

SENATE BILL No. 63

January 24, 2017, Introduced by Senators ANANICH and HERTEL and referred to the Committee on Government Operations.

A bill to amend 1976 PA 399, entitled
 "Safe drinking water act,"
 by amending section 5 (MCL 325.1005), as amended by 1998 PA 56.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) The department shall promulgate and enforce rules
 2 to carry out this act pursuant to the administrative procedures act
 3 of 1969, 1969 PA 306, MCL 24.201 to 24.328. The rules, at a
 4 minimum, ~~shall~~**MUST** include **ALL OF** the following:

5 (a) Requirements for the submission of reports, plans, and
 6 specifications for the design and construction of **ALL OR PART OF** a
 7 waterworks system ~~or a part thereof,~~ and a plan for operating and
 8 maintaining all or a part of the waterworks system, including the
 9 protection of water quality within the distribution system as
 10 necessary to protect ~~the~~ public health.

11 (b) State drinking water standards and associated monitoring

1 requirements, the attainment and maintenance of which are necessary
2 to protect ~~the~~ public health.

3 (c) ~~The~~ **CRITERIA FOR THE** classification of waterworks systems
4 or portions thereof, ~~the~~ **OF WATERWORKS SYSTEMS**, examination for
5 certification of the operators of those systems including shift
6 operators of water treatment systems, and ~~for the~~ issuance,
7 suspension, and revocation of certificates.

8 (d) Criteria for capacity assessments performed by the
9 department at community supplies, nontransient noncommunity water
10 supplies, or a public water supply applying to the department for
11 assistance under part 54 of the natural resources and environmental
12 protection act, 1994 PA 451, MCL 324.5401 to 324.5418.

13 (e) Requirements for provision of facilities by public water
14 supplies that will ~~assure~~ **ENSURE** an adequate and reliable supply of
15 drinking water on a continuous basis.

16 (2) Rules governing public water supplies promulgated under
17 former 1913 PA 98 , ~~and which~~ **THAT** were in effect on January 4,
18 1977 are continued in accordance with section 31 of the
19 administrative procedures act of 1969, 1969 PA 306, MCL 24.231, and
20 may be amended or rescinded by the director under this act.

21 (3) ~~No rule promulgated may require~~ **THE DEPARTMENT SHALL NOT**
22 **PROMULGATE A RULE UNDER THIS ACT THAT REQUIRES** the addition of any
23 substance for preventive health care purposes unrelated to
24 contamination of drinking water.

25 (4) **NOTWITHSTANDING ANY RULE PROMULGATED UNDER THIS ACT TO THE**
26 **CONTRARY, BUT SUBJECT TO SUBSECTION (5), THE ACTION LEVEL FOR LEAD**
27 **IN DRINKING WATER IS AS FOLLOWS:**

1 (A) BEGINNING DECEMBER 31, 2017, 10 PARTS PER BILLION.

2 (B) BEGINNING JANUARY 1, 2021, 5 PARTS PER BILLION.

3 (5) THE DEPARTMENT MAY ESTABLISH, BY RULE, A LOWER ACTION
4 LEVEL THAN IS PROVIDED IN SUBSECTION (4). THE DEPARTMENT SHALL MAKE
5 EVERY EFFORT TO ACHIEVE AN ACTION LEVEL GOAL FOR LEAD IN DRINKING
6 WATER OF ZERO PARTS PER BILLION.

7 (6) IT IS THE INTENT OF THE LEGISLATURE TO MAKE APPROPRIATIONS
8 TO PAY UNITS OF LOCAL GOVERNMENT THAT OWN COMMUNITY SUPPLIES OR
9 NONTRANSIENT NONCOMMUNITY WATER SUPPLIES FOR ANY NECESSARY
10 INCREASED COSTS OF COMPLYING WITH A LEAD ACTION LEVEL UNDER
11 SUBSECTION (4) OR UNDER A RULE PROMULGATED UNDER SUBSECTION (5).

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