

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

324.1421 Benefits.

Sec. 1421. (1) Upon request, a clean corporate citizen is entitled to each of the following benefits:

(a) The department shall give the facility priority over persons that are not clean corporate citizens in all of the following:

(i) Compliance assistance programs applicable to the facility, such as the retired engineers technical assistance program created in section 14511.

(ii) Processing permit or operating license renewal applications for the facility.

(b) The department shall provide employees of the facility with free training on performing environmental audits under part 148.

(c) The term of a permit issued by the department for the facility shall be twice the term that would otherwise apply.

(d) The facility shall receive a preference for state purchases as provided in section 261 of the management and budget act, 1984 PA 431, MCL 18.1261.

(e) The facility qualifies for any additional clean corporate citizen benefits for the facility set forth in rules promulgated under any of the following:

(i) Article II or chapter 1 or 3 of article III.

(ii) The safe drinking water act, 1976 PA 399, MCL 325.1001 to 325.1023.

(iii) Part 135 or 138 of the public health code, 1978 PA 368, MCL 333.13501 to 333.13536 and 333.13801 to 333.13831.

(f) The department shall conduct routine inspections of the facility half as frequently as the inspections would be conducted if the facility were not a clean corporate citizen.

(g) The department shall give the operator of the facility at least 72 hours' advance notice of any routine inspection of the facility.

(h) Subject to subsection (2), the facility is not subject to a civil fine for a violation of applicable state environmental requirements if all of the following conditions are met:

(i) The facility acted promptly to correct the violation after discovery.

(ii) The facility reported the violation to the department within 24 hours after the discovery or within any shorter time period otherwise required by law.

(2) Subsection (1)(h) does not apply if 1 or more of the following are established by clear and convincing evidence:

(a) The actions of the facility pose or posed a substantial endangerment to the public health, safety, or welfare.

(b) The violation was intentional or occurred as the result of the operator's gross negligence.

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

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