

SENATE BILL No. 1205

March 12, 2008, Introduced by Senators CHERRY, SCOTT, ANDERSON, BARCIA, SANBORN, OLSHOVE 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 11511 (MCL 324.11511), as amended by 2004 PA
325.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11511. (1) The department shall notify the clerk of the
2 municipality in which the disposal area is proposed to be located
3 and the applicant of its approval or denial of an application for a
4 construction permit within 10 days after the final decision is
5 made.

6 (2) A construction permit shall expire 1 year after the date
7 of issuance, unless development under the construction permit is

1 initiated within that year. A construction permit that has expired
2 may be renewed upon payment of a permit renewal fee and submission
3 of any additional information the department may require.

4 (3) Except as otherwise provided in this subsection, the
5 department shall not issue a construction permit for a disposal
6 area within a planning area unless a solid waste management plan
7 for that planning area has been approved pursuant to sections 11536
8 and 11537 and unless the disposal area complies with and is
9 consistent with the approved solid waste management plan. The
10 department may issue a construction permit for a disposal area
11 designed to receive ashes produced in connection with the
12 combustion of fossil fuels for electrical power generation in the
13 absence of an approved county solid waste management plan, upon
14 receipt of a letter of approval from whichever county or counties,
15 group of municipalities, or regional planning agency has prepared
16 or is preparing the county solid waste management plan for that
17 planning area under section 11533 and from the municipality in
18 which the disposal area is to be located.

19 **(4) THE DEPARTMENT SHALL NOT ISSUE A CONSTRUCTION PERMIT FOR A**
20 **NEW LANDFILL WITHIN A DELINEATED WELLHEAD PROTECTION AREA FOR A**
21 **COMMUNITY WATER SUPPLY DEVELOPED THROUGH A HYDROGEOLOGICAL STUDY**
22 **AND APPROVED BY THE DEPARTMENT UNDER THE SAFE DRINKING WATER ACT,**
23 **1976 PA 399, MCL 324.1001 TO 325.1023.**

24 **(5) AS USED IN THIS SECTION, "COMMUNITY WATER SUPPLY" MEANS A**
25 **COMMUNITY SUPPLY AS DEFINED IN SECTION 2 OF THE SAFE DRINKING WATER**
26 **ACT, 1976 PA 399, MCL 325.1002.**