



**House
Legislative
Analysis
Section**

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**AIR QUALITY PERMITS/FEES
AS ENROLLED**

**Senate Bill 46 (Substitute H-1)
Sponsor: Sen. Paul Wartner**

**Senate Bill 804 with House committee
amendments
Sponsor: Sen Christopher D. Dingell**

**Addendum to Senate Fiscal Agency
Analysis (11-10-93)**

**Senate Committee: Natural Resources &
Environmental Affairs
House Committee: Conservation,
Environment & Great Lakes**

***AN ADDENDUM TO THE SENATE FISCAL AGENCY ANALYSIS OF SENATE BILLS
804 AND 46 DATED 10-8-93***

The Senate Fiscal Agency analysis reflects the content of the bills as reported by the Senate Committee on Natural Resources and Environmental Affairs.

SENATE FLOOR ACTION:

Senate Bill 804 was amended by the Senate to:

- Sunset the bill's fee provisions on September 30, 1998; and
- Add a separate category for municipal electric generating facilities emitting 600 to 2,000 tons of pollutants and require only a flat facility fee of \$10,000. (Note: This amendment would result in an estimated loss of \$170,000 to the state air quality program.)

Senate Bill 46 was amended by the Senate to:

- Strike language (which is identical to language in House Bill 4865, to which Senate Bill 46 is tie-barred) that prohibits locating municipal solid waste incinerators within 1,000 feet of homes, schools, preschools, hospitals, and nursing homes;
- Rewrite the section allowing alternative emissions standards for the periods during which equipment malfunctions, starts up, or shuts down to require (instead of allow) the Department of Natural Resources to promulgate rules and to require the rules within 18 months of the bill's effective date; and
- Clarify when state or federal air toxics regulations would apply.

Senate Bills 46 and 804 (11-10-93)

HOUSE COMMITTEE ACTION:

The House Committee on Conservation, Environment and Great Lakes amended Senate Bill 804 to:

- Allow, rather than require, the Department of Natural Resources to approve an application from Wayne County to run its own air quality control program;
- Specify that if any of the funds raised through fees under the bill were used for any purposes other than those specified in the bill, no further fees could be collected until the money was returned to the emissions control fund; and
- Clarify that the prohibition (in House Bill 4865, to which Senate Bill 804 is tie-barred)) against locating municipal solid waste incinerators within 1,000 feet of homes, schools, preschools, hospitals, and nursing homes did not apply to existing incinerators.

The House committee adopted a Substitute H-1 for Senate Bill 46 that:

- Incorporates the amendments adopted on the floor of the Senate and
- Makes a number of technical changes, including correcting typographic errors and federal citations, changing awkward sentence structure, inserting cross-references, and changing references to reflect changes made in Senate Bill 804 and House Bill 4865.