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Senate Bill 11 (Substitute S-3 as reported)

Sponsor: Senator Gary Peters

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 55 (Air Pollution Control) of the Natural Resources and Environmental Protection Act to do the following:

- Require the Department of Environmental Quality (DEQ) to submit to the Legislature a report reviewing and ranking medical waste disposal methods.
- Prohibit the DEQ from issuing a permit for a medical waste incinerator facility until 180 days after the report was submitted.
- Specify air pollution emission levels for a medical waste incinerator.

Specifically, the bill would require the DEQ to provide a report reviewing all the methods for disposal of medical waste and ranking these methods based on their effect on the environment. Within 18 months after the bill's effective date, the DEQ would have to submit the report to the standing committees of the Legislature with primary responsibility for environmental quality issues.

The bill also would prohibit the DEQ from issuing a construction permit or renewing an operating permit for a facility that incinerated medical waste, beginning on the bill's effective date and until 180 days after the report was submitted.

Under the Act, the DEQ must promulgate rules to regulate facilities that incinerate medical waste. These rules must cover areas such as incinerator design and operation, ash handling and quality, stack design, receiving medical waste from outside generators, performance monitoring and testing, inspection and maintenance, and air pollution control. The bill provides that for air pollution control, at a minimum, the rules would have to limit emissions of each pollutant to the average emission levels achieved by the best performing 12% of medical waste incinerators in the United States, as specified in Section 129(a)(2) of the Federal Clean Air Act. Notwithstanding any provision of the rules to the contrary, however, the emission levels could not exceed those specified in a construction permit for a medical waste incinerator that was in effect on the bill's effective date if those emission levels were more stringent than the emission levels specified in the rules.

MCL 324.5504

Legislative Analyst: Nobuko Nagata

FISCAL IMPACT

The bill would result in an indeterminate, but nominal increase in the DEQ's administrative costs. The increase probably could be absorbed within existing resources.

Date Completed: 3-5-02

Fiscal Analyst: Pam Graham