



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 646 (as introduced 9-14-11)
Sponsor: Senator Hoon-Yung Hopgood
Committee: Natural Resources, Environment and Great Lakes

Date Completed: 2-6-12

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 the permit.

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, including their previous experience with other hazardous waste treatment, storage, or disposal facilities.
- 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 any conviction for a violation committed in furtherance of obtaining the permit for which 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.

Fiscal Analyst: Josh Sefton

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