

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

324.1511 Written list of violations; meeting to discuss potential civil enforcement action and potential resolution; requirement; exception; definitions.

Sec. 1511.

(1) Subject to subsection (2) and notwithstanding any other provision of this act, before initiating a civil enforcement action under this act against a person, the department shall do both of the following:

(a) Beginning May 1, 2019, provide the person in writing a list of each specific provision of statute, rule, or permit that the person is alleged to have violated and a statement of the facts constituting the violation.

(b) Contact the person and extend an offer for staff of the department to meet with the person to discuss the potential civil enforcement action and potential resolution of the issue. If the person agrees to meet with the department, the department shall not initiate a civil enforcement action until after the meeting is held, unless the meeting is not held within a reasonable time of not less than 60 days.

(2) Subsection (1) does not apply under any of the following circumstances:

(a) The civil enforcement action is a civil infraction action.

(b) The department determines that the violation that is the subject of the potential civil enforcement action constitutes an imminent and substantial endangerment of the public health, safety, or welfare or of the environment.

(3) As used in this section:

(a) "Department" means the department, agency, or officer authorized by this act to approve or deny an application for a permit.

(b) "Permit" means a permit or operating license issued under this act.

History: Add. 2011, Act 237, Imd. Eff. Dec. 1, 2011 ;-- Am. 2018, Act 631, Eff. Mar. 29, 2019

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