

SUBSTITUTE FOR
SENATE BILL NO. 881

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 3116 (MCL 324.3116).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3116. **(1)** This part does not repeal any law governing the
2 pollution of lakes and streams, but shall be held and construed as
3 ancillary to and supplementing the other laws and in addition to
4 the laws now in force, except as a law may be in direct conflict
5 with this part. This part does not apply to ~~copper or iron~~ **FERROUS**
6 **AND NONFERROUS** mining operations ~~, whereby such operations result~~
7 ~~in~~ **SUBJECT TO PARTS 631 AND 632 WITH RESPECT TO MINING AREAS, AS**
8 **DEFINED IN SECTIONS 63101 AND 63201, WITH REGARD TO** the placement,
9 removal, use, or processing of ~~copper or iron~~ mineral tailings or
10 ~~copper or iron~~ mineral deposits ~~from such operations~~ being placed

1 in inland waters on bottomlands owned by or under the control of
2 the ~~mining company and only water which may contain a minimal~~
3 ~~amount of residue as determined by the department resulting from~~
4 ~~such placement, removal, use, or processing being allowed or~~
5 ~~permitted to escape into public waters.~~ **FERROUS OR NONFERROUS**
6 **MINERAL OPERATOR UNLESS THERE IS TO BE A DISCHARGE OF WASTE OR**
7 **WASTE EFFLUENT FROM THE INLAND WATERS INTO WATERS OF THE STATE.**

8 This part does not apply to the discharge of water from underground
9 ~~iron or copper~~ **FERROUS AND NONFERROUS** mining operations ~~subject to~~
10 ~~a determination by the department.~~ **UNLESS THERE IS TO BE A DISCHARGE**
11 **OF WASTE OR WASTE EFFLUENT INTO THE WATERS OF THE STATE.**

12 (2) **THE EXEMPTION PROVIDED IN SUBSECTION (1) DOES NOT APPLY TO**
13 **INLAND WATERS OWNED BY OR UNDER CONTROL OF A FERROUS OR NONFERROUS**
14 **MINERAL OPERATOR IF THERE IS AN INLAND LAKE OR STREAM AS DEFINED IN**
15 **SECTION 30101 THAT FLOWS BOTH INTO THOSE INLAND WATERS AND OUT FROM**
16 **THOSE INLAND WATERS DIRECTLY INTO THE WATERS OF THE STATE.**

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