREA OF 150 SQUARE FEET OR
15 MORE.

16 (H) "TRANSFER LOCATION" MEANS THE LOCATION IN THE STORAGE,
17 HANDLING, OR TRANSPORT PROCESS WHERE MATERIAL BEING MOVED, CARRIED,
18 CONVEYED, OR TRANSPORTED IS DROPPED OR DEPOSITED.

19 (2) A PERSON WHO STORES PET COKE FOR TRANSFER OR SHIPMENT
20 SHALL DO ALL OF THE FOLLOWING:

21 (A) MAINTAIN EACH PILE AND TRANSFER LOCATION IN ENCLOSED
22 STORAGE.

23 (B) ENSURE THAT EACH ENTRANCE OR EXIT FROM ENCLOSED STORAGE
24 THAT ALLOWS PASSAGE OF MATERIAL OR VEHICLES HAS OVERLAPPING FLAPS,
25 SLIDING DOORS, OR OTHER DEVICES APPROVED BY THE DEPARTMENT THAT
26 REMAIN CLOSED EXCEPT TO ALLOW MATERIAL OR VEHICLES TO ENTER AND
27 LEAVE OR WHEN INDIVIDUALS ARE INSIDE.

1 (C) MAINTAIN ALL AREAS FREE OF ACCUMULATION, UNLESS THE
2 ACCUMULATION IS ANY OF THE FOLLOWING:

3 (i) MOIST MATERIAL.

4 (ii) DRY MATERIAL NOT HIGHER THAN 3 INCHES.

5 (iii) COMPLETELY COVERED.

6 (3) NOT MORE THAN 45 DAYS AFTER THE EFFECTIVE DATE OF THE
7 AMENDATORY ACT THAT ADDED THIS SECTION, THE DEPARTMENT SHALL ISSUE
8 COMPLIANCE ORDERS SETTING FORTH SCHEDULES OF INTERIM STEPS TO
9 ENSURE FULL COMPLIANCE WITH SUBSECTION (2) BY 180 DAYS AFTER THE
10 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION. THE
11 COMPLIANCE ORDERS SHALL REQUIRE MONITORING AND REPORTING OF PILE
12 SIZES.