

Act No. 103
Public Acts of 1990
Approved by the Governor
June 18, 1990
Filed with the Secretary of State
June 18, 1990

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1990**

Introduced by Reps. Randall and Middaugh

ENROLLED HOUSE BILL No. 5549

AN ACT to amend section 10 of Act No. 641 of the Public Acts of 1978, entitled as amended "An act to protect the public health and the environment; to provide for the regulation and management of solid wastes including ash resulting from the combustion of certain solid wastes; to prescribe the powers and duties of certain state and local agencies and officials; to impose certain charges on the disposal of solid waste in certain disposal areas; to provide for certain fees; to prescribe penalties; to make an appropriation; and to repeal certain acts and parts of acts," as amended by Act No. 209 of the Public Acts of 1987, being section 299.410 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 10 of Act No. 641 of the Public Acts of 1978, as amended by Act No. 209 of the Public Acts of 1987, being section 299.410 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 10. (1) Except as otherwise provided in section 22a, a person otherwise allowed under this act to own or operate a solid waste disposal area shall not establish a disposal area without a construction permit from the

director, contrary to an approved solid waste management plan, or contrary to a permit, license, or final order issued pursuant to this act. A person proposing the establishment of a disposal area shall make application for a construction permit to the director through the health officer on a form provided by the director. If the disposal area is located in a county or city that does not have a certified health department, the application shall be made directly to the director.

(2) The application for a construction permit shall contain the name and residence of the applicant, the location of the proposed disposal area, and other information considered necessary by the director. The application shall be accompanied by an engineering plan and a construction permit application fee. A construction application permit fee for a landfill shall be accompanied by a fee in an amount that is the sum of all of the applicable fees in this subsection:

(a) For a permitted site size of the following:

(i) Less than 5 acres:

(A) \$100.00 for a new permit application.

(B) \$25.00 for a renewal permit application.

(ii) 5 to 19 acres:

(A) \$170.00 for a new permit application.

(B) \$100.00 for a renewal permit application.

(iii) 20 to 79 acres:

(A) \$240.00 for a new permit application.

(B) \$150.00 for a renewal permit application.

(iv) 80 acres or more:

(A) \$320.00 for a new permit application.

(B) \$230.00 for a renewal permit application.

(b) For the estimated solid waste volume per day:

(i) Less than 50 cubic yards:

(A) \$60.00 for a new permit application.

(B) \$15.00 for a renewal permit application.

(ii) 50 to 100 cubic yards:

(A) \$80.00 for a new permit application.

(B) \$30.00 for a renewal permit application.

(iii) 101 to 700 cubic yards:

(A) \$100.00 for a new permit application.

(B) \$50.00 for a renewal permit application.

(iv) More than 700 cubic yards:

(A) \$130.00 for a new permit application.

(B) \$100.00 for a renewal permit application.

(c) For the nature of the solid waste:

(i) Residential:

(A) \$100.00 for a new permit application.

(B) \$50.00 for a renewal permit application.

(ii) Industrial or combination residential and industrial:

(A) \$125.00 for a new permit application.

(B) \$75.00 for a renewal permit application.

(d) For hydrogeological characteristics:

(i) Natural soil:

(A) \$40.00 for a new permit application.

(B) \$10.00 for a renewal permit application.

(ii) Compacted clay:

(A) \$70.00 for a new permit application.

(B) \$30.00 for a renewal permit application.

(iii) Synthetic liner:

(A) \$100.00 for a new permit application.

(B) \$70.00 for a renewal permit application.

(3) The application for a construction permit for a solid waste transfer facility or a solid waste processing plant shall be accompanied by a fee in an amount that is the sum of all of the applicable fees in this subsection:

(a) For a permitted site size of the following:

(i) Less than 5 acres:

(A) \$50.00 for a new permit application.

(B) \$15.00 for a renewal permit application.

(ii) 5 acres or more:

(A) \$100.00 for a new permit application.

(B) \$75.00 for a renewal permit application.

(b) For a building size of the following:

(i) Less than 500 square feet:

(A) \$50.00 for a new permit application.

(B) \$20.00 for a renewal permit application.

(ii) 500 to 1,000 square feet:

(A) \$100.00 for a new permit application.

(B) \$60.00 for a renewal permit application.

(iii) More than 1,000 square feet:

(A) \$150.00 for a new permit application.

(B) \$100.00 for a renewal permit application.

(c) For the nature of the solid waste:

(i) Residential:

(A) \$100.00 for a new permit application.

(B) \$30.00 for a renewal permit application.

(ii) Industrial or combination residential and industrial:

(A) \$150.00 for a new permit application.

(B) \$90.00 for a renewal permit application.

(d) For site characteristics:

(i) High site that is dry which has no groundwater or surface water problems:

(A) \$50.00 for a new permit application.

(B) \$10.00 for a renewal permit application.

(ii) Surface water on site:

(A) \$75.00 for a new permit application.

(B) \$30.00 for a renewal permit application.

(e) For the estimated solid waste volume per day:

(i) Less than 50 cubic yards:

(A) \$50.00 for a new permit application.

(B) \$25.00 for a renewal permit application.

(ii) 50 to 500 cubic yards:

(A) \$100.00 for a new permit application.

(B) \$75.00 for a renewal permit application.

(iii) More than 500 cubic yards:

(A) \$150.00 for a new permit application.

(B) \$125.00 for a renewal permit application.

(4) An applicant for a construction permit, within 6 months after a permit denial, may resubmit the application, together with the additional information as needed to address the reasons for denial, without being required to pay an additional application fee.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.

