

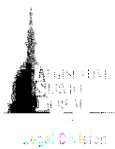
HOUSE BILL NO. 4389

March 19, 2019, Introduced by Reps. Allor, Griffin, Crawford, O'Malley, Lower, Rendon, Mueller, Sowerby, Yaroch, Bellino and Vaupel and referred to the Committee on Natural Resources and Outdoor Recreation.

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:

- 1 SUBPART 1 ~~PCB COMPOUNDS~~ **PERFLUOROALKYL AND POLYFLUOROALKYL**
2 **SUBSTANCES**
3 **Sec. 14701. As used in this subpart:**
4 **(a) "Department" means the department of environmental**



1 quality.

2 (b) "Fire chief" means that term as defined in section 1 of
3 the fire prevention code, 1941 PA 207, MCL 29.1.

4 (c) "Firewater" means water that has been used for
5 firefighting.

6 (d) "Organized fire department" means that term as defined in
7 section 1 of the fire prevention code, 1941 PA 207, MCL 29.1.

8 (e) "PFAS chemicals" means a class of fluorinated organic
9 chemicals containing at least 1 fully fluorinated carbon atom and
10 designed to be fully functional in firefighting foam formulations.

11 Sec. 14703. (1) Within 48 hours after an organized fire
12 department uses firefighting foam containing PFAS chemicals, the
13 fire chief shall submit to the department of environmental quality
14 a written report that includes all of the following information:

15 (a) The purpose for which the foam was used.

16 (b) The physical address and the latitude and longitude of the
17 location at which the foam was used.

18 (c) The quantity of foam concentrate used.

19 (d) The quantity of water used to produce the foam or used in
20 conjunction with the foam.

21 (e) The name brand and manufacturer of the foam concentrate.

22 (f) The name of any water body potentially affected by the
23 foam or firewater through surface water runoff, groundwater, or a
24 storm sewer or combined sewer, its distance and direction from the
25 location at which the foam was used, practices employed for
26 containment and proper disposal of the foam and firewater, and
27 whether the foam or firewater is known to have entered the water
28 body.

29 (g) Practices employed for cleanup and disposal of materials



1 contaminated by the foam concentrate, foam, or firewater.

2 (2) The department may prescribe the format of the report
3 under subsection (1) and the means by which the report shall be
4 submitted.

5 Sec. 14705. The department shall establish a collection
6 program for firefighting foam concentrate containing intentionally
7 added PFAS chemicals with a carbon chain of more than 6. Under the
8 program, the department shall accept the foam concentrate free of
9 charge and properly dispose of the foam concentrate. The program is
10 contingent on legislative appropriations to cover program costs.

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

