



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 246 (Substitute S-1 as reported)

Sponsor: Senator Darrin Camilleri

Committee: Energy and Environment

**CONTENT**

The bill would require the Department of Environment, Great Lakes, and Energy (EGLE) to prepare, adopt, and update every five years a comprehensive State Hazardous and Limited-Activity Radioactive Material (LARM) Waste Management Plan. Among other requirements, the Plan would have to include an analysis of all hazardous or radioactive waste streams generated within the State and a determination of necessary in-State capacity to manage the amount of waste generated in the State. Until the plan was adopted, the bill would issue a moratorium on new licenses for the operation or expansion of hazardous waste treatment, storage, and disposal facilities, and the moratorium would continue if a new or expanded facility would cause the total licensed capacity to exceed the current Plan's limits. The bill also would prohibit further disposal in the State of specific concentrations of technologically enhanced naturally occurring radioactive material (TENORM), which are natural radioactive materials whose concentrations have been increased by human activity. The bill would require certain classes of injection wells to secure surety bonds for reclamation purposes. Finally, it would increase fees and surcharges for the disposal of specific hazardous waste and establish several funds for deposit of these fees for use in affected communities.

The bill's provisions creating new funds for deposit of fees and surcharges from waste disposed in landfills would take effect March 1, 2026.

MCL 324.11102 et al.

**BRIEF RATIONALE**

According to testimony, State laws regarding hazardous waste have failed to keep pace with the rest of the nation. Other states have banned TENORM with high concentrations of radioactivity and so Michigan has become a default dumping zone of TENORM. Some believe the bill's ban on further TENORM disposal and increase in financial assurance requirements would reduce TENORM's presence in Michigan and ensure that residents do not pay costs of environmental damage or cleanup after a facility closed.

**PREVIOUS LEGISLATION**

*(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)*

The bill is similar to Senate Bill 1052 from the 2023-2024 Legislative Session. Senate Bill 1052 passed the Senate and was referred to the House Committee on Natural Resources, Environment, Tourism and Outdoor Recreation but received no further action.

Legislative Analyst: Nathan Leaman

**FISCAL IMPACT**

The bill would have a significant positive fiscal impact on EGLE and locals. Increased administrative costs would be incurred to handle the monitoring and analysis of hazardous or

radioactive waste streams, as well as preparing and updating the comprehensive State Hazardous and LARM Waste Management Plan. These costs would be offset by new revenue generated under the bill. The bill would increase disposal fees that have been imposed on facilities handling hazardous waste, disposal wells, and facilities managing TENORM. These updated fee structures would go into effect on January 1, 2026, and be adjusted every five years to reflect the cumulative percentage change in the Consumer Price Index during the most recent five year period. The bill also would remove refunds for waste generators.

Fees assessed under the bill would be deposited into four separate restricted funds as follows: 55% in the Cleanup and Redevelopment Fund, 20% in the City and Township Fund, 15% in the Host Communities Grant Fund, and 10% in the Materials Management Planning Fund. Currently, these fees are directed to the TENORM account, which received approximately \$550,000 in Fiscal Year (FY) 2024, and the Environmental Pollution Prevention Fund, which received roughly \$3.5 million in FY 2024. Landfill and coal ash impoundment surcharges for facilities that are not captive facilities also would be increased, and the first \$12.0 million in revenues collected under Section 11525a would be deposited into the staff account of the Solid Waste Management Fund while the balance would be allocated in the same method as the fees above. This Fund received approximately \$6.3 million in FY 2024. The new funds would allocate funds for reimbursing municipalities for surcharges and fees paid, annual grants to cities and townships that were the sites of landfills and coal ash impoundments that paid surcharges under the bill, and grants for materials management planning to counties, regional planning agencies, municipalities, and other entities responsible for preparing, implementing, and maintaining materials management plans.

Additionally, new requirements for surety bonds would cover costs of well plugging and reclamation for hazardous and nonhazardous waste wells. This section also would require environmental pollution insurance coverage to offset the cost of remediation of private property that could be affected by environmental incidents. This insurance would remain in effect for 10 years after a hazardous waste well was plugged or five years after a nonhazardous waste well was plugged.

The bill would have a minor negative fiscal impact on the Department of Treasury. The cost of depositing surcharges under the bill would not require any significant new resources or staff time. The creation, investment, and administration of the City and Township Fund, the Cleanup and Redevelopment Fund, the Host Communities Grant Fund, and the Materials Management Planning Fund could result in relatively minor administrative costs for the Department.

Date Completed: 6-26-25

Fiscal Analyst: Jonah Houtz  
Elizabeth Raczkowski

SAS\Floors2526\sb246

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.