

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 356

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 4108 (MCL 324.4108).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4108. (1) The department shall exercise due care to see
2 that sewerage systems are properly planned, constructed, and
3 operated to prevent unlawful pollution of the streams, lakes, and
4 other water resources of the state. ~~The department shall counsel~~
5 ~~owners and operators of sewerage systems or any parts of sewerage~~
6 ~~systems when disputes between public agencies over sewerage service~~
7 ~~or sewage treatment rates occur and may act as arbitrator in these~~
8 ~~cases when called upon to do so by a majority of the parties to the~~
9 ~~controversy.~~ The department shall cooperate with appropriate

1 federal or state agencies in the determination of grants of
2 assistance for the preparation of plans or for the construction of
3 waterworks systems, sewerage systems, or waste treatment projects,
4 or both.

5 (2) THE ACTIVITIES OF A PRIVATE, INVESTOR-OWNED WASTEWATER
6 UTILITY SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS ACT,
7 LOCAL ZONING AND OTHER ORDINANCES, AND THE CONSTRUCTION AND
8 OPERATION REQUIREMENTS OF THE FEDERAL WATER POLLUTION CONTROL ACT
9 AND THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969, 42 USC 4321,
10 4331 TO 4335, AND 4341 TO 4347.

11 (3) AS USED IN THIS SECTION, "PRIVATE, INVESTOR-OWNED
12 WASTEWATER UTILITY" MEANS A UTILITY THAT DELIVERS WASTEWATER
13 TREATMENT SERVICES THROUGH A SEWAGE SYSTEM AND THE PHYSICAL ASSETS
14 OF WHICH ARE WHOLLY OWNED BY AN INDIVIDUAL OR GROUP OF INDIVIDUAL
15 SHAREHOLDERS.