

SENATE BILL No. 474

September 10, 2013, Introduced by Senator YOUNG and referred to the Committee on Natural Resources, Environment and Great Lakes.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5525A. (1) AS USED IN THIS SECTION:

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

6 (B) "DRY MATERIAL" MEANS ANY MATERIAL THAT IS NOT MOIST
7 MATERIAL.

8 (C) "ENCLOSED STORAGE" MEANS ANY COMPLETELY ROOFED AND WALLED
9 STRUCTURE.

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

(E) "MOIST MATERIAL" MEANS MATERIAL THAT HAS A MOISTURE CONTENT THAT IS AT LEAST 8.3% THROUGHOUT.

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

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

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

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

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

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

(C) MAINTAIN ALL AREAS OF THE PET COKE STORAGE OPERATION FREE OF ACCUMULATION, UNLESS THE ACCUMULATION IS ANY OF THE FOLLOWING:

(i) MOIST MATERIAL.

(ii) DRY MATERIAL NOT HIGHER THAN 3 INCHES.

1 (iii) COMPLETELY COVERED MATERIAL.

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