

**SENATE BILL NO. 83**

January 26, 1999, Introduced by Senator DE BEAUSSAERT and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 11513a.

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

1        SEC. 11513A. (1) TO PROTECT THE PUBLIC HEALTH, SAFETY, AND  
2 WELFARE, AND THE ENVIRONMENT OF THIS STATE FROM SOLID WASTE SUCH  
3 AS TIRES, BATTERIES, YARD CLIPPINGS, USED OIL, AND SIMILAR WASTE  
4 PRODUCTS THE DISPOSAL OF WHICH IS RESTRICTED IN THIS STATE, AS  
5 SOON AS POSSIBLE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION THE  
6 DEPARTMENT SHALL NOTIFY EACH STATE AND THE COUNTRY OF CANADA THAT  
7 DISPOSAL AREAS AND INCINERATORS IN THIS STATE SHALL NOT ACCEPT  
8 WASTE THAT IS NOT GENERATED IN THIS STATE UNLESS THE DEPARTMENT  
9 CERTIFIES THAT THE GENERATING STATE OR COUNTRY HAS A SOLID WASTE  
10 DISPOSAL REGULATORY SYSTEM THAT IS AT LEAST AS STRINGENT AND  
11 PROTECTIVE OF THE PUBLIC HEALTH, SAFETY, AND WELFARE, AND THE

1 ENVIRONMENT, IN TERMS OF WHAT WASTE IS ALLOWED IN THE WASTE  
2 STREAM, AS IS IN EXISTENCE IN THIS STATE. AS SOON AS POSSIBLE  
3 FOLLOWING THIS NOTIFICATION, THE DEPARTMENT SHALL COMPILE A LIST  
4 OF CERTIFIED STATES AND COUNTRIES THAT HAVE A SOLID WASTE DIS-  
5 POSAL REGULATORY SYSTEM THAT MAKES THEM ELIGIBLE TO DISPOSE OF  
6 SOLID WASTE IN THIS STATE. A COUNTRY OR STATE THAT WISHES TO BE  
7 CERTIFIED BY THE DEPARTMENT MAY SUPPLY THE DEPARTMENT WITH DOCU-  
8 MENTATION THAT SUPPORTS ITS CLAIM THAT IT HAS A REGULATORY SYSTEM  
9 THAT IS AT LEAST AS STRINGENT AND PROTECTIVE AS THIS STATE BY  
10 INCLUDING COPIES OF ALL PERTINENT STATUTES AND RULES. THE  
11 DEPARTMENT SHALL PREPARE AND PROVIDE A COPY TO EACH PERSON  
12 LICENSED TO OPERATE A DISPOSAL AREA OR MUNICIPAL SOLID WASTE  
13 INCINERATOR IN THIS STATE A LIST OF STATES AND COUNTRIES THAT THE  
14 DEPARTMENT HAS CERTIFIED AS HAVING A REGULATORY SYSTEM FOR SOLID  
15 WASTE THAT IS AT LEAST AS STRINGENT AS THAT OF THIS STATE.

16 (2) A PERSON SHALL NOT ACCEPT FOR DISPOSAL IN THIS STATE  
17 SOLID WASTE OR MUNICIPAL SOLID WASTE INCINERATOR ASH THAT WAS  
18 GENERATED IN A STATE OR COUNTRY THAT IS NOT ON THE LIST PREPARED  
19 BY THE DEPARTMENT AS REQUIRED UNDER SUBSECTION (1).

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