

Act No. 689  
Public Acts of 2018  
Approved by the Governor  
December 28, 2018  
Filed with the Secretary of State  
December 28, 2018  
EFFECTIVE DATE: March 28, 2019

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2018**

Introduced by Senator Warren

# **ENROLLED SENATE BILL No. 1195**

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," (MCL 324.101 to 324.90106) by adding section 11109.

*The People of the State of Michigan enact:*

Sec. 11109. (1) The owner or operator of a landfill shall pay to the department a fee assessed on TENORM disposed of in the landfill. The fee is \$5.00 per ton, based on the quantity of TENORM specified on the monthly operating report. The fee for fractional tons of TENORM shall be proportional. The fee shall be paid within 30 days after the end of each calendar year quarter.

(2) The department shall take enforcement action to collect fees that are not paid as required by this section.

(3) The landfill owner or operator shall forward to the department the fee revenue due under this section with a completed form that is provided or approved by the department. The owner or operator shall certify that all information provided in the form is accurate. The form shall specify the volume of TENORM disposed of at the landfill during the preceding calendar quarter and the amount of fee revenue being forwarded to the department.

(4) The department shall maintain information regarding the fees collected under this section.

(5) The TENORM account is created within the environmental pollution prevention fund created in section 11130. The department shall forward fees collected under this section to the state treasurer for deposit in the TENORM account. The state treasurer may receive money or other assets from any other source for deposit into the account. The state treasurer shall direct the investment of the account. The state treasurer shall credit to the account interest and earnings from account investments. Money remaining in the account at the close of the fiscal year shall not lapse to the general fund.

(6) Money from the TENORM account shall be expended, upon appropriation, only for 1 or more of the following purposes:

(a) To pay refunds to generators under this section.

(b) To fund the department's regulation and oversight of the disposal of TENORM in this state.

(c) To provide grants to local units of government and landfill operators to obtain equipment to monitor TENORM radiation.

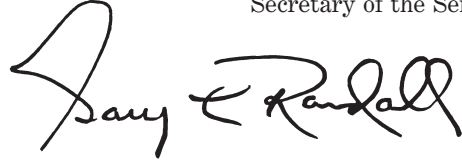
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1196 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved .....

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Governor