

# APPENDIX C: DEQ and MIOSHA OVERVIEW

## MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

The mission of the Department of Environmental Quality (DEQ) is to drive improvements in environmental quality for the protection of public health and natural resources to benefit current and future generations. This will be accomplished through effective administration of agency programs and providing for the use of innovative strategies, while helping to foster a strong and sustainable economy.



## OVERVIEW

The Department of Environmental Quality was created in 1995 by Executive Order No. 1995-18, which transferred environmental regulatory programs from the Department of Natural Resources (DNR) to the newly created Department of Environmental Quality (DEQ). The DEQ and DNR are responsible for the administration of the Natural Resource and Environmental Protection Act, Public Act 451 of 1994, as amended, and the administrative rules promulgated under its authority. In addition to the seven divisions listed below, the DEQ includes an Executive Division, Financial and Business Services Division, Office of Communications, Office of Criminal Investigations, Office of the Great Lakes, and Office of Civil Enforcement Coordination (see Figure C-1).

There are eight district offices throughout Michigan. Each division has field staff located at the district offices. See Table C-1 for the district contact list and Figure C-2 for the district boundaries and office locations.

## THE DIVISIONS

### *Air Quality Division*

The Air Quality Division (AQD) works with business and industry air pollution sources and with the general public to help maintain compliance with statutes that minimize adverse impacts on human health and the environment. Staff work to identify and reduce existing outdoor air pollution problems and to prevent significant deterioration of the air quality through air emission control programs, air monitoring, control strategy planning, permit issuance, and inspection of air emission sources. Contact the Air Quality Division at (517) 373-7023.

### *Environmental Science and Services Division*

The Environmental Science and Services Division (ESSD) oversees a number of outreach and assistance services leading to improvement in environmental quality, with an emphasis on pollution prevention. The ESSD provides non-regulatory services related to all environmental programs administered by the Michigan Department of Environmental Quality (DEQ). The seven main service areas in the ESSD are: education, training, and outreach; environmental

information; financial assistance; incentive programs; laboratory services; pollution prevention; and technical assistance. Contact the Environmental Science and Services Division at (517) 335-2419.

### ***Land and Water Management Division***

The Land and Water Management Division (LWMD) administers a variety of programs that help protect sensitive natural resources, including inland lakes and streams, wetlands, floodplains, sand dunes, and the Great Lakes. The LWMD is responsible for promoting the best use of these resources for their social and economic benefits while protecting associated resource values, property rights, the environment, and public health and safety. The LWMD provides technical assistance and regulatory oversight over activities such as dredging or filling wetlands, streams, inland lakes, and the Great Lakes; constructing or dismantling dams; constructing marinas, seawalls, or docks; building in a designated critical sand dune, wetland, or floodplain; and protecting underwater shipwreck resources. Contact the Land and Water Management Division at (517) 373-1170.

### ***Office of Geological Survey***

The Office of Geological Survey (OGS) is responsible for assuring the efficient and orderly development of fossil fuel and mineral resources while protecting the environment, property, and public health and safety. The OGS oversees the locating, drilling, operating, and plugging of wells used for mineral exploration; oil, gas, and brine production; underground storage; and waste disposal. The OGS regulates the drilling and operation of wells for oil, gas, and minerals; regulates the reclamation of mines for rock products, metallic minerals, industrial sand, and coal. The OGS also develops and distributes a variety of maps, publications, and data on fossil fuels, minerals, and groundwater for industry and public use. Contact the Office of Geological Survey at (517) 241-1515.

### ***Remediation and Redevelopment Division***

The Remediation and Redevelopment Division (RRD) administers Part 201, Environmental Remediation; Part 213, Leaking Underground Storage Tanks; and portions of Part 215, Michigan Underground Storage Tank Financial Assurance, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). In addition, the RRD manages portions of the federal Superfund program, established under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Together, these four statutes and the related administrative rules guide the RRD's efforts in the remediation and redevelopment of brownfield sites throughout Michigan. The RRD oversees regulated party cleanups, addresses public health and environmental threats at sites of environmental contamination, and facilitates brownfield redevelopment. The RRD also administers the Qualified Underground Storage Tank Consultant and Certified Professional (QC/CP) Program under Part 215 and the QC/CP rules. Corrective action cleanups required at Part 213 sites must be carried out by a state-certified QC/CP. Further, the RRD coordinates DEQ implementation of the Brownfield Redevelopment Financing Act, 1996 PA 381, as amended. Act 381 provides a method to finance environmental response activities at brownfield sites through tax increment financing. Contact the Remediation and Redevelopment Division at (517) 373-9837.

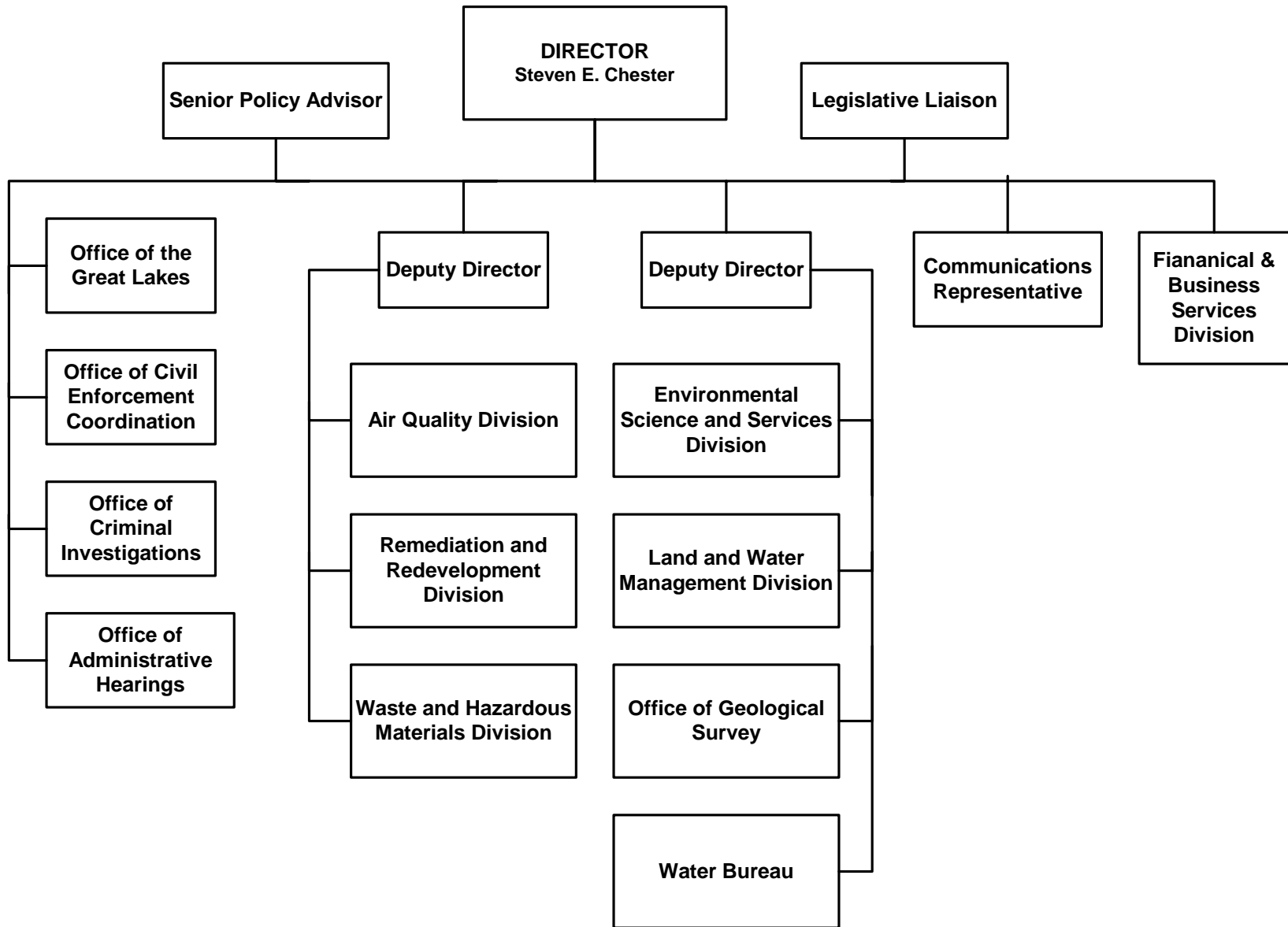
### ***Waste and Hazardous Materials Division***

The Waste and Hazardous Materials Division (WHMD) administers a diverse number of prevention programs to protect the environment and the public's health through proper management of hazardous products; solid, liquid, medical, and hazardous waste; and radioactive materials. The WHMD issues licenses and oversees the operation of hazardous and solid waste disposal areas, regulates the activities of hazardous waste and liquid industrial waste generators and transporters, oversees solid waste planning, regulates the hauling and disposal of scrap tires, and operates a grant program to address abandoned scrap tire piles. Radiological protection programs monitor radioactive materials used in medical, educational, industrial, and governmental facilities. The medical waste program regulates the handling, storage, treatment, and disposal of medical waste. The storage tank program oversees the design, construction, installation, and operations of certain underground storage tanks (USTs) and aboveground storage tanks (ASTs) storing flammable and combustible liquids, liquefied petroleum gas, and compressed natural gas for the purposes of fire safety and preventing releases of regulated materials. Contact the Waste and Hazardous Materials Division at (517) 335-2690.

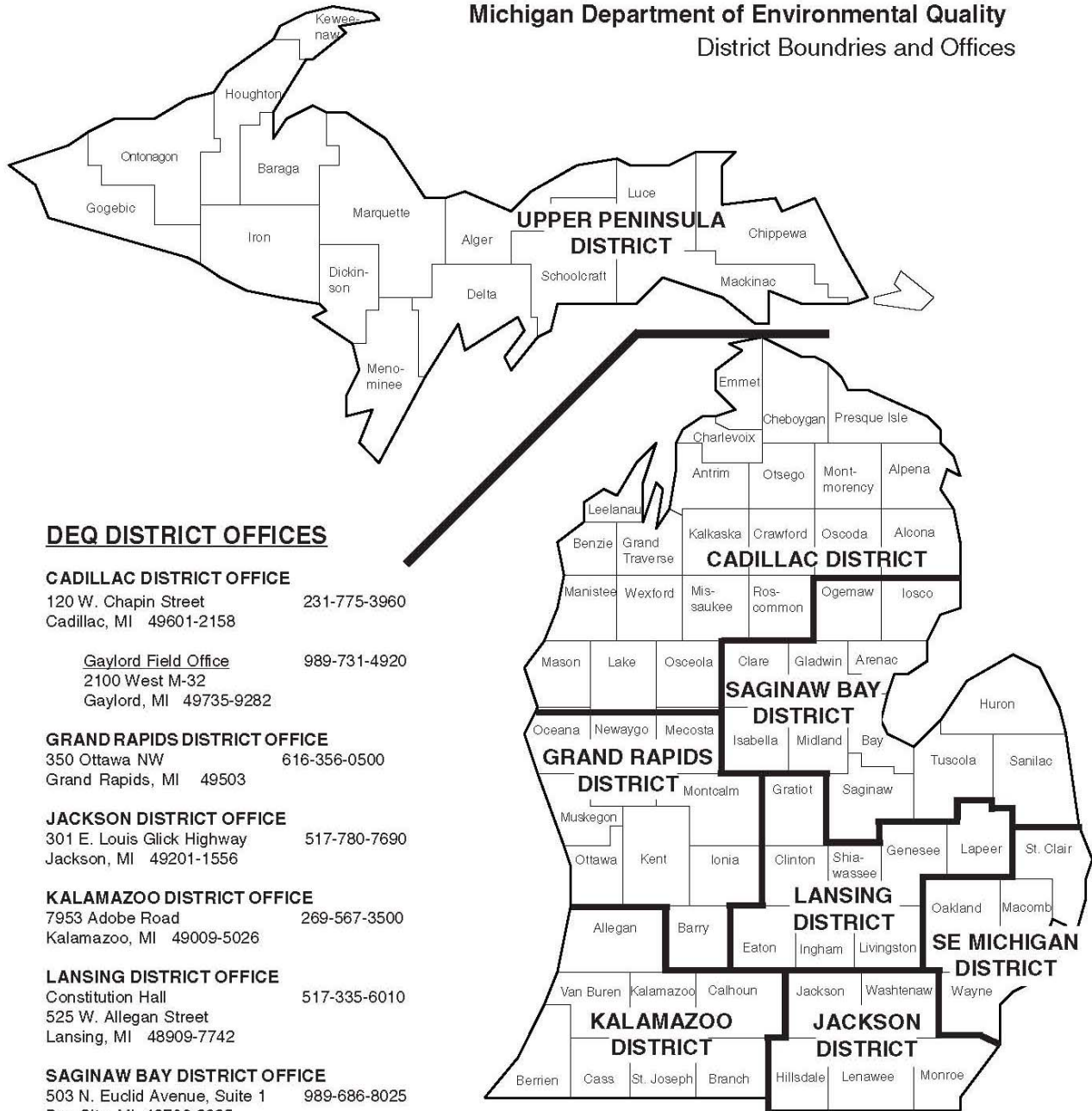
### ***Water Bureau***

The Department of Environmental Quality water programs establish water quality standards; assess water quality; provide regulatory oversight for all public water supplies; issue permits to regulate the discharge of industrial and municipal wastewaters; and monitor state water resources for water quality, the quantity and quality of aquatic habitat, the health of aquatic communities, and compliance with state laws. The bureau is responsible for plan review and approval for public water supplies, wastewater collection and treatment facilities; campground construction; public swimming pool construction; manufactured housing site approval for water, sanitary sewer, drainage, and park layout. Bureau staff assist local health departments with public education, site condominiums, land division and subdivision on-site water supply, sewage disposal issues, and accreditation of local health departments. The bureau also provides oversight to local soil erosion and sedimentation control programs. Well driller/pump installer registration, licenses for transporting septic tank waste, and certificates for registration of water haulers and water hauling containment are provided by the Water Bureau. Contact the Water Bureau at (517) 241-1313.

# MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY



**Michigan Department of Environmental Quality  
District Boundries and Offices**



**DEQ DISTRICT OFFICES**

**CADILLAC DISTRICT OFFICE**

120 W. Chapin Street 231-775-3960  
Cadillac, MI 49601-2158

Gaylord Field Office 989-731-4920  
2100 West M-32  
Gaylord, MI 49735-9282

**GRAND RAPIDS DISTRICT OFFICE**

350 Ottawa NW 616-356-0500  
Grand Rapids, MI 49503

**JACKSON DISTRICT OFFICE**

301 E. Louis Glick Highway 517-780-7690  
Jackson, MI 49201-1556

**KALAMAZOO DISTRICT OFFICE**

7953 Adobe Road 269-567-3500  
Kalamazoo, MI 49009-5026

**LANSING DISTRICT OFFICE**

Constitution Hall 517-335-6010  
525 W. Allegan Street  
Lansing, MI 48909-7742

**SAGINAW BAY DISTRICT OFFICE**

503 N. Euclid Avenue, Suite 1 989-686-8025  
Bay City, MI 48706-2925

**SOUTHEAST MICHIGAN DISTRICT OFFICE**

27700 Donald Court 586-753-3700  
Warren, MI 48092-2793

Detroit Field Office 313-456-4700  
Cadillac Place  
3058 West Grand Boulevard, Suite 2-300  
Detroit, MI 48202-6058

**UPPER PENINSULA DISTRICT OFFICE**

420 5th Street 906-346-8300  
Gwinn, MI 49841

**ENVIRONMENTAL ASSISTANCE CENTER**

**(for general information):**

Telephone: 800-662-9278  
Fax: 517-241-0673

**POLLUTION EMERGENCIES**

Telephone: 800-292-4706

**DEQ WEB PAGE**

[www.michigan.gov/deq](http://www.michigan.gov/deq)

## DEQ LANSING HEADQUARTERS

**Michigan Department of Environmental Quality**  
Constitutional Hall  
525 W. Allegan Street  
P.O. Box 30473  
Lansing, MI 48909-7973  
(517) 373-7917



## DEQ DISTRICT OFFICES

### Upper Peninsula District

420 Fifth Street  
Gwinn, MI 49841-3004  
906-346-8300; Fax: 906-346-4480  
*Counties: Entire Upper Peninsula*

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### Cadillac District

120 W Chapin Street  
Cadillac, MI 49601-2158  
231-775-3960; Fax: 231-775-4050  
*Counties: Benzie, Grand Traverse, Kalkaska, Lake, Leelanau, Manistee, Mason, Missaukee, Osceola, or Wexford*

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### Gaylord Office

2100 West M-32  
Gaylord, MI 49735-9282  
989-731-4920; Fax: 989-731-6181  
*Counties: Alcona, Alpena, Antrim, Charlevoix, Cheboygan, Crawford, Emmet, Montmorency, Oscoda, Otsego, Presque Isle, or Roscommon*

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### Saginaw Bay District

Saginaw Bay District Headquarters  
503 N Euclid Avenue  
Bay City, MI 48706-2965  
989-686-8025; Fax: 989-684-9799  
*Counties: Arenac, Bay, Clare, Gladwin, Huron, Iosco, Isabella, Midland, Ogemaw, Saginaw, Sanilac, or Tuscola*

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### Grand Rapids District

350 Ottawa NW  
Grand Rapids, MI 49503  
616-356-0500; Fax: 616-356-0201  
*Counties: Barry, Ionia, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, or Ottawa*

## DISTRICT OFFICE LOCATIONS *(continued)*

### **Kalamazoo District**

7953 Adobe Road

Kalamazoo, MI 49009-5026

269-567-3500;

Fax: 269-567-9440

*Counties: Allegan, Berrien, Branch, Calhoun, Cass, Kalamazoo St. Joseph, or Van Buren*

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### **Lansing District**

Constitution Hall

525 W. Allegan St., 4N

P.O. Box 30242

Lansing, MI 48909-7742

517-335-6010;

Fax: 517-241-3571

*Counties: Clinton, Eaton, Genesee, Gratiot, Ingham, Lapeer, Livingston, or Shiawassee*

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### **Jackson District**

State Office Building, 4th Floor

301 E Louis B Glick Highway

Jackson, MI 49201-1556

517-780-7690;

Fax: 517-780-7855

*Counties: Hillsdale, Jackson, Lenawee, Monroe, or Washtenaw*

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### **Southeast Michigan District**

27700 Donald Court

Warren, MI 48092-2793

586-753-3700;

Fax: 586-751-4690

*Counties: Macomb, Oakland, or St. Clair*

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### **Detroit Office**

Cadillac Place, Suite 2-300

3058 West Grand Blvd.

Detroit, MI 48202-6058

313-456-4700;

Fax: 313-456-4662

*Counties: Wayne*

# MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

## MISSION

The mission of the Michigan Occupational Safety and Health Administration (MIOSHA) is to help assure the safety and health of workers.



## OVERVIEW

The Michigan legislature created the modern Michigan Occupational Safety and Health Act, [Public Act 154 of 1974](#), in order to better prevent workplace injuries, illnesses and fatalities in Michigan by: setting and enforcing occupational safety and health standards; promoting safety and health training and education; and working with partners to develop innovative programs to prevent workplace hazards. PA 154 went into effect for private sector employers on January 1, 1975 and for public sector employers on July 1, 1975.

The MIOSHA Act established the General Industry Safety Standards Commission, the Construction Safety Standards Commission, and the Occupational Health Commission. The commissions are responsible for developing standards in consultation with advisory committees whose members represent the major interests affected by the proposed standard. The standards are intended to protect the health and safety of Michigan's employees.

Among the most significant changes since MIOSHA's inception are

- Act 105 of 1991 amended Act 154 of 1974 and provided for the increase in the MIOSHA civil penalties to the level identical to the federal penalties
- the MIOSHA Act was amended again in 1986 by Public Act 80 - the Michigan Right to Know Law. This amendment included requirements for the communication of information regarding the safe handling of hazardous chemicals present in Michigan workplaces.

MIOSHA was administered by the Michigan Department of Public Health, Occupational Health Division and the Michigan Department of Labor, Bureau of Safety and Regulation until 1996 when Governor John Engler issued Executive Order 1996-1 which transferred occupational health responsibilities to the Bureau of Safety and Regulation.

In September 2003, Governor Jennifer M. Granholm signed Executive Order 2003-14 creating the Department of Labor and Economic Growth (DLEG). The department was created by renaming the Department of Consumer and Industry Services (CIS) and merging many Department of Career Development functions into the new department along with several other key programs from other departments.

Effective December 8, 2003, the MIOSHA program reorganized its operational structure by creating the Management & Technical Services Division and combining enforcement divisions. The General Industry Safety Division, Construction Safety Division and the Occupational Health Division became the General Industry Safety & Health Division (GISHD) and the Construction Safety and Health Division (CSHD). The MIOSHA Information Division became the

Management Information Systems Section and the MIOSHA Standards Division became the MIOSHA Standards Section. Both are administered by MTSD. The Employee Discrimination Division became the Employee Discrimination Section and is administered by GISHD. The Asbestos program is administered by CSHD. In addition, the program name changed from the Bureau of Safety and Regulation to the Michigan Occupational Safety and Health Administration (MIOSHA).

## **MIOSHA DIVISIONS**

### ***Appeals Division***

The Appeals Division represents the General Industry Safety & Health and the Construction Safety & Health divisions in prehearing conferences and formal administrative hearings related to contested MIOSHA citations. Questions concerning the administrative process relative to prehearing conferences or formal hearings can be directed to the MIOSHA Appeals Division. Questions concerning case scheduling should be directed to the Bureau of Hearings.

### ***Construction Safety and Health Division***

The Construction Safety and Health Division is one of two standards enforcement divisions of MIOSHA. The division enforces safety and health standards in the construction industry defined in the MIOSHA statute as work activity designated in major groups 15, 16, and 17 of the *Standard Industrial Classification (SIC) Manual*. All construction types are inspected including projects such as:

- road and bridge projects
- sewer, water, gas, and electric utility lines
- power plants
- waste and water treatment plants
- high rise construction
- factory and other building additions
- communication and power transmission towers
- single family homes

Construction standards apply when the ***type of work being done*** is construction work designated by one of the above SIC groups. For example, a general industry employer who has almost all employees engaged in a manufacturing operation must comply with the MIOSHA general industry standards applicable to the manufacturing processes. However, if several of the general industry employer's workers are, for example, pouring a concrete press pit or performing electrical work, the MIOSHA Construction Safety Standards applicable to the concrete or electrical work must be followed.

In a similar way, a municipal employer may have employees performing work covered by General Industry Standards such as trimming trees or collecting trash and may assign the same employees to later perform work covered by the Construction Standards such as repair a water line or grade gravel shoulders. Again, it is the ***type of work being done*** that determines which standard is applicable.

The Construction Safety and Health Division addresses safety hazards such as fall, electrical, excavation and other types of physical hazards, as well as occupational exposure of Michigan construction workers to substances or work conditions such as air contaminants, noise, ergonomic hazards, bloodborne pathogens, and ionizing and non-ionizing radiation. The division is also responsible for enforcing MIOSHA rules that contain control measures used to reduce employee exposure to such substances/work conditions, including engineering controls (e.g., industrial ventilation, enclosures, etc.), administrative controls (e.g., employee rotation, hazard communication, housekeeping, etc.), and personal protective equipment (e.g., gloves, hard hats, eye protection, respiratory protection, hearing protection, chemical protective clothing, etc.). The Construction Safety and Health Division also administers the Asbestos Program which licenses asbestos abatement contractors, accredits asbestos abatement workers and enforces MIOSHA asbestos standards in both construction and general industry.

### ***Consultation Education and Training Division***

The Consultation Education and Training Division (CET) services are provided throughout the state by an in-house staff of professional occupational safety consultants, occupational safety specialists and industrial hygienists. The staff in the CET Division are non-enforcement personnel. These consultants and specialists are located throughout Michigan and collectively they serve the employers and the employees in all 83 Michigan counties.

CET services are funded through a special Michigan worker's disability compensation levy assessment that provides CET restricted use funding. This funding is also supplemented by federal funds. No Michigan general fund money is used to provide CET services. The majority of CET services are provided to Michigan employers or employees at no additional cost beyond the levy assessment. Co-sponsors of CET public seminars may charge a nominal fee to cover the costs of equipment rental, room rental, and lunch/refreshment charges.

### ***Employee Discrimination Section***

The Employee Discrimination Section (EDS) provides protection through investigations of complaints by workers who have been allegedly discriminated against for exercising rights under the Michigan Occupational Safety and Health Act, Act 154 of Public Acts of 1974, as amended, commonly referred to as MIOSHA.

Some examples of discrimination are firing, demotion, transfer, layoff, losing the opportunity for overtime or promotion, assignment to an undesirable shift, denial of benefits such as sick leave or vacation time, damaging credit at banks or credit unions and reducing pay or hours. Workers have the right to complain to MIOSHA and seek an EDS investigation. Section 65 of the Michigan Occupational Safety and Health Act authorizes MIOSHA to investigate employee complaints of employer discrimination against those who are involved in safety and health activities. An employee or the authorized representative of an employee who participates in an investigation shall not suffer a loss of wages or fringe benefits, or be discriminated against in any manner, for time spent participating in the inspection, investigation, or related conference. The most important thing to remember is the complaint must be filed within **thirty (30) days** of the event or occurrences and it must stem from a safety and health issue.

Complaints may involve retaliation against employees or their representative because the employee refused to perform a job duty they believe to be life threatening or of an imminent danger. Refusing to do a job because of potentially unsafe workplace conditions is not ordinarily an employee right under the MIOSH Act. Refusing to work may result in disciplinary action by the

employer. However, if the employee refuses in good faith to expose him/herself to a dangerous condition and does not have a reasonable alternative, they would be protected against subsequent discrimination under MIOSHA.

Other complaints stem from employees who have been discriminated against because they testified in a MIOSHA proceeding, filed a complaint with a state or federal agency, complained to outside sources such as radio, television, or newspaper reporters, or made verbal complaints to other employees, management, or employee group representatives about unsafe or unhealthy working conditions.

After EDS investigates a complaint a determination is issued. This determination is subject to appeal by the employer, the employee or both. Either party, the employer or employee may request a review of the department's determination. The employee, employer and the department become parties to a proceeding before a hearings officer with the Bureau of Hearings as a result of a request for review. The hearings officer shall issue a decision which becomes the final agency order upon receipt by the parties. These decisions are also subject to appeal by the employer or the employee to the circuit court where the employee is a resident, where the employment occurred or where the employer has a principal place of business.

If an employee believes their employer has treated them differently because they exercised their safety and health rights, they should contact the Employee Discrimination Section right away.

### ***General Industry Safety and Health Division***

The General Industry Safety & Health Division conducts inspections and investigations in places of employment within the state of Michigan. This includes both public sector employers and private employers. The division responds to complaints from employees or their representatives, investigates accidents including fatalities and catastrophes, and responds to referrals of unsafe or unhealthy conditions from other agencies.

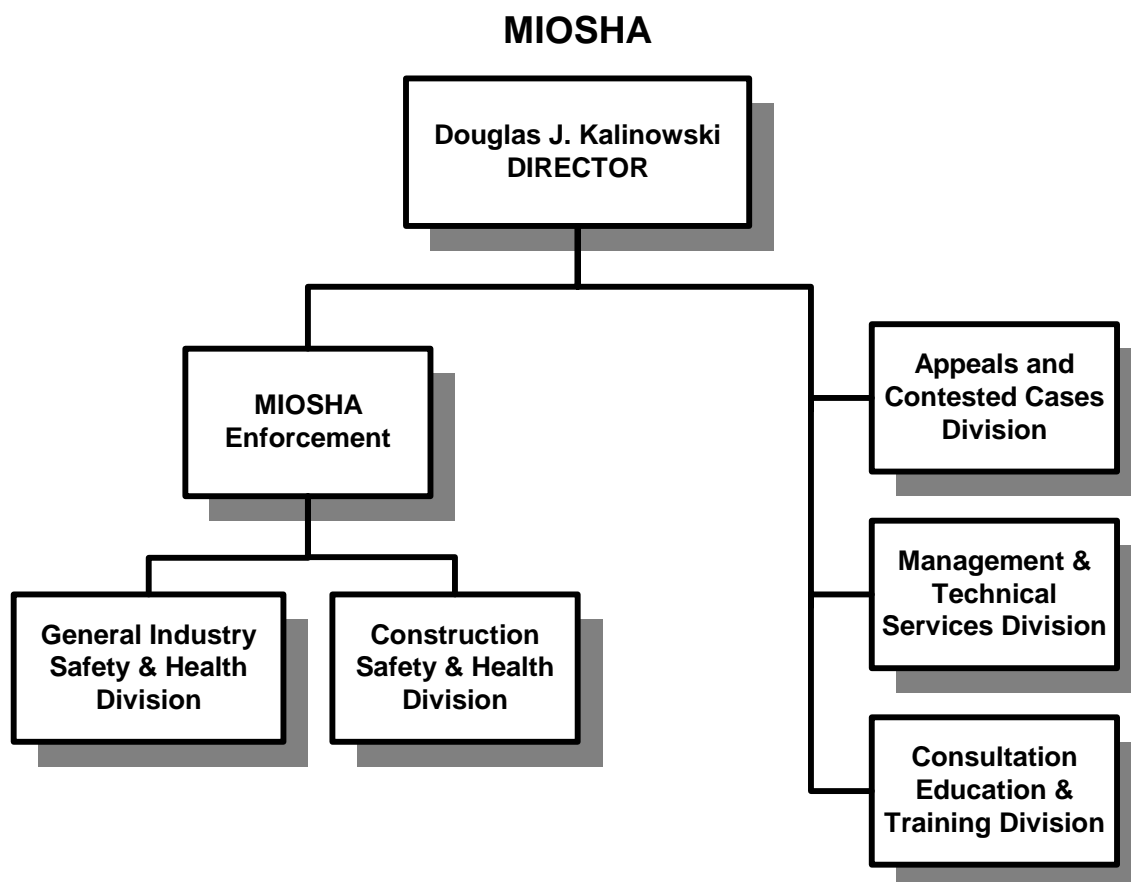
The division addresses the occupational exposure of Michigan's employees to substances of work conditions such as air contaminants, noise, ergonomic hazards, bloodborne pathogens, and ionizing and nonionizing radiation. It is also responsible for enforcing MIOSHA rules that contain control measures used to reduce employee exposure to such substances/work conditions, including engineering controls (e.g., industrial ventilation, enclosures, etc.), administrative controls (e.g., employee rotation, hazard communication, housekeeping, etc.), and personal protective equipment (e.g., respiratory protection, hearing protection chemical protective clothing, etc.).

The division also conducts unannounced inspections at facilities throughout the state in accordance with current priority inspection guidelines. The General Industry Safety & Health Division also administers the Employee Discrimination Section.

### ***Management and Technical Services Division***

The Management and Technical Services Division (MTSD) is responsible for a variety of services to MIOSHA staff and clients. MTSD staff prepare and administer most of the grants and contracts related to the federal programs that MIOSHA supports and monitor budget activity. The program areas include:

- The **Laboratory and Equipment Services Section (LESS)** includes an industrial hygiene laboratory, which is accredited by the American Industrial Hygiene Association, for analysis of air and material samples for occupational exposure to air and physical contaminants. LESS also includes an instrument calibration and maintenance program for providing field instrumentation to MIOSHA industrial hygienists and safety officers to assess exposure to chemical and physical hazards in the workplace.
- The **Management Information Systems Section (MISS)** is responsible for compilation of accurate and timely injury and illness data, provides information to MIOSHA clients about recordkeeping requirements, prepares statistical information and reports to programs about enforcement activities, monitors data related to MIOSHA strategic planning activities, and provides computer and software support to other MIOSHA programs.
- **MIOSHA Standards Section (MSS)** provides services for the promulgation of Michigan occupational safety and health standards and rules. MSS coordinates the activities of three commissions (the Construction Safety Standards Commission, the General Industry Safety Standards Commission, and the Occupational Health Standards Commission) and related advisory committees, and also conducts other activities, such as public hearings to receive comments on draft standards. Each commission member is appointed by the Governor and advisory committee members are appointed by the commissions. Commission and advisory committee meetings and scheduled public hearings are open to public attendance.
- The **Freedom of Information Unit (FOIU)** coordinates and prepares most of the responses from MIOSHA for requests for information under the Michigan Freedom of Information Act. FOIU also supports MIOSHA staff with information for depositions and subpoenas.



## CONTACT MIOSHA

**Michigan Department of Labor & Economic Growth (DLEG)  
Michigan Occupational Safety & Health Administration (MIOSHA)  
P.O. Box 30643  
7150 Harris Drive  
Lansing, Michigan 48909-8143**

MIOSHA's e-mail address is: [mioshainfo@michigan.gov](mailto:mioshainfo@michigan.gov)

MIOSHA's website is: [www.michigan.gov/miosha](http://www.michigan.gov/miosha)

The Standards Section website is: [www.michigan.gov/mioshastandards](http://www.michigan.gov/mioshastandards)

To receive electronic public notices on standards, go to: [www.state.mi.us/listserv/subscribe.html](http://www.state.mi.us/listserv/subscribe.html)  
(select "MIOSHA-RS")

The Asbestos Program website is: [www.michigan.gov/asbestos](http://www.michigan.gov/asbestos)

### ***Phone Numbers:***

MIOSHA Complaint Hotline .....	(800) TO-MIOSH or (800) 866-4674
Fatality or Catastrophe Hotline .....	(800) 858-0397
General Information .....	(517) 322-1814
Appeals Division .....	(517) 322-1297
Asbestos Program .....	(517) 322-1320
Construction Safety and Health Division .....	(517) 322-1856
Consultation Education & Training Division (CET) .	(517) 322-1809
CET Grant Program .....	(517) 322-1856
Employee Discrimination Section .....	(248) 888-8777
General Industry Safety & Health Division .....	(517) 322-1831
Management & Technical Services Division .....	(517) 322-1817
Recordkeeping .....	(517) 322-1851
Standards Section .....	(517) 322-1845

***Mailing Addresses:***

**Michigan Department of Labor & Economic Growth (DLEG)  
7150 Harris Drive**

Appeals Division  
P.O. Box 30643  
Lansing, MI 48909-8143

Construction S & H  
P.O. Box 30643  
Lansing, MI 48909-8143

CET Division  
P.O. Box 30645  
Lansing, MI 48909-8145

Employee Discrimination  
24155 Drake Road  
Farmington, MI 48335-3168

General Industry S & H  
P.O. Box 30644  
Lansing, MI 48909-8144

Mgt. & Tech. Services  
P.O. Box 30649  
Lansing, MI 48909-8149

MIOSHA Information  
P.O. Box 30643  
Lansing, MI 48909-8143

Standards Section  
P.O. Box 30643  
Lansing, MI 48909-8143