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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

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Senate Bill 732 (as reported without amendment)

Sponsor: Senator Vern Ehlers

Committee: Natural Resources and Environmental Affairs

Date Completed: 2-7-90

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RATIONALE

Public Acts 52 and 53 of 1989 amended the Solid Waste Management Act and the Hazardous Waste Management, respectively, to require that the disposal of ash from municipal solid waste incinerators be regulated under the Solid Waste Management Act. In addition, Senate Bill 74, which would amend the Air Pollution Act to regulate the disposal of medical wastes by incineration, was ordered enrolled by the Senate on February 6, 1990. 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.

CONTENT

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

"Medical waste" would mean any of the following that were not generated from a household or a farm or other agricultural business:

- "Cultures and stocks of infectious agents and associated biologicals, including laboratory waste, biological production wastes, discarded live and attenuated vaccines, culture dishes, and related devices".
- "Liquid human and animal waste, including blood and blood products and body fluids, but not including urine or materials stained with blood or body fluids".
- Pathological waste, sharps, or contaminated animal wastes (primarily research animals) that had been exposed to agents that are infectious to humans.

"Household" would be defined as "a single detached dwelling unit or a single unit of a multiple dwelling"; and an "infectious agent" would be "an organism, such as a virus or bacterium, that is capable of being communicated by invasion and multiplication in body tissues and capable of causing disease or adverse health impacts in humans".

MCL 299.405

FISCAL IMPACT

The bill would have no fiscal impact since the Department of Natural Resources does not currently enforce this law to include hospital incinerators that burn medical waste.

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ARGUMENTS

Supporting Argument

The bill would assure that medical waste incinerators were regulated under the Air Pollution Act and not as municipal solid waste incinerators under the Solid Waste Management Act.

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