

# SENATE BILL No. 658

November 1, 1989, Introduced by Senators CARL, GEAKE, SHINKLE, DINGELL, DE GROW, CHERRY, O'BRIEN, DI NELLO, CRUCE, SEDERBURG, GEO. HART, FAXON and SCHWARZ and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend Act No. 286 of the Public Acts of 1964, entitled as amended

"An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,"

as amended, being sections 247.801 to 247.816 of the Michigan Compiled Laws, by adding section 7b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Act No. 286 of the Public Acts of 1964, as  
2 amended, being sections 247.801 to 247.816 of the Michigan  
3 Compiled Laws, is amended by adding section 7b to read as  
4 follows:

5       SEC. 7B. (1) BEFORE THE COMMISSION PURCHASES A PARCEL OF  
6 REAL PROPERTY, THE COMMISSION SHALL CONDUCT A VISUAL INSPECTION

1 OF THE PROPERTY AND REVIEW THE OWNERSHIP AND USE HISTORY OF THE  
2 PROPERTY TO DETERMINE WHETHER A PROBABILITY EXISTS THAT THE PROP-  
3 ERTY IS A SITE OF ENVIRONMENTAL CONTAMINATION. IF THE VISUAL  
4 INSPECTION OR THE OWNERSHIP AND USE HISTORY, OR BOTH, SHOW THERE  
5 IS A SIGNIFICANT PROBABILITY THAT THE PROPERTY IS A SITE OF ENVI-  
6 RONMENTAL CONTAMINATION, THE COMMISSION SHALL CONDUCT, OR CAUSE  
7 TO BE CONDUCTED, AN ENVIRONMENTAL ASSESSMENT OF THE PROPERTY THAT  
8 INCLUDES AT LEAST BOTH OF THE FOLLOWING:

9 (A) AN ON-SITE EVALUATION OF ANY TOXIC OR OTHER CONTAMINA-  
10 TION OF THE SOIL OR GROUNDWATER, OR BOTH, ON THE PROPERTY.

11 (B) AN INSPECTION OF ALL PERMANENT STRUCTURES ON THE PROP-  
12 ERTY FOR THE PRESENCE OF ASBESTOS OR OTHER TOXIC MATERIALS.

13 (2) IF THE DEPARTMENT ELECTS TO PURCHASE PROPERTY THAT IS  
14 SHOWN BY THE ENVIRONMENTAL ASSESSMENT REQUIRED IN SUBSECTION (1)  
15 TO BE A SITE OF ENVIRONMENTAL CONTAMINATION, THE COMMISSION SHALL  
16 DOCUMENT THE CIRCUMSTANCES THAT JUSTIFY THE PURCHASE OF CONTAMI-  
17 NATED PROPERTY.

18 (3) AS USED IN THIS SECTION, "SITE OF ENVIRONMENTAL  
19 CONTAMINATION" MEANS THAT TERM AS IT IS DEFINED IN THE ENVIRON-  
20 MENTAL RESPONSE ACT, ACT NO. 307 OF THE PUBLIC ACTS OF 1982,  
21 BEING SECTIONS 299.601 TO 299.611 OF THE MICHIGAN COMPILED LAWS.