

HOUSE BILL No. 4930

June 15, 1989, Introduced by Reps. Bartnik, Alley, Midaugh, DeMars, Palamara, Giese, DeBeaussaert, Hickner, Gire, Hart, Niederstadt, Gnodtke, Kosteva, Gubow, Brown, Varga, Stupak, Trim, Dolan, Sikkema, Nye, Hillegonds, Stacey, Crandall, Knight, Muxlow, Runco, Ostling, Bandstra, Power, Strand, Hoekman, Bender, Randall, London, Camp, Bankes, Fitzgerald and Hertel and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend Act No. 399 of the Public Acts of 1976, entitled

"Safe drinking water act,"

being sections 325.1001 to 325.1023 of the Michigan Compiled Laws, by adding section 15a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 399 of the Public Acts of 1976, being
2 sections 325.1001 to 325.1023 of the Michigan Compiled Laws, is
3 amended by adding section 15a to read as follows:

4 SEC. 15A. (1) THE DEPARTMENT, IN CONJUNCTION WITH THE
5 DEPARTMENT OF NATURAL RESOURCES, SHALL PROMULGATE RULES PURSUANT
6 TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE
7 PUBLIC ACTS OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE
8 MICHIGAN COMPILED LAWS, THAT ESTABLISH ISOLATION ZONES AROUND

1 SURFACE WATER INTAKES FOR PUBLIC WATER SUPPLIES IN THE WATERS OF
2 THE STATE.

3 (2) THE DEPARTMENT OF NATURAL RESOURCES SHALL PROVIDE FOR
4 ISOLATION ZONES TO BE CLEARLY MARKED WITH BUOYS OR OTHER MARKERS
5 APPROVED BY THE DEPARTMENT OF NATURAL RESOURCES.

6 (3) THE DEPARTMENT SHALL IDENTIFY ISOLATION ZONES ON WATER-
7 WAYS MAPS THAT IT PUBLISHES AND SHALL ENCOURAGE THE FEDERAL GOV-
8 ERNMENT TO IDENTIFY ISOLATION ZONES ON THE MAPS THE FEDERAL GOV-
9 ERNMENT PUBLISHES.

10 (4) A PERSON SHALL NOT OPERATE A VESSEL WITHIN AN ISOLATION
11 ZONE EXCEPT IN THE CASE OF AN EMERGENCY, OR WHERE AUTHORIZED BY
12 THE DEPARTMENT, THE DEPARTMENT OF NATURAL RESOURCES, OR THE
13 UNITED STATES COAST GUARD.

14 (5) AS USED IN THIS SECTION:

15 (A) "HAZARDOUS SUBSTANCE" MEANS A CHEMICAL OR OTHER MATERIAL
16 WHICH IS OR MAY BECOME INJURIOUS TO THE PUBLIC HEALTH, SAFETY, OR
17 WELFARE, OR TO THE ENVIRONMENT.

18 (B) "ISOLATION ZONE" MEANS A PROTECTIVE AREA THAT LIMITS THE
19 THREAT TO A PUBLIC WATER SUPPLY CAUSED BY A SPILL OF A HAZARDOUS
20 SUBSTANCE INTO THE WATERS OF THE STATE.

21 (C) "SPILL" MEANS ANY SUDDEN, UNEXPECTED LEAKING, PUMPING,
22 POURING, EMITTING, LEACHING, EMPTYING, DISCHARGING, ESCAPING,
23 DUMPING, OR DISPOSING THAT OCCURS WITHOUT THE APPROVAL OF THE
24 DEPARTMENT.

25 (D) "WATERS OF THE STATE" MEANS ALL LAKES, RIVERS, STREAMS,
26 AND OTHER WATERCOURSES INCLUDING THE GREAT LAKES AND THEIR
27 CONNECTING WATERWAYS WITHIN THE JURISDICTION OF THE STATE.