

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

324.21326 Furnishing information to department; right of entry; inspections and investigations; powers of attorney general.

Sec. 21326.

(1) Upon request of the department for the purpose of conducting an investigation, taking corrective action, or enforcing this part, a person shall furnish the department with all available information about all of the following:

- (a) The underground storage tank system and its associated equipment.
- (b) The past or present contents of the underground storage tank system.
- (c) Any releases and investigations of releases.

(2) The department has the right to enter at all reasonable times in or upon any private or public property for any of the following purposes:

- (a) Inspecting an underground storage tank system.
- (b) Obtaining samples of any substance from an underground storage tank system.
- (c) Requiring and supervising the conduct of monitoring or testing of an underground storage tank system, its associated equipment, or contents.
- (d) Conducting monitoring or testing of an underground storage tank system in cases where there is no identified responsible party.
- (e) Conducting monitoring or testing, or taking samples of soils, air, surface water, or groundwater.
- (f) Taking corrective action.
- (g) Inspecting and copying any records related to an underground storage tank system.

(3) All inspections and investigations undertaken by the department under this section shall be commenced and completed with reasonable promptness.

(4) The attorney general, on behalf of the department, may do either of the following:

(a) Petition a court of appropriate jurisdiction for a warrant to authorize access to any private or public property to implement this part.

(b) Commence a civil action pursuant to section 21323 for an order authorizing the department to enter any private or public property as necessary to implement this part.

History: 1994, Act 451, Eff. Mar. 30, 1995 ;-- Am. 2012, Act 113, Imd. Eff. May 1, 2012 ;-- Am. 2012, Act 446, Imd. Eff. Dec. 27, 2012

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