

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.1407 Clean corporate citizen designation; disqualification; conduct.

Sec. 1407. (1) To qualify for a clean corporate citizen designation, a facility shall not have been the subject of any of the following at any time within the preceding 3 years:

(a) A conviction for a criminal violation of an applicable state environmental requirement.

(b) An assessment by a court of appropriate jurisdiction, of a civil fine, penalty, or damages of \$10,000.00 or more for violation of an applicable state environmental requirement.

(c) A determination, by a court of appropriate jurisdiction, of responsibility for an illegal action that substantially endangered the public health, safety, or welfare or the environment.

(d) A departmental assessment, a judicial consent decree, or an administrative consent order, imposing a fine or damages of \$32,500.00 or more, excluding the cost of any supplemental environmental project used to offset a fine, for a violation of an applicable state environmental requirement.

(2) A facility does not qualify for a clean corporate citizen designation if the department determines that the facility was responsible for a pattern of illegal actions, at any time within the preceding 3 years, that endangered the public health, safety, or welfare or the environment.

(3) To qualify for a clean corporate citizen designation, a facility shall address any outstanding violation that is cited in a violation notice that, as determined by the department, substantially endangers the public health, safety, or welfare or the environment, by doing 1 or more of the following:

(a) Promptly resolving the violation.

(b) Demonstrating to the department, the United States environmental protection agency, or the local enforcing agency that issued the violation notice that the violation did not occur.

(c) Adhering to a compliance schedule that is acceptable to the department, the United States environmental protection agency, or the local enforcing agency that issued the violation notice, to correct the violation.

History: Add. 2012, Act 554, Imd. Eff. Jan. 2, 2013.

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