

**SUBSTITUTE FOR
HOUSE BILL NO. 4266**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 11507a and 11514 (MCL 324.11507a and
324.11514), section 11507a as amended by 2004 PA 39 and section
11514 as amended by 2008 PA 394.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11507a. (1) The owner or operator of a landfill shall
2 annually submit a report to the state and the county and
3 municipality in which the landfill is located that contains
4 information on ~~the~~ **ALL OF THE FOLLOWING:**

5 **(A) THE** amount of solid waste received by the landfill during
6 the year itemized, to the extent possible, by county, state, or
7 country of origin. ~~and the~~

1 **(B) THE** amount of remaining disposal capacity at the landfill.
2 Remaining disposal capacity shall be calculated as the permitted
3 capacity less waste in place for any area that has been constructed
4 and is not yet closed plus the permitted capacity for each area
5 that has a permit for construction under this part but has not yet
6 been constructed.

7 **(C) IF THE LANDFILL ACCEPTS YARD CLIPPINGS UNDER SECTION**
8 **11512B, ALL OF THE FOLLOWING:**

9 **(i) THE AMOUNT OF LANDFILL GAS RECOVERED AT THE LANDFILL DURING**
10 **THE YEAR, AS DETERMINED BY METERING OR ANOTHER APPROVED METHOD.**

11 **(ii) HOW THE LANDFILL GAS WAS UTILIZED.**

12 **(iii) THE TIME PERIODS DURING WHICH ANY FLARING TOOK PLACE AND**
13 **THE REASONS FOR THE FLARING.**

14 **(2)** The report **UNDER SUBSECTION (1)** shall be submitted on a
15 form provided by the department within 45 days following the end of
16 each state fiscal year.

17 **(3) ~~(2)~~**—By January 31 of each year, the department shall
18 submit to the legislature a report summarizing the information
19 obtained under subsection (1).

20 Sec. 11514. (1) Optimizing recycling opportunities, including
21 electronics recycling opportunities, and the reuse of materials
22 shall be a principal objective of the state's solid waste
23 management plan. Recycling and reuse of materials, including the
24 reuse of materials from electronic devices, are in the best
25 interest of promoting the public health and welfare. The state
26 shall develop policies and practices that promote recycling and
27 reuse of materials and, to the extent practical, minimize the use

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1 of landfilling as a method for disposal of its waste. Policies and
 2 practices that promote recycling and reuse of materials, including
 3 materials from electronic devices, will conserve raw materials,
 4 conserve landfill space, **PROVIDE ALTERNATIVE ENERGY SOURCES**, and
 5 avoid the contamination of soil and groundwater from heavy metals
 6 and other pollutants.

7 (2) A person shall not knowingly deliver to a landfill for
 8 disposal, or, if the person is an owner or operator of a landfill,
 9 knowingly permit disposal in the landfill of, any of the following:

10 (a) Medical waste, unless that medical waste has been
 11 decontaminated or is not required to be decontaminated but is
 12 packaged in the manner required under part 138 of the public health
 13 code, 1978 PA 368, MCL 333.13801 to 333.13831.

14 (b) More than a de minimis amount of open, empty, or otherwise
 15 used beverage containers.

16 (c) More than a de minimis number of whole motor vehicle
 17 tires.

18 (d) More than a de minimis amount of yard clippings, unless
 19 ~~they~~ **1 OR MORE OF THE FOLLOWING REQUIREMENTS ARE MET:**

20 (i) **THE YARD CLIPPINGS** are diseased, infested, or composed of
 21 invasive species as authorized by section 11521(1)(i).

22 (ii) **THE LANDFILL UTILIZES LANDFILL GAS AS A SOURCE OF ENERGY**
 23 **AS PROVIDED IN SECTION 11512B, THE YARD CLIPPINGS DO NOT CONSIST OF**
 24 **SHRUBBERY, BRUSH, OR TREE TRIMMINGS, THE YARD CLIPPINGS [MAINTAINED**
 25 **SEGREGATED AT THE SOURCE OF GENERATION], AND BEFORE JANUARY 1, 2015,**
 26 **THE YARD CLIPPINGS ARE**
 27 **TRANSPORTED TO THE LANDFILL IN A VEHICLE THAT IS NOT TRANSPORTING**
ANY OTHER SOLID WASTE OR THAT ALLOWS THE SOURCE SEPARATED YARD

1 **CLIPPINGS TO BE UNLOADED SEPARATELY FROM OTHER SOLID WASTE IN A**
2 **MANNER NOT OTHERWISE PROHIBITED BY LAW.**

3 (3) A person shall not deliver to a landfill for disposal, or,
4 if the person is an owner or operator of a landfill, permit
5 disposal in the landfill of, any of the following:

6 (a) Used oil as defined in section 16701.

7 (b) A lead acid battery as defined in section 17101.

8 (c) Low-level radioactive waste as defined in section 2 of the
9 low-level radioactive waste authority act, 1987 PA 204, MCL
10 333.26202.

11 (d) Regulated hazardous waste as defined in R 299.4104 of the
12 Michigan administrative code.

13 (e) Bulk or noncontainerized liquid waste or waste that
14 contains free liquids, unless the waste is 1 of the following:

15 (i) Household waste other than septage waste.

16 (ii) Leachate or gas condensate that is approved for
17 recirculation.

18 (iii) Septage waste or other liquids approved for beneficial
19 addition under section 11511b.

20 (f) Sewage.

21 (g) PCBs as defined in 40 CFR 761.3.

22 (h) Asbestos waste, unless the landfill complies with 40 CFR
23 61.154.

24 (4) A person shall not knowingly deliver to a municipal solid
25 waste incinerator for disposal, or, if the person is an owner or
26 operator of a municipal solid waste incinerator, knowingly permit
27 disposal in the incinerator of, more than a de minimis amount of

1 yard clippings, unless they are diseased, infested, or composed of
2 invasive species as authorized by section 11521(1)(i). The
3 department shall post, and a solid waste hauler that disposes of
4 solid waste in a municipal solid waste incinerator shall provide
5 its customers with, notice of the prohibitions of this subsection
6 in the same manner as provided in section 11527a.

7 (5) If the department determines that a safe, sanitary, and
8 feasible alternative does not exist for the disposal in a landfill
9 or municipal solid waste incinerator of any items described in
10 subsection (2) or (4), respectively, the department shall submit a
11 report setting forth that determination and the basis for the
12 determination to the standing committees of the senate and house of
13 representatives with primary responsibility for solid waste issues.

14 Enacting section 1. This amendatory act does not take effect
15 unless House Bill No. 4265 of the 96th Legislature is enacted into
16 law.