

Legislative Analysis



PROHIBIT DEQ FROM PROMULGATING RULES BANNING BURNING OF HOUSEHOLD WASTE

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House Bill 4207

Sponsor: Rep. Kenneth Kurtz

Committee: Natural Resources, Tourism, and Outdoor Recreation

Complete to 2-25-11

A SUMMARY OF HOUSE BILL 4207 AS INTRODUCED 2-8-11

The bill would prohibit the Department of Environmental Quality from promulgating rules to prohibit the open burning of household waste from a one-family or two-family dwelling at the location of the dwelling. The bill would amend Section 5512 of the Natural Resources and Environmental Protection Act (NREPA).

Under Section 5512, generally speaking, the DEQ is required to promulgate rules addressing air pollution and air quality and to comply with the federal Clean Air Act.

MCL 324.5512

FISCAL IMPACT:

The bill would have no significant fiscal impact to the Department of Environmental Quality. As of February of 2011, the Department has no rule in place that would ban the open burning of household waste as referenced in House Bill 4207. However, such a rule is currently being developed and is now in the final stages of the rule-making process.

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