



NOTE: Items below are DRAFT proposals and will only be effective upon enactment of the proposed recommendations to amend the current solid waste laws. Details are undergoing review and are subject to change.

The current solid waste laws are relatively silent on promoting materials management options, other than disposal. The recommended changes and draft legislation shift the focus to seeing the materials we throw away as resources that promote economic vitality, ecological integrity, and improved quality of life. By ensuring recycling access for all Michigan citizens, revitalizing the county planning process, and creating a level playing field for materials management facilities, the recommended changes will help to move Michigan forward in enhanced materials management, while preserving landfill space. The recommendations also promote Michigan's goal of tripling the recycling rate. With this comes a need to shift county solid waste planning to materials management planning. Below are some of the key points and a summary of the recommendations found in the draft legislation.

MATERIALS MANAGEMENT TERMS

Disposal area means one or more of the following:

- A solid waste processing and transfer facility
- An incinerator
- A sanitary landfill
- Any other waste handling or disposal facility utilized in the disposal of solid waste

Managed materials means solid waste, diverted waste, or recyclable material, and other materials as determined by the department.

Materials management facility (MMF) means any of the following:

- A disposal area
- A materials utilization facility
- A diversion center

Materials utilization facility (MUF) means any of the following facilities that do not primarily accept solid waste:

- A materials recovery facility
- A compost facility
- An anaerobic digester
- An innovative technology or practice facility

Materials Utilization Goal (MUG) is a measurable objective and specific set of goals, determined by a planning area which will be used to demonstrate progress toward material diversion from disposal areas.

Planning area is the geographic area addressed by a materials management plan.

MATERIALS MANAGEMENT PLAN (MMP) PARTIES and ASSOCIATED DUTIES

- Board of Commissioners (BOC) or its Designee (CBC)
 - Responsible for all aspects of the MMP
- Designated planning agency (DPA)
 - Administers and prepares the MMP through the direction of the MMPC
- Materials management planning committee (MMP Committee)
 - Identifies planning area priorities and directs the DPA for MMP preparation

NOTE: See "Draft Materials Management Planning Parties and Associated Duties Sheet" for more information.

Materials Management Planning

Proposal as of (5/14/18) DRAFT 6



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MATERIALS MANAGEMENT PLAN (MMP)

- Accounts for municipal solid waste generated in the planning area to determine a **recycling rate**
- Accounts for all managed materials that are being identified for the MMP's **materials utilization goal**
- Evaluates currently available materials management options for the planning area and inventories the **capacity** of the materials management facility
- Contains an **enforceable mechanism** for implementing the MMP
- Ensures materials management facilities that are needed can be **developed**
- **Includes a siting process** for MMF's and includes **local regulations** to be used during the siting process
- Includes an overview of the **transportation** infrastructure
- Documents an **implementation** strategy

MATERIALS UTILIZATION GOALS (MUG)

- Benchmark recycling standard
- Recycling rate (ultimate goal of 45 percent recycling rate; and an interim goal of 30 percent by 2025)
- Other MUGs set by the planning area's

MMP APPROVAL PROCESS

- Notice of Intent and designated planning agency (DPA) (BOC or CBC eligible for MMP Grant)
- Default mechanisms and timeframes
- 36 months (draft and planning area approval)

COUNTY UPDATE REQUIREMENTS

- Review MMP every 5 years
 - Ensure compliance with statute
 - Evaluate progress towards MUGs

MULTI-COUNTY MMP

- BOC of planning areas form authority or enter into agreement to ensure compliance with the statute
- Include a process for siting in compliance with the statute

DEQ PREPARED MMP

- If the BOC and local applicable entities have chosen to decline preparation of the MMP, the DEQ shall prepare the plan. All DEQ prepared plans will include the following:
 - All MUFs or exempt disposal areas that comply with local zoning that has been included in the department written MMP, are automatically consistent with the MMP's siting process.
 - No additional solid waste landfill disposal capacity will be approved.
 - All haulers will be required to provide recycling access per the benchmark recycling standard.

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MATERIALS MANAGEMENT PLANNING COMMITTEE (MMP COMMITTEE)

County MMP: 11 Members Standard

- Solid waste disposal facility operator
- Managed materials hauler
- Materials recovery facility operator
- Compost or other organics facility operator
- Waste diversion, reuse, or reduction facility operator
- Environmental interest group
- Elected official of the county
- Elected official of a township
- Elected official of a city or village
- Individual that generates a managed material
- Regional planning agency
- OPTIONAL: An adjacent community business representative

Multi-County MMP: Standard MMP Committee plus the following may be appointed per additional county

- An elected county or municipal government official
- Business that generates managed materials within the planning area

MMP GRANTS

- Covers local costs for preparing, implementing, and maintaining MMPs.
- \$60,000 for each county.
- \$10,000/county for multi-county planning.
- \$0.50 per capita, up to \$300,000 would:
 - Cover the higher upfront costs of initiating the new planning process
 - Be available in the first year
 - Be awarded over a 3-year period

Materials Management Planning

Proposal as of (5/14/18) DRAFT 6

NOTE: All duties are the same as the current statute unless otherwise indicated; new items and materials management terminology will be effective upon enactment of the proposed recommendations to amend the current solid waste laws and is subject to change.



MATERIALS MANAGEMENT PLANNING PARTIES AND ASSOCIATED DUTIES

County Board of Commissioners (BOC) Duties:

- Responsible for all aspects of the MMP
- Automatically responsible for Plan implementation **(NEW)**
- Files the Notice of Intent (NOI) to prepare the plan
- Appoints Designated Planning Agency (DPA)
- Oversees the creation and implementation of the DPA's work program
- Appoints a materials management planning committee
- Approves MMP prior to municipal approval
- Approves MMP modifications, if needed
- Responsible for either siting any needed facilities or finding alternate materials management facilities outside of the planning area **(NEW)**

NOTE: If the BOC declines preparation of the MMP, the BOC shall advise the municipalities and the Regional Planning Agency (RPA) of their decision. The municipalities or RPA can request an extension to allow the parties an opportunity to determine who will file the NOI. If an NOI is not filed, the DEQ shall prepare the MMP.

NOTE: A BOC that files an NOI and appoints a DPA is eligible for the Planning Grant. Planning Grant money will flow through the county (or counties, if multi-county) and others associated with fulfilling the MMP requirements. **(NEW)**

Designated Planning Agency Duties:

- Prepares the MMP work program
- Prepares the draft Plan with advice from the MMP Committee and supports the process as needed
- Publishes notices; sends required mailings
- Obtains approvals from the planning committee, BOC, and municipalities
- Drafts language for review
- Serves as the main point of contact for materials management planning questions for the County/planning area
- Ensures approval process and submittals comply with the statute
- Is the administrator for the MMP

Materials Management Planning Committee Duties:

- Approves the DPA work program **(NEW)**
- Directs the DPA in the preparation of the MMP
- Identifies relevant local policies and priorities
- Ensures coordination and public participation
- Advises county (or counties, if multi-county) and municipalities **(NEW)**
- Ensures that the DPA is fulfilling all the requirements and rules promulgated under this part, as to both the content of the MMP and the public participation requirement
- Approves MMP prior to public comment
- Provides the final level of approval of the MMP before it is presented for BOC approval