

EXEMPT CERTAIN AUTOMOTIVE SURFACE COATING PRODUCTS FROM HAZARDOUS WASTE RULES; ELIMINATE BATTERY REGULATIONS

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House Bill 6636 (Substitute H-1)

Sponsor: Rep. David Palsrok

Committee: Natural Resources, Great Lakes, Land Use, and Environment

Complete to 11-29-06

A SUMMARY OF HOUSE BILL 6636 (PROPOSED SUBSTITUTE H-1)

The bill (H-1 Substitute) would amend Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act (NREPA) to do the following:

- Eliminate the current language of Section 11105a which adopts by reference federal standards for universal waste management pertaining to batteries, 40 CFR 273.1 to 273.81, part 273 (May 11, 1995).
- Adopt by reference 40 CFR 264.1050(h) and 40 CFR 265.1050(g) as exceptions to the requirements of rules promulgated under Part 111, Hazardous Waste Management, of the Act. This would appear to exempt certain purged coatings and solvents used for the surface coating of automobiles and light-duty trucks from rules promulgated under Part 111 of NREPA.
- Require the Department of Environmental Quality (DEQ) to promulgate a rule incorporating 40 CFR 264.1050(h) and 40 CFR 265.1050(g) by reference within one year of the bill's effective date, pursuant to the Administrative Procedures Act of 1969.
- Contain a sunset provision that would repeal the section after two years.

The waste management regulations pertaining to batteries that the bill would eliminate can be found at:

<http://frwebgate5.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=822205223930+13+0+0&W AISaction=retrieve>

The regulations that the bill would adopt are provided below.

40 CFR 264.1050(h):

Purged coatings and solvents from surface coating operations subject to the national emission standards for hazardous air pollutants (NESHAP) for the surface coating of automobiles and light-duty trucks at 40 CFR part 63, subpart IIII, are not subject to the requirements of this subpart.

40 CFR 265.1050(g):

Purged coatings and solvents from surface coating operations subject to the national emission standards for hazardous air pollutants (NESHAP) for the surface coating of automobiles and light-duty trucks at 40 CFR part 63, subpart IIII, are not subject to the requirements of this subpart.

MCL 324.11105a

FISCAL IMPACT:

This bill would not have a fiscal impact on the state or on local governmental units.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.