

SENATE BILL No. 90

January 26, 2005, Introduced by Senators BISHOP, BERNERO, GILBERT, GOSCHKA, OLSHOVE, STAMAS and TOY 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,"
by amending section 11507a (MCL 324.11507a), as amended by 2004 PA
39.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

1 **(A) THE** amount of remaining disposal capacity at the landfill.
2 Remaining disposal capacity shall be calculated as the permitted
3 capacity less waste in place for any area that has been constructed
4 and is not yet closed plus the permitted capacity for each area
5 that has a permit for construction under this part but has not yet
6 been constructed. The report shall be submitted on a form provided
7 by the department within 45 days following the end of each state
8 fiscal year.

9 **(B) EACH COUNTY OF THIS STATE, EACH STATE, AND EACH COUNTRY**
10 **FROM WHICH ORIGINATED SOLID WASTE RECEIVED BY THE LANDFILL DURING**
11 **THE YEAR.**

12 **(C) THE TOTAL AMOUNT OF SOLID WASTE RECEIVED BY THE LANDFILL**
13 **DURING THE YEAR AND, TO THE EXTENT POSSIBLE, THE AMOUNT ORIGINATING**
14 **FROM EACH COUNTY, STATE, OR COUNTRY IDENTIFIED UNDER SUBDIVISION**
15 **(A) .**

16 **(D) WHETHER THE LANDFILL WILL ESTABLISH, OR MAINTAIN, AND**
17 **ENFORCE A LANDFILL POLICY THAT PROHIBITS RECEIVING WASTE FROM ANY**
18 **OTHER STATE OR COUNTRY IN THE FOLLOWING YEAR.**

19 (2) By January 31 of each year, the department shall submit to
20 the legislature a report summarizing the information obtained under
21 subsection (1).

22 **(3) IF A LANDFILL REPORTS THAT IT WILL ENFORCE A POLICY**
23 **DESCRIBED IN SUBSECTION (1) (D), THE LANDFILL SHALL MAKE A**
24 **REASONABLE EFFORT TO ENFORCE THE POLICY.**

25 **(4) THE DEPARTMENT SHALL ANNUALLY COMPILE A LIST OF LANDFILLS**
26 **THAT REPORT THEY WILL ENFORCE A POLICY DESCRIBED IN SUBSECTION**
27 **(1) (D) . THE DEPARTMENT SHALL PUBLISH THE LIST, POST THE LIST ON ITS**

1 WEBSITE, AND MAKE THE LIST AVAILABLE TO ANY PERSON UPON REQUEST.

2 (5) A DEPARTMENT OR AGENCY OF THIS STATE; A CITY, VILLAGE, OR
3 TOWNSHIP; A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT; OR AN
4 AUTHORITY CREATED PURSUANT TO STATE LAW SHALL NOT ENTER INTO A
5 CONTRACT FOR THE DISPOSAL OF SOLID WASTE UNLESS THE SOLID WASTE
6 WILL BE DISPOSED OF AT A LANDFILL THAT, AT THE TIME THE CONTRACT IS
7 ENTERED INTO, IS ON THE LIST DESCRIBED IN SUBSECTION (4).

8 (6) THE DIRECTOR MAY PROMULGATE RULES TO IMPLEMENT THIS
9 SECTION.