

**SUBSTITUTE FOR  
SENATE BILL NO. 4**

(As amended March 18, 1997)

(1 of 2)

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 11514a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 11514A. (1) SUBJECT TO SUBSECTION (3), A SOLID WASTE  
2 HAULER SHALL NOT TRANSPORT OR DISPOSE OF SOLID WASTE WITHIN THIS  
3 STATE THAT WAS GENERATED OUTSIDE OF THIS STATE.

4        (2) SUBJECT TO SUBSECTION (3), A SOLID WASTE DISPOSAL AREA  
5 SHALL NOT ACCEPT FOR DISPOSAL SOLID WASTE THAT WAS GENERATED OUT-  
6 SIDE OF THIS STATE.

7        (3) SUBSECTIONS (1) AND (2) SHALL NOT APPLY UNLESS THE  
8 UNITED STATES CONGRESS ENACTS INTO LAW AUTHORIZATION FOR THE  
9 STATES TO REGULATE THE TRANSPORTATION AND DISPOSAL OF SOLID  
10 WASTE. SUBSECTIONS (1) AND (2) SHALL ONLY APPLY TO THE EXTENT  
11 AND IN A FASHION AUTHORIZED BY FEDERAL LAW.

(4) TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE, AND THE  
ENVIRONMENT OF THIS STATE FROM SOLID WASTE SUCH AS TIRES, BATTERIES,  
YARD CLIPPINGS, USED OIL, AND SIMILAR WASTE PRODUCTS THE DISPOSAL OF

WHICH IS RESTRICTED IN THIS STATE. AS SOON AS POSSIBLE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION THE DEPARTMENT SHALL NOTIFY EACH STATE AND THE COUNTRY OF CANADA THAT DISPOSAL AREAS AND INCINERATORS IN THIS STATE SHALL NOT ACCEPT WASTE THAT IS NOT GENERATED IN THIS STATE UNLESS THE DEPARTMENT CERTIFIES THAT THE GENERATING STATE OR COUNTRY HAS A SOLID WASTE DISPOSAL REGULATORY SYSTEM THAT IS AT LEAST AS STRINGENT AND PROTECTIVE OF THE PUBLIC HEALTH, SAFETY, AND WELFARE, AND THE ENVIRONMENT, IN TERMS OF WHAT WASTE IS ALLOWED IN THE WASTE STREAM, AS IS IN EXISTENCE IN THIS STATE. AS SOON AS POSSIBLE FOLLOWING THIS NOTIFICATION, THE DEPARTMENT SHALL COMPILE A LIST OF CERTIFIED STATES AND COUNTRIES THAT HAVE A SOLID WASTE DISPOSAL REGULATORY SYSTEM THAT MAKES THEM ELIGIBLE TO DISPOSE OF SOLID WASTE IN THIS STATE. A COUNTRY OR STATE THAT WISHES TO BE CERTIFIED BY THE DEPARTMENT MAY SUPPLY THE DEPARTMENT WITH DOCUMENTATION THAT SUPPORTS ITS CLAIM THAT IT HAS A REGULATORY SYSTEM THAT IS AT LEAST AS STRINGENT AND PROTECTIVE AS THIS STATE BY INCLUDING COPIES OF ALL PERTINENT STATUTES AND RULES. THE DEPARTMENT SHALL PREPARE AND PROVIDE A COPY TO EACH PERSON LICENSED TO OPERATE A DISPOSAL AREA OR MUNICIPAL SOLID WASTE INCINERATOR IN THIS STATE A LIST OF STATES AND COUNTRIES THAT THE DEPARTMENT HAS CERTIFIED AS HAVING A REGULATORY SYSTEM FOR SOLID WASTE THAT IS AT LEAST AS STRINGENT AS THAT OF THIS STATE.

(5) A PERSON SHALL NOT ACCEPT FOR DISPOSAL IN THIS STATE SOLID WASTE OR MUNICIPAL SOLID WASTE INCINERATOR ASH THAT WAS GENERATED IN A STATE OR COUNTRY THAT IS NOT ON THE LIST PREPARED BY THE DEPARTMENT AS REQUIRED UNDER SUBSECTION (4).

(6) THIS SECTION DOES 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 THIS STATE IF THOSE MATERIALS MEET THE REQUIREMENTS OF THIS STATE FOR DISPOSAL IN THE DISPOSAL AREA.

(7) IF ANY PROVISION OF THIS SECTION OR OF THIS PART IS FOR ANY REASON HELD TO BE INVALID OR UNCONSTITUTIONAL, THE HOLDING DOES NOT AFFECT THE VALIDITY OF THE REMAINING PROVISIONS OF THIS SECTION OR THIS PART.