



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 shift comes a need to update 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 1 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 a 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) KEY PARTIES

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

NOTE: SEE DRAFT MATERIALS MANAGEMENT PLANNING KEY PARTIES & THEIR ASSOCIATED DUTIES SHEET



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.

MATERIALS MANAGEMENT PLAN (MMP)

- Accounts for residential-like 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 & inventories the **capacity** of the materials management facility's
- Contains an **enforceable mechanism** for implementing the MMP
- Ensures materials management facilities needed are able to be **developed**
- **Includes a siting process** for MMF's & includes **local regulations** to be used during the siting process
- Includes an overview of the **transportation** infrastructure
- Documents an **implementation** strategy

MATERIALS UTILIZATION GOALS

- Benchmark Recycling Standard
- Recycling rate [Goal of 45% recycling rate; and an interim goal of 30% by 2025]
- Other MUGs set by the planning area's

MMP APPROVAL PROCESS

- Notice of Intent & designated planning agency (DPA) [Eligible for MMP Grant]
- Default mechanisms & timeframes
- 36 months (draft & planning area approval)

NOTE: SEE DRAFT MATERIALS MANAGEMENT PLAN APPROVAL PROCESS FLOWCHART

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 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.



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.

MATERIALS MANAGEMENT PLANNING COMMITTEE (MMPC)

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 County; Township; and City or Village
- Individual that generates a managed material
- Regional planning agency
- OPTIONAL: An adjacent community business representative

Multi-County MMP: Standard MMPC 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,
 - Cover the higher upfront costs of initiating the new planning process
 - Available in the first year



Materials Management Planning

NOTE: ALL DUTIES ARE THE SAME AS THE CURRENT STATUTE UNLESS OTHERWISE INDICATED; NEW ITEMS & MATERIALS MANAGEMENT TERMINOLOGY WILL BE EFFECTIVE UPON ENACTMENT OF THE PROPOSED RECOMMENDATIONS TO AMEND THE CURRENT SOLID WASTE LAWS AND IS SUBJECT TO CHANGE.

DRAFT - MATERIALS MANAGEMENT PLANNING PARTIES & ASSOCIATED DUTIES

County Board of Commissioners Duties:

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

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 opportunity to determine who will file the NOI. If an NOI is not filed, the DEQ shall prepare the MMP.

NOTE: BOC that files a 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:

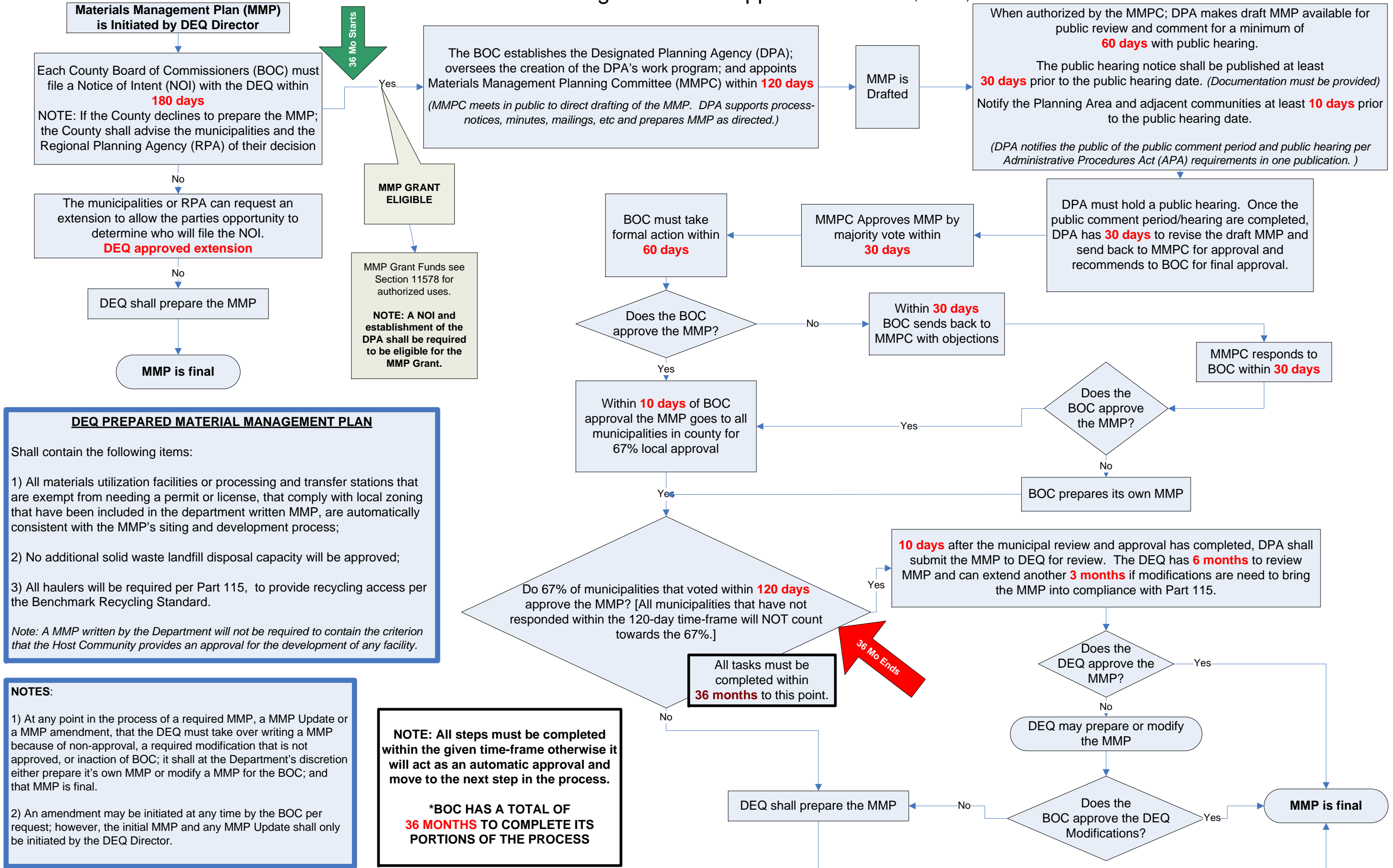
- Prepares the MMP work program
- Prepares the draft Plan with advice from the MMP Committee and supports the process as needed
- Publishes notices, mailing
- Obtains approvals from the planning committee; BOC; and municipalities
- Drafts language for review
- Serves as the main point of contact for 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 of the requirements of this part 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 MMP before it is presented for BOC approval.

DRAFT Materials Management Plan Approval Process (03/05/18)

Proposed as of 3/05/18



DEQ PREPARED MATERIAL MANAGEMENT PLAN

Shall contain the following items:

- 1) All materials utilization facilities or processing and transfer stations that are exempt from needing a permit or license, that comply with local zoning that have been included in the department written MMP, are automatically consistent with the MMP's siting and development process;
- 2) No additional solid waste landfill disposal capacity will be approved;
- 3) All haulers will be required per Part 115, to provide recycling access per the Benchmark Recycling Standard.

Note: A MMP written by the Department will not be required to contain the criterion that the Host Community provides an approval for the development of any facility.

NOTES:

- 1) At any point in the process of a required MMP, a MMP Update or a MMP amendment, that the DEQ must take over writing a MMP because of non-approval, a required modification that is not approved, or inaction of BOC; it shall at the Department's discretion either prepare it's own MMP or modify a MMP for the BOC; and that MMP is final.
- 2) An amendment may be initiated at any time by the BOC per request; however, the initial MMP and any MMP Update shall only be initiated by the DEQ Director.

NOTE: All steps must be completed within the given time-frame otherwise it will act as an automatic approval and move to the next step in the process.

***BOC HAS A TOTAL OF 36 MONTHS TO COMPLETE ITS PORTIONS OF THE PROCESS**

All tasks must be completed within 36 months to this point.



Benchmark Recycling Standard



MICHIGAN
Recycling Initiative

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

After many years of stakeholder discussions, public engagement, and the review of two stakeholder-developed reports of recommendations, Michigan is on the path to a long overdue updated solid waste management law (Part 115 of the NREPA). Proposed language to update Part 115 has been drafted and is undergoing review by stakeholders and the Michigan Department of Environmental Quality. The recommended changes broaden the focus of Part 115 from providing safe and long-term disposal capacity, to also recognizing solid waste as a resource. As recommended, a revitalized planning process will include Benchmark Recycling Standards to work toward a day when all Michigan residents are able to recycle materials as easily as they can dispose of them in a landfill. This document provides an overview of the currently recommended Benchmark Recycling Standards.

BENCHMARK RECYCLING STANDARD TERMS

“Access” to curbside recycling means a household has one of the following:

- Curbside recycling is automatically provided
- The ability to request* recycling services from the resident’s hauler

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

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.

BENCHMARK RECYCLING STANDARDS

Access Standards

- 2022 – 90% single-family dwellings in urbanized areas have access
- 2025 – 90% single-family dwellings in areas with >5,000 residents have access
- 2028 – Population <100,000 residents: at least 1 drop-off for every 10,000 residents without curbside recycling at their dwelling
- 2028 – Population >100,000 residents: at least 1 drop-off for every 50,000 residents without curbside recycling at their dwelling

***NOTE:** “The ability to request” means that any hauler servicing more than 10% of the community population, as specified in the access standards, offers recycling services. “Access” is not defined as any individual resident being able to choose a single hauler that offers recycling services, when all other haulers may not.

Service Requirements include:

- Recycling is collected at least once every 14 days
- Materials are either collected separately, delivered to a processing facility to be separated from commingled solid waste, or delivered to a compliant materials recovery facility for sorting.



Benchmark Recycling Standard



MICHIGAN
Recycling Initiative

Mechanisms to ensure access may include (but are not limited to):

- Voluntary action by recycling service providers to offer recycling services to customers (bundled service or for a fee)
- Municipality providing curbside recycling services
- Franchise or contract agreements with the private sector
- Establishing an ordinance specifying that haulers shall offer recycling services

Education Standards

- Identify the responsible party for educating residents and businesses
- Identify the budget and means of funding education and outreach
- Establish roles in providing recycling information via a website, telephone number, and recycling guide

Mechanisms to ensure education may include (but are not limited to):

- Township, municipality, county, authority, etc. could provide recycling education
- Formal partnerships with non-profit, educational, or for-profit organizations
- Agreements with the private sector to provide education
- Ordinance or other enforceable mechanisms

GRANT PROGRAM AFFILIATED WITH THE BENCHMARK RECYCLING STANDARDS

Growing Recycling Access and Voluntary Participation Fund:

- Program providing grants to assist local units of government in implementing projects such as the following:
 - Best management practices to grow recycling access and participation
 - Innovative projects that collaborate with other local units and the private sector
- Grant eligibility dependent on the following:
 - County applicant must have an approved Materials Management Plan, meet the Benchmark Recycling Standards, and demonstrate progress toward its Materials Utilization Goals.
 - Local unit of government applicant must be located in a county that meets the above standards.