

SUBSTITUTE FOR
SENATE BILL NO. 881

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 3116 (MCL 324.3116).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3116. **(1)** This part does not repeal any law governing the
2 pollution of lakes and streams, but shall be held and construed as
3 ancillary to and supplementing the other laws and in addition to
4 the laws now in force, except as a law may be in direct conflict
5 with this part. This part does not apply to ~~copper or iron~~ **FERROUS**
6 **AND NONFERROUS** mining operations , ~~whereby such operations result~~
7 ~~in~~ **SUBJECT TO PARTS 631 AND 632 WITH RESPECT TO MINING AREAS, AS**
8 **DEFINED IN SECTIONS 63101 AND 63201, WITH REGARD TO** the placement,
9 removal, use, or processing of ~~copper or iron~~ mineral tailings or
10 ~~copper or iron~~ mineral deposits ~~from such operations~~ being placed

1 in inland waters on bottomlands owned by or under the control of
2 the ~~mining company and only water which may contain a minimal~~
3 ~~amount of residue as determined by the department resulting from~~
4 ~~such placement, removal, use, or processing being allowed or~~
5 ~~permitted to escape into public waters.~~ FERROUS OR NONFERROUS
6 MINERAL OPERATOR UNLESS THERE IS TO BE A DISCHARGE OF WASTE OR
7 WASTE EFFLUENT FROM THE INLAND WATERS INTO WATERS OF THE STATE.

8 This part does not apply to the discharge of water from underground
9 ~~iron or copper~~ FERROUS AND NONFERROUS mining operations ~~subject to~~
10 ~~a determination by the department.~~ UNLESS THERE IS TO BE A DISCHARGE
11 OF WASTE OR WASTE EFFLUENT INTO THE WATERS OF THE STATE.

12 (2) THE EXEMPTION PROVIDED IN SUBSECTION (1) DOES NOT APPLY TO
13 INLAND WATERS OWNED BY OR UNDER CONTROL OF A FERROUS OR NONFERROUS
14 MINERAL OPERATOR IF THERE IS AN INLAND LAKE OR STREAM AS DEFINED IN
15 SECTION 30101 THAT FLOWS BOTH INTO THOSE INLAND WATERS AND OUT FROM
16 THOSE INLAND WATERS DIRECTLY INTO THE WATERS OF THE STATE.

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.