

HOUSE BILL No. 4686

May 15, 2003, Introduced by Reps. Ruth Johnson, LaJoy, DeRossett, Brandenburg, Ward, Farrah, Kooiman, Voorhees, Amos, Acciavatti, Stahl, Palmer, Meyer, Rocca, Caul, Vander Veen and Gielegem and referred to the Committee on Land Use and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 11507a (MCL 324.11507a), as added by 1996 PA
359, and by adding section 11513a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11507a. ~~—(1)—~~ The owner or operator of a landfill
2 shall annually submit ~~a report~~ to the ~~state~~ **department** and to
3 the county and municipality in which the landfill is located
4 ~~that contains information~~ **a report** on the amount of solid waste
5 received by the landfill during the year itemized, to the extent
6 possible, by county, state, or country **and province** of origin.

7 ~~(2) By September 1, 1996, the department shall develop and~~
8 ~~submit to the legislature a plan to gather data on the amount of~~
9 ~~recyclable materials recovered in the state itemized, to the~~
10 ~~extent possible, by county, state, or country of origin.~~

1 Sec. 11513a. (1) As soon as possible after this section
2 takes effect, the department shall notify each state, the country
3 of Canada, and each province of Canada that landfills in this
4 state will not accept solid waste that was generated in another
5 state or a province of Canada unless 1 or both of the following
6 apply:

7 (a) The department certifies that there is in effect in the
8 generating state or province a solid waste disposal regulatory
9 system that is at least as stringent and protective of the public
10 health, safety, and welfare and the environment, in terms of what
11 waste is allowed in the waste stream, as this act and rules
12 promulgated under this act.

13 (b) The solid waste has been delivered to a solid waste
14 transfer facility where any waste that is not allowed in the
15 waste stream under this act or rules promulgated under this act
16 has been removed.

17 (2) As soon as possible following the notification under
18 subsection (1), the department shall compile a list of states and
19 provinces that are certified under subsection (1)(a). A state or
20 province may supply the department with documentation that
21 supports its certification, including copies of all pertinent
22 statutes and rules.

23 (3) In compiling the list under subsection (2), the
24 department shall consider any state or province included in any
25 landfill's annual reports under section 11507a or believed by the
26 department to generate solid waste disposed of in any landfill in
27 this state.

1 (4) The department shall update the list under subsection
2 (2) as necessary, including when requested by any person who
3 wishes to dispose of, in a landfill in this state, solid waste
4 generated in a state or province not considered by the department
5 in compiling the current list.

6 (5) The department shall provide a copy of the list compiled
7 under subsection (2) to each person licensed to operate a
8 landfill in this state and any other person who requests it.

9 (6) The owner or operator of a landfill in this state shall
10 not accept for disposal at that disposal area solid waste that
11 was generated in another state or a province of Canada unless 1
12 or both of the following apply:

13 (a) The state or province is on the list compiled by the
14 department under subsection (2).

15 (b) The hauler presents documentation acceptable to the
16 department that the solid waste was delivered to a solid waste
17 transfer facility where any waste that is not allowed in the
18 waste stream under this act or rules promulgated under this act
19 was removed.

20 (7) This section does not prohibit the owner or operator of
21 a landfill from accepting homogeneous solid waste materials other
22 than municipal solid waste incinerator ash that were generated
23 outside of this state if those materials meet the requirements of
24 this state for disposal in the disposal area.

25 (8) The department may promulgate rules to implement this
26 section.