

# MATERIALS MANAGEMENT FAQ

Part 115 of the Natural Resources and Environmental Protection Act (PA 451 of 1994) was updated in 2023 to include regulations for solid waste, recycling, and composting. As a result, each county will be required to submit a Materials Management Plan to the Department of Environment, Great Lakes and Energy (EGLE). CUPPAD has historically been the governmental resource for solid waste planning in the central region; as a result of engagement events with local stakeholders, below are frequently asked questions:

**\*EGLE WILL INITIATE THE CALL FOR PLANS ON JANUARY 8, 2024\***

## **WHAT DOES THE COUNTY DO WHEN IT RECEIVES THE CALL FOR PLANS?**

EGLE will send a letter to each County Board of Commissioners calling for Materials Management Plans and requesting the county provide a Notice of Intent to EGLE within 180 days. The Notice of Intent will specify if the county will take responsibility for planning, if the County Board will be the approval body, and verify that the county approached other counties about the possibility of multi-county planning. The submission of the Notice of Intent starts a three-year planning timeline.

## **WHAT IF THE COUNTY DECIDES NOT TO PLAN?**

If the county does not provide a Notice of Intent, then all of the municipalities acting jointly, or the Regional Planning Agency (CUPPAD), can provide a Notice of Intent to EGLE. If none of these do, then EGLE can prepare a Materials Management Plan under its own standards for the county. The county will then have to implement the EGLE standards under the plan.

## **WHAT DO THE NEW PART 115 STANDARDS REQUIRE FOR RECYCLING?**

The new standards create requirements for access to recycling services, as well as provisions for providing capacity for composting services. The major requirements are the "Benchmark Recycling Standards" which outline that:

- By January 1, 2026, at least 90% of single family dwellings in Census-identified urban areas have access to curbside recycling service at least twice per month.  
These areas are in general:
  - Moon Lake-Iron Mountain-Kingsford-East Kingsford-Quinnesec-Norway-Vulcan-Loretto
  - Menominee-M-35
  - Escanaba-Soo Hill-Wells-Gladstone-Kipling
  - West Ishpeming-Ishpeming-Negaunee-Trowbridge Park-Marquette-Harvey
- By January 1, 2028, at least 90% of single family dwellings in municipalities with population over 5,000 have access to curbside recycling service at least twice per month:
  - Breitung Township, City of Iron Mountain, City of Kingsford
  - City of Menominee
  - City of Escanaba, City of Gladstone
  - City of Marquette, City of Ishpeming, Chocolay Township, Forsyth Township
- By January 1, 2032, in each county, there is at least 1 drop-off location for each 10,000 residents without access to curbside recycling at their dwelling, open at least 24 hours per month.

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## WHO WILL CREATE THE MATERIALS MANAGEMENT PLANS?

The Designated Planning Agency (DPA) named by each county will administer the planning process and oversee the Materials Management Planning Committee responsible for the plan's development. CUPPAD has historically been DPA for Alger, Delta, Dickinson, Menominee, and Schoolcraft Counties. The Marquette County Planning Commission has historically been that county's DPA.

The Materials Management Planning Committee is a permanent public body subject to Open Meetings Act requirements. Its membership consists of:

- A representative of a solid waste disposal facility operator within the planning area;
- A representative of a hauler within the planning area;
- A representative of a materials recovery facility in the planning area;
- A representative of a composting facility or digester within the planning area;
- A representative of a waste diversion, reuse, or reduction facility;
- A representative of an environmental interest group;
- An elected official of the county
- An elected official of a township
- An elected official of a city or village
- A representative of a business that generates a managed material
- A representative of the regional planning agency
- [Multi-county plans may include additional members]

This body must be formed within 180 days of the submission of the Notice of Intent.

## WHO PAYS FOR THESE PLANS?

EGLE will make grant funds available to each county that participates in the planning process. These are pass-through funds for planning and the plan's implementation. These funds will be available after the county forms its Planning Committee and the DPA provides a work program.

Funding available:

- \$60,000 for each county
- + \$10,000/county for multi-county plans
- + \$0.50 per capita, up to \$300,000

Per capita funds will be available for the next three years, base and multi-county funding will continue to be available through EGLE as the law allows.

	INDIVIDUALLY	MULTI-COUNTY
<b>ALGER</b>	\$60,000 + \$4,421 = \$64,221	+\$10,000
<b>DELTA</b>	\$60,000 + \$18,451 = \$78,451	+\$10,000
<b>DICKINSON</b>	\$60,000 + \$12,973 = \$72,973	+\$10,000
<b>MARQUETTE</b>	\$60,000 + \$33,008 = \$93,008	+\$10,000
<b>MENOMINEE</b>	\$60,000 + \$11,751 = \$71,751	+\$10,000
<b>SCHOOLCRAFT</b>	\$60,000 + \$4,023 = \$64,023	+\$10,000

## WHAT WILL THE REQUIREMENTS OF PART 115 COST EACH COUNTY?

The Materials Management Planning process will identify the capacity of current facilities to accept solid waste, recyclables, and compost. If there is not enough capacity, facilities will have to be accommodated to provide it on a county-level. Whether this means additional facilities will be required in each county will be determined by the result of the planning process.

Capacity can also be filled by the expansion of private business. There is no way to determine the cost to each county in an acceptable manner at this time. Counties can estimate initial needs by what will be required to meet the benchmark recycling standards.

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## **WE DON'T HAVE FACILITIES OR PEOPLE THAT MEET THE REQUIREMENTS OF THE COMMITTEE, WHAT CAN WE DO?**

Even if there are no ongoing activities currently, a county can supplement its plan through identifying capacity from a facility outside the service area, or members who provide service within the area, but don't live inside it. There are also provisions for a smaller planning committee, with permission from EGLE. The best way to provide additional capacity and membership opportunities is by engaging in multi-county planning.

## **HOW DO WE CREATE A MULTI-COUNTY MATERIALS MANAGEMENT PLAN?**

A multi-county plan is created by entering an agreement with the other county(ies) under the terms of the Urban Cooperation Act (PA 7 of 1967). The counties then provide a joint Notice of Intent to EGLE and form a single Planning Committee for the area. CUPPAD has developed an interlocal agreement to be used among the participating counties.

## **OUR CURRENT SOLID WASTE PLAN KEEPS ALL OUR WASTE IN-COUNTY, WILL THAT REMAIN THE SAME?**

The import/export regulations required in previous Solid Waste Plans have been repealed under the new statute. Under the new planning process, the county will identify the capacity of its current facility to import/export waste. If the current facility has the capacity for only the waste produced within the county, then that will remain. If the county currently exports waste, it can continue to do so as long as the accepting facility has the capacity to do so. This will be determined for recycling and composting capacity as well.

## **DO THESE PLANS REQUIRE THAT EVERYONE RECYCLE?**

No, the plans do not require participation from all residents. They do require that recycling options be accessible to all residents in some form. Whether that is through drop-off facilities, haulers providing additional services, municipal facilities, etc. will be determined through the planning process and the work of local agencies.

## **WHERE WILL ALL THIS RECYCLED MATERIAL GO?**

The Marquette County Solid Waste Authority has built a Materials Recovery Facility that can collect recyclable material and process it for the secondary market. This facility has the capacity to accept recyclables from the entire Upper Peninsula. The Authority sells this material to manufacturing companies located in Lower Michigan and out of state. The Authority has previously sent letters to all UP Board of Commissioners petitioning that they designate the facility for their recyclable materials. Using this facility will provide needed capacity for each county and will not require that each county build its own processing facility. Additionally, EGLE and the Michigan Economic Development Corporation are working to expand the market for recycled materials.

## **WILL WE MAKE MONEY FROM RECYCABLES IF WE HAVE TO COLLECT THEM?**

Most likely not. Value from recyclable materials is most often captured by the processor when they sell the material to the secondary market. If you collect, process, and sell material on your own then there may be a return. The Marquette County Solid Waste Management Authority has proposed a revenue-sharing agreement in their potential contracts when threshold volumes and prices are met.

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## **WHEN DO THE PART 115 REQUIREMENTS GO INTO EFFECT?**

The Part 115 requirements went into effect on March 29, 2023. The major provisions are set by dates detailed in the law. However, the local regulations enforced through Solid Waste Management plans will remain in effect until the adoption of a Materials Management Plan, some 3-4 years from now.

## **IS THERE ANYTHING MY CITY OR TOWNSHIP CAN DO NOW TO PREPARE?**

Yes, begin initial planning if your area is included in the Benchmark Recycling Standards. You can also explore current ordinances and contract agreements with hauling companies to include standards for recycling collection and service. Local zoning ordinances can also be updated to include siting provisions for materials management facilities, including transfer stations and composting sites. You can also identify potential spaces for drop-off infrastructure.

## **WHAT KIND OF FUNDING MECHANISMS ARE AVAILABLE FOR RECYCLING?**

There are several Public Acts and assessment methods available to counties, cities, and townships to provide for recycling services. Please reach out to CUPPAD if you are interested in options for your municipality.

## **WE'RE INTERESTED IN DROP-OFF PROGRAMS, WHAT ASSISTANCE IS AVAILABLE?**

There is technical assistance and grant funding available from EGLE, The Recycling Partnership, the Michigan Recycling Coalition and others. Please reach out to CUPPAD for initial assistance and more information. Local haulers may have the ability to quote for equipment and collection service.

## **WHAT ABOUT TIRES, HAZARDOUS WASTE, AND ELECTRONICS?**

Scrap tires, household hazardous waste, and e-wastes are not regulated by these requirements. Their collection is anticipated to be included in materials management planning in order to facilitate wider access. Grant programs from EGLE continue to be available to fund local drop-off events.