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House Bill 5234 (Substitute H-1 as reported without amendment)
Sponsor: Representative Daniel Acciavatti
House Committee: Land Use and Environment
Senate 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 the owner or operator of a landfill from accepting for disposal in this State solid waste, including municipal solid waste incinerator ash, that was generated outside of Michigan, unless one or more of the following were met:

- The solid waste was composed of a uniform type of item, material, or substance, other than municipal solid waste incinerator ash, that met the requirements for disposal in a landfill under Part 115 and the rules promulgated under it.
- The solid waste was received through a material recovery facility, a transfer station, or another facility that documented that it had removed from the waste being delivered to the landfill those items prohibited from disposal in a landfill.
- The country, state, province, or local jurisdiction in which the solid waste was generated was approved by the DEQ for inclusion on the list compiled by the Department under Section 11526b (which Senate Bill 502 (H-2) would add).

This prohibition would apply beginning October 1, 2004.

In addition, the bill provides that, if there were sufficient disposal capacity for a county's disposal needs in or within 150 miles of the county, all of the following would apply:

- The county would not be required to identify a site for a new landfill in its solid waste management plan.
- An interim siting mechanism would not become operative in the county unless the county board of commissioners determined otherwise.
- The DEQ would not be required to issue a construction permit for a new landfill in the county.

The bill is tie-barred to Senate Bill 502 and House Bill 5235.

MCL 324.11526a

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

Landfill owners pay a construction permit fee ranging from \$250 to \$1,500 for new or expansion projects. The proposed limitations on such landfill projects would result in less revenue to the Solid Waste Management Fund since fewer permit applications would be approved. The bill also could have a long-term impact on the disposal capacity in the State. The other provisions of the bill would have no direct fiscal impact on State or local government.

Date Completed: 2-26-04

Fiscal Analyst: Jessica Runnels

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Analysis available @ <http://www.michiganlegislature.org>

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.