

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)

Act 451 of 1994

PART 167

USED OIL RECYCLING

324.16701 Definitions.

Sec. 16701. As used in this part:

(a) "Motor oil" means oil used as a lubricant in a motor vehicle.

(b) "Oil" means petroleum based oil.

(c) "Recycle" means to prepare used oil for reuse as a petroleum product by refining, rerefining, reclaiming, reprocessing, or other means to utilize used oil in a manner that substitutes for a petroleum product made from new oil, if the preparation or use is operationally safe, environmentally sound, and complies with the law, rules, and regulations of this state and the United States.

(d) "Used oil" means oil which through use, storage, or handling has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Waste Management Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled MCL 324.99901 of the Michigan Compiled Laws.

Popular name: Act 451

Popular name: NREPA

324.16702 Plan to promote recycling of motor oil; public education program.

Sec. 16702. The department shall implement a plan to promote the recycling of motor oil by the public and private sectors. The department shall conduct a public education program to inform the public and private sectors of the need for, and benefit of, collecting and recycling used oil in order to conserve resources and protect the natural resources of this state.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Waste Management Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled at MCL 324.99901 of the Michigan Compiled Laws.

Popular name: Act 451

Popular name: NREPA

324.16703 Plan to recycle motor oil; demonstration used oil recycling project; project plan; funding.

Sec. 16703. (1) The director of the department of management and budget shall formulate and implement a plan to recycle the motor oil used by the departments and agencies of this state.

(2) The department shall conduct a demonstration used oil recycling project that does all of the following:

(a) Provides for a system of used oil recycling tanks or barrels for use by the general public. The recycling tanks or barrels shall be located in designated state owned vehicle maintenance garages or other publicly owned structures that the department determines meet both of the following criteria:

(i) Are locations where used oil is generated from oil changes for state owned vehicles or vehicles operated under contracts with this state.

(ii) Are locations where oil recycling services are not otherwise available to the general public.

(b) Promotes public awareness of the availability to the general public of recycling tanks or barrels for used oil.

(3) The department shall establish a project plan for conducting the demonstration project provided for in subsection (2). The project plan shall include the number of locations, proposed sites, methods of public notice, security procedures, and model language for cooperative agreements with other state agencies for use of their facilities in the demonstration project.

(4) Funding necessary to implement this part may come from any lawful source, including appropriations, funds from private sources, and funds generated from the sale of general obligation bonds.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Waste Management Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled at MCL 324.99901 of the Michigan Compiled Laws.

Popular name: Act 451

Popular name: NREPA

324.16704 Disposal of used oil; designation of land as collection facility; placement in receptacle or container; applicability of subsection (1); disposal of used oil in municipal solid waste incinerator; violation as misdemeanor; penalty; enforcement actions; criteria used in designating collection facilities.

Sec. 16704. (1) A person shall not dispose of or cause the disposal of used oil by dumping used oil onto the ground; discharging, dumping, or depositing used oil into sewers, drainage systems, surface waters, groundwaters, or other waters of this state; except as provided in subsection (2), by incineration; as refuse; or onto any public or private land unless the land is designated by the state or an agency or political subdivision of the state as a collection facility for the disposal, dumping, or deposit of used oil and if the used oil is placed in a receptacle or container installed or located at the collection facility.

(2) Subsection (1) does not apply to the use of used oil in an incinerator or other heater that is operated for purposes of providing heat or energy, or as a rust preventive coating on farm or construction equipment.

(3) Notwithstanding subsection (2), beginning March 28, 1994, used oil shall not be disposed of in a municipal solid waste incinerator as defined in part 115.

(4) Beginning on July 1, 1991, a person who violates this section is guilty of a misdemeanor punishable by imprisonment for 90 days or a fine of not more than \$1,000.00, or both. In place of a sentence provided in this subsection, the court may order that the defendant engage in court supervised recycling-related labor for a number of hours determined by the court, including, but not limited to, oil recycling. A violation of this section by a person, other than an individual, is punishable by a fine of not more than \$2,500.00.

(5) This section does not prohibit enforcement actions under other state or federal laws applicable to an activity described in this section.

(6) The department shall establish criteria to be used in designating collection facilities under subsection (1). In developing the criteria, the department shall encourage private and local collection facilities as an integral part of the department's efforts to establish a statewide network of collection facilities as required in section 16705(a).

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA

324.16705 Comprehensive plan.

Sec. 16705. In addition to the other powers and duties of the department under this part, by January 1, 1991, the department shall develop and submit to the legislature a comprehensive plan that does all of the following:

(a) Provides for a network of private, state, and local collection facilities on a statewide basis by July 1, 1991 to facilitate compliance with section 16704.

(b) Provides for a publicity program to assure that the public is aware of the requirements of section 16704, the location of collection facilities, and the penalties for violating section 16704.

(c) Provides 1 or more proposed funding mechanisms that the department considers feasible to assure that an operational collection facility network is available statewide by July 1, 1991.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA