

RECYCLING REPORTS AND SOLID WASTE PLANS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4484

Sponsor: Rep. Rebekah Warren

Committee: Great Lakes and Environment

Complete to 6-13-07

A SUMMARY OF HOUSE BILL 4484 AS INTRODUCED 3-20-07

The bill would amend Part 115 of the Natural Resources and Environmental Protection Act in numerous ways, including:

- Revising the requirements of the annual solid waste report submitted by landfill owners or operators to the Department of Environmental Quality (DEQ), counties, and municipalities, making the report due 30 days after the end of the fiscal year, instead of 45, and including an update on the "landfill disposal capacity."
- Requiring persons accepting recyclable materials to submit an annual report to the counties in which they operate.
- Requiring counties to submit an annual report to the DEQ summarizing the information received from persons accepting recyclables and making sure that the same materials are not counted more than once.
- Revising the information required to be in a county solid waste plan before it can be approved by the DEQ.
- Providing for grants to "designated planning agencies" (rather than counties or "regional solid waste management planning agencies"), and eliminating a reference to a grant program for certified health departments.

More detail is provided below.

Solid waste report from landfill owners or operators to DEQ. [Section 11507a(1)] A landfill owner or operator would have to submit an annual solid waste report, on a DEQ form, to the DEQ and to the county and municipality in which the landfill is located within **30** days (instead of the current 45) after end of the state fiscal year. [The state fiscal year ends on September 30.] The landfill owner or operator would have to provide an update as to its "landfill disposal capacity" in the report, rather than "remaining landfill disposal capacity," and the current definition of "remaining landfill capacity" would be deleted. [Note: "landfill disposal capacity" is defined in House Bill 4485. Section 11507a would also be amended by House Bill 4486. Both bills passed the House on 5-3-07.]

Recycling report to counties. [Section 11507a(3)] A person who accepts recyclable materials (collected curbside, at drop-off points, or directly from businesses) would have to submit a report to the county in which the person operates by October 31 of each year, on a DEQ form, with the following information:

- The amount of each type of recyclable material received during the previous state fiscal year, by county, state, or country of origin.
- The name and location of the facility to which the materials are being sent.

County report to DEQ of each year. [Section 11507a(4)] By February 28 of each year, each county would have to submit to the DEQ, on a DEQ form, a report setting forth the information the county has received from the reports filed by persons accepting recyclable materials in that county. The county would have to evaluate the recycling data it receives to ensure that the same materials are not counted more than once.

Requirements of county solid waste plans. [Section 11539] The DEQ director could not approve a solid waste plan under Section 11539 unless it contains an analysis of the "best information applicable to the plan area" (derived from required reports and any other sources consistent with those reports) as to recyclable materials and the following (amounts to be reported "in tons and a conversion factor to cubic yards"):

- The amount of each type of material in the plan area's waste stream that may be recycled or composted.
- The amount of waste generated annually per capita and a projection of future waste generation.
- The amount of each type of material that was recycled and composted within the county each year since the last plan update.
- The amount of municipal solid waste generated in the county each year since the last plan update that was disposed of in a landfill or incinerator located in the county.
- The amount of municipal solid waste generated in the county each year since the last plan update that was disposed of in a landfill or incinerator in another county.
- The amount of material processed in the county, including organic material and curbside and drop-off collected material.

Other new or revised requirements of solid waste plans would include:

- Identification of facilities within and outside of Michigan that are processing residential materials collected in the county and the volumes processed at each of those facilities.
- A description of the methods used for recycling and composting recyclable materials from the plan area's waste stream. (Currently, the plan may either provide for recycling and composting or establish that recycling and composting is not necessary or feasible or is only necessary or feasible to a limited extent.)
- An explanation of how the designated planning agency is using a comprehensive planning system that reflects the state's solid waste policy under Section 11541(1) and, if such a system being used, how the designated planning agency will make progress in implementing such a system.
- A description of how and by how much the county will increase solid waste diversion over the five-year plan period.

- Copies of "enforceable mechanisms" such as annual disposal caps or written agreements between a county and a disposal facility showing that disposal capacity is available to the county.
- Copies of all "host community agreements" between disposal facilities and the county or municipalities within the county.

Grants. Section 11547, which provides for grants to assist with solid waste planning duties, would be amended to make grants available to designated planning agencies (instead of counties or "regional solid waste management planning agencies.") Section 11547(2), which provides for an annual appropriation from the general fund to provide financial assistance to certified health departments, would be deleted.

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Shannan Kane
Fiscal Analyst: Kirk Lindquist

■ 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.