

SENATE BILL No. 1421

September 12, 2006, Introduced by Senators JELINEK, McMANUS, BROWN, BIRKHOLZ, KUIPERS, GOSCHKA, CHERRY, ALLEN, SCOTT, OLSHOVE, BARCIA, SWITALSKI, BASHAM, CLARK-COLEMAN and BRATER and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 16903b (MCL 324.16903b), as added by 2002 PA
496.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16903b. (1) Subject to ~~subsections (2) and (3)~~
2 **SUBSECTION (2)**, the owner of a collection site ~~that processes~~
3 ~~tires who has been in compliance with the site requirements for at~~
4 ~~least 1 year~~ is exempt from the requirement to obtain a
5 ~~performance~~ bond under section ~~16903(1)(i).~~ **16903(4) IF ALL OF**
6 **THE FOLLOWING REQUIREMENTS ARE MET:**
7 **(A) THE OWNER OF THE COLLECTION SITE IS A SCRAP TIRE**
8 **PROCESSOR.**

1 (B) NOT LESS THAN 75% OF THE SCRAP TIRES, BY WEIGHT OR VOLUME,
2 THAT ARE STORED AT THE COLLECTION SITE EACH CALENDAR YEAR ARE
3 RECYCLED OR USED FOR RESOURCE RECOVERY DURING THAT YEAR.

4 (C) THE COLLECTION SITE HAS BEEN IN COMPLIANCE WITH THE SITE
5 REQUIREMENTS FOR AT LEAST 1 YEAR.

6 (D) THE OWNER ANNUALLY CERTIFIES COMPLIANCE WITH THE
7 REQUIREMENTS OF THIS SUBSECTION ON A FORM APPROVED BY THE
8 DEPARTMENT.

9 ~~— (2) The exemption provided for in subsection (1) applies to~~
10 ~~tire storage areas at the collection site containing not more than~~
11 ~~the sum of the highest number of scrap tires accumulated at the~~
12 ~~collection site during the previous 1 year period plus 10% of the~~
13 ~~amount of the scrap tires that were removed to an end user from the~~
14 ~~collection site during the previous 1 year period.~~

15 (2) ~~— (3)~~ If the department determines that the owner of a
16 collection site is not in compliance with the site requirements **OR**
17 **THE CERTIFICATION REQUIREMENTS OF SUBSECTION (1)**, the department
18 shall deliver to the owner of the collection site a notice of
19 noncompliance. If within 60 days after receipt of that notice the
20 owner does not bring the collection site into compliance with the
21 site requirements **OR THE CERTIFICATION REQUIREMENTS OF SUBSECTION (1)**,
22 **RESPECTIVELY**, the owner shall comply with section ~~16903(1)(i)~~
23 **16903(4)**. Once an owner is required to obtain a ~~performance~~ bond
24 ~~in compliance with~~ **UNDER** section ~~16903(1)(i)~~ **16903(4)**, the
25 ~~performance~~ bond shall be maintained unless the owner brings the
26 collection site into compliance with the site requirements, ~~and~~
27 maintains compliance with the site requirements for a 1-year

1 period, **AND COMPLIES WITH THE CERTIFICATION REQUIREMENTS OF**
 2 **SUBSECTION (1) .**

3 (3) ~~—(4)—~~ As used in this section, "site requirements" means
 4 **ALL** the requirements of section ~~16903(1)(a), (b), (c), (d), (e),~~
 5 ~~and (f)—~~ **16903(1) AND, IF APPLICABLE, 16903(2) .**

6 Enacting section 1. This amendatory act does not take effect
 7 unless all of the following bills of the 93rd Legislature are
 8 enacted into law:

9 (a) Senate Bill No. 1423.

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11 (b) Senate Bill No. ____ or House Bill No. ____ (request no.
 12 06892'06) .

13 (c) Senate Bill No. 1424.

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15 (d) Senate Bill No. 1418.

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17 (e) Senate Bill No. 1419.

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19 (f) Senate Bill No. 1420.

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21 (g) Senate Bill No. ____ or House Bill No. ____ (request no.
 22 07328'06) .

23 (h) Senate Bill No. 1422.

24

25 (i) Senate Bill No. ____ or House Bill No. ____ (request no.
 26 07338'06) .

27 (j) Senate Bill No. ____ or House Bill No. ____ (request no.

1 07348'06) .