

SUBSTITUTE FOR
SENATE BILL NO. 1458
(As amended December 8, 2004)

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding sections 14721, 14723, and
14724.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SUBPART 2 PBDE COMPOUNDS

Sec. 14721. [(1)] As used in this subpart:

(a) "Department" means the department of environmental
quality.

(b) "Octa-BDE" means octabromodiphenyl ether.

(c) "PBDE" means polybrominated diphenyl ether.

(d) "Penta-BDE" means pentabromodiphenyl ether.

[(2) This subpart may be cited as the "Mary Beth Doyle PBDE act".]

Sec. 14723. (1) Beginning June 1, 2006, a person shall not
manufacture, process, or distribute a product or material that
contains more than 1/10 of 1% of octa-BDE.

Senate Bill No. 1458 as amended November 9, 2004
as amended December 8, 2004

1 (2) This section does not apply to [original equipment manufacturer
replacement service parts or] the processing of
2 recyclables containing octa-BDE in compliance with applicable
3 federal, state, and local laws.

4 Sec. 14724. The department may establish a PBDE advisory
5 committee to assist the department in determining the risk posed
6 by the release of PBDEs, other than penta-BDE or octa-BDE, to
7 human health and the environment. The department may use
8 existing programs to monitor the presence of PBDEs in the state's
9 environment to determine exposure and risk. If new scientific
10 information gathered by the advisory committee indicates a
11 significant risk to human health and the environment in the
12 state, the advisory committee shall inform the department of risk
13 or risks and, if the department concurs, the department shall
14 advise the legislature of the risk. <<Nothing in this section shall
preclude the department from issuing recommendations to the legislature
independent of any actions of the advisory committee.>>

15 Enacting section 1. This amendatory act does not take
16 effect unless House Bill No. 4406 of the 92nd Legislature is
17 enacted into law.