

Legislative Analysis



MODIFY LOCATION NOTIFICATION REQUIREMENT FOR AIR POLLUTION PERMIT

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Senate Bill 255 as passed by the Senate
Sponsor: Sen. Kimberly LaSata
House Committee: Natural Resources and Outdoor Recreation
Senate Committee: Environmental Quality
Complete to 9-16-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 255 would amend Part 55 (Air Pollution Control) of the Natural Resources and Environmental Protection Act (NREPA) to add protocols for electronic notification of an operation location change.

Currently under Part 55, the Department of Environment, Great Lakes, and Energy (EGLE) may issue permits that authorize a person to install or operate a source, process, or process equipment that emits or may emit an air contaminant at numerous temporary locations. Such a permit must include terms and conditions to ensure compliance with Part 55 and the federal Clean Air Act *and* must require the owner or operator to notify EGLE at least 10 days in advance of each change in location.

The bill would add to this second requirement that, if electronic notification is used, then the notification would have to be given at least 5 business days before the change of location. However, if at least 10 days before the change of location the owner provided EGLE with a list of anticipated operating locations for that calendar year, and the change of location was on that list, the electronic notification would have to be given at least 2 business days in advance.

The bill would take effect 90 days after enactment.

MCL 324.5505

BACKGROUND:

Senate Bill 255 is nearly identical to House Bill 5890 from the 2017-18 legislative session.¹ House Bill 5890 was passed by the House in May of 2018.

FISCAL IMPACT:

The bill would have no fiscal impact on EGLE or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

¹ More information from last session's bill can be found here: <http://legislature.mi.gov/doc.aspx?2018-HB-5890>