



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 881 (Substitute S-1 as reported)  
Sponsor: Senator Tom Casperson  
Committee: Natural Resources

### **CONTENT**

The bill would amend Part 31 (Water Resources Protection) of the Natural Resources and Environmental Protection Act to modify the exemption from Part 31 for mining operations that result in the placement of mineral tailings or deposits in inland waters, or the discharge of waste from underground mining operations. The exemption under the bill would apply unless there was to be a discharge of waste or waste effluent into the waters of the State.

Part 31 prohibits a person from discharging any waste or waste effluent into the waters of the State without a permit issued by the Department of Environmental Quality.

The bill specifies that Part 31 would not apply to ferrous or nonferrous mining operations subject to Part 631 (Ferrous Mineral Mining) and Part 632 (Nonferrous Metallic Mineral Mining) with respect to mining areas, with regard to the placement, removal, use, or processing of mineral tailings or mineral deposits being placed in inland waters on bottomlands owned by or under the control of the ferrous or nonferrous mineral operator unless there was to be a discharge of waste or waste effluent from the inland waters into waters of the State. Part 31 also would not apply to the discharge of water from underground ferrous or nonferrous mining operations unless there was to be a discharge of waste or waste effluent into the waters of the State.

The exemption in the bill would not apply to inland waters owned by or under control of a ferrous or nonferrous mineral operator if there were an inland lake or stream that flowed both into those inland waters and out from those inland waters directly into the waters of the State.

MCL 324.3116

Legislative Analyst: Nathan Leaman

### **FISCAL IMPACT**

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

Date Completed: 3-9-18

Fiscal Analyst: Josh Sefton