

SENATE BILL NO. 710

November 13, 2025, Introduced by Senators SHINK, CHANG and GEISS and referred to Committee on Energy and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 149.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 149. COAL TAR PRODUCTS

Sec. 14901. As used in this part:

(a) "Coal tar sealant" means a surface-applied product
containing coal tar, coal tar pitch, coal tar pitch volatiles, RT-
12, refined tar, or any variation of those substances assigned the

1 chemical abstracts service (CAS) numbers 65996-92-1, 65996-93-2,
2 65996-89-6, and 8007-45-2 or related substances containing more
3 than 0.1% polycyclic aromatic hydrocarbons (PAHs), by weight.

4 (b) "Department" means the department of environment, Great
5 Lakes, and energy.

6 (c) "Director" means the director of the department or his or
7 her designee.

8 (d) "No-Michigan-use form" means a form described in section
9 14907(1).

10 (e) "Other high-PAH sealant" means a surface-applied product
11 containing steam-cracked petroleum residues, steam-cracked asphalt,
12 pyrolysis fuel oil, heavy fuel oil, ethylene tar, or any variation
13 of those substances assigned the chemical abstracts service number
14 64742-90-1 or 69013-21-4 or related substances containing more than
15 0.1% polycyclic aromatic hydrocarbons (PAHs), by weight.

16 Sec. 14903. (1) Except as provided in section 14909, a person
17 shall not apply a coal tar sealant or other high-PAH sealant on
18 asphalt, concrete, or other pavement.

19 (2) A person that owns property on which a coal tar sealant or
20 other high-PAH sealant is applied in violation of subsection (1) is
21 rebuttably presumed to have applied the coal tar sealant or other
22 high-PAH sealant.

23 Sec. 14905. (1) Except as provided in subsection (2), a person
24 shall not sell a coal tar sealant or other high-PAH sealant.

25 (2) Subsection (1) does not apply if the purchaser submits to
26 the seller a copy of an exemption granted under section 14909 or a
27 completed no-Michigan-use form.

28 (3) A person that sells a coal tar sealant or other high-PAH
29 sealant shall retain a completed no-Michigan-use form or a copy of

1 a written exemption submitted to that person under subsection (2)
2 for 3 years and allow the department to inspect or copy the form or
3 written exemption upon request.

4 Sec. 14907. (1) A no-Michigan-use form shall include all of
5 the following:

6 (a) Blanks for designating the name, address, and telephone
7 number of the purchaser.

8 (b) A blank for the date of the purchase.

9 (c) A blank for the quantity of coal tar sealant or other
10 high-PAH sealant purchased.

11 (d) A statement that the coal tar sealant or other high-PAH
12 sealant will not be used in Michigan.

13 (e) An affirmation by the purchaser that the information on
14 the form is correct.

15 (f) A blank for the purchaser's signature.

16 (2) The department shall post on its website a no-Michigan-use
17 form suitable for compliance with section 14905.

18 (3) A person shall not sign a no-Michigan-use form if the form
19 contains false information.

20 Sec. 14909. The director may grant a person a written
21 exemption from section 14903 if the director determines that the
22 person is researching the effect of a coal tar sealant or other
23 high-PAH sealant on the environment or is developing an alternative
24 technology and that the use of the coal tar sealant or other high-
25 PAH sealant is required for the research or development.

26 Sec. 14911. A person that violates this part is responsible
27 for a state civil infraction and may be ordered to pay a civil fine
28 of not more than \$5,000.00.

29 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.