

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**  
**Act 451 of 1994**

**SUBPART 2**  
**PBDE COMPOUNDS**

**324.14721 Definitions; heading of subpart.**

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".

**History:** Add. 2004, Act 526, Imd. Eff. Jan. 3, 2005.

**Popular name:** Act 451

**Popular name:** NREPA

**324.14722 Product or material containing penta-BDE; limitation; exceptions.**

Sec. 14722. (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 penta-BDE.

(2) This section does not apply to either of the following:

- (a) Original equipment manufacturer replacement parts.
- (b) The processing of recyclables containing penta-BDE in compliance with applicable federal, state, and local laws.

**History:** Add. 2004, Act 562, Imd. Eff. Jan. 3, 2005.

**Popular name:** Act 451

**Popular name:** NREPA

**324.14723 Product or material containing octa-BDE; limitation; manufacturing, processing, or distributing; exception.**

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.

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

**History:** Add. 2004, Act 526, Imd. Eff. Jan. 3, 2005.

**Popular name:** Act 451

**Popular name:** NREPA

**324.14724 PBDE advisory committee; recommendations.**

Sec. 14724. The department may establish a PBDE advisory committee to assist the department in determining the risk posed by the release of PBDEs, other than penta-BDE or octa-BDE, to human health and the environment. The department may use existing programs to monitor the presence of PBDEs in the state's environment to determine exposure and risk. If new scientific information gathered by the advisory committee indicates a significant risk to human health and the environment in the state, the advisory committee shall inform the department of risk or risks and, if the department concurs, the department shall 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.

**History:** Add. 2004, Act 526, Imd. Eff. Jan. 3, 2005.

**Compiler's note:** For transfer of PBDE advisory committee to department of environmental quality by type III transfer, see E.R.O. No. 2009-11, compiled at MCL 324.99915.

**Popular name:** Act 451

**Popular name:** NREPA

**324.14725 Violation as misdemeanor; penalty.**

Sec. 14725. A person who violates this subpart is guilty of a misdemeanor punishable by a fine of not less than \$2,500.00 or more than \$25,000.00. Each day that a violation of this subpart continues shall be considered a separate violation.

**History:** Add. 2004, Act 562, Imd. Eff. Jan. 3, 2005.

**Popular name:** Act 451  
**Popular name:** NREPA