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# Michigan PFAS Regulation Continues To Emerge

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A Science Advisory Panel issued a report today recommending further PFAS work for Michigan. [Selected by outgoing Governor Rick Snyder](#) at the end of March 2018, the panel set out to “objectively assess the scientific information surrounding the issue of health advisory levels, health outcomes, remediation and mitigation, and environmental pathways” related to per- and polyfluoroalkyl substances (PFAS).

The report, “[Scientific Evidence and Recommendations for Managing PFAS Contamination in Michigan](#),” was released on December 18, 2018 and developed for Michigan’s PFAS Action Response Team (MPART). It contains 17 recommendations for the state environmental regulatory programs and a further seven recommendations to address information gaps.

While acknowledging that scientific evidence may be incomplete at this time, the panel believes the evidence is sufficient “to justify regulatory efforts to manage exposure for projecting human health.” As a result, the panel’s recommendations range from maintaining a high priority on identification of impacted drinking water supplies to considering advisory limits for other PFAS compounds (in addition to the existing ones for PFOA and PFOS). The panel’s recommendations also address further actions needed on analytical methods and treatment technologies.

This report comes shortly after the Michigan legislature passed [House Bill 4205](#), a “no stricter than federal” bill that may soon go to Governor Snyder for his signature. Governor-elect Gretchen Whitmer may have to grapple with the

conflicts between this legislation and the panel's recommendations once she takes office in 2019. She will also be faced with an expected new Michigan DEQ Director and other changes, including termination of prior executive orders such as the one that created MPART.

Additionally, the U.S. Environmental Protection Agency is developing its own PFAS management plan scheduled to be released later this year (or, more likely, early in 2019). It also will likely have new leadership of its own in this area, as Alexandra Dunn, current head of U.S. EPA Region 1, has been nominated with strong bi-partisan support to lead the agency's Office of Chemical Safety and Pollution Prevention (OCSPP).

There remains an abundance of uncertainty around the future of PFAS regulation in Michigan. Stay tuned as we continue to follow this emerging issue closely in the year ahead.