

HOUSE BILL No. 4012

January 31, 1991, Introduced by Reps. Alley, Middaugh, Bartnik, Power, Bodem, Sikkema, Brown, Olshove, Van Singel, DeBeaussiaert and Hickner and referred to the Committee on Conservation, Recreation and Environment.

A bill to provide for the establishment of a Michigan spills action center; to require the reporting of certain spills of certain hazardous materials; and to prescribe the powers and duties of the center and of certain state agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Center" means the Michigan spills action center estab-
3 lished pursuant to section 2.

4 (b) "Department" means the department of state police.

5 (c) "Environment" means any surface water, groundwater,
6 drinking water supply, land surface, subsurface strata, or ambi-
7 ent air within the state.

8 (d) "Hazardous material" means a chemical or other material
9 which is or may become injurious to the public health, safety, or
10 welfare or to the environment.

1 (e) "Person" means an individual, partnership, corporation,
2 association, the state, a local unit of government, a political
3 subdivision of the state or a local unit of government, or any
4 other legal entity.

5 (f) "Spill" means any leaking, pumping, pouring, emptying,
6 emitting, discharging, escaping, leaching, or disposing of a haz-
7 ardous material in a quantity which is or may become injurious to
8 the public health, safety, welfare, or to the environment.

9 Sec. 2. (1) The department, in conjunction with the depart-
10 ment of natural resources and the department of public health,
11 shall establish a Michigan spills action center.

12 (2) The center shall be staffed and operated cooperatively
13 by the department, the department of natural resources, and the
14 department of public health.

15 (3) The department shall be the lead agency and shall manage
16 the center's operations pursuant to the cooperative agreement
17 detailed in section 5.

18 (4) The center shall be staffed and operated 24 hours per
19 day.

20 Sec. 3. The center shall do all of the following:

21 (a) Receive reports on spills of hazardous materials into
22 the environment.

23 (b) Provide technical advice and guidance on immediate emer-
24 gency response to spills of hazardous materials into the environ-
25 ment and the necessary health and environmental protective
26 measures.

1 (c) Compile information on spill history for spills reported
2 to the center.

3 (d) Relay reports of spills to other agencies obligated by
4 law to receive this information.

5 (e) Assess actions necessary to respond to a reported spill,
6 monitor the local response activity, and coordinate state assist-
7 ance as necessary.

8 Sec. 4. If the department, the department of natural
9 resources, or the department of public health requires reporting
10 of a spill of a hazardous material into the environment pursuant
11 to law, that department may require that the reporting shall be
12 done to the center.

13 Sec. 5. (1) The directors of the department, the department
14 of natural resources, and the department of public health shall
15 enter into a cooperative agreement to establish and operate the
16 center. At a minimum the agreement shall specify all of the
17 following:

18 (a) Training of center staff.

19 (b) Reporting requirements.

20 (c) Responsibilities of each department.

21 (d) Equipment requirements for operation of the center.

22 (e) Software and other support materials required for center
23 operation.

24 (f) Operating procedures of the center.

25 (g) The programs within each of the departments that will
26 direct reporting be done to the center.

1 (h) Other relevant information.

2 (2) The directors of the department, the department of
3 natural resources, and the department of public health shall
4 annually review the agreement provided for in subsection (1) and
5 revise it as is necessary.

6 Sec. 6. A person shall report immediately to the center
7 each spill of a hazardous material into the environment. The
8 report shall include all relevant information as required by the
9 center.

10 Sec. 7. The legislature shall annually appropriate suffi-
11 cient funds to implement this act.