

# HOUSE BILL No. 5754

March 22, 2018, Introduced by Reps. Howrylak, Lucido and McCready and referred to the Committee on Natural Resources.

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, **OF A WATERWORKS SYSTEM**, and a plan for  
8 operating and maintaining all or a part of the waterworks system,  
9 including the protection of water quality within the distribution  
10 system as necessary to 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, ~~OF WATERWORKS SYSTEMS~~, the examination for certification  
6 of the operators of those systems including shift operators of  
7 water treatment systems, and ~~for~~ the issuance, suspension, and  
8 revocation of certificates.

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

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

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21 or rescinded by the director under this act.

22 (3) ~~No rule promulgated may~~ **A RULE PROMULGATED UNDER THIS ACT**  
23 **MUST NOT** require the addition of any substance for preventive  
24 health care purposes unrelated to contamination of drinking water.

25 **(4) A GUIDELINE ISSUED BY THE DEPARTMENT, A RULE PROMULGATED**  
26 **UNDER THIS ACT, OR AN APPROVED COMPREHENSIVE CONTROL PROGRAM FOR**  
27 **THE ELIMINATION AND PREVENTION OF ALL CROSS-CONNECTIONS UNDER R**

1 325.11404 OF THE MICHIGAN ADMINISTRATIVE CODE MUST NOT REQUIRE THE  
2 TESTING OF A TESTABLE BACKFLOW PREVENTER ON A RESIDENTIAL LAWN  
3 SPRINKLER SYSTEM MORE OFTEN THAN ONCE EVERY 4 YEARS AFTER INITIAL  
4 INSTALLATION AND TESTING, UNLESS THE BACKFLOW PREVENTER HAS  
5 UNDERGONE REPAIR SINCE IT WAS LAST TESTED OR THE SPRINKLER SYSTEM  
6 INCLUDES A CHEMICAL INJECTION SYSTEM.

7 Enacting section 1. This amendatory act takes effect 90 days  
8 after the date it is enacted into law.

9 Enacting section 2. This amendatory act does not take effect  
10 unless Senate Bill No. \_\_\_\_ or House Bill No. 5755 (request no.  
11 05852'18) of the 99th Legislature is enacted into law.