

SUBSTITUTE FOR  
HOUSE BILL NO. 4265

(As amended March 14, 2012)

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 11512b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 11512B. [YARD CLIPPINGS MAINTAINED SEGREGATED FROM OTHER SOLID  
      WASTE AT THE SOURCE OF GENERATION] MAY BE DISPOSED  
2        OF IN LANDFILL CELLS SERVED BY A LANDFILL GAS COLLECTION SYSTEM IF  
3        ALL OF THE FOLLOWING REQUIREMENTS ARE MET:  
4            (A) INSTALLATION OF THE LANDFILL GAS COLLECTION SYSTEM IS  
5        DOCUMENTED IN THE LANDFILL'S OPERATING RECORD.  
6            (B) THE LANDFILL RECOVERS AND UTILIZES GAS PRODUCED FROM THE  
7        LANDFILL CELLS SERVED BY THE LANDFILL GAS COLLECTION SYSTEM AS A  
8        SOURCE OF ENERGY FOR GENERATING ELECTRICITY, A DIRECT FUEL USE, OR  
9        ANY OTHER USE AS A SUBSTITUTE FOR CONVENTIONAL FUELS. THE LANDFILL

1 MAY FLARE GAS UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:

2 (i) FOR TESTING OR MAINTENANCE.

3 (ii) IF NECESSARY BECAUSE OF MALFUNCTION OR PLANNED OR  
4 UNPLANNED INTERRUPTION OF THE LANDFILL GAS COLLECTION SYSTEM OR OF  
5 AN ON-SITE OR OFF-SITE ENERGY USE.

6 (iii) FOR PLANNING, CONSTRUCTION, OR PROVING CAPACITY FOR AN  
7 INTENDED ON-SITE OR OFF-SITE ENERGY USE.

8 (iv) FOR OTHER REASONS OF A LIMITED, TEMPORARY, OR INTERMITTENT  
9 NATURE.

10 (C) IF THE LANDFILL IS OWNED OR OPERATED BY A MUNICIPALITY,  
11 COUNTY, OR GOVERNMENTAL AUTHORITY CREATED PURSUANT TO STATUTE, THE  
12 GOVERNING BODY OF THE MUNICIPALITY, COUNTY, OR GOVERNMENTAL  
13 AUTHORITY HAS HELD A PUBLIC HEARING ON THE ISSUE OF DISPOSING OF  
14 SOURCE SEPARATED YARD CLIPPINGS AT THE LANDFILL.

15 Enacting section 1. This amendatory act does not take effect  
16 unless House Bill No. 4266 of the 96th Legislature is enacted into  
17 law.