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Senate Bill 498 (as introduced 5-12-05)

Sponsor: Senator Jim Barcia Committee: Appropriations

Date Completed: 5-16-05

## CONTENT

The bill would amend Part 201 (Environmental Response) of the Natural Resources and Environmental Protection Act to extend the sunset for a fee exempting a person from liability after the completion of a baseline environmental assessment. The fee would sunset on June 5, 2005; the fee under the bill would expire on June 5, 2006.

(Part 201 defines "baseline environmental assessment" as an evaluation of environmental conditions that exist at a facility at the time of purchase, occupancy, or foreclosure that reasonably defines the existing conditions and circumstance at the facility so that, in the event of a subsequent release, there is a means of distinguishing the new release from existing contamination. A facility is a place or property where a hazardous substance exceeding certain concentrations has been released or deposited.)

Under Part 201, a person may petition the Department of Environmental Quality within six months after the completion of a baseline environmental assessment for a determination that he or she meets the requirements for exemption from liability and, in conjunction with that exemption, a determination that the proposed use of a facility satisfies his or her obligations under Section 20107a (which describes what someone must do if the person owns property that he or she knows is a facility).

Until June 5, 2005, the Act requires a petition for liability exemption to be accompanied by a fee of \$750, which had to be deposited in the Cleanup and Redevelopment Fund. The bill would require the fee until June 5, 2006.

MCL 324,20129a

## **FISCAL IMPACT**

According to the Department of Environmental Quality, it usually collects approximately \$315,000 in annual revenue from over 420 petitions for a determination of liability exemption. The revenue is deposited into the Cleanup and Redevelopment Fund, which is used for pollution cleanup activities at environmental contamination sites.

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