HOUSE BILL NO. 6395

September 24, 2026, Introduced by Reps. DeSana, Herzberg, Miller and Johnsen and referred to Committee on Regulatory Reform.

A bill to amend 1994 PA 451, entitled

"Natural resources and environmental protection act,"

by amending section 11109 (MCL 324.11109), as added by 2018 PA 689.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 11109. (1) The owner or operator of a landfill shall pay to the department a fee assessed on TENORM disposed of in the landfill. The fee is ~~$5.00~~ **$75.00** per ton, based on the quantity of TENORM specified on the monthly operating report. The fee for fractional tons of TENORM ~~shall~~ **must** be proportional. The fee ~~shall~~ **must** be paid ~~within~~ **not later than** 30 days after the end of each

calendar year quarter.

(2) The department shall take enforcement action to collect fees that are not paid as required by this section.

(3) The landfill owner or operator shall forward to the department the fee revenue due under this section with a completed form that is provided or approved by the department. The owner or operator shall certify that all information provided ~~in~~ **on** the form is accurate. The form ~~shall~~ **must** specify the volume of TENORM disposed of at the landfill during the preceding calendar quarter and the amount of fee revenue being forwarded to the department.

(4) The department shall maintain information regarding the fees collected under this section.

(5) The TENORM account is created within the environmental pollution prevention fund created in section 11130. The department shall forward fees collected under this section to the state treasurer for deposit in the TENORM account. The state treasurer may receive money or other assets from any other source for deposit into the account. The state treasurer shall direct the investment of the **TENORM** account ~~. The state treasurer shall~~ **and** credit to the **TENORM** account interest and earnings from account investments. Money ~~remaining~~ **that remains** in the **TENORM** account at the close of the fiscal year ~~shall~~ **does** not lapse to the general fund.

(6) Money from the TENORM account ~~shall~~ **must** be expended, ~~upon~~ **on** appropriation, only for 1 or more of the following purposes:

(a) To pay refunds to generators under this section.

(b) To fund the department's regulation and oversight of the disposal of TENORM in this state.

(c) To provide grants to local units of government and landfill operators to obtain equipment to monitor TENORM radiation.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 6396 (request no. H03902'25) of the 103rd Legislature is enacted into law.