



Materials Management Planning

INTRODUCED LEGISLATION

As approved by HB 4454 – 4461



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY



Below is a summary of the introduced legislation 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 move Michigan forward in enhanced materials management, while preserving landfill space. The recommendations also promote Michigan's goal of increasing the residential 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

County Board of Commissioners (BOC) means the County Board of Commissioners or the elected county executive, as appropriate.

County Approval Agency (CAA) means the County Board of Commissioners, the municipalities in the county, or the regional planning agency, whichever submits a Notice of Intent to prepare a **Materials Management Plan**.

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 composting facility
- An anaerobic digester
- An innovative technology facility

Materials Management Goal (MMG) 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 to which a Materials Management Plan applies.

MATERIALS MANAGEMENT PLAN (MMP) PARTIES and ASSOCIATED DUTIES

- County Approval Agency (CAA): 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

See the draft *Materials Management Planning – Duties and Responsibilities* for more information.

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 management goals**
- 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 MANAGEMENT GOALS (MMG)

- Benchmark recycling standard
- Recycling rate (ultimate goal of 45 percent recycling rate; and an interim goal of 30 percent)
- Other MMGs set by the planning areas

MMP APPROVAL PROCESS

- Notice of Intent is submitted and identifies DPA entity
 - BOC or CAA are eligible for MMP Grants after submittal
- Default mechanisms and timeframes
- 36 months to complete all tasks of the draft and planning area approval process
- EGLE makes final approval determination

COUNTY UPDATE REQUIREMENTS

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

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

EGLE PREPARED MMP

If the BOC and local applicable entities have chosen to decline preparation of the MMP, EGLE shall prepare the plan. All EGLE prepared plans will include the following:

- All MUFs or exempt Solid Waste Processing and Transfer Facilities that have been identified in the department written MMP, are automatically consistent with the MMP's siting process.
- No additional solid waste landfill disposal capacity will be approved unless the BOC has demonstrated it to be necessary.
- All haulers will be required to provide recycling access per the benchmark recycling standard.

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 each year over a 3-year period

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