

STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014

**Introduced by Reps. McCready, Callton, MacGregor, Glardon, Denby, Rogers, Pagel, Dianda, Kivela,
O'Brien, Kowall and Schmidt**

ENROLLED HOUSE BILL No. 5317

AN ACT to amend 1976 PA 399, entitled "An act to protect the public health; to provide for supervision and control over public water supplies; to prescribe the powers and duties of the department of environmental quality; to provide for the submission of plans and specifications for waterworks systems and the issuance of construction permits therefor; to provide for capacity assessments and source water assessments of public water supplies; to provide for the classification of public water supplies and the examination, certification and regulation of persons operating those systems; to provide for continuous, adequate operation of privately owned, public water supplies; to authorize the promulgation of rules to carry out the intent of the act; to create the water supply fund; to provide for the administration of the water supply fund; and to provide penalties," by amending section 5 (MCL 325.1005), as amended by 1998 PA 56.

The People of the State of Michigan enact:

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

(a) Requirements for the submission of reports, plans, and specifications for the design and construction of a waterworks system or a part thereof, and a plan for operating and maintaining all or a part of the waterworks system, including the protection of water quality within the distribution system as necessary to protect the public health.

(b) State drinking water standards and associated monitoring requirements, the attainment and maintenance of which are necessary to protect the public health.

(c) The classification of waterworks systems or portions thereof, the examination for certification of the operators of those systems including shift operators of water treatment systems, and the issuance, suspension, and revocation of certificates.

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

(e) Requirements for provision of facilities by public water supplies that will ensure an adequate and reliable supply of drinking water on a continuous basis.

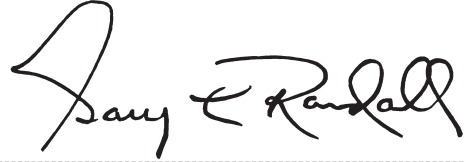
(2) Rules governing public water supplies promulgated under former 1913 PA 98, that were in effect on January 4, 1977 are continued in accordance with section 31 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.231, and may be amended or rescinded by the director under this act.

(3) A rule shall not require the addition of any substance for preventive health care purposes unrelated to contamination of drinking water.

(4) A guideline issued by the department, a rule promulgated under this section, or an approved comprehensive control program for the elimination and prevention of all cross-connections under R 325.11404 of the Michigan administrative code shall not require the testing of a testable backflow preventer on a residential lawn sprinkler system more often than once every 5 years after initial installation and testing, unless the backflow preventer has undergone repair since it was last tested or the sprinkler system includes a chemical injection system.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5318 of the 97th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor