



Senate Fiscal Agency
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House Bill 6189 (as passed by the House)
Sponsor: Representative Greg VanWoerkom
House Committee: Oversight
Senate Committee: Oversight

Date Completed: 9-20-22

CONTENT

The bill would repeal Section 11519 of the Natural Resources and Environmental Protection Act, which specifies the reasons for the denial of a construction permit or operating license and the grounds for order revoking, suspending, or restricting permit or license.

Currently, Section 11519 of the Natural Resources and Environment Protection Act does the following:

- Requires the Department of Environment, Great Lakes, and Energy (EGLE) to specify, in writing, the reasons for the denial of a construction permit or operating license.
- Allows a health officer or EGLE to issue a cease-and-desist order specifying a schedule of closure or remedial action or to establish a consent agreement specifying a schedule of closure or remedial action to a person who partakes in a disposal area without a permit or license or to a person who holds a permit or license but partakes in a disposal area contrary to an approved solid waste management plan or to the relevant permit or license.
- Allows EGLE to issue a final order revoking, suspending, or restricting a permit or license after a contested case hearing if it finds that the disposal area is not being constructed or operated in accordance with the approved plans.
- Allows EGLE to issue an order summarily suspending a permit or license if it determines that a violation has occurred that, in its opinion, constitutes an emergency or poses an imminent risk of injury to the public health or environment.

The bill would repeal Section 11519 and remove a provision in the Act that requires EGLE to include, in a report, the number of inspections conducted at licensed disposal areas.

MCL 324.11550 & 324.11519

Legislative Analyst: Olivia Ponte

FISCAL IMPACT

The bill would have a minimal fiscal impact on EGLE and no fiscal impact on local units of government. The bill would eliminate the provision requiring EGLE to notify applicants for a solid waste disposal area construction permit or operating license of the reasoning for their application denial. The removal of this provision likely would result in reduced costs for the Department; however, the extent of the reduction is unclear and would be based on the number of denied applicants per year.

Fiscal Analyst: Chris Semrinec

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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.