

# HOUSE BILL No. 6488

September 18, 2008, Introduced by Reps. Ebli, Byrnes, Warren, Vagnozzi, Valentine, Alma Smith, Meadows, Donigan, Bauer, Miller, Tobocman, Sak, Coulouris, Bennett and Condino and referred to the Committee on Great Lakes and Environment.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17211.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 17211. (1) BEGINNING JANUARY 1, 2010, A PERSON WHO SELLS,  
2 PROVIDES, OR DISTRIBUTES BY ANY MEANS ELEMENTAL MERCURY TO A PERSON  
3 IN THIS STATE SHALL PROVIDE AT THE TIME OF SALE, PROVISION, OR  
4 OTHER DISTRIBUTION A MATERIAL SAFETY DATA SHEET, AS DEFINED IN 42  
5 USC 11049. AT THE TIME OF RECEIPT OF THE ELEMENTARY MERCURY, A  
6 PURCHASER OR RECIPIENT OF ELEMENTAL MERCURY SHALL SIGN A STATEMENT  
7 INDICATING AGREEMENT WITH ALL OF THE FOLLOWING:

8           (A) THE PURCHASER OR RECIPIENT WILL USE THE MERCURY ONLY FOR  
9 MEDICAL, DENTAL, RESEARCH, OR MANUFACTURING PURPOSES.

10           (B) THE PURCHASER OR RECIPIENT UNDERSTANDS THAT MERCURY IS  
11 TOXIC AND WILL STORE AND USE THE MERCURY APPROPRIATELY SO THAT NO

1 PERSON IS EXPOSED TO THE MERCURY.

2 (C) THE PURCHASER OR RECIPIENT WILL NOT PLACE OR CAUSE TO BE  
3 PLACED OR ALLOW ANYONE UNDER THE CONTROL OF THE PURCHASER OR  
4 RECIPIENT TO PLACE OR CAUSE TO BE PLACED THE MERCURY IN SOLID WASTE  
5 FOR DISPOSAL OR IN A WASTEWATER TREATMENT AND DISPOSAL SYSTEM.

6 (2) A PURCHASER OR RECIPIENT OF ELEMENTAL MERCURY WHO IS  
7 REQUIRED TO SIGN THE STATEMENT UNDER SUBSECTION (1) SHALL RETAIN A  
8 COPY OF THE STATEMENT FOR A PERIOD OF NOT LESS THAN 3 YEARS AND  
9 SHALL MAKE THAT STATEMENT AVAILABLE TO A REPRESENTATIVE OF THE  
10 STATE, A LOCAL UNIT OF GOVERNMENT, OR A MUNICIPAL WASTEWATER  
11 TREATMENT PLANT UPON REQUEST.