

SAFE DRINKING WATER ACT (EXCERPT)
Act 399 of 1976

325.1007 Collecting and analyzing water samples; reporting results of analyses; failure of supplier to comply; appeal; disposition of administrative fines.

Sec. 7.

(1) The supplier of water shall collect water samples or have them collected on a schedule at least equal to that outlined in the rules, shall cause those samples to be analyzed in the state laboratory or a laboratory certified by the department or by the United States environmental protection agency for contaminants listed in the state drinking water standards, and shall report the results of the analyses to the department in a timely manner as specified in the rules.

(2) If a supplier of water who serves a population of 10,000 or fewer individuals fails to comply with subsection (1), the department may do any of the following:

(a) Impose against that supplier an administrative fine of \$200.00 for each failure to collect and have analyzed a water sample required under this act.

(b) For each failure to collect and have analyzed a water sample required under this act within the 12-month period following a failure described in subdivision (a), impose against that supplier an administrative fine of \$400.00.

(c) In addition to an administrative fine imposed under subdivision (a) or (b), obtain a sampling or analysis or both required under this act at the supplier's cost.

(d) Proceed pursuant to section 22.

(3) If a supplier of water serving a population of 10,000 or less fails to meet state drinking water standards, the department may do any of the following:

(a) Impose against that supplier an administrative fine of not less than \$400.00 per day per violation and not more than \$1,000.00 per day per violation. An administrative fine for a single violation shall not exceed a cumulative total of \$2,000.00.

(b) Proceed pursuant to section 22.

(4) If a supplier of water serving a population of more than 10,000 fails to comply with state drinking water standards or any monitoring or reporting requirement, the department may do any of the following:

(a) Impose against that supplier an administrative fine of not less than \$1,000.00 per day per violation and not more than \$2,000.00 per day per violation. An administrative fine for a single violation may not exceed a cumulative total of \$10,000.00.

(b) In addition to an administrative fine imposed under subdivision (a), obtain at the supplier's cost water samples and secure analyses of the water samples at a certified laboratory if monitoring has not met minimum requirements under this act.

(c) Proceed pursuant to section 22.

(5) A supplier may appeal an administrative fine imposed under this section pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(6) Administrative fines collected under this section shall be forwarded to the state treasurer for deposit into the state drinking water revolving fund established under section 16b of the shared credit rating act, 1985 PA 227, MCL 141.1066b.

History: 1976, Act 399, Imd. Eff. Jan. 4, 1977 ;-- Am. 1993, Act 165, Imd. Eff. Sept. 16, 1993 ;-- Am. 1998, Act 56, Imd. Eff. Apr. 8, 1998

Admin Rule: R 325.10101; R 325.10102 et seq.; R 325.10308b; R 325.10401 et seq.; R 325.10604a et seq.; R 325.10702 et seq.; R 325.11002; R 325.11008; R 325.11502 et seq. of the Michigan Administrative Code.