

# Support Reforms to Michigan's Waste and Recycling Law

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It is widely-agreed that our state's solid waste law is in need of significant reforms. While the Legislature recently provided funding for recycling and solid waste management through the 2018 Renew Michigan measure, these funds cannot be effectively used without updating our law (Part 115 of the Natural Resources and Environmental Protection Act), which is now more than twenty-five years old. Under our current outdated policy, Michigan has only prioritized the development of disposal capacity, specifically the siting of new and expanded landfills. Further, Michigan's eighty-three counties are largely operating under solid waste plans that are now decades old. This has led to an oversupply of disposal capacity, the continued importation of out-of-state waste, and a dismal statewide recycling rate.

However, since that time we've learned that much of our waste can be managed in more valuable and sustainable ways – through waste reduction, diversion, reuse, recycling, and more. Businesses of all shapes and sizes, as well as governments and nonprofit organizations, have all recognized sustainable materials management as a shared priority. Governors of both parties have made a commitment to increasing Michigan's recycling performance.

To achieve this goal, Michigan must bring its waste and recycling policies up to date. This means providing resources for counties to modernize and implement their material management plans. County planning assures that communities across Michigan are engaged and actively managing the waste generated in their jurisdiction for productive use and environmental protection. Michiganders spend more than \$1 *billion* annually to manage their wastes. While the \$15M now available from Renew Michigan - funding grants for recycling infrastructure, market development, and education - is a significant investment, our State must also adopt policies to fully leverage this funding.

For well over three years, business, government, and conservation stakeholders have worked thoroughly to develop legislation that substantially updates Michigan's solid waste law with these goals in mind. Proposed changes refocus the law to promote the development of 21<sup>st</sup> Century recycling infrastructure and needs. Plans for funding and policy changes developed in tandem and were founded on the need to expand create a robust planning process that will consider not only disposal, but also materials management solutions like waste reduction, recycling, composting, and anaerobic digestion.

This comprehensive update of our solid waste law will:

- ✓ Provide a policy framework supporting investment in productive materials management as an economic driver
- ✓ Update and broaden the county planning process to encourage sustainable materials management
- ✓ Ensure adequate local capacity for managing materials
- ✓ Prioritize local control of facility siting and regulation of landfill development
- ✓ Provide state oversight of composting and recycling facilities
- ✓ Require adequate financial assurance for all permitted facilities, including landfills
- ✓ Allow for the development of new recycling technologies and facilities
- ✓ Establish benchmark standards to ensure access to recycling opportunities across the state
- ✓ Specify local funding mechanisms that can be used to support materials management
- ✓ Preserve the ability to flow material to publicly-managed facilities
- ✓ Eliminate import/export authorizations for disposal
- ✓ Support business commitments to a circular economy

Without a new materials management planning framework, the state will continue to squander its resources by incentivizing disposal and waste as an afterthought. It's time to invest in the economic opportunities inherent in the materials already circulating in the economy. Our groups agree this is the right way forward to Michigan and support these much-needed reforms.