S.B. 506 (S-7): FLOOR ANALYSIS





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Senate Bill 506 (Substitute S-7 as reported)

Sponsor: Senator Bruce Patterson

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 115 (Solid Waste Management) of the Natural Resources and Environmental Protection Act to prohibit the Department of Environmental Quality (DEQ) from issuing a permit to construct a landfill if the DEQ received an administratively complete application for a permit after January 1, 2004, and before January 1, 2006.

The DEQ could issue a permit for a design modification to an existing landfill if the modification did not result in a net increase in remaining disposal capacity as calculated under Section 11507a (pursuant to Senate Bill 557).

The DEQ also could issue a permit to construct an expansion to an existing landfill (licensed as of October 1, 2003) if the applicant demonstrated that it had less than five years of remaining disposal capacity. The permit could not provide more than a total of 10 years of remaining capacity when added to the capacity remaining before the permit was issued. The amount of time of remaining disposal capacity would have to be calculated based on the average of the three prior years of waste receipt as reported under Section 11507a. In addition, the DEQ could issue a permit to construct a Type III landfill that was a captive facility.

By January 1, 2005, the DEQ would have to report to the Legislature, making recommendations to foster a regional system of solid waste planning and disposal facility siting, and recommend methods for securing reasonable and necessary regional and statewide disposal capacity.

The bill is tie-barred to Senate Bill 557 and would be repealed on January 1, 2006.

Proposed MCL 324.11511a Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would result in a two-year moratorium on the new construction or expansion of landfills, subject to certain exceptions. Landfill owners pay a construction permit fee ranging from \$250 to \$1,500 for new or expansion projects. The temporary moratorium would result in less revenue to the Solid Waste Management Fund since fewer permit applications would be approved for two years. The bill also could have a long-term impact on the disposal capacity in the State since no new landfills would be constructed in the State for two years.

Date Completed: 10-8-03 Fiscal Analyst: Jessica Runnels