

Act No. 148
Public Acts of 1993
Approved by the Governor
August 18, 1993
Filed with the Secretary of
State
August 19, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Senators Ehlers, Wartner and Emmons

ENROLLED SENATE BILL No. 17

AN ACT to create the waste reduction assistance service within the department of commerce; to create the waste reduction advisory committee; and to prescribe the powers and duties of certain state agencies and officials.

The People of the State of Michigan enact:

Sec. 1. This act shall be known and may be cited as the "waste reduction assistance act".

Sec. 2. As used in this act:

- (a) "Committee" means the waste reduction advisory committee created in section 8.
- (b) "Department" means the department of commerce.
- (c) "Director" means the director of commerce.
- (d) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.
- (e) "Service" means the waste reduction assistance service created in section 3.
- (f) "Waste" means hazardous waste as defined in section 4 of the hazardous waste management act, Act No. 64 of the Public Acts of 1979, being section 299.504 of the Michigan Compiled Laws; solid waste as defined in section 7 of the

solid waste management act, Act No. 641 of the Public Acts of 1978, being section 299.407 of the Michigan Compiled Laws; liquid industrial waste as defined in section 1 of Act No. 136 of the Public Acts of 1969, being section 323.271 of the Michigan Compiled Laws; discharges regulated by Act No. 245 of the Public Acts of 1929, being sections 323.1 to 323.12a of the Michigan Compiled Laws; and air contaminants regulated by the air pollution act, Act No. 348 of the Public Acts of 1965, being sections 336.11 to 336.36 of the Michigan Compiled Laws.

(g) "Waste reduction" means any practice, such as an equipment or technology modification, a process or procedure modification, a reformulation or redesign of a product, a substitution of raw materials, or improved management, training, or inventory control, that is undertaken by a person to reduce the volume or quantity or toxicity of waste that may be released into the environment or that is treated at a location other than the location where it is produced.

Sec. 3. (1) The waste reduction assistance service is created within the department of commerce. The service shall inform, assist, educate, and provide funding, as provided in this act, to persons to facilitate a reduction in the amount of waste generated in the state. The service shall place a particular emphasis on in-plant waste reduction.

(2) The department shall employ personnel and provide staff and services as are necessary to administer the service and to implement this act.

Sec. 4. (1) The service shall establish a waste reduction information clearinghouse which shall do all of the following:

- (a) Upon request, provide specific waste reduction information to any person.
- (b) Publish information describing waste reduction technologies.
- (c) Distribute available publications pertaining to waste reduction.
- (d) Sponsor waste reduction workshops targeted at specific industries.
- (e) Participate in conferences and meetings of business organizations.
- (f) Provide information and application forms as necessary to fulfill the department's responsibilities under sections 6 and 7.

(2) The service may contract to have any of the activities provided in subsection (1) performed by persons other than department personnel.

Sec. 5. The service shall provide technical assistance regarding waste reduction to business and industry throughout the state and shall do all of the following:

- (a) Provide instruction on self-conducted waste audits pertaining to waste reduction.
- (b) Provide consultant referrals pertaining to waste reduction.
- (c) Provide on-site assistance to business and industry pertaining to waste reduction.
- (d) Provide other information and assistance which is considered appropriate by the service.

Sec. 6. (1) The department shall establish a waste reduction grants program.

(2) Information and applications for grants provided by this section shall be distributed upon request through the service. Additionally, the service shall, upon request, make referrals and provide information about other state agencies and programs and federal agencies and programs where funding alternatives may be available.

(3) An application for a grant under this section shall be on a form provided by the department and contain information as required by the director.

(4) The director, after the consideration of the recommendations of the committee, shall make waste reduction grants for either or both of the following purposes:

(a) To fund projects that demonstrate new and emerging waste reduction technologies. A grant made under this subdivision shall require that information generated by the project shall be available to the service for distribution through the waste reduction information clearinghouse created in section 4.

(b) To fund waste reduction projects.

(5) The director, in making grants pursuant to this section, shall consider all of the following:

- (a) The severity of the waste problem being addressed.
- (b) The extent that the technological development will reduce waste at its source.
- (c) The potential for the application of the waste reduction technology to other persons.
- (d) The ability of the applicant to contribute matching funds.
- (e) The percentage reduction of volume or quantity or toxicity of waste that will be achieved.
- (f) Whether the project is consistent with state law and policy.
- (g) Additional criteria as the director considers appropriate.

Sec. 7. (1) The department shall establish a waste reduction research grants program.

(2) Information and applications for grants under this section shall be distributed upon request through the service.

(3) An application for a grant under this section shall be on a form provided by the department and shall contain information required by the director.

(4) The director, after consideration of the recommendations of the committee, shall make grants to colleges and universities, nonprofit corporations, or industry associations or other persons for industry specific research projects pertaining to waste reduction.

(5) The director, in making grants pursuant to this section, shall consider all of the following:

(a) The severity of the waste problem being addressed.

(b) The extent that the technological development will reduce the volume or quantity or toxicity of waste generated.

(c) The potential for the application of waste reduction technology to other persons or businesses.

(d) The ability of the applicant to contribute matching funds.

(e) The percentage reduction of volume or quantity or toxicity of waste that will be achieved.

(f) The likelihood of the applicant's project qualifying for other research grants or subsequent research grants from other sources.

(g) Whether the project is consistent with state law and policy.

(h) Additional criteria as the director considers appropriate.

Sec. 8. (1) The waste reduction advisory committee is created within the department. The committee shall consist of the following members who shall be appointed by the governor with the advice and consent of the senate:

(a) One individual from a major industry.

(b) One individual from a small business.

(c) One individual from an environmental organization.

(d) One individual who has knowledge and experience in waste reduction methods and technology.

(e) One individual from the general public.

(2) The governor shall select 1 of the individuals appointed under subsection (1) to serve as the chairperson of the committee. The committee shall meet when necessary at the call of the chairperson.

(3) Members of the committee shall be appointed for terms of 2 years each. However, of the members first appointed, 3 shall be appointed to serve for terms of 3 years.

(4) A vacancy on the committee shall be filled in the same manner as the original appointment. A member of the committee whose term has expired shall not continue to serve as a member of the committee unless he or she has been reappointed by the governor with the advice and consent of the senate.

(5) A meeting of the committee shall be held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws, and notice of the time, date, and place of the meeting shall be given in the manner required by that act.

Sec. 9. The committee shall do all of the following:

(a) Advise the service on the administration of the waste reduction information clearinghouse and the technical assistance program established pursuant to this act.

(b) Provide information to the service regarding waste reduction technology.

(c) Review applications and make recommendations to the director regarding grants available pursuant to sections 6 and 7.

Sec. 10. The director shall designate 1 individual from the department to serve as a liaison between the department and the office of waste reduction in the department of natural resources created in the waste minimization act on all matters related to waste reduction.

Sec. 11. The service shall prepare and deliver, before January 1 of each year, a report detailing the efforts the service has undertaken during the previous fiscal year to implement this act. The annual report shall be delivered to the legislature, the governor, and the chairpersons of the appropriations committees in the senate and the house of representatives for their use in evaluating future appropriations for the service.

Sec. 12. This act shall not take effect unless Senate Bill No. 16 of the 87th Legislature is enacted into law.

This act is ordered to take immediate effect.

Secretary of the Senate.

Co-Clerk of the House of Representatives.

Approved _____

Governor.