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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 4 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator Loren Bennett  
Committee: Natural Resources and Environmental Affairs

### **CONTENT**

The bill would amend Part 115 (Solid Waste Management) of the Natural Resources and Environmental Protection Act to prohibit solid waste haulers from transporting or disposing of within Michigan solid waste that was generated outside of the State. The bill also would prohibit solid waste disposal areas from accepting for disposal solid waste that was generated outside of Michigan. These prohibitions would not apply, however, unless the U.S. Congress enacted authorization for the states to regulate the transportation and disposal of solid waste, and would apply only to the extent and in a fashion authorized by Federal law.

The Department of Environmental Quality (DEQ) would be required to notify each state and Canada that disposal areas and incinerators in Michigan could not accept waste that was not generated in this State unless the DEQ certified that the generating state or country had a solid waste disposal regulatory system at least as stringent and protective of the public health, safety, and welfare, and the environment, as Michigan's system. The DEQ would have to compile a list of certified states and countries, and provide a copy of the list to each person licensed to operate a disposal area or municipal solid waste incinerator in this State. A person could not accept for disposal in Michigan solid waste or municipal solid waste incinerator ash generated in a state or country that was not on the list.

The bill would not prohibit the owner or operator of a disposal area from accepting homogeneous solid waste materials, other than municipal solid waste incinerator ash, that were generated outside of Michigan if those materials met the requirements of this State for disposal in the disposal area.

The bill specifies that if any provision of the bill or Part 115 were held to be invalid or unconstitutional, the holding would not affect the validity of the remaining provisions.

Proposed MCL 324.11514a

Legislative Analyst: S. Margules

### **FISCAL IMPACT**

The bill would have no fiscal impact on State government, and an indeterminate fiscal impact on local governments that charge a fee for solid waste disposed of in their jurisdiction.

Date Completed: 3-18-97

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.