## SUBSTITUTE FOR HOUSE BILL NO. 4389

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"

(MCL 324.101 to 324.90106) by amending the heading of subpart 1 of part 147 and by adding sections 14701, 14703, 14705, and 14707.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- SUBPART 1 PCB COMPOUNDSPERFLUOROALKYL AND POLYFLUOROALKYL
  SUBSTANCES
- 3 Sec. 14701. As used in this subpart:
- 4 (a) "Department" means the department of environment, Great 5 Lakes, and energy.
- 6 (b) "Fire chief" means that term as defined in section 1 of 7 the fire prevention code, 1941 PA 207, MCL 29.1.
- 8 (c) "Firewater" means water that has been used for





- 1 firefighting.
- 2 (d) "Organized fire department" means that term as defined in
- 3 section 1 of the fire prevention code, 1941 PA 207, MCL 29.1.
- 4 (e) "PFAS" means a perfluoroalkyl or polyfluoroalkyl
- 5 substance.
- 6 Sec. 14703. (1) Within 48 hours after an organized fire
- 7 department uses firefighting foam containing intentionally added
- 8 PFAS, the fire chief shall submit to the department of environment,
- 9 Great Lakes, and energy a written report that includes all of the
- 10 following information:
- 11 (a) The purpose for which the foam was used.
- 12 (b) The physical address and the latitude and longitude of the
- 13 location at which the foam was used.
  - (c) The quantity of foam concentrate used.
- 15 (d) The quantity of water used to produce the foam or used in conjunction with the foam.
- 17 (e) The name brand and manufacturer of the foam concentrate.
- 18 (f) The name of any water body potentially affected by the
- 19 foam or firewater through surface water runoff, groundwater, or a
- 20 storm sewer or combined sewer, its distance and direction from the
- 21 location at which the foam was used, practices employed for
- 22 containment and proper disposal of the foam and firewater, and
- 23 whether the foam or firewater is known to have entered the water
- 24 body.

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- 25 (g) Practices employed for cleanup and disposal of materials
- 26 contaminated by the foam concentrate, foam, or firewater.
- 27 (2) The department may prescribe the format of the report
- 28 under subsection (1) and the means by which the report shall be
- 29 submitted.



Sec. 14705. The department shall establish a collection program for firefighting foam concentrate containing intentionally added PFAS and establish guidelines for the program. Under the program, the department shall accept the foam concentrate free of charge and properly dispose of the foam concentrate. The program is contingent on legislative appropriations to cover program costs.

Sec. 14707. A person that violates section 14703 may be ordered to pay a civil fine of not more than \$500.00. A violation of section 14703 may be prosecuted by the prosecutor of the county in which the violation occurred or by the attorney general.

