## HOUSE BILL No. 4280

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17211.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 17211. (1) BEGINNING JANUARY 1, 2010, A PERSON WHO SELLS,
 DISTRIBUTES, OR OTHERWISE PROVIDES BY ANY MEANS ELEMENTAL MERCURY
 TO A PERSON IN THIS STATE SHALL PROVIDE WITH THE ELEMENTAL MERCURY
 A MATERIAL SAFETY DATA SHEET, AS DEFINED IN 42 USC 11049. AT THE
 TIME OF RECEIPT OF THE ELEMENTAL MERCURY, THE RECIPIENT SHALL SIGN
 A STATEMENT INDICATING AGREEMENT WITH ALL OF THE FOLLOWING:

7 (A) THE RECIPIENT WILL USE THE MERCURY ONLY FOR MEDICAL,
8 DENTAL, RESEARCH, OR MANUFACTURING PURPOSES.

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February 17, 2009, Introduced by Reps. Ebli, Liss, Byrnes, Miller, Scripps, Smith, Switalski, Roberts and Lisa Brown and referred to the Committee on Great Lakes and Environment.

1 (B) THE RECIPIENT UNDERSTANDS THAT MERCURY IS TOXIC AND WILL 2 STORE AND USE THE MERCURY APPROPRIATELY SO THAT NO PERSON IS 3 EXPOSED TO UNDUE RISK FROM THE MERCURY. FOR THE PURPOSES OF THIS 4 SUBDIVISION, PLACEMENT OF A MERCURY AMALGAM AS AN ACCEPTED DENTAL 5 PRACTICE IS NOT CONSIDERED TO EXPOSE A PERSON TO UNDUE RISK FROM 6 MERCURY.

7 (C) THE RECIPIENT WILL NOT PLACE THE MERCURY OR CAUSE THE
8 MERCURY TO BE PLACED FOR DISPOSAL OR ALLOW ANYONE UNDER THE CONTROL
9 OF THE RECIPIENT TO PLACE THE MERCURY OR CAUSE THE MERCURY TO BE
10 PLACED FOR DISPOSAL IN EITHER OF THE FOLLOWING:

11 (*i*) SOLID WASTE.

12 (*ii*) A WASTEWATER TREATMENT AND DISPOSAL SYSTEM. THIS
13 SUBPARAGRAPH DOES NOT APPLY TO A DENTAL PRACTICE IF MERCURY AMALGAM
14 WASTE GENERATED AT THE PRACTICE IS COLLECTED AND RECYCLED IN
15 COMPLIANCE WITH SECTION 16631 AND RULES PROMULGATED THEREUNDER.

16 (2) A RECIPIENT OF ELEMENTAL MERCURY WHO IS REQUIRED TO SIGN
17 THE STATEMENT UNDER SUBSECTION (1) SHALL RETAIN A COPY OF THE
18 STATEMENT FOR A PERIOD OF NOT LESS THAN 3 YEARS AND SHALL MAKE THAT
19 STATEMENT AVAILABLE TO A REPRESENTATIVE OF THE STATE, A LOCAL UNIT
20 OF GOVERNMENT, OR A MUNICIPAL WASTEWATER TREATMENT PLANT UPON
21 REQUEST.

(3) PLACEMENT OF A MERCURY AMALGAM AS AN ACCEPTED DENTAL
PRACTICE IS NOT CONSIDERED TO BE THE SALE, DISTRIBUTION, OR OTHER
PROVISION OF ELEMENTAL MERCURY FOR THE PURPOSES OF SUBSECTION (1)
OR (2).

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