

HOUSE BILL No. 5061

September 23, 2003, Introduced by Rep. Ward and referred to the Committee on Land Use and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 4101 (MCL 324.4101) and by adding section
4108b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4101. As used in this part:

2 **(a) "Department" means the director of the department of**
3 **environmental quality.**

4 **(b) ~~—(a)—~~ "Governmental agencies" means local units of**
5 **government, metropolitan districts, or other units of government**
6 **or the officers of the units of government authorized to own,**
7 **construct, or operate sewerage systems to serve the public.**

8 **(c) ~~—(b)—~~ "Plans and specifications" means a true description**
9 **or representation of ~~the~~ an entire sewerage system and its**
10 **parts ~~of a system proposed or~~ operated or proposed to be**

1 **constructed** by a person, ~~as the same exists or is to be~~
2 ~~constructed, and also~~ **together with** a full and fair statement of
3 how the system is to be operated.

4 **(d)** ~~-(e)-~~ "Sewerage system" means a system of pipes and
5 structures including pipes, channels, conduits, manholes, pumping
6 stations, sewage or waste treatment works, diversion and
7 regulatory devices, outfall structures, and appurtenances,
8 collectively or severally, actually used or intended for use by
9 the public for the purpose of collecting, conveying,
10 transporting, treating, or otherwise handling sanitary sewage or
11 other industrial liquid wastes that are capable of adversely
12 affecting the public health.

13 **(e)** "Surface impoundment" means a natural topographic
14 depression, human-made excavation, or diked area formed primarily
15 of earthen materials, although it may be lined with human-made
16 materials, that is designed to hold an accumulation of sanitary
17 sewage. Surface impoundment includes, but is not limited to,
18 holding, storage, settling, and aeration pits, ponds, and
19 lagoons.

20 Sec. 4108b. A person shall not do any of the following:

21 **(a)** Construct a dwelling within 300 feet of a surface
22 impoundment.

23 **(b)** Construct a surface impoundment within 300 feet of a
24 dwelling.

25 **(c)** Operate a surface impoundment constructed in violation of
26 subdivision (b).