



MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY

**Annual Report of Voluntary Disclosure Submittals  
Pursuant to Part 148, Environmental Audit Privilege  
and Immunity of the Natural Resources  
and Environmental Protection Act, Public Act 451 of 1994,  
as amended (NREPA)**

**Report Period:** January 1, 2019 through December 31, 2019

**Authority**

Section 14810(1) of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended (NREPA), requires the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to annually publish a report that summarizes, in general categories, the types of violations voluntarily disclosed under Part 148, Environmental Audit Privilege and Immunity, and the time projected to achieve compliance.

Michigan recognizes the importance of businesses, municipalities and public agencies that take initiative in evaluating their environmental compliance. To encourage self-evaluation, Part 148 of NREPA gives organizations incentive to conduct and disclose the results of environmental audits by offering special protections and immunities against violation, fines, and penalties.

Environmental audits are voluntary, internal evaluations of a facility regulated by environmental laws aiming to:

- Identify past or current noncompliance.
- Prevent noncompliance or improve compliance.
- Identify an existing or potential hazard, contamination, or adverse environmental condition.
- Improve an environmental management system or process.

Environmental audit reports are resulting documents that include all relevant information about the audit. Information must be included in the audit report to be eligible for confidentiality and immunity. The audit report may also include an implementation plan that corrects past noncompliance, improves existing compliance management systems, or prevents future noncompliance.

Part 148 contains two major provisions:

- Establishes limited privilege status for an environmental audit. Certain information contained in the environmental audit report can be held confidential (privileged) and is not accessible to a state or local government agency or the public.
- Provides immunity from state administrative or civil fines and penalties and certain criminal penalties and fines for negligent acts or omissions (except in the case of gross negligence) for violations that are discovered through an environmental audit, provided they are voluntarily and promptly corrected and disclosed to the appropriate agencies.

Section 14810(1) requires EGLE to annually publish a report that summarizes, in general categories, the types of violations, voluntarily disclosed under Part 148, Environmental Audit Privilege and Immunity, and the time projected to achieve compliance.

## Part One: Notices of Intent to Conduct an Environmental Audit

**Total Notices of Intent Received from  
January 1, 2019 through December 31, 2019: 27**

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<b>Types of Facilities Submitting Notices</b>	<b>January 1, 2019 to December 31, 2019</b>
Industrial	27
Municipal	0

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### **Notice of Intent Submissions by County**

Barry	1
Bay	1
Kent	3
Macomb	2
Midland	9
Monroe	1
Oakland	4
Saginaw	1
Washtenaw	1
Wayne	4
<b>TOTAL:</b>	<b>27</b>

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## Part Two: Voluntary Disclosure Submissions

### Voluntary Disclosure Submissions by County

Barry	1
Kalamazoo	1
Midland	4
Monroe	1
<b>TOTAL</b>	<b>7</b>

Violation	Complaint at	1 to 2 Months	3 to 6 Months	7 to 9 Months After	More Than 9 Months
<b>NREPA Part 55</b>					
Permits	2				
Record Keeping	4		1		
Inspections	1				
<b>NREPA Part 31</b>					
Inspections	2				
<b>NREPA Part 41</b>					
Permits		1	2		
Inspections	1		2		
<b>NREPA Part 111</b>					
Record Keeping	1	5			
Training		1			
<b>NREPA Part 171</b>					
Batteries		1			
<b>NREPA Part 201</b>					
Permits			1		

Total Number of Violations Disclosed in Submitted Reports

25