

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

SUBPART 3
WASTE DIVERSION CENTERS

324.11521b Operator of waste diversion center; duties; requirements; rejection of diverted waste.

Sec. 11521b. (1) The operator of a waste diversion center shall comply with all of the following requirements:

(a) On an annual basis, not receive an amount of solid waste equal to or greater than 15%, by weight, of the diverted waste received by the facility.

(b) Ensure that personnel operating the waste diversion center are knowledgeable about the safe management of the types of diverted waste that are accepted at the waste diversion center.

(c) Manage the diverted waste in a manner that prevents the release of any diverted waste or component of diverted waste to the environment.

(d) Not store diverted waste overnight at the waste diversion center except in a secure location and with containment that is adequate to prevent any release of diverted waste.

(e) Within 1 year after diverted waste is collected by the waste diversion center, transfer that diverted waste to another waste diversion center, a recycling facility, or a disposal facility that meets the requirement of section 11508(1)(a), for processing, recycling, or disposal.

(f) Not process diverted waste except to the extent necessary for the safe and efficient transportation of the diverted waste.

(g) Record the types and quantities of diverted waste collected, the period of storage, and where the diverted waste was transferred, processed, recycled, or disposed of. The operator shall maintain the records for at least 3 years and shall make the records available to the department upon request.

(h) Allow access to the waste diversion center only when a responsible individual is on duty.

(i) As appropriate for the type of diverted waste, protect the area where the diverted waste is accumulated from weather, fire, physical damage, and vandals.

(j) Keep the waste diversion center clean and free of litter and operate in a manner that does not create a nuisance or hazard to the environment, natural resources, or the public health, safety, or welfare.

(k) If the primary function of an entity is to serve as a waste diversion center, notify the department of the waste diversion center. Notification shall be given upon initial operation and subsequently within 45 days after the end of each state fiscal year. The subsequent notices shall report the amount of solid waste diverted at the facility during the preceding state fiscal year. The notification requirement applies to both of the following:

(i) For the initial notification, entities that anticipate collecting more than 50 tons of diverted or recyclable materials in the state fiscal year in which the notification is given.

(ii) For subsequent notifications, entities that collected more than 50 tons of diverted or recyclable materials in the preceding state fiscal year.

(2) The operator of a waste diversion center may reject any diverted waste.

History: Add. 2014, Act 24, Imd. Eff. Mar. 4, 2014;—Am. 2022, Act 245, Eff. Mar. 29, 2023.

Popular name: Act 451

Popular name: NREPA

Popular name: Solid Waste Act

324.11522 Repealed. 2022, Act 245, Eff. Mar. 29, 2023.

Compiler's note: The repealed section pertained to open burning of grass clippings, leaves, or household waste.

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