

SUBSTITUTE FOR  
SENATE BILL NO. 506

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 11511a; and to  
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 11511a. (1) Notwithstanding any other provision of  
2 this part, and except as otherwise provided in this section, the  
3 department shall not issue a permit to construct a landfill if  
4 the administratively complete application for such permit was  
5 received after January 1, 2004 and before January 1, 2006.

6           (2) The department may issue a permit for a design  
7 modification to an existing landfill if the modification does not  
8 result in a net increase in remaining disposal capacity as  
9 calculated under section 11507a.

10          (3) The department may issue a permit to construct an

Senate Bill No. 506 as amended October 9, 2003

1 expansion to an existing landfill if the applicant demonstrates  
2 that the landfill has less than 5 years of remaining disposal  
3 capacity as defined in section 11507a and the application  
4 otherwise meets the requirements of this part. An existing  
5 landfill for purposes of this subsection is one that was licensed  
6 under this part to receive waste as of October 1, 2003. A permit  
7 issued under this subsection shall provide not more than a total  
8 of 10 years of remaining disposal capacity when added to the  
9 remaining disposal capacity existing prior to issuance of the  
10 permit. The amount of time of remaining disposal capacity shall  
11 be calculated based on the average of the 3 prior years of waste  
12 receipt as reported under section 11507a.

13 (4) The department may issue a permit to construct a type III  
14 landfill that is a captive facility as defined in section  
15 11525a(10) if the application otherwise meets the requirements of  
16 this part.

17 (5) By January 1, 2005, the department shall submit to the  
18 legislature a report providing recommendations for amending the  
19 solid waste planning and disposal area siting provisions of this  
20 part. That report shall include recommendations to foster a  
21 regional system of solid waste planning and disposal facility  
22 siting. The report shall also recommend methods for securing  
23 reasonable and necessary regional and statewide disposal capacity  
24 considering the paramount public concern in the conservation of  
25 the natural resources of the state. <<The report shall also include and  
incorporate a consideration by the department of type II landfill  
capacity and expansion currently provided for in the county solid waste  
management plan in which a substantial investment has already been made.  
The department shall make recommendations for any landfill expansion in  
part based on such consideration.>> The department shall prepare  
26 this report based on consultation with affected parties.

27 Enacting section 1. Section 11511a of the natural resources

1 and environmental protection act, 1994 PA 451, MCL 324.11511a, is  
2 repealed effective January 1, 2006.

3 Enacting section 2. This amendatory act does not take  
4 effect unless Senate Bill No. 557 of the 92nd Legislature is  
5 enacted into law.