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House Bill 4578 (as passed by the House)

Sponsor: Representative Ken Goike

House Committee: Natural Resources, Tourism, and Outdoor Recreation

Senate Committee: Natural Resources, Great Lakes and Environment

Date Completed: 1-18-12

CONTENT

The bill would amend Part 117 (Septage Waste Servicers) of the Natural Resources and Environmental Protection Act to specify criteria for a receiving facility that a governmental unit must make available if it requires septage waste to be disposed of in a receiving facility.

Under Part 117, if a governmental unit (i.e., a county, township, municipality, or regional authority) requires all septage waste collected in that unit to be disposed of in a receiving facility, or prohibits, or effectively prohibits, the application of septage waste to land, the governmental unit must make available a receiving facility that can lawfully accept all septage waste generated within that unit that is not lawfully applied to land.

Under the bill, the facility also would have to have the capacity to accept the waste. The receiving facility service area would have to include the entire governmental unit. If the facility were not owned by that governmental unit, the facility by contract would have to accept all septage waste generated within that unit that was not lawfully applied to land.

MCL 324.11715

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no impact on State revenue or expenditure but would increase local unit expenditures by an indeterminate amount, depending on the specific circumstances of any local units affected by the bill. To the extent that a local unit does not have an available receiving facility that would meet the requirements of the bill, and chose to meet the requirements by constructing a facility, the bill would increase the local unit's expenditures based on the cost of constructing and operating the facility. If the local unit currently contracts with a facility and would be required to contract with a different facility as a result of the bill, the impact on the local unit's expenditures would depend on the relative costs of the facilities.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.