

SAFE DRINKING WATER ACT (EXCERPT)
Act 399 of 1976

325.1015 Protection of public health; notice to supplier of water; inspection of waterworks system; order; public hearing; emergency order; action limiting water system expansion or water use.

Sec. 15.

(1) When considered necessary for protection of the public health, the department shall notify a supplier of water of the need to make changes in operations, to provide treatment, to make structural changes in existing systems, or to add additional capacity as necessary to produce and distribute an adequate quantity of water meeting the state drinking water standards.

(2) The department shall inspect a waterworks system or a part of a waterworks system, and the manner of operation of the system or part. If upon inspection the department determines the waterworks system to be inadequate or so operated as to not adequately protect the public health, the department may order the supplier of water to make alterations in the waterworks system or its method of operation as may be required or considered advisable by the department to assure the public water supply is adequate, healthful, and in conformance with state drinking water standards. If the supplier does not request a public hearing within 30 days after receipt of the order, the order shall be final and binding on the supplier of water. If the department receives a request for a public hearing within the specified 30 days, the public hearing shall be immediately arranged. A supplier of water shall comply with a final order of the department.

(3) If a public water supply poses an imminent hazard to the public health, the department may issue an emergency order immediately, without notice or hearing, requiring such action as the department determines is necessary to protect the public health. Normal administrative procedures as required by the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws, shall proceed concurrently with an emergency order upon written request of the supplier of water received within 15 days. An emergency order shall be effective immediately and binding until modified or rescinded by the department or a court of competent jurisdiction.

(4) The department may take appropriate action to limit water system expansion or limit water use from a public water supply until such time as satisfactory improvements are made in the system or operation to provide for a continuous, adequate supply of water meeting the state drinking water standards.

History: 1976, Act 399, Imd. Eff. Jan. 4, 1977 ;-- Am. 1993, Act 165, Imd. Eff. Sept. 16, 1993