



MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY

## **Annual Report of Voluntary Disclosure Submittals**

**Report Period:** January 1, 2021 through December 31, 2021

### **Authority**

Section 14810(1) of Part 148, Environmental Audit Privilege and Immunity, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA)

## INTRODUCTION

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 the 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.

## **PART ONE: NOTICES OF INTENT TO CONDUCT AN ENVIRONMENTAL AUDIT**

A total of **39** Notices of Intent were received from January 1, 2021 to December 31, 2021.

### **TYPES OF FACILITIES SUBMITTING NOTICES**

- Industrial: 39
- Municipal: 0

### **NOTICE OF INTENT SUBMISSIONS BY COUNTY**

<b>County</b>	<b>Notice(s) Submitted</b>
Allegan	1
Bay	1
Genesee	1
Kalamazoo	1
Kent	1
Macomb	3
Marquette	1
Midland	22
Monroe	2
Oakland	4
St. Clair	1
Washtenaw	1
<b>TOTAL:</b>	<b>39</b>

## PART TWO: VOLUNTARY DISCLOSURE SUBMISSIONS

A total of **10** Voluntary Disclosure submissions were received from January 1, 2021 through December 31, 2021.

County	Notice(s) Submitted
Midland	8
Monroe	1
Oakland	1
<b>TOTAL:</b>	<b>10</b>

## VIOLATIONS DISCLOSED

A total of **23** violations were disclosed in submitted reports.

### Types of Violations and Time Projected to Achieve Compliance

Violation Type	Time Projected to Achieve Compliance				
	At Disclosure	1 to 2 Months After Disclosure	3 to 6 Months After Disclosure	7 to 9 Months After Disclosure	More Than 9 Months After Disclosure
<b>NREPA, Part 31:</b>					
Water Resources Protection	3		1		
<b>NREPA, Part 37:</b>					
Water Pollution Control Facilities; Tax Exemption			1		
<b>NREPA, Part 55:</b>					
Air Pollution Control	4	2	1		
<b>NREPA, Part 111:</b>					
Hazardous Waste Management	5	5	1		
<b>Totals</b>	12	7	4	0	0

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