

Issue Brief



Polluter Pay: Attack on Redevelopment

Background

Senate Bills [605-611](#) and House Bills [5241-5247](#) have been dubbed “polluter pay legislation” by environmentalists, while industry leaders are calling them an attack on brownfield redevelopment.

The bills seek to add new regulations for businesses and local units of government that own and operate contaminated sites. The added requirements would hinder the rehabilitation of brownfield sites, and ultimately, investments in communities. Counties in possession of contaminated sites will assume an immeasurable amount of liability.

Additionally, there is a stipulation for financial assurance on any facility that houses a pollutant. For each of these facilities, a county would need to take out a bond for 70 percent of the cost to remediate the release of all pollutants on site. Many county road agencies own salt sheds and brine tanks for maintenance activities, which are already insured. Making a county get a bond for hundreds of thousands of dollars would be redundant and extreme.

MAC’s Efforts

- Upon introduction of these bills, **MAC signed a letter of opposition** with industry leaders.
- MAC has participated in several workgroup meetings alongside the Michigan Department of Environment, Great Lakes and Energy (EGLE), bill sponsors, the business community and environmentalists. We anticipate new drafts with substantial changes will be circulated this fall.
- MAC is prepared for movement during the “lame duck” session after the November elections.



Message to Lawmakers

- “Polluter Pay” legislation will not truly hold polluters accountable but will undermine brownfield redevelopment efforts – orphan sites will remain orphaned.
- Businesses will invest less in revitalization projects and communities will suffer.
- Local governments will be subject to onerous legal and financial regulations as a result of this legislation.