

HOUSE BILL No. 4987

June 26, 1997, Introduced by Rep. Freeman and referred to the Committee on Conservation, Environment and Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding sections 14101, 14102,
14103, 14104, and 14105.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 14101. AS USED IN THIS PART:

2 (A) "ENVIRONMENTAL WASTES" MEANS ALL ENVIRONMENTAL POLLUT-
3 ANTS, WASTES, DISCHARGES, AND EMISSIONS, REGARDLESS OF WHETHER OR
4 HOW THEY ARE REGULATED AND REGARDLESS OF WHETHER THEY ARE
5 RELEASED TO THE GENERAL ENVIRONMENT OR THE WORKPLACE
6 ENVIRONMENT.

7 (B) "POLLUTION PREVENTION" MEANS BOTH OF THE FOLLOWING:

8 (i) "SOURCE REDUCTION" AS DEFINED IN THE POLLUTION
9 PREVENTION ACT OF 1990, SUBTITLE G OF TITLE VI OF THE OMNIBUS

1 BUDGET RECONCILIATION ACT OF 1990, PUBLIC LAW 101-508, 42
2 U.S.C. 13101 TO 13109.

3 (ii) "POLLUTION PREVENTION" AS DESCRIBED IN THE ENVIRONMEN-
4 TAL PROTECTION AGENCY'S POLLUTION PREVENTION POLICY STATEMENT
5 DATED JUNE 15, 1993.

6 SEC. 14102. THE LEGISLATURE FINDS ALL OF THE FOLLOWING:

7 (A) THAT SIGNIFICANT OPPORTUNITIES EXIST TO ELIMINATE OR
8 REDUCE THE GENERATION OF HAZARDOUS SUBSTANCES, TOXIC POLLUTANTS,
9 AND HAZARDOUS WASTE THROUGH MODIFICATIONS IN PROCESSES AND RAW
10 MATERIALS USED.

11 (B) THAT THOSE MODIFICATIONS MAY OFFER SIGNIFICANT SAVINGS
12 THROUGH REDUCED COSTS FOR RAW MATERIALS, INSURANCE, AND POLLUTION
13 CONTROL AND ARE LIKELY TO IMPROVE WORKER HEALTH AND SAFETY.

14 (C) THAT POLLUTION PREVENTION OPPORTUNITIES ARE NOT REALIZED
15 BECAUSE EXISTING REGULATORY EFFORTS FOCUS ON TREATMENT AND DIS-
16 POSAL OF WASTES THAT HAVE ALREADY BEEN GENERATED, RATHER THAN ON
17 REDUCING THE USE AND PRODUCTION OF HAZARDOUS SUBSTANCES, TOXIC
18 POLLUTANTS, AND HAZARDOUS WASTE; EXISTING REGULATORY EFFORTS
19 FOCUS SPECIFICALLY ON AIR POLLUTION, WATER POLLUTION, OR SOLID
20 WASTE RATHER THAN TAKING A UNIFIED APPROACH TO WASTE MANAGEMENT;
21 AND USERS AND PRODUCERS OF HAZARDOUS SUBSTANCES, TOXIC POLLUT-
22 ANTS, AND HAZARDOUS WASTE MAY NOT BE AWARE OF THE POTENTIAL BENE-
23 FITS OF POLLUTION PREVENTION.

24 (D) THAT STATE AGENCIES, IN ADDITION TO ADMINISTERING REGU-
25 LATORY PROGRAMS, CAN HELP PROMOTE POLLUTION PREVENTION BY DISSEM-
26 INATING INFORMATION ABOUT POLLUTION PREVENTION STRATEGIES TO THE
27 PUBLIC.

1 (E) THAT SOME USERS AND PRODUCERS OF HAZARDOUS SUBSTANCES,
2 TOXIC POLLUTANTS, AND HAZARDOUS WASTE MAY BE MORE LIKELY TO
3 IMPLEMENT POLLUTION PREVENTION WITH INFORMATION, EDUCATION, AND
4 TECHNICAL ASSISTANCE.

5 SEC. 14103. IT IS THE POLICY OF THIS STATE TO REDUCE THE
6 DISPOSAL AND RELEASE OF ENVIRONMENTAL WASTES THAT MAY HAVE SERI-
7 OUS, ADVERSE EFFECTS ON HEALTH AND THE ENVIRONMENT, TO PROMOTE
8 POLLUTION PREVENTION AS THE PREFERRED MEANS OF ACHIEVING COMPLI-
9 ANCE WITH ENVIRONMENTAL LAWS, TO USE EXISTING REGULATORY PROGRAMS
10 TO PROMOTE POLLUTION PREVENTION, AND TO STIMULATE POLLUTION PRE-
11 VENTION ACTIVITIES.

12 SEC. 14104. (1) IT IS THE GOAL OF THIS STATE TO REDUCE
13 ENVIRONMENTAL WASTES BY 50% WITHIN 5 YEARS AFTER THE EFFECTIVE
14 DATE OF THIS SECTION. THIS GOAL IS NOT INTENDED TO IMPOSE A
15 LEGAL REQUIREMENT ON THE DEPARTMENT BUT RATHER A TARGET TOWARD
16 WHICH THE DEPARTMENT WILL WORK.

17 (2) THE DEPARTMENT SHALL ANALYZE TOXIC SUBSTANCE USE AND
18 RELEASE REDUCTION DATA AVAILABLE UNDER SECTION 3111 AND TOXIC
19 RELEASE INVENTORY REPORTS PREPARED UNDER SECTION 313 OF THE EMER-
20 GENCY PLANNING AND COMMUNITY RIGHT TO KNOW ACT, 42 U.S.C. 11023,
21 AND TRENDS TO DETERMINE IF THE 50% REDUCTION GOAL IN THIS SECTION
22 IS MET.

23 SEC. 14105. THE DEPARTMENT SHALL ANNUALLY SUBMIT A REPORT
24 TO THE LEGISLATURE THAT DETAILS THE PROGRESS OF THE STATE IN
25 MEETING THE STATE'S POLLUTION PREVENTION GOAL AS PROVIDED IN SEC-
26 TION 14104.