

SENATE BILL No. 637

October 25, 1989, Introduced by Senators FESSLER, O'BRIEN, BINSFELD, DILLINGHAM, CHERRY, WELBORN and J. HART and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend Act No. 641 of the Public Acts of 1978, entitled as amended
"Solid waste management act,"
as amended, being sections 299.401 to 299.437 of the Michigan Compiled Laws, by adding section 14a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 641 of the Public Acts of 1978, as
2 amended, being sections 299.401 to 299.437 of the Michigan
3 Compiled Laws, is amended by adding section 14a to read as
4 follows:

5 SEC. 14A. (1) THE DIRECTOR SHALL NOT ISSUE A CONSTRUCTION
6 PERMIT OR AN OPERATING LICENSE UNDER THIS ACT FOR THE CONSTRUCTION OR OPERATION OF A LANDFILL THAT IS LOCATED OR IS PLANNED TO
7 BE LOCATED AT ANY OF THE FOLLOWING:
8

1 (A) OVER A PRIMARY WATER SUPPLY AQUIFER.

2 (B) OVER A PRINCIPAL AQUIFER.

3 (C) WITHIN A PUBLIC WATER SUPPLY WELLHEAD AREA.

4 (D) WITHIN A RESIDENTIAL WATER SUPPLY WELLHEAD AREA.

5 (2) AS USED IN THIS SECTION:

6 (A) "AQUIFER" MEANS A GEOLOGIC FORMATION, GROUP OF FORMA-
7 TIONS, OR PART OF A FORMATION CAPABLE OF YIELDING A SIGNIFICANT
8 AMOUNT OF GROUNDWATER TO WELLS OR SPRINGS.

9 (B) "PRIMARY WATER SUPPLY AQUIFER" MEANS A HIGHLY PRODUCTIVE
10 AQUIFER THAT IS USED AS A SOURCE OF PUBLIC WATER SUPPLY BY A
11 MUNICIPAL WATER SUPPLY SYSTEM.

12 (C) "PRINCIPAL AQUIFER" MEANS AN AQUIFER THAT IS HIGHLY PRO-
13 DUCTIVE, BUT WHICH IS NOT BEING INTENSIVELY USED AS A SOURCE OF
14 PUBLIC WATER SUPPLY BY A MUNICIPAL WATER SUPPLY SYSTEM.

15 (D) "PUBLIC WATER SUPPLY WELLHEAD AREA" MEANS AN AREA THAT
16 IS THE GREATEST OF THE FOLLOWING:

17 (i) THE AREA WITHIN THE 99% MAXIMUM EXTENT OF THE STABILIZED
18 CONE OF DEPRESSION OF THAT WELL OR WELLFIELD CONSIDERING ITS FLOW
19 SYSTEM AND SEASONAL FLUCTUATIONS IF THIS CALCULATION HAS BEEN
20 MADE PRIOR TO SUBMISSION OF AN APPLICATION FOR A CONSTRUCTION
21 PERMIT OR AN OPERATING LICENSE.

22 (ii) THE AREA WITHIN A 2-MILE RADIUS OF THE WELLHEAD.

23 (iii) THE AREA IN CIRCUMFERENCE AROUND THE WELLHEAD IN WHICH
24 THE AVERAGE AMOUNT OF RAINFALL RECEIVED BY THE AREA PER DAY
25 EQUALS THE AVERAGE AMOUNT OF GROUNDWATER PUMPED FROM THE WELL PER
26 DAY. AS USED IN THIS SUBPARAGRAPH, AVERAGES SHALL BE CALCULATED
27 ON AN ANNUAL BASIS.

1 (E) "RESIDENTIAL WATER SUPPLY WELLHEAD AREA" MEANS THE AREA
2 WITHIN A 2-MILE RADIUS OF THE WELLHEAD OF A WELL USED FOR DRINK-
3 ING WATER FOR 1 OR MORE PRIVATE RESIDENCES.