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BILL ANALYSIS

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Senate Bill 1564 (Substitute S-1 as reported)  
Sponsor: Senator Patricia L. Birkholz  
Committee: Natural Resources and Environmental Affairs

## **CONTENT**

The bill would amend Part 111 (Hazardous Waste Management) of the Natural Resources and Environmental Protection Act to do the following:

- Repeal certain provisions pertaining to a permit required to construct a facility for the treatment, storage, or disposal of hazardous waste; and establish similar provisions with regard to a license to operate such a facility.
- Eliminate boards appointed to review construction permit applications.
- Require regulatory fees from operating license applications to be deposited into the Environmental Pollution Prevention Fund, rather than the General Fund.
- Require documentation following the construction of a facility, and authorize the Department of Natural Resources and Environment (DNRE) to revoke or modify an operating license if construction had deviated from approved plans.
- Require the owner or operator of a proposed treatment and storage facility with a multisource commercial hazardous waste disposal well to give the DNRE a business plan for the well operations in an operating license application.

MCL 324.11102 et al.

Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

Overall, the bill would likely have little net effect on revenue to the State. Some small, indeterminate amount of revenue would be lost as the Department would no longer collect fees for the permitted site size of surface impoundment, land treatment, and waste pile facilities and other treatment or storage facilities, the projected daily waste volume of those facilities and landfills, and the hydrogeological characteristics of those facilities and landfills. More significantly, under the bill, application fees collected under Section 11123 for an operating license would be credited to the Environmental Pollution Prevention Fund (EPPF). Currently, fees are credited to the General Fund. Because the amount collected would depend on how many applications the Department received, it is unknown how much additional revenue the EPPF would receive under the bill. For FY 2010-11, \$1,576,700 is appropriated from the EPPF, and the Fund is projected to have a year-end balance of about \$1.1 million for FY 2009-10.

The bill would likely result in some increased cost to the Department. The bill would abolish the site review board, which currently reviews hazardous waste facility permits. Those responsibilities would fall on the Department. The costs of the site review board are currently paid by the fees charged to permit holders. These fees would still be charged under the bill; however, for the Department to use this fee revenue to fund the application process, the Legislature would need to make an appropriation for that purpose.

Date Completed: 11-10-10

Fiscal Analyst: Josh Sefton