Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 646 (Substitute S-2 as reported)
Sponsor: Senator Hoon-Yung Hopgood
Committee: Natural Resources, Environment and Great Lakes

## CONTENT

The bill would amend Part 111 (Hazardous Waste Management) of the Natural Resources and Environmental Protection Act to require an applicant for a hazardous waste facility operating license to disclose criminal convictions for violations committed in furtherance of obtaining a license.

Under Part 111, a person may not establish, construct, conduct, manage, maintain, or operate a hazardous waste treatment, storage, or disposal facility without an operating license from the Department of Environmental Quality. An application for an operating license must contain a disclosure statement that includes the full name and business address of all of the following:

-- The applicant.
-- The operator.
-- If known, the three employees of the operator who would have the most responsibility for the day-to-day operation of the facility.
-- Any other partnership, corporation, association, or other legal entity if any person required to be listed has at any time had at least 25% of the equity in or debt liability of that entity.

In addition, for each person required to be listed, the disclosure statement must include a list of all convictions for criminal violations of any environmental statute enacted by a Federal, state, Canadian, or Canadian provincial agency. Under the bill, the disclosure statement also would have to include a conviction for a violation committed in furtherance of obtaining a Part 111 operating license. This requirement would apply to a misdemeanor committed within five years before the application was filed and a felony committed within 10 years before the application was filed.

MCL 324.11123 Legislative Analyst: Julie Cassidy

## FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 2-23-12 Fiscal Analyst: Josh Sefton