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Microbeads in the Great Lakes

Testimony Before the U.S. House of Representatives

Committee on Energy and Commerce, Subcommittee on Health

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Good morning Chairman Pitts, Ranking Member Green, and Distinguished Subcommittee on Health members. Thank you for the opportunity to come before you today to speak on the important issue of microbeads in the Great Lakes. I'm Dan Wyant, Director of the Michigan Department of Environmental Quality.

With 4 out of the 5 Great Lakes, 6.5 million acres of wetlands, and over 11,000 inland lakes, water is fundamental to Michigan's way of life. We are surrounded by 20% of the world's fresh water. It is, quite simply, why people come to Michigan to live, work, and play.

Michigan has a long history of being a leader on water conservation and protection issues. Forty-two years ago, we took over the federally-delegated National Pollutant Discharge Elimination System permitting from the U.S. Environmental Protection Agency. A decade later, we took on the responsibility for the Wetlands Permitting

Program. With over 73 years of permitting, compliance, and enforcement, Michigan is modeling the way for other states to assume delegation of these programs.

Just as importantly, Michigan has always worked to protect and restore the Great Lakes. From our tough ballast water standards, to the diligent implementation of the Compact Agreement that protects the Great Lakes from water diversions, to our regional leadership with the Great Lakes Commission and the Council of Great Lakes Governors, Michigan has been at the table ready to work on the challenges of the day.

Keeping in line with the stewardship responsibility entrusted to my Department through Michigan's Constitution, our focus is now shifting to the emerging issues of plastic microbeads in our water.

As you are aware, plastic microbeads are commonly-used abrasive agents in personal care products, such as facial cleansers and toothpaste. Studies have noted that microbeads can pass through wastewater treatment plants into our surface waters. Microbeads were found in Great Lakes surface waters during a study in 2012 and 2013. Microplastic particles, of which microbeads are a subset, were detected in Lakes Erie, Huron, and Superior at a rate of 43,000 per square kilometer, and almost ten times higher in samples collected in Lake Erie downstream of two major Ohio cities. The presence of plastics in the Great Lakes is a concern because constituents of plastics may be entering the food chain after the plastics are consumed by fish and other wildlife. In addition, toxic pollutants already present in the Great Lakes may bind to

these plastics, making them even more harmful. Recent laboratory studies have shown that microplastics have the potential to adversely affect fish and other aquatic organisms.

Legislation is being debated in the Michigan House of Representatives and Senate that would phase out over the next couple of years the production and sale of personal care products that use microbeads. The legislation that is before this Subcommittee, and that is being debated in Michigan's Legislature, is a common sense first step to the phaseout of the use of microbeads in personal care products. Although microbeads comprise only a portion of the plastic pollution detected in the Great Lakes, microbeads are an easily controllable component of the pollution. The simple phaseout of their use in beauty products will reduce the amount of plastics passing through our wastewater systems and will reduce the potential to harm our fish and wildlife.

It is important that we put into place a thoughtful but diligent phaseout of the harmful microbeads, while allowing industry a path forward for new product development and use if they can demonstrate that their products will not have an adverse impact on the water and its biological life. Our Great Lakes freshwater system, and the life that abounds in it, are just too important to the people of this state, the region, and the nation to continue a practice that we now realize has the potential for adverse consequences. Just as we don't tolerate plastics littering our roadsides and filling our landfills, we should not allow plastics – of any size – to taint our beautiful Great Lakes.

We urge action on this issue. We welcome a national approach to the rapid phaseout of these additives as an important step. We have many complex issues to solve in the Great Lakes and throughout the nation's waterways, including invasive species and nutrient loadings to name but two. Microbeads is a clear issue and a clear threat to the fish and the biology of our great freshwater system – and it is an issue with a clear, simple answer. With no mechanism to process microbeads or capture them in wastewater treatment systems, they must be phased out. Without a clear federal approach, we will continue to pursue a state-specific approach as part of our clear obligation to Great Lakes stewardship as Illinois and Indiana have done this past year and other states are appropriately considering. While these state-specific measures will provide a baseline level of protection, the patchwork approach could leave key vulnerabilities for the Great Lakes system. A federal approach would ensure consistency throughout the system.

Again, I appreciate the opportunity to come before this Subcommittee to speak on behalf of the Michigan Department of Environmental Quality and, more broadly, the people of the state of Michigan. Michiganders love the Great Lakes, and they expect strong leadership on issues related to the lakes. I am happy to answer any questions you may have.