

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

324.5503 Powers of department.

Sec. 5503. The department may do 1 or more of the following:

- (a) Promulgate rules to establish standards for ambient air quality and for emissions.
- (b) Issue permits for the construction and operation of sources, processes, and process equipment, subject to enforceable emission limitations and standards and other conditions reasonably necessary to assure compliance with all applicable requirements of this part, rules promulgated under this part, and the clean air act.
- (c) In accordance with this part and rules promulgated under this part, deny, terminate, modify, or revoke and reissue permits for cause. If an application for a permit is denied or is determined to be incomplete by the department, the department shall state in writing with particularity the reason for denial or the determination of incompleteness, and, if applicable, the provision of this part or a rule promulgated under this part that controls the decision.
- (d) Compel the attendance of witnesses at proceedings of the department upon reasonable notice.
- (e) Make findings of fact and determinations.
- (f) Make, modify, or cancel orders that require, in accordance with this part, the control of air pollution.
- (g) Enforce permits, air quality fee requirements, and the requirements to obtain a permit.
- (h) Institute in a court of competent jurisdiction proceedings to compel compliance with this part, rules promulgated under this part, or any determination or order issued under this part.
- (i) Enter and inspect any property as authorized under section 5526.
- (j) Receive and initiate complaints of air pollution in alleged violation of this part, rules promulgated under this part, or any determination, permit, or order issued under this part and take action with respect to the complaint as provided in this part.
- (k) Require reports on sources and the quality and nature of emissions, including, but not limited to, information necessary to maintain an emissions inventory.
- (l) Prepare and develop a general comprehensive plan for the control or abatement of existing air pollution and for the control or prevention of any new air pollution.
- (m) Encourage voluntary cooperation by all persons in controlling air pollution and air contamination.
- (n) Encourage the formulation and execution of plans by cooperative groups or associations of municipalities, counties or districts, or other governmental units, industries, and others who severally or jointly are or may be the source of air pollution, for the control of pollution.
- (o) Cooperate with the appropriate agencies of the United States or other states or any interstate or international agencies with respect to the control of air pollution and air contamination or for the formulation for the submission to the legislature of interstate air pollution control compacts or agreements.
- (p) Conduct or cause to be conducted studies and research with respect to air pollution control, abatement, or prevention.
- (q) Conduct and supervise programs of air pollution control education including the preparation and distribution of information relating to air pollution control.
- (r) Determine by means of field studies and sampling the degree of air pollution in the state.
- (s) Provide advisory technical consultation services to local communities.
- (t) Serve as the agency of the state for the receipt of money from the federal government or other public or private agencies and the expenditure of that money after it is appropriated for the purpose of air pollution control studies or research or enforcement of this part.
- (u) Do such other things as the department considers necessary, proper, or desirable to enforce this part, a rule promulgated under this part, or any determination, permit, or order issued under this part, or the clean air act.

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

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Air Quality 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

Administrative rules: R 336.1101 et seq.; R 336.1122; and R 336.1201 et seq. of the Michigan Administrative Code.