

HOUSE BILL No. 4687

May 15, 2003, Introduced by Reps. Ruth Johnson, LaJoy, DeRossett, Brandenburg, Ward, Farrah, Kooiman, Voorhees, Amos, Acciavatti, Stahl, Palmer, Meyer, Rocca, Caul, Vander Veen and Gielegem and referred to the Committee on Land Use and Environment.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11507a (MCL 324.11507a), as added by 1996 PA 359, and by adding section 11513a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11507a. ~~-(1)-~~ The owner or operator of a landfill
2 shall annually submit ~~a report~~ to the ~~state~~ **department** and to
3 the county and municipality in which the landfill is located
4 ~~that contains information~~ **a report** on the amount of solid waste
5 received by the landfill during the year itemized, to the extent
6 possible, by county, state, or country **and province** of origin.

7 ~~(2) By September 1, 1996, the department shall develop and~~
8 ~~submit to the legislature a plan to gather data on the amount of~~
9 ~~recyclable materials recovered in the state itemized, to the~~
10 ~~extent possible, by county, state, or country of origin.~~

HOUSE BILL No. 4687

1 Sec. 11513a. (1) As soon as possible after this section
2 takes effect, the department shall notify each state, the country
3 of Canada, and each province of Canada that a landfill in this
4 state will not accept solid waste that was generated in another
5 state or a province of Canada unless 1 or both of the following
6 apply:

7 (a) The department certifies that there is in effect in the
8 generating state or province a solid waste disposal regulatory
9 system that is at least as stringent and protective of the public
10 health, safety, and welfare and the environment, in terms of what
11 waste is allowed in the waste stream, as this act and rules
12 promulgated under this act.

13 (b) The department certifies that the landfill would meet or
14 exceed the siting standards for landfills in the generating state
15 or province.

16 (2) As soon as possible following the notification under
17 subsection (1), the department shall do both of the following:

18 (a) Compile a list of states and provinces that are certified
19 under subsection (1)(a). A state or province may supply the
20 department with documentation that supports its certification,
21 including copies of all pertinent statutes and rules.

22 (b) Compile a list certifying, for each landfill in this
23 state, those states and provinces whose siting standards would be
24 met or exceeded by the landfill.

25 (3) In compiling the lists under subsection (2), the
26 department shall consider any state or province included in any
27 landfill's annual reports under section 11507a or believed by the

1 department to generate solid waste disposed of in any landfill in
2 this state.

3 (4) The department shall update the lists under subsection
4 (2) as necessary, including when requested by any person who
5 wishes to dispose of, in a landfill in this state, solid waste
6 generated in a state or province not considered by the department
7 in compiling the current lists.

8 (5) The department shall provide a copy of the lists compiled
9 under subsection (2) to each person licensed to operate a
10 landfill in this state and any other person who requests them.

11 (6) The owner or operator of a landfill in this state shall
12 not accept for disposal at that landfill solid waste that was
13 generated in another state or a province of Canada unless 1 or
14 both of the following apply:

15 (a) The state or province is on the list compiled by the
16 department under subsection (2)(a).

17 (b) The state or province is on the list compiled under
18 subsection (2)(b) for that landfill.

19 (7) This section does not prohibit the owner or operator of a
20 disposal area from accepting homogeneous solid waste materials
21 other than municipal solid waste incinerator ash that were
22 generated outside of this state if those materials meet the
23 requirements of this state for disposal in the disposal area.

24 (8) The department may promulgate rules to implement this
25 section.