

# SENATE BILL NO. 201

April 15, 2025, Introduced by Senator SINGH and referred to Committee on Natural Resources and Agriculture.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11550 and 11582 (MCL 324.11550 and 324.11582), section 11550 as amended by 2022 PA 248 and section 11582 as added by 2022 PA 250.

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

- 1           Sec. 11550. (1) The solid waste management fund is created
- 2           within the state treasury. The state treasurer may receive money

1 from any source for deposit into the fund. The state treasurer  
2 shall direct the investment of the fund. The state treasurer shall  
3 credit to the fund interest and earnings from fund investments. The  
4 department shall be the administrator of the fund for auditing  
5 purposes.

6 (2) Money in the solid waste management fund at the close of  
7 the fiscal year shall remain in the fund and shall not lapse to the  
8 general fund.

9 (3) The state treasurer shall establish, within the solid  
10 waste management fund, a solid waste staff account, ~~and a perpetual~~  
11 care account, **and a circular economy institute account. It is the**  
12 **intent of the legislature that the amount deposited in the circular**  
13 **economy institute account each state fiscal year be not less than**  
14 **10% of the total of the amounts deposited in the solid waste staff**  
15 **account and perpetual care account in the preceding state fiscal**  
16 **year.**

17 (4) ~~Subject to subsection (5), money~~ **Money** shall be expended  
18 from the solid waste staff account, upon appropriation, only for  
19 the following purposes:

20 (a) Preparing generally applicable guidance regarding the  
21 materials management facility program or its implementation or  
22 enforcement.

23 (b) Reviewing and acting on any notification, registration,  
24 application for approval under a general permit, application for a  
25 permit or license, permit or license revision, or permit or license  
26 renewal under part 115, including the cost of public notice and  
27 public hearings.

28 (c) Providing an advisory analysis under section 11510(1).

29 (d) General administrative costs of running the permit,

1 license, registration, and notification program under part 115,  
2 including permit, license, registration, and notification tracking  
3 and data entry.

4 (e) Inspection of materials management facilities and open  
5 dumps.

6 (f) Implementing and enforcing the conditions of any permit,  
7 license, approval under a general permit, registration, or order  
8 under part 115.

9 (g) Groundwater monitoring audits at disposal areas that are  
10 or have been licensed under this part or at any other materials  
11 management facility that requires groundwater monitoring because of  
12 a release or suspected release.

13 (h) Reviewing and acting upon corrective action plans for  
14 materials management facilities, if required under part 115.

15 (i) Review of certifications of closure under part 115.

16 (j) Postclosure maintenance and monitoring inspections and  
17 review under part 115.

18 (k) Review of bonds and financial assurance documentation at  
19 materials management facilities, if required under part 115.

20 (l) Materials management planning.

21 (m) Materials utilization education and outreach.

22 (n) Development of a materials utilization and recycled  
23 materials market directory.

24 (o) Administration of grants and loans under part 115 for  
25 planning, market development and recycling infrastructure,  
26 outreach, and education.

27 (p) Up to 1 full-time equivalent employee for the Michigan  
28 economic development corporation to address recycled materials  
29 market development.

1           (5) Money shall be expended from the perpetual care account,  
2 upon appropriation, only for the following activities at materials  
3 management facilities for which the requirements of section  
4 11508(1)(a) are or were met and for which fees have been collected  
5 and deposited into the perpetual care account:

6           (a) To conduct postclosure maintenance and monitoring if the  
7 owner or operator is no longer required to do so.

8           (b) To conduct closure, postclosure maintenance and  
9 monitoring, and necessary corrective action if the owner or  
10 operator has failed to do so. Money shall be expended from the  
11 account only after funds from any other financial assurance  
12 mechanisms held by the owner or operator have been expended and the  
13 department has made reasonable efforts to obtain funding from other  
14 sources.

15           **(6) Money shall be expended from the circular economy**  
16 **institute account, upon appropriation, only to support an institute**  
17 **at Michigan State University that has the following purposes**  
18 **concerning the circular economy of material waste reduction, reuse,**  
19 **recycling, and recovery in this state:**

20           (a) To identify, conduct, and support innovative research with  
21 industry, public, and nonprofit partners.

22           (b) To conduct training and provide technical assistance to  
23 industry, public agencies, and other key stakeholders in the  
24 implementation of best practices.

25           (c) To increase effective business and workforce development,  
26 job creation, and corporate social responsibility.

27           (d) To develop and support professional development  
28 opportunities through certificate programs and other appropriate  
29 means.

1           (7) ~~(6)~~—Subject to appropriations, the department shall  
2 provide grants for the following purposes:

3           (a) The recycling markets program established under subsection  
4 ~~(7)~~. ~~(8)~~.

5           (b) The local recycling innovation program established under  
6 subsection ~~(8)~~. ~~(9)~~.

7           (c) The recycling access and voluntary participation program  
8 established under subsection ~~(9)~~. ~~(10)~~.

9           (8) ~~(7)~~—The department shall establish a recycling markets  
10 program. The program shall provide grants or loans for acquiring  
11 equipment or technology, for research and development, or for  
12 associated activities to provide for new or increased use of  
13 recycled materials or to support the development of recycling  
14 markets. Local units of government and nonprofit and for-profit  
15 entities are eligible for funding under the program. The funding is  
16 not limited to entities in counties with approved materials  
17 management plans. In addition to any other reporting requirements  
18 established by the department, grant recipients under the program  
19 shall provide **the department** information on the materials managed.

20           (9) ~~(8)~~—The department shall establish a local recycling  
21 innovation program. The program shall provide grants or loans for  
22 developing local recycling infrastructure, for recycling education  
23 campaigns for residents and businesses, technology, or other  
24 activities that result in increasing recycling access, quality, or  
25 participation, for reducing waste, or for sustainable materials  
26 management. Local units of government and nonprofit and for-profit  
27 entities are eligible for funding under the program. The funding is  
28 not limited to entities in counties with approved materials  
29 management plans. In addition to any other reporting requirements

1 established by the department, grant recipients under the program  
2 shall provide the department information on the materials managed.

3       **(10)** ~~(9)~~—The department shall establish a recycling access and  
4 voluntary participation program. The program shall provide grants  
5 or loans to assist local units of government in implementing best  
6 materials utilization practices or identifying ways to innovate and  
7 to collaborate with other local units and the private sector. To be  
8 eligible for a grant, a local unit of government must be a county  
9 that meets, or a municipality located within a county that meets,  
10 both of the following requirements:

11           (a) Has a materials management plan.

12           (b) Has documented progress toward meeting or has met its  
13 benchmark recycling standards and ultimately the municipal solid  
14 waste recycling rate goal under section 11507.

15       **(11)** ~~(10)~~—The department shall publish and make available to  
16 grant and loan applicants criteria upon which the grants and loans  
17 will be made.

18       **(12)** ~~(11)~~—By March 1 annually, the department shall prepare  
19 and submit to the governor, the legislature, the chairs of the  
20 standing committees of the senate and house of representatives with  
21 primary responsibility for issues related to natural resources and  
22 the environment, and the chairs of the subcommittees of the senate  
23 and house appropriations committees with primary responsibility for  
24 appropriations to the department a report that details the  
25 activities of the previous fiscal year funded by the staff account  
26 of the solid waste management fund. This report shall include, at a  
27 minimum, all of the following as they apply to the department:

28           (a) The number of full-time equated positions performing solid  
29 waste management authorization, compliance, and enforcement

1 activities.

2 (b) All of the following information related to the  
3 construction permit applications received under section 11509:

4 (i) The number of applications received by the department,  
5 reported as the number of applications determined to be  
6 administratively incomplete and the number determined to be  
7 administratively complete.

8 (ii) The number of applications determined to be  
9 administratively complete for which a final action was taken by the  
10 department. The number of final actions shall be reported as the  
11 number of applications approved, the number of applications denied,  
12 and the number of applications withdrawn by the applicant.

13 (iii) The percentage and number of applications determined to be  
14 administratively complete for which a final decision was made  
15 within the period required by part 13.

16 (c) All of the following information related to the operating  
17 license applications received under section 11512:

18 (i) The number of applications received by the department,  
19 reported as the number of applications determined to be  
20 administratively incomplete and the number determined to be  
21 administratively complete.

22 (ii) The number of applications determined to be  
23 administratively complete for which a final action was taken by the  
24 department. The number of final actions shall be reported as the  
25 number of applications approved, the number of applications denied,  
26 and the number of applications withdrawn by the applicant.

27 (iii) The percentage and number of applications determined to be  
28 administratively complete for which a final decision was made  
29 within the period required by part 13.

1 (d) The number of inspections conducted at licensed disposal  
2 areas ~~as required by section 11519~~ and the number of inspections  
3 conducted at materials utilization facilities as required by  
4 section 11526.

5 (e) The number of letters of warning sent to licensed disposal  
6 areas.

7 (f) The number of contested case hearings and civil actions  
8 initiated and completed, the number of voluntary consent orders and  
9 administrative orders entered or issued, and the amount of fines  
10 and penalties collected through such actions or orders.

11 (g) For each enforcement action that includes a penalty, a  
12 description of the corrective actions required by the enforcement  
13 action.

14 (h) The number of solid waste complaints received,  
15 investigated, resolved, and not resolved by the department.

16 (i) The amount of revenue in the staff account of the solid  
17 waste management fund and the amount of revenue in the coal ash  
18 care fund at the end of the fiscal year.

19 **(13)** ~~(12)~~—The coal ash care fund is created within the state  
20 treasury. The state treasurer may receive money from any source for  
21 deposit into the fund. The state treasurer shall direct the  
22 investment of the fund. The state treasurer shall credit to the  
23 fund interest and earnings from fund investments.

24 **(14)** ~~(13)~~—Money shall be expended from the coal ash care fund,  
25 upon appropriation, only for the following purposes relating to  
26 coal ash impoundments and coal ash landfills:

27 (a) Preparing generally applicable guidance regarding the  
28 solid waste permit and license program or its implementation or  
29 enforcement.

1 (b) Reviewing and acting on any application for a permit or  
2 license, permit or license revision, or permit or license renewal,  
3 including the cost of public notice and public hearings.

4 (c) Performing an advisory analysis under section 11510(1).

5 (d) General administrative costs of running the permit and  
6 license program, including permit and license tracking and data  
7 entry.

8 (e) Inspection of licensed disposal areas and open dumps.

9 (f) Implementing and enforcing the conditions of any permit or  
10 license.

11 (g) Groundwater monitoring audits at disposal areas that are  
12 or have been licensed under this part.

13 (h) Reviewing and acting upon corrective action plans for  
14 disposal areas that are or have been licensed under this part.

15 (i) Review of certifications of closure.

16 (j) Postclosure maintenance and monitoring inspections and  
17 review.

18 (k) Review of bonds and financial assurance documentation at  
19 disposal areas that are or have been licensed under this part.

20 Sec. 11582. (1) The CAA shall certify to the department the  
21 CAA's progress toward meeting all components of its materials  
22 management goals. The first certification shall be submitted by the  
23 first June 30 that is more than 2 years after the department's  
24 approval of the initial MMP or MMP amendment. Subsequent  
25 certifications shall be submitted by June 30 every 2 years after  
26 the first certification.

27 (2) If a county does not make progress toward meeting its  
28 benchmark recycling standards and ultimately the municipal solid  
29 waste recycling rate goal under section 11507, the county is

1 ineligible for assistance from the recycling access and voluntary  
2 participation program under section ~~11550(9)~~**11550(10)** until both  
3 of the following requirements are met:

4 (a) The county adopts an ordinance or other enforceable  
5 mechanism to ensure that any solid waste hauler providing curbside  
6 solid waste hauling service also offers curbside recycling service  
7 to dwellings of 4 or fewer units in the planning area.

8 (b) Any remaining deficiencies in a county's progress toward  
9 meeting its materials management goals are addressed.