

Schopieray, Christine

From: Lumm, Jane
Sent: Thursday, October 17, 2019 3:29 PM
To: Smith, Chip; Eaton, Jack; Griswold, Kathy; Hayner, Jeff
Cc: Schopieray, Christine; Lazarus, Howard; Fournier, John
Subject: FW: Gongwer: Sponsors: PFAS Bills Would Add More Oversight, Transparency

Policy Agenda Cte.,

See SB 402. Food for thought. (assuming the HB's are not relevant to us since our AAFD doesn't use PFAS foam)

-Jane

From: Intern_GCSI <Intern_GCSI@gcsionline.com>
Sent: Wednesday, October 16, 2019 4:16 PM
Subject: Gongwer: Sponsors: PFAS Bills Would Add More Oversight, Transparency

Per the request of Kirk Profit:

Gongwer Article – Tuesday, October 15th, 2019

Sponsors: PFAS Bills Would Add More Oversight, Transparency

Legislation creating additional reporting standards and training among firefighters for the use of per- and polyfluoroalkyl substances was taken up for testimony by a Senate panel Tuesday, with supporters saying the changes would provide additional oversight of use of the substances linked to an emerging health threat across the state and nation.

Before the Senate Environmental Quality Committee were a trio of bills dealing with per- and polyfluoroalkyl substances, **HB 4389**, **HB 4390** and **HB 4391**, each of which cleared the House earlier this month by large majorities.

Under HB 4389, a fire chief would be required to submit a report on the use of PFAS firefighting foam within 48 hours of its use to the Department of Environment, Great Lakes and Energy. The report would have to include information on the reason for its use, the location and amount that was used, among other details.

Rep. Sue Allor (R-Wolverine), sponsor of HB 4389, said the legislation would put the state ahead of the federal government on reporting requirements in identifying PFAS use and tracking it.

"I think that we can do better," Ms. Allor said.

Certain firefighters would be required to be trained in the use of PFAS foams under HB 4390, with training including best practices for handling and storing the foam and best environmental and public health

practices. The Department of Licensing and Regulatory Affairs would be required under HB 4391 to promulgate rules on firefighters' use of PFAS foams.

Rep. Jeff Yaroch (R-Richmond), sponsor of the other House bills in the package, said the changes would consist of requiring 10 to 15 minutes of additional online training for firefighters.

The training would be phased out in 2023 under the bills, he said. Mr. Yaroch, who has spent his career as a firefighter, said by 2023 the hope is "the world will come with us" and include the training in its training requirements nationally by then, at which point it would no longer be necessary in state statute.

Committee members also heard testimony on two bills from of a Senate water quality package focused on PFAS and lead in drinking water.

Under **SB 402**, a PFAS Action Response Team would be created within EGLE. It would be staffed by EGLE and overseen by department directors or the designees of multiple departments. Under **SB 403**, annual funding would be provided to the Michigan Geological Survey for conducting geological surveys of PFAS and other priority areas as it relates to groundwater.

Sen. Peter MacGregor (R-Rockford), sponsor of SB 402, said the bill would give the action response team a more permanent role and allow for more legislative oversight than it being the product of an executive order.

Schopieray, Christine

From: Lumm, Jane
Sent: Thursday, October 17, 2019 3:34 PM
To: Smith, Chip; Eaton, Jack; Griswold, Kathy; Hayner, Jeff
Cc: Schopieray, Christine; Lazarus, Howard; Fournier, John
Subject: FW: Gongwer: Lead and PFAS Bills Get Tepid Response From Departments, Lawmakers

More PFAS and lead related bills to keep on our radar. -Jane

From: Intern_GCSI <Intern_GCSI@gcsionline.com>
Sent: Wednesday, October 16, 2019 4:14 PM
Subject: Gongwer: Lead and PFAS Bills Get Tepid Response From Departments, Lawmakers

Per the request of Kirk Profit:

Gongwer Article – Tuesday, October 15th, 2019

Lead and PFAS Bills Get Tepid Response From Departments, Lawmakers

Environmental groups, state agencies and some lawmakers took issue Tuesday with several of PFAS-related bills introduced to the House Committee on Natural Resources and Outdoor Recreation, saying the legislation stepped on the toes of already existing regulations and enforcement groups and could cost Michigan funds.

The panel took abbreviated testimony on **HB 4742**, **HB 4743**, **HB 4744**, **HB 4745**, **HB 4746**, **HB 4747**, **HB 4748**, **HB 4749**, **HB 4750** and **HB 4064**, which sought to address a number of drinking water related issues revolving around issues with lead and per- and polyfluoroalkyl substances.

HB 4742 and HB 4743 seek to establish the requirement of water testing at Michigan's veterans' facilities for lead. HB 4744 would create a program that would test and remove lead in drinking water used by vulnerable populations like childcare centers or schools while HB 4745 would create an annual \$3 million appropriation that would be used for geological surveys to determine if PFAS is present in soil or ground water.

HB 4746 would require the codification of the Michigan PFAS Action Response Team (MPART) into a fulltime body with its own powers and duties already given to state agencies and officials. The double-bill package, HB 4747 and HB 4748, seeks to create a nine-member commission specifically for the prevention and control of childhood lead poisoning.

HB 4749 would require a supplier proposing to hook up to a new water source to have its water supply tested before providing it to residents. Another, HB 4750, would require a water supplier to let its customer know their home's water is provided through a lead service line.

Finally, HB 4064, calls for the creation of a program that would test for and subsequently remove any lead in drinking water used in schools and childcare centers.

Testimony given from officials with the Department of Environment, Great Lakes and Energy and the Department of Health and Human Services however raised concerns with the legislation as proposed though praised lawmakers for their good intentions.

"We very much appreciate all the sponsors concern for children's health and the interest in eliminating talk of lead exposure, however we do see overlap within the existing functions and structure of the Childhood Lead Exposure Elimination Commission," said Sarah Lyon-Callo, director of the Bureau of Epidemiology and Population Health with the DHHS, who said the department felt it had to oppose HB 4747 and HB 4748.

George Krisztian, deputy assistant division director of EGLE's Drinking Water and Environmental Health Division, also cautioned the commission on having the bills regarding PFAS exposure reliant on a 12-parts per billion threshold for water contaminants, as it is not yet the established standard in Michigan. By writing the bills to say that testing standards must adhere to whatever the current proposed rule is, Mr. Krisztian said it gave the bills more flexibility, should the standard ever drop lower than 12-ppb in the future.

One bright point in the bills most could agree on, however, was the push to establish filtered water stations at schools for students and teachers to fill up reusable bottles or simply use the water fountains. Charlotte Jameson with the Michigan Environmental Council said these filter systems, dubbed Hydration Stations, "aligned really well with the existing Lead and Copper Rule" and were "more protective, particularly for children, than replacing fixtures."

"Overall, the filter first strategy is more cost effective because we're reducing the number of drinking water outlets that we're having to monitor, and so therefore there's less infrastructure changes that need to happen," Ms. Jameson said. "We found over a 10-year period that the filter first approach is cheaper and more cost effective, even if we are paying as a state for the Hydration Stations' ongoing maintenance and ongoing filtration changes."

Several other groups including the ACLU of Michigan, the Great Lakes Environmental Law Center, the Michigan League of Conservation Voters, the Natural Resources Defense Council and more voiced support for the bill package – especially the "filter first" mindset.

Despite Ms. Jameson's reassurances, some lawmakers, like **Rep. William Sowerby** (D-Clinton Township) questioned if the Hydration Stations would actually help to remediate lead in schools or if they were "just a Band-aid."

"We are just putting a Band-aid on and displacing that sewer water into our waterways, and still, that sewer water is partially treated... but we're not addressing the overall big problem," he said. "I'm addressing the lead piping, the lead fixtures, and to get rid of that... so that we can really address the problem and fix it for the long haul."

No votes were taken on any of the bills and it is expected they could undergo further questioning next week.

"At this point, it's clear that we need some additional work on these bills... kind of work out some of the bugs before they're brought back before the committee," said **Rep. Gary Howell** (R- North Branch), chair of the committee.

BILLS WOULD REQUIRE WATER FILTERS INSTALLED IN SCHOOLS, DAYCARES: A bipartisan group of lawmakers in the House and Senate introduced legislation Tuesday that would create a program for the installation of water filtration systems for drinking and cooking sources in school buildings and daycare centers.

Sen. Jim Ananich (D-Flint), **Sen. Curt VanderWall** (R-Ludington), **Rep. Lynn Afendoulis** (R-Grand Rapids Township) and **Rep. Sheldon Neeley** (D-Flint) introduced the legislation in the House and Senate.

The four bills were called the "Filter First" package by the sponsors, which they said would create a comprehensive strategy for filter replacement, testing, signage and directions for both children and caretakers on safe drinking water sources. Communication with parents would also be important in the bills.

"As building infrastructure continues to age, water quality becomes increasingly unstable," Mr. Ananich said in a statement. "Our bills take the guesswork out of it by ensuring that schools and daycares install filters, keeping lead and other toxins out of the water supply and our kids safe and healthy."

The Department of Environment, Great Lakes and Energy would be tasked with providing guidance under the bills. Facilities would be required to test their systems annually. Non-filtered water outlets would need to be removed or left unused.

The legislation introduced is **SB 589**, **SB 590**, **HB 5104** and **HB 5105**.

"Schools and daycares are meant to be places for children to thrive. When lead gets into the drinking water of these institutions – leached from plumbing, fixtures, and fittings – it presents a grave risk to their development," Mr. VanderWall said in a statement.

A fund would be also be created within EGLE for the purpose of providing grants to schools and daycares in low-income communities to cover the cost of various requirements within the bills.

Ms. Afendoulis in a statement said the issue of water quality and contaminants is harming people in her district and across the state.

"I have looked into the eyes of mothers who fear for their children's health because the water they drink or play in is contaminated with PFAS, lead or other toxins," Ms. Afendoulis said. "No parent should have that concern about a basic necessity and right. And no child should suffer."

Mr. Neeley agreed.

"The children of Michigan are the future of Michigan and they are also the most impacted by the negative consequences of lead exposure," Mr. Neeley said. "We must protect the health of our state's most vulnerable residents and take action now to safeguard our children's future potential."

The Senate bills were referred to the Senate Environmental Quality Committee and the House bills were referred to the House Natural Resources and Outdoor Recreation Committee.