

SENATE BILL NO. 402

August 20, 2019, Introduced by Senators MACGREGOR, BRINKS and ANANICH and referred to the Committee on Environmental Quality.

A bill to establish the Michigan PFAS action response team and provide for its powers and duties; and to prescribe the powers and duties of certain state and local agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. This act shall be known and may be cited as the
- 2 "Michigan PFAS action response team act".
- 3 Sec. 2. As used in this act:
- 4 (a) "Department" means the department of environment, Great
- 5 Lakes, and energy.

1 (b) "PFAS" means perfluoroalkyl and polyfluoroalkyl
2 substances.

3 (c) "MPART" means the Michigan PFAS action response team
4 established under section 3.

5 Sec. 3. (1) The Michigan PFAS action response team is
6 established. MPART consists of the director of the department, the
7 director of the department of health and human services, the
8 director of the department of military and veterans affairs, the
9 director of the department of agriculture and rural development,
10 the director of the department of natural resources, the director
11 of the department of licensing and regulatory affairs, and the
12 director of the department of transportation. A designee of a
13 director may serve as a member of MPART instead of the director.
14 The director of the department or his or her designee shall serve
15 as chair.

16 (2) Employees of the department shall staff MPART. Any
17 budgeting, procurement, or related management functions of MPART
18 shall be performed under the direction and supervision of the
19 director of the department.

20 (3) A majority of the members of MPART serving constitutes a
21 quorum for the transaction of business at a meeting of MPART. A
22 majority of the members present and serving is required for
23 official action of MPART.

24 (4) A meeting of MPART must be called by the chair or as
25 otherwise provided in procedures adopted by MPART.

26 (5) MPART may establish advisory workgroups composed of
27 individuals or entities participating in MPART activities or other
28 members of the public as considered necessary by MPART to assist
29 MPART in performing its duties. MPART may adopt, reject, or modify

1 any recommendation proposed by an advisory workgroup.

2 (6) Members of MPART shall serve without compensation but may
3 receive reimbursement for necessary travel and expenses according
4 to relevant statutes and the rules and procedures of the civil
5 service commission and the department of technology, management,
6 and budget, subject to available funding.

7 (7) MPART may accept donations of labor, services, or other
8 items of value from any public or private person. A donation shall
9 be expended in compliance with applicable laws, rules, and
10 procedures.

11 (8) Members of MPART shall coordinate all legal, legislative,
12 and media contacts that directly involve the work of MPART.

13 Sec. 4. (1) MPART shall research, identify, recommend, and
14 implement PFAS response actions relative to the discovery of,
15 communication about, and mitigation of PFAS. To the extent
16 practicable, MPART shall do all of the following with respect to
17 PFAS:

18 (a) Identify affected locations and create and implement an
19 action plan designed to assist state and local authorities in
20 ensuring safe drinking water.

21 (b) Initiate environmental response protocols for all
22 positively identified sites to ensure that specialized site plans
23 are developed and appropriate stakeholders are engaged in the
24 response.

25 (c) Initiate public health protocols to ensure that all public
26 health and medical stakeholder groups are informed and integrated
27 into the PFAS response to ascertain health implications.

28 (d) Perform state and local public outreach to ensure that
29 persons in the affected areas, including all residents of the

1 community, local governments, corporate and nonprofit partners, and
2 affected stakeholders are informed, educated, and empowered to
3 assist in the PFAS response.

4 (e) Conduct long-term mitigation planning and ensure that
5 resource requirements are identified and supported and that site
6 contaminants are removed, as appropriate.

7 (f) Establish a standard process for communicating and sharing
8 pertinent information between members of MPART.

9 (g) Establish routine communication protocols at the local,
10 executive, and legislative levels as appropriate.

11 (h) Establish a public information protocol to effectively
12 inform the community of the PFAS response activities.

13 (i) Establish strong information sharing and communications
14 processes with other state and federal entities involved in PFAS
15 response activities.

16 (j) Collaboratively develop standards on health impacts for
17 the affected population.

18 (k) Assess the status of any PFAS contaminated site and
19 develop individualized response strategies.

20 (l) Explore any avenues of funding for remediation efforts,
21 including federal grants, legislative appropriations, and private
22 partners.

23 (m) Recommend changes in state laws regarding PFAS.

24 (n) Recommend structural changes necessary to address other
25 threats to the environment and public health and safety identified
26 while MPART performs its duties.

27 (o) Perform other duties as requested by the director of the
28 department or the governor.

29 (2) MPART may, as appropriate to perform its duties, make

1 inquiries, conduct studies, undertake investigations, hold
2 hearings, consult with federal agencies, and receive comments from
3 the public. To perform its duties, MPART may also consult with and
4 retain outside experts, including, but not limited to, experts in
5 the private sector, in government agencies, and at institutions of
6 higher education, and may retain outside experts.