



**House
Legislative
Analysis
Section**

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Senate Bill 732 (Substitute H-2)
First Analysis (9-26-90)

Sponsor: Sen. Vernon J. Ehlers
**Senate Committee: Natural Resources & Environmental
Affairs**
**House Committee: Conservation, Recreation, &
Environment**

THE APPARENT PROBLEM:

Public Acts 52 and 53 of 1989 amended the Solid Waste Management Act and the Hazardous Waste Management Act, respectively, to require that the disposal of ash from municipal solid waste incinerators be regulated under the Solid Waste Management Act. In addition, Public Act 23 of 1990 amended the Air Pollution Act to regulate the disposal of medical wastes by incineration. Some people are concerned that medical waste incinerators might fall under the definition of municipal solid waste incinerator in the Solid Waste Management Act, thereby raising a question as to which act would govern the operation of medical waste incinerators. In order to avoid such confusion, those who represent medical facilities suggest that medical waste incinerators be explicitly excluded from the Solid Waste Management Act's definition of municipal solid waste incinerator.

THE CONTENT OF THE BILL:

The bill would amend the Solid Waste Management Act to exclude incinerators that received and burned only medical waste, or only waste produced at one or more hospitals, from the definition of the term "municipal solid waste incinerator."

HOUSE COMMITTEE ACTION:

The House Conservation, Recreation, and Environment Committee adopted a substitute to replace the Senate version of the definition of "medical waste" with a reference to the definition of that term contained in the Public Health Code.

FISCAL IMPLICATIONS:

According to a Senate Fiscal Agency analysis, the bill would have no fiscal implications for the state since the Department of Natural Resources does not currently interpret the incinerator provisions of the Solid Waste Management Act to include hospital incinerators that burn medical waste. (2-7-90)

ARGUMENTS:

For:

The bill would clarify the legislature's intent by assuring that medical waste incinerators were regulated under the Air Pollution Act and not as municipal solid waste incinerators under the Solid Waste Management Act.

POSITIONS:

There are no positions on the bill.