

Legislative Analysis



LATERAL EXPANSION TO ACCOUNT FOR THE BOUNDARY OF EXISTING COAL ASH LANDFILL

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<http://www.house.mi.gov/hfa>

House Bill 5496 as introduced
Sponsor: Rep. Gary Howell
Committee: Natural Resources and Outdoor Recreation
Complete to 3-3-20

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5496 would amend Part 115 (Solid Waste Management) of the Natural Resources and Environmental Protection Act to amend the definition of *lateral expansion* of a coal ash landfill to include a horizontal expansion beyond the solid waste boundary of an existing coal ash landfill.

Currently under the act, *lateral expansion* includes a horizontal expansion of the solid waste boundary of a coal ash landfill, if the expansion is beyond the limit established in a construction permit issued after December 28, 2018. The bill would add that a lateral expansion of a coal ash landfill includes a horizontal expansion of the solid waste boundary beyond the solid waste boundary, as defined in R 299.4105 of the Michigan Administrative Code, of an *existing coal ash landfill*.

Existing coal ash landfill would mean a coal ash landfill to which either of the following applies:

- The landfill received coal ash both before and after October 19, 2015.
- Construction of the landfill commenced before October 19, 2015, and the landfill received coal ash on or after October 19, 2015. For the purposes of this definition, construction of a landfill has commenced if either of the following applies:
 - The landfill is licensed under Part 115.
 - The landfill's engineering plans were approved by the Department of Environment, Great Lakes, and Energy and an on-site physical construction program began and continued before October 19, 2015.

MCL 324.11503 and 324.11504

FISCAL IMPACT:

House Bill 5496 would not affect revenues or costs for the Department of Environment, Great Lakes, and Energy or local governments.

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