

SENATE BILL NO. 122

February 10, 2021, Introduced by Senators CHANG, GEISS, BAYER, POLEHANKI, BULLOCK, WOJNO, MOSS, IRWIN, ANANICH, SANTANA and BRINKS and referred to the Committee on Environmental Quality.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 343.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 PART 343 RIPARIAN CONTAMINATION AND STRUCTURES**
2 Sec. 34301. As used in this part:
3 (a) "Connecting waterway" means the St. Marys River, the
4 Detroit River, the St. Clair River, or Lake St. Clair.
5 (b) "Riparian property" or "property" means a parcel of

1 property bordering on a Great Lake or connecting waterway.

2 Sec. 34303. (1) By January 1, 2022, the department shall
3 conduct a risk assessment for environmental contamination for all
4 riparian property currently or formerly used for industrial or
5 commercial purposes. In conducting the assessment, the department
6 shall utilize available records and seek the assistance of
7 appropriate public and private entities.

8 (2) The risk assessment shall rate each riparian property
9 described in subsection (1) as high-, medium-, or low-risk based on
10 all of the following:

11 (a) Historic uses of the property.

12 (b) Hazardous substances known to have been produced, used, or
13 disposed of on the property.

14 (c) The state of compliance with any obligations pertaining to
15 the property under section 20107a(1).

16 (d) Whether and when the department, any other agency of
17 state, federal, or local government, or an environmental consultant
18 inspected the property and the scope and results of the inspection.

19 (e) Whether the property is being actively monitored.

20 (f) Reasonably foreseeable water levels of the Great Lake or
21 connecting waterway bordering the property.

22 (g) The proximity of any contamination at the property to a
23 water supply intake in the Great Lake or connecting waterway
24 bordering the property.

25 (3) The department shall develop a database of all riparian
26 property described in subsection (1) and the results of the risk
27 assessment for each property and shall post the database on its
28 website.

29 (4) At least once every 5 years, the department shall update

1 the risk assessment and database under this section.