

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**AIR QUALITY DIVISION**

**AIR POLLUTION CONTROL**

(By authority conferred on the department of environmental quality by sections 5503 and 5512 of Act No. 451 of the Public Acts of 1994, as amended, and Executive Reorganization Order Nos. 1991-22 and 1995-16, being SS324.5503, 324.5512, 299.13, and 324.99903 of the Michigan Compiled Laws)

**PART 16. ORGANIZATION, OPERATION, AND PROCEDURES**

**R 336.2601 - 336.2605 Rescinded.**

History: 1980 AACCS; 1997 AACCS.

**R 336.2606 Declaratory rulings requests.**

Rule 1606. (1) A person requesting a declaratory ruling from the commission regarding a statute, rule, order, or permit administered by the commission shall submit in duplicate a sworn petition to the commission setting forth all of the following information:

- (a) The nature and purpose for the request.
- (b) The statute, rule, order, or permit administered by the commission to which the request applies.
- (c) The person's involvement, interest, or relationship to that statute, rule, order, or permit.
- (d) The exact subject of the ruling required.

(2) Requests for more than 1 declaratory ruling regarding the same or different statute, rule, order, or permit shall be submitted separately.

(3) When the commission proposes to make a declaratory ruling, it shall provide public notice thereof and shall schedule a time for consideration thereof at a regularly scheduled meeting of the commission. Following a declaratory ruling, the commission shall provide public notice thereof and the declaratory ruling shall be made available to the public upon request.

History: 1980 AACCS.

**R 336.2607 Consideration and disposition of declaratory rulings requests.**

Rule 1607. Within 90 days after receipt of a petition for a declaratory ruling, the commission, after consultation with the department of natural resources staff and the attorney general, if necessary, may issue a declaratory ruling directly to the person

submitting the request. A declaratory ruling shall receive a majority concurrence of the commission members present and voting before it is issued to the interested person.

History: 1980 AACCS.

**R 336.2608 Rescinded.**

History: 1980 AACCS; 1997 AACCS.