

Act No. 4
Public Acts of 1998
Approved by the Governor
January 29, 1998
Filed with the Secretary of State
January 30, 1998
EFFECTIVE DATE: January 30, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Rep. Callahan

Reps. Anthony, Basham, Bodem, Bogardus, Brewer, Byl, Ciaramitaro, DeHart, DeVuyst, Dobb, Freeman, Gire, Goschka, Hale, Hanley, Jansen, Jaye, Jellema, Kaza, Kelly, Kilpatrick, Kukuk, Law, McBryde, Olshove, Parks, Profit, Prusi, Raczkowski, Richner, Rocca, Schermesser, Stallworth, Thomas, Vaughn, Voorhees, Willard and Wojno named co-sponsors

Reps. Brater, Dalman, Gagliardi, LaForge, Llewellyn, Martinez, Perricone, Price, Schroer, Scott and Varga named co-sponsors

ENROLLED HOUSE BILL No. 4047

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (MCL 324.101 to 324.90106) by adding section 3112b.

The People of the State of Michigan enact:

Sec. 3112b. (1) When a permit for a discharge from a combined sewer system is issued or renewed under this part, the department shall require as a condition of the permit that eaves troughs and roof downspouts for the collection of storm water throughout the tributary service area are not directly connected to the sewer system. The department may allow the permittee up to 1 year to comply with this provision for residential property and up to 5 years for commercial and industrial properties.

(2) Subsection (1) does not apply if the permittee demonstrates to the satisfaction of the department that the disconnection of downspouts and eaves troughs is not a cost-effective means of reducing the frequency or duration of combined sewer overflows or of maintaining compliance with discharge requirements.

(3) As used in this section, "combined sewer system" means a sewer designed and used to convey both storm water runoff and sanitary sewage, and which contains lawfully installed regulators and control devices that allow for delivery of sanitary flow to treatment during dry weather periods and divert storm water and sanitary sewage to surface waters during storm flow periods.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.