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BILL ANALYSIS

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House Bill 4875 (as passed by the House)
Sponsor: Representative Andrea Lafontaine
House Committee: Natural Resources, Tourism, and Outdoor Recreation
Senate Committee: Natural Resources, Environment and Great Lakes

Date Completed: 10-19-11

CONTENT

The bill would amend Part 115 (Solid Waste Management) of the Natural Resources and Environmental Protection Act to eliminate a requirement that a landfill research, development, and demonstration project (RDDP) have a secondary liner and leachate collection system.

Under Part 115, "RDDP" means a research, development, and demonstration project for a new or existing type II landfill unit, or for a lateral expansion of such a unit. (A type II landfill unit accepts municipal solid waste.) A person may submit to the Department of Environmental Quality (DEQ) a project abstract for an RDDP. If the DEQ Director determines that the RDDP will provide beneficial data on alternative landfill design, construction, or operating methods, the person may apply for a construction permit authorizing the establishment of the RDDP.

Part 115 requires an RDDP to include a secondary liner and leachate collection system to monitor the effectiveness of the primary liner. The bill would delete this requirement.

MCL 324.11511 & 324.11511b

BACKGROUND

Traditional landfills are designed to limit the amount of liquid entering a landfill in order to minimize the quantity of leachate and gas produced by the decomposing waste. (Leachate is liquid that has soaked through the landfill and carries suspended and dissolved materials from the waste.) In the past, landfill liners were prone to leakage, and by minimizing the amount of leachate produced in a landfill, designers hoped to reduce strain on the liners and prevent the leachate from seeping into the groundwater. Because of the limited moisture content in traditional landfills, they are sometimes referred to as "dry tomb" landfills. In a dry tomb landfill, the waste decomposes very slowly, over decades or centuries.

Several years ago, an alternative known as a bioreactor landfill was proposed at the Smiths Creek landfill, which is operated by St. Clair County. The proposal called for the addition of liquid waste to the landfill in order to spur more rapid decomposition. It was suggested that doing so could lengthen the life of landfills and allow for more stable postclosure periods. It also was pointed out that adding liquid waste, including septage waste, to a landfill could not only accelerate decomposition of the solid waste, but also avoid the need to dispose of the waste in another manner, such as land application. In addition, by accelerating the

decomposition of solid waste, a bioreactor landfill produces natural gas or methane at a higher rate compared with traditional landfills. The methane from the landfill can be captured and used to generate electricity. When the project was proposed, however, the Natural Resources and Environmental Protection Act prohibited the disposal of liquid waste in a landfill. In 2005, an amendment was enacted to permit the disposal of liquid waste in landfills and authorize the Smiths Creek bioreactor landfill project.

Due to Michigan's location among the Great Lakes and because of the new technology associated with the project, the amendment included a requirement that the landfill have a secondary liner and leachate system to monitor the effectiveness of its primary liner.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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