

A SUMMARY OF HOUSE BILL 4098 AS INTRODUCED 1-29-03

The bill would amend the Natural Resources and Environmental Protection Act (NREPA), generally speaking, to prohibit a person from accepting for disposal in the state solid waste or municipal solid waste incinerator ash generated in a state or county that was not on a list specially prepared by the Department of Environmental Quality (DEQ) of certified states and countries with a solid waste disposal regulatory system at least as stringent and protective as Michigan's. The department would have to provide the list of certified states and countries to each person licensed to operate a disposal area or municipal solid waste incinerator.

Under the bill, the DEQ would have to notify as soon as possible each state and the country of Canada that disposal areas and incinerators in the state would not accept waste generated outside the state unless the department had certified that the generating state or country had a solid waste regulatory system at least as stringent and protective of public health, safety, and welfare, and the environment as exists in Michigan, in terms of what waste is allowed in the waste stream. The department would be required as soon as possible following that notification to compile the list of certified states and countries. A country or state that wished to be certified could supply the department with documentation to support its claim by including copies of all pertinent statutes and rules.

The bill says that these requirements are being imposed "in order to protect the public health, safety, and welfare, and the environment of this state from solid waste such as tires, batteries, yard clippings, used oil, and similar waste products."

(The bill would also specify that it would not prohibit the owner or operator of a disposal area from accepting homogeneous solid waste materials other than municipal solid waste incinerator ash generated outside the state if those materials met the requirements of Michigan for disposal in the disposal area.)

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