

# HOUSE BILL No. 5526

December 13, 2001, Introduced by Rep. Kolb and referred to the Committee on Land Use and Environment.

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.