

SENATE BILL No. 146

February 6, 2001, Introduced by Senators DE BEAUSSAERT, SMITH, PETERS, CHERRY, STEIL, MILLER, BYRUM and DINGELL 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) IN ORDER TO PROTECT THE PUBLIC HEALTH,
2 SAFETY, AND WELFARE, AND THE ENVIRONMENT OF THIS STATE FROM SOLID
3 WASTE SUCH AS TIRES, BATTERIES, YARD CLIPPINGS, USED OIL, AND
4 SIMILAR WASTE PRODUCTS, THE DISPOSAL OF WHICH IS RESTRICTED IN
5 THIS STATE, THE DEPARTMENT SHALL DO BOTH OF THE FOLLOWING:
6 (A) AS SOON AS POSSIBLE FOLLOWING THE EFFECTIVE DATE OF THIS
7 SECTION, NOTIFY EACH STATE AND THE COUNTRY OF CANADA THAT DIS-
8 POSAL AREAS AND INCINERATORS IN THIS STATE WILL NOT ACCEPT WASTE
9 THAT IS NOT GENERATED IN THIS STATE UNLESS THE DEPARTMENT
10 CERTIFIES THAT THE GENERATING STATE OR COUNTRY HAS A SOLID WASTE
11 DISPOSAL REGULATORY SYSTEM THAT IS AT LEAST AS STRINGENT AND

1 PROTECTIVE OF THE PUBLIC HEALTH, SAFETY, AND WELFARE, AND THE
2 ENVIRONMENT, IN TERMS OF WHAT WASTE IS ALLOWED IN THE WASTE
3 STREAM, AS IS IN EXISTENCE IN THIS STATE.

4 (B) AS SOON AS POSSIBLE FOLLOWING THE NOTIFICATION UNDER
5 SUBDIVISION (A), COMPILE A LIST OF CERTIFIED STATES AND COUNTRIES
6 THAT HAVE A SOLID WASTE DISPOSAL REGULATORY SYSTEM THAT MAKES
7 THEM ELIGIBLE TO DISPOSE OF SOLID WASTE IN THIS STATE.

8 (2) A COUNTRY OR STATE THAT WISHES TO BE CERTIFIED BY THE
9 DEPARTMENT UNDER SUBSECTION (1) MAY SUPPLY THE DEPARTMENT WITH
10 DOCUMENTATION THAT SUPPORTS ITS CLAIM THAT IT HAS A REGULATORY
11 SYSTEM THAT IS AT LEAST AS STRINGENT AND PROTECTIVE AS THIS STATE
12 BY INCLUDING COPIES OF ALL PERTINENT STATUTES AND RULES.

13 (3) THE DEPARTMENT SHALL PREPARE, AND PROVIDE TO EACH PERSON
14 LICENSED TO OPERATE A DISPOSAL AREA OR MUNICIPAL SOLID WASTE
15 INCINERATOR IN THIS STATE A COPY OF, A LIST OF STATES AND COUN-
16 TRIES THAT THE DEPARTMENT HAS CERTIFIED UNDER THIS SECTION AS
17 HAVING A REGULATORY SYSTEM FOR SOLID WASTE THAT IS AT LEAST AS
18 STRINGENT AS THAT OF THIS STATE.

19 (4) A PERSON SHALL NOT ACCEPT FOR DISPOSAL IN THIS STATE
20 SOLID WASTE OR MUNICIPAL SOLID WASTE INCINERATOR ASH THAT WAS
21 GENERATED IN A STATE OR COUNTRY THAT IS NOT ON THE LIST PREPARED
22 BY THE DEPARTMENT AS REQUIRED UNDER SUBSECTION (3).

23 (5) THIS SECTION DOES NOT PROHIBIT THE OWNER OR OPERATOR OF
24 A DISPOSAL AREA FROM ACCEPTING HOMOGENEOUS SOLID WASTE MATERIALS
25 OTHER THAN MUNICIPAL SOLID WASTE INCINERATOR ASH THAT WERE GENER-
26 ATED OUTSIDE OF THIS STATE IF THOSE MATERIALS MEET THE
27 REQUIREMENTS OF THIS STATE FOR DISPOSAL IN THE DISPOSAL AREA.