

HOUSE BILL No. 5049

June 9, 2009, Introduced by Reps. Kennedy, Roberts, Ebli, Tlaib, Cushingberry, Simpson, Constan, Liss, Barnett, Slavens, Nathan, Lisa Brown, Kandrevas, Young, Durhal, Jackson, Polidori, Leland, Womack, Geiss, Bledsoe, Scripps and Meadows and referred to the Committee on Great Lakes and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 11529 (MCL 324.11529), as amended by 1996 PA
358.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11529. (1) A disposal area that is a solid waste transfer
2 facility is not subject to the construction permit and operating
3 license requirements of this part if ~~either~~ **BOTH** of the following
4 ~~circumstances exists~~ **CONDITIONS ARE MET:**

5 (a) The solid waste transfer facility ~~is not designed to~~
6 ~~accept wastes from vehicles with mechanical compaction devices~~
7 **ACCEPTS UNCOMPACTED SOLID WASTE ONLY.**

8 (b) The solid waste transfer facility accepts less than 200

1 ~~uncompacted~~ cubic yards **OF SOLID WASTE** per day.

2 (2) A solid waste transfer facility that, **UNDER SUBSECTION**
3 **(1)**, is exempt from the construction permit and operating license
4 requirements of this part ~~under subsection (1)~~ shall **NEVERTHELESS**
5 comply with the operating requirements of this part and the rules
6 promulgated under this part.

7 (3) Except as provided in subsection (5), a disposal area that
8 is an incinerator may, but is not required to, comply with the
9 construction permit and operating license requirements of this part
10 if both of the following conditions are met:

11 (a) The operation of the incinerator does not result in the
12 exposure of any solid waste to the atmosphere ~~and~~ **OR** the elements.

13 (b) The incinerator has a permit issued under part 55.

14 (4) A disposal area that is an incinerator ~~that~~ **AND THAT, AS**
15 **AUTHORIZED UNDER SUBSECTION (3)**, does not comply with the
16 construction permit and operating license requirements of this part
17 ~~as permitted in subsection (3)~~ is subject to the planning
18 provisions of this part and must be included in the county solid
19 waste management plan for the county in which the incinerator is
20 located.

21 (5) A disposal area that is a municipal solid waste
22 incinerator ~~that is~~ designed to burn at a temperature in excess of
23 2500 degrees Fahrenheit is not subject to the construction permit
24 requirements of this part.