



# HOUSE BILL No. 4374

February 25, 1993, Introduced by Reps. Willard, Palamara, Byrum, Gire, Rivers, Schroer, Cropsey, Wetters, Harder, Curtis, Freeman, Shepich, London, Joe Young, Jr., Dobronski, Wallace, Profit, Agee, DeMars, Varga, Gernaat, Olshove, Bobier, Goschka, Yokich, Rhead, Gilmer, Bullard, Barns, Brown, Berman, Rocca, Keith, McBryde, Jondahl and Pitoniak and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend Act No. 641 of the Public Acts of 1978,  
entitled as amended  
"Solid waste management act,"  
as amended, being sections 299.401 to 299.437 of the Michigan  
Compiled Laws, by adding section 13c.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 641 of the Public Acts of 1978, as  
2 amended, being sections 299.401 to 299.437 of the Michigan  
3 Compiled Laws, is amended by adding section 13c to read as  
4 follows:

5 SEC. 13C. (1) TO PROTECT THE PUBLIC HEALTH, SAFETY, AND  
6 WELFARE, AND THE ENVIRONMENT OF THIS STATE FROM SOLID WASTE SUCH  
7 AS TIRES, BATTERIES, YARD CLIPPINGS, USED OIL, AND SIMILAR WASTE  
8 PRODUCTS THE DISPOSAL OF WHICH IS RESTRICTED IN THIS STATE, AS  
9 SOON AS POSSIBLE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION THE

1 DEPARTMENT SHALL NOTIFY EACH STATE AND THE COUNTRY OF CANADA THAT  
2 DISPOSAL AREAS IN THIS STATE SHALL NOT ACCEPT WASTE THAT IS NOT  
3 GENERATED IN THIS STATE UNLESS THE DEPARTMENT CERTIFIES THAT THE  
4 GENERATING STATE OR COUNTRY HAS A SOLID WASTE DISPOSAL REGULATORY  
5 SYSTEM THAT IS AT LEAST AS STRINGENT AND PROTECTIVE OF THE PUBLIC  
6 HEALTH, SAFETY, AND WELFARE, AND THE ENVIRONMENT, IN TERMS OF  
7 WHAT WASTE IS ALLOWED IN THE WASTE STREAM, AS IS IN EXISTENCE IN  
8 THIS STATE. AS SOON AS POSSIBLE FOLLOWING THIS NOTIFICATION, THE  
9 DEPARTMENT SHALL COMPILE A LIST OF CERTIFIED STATES AND COUNTRIES  
10 THAT HAVE A SOLID WASTE DISPOSAL REGULATORY SYSTEM THAT MAKES  
11 THEM ELIGIBLE TO DISPOSE OF SOLID WASTE IN THIS STATE. A COUNTRY  
12 OR STATE THAT WISHES TO BE CERTIFIED BY THE DEPARTMENT MAY SUPPLY  
13 THE DEPARTMENT WITH DOCUMENTATION THAT SUPPORTS ITS CLAIM THAT IT  
14 HAS A REGULATORY SYSTEM THAT IS AT LEAST AS STRINGENT AND PROTEC-  
15 TIVE AS THIS STATE BY INCLUDING COPIES OF ALL PERTINENT STATUTES  
16 AND RULES. THE DEPARTMENT SHALL PREPARE AND PROVIDE A COPY TO  
17 EACH PERSON LICENSED TO OPERATE A DISPOSAL AREA OR MUNICIPAL  
18 SOLID WASTE INCINERATOR IN THIS STATE A LIST OF STATES AND COUN-  
19 TRIES THAT THE DEPARTMENT HAS CERTIFIED AS HAVING A REGULATORY  
20 SYSTEM FOR SOLID WASTE THAT IS AT LEAST AS STRINGENT AS THAT OF  
21 THIS STATE.

22 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), THE  
23 OWNER OR OPERATOR OF A DISPOSAL AREA SHALL NOT ACCEPT FOR DIS-  
24 POSAL IN THIS STATE SOLID WASTE OR MUNICIPAL SOLID WASTE INCINER-  
25 ATOR ASH THAT WAS GENERATED IN A STATE OR COUNTRY THAT IS NOT ON  
26 THE LIST PREPARED BY THE DEPARTMENT AS REQUIRED UNDER SUBSECTION  
27 (1).

1       (3) THIS SECTION DOES NOT PROHIBIT THE OWNER OR OPERATOR OF  
2 A DISPOSAL AREA FROM ACCEPTING HOMOGENEOUS SOLID WASTE MATERIALS  
3 OTHER THAN MUNICIPAL SOLID WASTE INCINERATOR ASH THAT WERE GENER-  
4 ATED OUTSIDE OF THIS STATE IF THOSE MATERIALS MEET THE REQUIRE-  
5 MENTS OF THIS STATE FOR DISPOSAL IN THE DISPOSAL AREA.