

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

324.53517 Violation of MCL 324.53515 or order; complaint; determination by violations committee; notification; investigation; proposed order; objection; review; final order; revocation or suspension.

Sec. 53517.

(1) A person may submit to the chairperson of the board a complaint about a violation of section 53515 or of an order under this section. The department shall maintain on its website a complaint form that can be completed and submitted to the chairperson of the board online or printed and completed. The department shall also make complaint forms available at customer service centers. Unless the complaint form is submitted online, the complainant shall submit the form by mailing it to the chairperson of the board.

(2) If the chairperson of the board receives a completed complaint form, the chairperson shall, within 30 days, submit the complaint to the members of the violations committee. Within 30 days after receiving the complaint from the chairperson, the violations committee shall determine if there is sufficient reason to believe that a violation has occurred.

(3) If the violations committee determines that there is not sufficient reason to believe that a violation has occurred, the violations committee shall, within 30 days after its determination, notify the complainant in writing of its determination and the reasons for its determination. No further action shall be taken on that complaint.

(4) If the violations committee determines that there is sufficient information to believe that a violation has occurred, the violations committee shall, within 30 days after its determination, notify, by United States mail, the registered forester who is the subject of the complaint of all of the following:

(a) The allegations in the complaint.

(b) That the registered forester may respond to the allegations in writing.

(c) That the response must be received within 60 days after the date the notice was mailed.

(5) The board shall consider the allegations of the complaint and any written response to the allegations timely received from the registered forester and may further investigate the complaint. Within 30 days after the deadline under subsection (4) for a response from the registered forester, the board shall do 1 of the following:

(a) Dismiss the complaint and notify the complainant and registered forester in writing.

(b) Issue a letter of caution to the registered forester and provide a copy to the complainant.

(c) Issue to the registered forester a proposed order that, together with preliminary findings, includes proposed sanctions under subsection (8), a proposed negotiated resolution, or a proposed consent agreement and provide a copy to the complainant.

(6) If the board issues a proposed order under subsection (5), the registered forester shall within 30 days submit to the board 1 of the following, in writing:

(a) A statement accepting the proposed order, at which point the board shall issue the order as a final order. Failure of the registered forester to timely respond shall be considered to be acceptance of the proposed order.

(b) A statement objecting to the proposed order and providing reasons for the objection.

(7) If the registered forester objects to the proposed order, the board shall review the objections and issue to the registered forester a final order, amending the preliminary findings as necessary, within 90 days after issuance of the proposed order and shall provide a copy of the final order to the complainant.

(8) The board may permanently revoke or temporarily suspend registered forester status for a violation of section 53515 or an order issued under this section.

History: Add. 2018, Act 116, Eff. July 25, 2018

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