

Act No. 461
Public Acts of 2002
Approved by the Governor
June 21, 2002
Filed with the Secretary of State
June 21, 2002
EFFECTIVE DATE: June 21, 2002

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

**Introduced by Reps. Ruth Johnson, Cassis, Howell, Gilbert, Hager, Meyer, DeRossett, Jamnick, Kolb,
Hansen and Bishop**

ENROLLED HOUSE BILL No. 5758

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 5419 (MCL 324.5419), as added by 2001 PA 165; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 5419. (1) The department shall implement an arsenic testing program. The arsenic testing program shall provide free testing of private drinking water wells for the presence of arsenic in geographic areas of the state where the department knows or suspects that there are levels of arsenic above the federal drinking water standard of 10 parts per billion.

(2) In promoting free drinking water tests under the arsenic testing program, the department shall encourage households containing senior citizens, children, and individuals with medical illnesses to have their drinking water tested.

(3) After the department conducts a test on the level of arsenic in water from a drinking water well, the department shall notify the resident or residents of the household of the level of arsenic in the drinking water sample and whether that level exceeds the federal drinking water standard for arsenic of 10 parts per billion. In addition to the results of the arsenic test, the department shall provide the resident or residents with educational materials about groundwater contamination and shall identify other substances for which the resident or residents may want to consider having the drinking water tested.

(4) The department shall establish an arsenic education program that will produce educational materials to be made available to local health departments in geographic areas of the state that the department knows to contain levels of arsenic above the federal drinking water standard of 10 parts per billion. In addition, the department shall make this information available on the department website.

(5) By October 1, 2002, the department shall, based upon data available to the department and in conjunction with local health departments, produce maps on a county by county basis to denote geographic areas that the department knows to contain arsenic, nitrates, or volatile organic compounds. The maps shall be available to local health departments and local public libraries and shall be posted on the department's website.

(6) By March 15, 2002 and September 30, 2002, the department shall submit a report to the legislature on the status of the implementation of this section.

(7) The department may promulgate rules to implement this section.

(8) As used in this section:

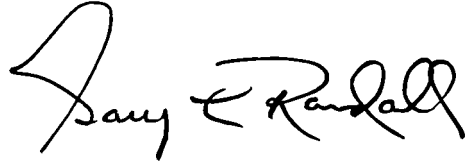
(a) "Local health department" means that term as it is defined in section 1105 of the public health code, 1978 PA 368, MCL 333.1105.

(b) "Federal drinking water standard for arsenic" means the standard promulgated under section 1412 of part B of title XIV, popularly known as the safe drinking water act, of the public health service act, chapter 373, 88 Stat. 1660, 42 U.S.C. 300g-1.


(9) This section is repealed effective September 30, 2003.

Enacting section 1. Enacting section 1 of 2001 PA 165 is repealed.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.