

SUBSTITUTE FOR
HOUSE BILL NO. 5317

A bill to amend 1976 PA 399, entitled
"Safe drinking water act,"
by amending section 5 (MCL 325.1005), as amended by 1998 PA 56.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) The department shall promulgate and enforce rules
2 to carry out this act pursuant to the administrative procedures act
3 of 1969, 1969 PA 306, MCL 24.201 to 24.328. The rules, at a
4 minimum, shall include the following:

5 (a) Requirements for the submission of reports, plans, and
6 specifications for the design and construction of a waterworks
7 system or a part thereof, and a plan for operating and maintaining
8 all or a part of the waterworks system, including the protection of
9 water quality within the distribution system as necessary to
10 protect the public health.

1 (b) State drinking water standards and associated monitoring
2 requirements, the attainment and maintenance of which are necessary
3 to protect the public health.

4 (c) The classification of waterworks systems or portions
5 thereof, the examination for certification of the operators of
6 those systems including shift operators of water treatment systems,
7 and ~~for~~ the issuance, suspension, and revocation of certificates.

8 (d) Criteria for capacity assessments performed by the
9 department at community supplies, nontransient noncommunity water
10 supplies, or a public water supply applying to the department for
11 assistance under part 54 of the natural resources and environmental
12 protection act, 1994 PA 451, MCL 324.5401 to 324.5418.

13 (e) Requirements for provision of facilities by public water
14 supplies that will ~~assure~~ **ENSURE** an adequate and reliable supply of
15 drinking water on a continuous basis.

16 (2) Rules governing public water supplies promulgated under
17 former 1913 PA 98, ~~and which~~ **THAT** were in effect on January 4, 1977
18 are continued in accordance with section 31 of the administrative
19 procedures act of 1969, 1969 PA 306, MCL 24.231, and may be amended
20 or rescinded by the director under this act.

21 (3) ~~No rule promulgated may~~ **A RULE SHALL NOT** require the
22 addition of any substance for preventive health care purposes
23 unrelated to contamination of drinking water.

24 (4) **A GUIDELINE ISSUED BY THE DEPARTMENT, A RULE PROMULGATED**
25 **UNDER THIS SECTION, OR AN APPROVED COMPREHENSIVE CONTROL PROGRAM**
26 **FOR THE ELIMINATION AND PREVENTION OF ALL CROSS-CONNECTIONS UNDER R**
27 **325.11404 OF THE MICHIGAN ADMINISTRATIVE CODE SHALL NOT REQUIRE THE**

1 TESTING OF A TESTABLE BACKFLOW PREVENTER ON A RESIDENTIAL LAWN
2 SPRINKLER SYSTEM MORE OFTEN THAN ONCE EVERY 10 YEARS AFTER INITIAL
3 INSTALLATION AND TESTING, UNLESS THE BACKFLOW PREVENTER HAS
4 UNDERGONE REPAIR SINCE IT WAS LAST TESTED OR THE SPRINKLER SYSTEM
5 INCLUDES A CHEMICAL INJECTION SYSTEM.

6 Enacting section 1. This amendatory act does not take effect
7 unless House Bill No. 5318 of the 97th Legislature is enacted into
8 law.