

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

***** 324.19601.amended THIS AMENDED SECTION IS EFFECTIVE APRIL 5, 2017 *****

324.19601.amended Definitions.

Sec. 19601. As used in this part:

- (a) "Baseline environmental assessment" means that term as defined in sections 20101 and 21302.
- (b) "Bonds" means the bonds authorized under the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.
- (c) "Brownfield project" or "project" means the entire project to be undertaken, including, but not limited to, the actual site remediation and its resulting economic development.
- (d) "Chief executive officer" means the mayor of a city, the village manager of a village, the township supervisor of a township, or the county executive of a county or, if the county does not have an elected county executive, the chairperson of the county board of commissioners.
- (e) "Corrective action" means that term as it is defined in section 21302.
- (f) "Department" means the department of environmental quality.
- (g) "Due care activities" means those activities conducted under sections 20107a and 21304c.
- (h) "Eligible activities" for projects with funding allocated under section 19608(1)(a)(iv) means:
 - (i) Baseline environmental assessment activities.
 - (ii) Investigations.
 - (iii) Due care activities.
 - (iv) Response activities, including response activities that are more protective of the public health, safety, and welfare and the environment than required by section 20107a or 21304c.
 - (v) Removal and closure of underground storage tanks pursuant to parts 211 and 213.
 - (vi) Dust control related to construction activities.
 - (vii) Industrial cleaning.
 - (viii) Sheeting and shoring necessary for the removal of materials exceeding part 201 cleanup criteria at projects requiring a permit under part 301, 303, or 325.
- (ix) The following activities, provided that the total cost of these activities does not exceed the total cost of project-related activities identified in subparagraphs (i) to (viii):
 - (A) Disposal of solid waste, as defined in part 115, from the eligible property, provided it was not generated or accumulated by the authority or the developer.
 - (B) Lead, asbestos, or mold abatement, and demolition of structures that are not a response activity.
 - (C) Removal and disposal of lake or river sediments exceeding part 201 unrestricted criteria from, at, or related to an economic development project if the upland property either is a facility or would become a facility as a result of the deposition of dredged spoils.
- (i) "Eligible property" for projects with funding allocated under section 19608(1)(a)(iv) means property that is known or suspected to be a facility under part 201 or a site or property under part 213 and that was used or is currently being used for commercial, industrial, public, or residential purposes.
- (j) "Facility" means that term as it is defined in part 201.
- (k) "Fund" means the clean Michigan initiative bond fund created in section 19606.
- (l) "Gaming facility" means a gaming facility regulated under the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.
- (m) "Local unit of government" means a county, city, village, or township, or an agency of a county, city, village, or township; or a brownfield redevelopment authority, economic development corporation, or an authority or other public body created by or pursuant to state law.
- (n) "Measurable economic benefit" means the permanent jobs that are created or retained, the capital invested, or the increased tax base to the applicable county, city, village, and township where the project is located.
- (o) "Measurable environmental benefit" means the extent that the requirements of part 201 or part 213, or both, are advanced at a brownfield project where environmental conditions inhibit the site's redevelopment or reuse.
- (p) "Part 213 property" means a property as defined in section 21303.
- (q) "Response activity" means that term as it is defined in part 201 or corrective action as defined in part 213.

History: Add. 1998, Act 288, Eff. Dec. 1, 1998;—Am. 2016, Act 473, Eff. Apr. 5, 2017.

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