

**SUBSTITUTE FOR
HOUSE BILL NO. 5368**

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 5456a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5456a. (1) "Elevated blood lead level" or "EBL" means the
2 lowest of the following:

3 (a) A concentration of lead in whole blood that is equal to or
4 greater than 3.5 micrograms per deciliter.

5 (b) A concentration of lead in whole blood that is equal to or
6 greater than the blood lead reference value for children, as
7 determined by the Centers for Disease Control and Prevention.

8 (c) A concentration of lead in whole blood that is equal to or
9 greater than the blood lead reference value for children, as

1 determined by the department.

2 (2) "EBL environmental investigation" means both of the
3 following:

4 (a) A study of the living environment of a minor with an
5 elevated blood lead level performed by an EBL investigator to
6 identify causative lead exposures.

7 (b) The provision of a report by the EBL investigator
8 explaining the results of the study and options for remediation of
9 exposures.

10 (3) "EBL investigator" means a certified risk assessor who has
11 been endorsed by the department to conduct EBL environmental
12 investigations.

13 (4) "Emergency renovation operations" means renovation
14 activities that were not planned but result from a sudden,
15 unexpected event, such as a nonroutine failure of equipment, that,
16 if not immediately attended to, presents a safety or public health
17 hazard or threatens equipment, property, or both with significant
18 damage. Once the emergency is controlled, applicable laws and rules
19 apply.

20 (5) "Encapsulant" means a substance that forms a barrier
21 between lead-based paint and the environment using a liquid-applied
22 coating, with or without reinforcement materials, or an adhesively
23 bonded covering material.

24 (6) "Encapsulation" means the application of an encapsulant.

25 (7) "Enclosure" means the use of rigid, durable construction
26 materials that are mechanically fastened to the substrate to act as
27 a barrier between lead-based paint and the environment.

28 (8) "EPA" means the United States Environmental Protection
29 Agency.

1 (9) "Firm" means any of the following:

2 (a) A company, partnership, corporation, sole proprietorship
3 or individual doing business, association, or other business
4 entity.

5 (b) A federal, state, tribal, or local governmental agency.

6 (c) A nonprofit organization.

7 Enacting section 1. This amendatory act does not take effect
8 unless House Bill No. 4532 of the 102nd Legislature is enacted into
9 law.