

SENATE BILL No. 1436

July 28, 2010, Introduced by Senator McMANUS 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 11715 (MCL 324.11715), as amended by 2004 PA
381.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11715. (1) This part does not preempt an ordinance of a
2 governmental unit that prohibits the application of septage waste
3 to land within that governmental unit or otherwise imposes stricter
4 requirements than this part.

5 (2) If a governmental unit requires that all septage waste
6 collected in that governmental unit be disposed of in a receiving
7 facility or prohibits, or effectively prohibits, the application of
8 septage waste to land within that governmental unit, the

1 governmental unit shall make available a receiving facility that
2 ~~can~~ **MEETS BOTH OF THE FOLLOWING REQUIREMENTS:**

3 **(A) IS LOCATED WITHIN THAT LOCAL GOVERNMENTAL UNIT.**

4 **(B) CAN** lawfully accept, **AND HAS THE CAPACITY TO ACCEPT,** all
5 septage waste generated within that governmental unit that is not
6 lawfully applied to land.

7 (3) The owner or operator of a receiving facility may require
8 the posting of a surety, including cash in an escrow account or a
9 performance bond, not exceeding \$25,000.00 to dispose of septage
10 waste in the receiving facility.