

FACILITY-ASSESSMENT SURVEY

This guidebook presents a comprehensive overview of all the environmental regulations applicable to Michigan businesses. Although the guide may appear overwhelming, you only need to review those chapters that apply to your facility. We encourage you to take the time to look at every chapter but realize this may not be a reasonable expectation. To tailor the guide to benefit your specific operation, we have included the Facility-Assessment Survey. The survey asks a series of questions through which the answers will lead you to specific chapters you need to read.

To complete the Facility-Assessment Survey, simply answer the questions on the following pages, “yes” or “no.” Depending on how you answer a particular question, you may be referred to a chapter of the guidebook that applies to your operation. Some chapters apply to all businesses and are phrased as such. The Facility-Assessment Survey is an effective navigational tool that can be referenced whenever necessary. Take the time to refer back to these questions as your operations change or new questions arise.

As you go through the self-assessment survey, you may find areas of non-compliance. It is estimated that thousands of small businesses in Michigan have never applied for or obtained necessary environmental permits, fearing the disclosure of information to state agencies would lead to enforcement and penalties. The Environmental Audit Privilege and Immunity Law removes this fear and provides incentives for businesses to perform environmental audits and promptly report and correct violations. This will lead to increased compliance with environmental requirements and further protection of Michigan’s outstanding natural resources.

In general, the program has two main elements: a privilege that protects the audit report and audit-implementing personnel from disclosure (they cannot be used in legal proceedings against the company), and immunity provisions can be sought for violations that are reported and corrected in accordance with the law. Obtaining privilege involves filing a document called a "Notice of Intent to Perform an Environmental Audit." To be eligible for privilege under this program, this notice must be filed before the audit is commenced and other general provisions must be met such as the findings must be found by the company, (not by EGLE staff). Immunity provisions can be sought later by filing a document called a "Voluntary Disclosure." You can learn more about the program from [EGLE’s Environmental Incentives web page](#).

CHAPTER 1: AIR QUALITY REGULATIONS

QUESTION	If Yes	If No
1. Do you have, or intend to install, equipment or processes that generate air pollution? (e.g., incinerator, boiler, solvent degreaser, coating booth, grinding operations, material storage piles, etc.)	Ch. 1.2.1	Continue
2. Do any activities at your facility generate dust or particulate?	Ch. 1.3	Continue
3. Do you open-burn any waste?	Ch. 1.3.3	Continue
4. Do any of your processes emit volatile organic compounds (VOCs)?	Ch. 1.5 & 1.6	Continue
5. Are you interested in learning about the benefits to be gained through environmental stewardship?	Ch. 1.11	Continue
6. Are you renovating or demolishing a building?	Ch. 1.16.6	Continue
7. Is your facility subject to a federal New Source Performance Standard (NSPS)?	Ch. 1.17	Continue
8. Do you sell electricity to the grid and burn fossil fuel?	Ch. 1.18	Continue
9. Do you use or store any substance regulated under Section 112(r) of the Clean Air Act (CAA)? (CAA Section 112(r) substances are defined in Appendix B.)	Ch. 1.19	Continue
10. Do you have equipment or processes that utilize chlorofluorocarbons (CFCs) or hydrochlorofluorocarbons (HCFCs) as a refrigerant? (e.g., refrigeration units)	Ch. 1.20	Continue

CHAPTER 2: WASTE AND MATERIALS MANAGEMENT REGULATIONS

Every facility generates solid waste (e.g. *garbage, rubbish, yard wastes, etc.*) and it is important to know your disposal and recycling requirements and options. It is recommended you read Chapter 2.2

QUESTION	If Yes	If No
11. Do you open-burn any wastes?	Ch. 2.2.1	Continue
12. Do you store scrap tires on your property or transport scrap tires?	Ch. 2.2.2	Continue
13. Do you generate liquid industrial by-product at your facility? (Liquid industrial by-product is discarded material that is not regulated as a hazardous waste and includes industrial wastewater, used oil that is being recycled, sewer clean-out residue, grease trap clean-out residue, and other liquid wastes.) It is recommended that you read Chapter 2.3 and 2.4.1.	Ch. 2.3	Continue
14. Do you know or suspect you may be generating hazardous waste at your facility? (Hazardous waste is defined in Chapter 2.4.1.)	Ch. 2.4	Continue
15. Do you generate any universal waste at your facility? (Universal waste includes electric lamps [fluorescent, sodium vapor, mercury vapor, neon and incandescent], batteries, pesticides, elemental mercury containing devices, consumer electronics, antifreeze, and pharmaceuticals.)	Ch. 2.4.1.c	Continue
16. Do you know how to select a qualified company to transport your liquid industrial by-product and/or hazardous waste and/or dispose of it?	Continue	Ch. 2.4.10
17. Do you dispose of any hazardous waste on-site?	Ch. 2.4.11	Continue
18. Are you aware of the employee emergency training requirements?	Continue	Ch. 2.4.12
19. Does your facility produce medical waste, such as body fluids, blood, and/or sharps (needles, either used or unused); is your facility a pharmaceutical manufacturer or a research facility that produces and/or tests vaccinations with live or attenuated viruses; or a medical equipment manufacturer with testing programs, large company with in-house health care facilities, etc.?) It is recommended that you read Chapter 2.5	Ch. 2.5	Continue
20. Do you have or dispose of any of the following materials at your facility?		
• Used oil	Ch. 2.7.1	Continue
• Used oil filters	Ch. 2.7.2	Continue
• Lead acid batteries	Ch. 2.7.3	Continue
• Dry cell batteries	Ch. 2.7.4	Continue
• Fluorescent lamps or other lights	Ch. 2.7.5	Continue

QUESTION	If Yes	If No
• Small capacitors and ballasts	Ch. 2.7.6	Continue
• Sorbents	Ch. 2.7.7	Continue
• Shop towels and other textiles	Ch. 2.7.8	Continue
• Spent parts washer solvent or other solvents	Ch. 2.7.9	Continue
• Aerosols	Ch. 2.7.10	Continue
• Painting waste	Ch. 2.7.11	Continue
• Wastes containing silver (e.g. photo processing waste)	Ch. 2.7.12	Continue
• Electronic waste	Ch. 2.7.13	Continue
• Waste containing radioactive materials	Ch. 2.7.14	Continue
• Antifreeze	Ch. 2.7.15	Continue
• Scrap metal	Ch. 2.7.16	Continue
• Pharmaceuticals	Ch. 2.7.17	Continue
• Biosolids	2.7.18	Continue

CHAPTER 3: WASTEWATER REGULATIONS

It is important for you to be aware of what type of wastewater is discharged from your facility and how it is treated. It is recommended that you read Chapter 3.1.

QUESTION	If Yes	If No
21. Is your wastewater discharged to a publicly owned treatment works facility?	Ch. 3.2.1	Continue
22. Do you employ a hazardous or liquid industrial by-product transporter to dispose of wastewater generated at your facility?	Ch.3.2.2	Continue
23. Is any wastewater discharged into surface waters? (Includes direct discharge to a lake, stream, river, or drain, and indirect discharges via a storm sewer or ditch.)	Ch. 3.2.3	Continue
24. Does your facility’s storm water discharge to a separate storm sewer system or direct to waters of the state?	Ch. 3.2.3.d	Continue
25. Is any wastewater discharged into the ground or groundwater? (Includes seepage lagoons, septic tanks/tile field systems, and irrigation systems.)	Ch. 3.2.4	Continue
26. Do you have a wastewater treatment system on-site?	Ch. 3.4	Continue

CHAPTER 4: MATERIAL STORAGE AND TRANSPORTATION

There are a number of terms defined in Appendix B that are key to your understanding of the regulations and their applicability to your operation. It is recommended that you make yourself familiar with these terms before continuing. These defined terms appear in bold lettering. Please note, in some instances, multiple agencies use the same term to describe a regulated group of material; however, its definition differs. Such terms are identified in bold face type followed by a dash and the acronym of the defining agency or regulation (e.g., “**hazardous waste-EGLE**,” “**hazardous waste-USEPA**”). As you answer the questions pertaining to this chapter, refer back to the definitions.

QUESTION	If Yes	If No
27. Do you store any of the following? <ul style="list-style-type: none"> • Flammable & combustible liquids-Act 207 • flammable & combustible liquids-MIOSHA • highly hazardous chemicals, hazardous material-Act 207 • hazardous substances-CERCLA • hazardous waste-EGLE • hazardous waste-USEPA • Oil-EGLE • Oil-USEPA • Salt (Definitions for the bolded terms are listed in Appendix B.)	Ch. 4.1	Continue
28. Do you store or use polluting materials ?	Ch. 4.2	Continue
29. Does your facility have, or intend to install, an <i>underground</i> storage tank?	Ch. 4.3.1	Continue
30. Does your facility have, or intend to install, an <i>aboveground</i> storage tank to store flammable and combustible liquids with a flashpoint of less than 200°F?	Ch. 4.3.2	Continue
31. Does your facility have, or intend to install, an <i>aboveground</i> storage tank that contains flammable compressed gas or liquefied petroleum gas?	Ch. 4.3.2	Continue
32. Do you transport any hazardous material-USDOT , as defined by the U.S. Department of Transportation?	Ch. 4.4	Continue
33. Do you store, use, or transport any polychlorinated biphenyls (PCBs) at your facility?	Ch. 4.5	Continue

CHAPTER 5: SARA TITLE III & COMMUNITY RIGHT-TO-KNOW ACT

All **bolded terms** are defined in Appendix B of this guidebook. It is recommended that you make yourself familiar with these terms before continuing.

QUESTION	If Yes	If No
34. Does your facility store or use extremely hazardous substances ?	Ch. 5.3	Continue
35. Does your facility store or use extremely hazardous substances or hazardous substances-CERCLA?	Ch. 5.4	Continue
36. Does your facility use, manufacture, or process any toxic chemical in an amount greater than its threshold quantity? (Toxic chemical is defined in Appendix B. Threshold quantities are identified in the List of Lists, which can be accessed at Michigan.gov/SARA .)	Ch. 5.6	Continue

CHAPTER 6: ENVIRONMENTAL EMERGENCIES

All **bolded terms** are defined in Appendix B of this guidebook. It is recommended that you make yourself familiar with these terms before continuing.

QUESTION	If Yes	If No
37. Does your facility store, use, or generate any of the materials defined in Appendix B?	Ch. 6.1	Continue
38. Do you generate any hazardous waste-EGLE ?	Ch. 6.2.1	Continue
39. Do you store or use any of the following polluting materials at thresholds listed: <ul style="list-style-type: none"> • salt = 5 tons solid form or 1,000 gallons liquid form? • other polluting materials = 440 pounds outdoors or 2,200 pounds indoors • oil-EGLE = 660 gallon storage tank capacity or 1,320 gallon total above ground storage capacity 	Ch. 6.2.2	Continue
40. Does the storage capability for oil-EPA or petroleum products exceed any of the following capacities at your facility: <ul style="list-style-type: none"> • 1,320 gallons for all aboveground storage? • 42,000 gallons for all underground storage? <p style="text-align: center;">and</p> <ul style="list-style-type: none"> • Could a release potentially reach navigable waters or adjoining shorelines? 	Ch. 6.2.3	Continue
41. Is your facility required to have a storm water permit for the discharge of storm water associated with a manufacturing activity?	Ch. 6.2.4	Continue

QUESTION	If Yes	If No
42. Does your facility handle, use, or store any CAA Section 112(r) substances at or above the listed threshold quantity? (CAA Section 112(r) substances are defined in Appendix B. Threshold quantities are identified in the List of Lists, which can be accessed at Michigan.gov/SARA)	Ch. 6.2.5	Continue
43. Does your facility have flammable and combustible liquids on site in above ground containers?	Ch. 6.2.6	Continue
44. Do you transport hazardous material-USDOT?	Ch. 6.2.7	Continue
45. Chapter 6.3 pertains to release notification requirements. It is recommended that you become familiar with the Release Notification Requirements Table so that you will be prepared should there be a spill or release at your facility	Ch. 6.3	Ch. 6.3
46. Chapter 6.4 pertains to release response and cleanup criteria. It is recommended that you read this chapter if you have a release or spill at your facility.	Ch. 6.4	Ch. 6.4

CHAPTER 7: SITES OF ENVIRONMENTAL CONTAMINATION, PROPERTY TRANSFERS, AND LIABILITY ISSUES

QUESTION	If Yes	If No
47. Do you own or operate property that you know, or suspect is contaminated?	Ch. 7.2	Continue
48. Are you considering purchasing property or moving your business to a new location?	Ch. 7.3	Continue

CHAPTER 8: ACTIVITIES AT OR NEAR THE LAND/WATER INTERFACE

QUESTION	If Yes	If No
49. Are you involved in any of the following activities taking place within a 100-year floodplain of a river, stream, drain, or lake: construction, filling, or changing the grade?	Ch. 8.2	Continue
50. Are you involved in any of the following activities taking place below the ordinary high-water mark of an inland lake or stream: dredging or filling, construction or modification of a structure on bottomland, operation of a marina, structurally interfering with the natural flow of the lake or stream, or enlarging or diminishing the area of the lake or stream?	Ch. 8.3	Continue
51. Are you involved in any of the following activities taking place in a wetland: depositing fill material, removing soil, draining surface water, or conducting development? (<i>Wetland is defined on page 8-4.</i>)	Ch. 8.4	Continue
52. Are you involved in any of the following activities taking place in a “Designated Environmental Area”: dredging, filling, grading, or altering the soil; altering natural drainage; altering vegetation; or conducting construction? (<i>Designated Environmental Areas are listed on page 8-5.</i>)	Ch. 8.6	Continue
53. Are you conducting any development activities in a “Critical Dune Area”? (<i>Critical Dune Areas are listed on page 8-6.</i>)	Ch. 8.8	Continue

CHAPTER 9: DRINKING WATER

Since all manufacturers supply water to their employees/customers (e.g., drinking fountains, sinks, showers, etc.), it is recommended that you read Chapter 9.

CHAPTER 10: RADIOACTIVE MATERIAL REGULATIONS

QUESTION	If Yes	If No
54. Does your facility possess, use, transport, transfer, or dispose of any radioactive material (RAM)? (RAM might be used in medical treatments, certain testing devices, pharmaceutical manufacturing processes, industrial smoke detectors, some waste “exit” signs, and radium paint. Natural RAM may be found as uranium in soils or as radium sulfite scales on some pipes and fittings from the oil and gas industry.)	Ch. 10	Continue

CHAPTER 11: GEOLOGICAL RESOURCES

QUESTION	If Yes	If No
55. Are you involved in the drilling, operation, or plugging of an oil or gas well?	Ch. 11.2	Continue
56. Do you dispose of your waste in an underground injection well?	Ch. 11.3.1	Continue
57. Is your business involved in mining?	Ch. 11.4	Continue

CHAPTER 12: SUSTAINABILITY

QUESTION	If Yes	If No
58. Are you familiar with “Pollution Prevention”?	Continue	Ch. 12.1
59. Do you know how to implement a pollution prevention plan?	Continue	Ch. 12.1.3
60. Are you interested in learning how to increase efficiency and reduce waste in all aspects of your business?	Ch. 12.1.4	Continue
61. Are you aware of what an environmental management system is and what it can do for your business?	Continue	Ch. 12.2
62. Are you interested in learning how to increase energy efficiency and reduce associated costs?	Ch. 12.3	Continue