



**House
Legislative
Analysis
Section**

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SITING HAZARDOUS WASTE FACILITIES

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House Bill 5790

Sponsor: Rep. Willis Bullard, Jr.
Committee: Conservation, Recreation, &
Environment

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A SUMMARY OF HOUSE BILL 5790 AS INTRODUCED 5-21-90

The bill would amend the Hazardous Waste Management Act to strengthen environmental protection provisions regarding the siting of hazardous waste facilities.

The act requires hazardous waste disposal facility construction permit applications to include an environmental assessment that contains an environmental failure mode assessment. The bill would require that the failure mode assessment include an analysis of how preexisting geologic formations at a proposed site for a disposal facility would provide additional protection against the contamination of any usable aquifer. In addition, the bill would specify that the director of the Department of Natural Resources could not recommend approval of a construction permit for a disposal facility unless the director determined that preexisting geologic formations at the proposed site would provide additional protection against the contamination of a usable aquifer.

Rules. The bill would require rules regarding standards for disposal facilities and land treatment facilities to be reviewed by the director within five years after the effective date of the bill, and at least every five years thereafter the rules would be revised as necessary to ensure maximum protection for the public health and the environment.

Restoration of natural resources. If the director found that a person violated a permit, the director would issue an order requiring a person to restore any surface water, groundwater, air quality, or land that was damaged due to the violation. The director could also require the person to provide a temporary or, if necessary, a permanent water supply to a person whose water supply was unfit or could become unfit for its use prior to the impairment due to the violation. In addition, courts could compel a person to restore the state's natural resources to their condition prior to the violation and require a person to provide a temporary or permanent water supply.

MCL 299.503

House Bill 5790 (8-30-90)