

MOTOR FUELS QUALITY ACT (EXCERPT)
Act 44 of 1984

290.649b Dispensing facility exempt from certain requirements; annual report; records; notice.

Sec. 9b. (1) Except as otherwise provided for in this section, a dispensing facility that never dispenses 10,000 gallons (37,850 liters) or more of gasoline per month on average in any 12-month period, beginning with the 12 months preceding the effective date of this section is exempt from the requirements of sections 9a to 9d, 9i, and 9j. If the dispensing facility is inactive for any period during the 12-month averaging period, the average shall be calculated based upon the months of actual operation. The exemption described in this subsection does not apply to a dispensing facility that dispenses 10,000 or more gallons of gasoline per month on average in any 12-month period and such a facility is subject to sections 9a to 9f, 9i, and 9j and continues to be subject to these sections even if the facility's gasoline throughput later falls below the exemption threshold.

(2) A dispensing facility that claims or intends to claim exempt status under subsection (1) and which has 2,000 or more gallons stationary gasoline storage capacity beginning in 1994 shall submit an annual report to the department by March 1 of each year for gasoline dispensed during the preceding year. These throughput records shall contain the quantity of gasoline dispensed at the facility during each month of operation for the preceding calendar year and shall list any period of time the facility was not operational during the preceding calendar year. The director shall review and verify the accuracy of the documents before making final determination on eligibility for exemption.

(3) If a dispensing facility's gasoline throughput for any calendar month ever exceeds the applicability threshold, the operator shall notify the department within 30 days.

History: Add. 1993, Act 236, Imd. Eff. Nov. 13, 1993;—Am. 2006, Act 104, Imd. Eff. Apr. 6, 2006.

Compiler's note: For transfer of powers and duties relating to purity and quality standards for biofuels from department of energy, labor, and economic growth to department of agriculture, see E.R.O. No. 2009-4, compiled at MCL 445.2026.