

SUBSTITUTE FOR
HOUSE BILL NO. 5234
(As amended December 10, 2003)

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 11526a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11526a. [(1)] Beginning October 1, 2004, in order to protect
2 the public health, safety, and welfare and the environment of
3 this state from the improper disposal of waste that is prohibited
4 from disposal in a landfill [], and in
5 recognition that the nature of solid waste collection and
6 transport limits the ability of the state to conduct cost
7 effective inspections to ensure compliance with state law, the
8 owner or operator of a landfill shall not accept for disposal in
9 this state solid waste, including, but not limited to, municipal
10 solid waste incinerator ash, that was generated outside of this
11 state unless 1 or more of the following are met:

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1 (a) The solid waste is composed of a uniform type of item,
2 material, or substance, other than municipal solid waste
3 incinerator ash, that meets the requirements for disposal in a
4 landfill under this part and the rules promulgated under this
5 part.

6 (b) The solid waste was received through a material recovery
7 facility, a transfer station, or other facility that has
8 documented that it has removed from the solid waste being
9 delivered to the landfill those items that are prohibited from
10 disposal in a landfill [].

11 (c) The country, state, province, or local jurisdiction in
12 which the solid waste was generated is approved by the department
13 for inclusion on the list compiled by the department under
14 section 11526b.

[(2) Notwithstanding section 11538 or any other provision of this
part, if there is sufficient disposal capacity for a county's disposal
needs in or within 150 miles of the county, all of the following apply:

(a) The county is not required to identify a site for a new landfill
in its solid waste management plan.

(b) An interim siting mechanism shall not become operative in the
county unless the county board of commissioners determines otherwise.

(c) The department is not required to issue a construction permit
for a new landfill in the county.]

15 [Enacting section 1. This amendatory act does not take effect
16 unless Senate Bill No. 502 of the 92nd Legislature is enacted into law.

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