

# Materials Management Planning

## QUICK GUIDE

Materials Management Plans (MMP) are required by amendments to Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 115), specifically [Subpart 11](#), Materials Management Plans. These changes focus on sustainable materials management approaches, such as recycling and composting, instead of primarily disposal. MMPs, once approved, will replace existing solid waste management plans. This document provides guidance to assist with the development of these new MMPs.

## CONTENTS

Glossary of Terms.....	2
Goals and Objectives of Materials Management Planning .....	3
Materials Management Planning Overview .....	3
Materials Management Plan Requirements.....	5
Responsible Parties - Roles and Responsibilities .....	8
Plan Initiation Process.....	10
County Approval Agency.....	12
Designated Planning Agency.....	13
Materials Management Planning Committee .....	14
Plan Development and Approval Process .....	17
Materials Management Planning Grants .....	21
Multicounty Materials Management Planning .....	22
What resources are available?.....	23

## GLOSSARY OF TERMS

**Benchmark Recycling Standard (BRS):** a recycling curbside and drop-off access standard that each planning area must meet within the timelines identified in statute.

**County Board of Commissioners (BOC):** the elected governing body authorized to make policy decisions for the county, or the elected county executive, as appropriate.

**County Approval Agency (CAA):** the entity that assumes responsibility and is authorized to approve the MMP, by submitting a notice of intent for preparing the MMP. The CAA may be a county board of commissioners, all the municipalities in a county acting jointly, or a regional planning agency.

**Designated Planning Agency (DPA):** the agency and a specific individual of the agency designated by the CAA that shall serve as the primary government resource in the planning area for the administering and developing the MMP. “DPA” does not mean a regional planning agency, unless the CAA identifies the regional planning agency as the DPA.

**Disposal Area:** a facility that accepts solid waste for disposal, or handling prior to disposal, such as a landfill, incinerator, or solid waste processing and transfer facility.

**Diverted Waste:** waste generated by households, businesses, or government entities that can lawfully be disposed of at a municipal solid waste landfill or incinerator but is separated from other waste for better management. Examples of diverted waste include batteries, pesticides, pharmaceuticals, light bulbs, sharps, mercury containing devices, hazardous materials, or liquid wastes.

**Managed Materials:** solid waste, diverted waste, or recyclable material.

**Materials Management Facility (MMF):** a disposal area, materials utilization facility, or waste diversion center.

**Materials Management Goal (MMG):** goals identified in an MMP that are measurable, objective, and specific to the planning area identified to divert recyclables and organics from disposal. These goals include the municipal solid waste recycling rate goal, the benchmark recycling standards identified in Part 115, and any additional material utilization and reduction activities identified by the MMP.

**Materials Management Planning Committee (MMPC):** a permanent body that is appointed by the CAA to direct the Designated Planning Agency in the preparation, coordination and ensures fulfillment of the MMP.

**Materials Utilization Facility (MUF):** a facility, such as a materials recovery facility, anaerobic digester, compost facility, or innovative technology facility that processes recyclable materials for conversion into raw materials, intermediate, or new products.

**Planning Area:** the geographic area included within a materials management plan.

**Regional Planning Agency:** the Governor appointed 14 separate regions within the State for planning purposes. The [Michigan Association of Regions map](#) shows their geographical locations.

**Waste Diversion Center:** a facility designated for the purpose of receiving or collecting diverted wastes.

## GOALS AND OBJECTIVES OF MATERIALS MANAGEMENT PLANNING

### WHAT IS A MATERIALS MANAGEMENT PLAN (MMP)?

Each county is required by law, to have an MMP that assures adequate materials management capacity for all non-hazardous solid waste generated in the county. The plan will also assure that managed material is collected, processed, or disposed at facilities that are consistent with the county plan and comply with state laws and rules. This can include organics, recyclables, solid waste, and other materials. MMPs will also identify and regulate local criteria for siting of all [materials management facilities](#), such as landfills, solid waste processing and transfer facilities, materials recovery facilities, composting facilities, and anaerobic digesters.

**The materials management plan is not the end-goal. The goal is to create and implement a robust materials management system.**

### HOW DO PLANS HELP A COUNTY?

- Gives a county a tool in its authority over management of solid waste, recyclables, organics, and other related activities within their county.
- Allows for mechanisms to fund and promote materials management methods like recycling and composting.
- Illustrates the county's materials management infrastructure (existing and new).
- Defines county or regional needs, goals, and identifies possible areas of growth.
- Encourages collaboration through partnerships to manage materials that are generated.
- Funds the effort to inventory current [materials management facilities](#) and available capacity.
- Helps establish current generation of organics, recyclable materials, and solid waste.
- Identifies gaps and local needs for infrastructure and services.

**Once developed, the MMP becomes a tool and the authority to implement the vision set by the planning area.**

## MATERIALS MANAGEMENT PLANNING OVERVIEW

Materials management planning is a program designed to guide the management of counties' materials, with an emphasis on increasing sustainable practices, such as recycling and composting, in addition to ensuring safe disposal options. These materials can include food waste, yard clippings, recyclables, other source separated materials, and solid waste. Part 115 establishes statewide recycling goals and standards, and the MMP will identify an implementation strategy to meet those goals. MMPs will identify existing [materials management facilities](#) and the facilities needed to meet the plan goals, identify capacity required to manage its generated materials, and a siting process to develop new and required facilities.

## WHAT DO I NEED TO KNOW ABOUT PLANS?

- MMPs will be required for each county, developed as a single or multicounty MMP.
- MMPs will focus on comprehensive materials management, including recycling, composting, other diversion activities, and disposal.
- MMPs will establish goals with measurable objectives to divert recyclables and organics from disposal, while also increasing recycling access and education.
- EGLE will initiate the planning process in September 2023.
- Counties will have 3 years to complete the planning process, including the MMP development and local approvals.
- Maximum timeframes are established throughout the development and approval process.
- Funding will be available annually for MMP development, implementation, and maintenance.
- Additional funding will be available for counties that participate in multicounty planning.
- MMPs replace existing solid waste management plans, once approved.
- This shift to more sustainable materials management strategies aligns with Michigan's [MI Healthy Climate Plan](#).

## WHO IS INVOLVED IN PLANNING ACTIVITIES?

Materials management planning will require coordination and collaboration across county and local governments and the materials management industry. Below are the main entities.

- County Approval Agency (CAA).
- Designated Planning Agency (DPA).
- Materials Management Planning Committee (MMPC).

**See the following for more details.**

## MATERIALS MANAGEMENT PLAN REQUIREMENTS

An MMP shall include the following requirements:

- Measurable, objective, and specific goals of the planning area, for solid waste diversion from disposal areas, including, but not limited to, the municipal solid waste recycling rate, the benchmark recycling standards, and the material utilization and reduction activities identified by the MMP.
- An implementation strategy for the county to demonstrate progress toward or to meet the materials management goals by the time of the 5-year MMP review. The strategy will include:
  - How progress will be made to reduce the amount of organic material being disposed of, through food waste reduction, composting, and anaerobic digestion.
  - How progress will be made to reduce recyclable materials being disposed of through increased recycling, including expanding convenient access and recycling at single and multifamily dwellings, businesses, and institutions.
- A description of the resources needed for meeting the materials management goals and how the development of necessary materials utilization facilities and activities will be promoted.
  - A description of how the benchmark recycling standards will be met.
  - A timetable for implementation.
- All managed material generated in the planning area will be identified by type and tonnage, to determine the planning area's managed material capacity needs and that all managed material is included in the planning area's materials management goals.
- Require that a proposed materials management facility meets the requirements of Part 115 and is consistent with the materials management goals.
- Identify and evaluate current and planned materials management infrastructure and systems that contribute or will contribute to meeting the materials management goals.
- Include an inventory of the names and addresses of the following:
  - Existing disposal areas.
  - Materials utilization facilities.
  - Waste diversion centers.
- Contain a facility inventory that shall, at a minimum, include the following information:
  - A summary of deficiencies, if any, in meeting current materials management needs.
  - The facility latitude and longitude.
  - The estimated facility acreage.
  - A description of the materials managed.
  - The processes for handling materials at the facility.
  - The total authorized capacity of the facility.
  - Include acknowledgement by the facility for capacity purposes, if applicable.

- If the inventoried facilities do not provide sufficient capacity for managed materials, the MMP shall identify specific strategies, including a schedule and approach to develop and fund needed capacity.
- Ensure that the [materials management facilities](#) that are identified as necessary to be sited can be developed.
- An enforceable mechanism to meet the goals of the MMP and implement the MMP.
- Calculate the municipal solid waste recycling rate for the planning area.
- Describe the materials management transportation infrastructure.
- Include current and projected population densities and identify population centers and centers of managed material generation in the planning area, to demonstrate that the capacity required for managed material is met.
- Describe the mechanisms by which municipalities in the planning area will ensure convenient recycling access, such as one or more of the following:
  - Assignment of the responsibility to the county or an authority.
  - A franchise agreement.
  - An intergovernmental agreement.
  - Municipal service.
  - Licensing under an ordinance.
  - A public-private partnership.
- Specify a recommended minimum level of recycling service that incorporates the access requirements of the benchmark recycling standards.

The county or municipality within the planning area may, through an appropriate enforceable mechanism, require haulers operating in its jurisdiction to provide the recommended level or a different minimum level of recycling service.

- Identify the DPA and the entity or entities responsible for each of the MMP's responsibilities.
- With respect to education and outreach for residents and businesses in the planning area, do both of the following:
  - Provide a strategic plan that identifies roles, responsibilities, funding sources, and methods for persons providing the education and outreach services.
  - Describe the county or regional role in providing continuing recycling education. The recycling education shall include, but is not limited to, providing a recycling guide both in hard copy at select public locations and electronically on a cell phone-friendly website. The recycling guide shall do the following:
    - ✓ Identify recycling locations.
    - ✓ Identify recyclable materials.
    - ✓ Explain how to prepare recyclable materials for collection.
    - ✓ Describe other best practices.

- Include a listed telephone number for additional information. Include a siting process and a copy of any ordinance, law, rule, or regulation of a municipality, county, or governmental authority within the planning area that applies to the siting process.
- Take into consideration the MMPs of counties adjacent to the planning area, as they relate to the planning area's needs.
- Document all opportunities for participation and involvement of the public, all affected agencies, parties, and the private sector, in the preparation of the MMP.
- An MMP may include management plans for debris from environmental damage, for debris from disasters, or for other materials, such as construction or demolition waste, not otherwise required to be covered by an MMP.
- If a solid waste landfill is proposed to be developed in the planning area within two (2) miles of a municipality that is located adjacent to the planning area, or if a solid waste processing and transfer facility or materials utilization facility is proposed to be developed in the planning area within one (1) mile of such a municipality, both of the following apply:
  - The CAA shall notify the legislative body of the adjacent municipality, of the proposed development, in writing. The notice shall include a copy of this subsection.
  - The planning committee shall provide the adjacent municipality an opportunity to comment on the proposed development.
- An MMP shall include a siting process with a set of minimum criteria.
  - The siting process shall not include siting criteria that are more restrictive than state law, if a materials utilization facility could not be developed anywhere in the planning area under those criteria.
  - A materials utilization facility need not be sited, if the CAA or DPA demonstrates to the department that the planning area has available capacity sufficient to address the managed materials identified by the MMP as being generated in the planning area.

## RESPONSIBLE PARTIES - ROLES AND RESPONSIBILITIES

### MATERIALS MANAGEMENT PLAN (MMP) PARTIES AND GENERAL RESPONSIBILITIES:

- The County Board of Commissioners or elected county executive, municipalities within the county, or the regional planning agency may assume responsibility for a planning area. This responsible entity becomes the CAA.
- The CAA will appoint a DPA to develop the MMP.
- The CAA will also appoint an MMPC to identify planning area priorities and direct the DPA for MMP preparation.

### COUNTY BOARD OF COMMISSIONERS (BOC) DUTIES:

- Receives the request from EGLE to prepare an MMP.
- May file the Notice of Intent (NOI) to prepare the MMP or decline to prepare the MMP.
- If the BOC declines preparation of the MMP, they shall advise the municipalities and the Regional Planning Agency (RPA) of their decision.
- Receives MMP grant money from EGLE and distributes it to the CAA.
- Automatically responsible for Plan implementation, if EGLE prepares the MMP.

**NOTE.** If the BOC declines to submit the NOI, the municipalities or RPA can request an extension to allow the parties an opportunity to determine who will file the NOI. If an NOI is not filed, EGLE may prepare the MMP.

### COUNTY APPROVAL AGENCY DUTIES:

- Serves as the primary responsible party.
- Responsible for MMP implementation.
- Consults with adjacent counties regarding interest in preparing a multicounty MMP.
- Appoints the DPA.
- Appoints an MMPC.
- Oversees the creation and implementation of the DPA's work program.
- Utilizes the MMP Grant funds for MMP development and implementation.
- Approves the MMP prior to municipal approval.
- Approves MMP modifications, if needed.
- Certifies to the Department the progress toward meeting all components of its materials management goals.



## DESIGNATED PLANNING AGENCY DUTIES:

- Serves as the primary government resource in the planning area for information about the MMP and the MMP development process.
- Prepares the MMP work program.
- Prepares the MMP.
- Consults with all affiliated entities.
- Publishes required public notices.
- Obtains written approvals from the Planning Committee, CAA, and municipalities.
- Manages the public comment process.
- Drafts language for review and approval of the Planning Committee.
- Ensures approval process and submittals comply with Part 115.

## MATERIALS MANAGEMENT PLANNING COMMITTEE (PLANNING COMMITTEE/MMPC) DUTIES:

- Directs the DPA in the preparation of the MMP.
- Reviews and approves the DPA work program.
- Identifies relevant local policies and priorities.
- Ensures coordination in the preparation of the MMP.
- Advises county (or counties if multi-county) and municipalities.
- Ensures that the DPA is fulfilling all the requirements and rules promulgated under this part, as to both the content of the MMP and the public participation requirement.
- Notifies the applicable parties of any identified deficiencies.
- Approves the MMP prior to public comment.
- Provides the final level of approval of the MMP before it is presented for CAA approval.

## EGLE PREPARED MMP

- If EGLE is responsible for preparing the MMP for two or more counties, EGLE may include those counties in the planning area of a single MMP and may exercise its powers and perform its duties for those counties jointly.
- EGLE will develop an MMP using the standard format and having specific requirements, as required by [Section 11580 of Part 115](#).
- MMP Grant funds may be used by the department for MMP preparation.
- The BOC is automatically responsible for the EGLE prepared Plan implementation.

## PLAN INITIATION PROCESS

### OUTLINE OF STEPS:

- STEP 1:** EGLE Director Initiates the MMP Process (*THE COUNTY HAS 180 DAYS TO FILE THE NOI*).
- STEP 2:** CAA Responsibility Determined.
- STEP 3:** Multicounty Planning Consideration.
- STEP 4:** Develop Interlocal Agreement for a Multicounty MMP (if applicable).
- STEP 5:** Submit Notice of Intent (NOI) to EGLE and CAA Confirmed.

### DETAILS OF STEPS:

**STEP 1: EGLE Director Initiates MMP process.**

EGLE will request each county BOC or County Executive, as appropriate, to submit an NOI to prepare an MMP. The NOI shall be submitted within 180 days of this request.

**STEP 2: CAA Responsibility Determined.**

Each county BOC will have the first opportunity to assume responsibility for the MMP and complete the initial tasks required of the CAA. If the BOC declines this responsibilities, then all municipalities in the county jointly or the RPA may elect to take the CAA responsibilities. If the municipalities and the RPA declines the CAA responsibilities, EGLE shall write the MMP on behalf of the County.

**NOTE:** A formal decision by resolution or similar mechanism will be required to document either a confirmation or a rejection of each county or RPA, as appropriate, regarding the CAA entity decision.

If the BOC declines to become the CAA, they will give up their authority for ALL responsibilities for the MMP and the entity that becomes the CAA will be granted those responsibilities in lieu of the BOC.

Multicounty plans will follow the same procedure for approval of a single county plan. Each county represented in multicounty plan will confirm its own CAA, then jointly designate a single DPA, and enter an interlocal agreement for preparation of the multicounty plan.

**STEP 3: Multicounty Planning Consideration**

Before submitting the NOI, each CAA shall consult with each adjacent county regarding the option of preparing a multicounty MMP. Documentation of these consultations is required to be submitted with each NOI. Please see Section 11571(7) for additional information.

**STEP 4: Develop Interlocal Agreement for a Multicounty MMP (if applicable).**

For those counties that intend to develop a multicounty MMP, an interlocal agreement must be developed between all counties preparing its MMP. Documentation of an executed interlocal agreement is required to be submitted with each NOI, if applicable.

**STEP 5: Submit Notice of Intent to EGLE and CAA Confirmed.**

Once the NOI is submitted the entity is then confirmed as the CAA. Each CAA shall submit the following items as part of their NOI submittal:

- NOI indicating which entity will become the CAA, accepting responsibility for the preparation and responsibilities of the MMP development, implementation, and authorities.
- Documentation indicating the CAA consulted with each adjacent county regarding the option of preparing a multicounty MMP.
- Documentation of the outcome of the above adjacent county consultation, including a copy of any interlocal agreement identifying the process for creating a multicounty MMP.

**NEXT STEPS:** For next steps, see the [Plan Development and Approval](#) section of this Guide.

## COUNTY APPROVAL AGENCY

The **CAA** is the entity that assumes responsibility and authority over the MMP. The CAA will be responsible for approving and implementing the MMP, determining whether to pursue multicounty planning with adjacent counties, and filing an NOI. This section contains the steps and guidance for determining the CAA, as well as its roles and responsibilities.

### DETERMINATION OF THE CAA:

- The BOC will receive the initial request from EGLE to prepare an MMP.
- The BOC may accept or decline responsibilities to prepare the MMP
- If the BOC files the NOI with a response of "accept," they are assuming responsibility of the MMP, and are declaring themselves the CAA.
- If the BOC declines preparation of the MMP, they shall advise the municipalities and the RPA of their decision.
- The municipalities, acting jointly, or the RPA, then have the option to file the NOI and become the CAA.
- If the BOC declines, if needed, the municipalities or the RPA can request an extension of the deadline to file the NOI to make their determination. If no NOI is filed or all entities decline, EGLE will prepare the MMP, and it will be final.

**NOTE.** Before filing the NOI, the entity who chooses to do so must also complete various pre-planning activities, including consulting with adjacent counties to gauge interest in a multicounty MMP and completing an interlocal agreement if pursuing a multicounty MMP.

Once the CAA files the NOI and all supporting documentation, it is recommended that the CAA immediately start the next steps in the MMP development process because the filing of the NOI triggers a 180-day time limit to complete all the following tasks:

- Appoint the DPA.
- Appoint the MMPC.
- The DPA Prepares the Work Program.
- The MMPC Approves the Work Program.
- EGLE Approves the Work Program.

### RESPONSIBILITIES OF THE CAA:

- Primarily responsible for all aspects of the MMP.
- Responsible for MMP implementation.
- Consults with adjacent counties regarding preparing a multicounty MMP prior to filing the NOI.
- Appoints the DPA.
- Appoints a Materials Management Planning Committee.
- Oversees the creation and implementation of the DPA's work program.
- Utilizes the MMP Grant funds for MMP development and implementation - this will be distributed initially to the BOC or County Executive, and then must be sent to the CAA.
- Approves the MMP prior to municipal approval.
- Approves MMP modifications, if needed.
- Certifies to EGLE the progress toward meeting all components of its materials management goals.

## DESIGNATED PLANNING AGENCY (DPA)

The **DPA** is the agency, and an individual within that agency, identified as the primary contact person for administering and preparing the MMP. [[Section 11574](#)].

### DPA RESPONSIBILITIES:

- Serves as the primary government resource in the planning area for information about the MMP and leads the MMP development process.
- Under the direction of the MMPC, prepares the MMP using the EGLE provided format, solicits public comment, and obtains MMP approval.
- During the preparation of the MMP, solicits the advice of and consults with the following organizations:
  - Municipalities, various organizations related to materials management, and the private sector, such as materials management facility operators, in the planning area.
  - The county or regional planning agency.
  - Counties and municipalities in counties that are adjacent to the planning area.

### Public Notice and Comments:

At least 10 days before each public meeting where the DPA will discuss the MMP, a notice of the meeting must be given to the elected official of each municipality within the planning area, to adjacent communities, and to anyone else within the planning area that requests notice of these meetings. The notice shall indicate as precisely as possible the subject matter being discussed.

### Once the MMP is drafted and approved by the MMP Committee, the DPA is required to:

- Share the MMP draft for public review and comment for a minimum of 60 days.
- Conduct a public hearing on the MMP during the public comment period. A public notice of the hearing must be published at least 30 days prior to the hearing.
- Publish the notice in a newspaper, or by electronic media, with major circulation or viewership in the planning area. The notice must state where to find the draft MMP, the end date of the public comment period, and solicit public comment. Online notices must remain posted until the end of the public comment period. This notice may also serve as the public hearing notice.
- Provide a copy of the MMP along with a notice of the end of the public comment period to:
  - EGLE.
  - Each municipality within the planning area.
  - Counties and municipalities adjacent to the planning area that may be significantly affected by the MMP or that have requested the opportunity to review the MMP.
  - The regional planning agency for each county in the planning area.
- Submit a summary of comments received during the public comment period to the MMPC.
- Revise the MMP based on public comment, as directed by the MMPC. The DPA has 30 days from the end of the public comment period to resubmit the MMP to the planning committee, if applicable.
- The DPA must ensure that the MMP approval process has been followed. See the [Materials Management Planning Committee section](#) of this document more details.



## MATERIALS MANAGEMENT PLANNING COMMITTEE

The MMPC/Planning Committee is a permanent body that is appointed to direct the DPA in the preparation of the MMP. [[Section 11572 and 11573](#)]

### DUTIES AND RESPONSIBILITIES OF THE MMPC

- Directs the DPA in the preparation of the MMP.
- Reviews and approves the DPA work program.
- Identifies relevant local policies and priorities.
- Ensures coordination in the preparation of the MMP.
- Advises counties and municipalities regarding the MMP.
- Ensures the DPA is fulfilling the requirements of Part 115, including the MMP's content and public participation.
- Notifies the DPA and applicable parties of any deficiencies in the MMP or the process.
- Approves the MMP prior to public comment.
- Provides the final level of MMP approval before it is presented for CAA approval.

### COMMITTEE APPOINTMENTS

- Initial members are appointed for a 5-year term.
- After initial 5-year term there should be a period of staggered appointments (2, 3, 4, and 5-year terms; the following example of Staggered Appointments).
- After staggered positions are established, their successors should be appointed for 5-year terms.
- Members can be reappointed.
- Vacancies should be filled for the unexpired term in the same manner as the original appointment.
- Members can be removed by CAA due to incompetence, dereliction of duty, or malfeasance, misfeasance, or nonfeasance in office.

Exemplified of Staggered Appointments



**VOTING**

- A majority of members present at a meeting constitutes a quorum for the transaction of business.
- An affirmative vote from the majority of the members appointed is required for official action to be taken.
- The approval of a County and/or Regional MMP requires the affirmative vote of a majority of the full planning committee. For example, if:
  - There are 13 total member positions (12 active members and 1 vacant position).
  - When a vote is taken, a minimum of 7 affirmative votes are required for that action to pass.
  - Votes needed are based on the total number of available positions, not how many are currently filled and/or present at the meeting.

## PLANNING COMMITTEE MEMBER REQUIREMENTS

All members must either provide services to or reside within the planning area and be defensible if challenged.

### Member Requirements

- A solid waste disposal facility operator.
- A representative of a hauler of managed material.
- A materials recovery facility operator.
- A composting facility or anaerobic digester operator.
- A waste diversion, reuse, or reduction facility operator.
- A representative of an environmental interest group that has members residing in the planning area.
- 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](#) whose territory includes the planning area.

### Optional Members/Scenarios

- The CAA may appoint one additional representative that does business in or resides in an adjacent community outside the planning area.
- If during the MMP development or amendment process, a solid waste landfill is proposed in the planning area within 2 miles of a municipality that is located adjacent to the planning area, or if a solid waste processing and transfer facility or materials utilization facility is proposed in the planning area within 1 mile of such a municipality, the CAA shall notify the adjacent municipality in writing. This municipality may provide comment on the proposed development.

### Optional Multicounty Planning Members

In addition to the above committee members, each county in a multicounty plan may appoint the following additional members:

- An elected official of the county or a municipality.
- A representative from a business that generates managed materials.

### Minimum Planning Committee Members

If the CCA has difficulty finding qualified individuals to serve on the planning committee, EGLE may approve a reduction in the number of members. Contact EGLE for more details.





## PLAN DEVELOPMENT AND APPROVAL PROCESS

This section details the steps to develop and approve the MMP and grant eligibility, after the EGLE Director initiates the MMP development process ([Part 115](#), Sections 11571–11576, 11580, 11587).

- STEP 1.** NOI is filed and the responsible entity becomes the CAA within 180 days of EGLE’s request. If an NOI was not filed by the BOC, the municipalities or RPA can request an extension from EGLE to allow the parties an opportunity to determine who will file the NOI with an EGLE approved extension.
- If an NOI was filed, continue to Step 2.
  - If an extension was requested by the municipalities or RPA from EGLE and approved by EGLE, continue to Step 2.
  - If an extension was not requested or an NOI was not filed, EGLE shall prepare the MMP. The EGLE prepared MMP is final, and the process ends.

The CAA has a total of 36 months from the date an NOI is filed to complete its portions of the process.

- STEP 2.** After the NOI is submitted, the following must be completed:
- The CAA establishes the DPA. The CAA will have the option to identify a DPA while filing its NOI. This is highly recommended to give the DPA ample time to complete the remaining tasks. However, the CAA has up to 120 days to officially appoint their DPA.
  - Within 180 days: The CAA appoints the MMPC; the DPA will draft the Work Program; the MMPC approves Work Program and submits the Work Program to EGLE; EGLE approves the Work Program. All tasks must be completed within this 180-day given timeframe.

The CAA is grant eligible once an NOI is filed, a DPA and MMPC have been appointed, and a Work Program has been approved by the MMPC and EGLE. *It is recommended to begin MMP drafting and development while waiting for MMP grant distribution, to ensure the 36-month total timeframe is met.*

**STEP 3.** The MMP is drafted.

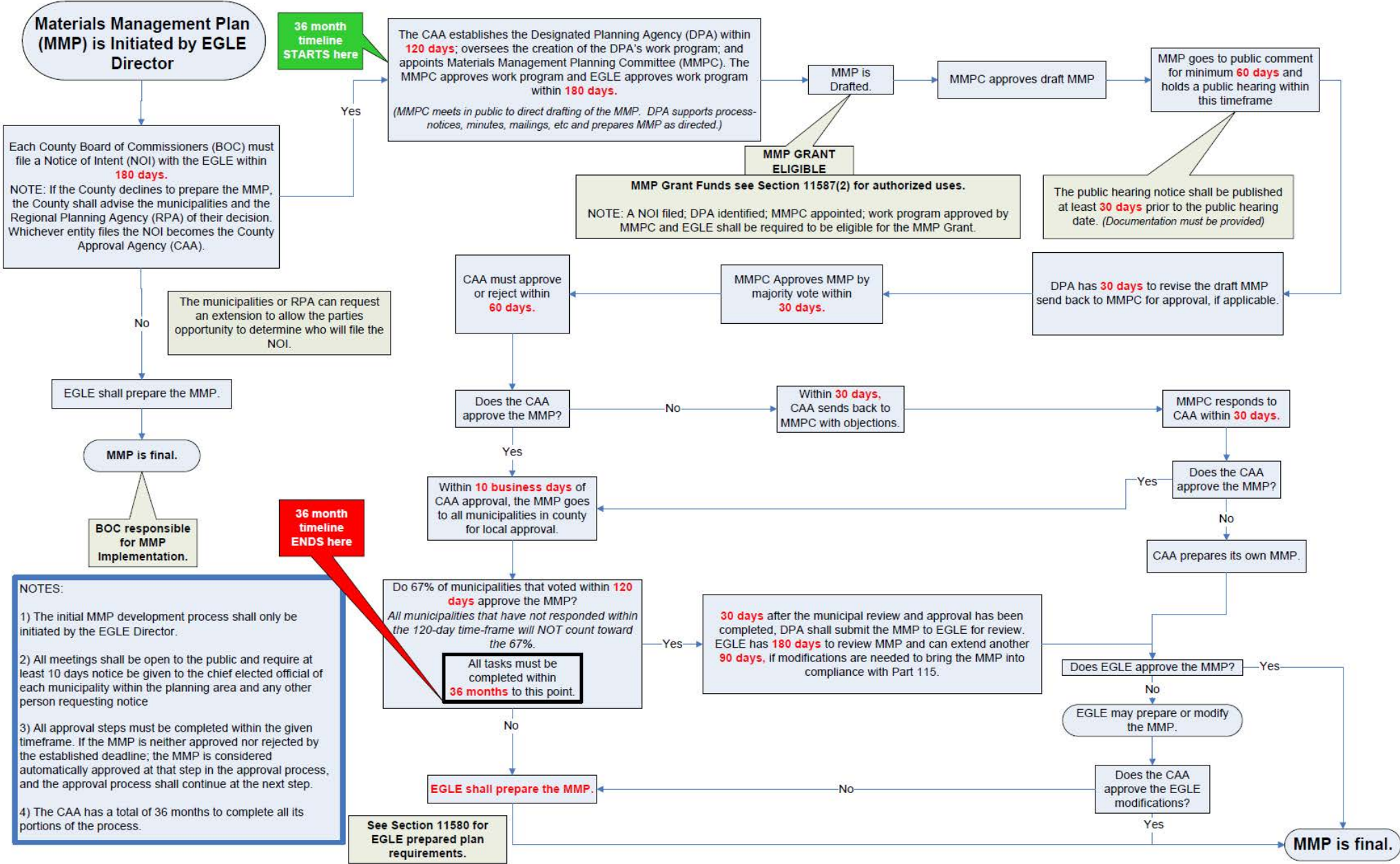
**STEP 4.** The MMPC approves the draft MMP.

- STEP 5.** The MMP goes to public comment for a minimum of 60 days. During this time, a public hearing is conducted by the DPA.
- The public hearing notice shall be published at least 30 days prior to the public hearing date. Documentation must be provided to EGLE.

**STEP 6.** Once the public comment period and hearing are completed, the DPA has 30 days to revise the draft MMP based on comments received and send the draft MMP back to the MMPC for approval, if applicable.

- STEP 7.** The MMPC approves the MMP by majority vote within 30 days after the DPA has sent the revised draft MMP back for final approval.
- STEP 8.** The CAA must approve or reject the MMP within **60 days** after the MMPC has approved the MMP.
- If the CAA approves the MMP, continue to Step 9.
  - If the CAA does not approve the MMP within **30 days**, the CAA sends the MMP back to the MMPC with objections.
    - The MMPC then responds to the CAA within **30 days**.
    - The CAA acts on the MMP.
      - ✓ If the CAA approves the MMP, continue to Step 9.
      - ✓ If the CAA does not approve the MMP, the CAA prepares its own MMP, then continues to Step 10.
- STEP 9.** Within **10 business days** of CAA approval, the DPA sends the MMP to all municipalities in the County.
- STEP 10.** Municipalities are given **120 days** to approve or reject the MMP.
- Only those municipalities that voted within the 120 days will count toward approval or rejection of the MMP. *All municipalities that have not responded within the 120-day timeframe will NOT count toward the 67 percent.*
  - If 67 percent of the municipalities that acted on the MMP within 120 days approve of the plan, continue to Step 11.
  - *NOTE: 67 percent of the municipalities that respond to the vote must approve the MMP.*
  - If 67 percent of municipalities that voted within 120 days do not approve the MMP, **then EGLE will prepare the MMP, it will be final, and the process ends.**
  - *NOTE: ALL tasks to this point must be completed within 36 months.*
- STEP 11.** 30 days after the municipalities review and approve the MMP, the DPA shall submit the MMP to EGLE for final review, continue to Step 12.
- After the MMP is submitted by the DPA, EGLE has 180 days to review. The review can be extended by another 90 days if modifications are needed to bring the MMP into compliance with Part 115.
- STEP 12.** If EGLE approves the MMP, the MMP is final, and the process is complete. If EGLE does not approve the MMP, EGLE may prepare or modify the MMP, and the process continues to Step 13.
- STEP 13.** EGLE submits the MMP to the CAA. If the CAA approves the EGLE modifications of the MMP, the MMP is final, and the process is complete. If the CAA does not approve the EGLE modifications to the MMP, EGLE prepares the final MMP, and the process is complete.

MATERIALS MANAGEMENT PLAN APPROVAL PROCESS



## NOTES

- All meetings shall be open to the public and require at least **10-day** notice be given to the chief elected official of each municipality within the planning area and any other person requesting notice.
- All approval steps must be completed within the given timeframe. If the MMP is neither approved nor rejected by the established deadline, the MMP is considered automatically approved at that step in the approval process, and the approval process shall continue at the next step.
- The CAA has a total of 36 months to complete all its portions of the process.

## EGLE PREPARED MATERIALS MANAGEMENT PLAN REQUIREMENTS

- Materials utilization facilities or solid waste processing and transfer facilities are automatically found to be consistent with the MMP if they: (1) are exempt from permit and license requirements; (2) comply with local zoning requirements; and (3) that are identified in the MMP.
- The MMP cannot approve any non-contiguous additional solid waste landfill disposal capacity unless the BOC has shown a demonstrated need ([Section 11509\(9\)](#)).
- The MMP shall require all haulers servicing the planning area, per Part 115, to provide recycling access per the Benchmark Recycling Standard.

Further, an EGLE prepared MMP will not contain a requirement for additional siting criteria or the criterion that the Host Community provides an approval for the development of any facility.



## MATERIALS MANAGEMENT PLANNING GRANTS

### WHO IS ELIGIBLE TO RECEIVE FUNDING?

Each county that applies and meets the eligibility requirements will receive funding. Funds will be granted to the BOC once the grant application and agreement are approved. If the BOC is not identified as the CAA, then it is the responsibility of the BOC to distribute the funds to the appropriate CAA within 60 days after receipt of the funds. *If EGLE is preparing the MMP for the County, the funds may be utilized by EGLE.*

### HOW CAN FUNDING BE USED?

Funds can be used for preparing, implementing, and maintaining an MMP. Including:

- Development of a work program as described in [Section 11587 of Part 115](#).
- Developing and amending an MMP.
- Ensuring public participation.
- Resources used to determine whether new facilities are consistent with the MMP.
- Collecting, submitting, and evaluating data for the database for facility reporting purposes.
- Recycling education and outreach.
- Establishing and continuing recycling and materials utilization programs consistent with the goals.
- Preparation of required reports to EGLE.
- Efforts to obtain support for the MMP and planning process.
- Other efforts related to MMP implementation.

Funds can be used for implementation, however, the MMP development costs take precedence, and an Implementation Work Program has been approved as part of the MMP Grant Agreement.

### WHEN IS FUNDING AVAILABLE?

These grants will be awarded annually. To receive funds in the first 3 years, the CAA must have:

- Appointed the DPA.
- Appointed the MMPC.
- A Work Program Prepared by the DPA.
- A Work Program Approved by the MMPC.
- A Work Program approved by EGLE.

The Work Program must contain activities for developing and implementing the MMP and must show associated costs to be covered by the County and the grant. Grantees must keep records documenting use of grant monies.

### HOW LONG IS FUNDING AVAILABLE?

Funding is established by the [Income Tax Act Of 1967 Act 281 Of 1967](#), specifically Section 206.51g, Renew Michigan Fund, and is subject to appropriation.

### HOW MUCH FUNDING IS AVAILABLE?

Grants will be calculated using the following:

- \$60,000 for each county in the planning area.
- \$10,000 additional for each county in a multicounty planning area.
- For the first 3 years, an additional 50 cents per capita of each county\*, up to \$300,000.

*\*Based on the 2020 Census Data*

**Per capita money will not be available for future MMP development.**



## MULTICOUNTY MATERIALS MANAGEMENT PLANNING

In many cases, MMPs for a multicounty area may be more effective and efficient than plans developed for single counties. Multicounty MMPs may improve operations, costs, environmental outcomes, education and outreach efforts, and market development. Each county is required to consult with adjacent counties to consider multicounty planning and additional grant funds are available for counties participating in a multicounty MMP.

### REQUIREMENTS FOR THE DEVELOPMENT OF A MULTICOUNTY MMP

- An MMP may include two or more counties if each of those counties agree to the joint exercise of powers and performance of the duties under Subpart 11 for the BOC and of the CAAs.
- Multicounty MMPs are subject to the same procedure for approval as single-county MMPs. A multicounty MMP shall include a process to ensure that the MMP requirements are met.
- CAAs preparing a multicounty MMP, shall appoint a single planning committee. For each county, additional planning committee members may be appointed:
  - An elected official of the county or a municipality in the planning area.
  - A representative from a business that generates managed materials within the planning area.

### MULTICOUNTY COLLABORATION

Counties will be required to document that they contacted, at a minimum, their adjacent counties, regarding the option and interest in preparing a multicounty MMP. Documentation memorializing the outcome and any interlocal agreements identifying the process for creating a multicounty MMP will be submitted to EGLE with each county's NOI.

**NOTE:** Counties consulted may reside outside the state-designed planning region.

### THE BENEFITS OF MULTICOUNTY PLANNING

There are several benefits of creating and implementing a multicounty MMP, including additional grant funding. Each eligible county will receive \$60,000 plus, for the first three years, \$0.50 per capita, not to exceed \$300,000. Counties collaborating in a multicounty plan will **each** receive an additional \$10,000 per year. In addition, collaborating counties can:

- Improve efficiencies, reduces costs and allows for shared implementation costs.
- Streamline access to regional facilities and haulers.
- Identify solutions with counties facing similar challenges and opportunities.
- Use a standardized educational campaign for the planning area.
- Reduce contamination and increase marketability and value of materials.
- Reduce the need to have or create program expertise in each county.
- Increase service options for the region, making it easier to meet capacity and access requirements.
- Provide a larger pool of potential MMPC representatives.

## WHAT RESOURCES ARE AVAILABLE?

- [MMP Toolbox](#)
- Email: [EGLE Planning Staff](#)
- [Materials Management Planning Program Staff Map](#)
- [Recycling Program Staff Map](#)
- [Regional Planning Agencies](#)
- [County DPA Contacts](#)
- [Materials Management Facilities ArcGIS Map](#)
- Funding Opportunities (see [Planning Website](#))
- [Mega Data Collection Project](#)

Visit [Michigan.gov/EGLEMMP](https://Michigan.gov/EGLEMMP) or contact [EGLE-MMP@Michigan.gov](mailto:EGLE-MMP@Michigan.gov) for more information.

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