

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

## MICHIGAN STATE LAW LIBRARY

Senate Bill 732 (as enrolled)

Sponsor: Senator Vern Ehlers

Senate Committee: Natural Resources and Environmental Affairs

House Committee: Conservation, Recreation, and Environment

PUBLIC ACT 306 of 1990

Date Completed: 1-9-91

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, 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 governs 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 exclude from the Act's 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 that term as it is defined in the Public Health Code, i.e., any of the following that were not generated from a household, a home for the aged, a home health care agency, 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.

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.

ARGUMENTSSupporting Argument

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

Legislative Analyst: P. Affholter

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 732 (1-9-91)