

# SENATE BILL No. 795

March 11, 1992, Introduced by Senators DUNASKISS and BOUCHARD and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to regulate the dispersion of mercury in air emissions to protect the aquatic resources of this state and the public health and safety.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. As used in this act:

2       (a) "Department" means the department of natural resources.

3       (b) "Inland lake" means a lake within the jurisdiction of  
4 this state other than 1 of the Great Lakes.

5       (c) "Municipal solid waste incinerator" has the meaning  
6 given that term in the solid waste management act, Act No. 641 of  
7 the Public Acts of 1978, being sections 299.401 to 299.437 of the  
8 Michigan Compiled Laws.

9       Sec. 2. The legislature finds that:

1 (a) Mercury air emissions pose significant risk to the  
2 purity of the waters of this state and its aquatic life and  
3 thereafter to the public health and safety.

4 (b) That although mercury emissions may be controlled to the  
5 point of very low detectability within the air, the impact on the  
6 waters and aquatic life and the public health and safety are far  
7 more serious and uncontrollable.

8 (c) That the purity of the waters of this state, the abun-  
9 dance, health, and safety of its aquatic life, and the public  
10 health and safety are of paramount importance within this state.

11 Sec. 3. (1) Beginning on March 1, 1992, a permit to con-  
12 struct or install a municipal solid waste incinerator shall not  
13 be issued if the incinerator is located within a 6-mile radius of  
14 any portion of an inland lake in which any fish sample from the 6  
15 years preceding the application for the permit or license has had  
16 0.5 parts per million, or more, of mercury.

17 (2) In addition to the requirements of subsection (1), a  
18 permit to construct or install a municipal solid waste incinera-  
19 tor shall not be issued unless the applicant demonstrates to the  
20 satisfaction of the department that no adverse impact from mer-  
21 cury will be evident in an inland lake within a zone defined by  
22 the projected plume of emissions from the incinerator and a point  
23 not more than 12 miles from the incinerator.