

COLLECTION AND STORAGE OF DIVERTED WASTE

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House Bill 5798

Sponsor: Rep. Andrea LaFontaine

Committee: Regulatory Reform

Complete to 9-11-12

A SUMMARY OF HOUSE BILL 5798 AS INTRODUCED 8-15-12

The bill would amend Part 115 (Solid Waste Management) of the Natural Resources and Environmental Protection Act to establish new guidelines for the collection and storage of diverted waste through waste diversion centers.

According to the Department of Environmental Quality (DEQ), sites that currently collect diverted waste prior to disposal are regulated under Part 115 as transfer facilities. As a result, these sites have to be authorized in county solid waste management plans and may require permits and licenses. Local waste collection events (including those for hazardous wastes and unused medications) are likely to be in violation of state law because the sites are not recognized as transfer facilities in the county plan and wastes are not disposed of in authorized facilities. The bill is intended to remove obstacles to allow for better methods of collecting unused medications and hazardous household waste that would otherwise be sent to a landfill.

Specifically, the bill would establish new requirements for waste diversion center operators, including:

- At least 90% (by volume) of the material collected at the center must be diverted waste to be managed at the diversion center.
- The diversion center must be operated by employees that are knowledgeable about safe management practices for the types of waste accepted at the diversion center.
- Diverted waste must be managed in a way that prevents a release to the environment.
- The operator cannot store diverted waste at the diversion center overnight except in a secure, contained facility.
- The diversion center must transport the waste to a diversion center, recycling center, or disposal facility that is in compliance with the act for processing, recycling, or disposal within one year of collection.
- Operators could not process diverted waste except as necessary for safe and efficient transportation.
- Operators must record the types and quantities of diverted wastes that are collected, the period of storage, and where the waste was transferred, processed, recycled, or disposed of. Records must be maintained for three years and must be made available to the DEQ, upon request.

"Diverted waste" would mean waste that is generated by households or businesses that can lawfully be disposed of at a licensed sanitary landfill or municipal solid waste incinerator, be separate from other waste, and be at least one of the following: hazardous or liquid waste; pharmaceuticals; electronics; batteries; light bulbs; pesticides; thermostats, thermometers, or other devices containing mercury; medical waste; or other wastes that are approved by the DEQ that can be readily separated from solid waste.

"Waste diversion centers" would be excluded from the definition of disposal areas and would mean a facility established for the purpose of collecting diverted wastes and located in an area that is not zoned residential.

MCL 324.11503 and 324.11506

FISCAL IMPACT:

House Bill 5798 would have no significant fiscal impact on the Department of Environmental Quality.

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■ 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.