

# HOUSE BILL NO. 4893

September 03, 2019, Introduced by Reps. Hood and Cherry and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11525a (MCL 324.11525a), as amended by 2018 PA 640.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 11525a. (1) The owner or operator of a landfill or coal  
2 ash impoundment shall pay a surcharge as follows:

3           (a) For a landfill or coal ash impoundment that is not a  
4 captive facility, 12 cents for each cubic yard or portion of a  
5 cubic yard of solid waste or municipal solid waste incinerator ash

1 that is disposed of in the landfill or coal ash impoundment before  
2 October 1, ~~2019~~-**2023**.

3 (b) For a type III landfill or coal ash impoundment that is a  
4 captive facility **and annually receives the following amount of**  
5 **waste**, the following annual ~~amounts~~:**corresponding surcharge amount**:

6 (i) ~~For a captive facility that receives 100,000 or more cubic~~  
7 ~~yards of waste, \$3,000.00.~~

8 (ii) ~~For a captive facility that receives 75,000 or more but~~  
9 ~~less than 100,000 cubic yards of waste, \$2,500.00.~~

10 (iii) ~~For a captive facility that receives 50,000 or more but~~  
11 ~~less than 75,000 cubic yards of waste, \$2,000.00.~~

12 (iv) ~~For a captive facility that receives 25,000 or more but~~  
13 ~~less than 50,000 cubic yards of waste, \$1,000.00.~~

14 (v) ~~For a captive facility that receives less~~ **Less** ~~than 25,000~~  
15 ~~cubic yards of waste, \$500.00.~~

16 (2) The owner or operator of a landfill or coal ash  
17 impoundment that is not a captive facility shall pay the surcharge  
18 under subsection (1) (a) within 30 days after the end of each  
19 quarter of the state fiscal year. The owner or operator of a type  
20 III landfill or coal ash impoundment that is a captive facility  
21 shall pay the surcharge under subsection (1) (b) by January 31 of  
22 each year.

23 (3) The owner or operator of a landfill or coal ash  
24 impoundment who is required to pay the surcharge under subsection  
25 (1) shall pass through and collect the surcharge from any person  
26 who generated the solid waste or who arranged for its delivery to  
27 the solid waste hauler or transfer facility, notwithstanding the  
28 provisions of any contract or agreement to the contrary or the  
29 absence of any contract or agreement.

1           (4) Surcharges collected under this section shall be forwarded  
2 to the state treasurer for deposit in the solid waste staff account  
3 of the solid waste management fund established in section 11550.