

HOUSE BILL No. 4568

April 27, 1999, Introduced by Reps. Baird, Brater, Schauer, Schermesser, Martinez, Mans, DeHart, Dennis, Woodward and Basham and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 5502a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5502A. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
2 PART OR THE RULES PROMULGATED UNDER THIS PART, THE DEPARTMENT
3 SHALL NOT ISSUE A PERMIT TO INSTALL OR AN OPERATING PERMIT UNDER
4 THIS PART FOR ANY OF THE FOLLOWING, IF LOCATED WITHIN 1/4 MILE OF
5 A RESIDENTIAL DWELLING, A PUBLIC OR NONPUBLIC ELEMENTARY OR SEC-
6 ONDARY SCHOOL, A PRESCHOOL, OR A CHILD CARE CENTER:
7 (A) A NEW MUNICIPAL SOLID WASTE INCINERATOR OR MEDICAL WASTE
8 INCINERATOR, OR A MODIFICATION OF AN EXISTING MUNICIPAL SOLID
9 WASTE INCINERATOR OR MEDICAL WASTE INCINERATOR THAT WILL INCREASE
10 THE EMISSIONS OF ANY AIR CONTAMINANT REGULATED UNDER THIS PART.

1 (B) A STATIONARY SOURCE THAT HAS THE POTENTIAL TO EMIT 100
2 OR MORE TONS PER YEAR OF ANY AIR CONTAMINANT REGULATED UNDER THE
3 CLEAN AIR ACT.

4 (C) A PARTICULAR CHANGE AT A MINOR OFFSET SOURCE THAT WILL
5 RESULT IN THE POTENTIAL TO EMIT 100 OR MORE TONS PER YEAR OF ANY
6 AIR CONTAMINANT REGULATED UNDER THE CLEAN AIR ACT.

7 (D) A NEW SOURCE OF HAZARDOUS AIR CONTAMINANTS OR A MODIFI-
8 CATION OF AN EXISTING SOURCE THAT WILL INCREASE THE EMISSIONS OF
9 ANY HAZARDOUS AIR CONTAMINANT.

10 (2) AS USED IN THIS SECTION:

11 (A) "CHILD CARE CENTER" MEANS THAT TERM AS DEFINED IN SEC-
12 TION 1 OF 1973 PA 116, MCL 722.111.

13 (B) "HAZARDOUS AIR CONTAMINANT" MEANS A HAZARDOUS AIR POL-
14 LUTANT LISTED UNDER SECTION 112 OF THE CLEAN AIR ACT,
15 42 U.S.C. 7412.

16 (C) "MINOR OFFSET SOURCE" MEANS THAT TERM AS DEFINED IN
17 R 336.1113 OF THE MICHIGAN ADMINISTRATIVE CODE.