

Substitute for House Concurrent Resolution No. 18.

A concurrent resolution to propose a framework to guide agencies and ensure the most impactful and relevant decisions in the use of the funds contained in the supplemental budget for PFAS-related activities.

Whereas, Perfluoroalkyl and polyfluoroalkyl substances (PFAS), also referred to as perfluorinated chemicals (PFCs), are a large group of chemicals used in a variety of industrial applications and consumer products. For decades, these chemicals were used for their heat, oil, and water resistant properties in firefighting foam, nonstick pots and pans, stain resistant carpets, and other products. Some of these chemicals accumulate and spread easily in the environment; and

Whereas, Some PFAS molecules have been shown to produce a variety of adverse responses in laboratory animals, and epidemiological evidence suggests PFAS exposure may be associated with a variety of health outcomes, provided the level of exposure is sufficient; and

Whereas, Some PFAS have been detected at 14 locations, including 28 individual sites, in Michigan to date. Perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) are the two most commonly detected of these chemicals. In many cases, the Michigan Department of Environmental Quality (DEQ) is in the process of coordinating with various stakeholders to determine the extent of the issue and implementing actions accordingly; and

Whereas, Governor Snyder issued Executive Directive No. 2017-4 on November 13, 2017, to establish a Michigan PFAS Action Response Team (MPART). The team is charged with researching, identifying, and establishing response actions relative to the discovery, communication, and mitigation of PFAS; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, in order to ensure the most impactful and relevant decisions in the use of the funds contained in the supplemental budget that was approved by the legislature for PFAS-related activities (Public Act 201 of 2017), we propose that the Michigan PFAS Action Response Team create a PFAS Scientific Advisory Committee that is equally comprised of scientific experts from government, academia, and industry whose backgrounds include experience with PFAS in the scientific disciplines of analytical chemistry, environmental fate, toxicology, epidemiology, and risk assessment; and be it further

Resolved, That the PFAS Scientific Advisory Committee should review the state of knowledge on PFAS and conduct a non-biased, scientific risk assessment. The review and assessment should include, but not be limited to, a scientific review of animal data to evaluate the United States Environmental Protection Agency's current drinking water health advisory level of 70 parts per trillion (ppt) for PFOS and PFOA and to provide a rationale for any new level for the state of Michigan; and be it further

Resolved, That the PFAS Scientific Advisory Committee should review any other PFAS chemicals of concern to determine the state of knowledge concerning these chemicals and advise the MPART on its findings and any need for further study; and be it further

Resolved, That state departments should determine the nature and extent of PFAS contamination, who is responsible for its presence, the extent of public exposure, and the identification of sites where complete exposure pathways exist; and be it further

Resolved, That, based on its review and risk assessment, the PFAS Scientific Advisory Committee should provide science-based, logical advice to the MPART. The MPART should take into account the PFAS Scientific Advisory Committee's research and advice when

developing the state's PFAS action plan. In addition, the state development of the action plan should include:

- 1) Stakeholder review and input by industry, academia, and non-profit organizations; and
- 2) A full review of the capabilities of existing partnerships, third parties, and federal, state, and local agencies to support actions, including but not limited to:
 - a. Use of existing labs or analytical methods to accelerate technical capability development and testing; and
 - b. Quality Assurance/Quality Control third-party validation of any analytical data generated.

Consistent with scientific principles and the development of sound public policy, the recommended action plan should:

- 1) Implement risk management in a pragmatic and prioritized manner;
- 2) Allow for site-specific risk assessment;
- 3) Prioritize risk management actions, based on concentrations and complete exposure pathways, in a pre-defined process; and
- 4) Provide for risk communication activities by local communities; and be it further

Resolved, That we propose that the United States Environmental Protection Agency's drinking water health advisory level for PFAS of 70 ppt should be used for any interim cleanup or response actions until the PFAS Scientific Advisory Committee completes its review, risk assessment, and recommendations; and be it further

Resolved, That copies of this resolution be transmitted to the Governor; the members of the Michigan PFAS Action Response Team; and the directors of the Department of Environmental Quality, the Department of Health and Human Services, the Department of Military and Veterans Affairs, the Department of Natural Resources, and the Department of Agriculture and Rural Development.