

HOUSE BILL No. 4985

October 13, 2015, Introduced by Reps. Glardon, Kelly, Hughes, Vaupel, Johnson, Canfield, Victory, Sheppard, Brett Roberts and Pagel and referred to the Committee on Agriculture.

A bill to amend 1976 PA 399, entitled
"Safe drinking water act,"
by amending section 2 (MCL 325.1002), as amended by 1998 PA 56.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Bottled drinking water" means water that is ultimately
3 sold, provided, or offered for human consumption in a closed
4 container.

5 (b) "Capacity assessment" means an evaluation of the
6 technical, financial, and managerial capability of a community
7 supply or nontransient noncommunity water supply to comply and
8 maintain compliance with all requirements of this act and the rules
9 promulgated under this act.

1 (c) "Community supply" means a public water supply that
2 provides year-round service to not fewer than 15 living units or
3 ~~which~~**THAT** regularly provides year-round service to not fewer than
4 25 residents.

5 (d) "Contaminant" means a physical, chemical, biological, or
6 radiological substance or matter in water.

7 (e) "Customer service connection" means the pipe between a
8 water main and customer site piping or building plumbing system.

9 (f) "Customer site piping" means an underground piping system
10 owned or controlled by the customer that conveys water from the
11 customer service connection to building plumbing systems and other
12 points of use on lands owned or controlled by the customer.
13 Customer site piping does not include any system that incorporates
14 treatment to protect public health.

15 (g) "Department" means the department of environmental quality
16 or its authorized agent or representative.

17 (h) "Director" means the director of the department of
18 environmental quality or his or her authorized agent or
19 representative.

20 (i) "Imminent hazard" means that in the judgment of the
21 director there is a violation, or a condition that may cause a
22 violation, of the state drinking water standards at a public water
23 supply requiring immediate action to prevent endangering the health
24 of people.

25 (j) "Living unit" means a house, apartment, or other domicile
26 occupied or intended to be occupied on a day to day basis by an
27 individual, family group, or equivalent.

1 (k) "Noncommunity supply" means a public water supply that is
2 not a community supply, but that has not less than 15 service
3 connections or that serves not fewer than 25 individuals on an
4 average daily basis for not less than 60 days per year.

5 (l) "Nontransient noncommunity water supply" means a
6 noncommunity public water supply that serves not fewer than 25 of
7 the same individuals on an average daily basis over 6 months per
8 year. This definition includes water supplies in places of
9 employment, schools, and day-care centers.

10 (m) "Person" means an individual, partnership, copartnership,
11 cooperative, firm, company, public or private association or
12 corporation, political subdivision, agency of the state, agency of
13 the federal government, trust, estate, joint structure company, or
14 any other legal entity, or their legal representative, agent, or
15 assigns.

16 (n) "Plans and specifications" means drawings, data, and a
17 true description or representation of an entire waterworks system
18 or parts of the system as it exists or is to be constructed, and a
19 statement on how a waterworks system is to be operated.

20 (o) "Political subdivision" means a city, village, township,
21 charter township, county, district, authority or portion or
22 combination thereof.

23 (p) "Public water supply" means a waterworks system that
24 provides water for drinking or household purposes to persons other
25 than the supplier of the water, and does not include ~~either~~ **ANY** of
26 the following:

27 (i) A waterworks system that supplies water to only 1 living

1 unit.

2 (ii) A waterworks system that consists solely of customer site
3 piping.

4 (iii) A WATERWORKS SYSTEM THAT PROVIDES WATER FOR AGRICULTURAL
5 PURPOSES ONLY AND IS NOT INTENDED FOR HUMAN CONSUMPTION, IF THE
6 WATERWORKS SYSTEM IS ANNUALLY TESTED OR, IF APPLICABLE, TESTED IN
7 ACCORDANCE WITH SECTION 71 OF THE MANUFACTURING MILK LAW OF 2001,
8 2001 PA 267, MCL 288.631. THE QUALITY OF WATER TESTED SHALL MEET
9 THE CHEMICAL, PHYSICAL, AND BIOLOGICAL STANDARDS REQUIRED UNDER
10 SECTION 70 OF THE MANUFACTURING MILK LAW OF 2001, 2001 PA 267, MCL
11 288.630.

12 (q) "State drinking water standards" means quality standards
13 setting limits for contaminant levels or establishing treatment
14 techniques to meet standards necessary to protect the public
15 health.

16 (r) "Service connection" means a direct connection from a
17 distribution water main to a living unit or other site to provide
18 water for drinking or household purposes.

19 (s) "Source water assessment" means a state program to
20 delineate the boundaries of areas in the state from which 1 or more
21 public water supplies receive supplies of drinking water, to
22 identify contaminants regulated under this act for which monitoring
23 is required because the state has determined they may present a
24 threat to public health, and, to the extent practical, to determine
25 the susceptibility of the public water supply in the delineated
26 area to these contaminants.

27 (t) "Supplier of water" or "supplier" means a person who owns

1 or operates a public water supply, and includes a water hauler.

2 (u) "Transient noncommunity water supply" means a noncommunity
3 supply that does not meet the definition of nontransient
4 noncommunity water supply.

5 (v) "Water hauler" means a person engaged in bulk vehicular
6 transportation of water to other than the water hauler's own
7 household which is intended for use or used for drinking or
8 household purposes. Excluded from this definition are those persons
9 providing water solely for employee use.

10 (w) "Water main" means a pipe owned or controlled by a
11 supplier that may convey water to a customer service connection or
12 to a fire hydrant.

13 (x) "Waterworks system" or "system" means a system of pipes
14 and structures through which water is obtained and distributed,
15 including but not limited to wells and well structures, intakes and
16 cribs, pumping stations, treatment plants, storage tanks, pipelines
17 and appurtenances, or a combination thereof, actually used or
18 intended for use for the purpose of furnishing water for drinking
19 or household purposes.

20 (y) "Year-round service" means the ability of a supplier of
21 water to provide drinking water on a continuous basis to a living
22 unit or facility.

23 Enacting section 1. This amendatory act takes effect 90 days
24 after the date it is enacted into law.