

Reps. Acciavatti, Palsrok, Mortimer, Robertson, Rocca, Palmer, Pavlov, Accavitti, Miller, Taub, Brandenburg, Sheen, Vander Veen, Walker, Jones, Steil, Schuitmaker, LaJoy, Stahl, Proos, David Law, Stakoe, Newell, Emmons, Meyer, Nitz, Nofs, Farhat, Marleau, Hune, Moore, Pearce, Hildenbrand, Gaffney, Booher, Caswell, Caul, Ball, Kahn, Huizenga, Wenke, Gosselin, Casperson, Baxter, Shaffer, Hansen and Elsenheimer offered the following resolution:

House Resolution No. 100.

A resolution to memorialize the Congress of the United States to enact the International Solid Waste Importation and Management Act of 2005 to permit states to regulate the importation of foreign municipal solid waste.

Whereas, For many years, Michigan has wrestled with finding the best strategies to manage solid waste to protect our environment and achieve the highest standards of health and safety. This formidable task has been made more challenging by the United States Supreme Court ruling in the 1992 *Fort Gratiot Sanitary Landfill v Michigan Department of Natural Resources* case. The Supreme Court determined that states could not regulate or ban the importation of solid waste and that only Congress has the authority to regulate interstate commerce; and

Whereas, Michigan has been especially frustrated by increasing volumes of imported trash. Fully one-fourth of all trash dumped in landfills in Michigan originates from outside of the state, including 18 percent that comes from Canada. While the amount of out-of-state waste coming into Michigan continues to increase, Michigan-generated waste declined by two percent in 2004. Accepting unlimited volumes of trash from Canada and other states requires a long-term commitment to monitor sites to protect human health and the environment; and

Whereas, A bill to allow states more control over foreign waste imports has been reported by the United States House of Representatives Energy and Commerce Subcommittee on Environmental and Hazardous Waste. Under this bill, H.R. 2491, the United States Environmental Protection Agency would be required to enforce the 1986 *Agreement Concerning the Transboundary Movement of Hazardous Waste* between the United States and Canada and give considerable deference to the desire of state governments as to whether to allow importation of foreign solid waste; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the International Solid Waste Importation and Management Act of 2005 to permit states to regulate the importation of foreign municipal solid waste; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.