

SAFE DRINKING WATER ACT (EXCERPT)
Act 399 of 1976

325.1013 "Product" defined; rules; product standards; certification as prima facie evidence of meeting standards; list; supplying information for review; failure to comply; hearing; prohibition.

Sec. 13. (1) As used in this section, "product" means any chemical or substance added to a public water supply, any materials used in the manufacture of public water supply components or appurtenances, or any pipe, storage tank, valve, fixture, or other materials which come in contact with water intended for use in a public water supply.

(2) The department may promulgate rules setting standards of quality, composition, safety, or design of products. Until the department promulgates rules setting standards for products, all products that may come in contact with water intended for use in a public water supply shall meet American national standards institute/national sanitation foundation standards, specifically ANSI/NSF standard 60-1988 and ANSI/NSF standard 61-1988 which are hereby incorporated by reference. Adoption of a product standard by rule supersedes the standard incorporated by reference in this section.

(3) Only products that meet the standards provided for in subsection (2) shall be used by a supplier of water in a public water supply. Certification that a product meets the standards provided for in subsection (2) by a laboratory accredited by American national standards institute to test and certify products shall be prima facie evidence that a product meets the standards. The department shall make a list of products meeting the standards available at no charge.

(4) A supplier of water shall compile and maintain on file for inspection by the department a list of all products used by the supplier of water. Prior to using a product not previously listed, a supplier of water shall either determine that the product has been certified in accordance with subsections (2) and (3) or shall notify the department of the type, name, and manufacturer of a product.

(5) Upon request of the department, a supplier of water shall, prior to making use of a product, supply to the department all documents and materials, including samples of a product, needed to review the type, quality, and nature of a product that will come in contact with the public water supply. The supplier of water shall provide sufficient information to enable the department to determine whether a product meets the standard provided for in subsection (2).

(6) If a product is reviewed by the department and found not to comply with the standards provided for in subsection (2), the department shall notify the supplier of water and shall be given an opportunity to request a hearing on whether the product meets the standards. At a hearing, the supplier of water must demonstrate that the product meets the standards before the product can be used by the supplier of water.

(7) A person shall not willfully introduce or permit or allow the introduction of a product into a public water supply that has not first been determined by the department to meet standards provided for in subsection (2).

History: 1976, Act 399, Imd. Eff. Jan. 4, 1977;—Am. 1993, Act 165, Imd. Eff. Sept. 16, 1993.