

## **Title**

A Resolution Urging the State of Michigan to Adopt HB 4212 and SB 116, the so-called "Polluter Pays Act"

## **Memorandum**

The City Council Policy Agenda Committee at their January 28, 2020 meeting, asked to have a resolution endorsing the so-called "Polluter Pays Act" prepared for Council's consideration.

This law, introduced as HB 4212 in the Michigan House of Representatives by, among others, Representatives Yousef Rabhi, Donna Lasinski, and Rebekah Warren, and SB 116 in the Senate by Senator Jeff Irwin, is intended to give the State of Michigan the power to compel the cleanup of aquifer contamination that "to the extent technically feasible, meets the cleanup criteria for unrestricted residential use and restores any affected aquifer to state drinking water standards," as defined by the proposed statute.

There has been some discussion about how effective this bill would be in dealing with the Gelman Plume and other similar sites given the technical difficulty of restoration in these instances. However, the law does clarify the state's powers in these situations. The House bill was introduced on February 19, 2019 by Representative Yousef Rabhi and assigned to the Committee on Natural Resources. The Senate bill was introduced on the same day and assigned to the Committee on Environmental Quality. Neither bill has been scheduled for a hearing and neither has received an analysis from the Legislative Services Bureau.

## **Staff**

Prepared By: John Fournier

Reviewed By: Council Policy Agenda Committee

Approved By: Howard Lazarus

## **Body**

Whereas, The City of Ann Arbor and communities all across Michigan have been adversely affected by corporate polluters who have contaminated aquifers, waterways, and soils; and

Whereas, Ann Arbor's legislative delegation has worked at the state level to identify and propose remedies for these issues that can empower the state government and local communities to hold polluters accountable; and

Whereas, one such measure is HB 4212, the so-called "Polluter Pays Act," which proposed to clarify the state's powers to hold polluters responsible for remediating contaminated aquifers up to the state's drinking water standard, and

Whereas, these powers could provide help to the City of Ann Arbor and other local governments in their efforts to protect environmental safety and public health on behalf of their community members.

Resolved, that the City of Ann Arbor urges the State of Michigan to adopt HB 4212, the so-called "Polluter Pays Act" as soon as possible; and

Resolved, that the City of Ann Arbor urges the leadership of the Michigan House of Representatives and Michigan Senate to schedule a hearing for HB 4212 and SB 116 as soon as possible so that a robust discussion of the issue may occur, the public may be informed, and our elected leadership at the state level may vote on this important effort.