

HOUSE BILL No. 5942

June 29, 1990, Introduced by Rep. Hertel and referred to the Committee on Conservation, Recreation and Environment.

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 CONSTRUC-
7 TION OR OPERATION OF A LANDFILL THAT IS LOCATED OR IS PLANNED TO
8 BE LOCATED WITHIN A PUBLIC WATER SUPPLY WELLHEAD AREA OR OVER
9 EITHER OR BOTH OF THE FOLLOWING:

1 (A) A PRIMARY WATER SUPPLY AQUIFER.

2 (B) A PRINCIPAL AQUIFER.

3 (2) AS USED IN THIS SECTION:

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

7 (B) "PRIMARY WATER SUPPLY AQUIFER" MEANS A HIGHLY PRODUCTIVE
8 AQUIFER THAT IS USED AS A PUBLIC WATER SUPPLY.

9 (C) "PRINCIPAL AQUIFER" MEANS AN AQUIFER THAT IS HIGHLY PRO-
10 DUCTIVE, BUT WHICH IS NOT BEING INTENSIVELY USED AS A PUBLIC
11 WATER SUPPLY.

12 (D) "PUBLIC WATER SUPPLY" MEANS THAT TERM AS IT IS DEFINED
13 IN SECTION 2 OF THE SAFE DRINKING WATER ACT, ACT NO. 399 OF THE
14 PUBLIC ACTS OF 1976, BEING SECTION 325.1002 OF THE MICHIGAN
15 COMPILED LAWS.

16 (E) "PUBLIC WATER SUPPLY WELLHEAD AREA" MEANS AN AREA SUR-
17 ROUNDING THE WELLHEAD OF A PUBLIC WATER SUPPLY THAT IS THE GREAT-
18 EST OF THE FOLLOWING:

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

24 (ii) THE AREA WITHIN A MINIMUM OF A 2-MILE RADIUS OF THE
25 WELLHEAD.

26 (iii) THE AREA IN CIRCUMFERENCE AROUND THE WELLHEAD IN WHICH
27 THE AVERAGE AMOUNT OF RAINFALL RECEIVED BY THE AREA PER DAY

1 EQUALS THE AVERAGE AMOUNT OF GROUNDWATER PUMPED FROM THE WELL PER
2 DAY. AS USED IN THIS SUBPARAGRAPH, AVERAGES SHALL BE CALCULATED
3 ON AN ANNUAL BASIS.