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:

Sec. 1. This act shall be known and may be cited as the "Michigan PFAS action response team act".

Sec. 2. As used in this act:

(a) "Department" means the department of environment, Great Lakes, and energy.
(b) "PFAS" means perfluoroalkyl and polyfluoroalkyl substances.

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

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

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

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

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

(5) MPART may establish advisory workgroups composed of individuals or entities participating in MPART activities or other members of the public as considered necessary by MPART to assist MPART in performing its duties. MPART may adopt, reject, or modify
any recommendation proposed by an advisory workgroup.

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

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

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

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

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

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

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

(d) Perform state and local public outreach to ensure that persons in the affected areas, including all residents of the
community, local governments, corporate and nonprofit partners, and affected stakeholders are informed, educated, and empowered to assist in the PFAS response.

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

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

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

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

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

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

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

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

(m) Recommend changes in state laws regarding PFAS.

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

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

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