



**House  
Legislative  
Analysis  
Section**

Washington Square Building, Suite 1025  
Lansing, Michigan 48909  
Phone: 517/373-6466

**MUNICIPAL SOLID WASTE ASH**

House Bill 4304 as introduced **RECEIVED**  
First Analysis (4-12-89)

**MAY 23 1989**

Sponsor: Rep. Michael J. Griffin  
Committee: Conservation, Recreation, & Environment  
Mich. State Law Library

***THE APPARENT PROBLEM:***

House Bill 4311, passed by the House on March 21, 1989, would amend the Solid Waste Management Act to provide for the regulation of municipal solid waste incinerator ash under that act. However, in order to implement the bill, the Hazardous Waste Management Act must be amended to transfer regulation of the ash to the Solid Waste Management Act. (For more information, please see the House Legislative Analysis Section analysis of House Bill 4311 dated 3-20-89.)

***THE CONTENT OF THE BILL:***

The bill would amend the Hazardous Waste Management Act to transfer the regulation of the generation, transportation, treatment, storage, disposal, reuse, and recycling of municipal solid waste incinerator ash from the act to the Solid Waste Management Act. Under the bill, the definition of the term "hazardous waste" currently excludes certain waste that is a point source subject to permits under the Clean Water Act; the bill would substitute a reference to the Federal Water Pollution Control Act. The bill would also amend the act to include a definition for the term municipal solid waste incinerator and municipal solid waste incinerator ash consistent with the definitions of those terms in House Bill 4311.

The bill is tie-barred to House Bill 4311.

MCL 299.504 and 299.506a

***FISCAL IMPLICATIONS:***

According to the Department of Natural Resources, the bill would have no fiscal implications for the state. (4-11-89)

***ARGUMENTS:***

***For:***

House Bill 4311, which recently passed the House, specifies that regulation of municipal solid waste incinerator ash would occur under the Solid Waste Management Act and not under the Hazardous Waste Management Act. Without an amendment to the Hazardous Waste Management Act, the law will be unclear as to which provisions apply to the regulation of ash. House Bill 4304 would clarify that regulation of the ash would occur under the Solid Waste Management Act.

***POSITIONS:***

The Grosse Pointe/Clinton Refuse Disposal Authority supports the bill. (4-11-89)

The Department of Natural Resources supports the concept of legislation to clarify the regulation of municipal incinerator ash, but does not support House Bill 4311 as passed by the House. (4-11-89)

H.B. 4304 (4-12-89)