

CHAPTER V - WATER SUPPLY

It is hereby recognized that supply of safe potable water is fundamental to individual, public, and community health; that water supply facilities installed and operated in a proper manner are necessary for safeguarding public health, and that contamination of water resources and supplies, or the creation of conditions menacing the public health should be prevented.

5.1 SCOPE

This chapter shall apply to all premises in Alcona, Iosco, Ogemaw and Oscoda Counties, both residential and commercial but does not apply to the installation of wells, water mains, service lines, etc. which are part of Type I or Type II public water supplies, as defined by Michigan's Safe Drinking Water Act, Act 399 of the Public acts of 1976, and Administrative Rules, as amended.

DEFINITIONS

5.2 APPROVED

“Approved” means acceptable for intended use as judged by the Health Officer by utilizing public health laws and regulations.

5.3 NOTIFICATION

“Notification” means completion of a notification form supplied by the Health Officer.

5.4 PUBLIC WATER SUPPLY

“Public Water Supply” means a water supply which provides water for drinking or household purposes to persons other than the supplier of water, except those water supplies which supply water to only one living unit.

5.5 WATER SUPPLY

“Water Supply” means a system of pipes and structures through which water is obtained, including but not limited to, the source of the water such as wells, surface water tanks, or hauled water storage tanks; pumping and treatment equipment, storage tanks, pipes and appurtenances, or a combination thereof, used or intended to furnish water for domestic or commercial use.

5.6 WELL

“Well” means a man made opening in the surface of the earth for the purpose of obtaining ground water, monitoring the quality or quantity of ground water, obtaining geologic information on aquifers, recharging aquifers, purging aquifers, utilizing the geothermal properties of earth formations, or removing ground water for any purpose. Wells as defined in this section include:

- A. A water supply well used to obtain water for drinking or domestic purposes.
- B. A test well used to obtain information on ground water quantity, quality, or aquifer characteristics, for the purpose of designing or operating a water supply well.
- C. A recharge well used to discharge water into an aquifer.
- D. A dewatering well used to lower the ground water level temporarily at a construction site.
- E. A heat exchange well used for the purpose of utilizing the geothermal properties of earth formations for heating or air conditioning.
- F. An industrial well used to supply water for industrial processes, fire protection, or similar nonpotable uses.
- G. A fresh water well at an oil or gas well drilling site, when the fresh water well is to be retained after completion of the oil or gas drilling operation.

GENERAL PROVISIONS

5.7 POWERS AND DUTIES OF THE HEALTH OFFICER

The Health Officer shall have the authority to regulate the design, installation, operation, and maintenance of all water supplies under the jurisdiction of District Health Department No. 2.

5.8 COMPLIANCE WITH STATE REGULATIONS

Any person installing a well shall comply with all applicable laws, codes, rules and regulations enacted by the State of Michigan.

5.9 DISCONTINUANCE OF WATER SUPPLY

No person shall purposely discontinue the water supply to an occupied dwelling.

5.10 WATER SUPPLY CONSTRUCTION NOTIFICATION REQUIRED

No person shall begin construction of a new water well supply, or make extensive changes to existing water supplies, without first providing District Health Department No. 2 with notification of intent to drill a new well or make extensive changes to an existing well. Extensive changes include changing aquifers or

sources of water, or deepening a bed rock well.

5.11 EDUCATIONAL PACKET

Upon completion of the notification form each applicant shall receive an Educational Packet. The Educational Packet shall include:

The location of known ground water contamination areas in each county of the district, general information on water quality, general information on well drilling, well abandonment information, well maintenance information, and a list of pertinent telephone numbers to assist citizens requiring a new well or extensive repairs.

The Educational Packet shall be reviewed annually by the Board of Health.

5.12 NOTIFICATION PROCEDURE

Notification Form. The Water Supply notification shall be submitted to District Health Department No. 2 on forms provided by the Health Officer at least two (2) working days (48 hours) prior to extensive changes or construction of the well. A working day shall be defined as any day that the health department is open for business. The Health Officer shall conduct a site review in the office or at the site based on the information contained on the notification form submitted. A completed notification form shall include:

- A. The signature of the property owner(s) or their authorized representative.
- B. The appropriate notification fee.
- C. A site plan of the proposed or existing water supply showing the location of the proposed source of water (well, hauled water storage tank, etc.) in relation to the buildings, property lines, all known, suspected, or potential contamination sources, and all wells whether usable or abandoned, and data which may be required by the Health Officer. For water supplies utilizing other than a well as the source of water, a scaled engineered drawing may be required.
- D. Proposed date of well drilling or extensive changes to the well.
- E. All other applicable information requested on the Notification Form.

5.13 NULL AND VOID PROVISION

The Health Officer may declare a completed notification form null and void for any of the following reasons:

- A. False, inaccurate, or incomplete information supplied on the notification form.

- B. A change in the plans on the notification form affecting circumstances relative to the water supply design, location, or use.
- C. Acquisition of new knowledge or information about the aquifer in the area that may result in a health hazard.
- D. This Item shall not require information beyond that required in item 5.12.
- E. The health department shall immediately notify in writing the applicant of the null and void notification form and inform them of the status of the form. The well shall not be constructed or extensively repaired if the notification form is null and void.

5.14 EXPIRATION

The notification form shall be valid until December 31 of the year after it is submitted.

5.15 ADDITIONAL WELL CONSTRUCTION REQUIREMENTS

The Health Officer may impose well construction conditions that he or she has proven necessary to protect the public health or ground water quality.

5.16 ENVIRONMENTAL CONTAMINATION SITES

Recognizing that District Health Department No. 2 has locations where ground-water is known to be contaminated, the Health Officer may deny a drilling site for a well, or require that a well meet specific construction requirements, depths and isolation distances as a condition of drilling if, the proposed well would be either:

- A. At risk of becoming contaminated from a known source or;
- B. A pathway for contaminants to enter a deeper aquifer.

Information used in making decisions may include, but is not limited to: well logs, water sample results, groundwater flow directions, hydrogeological studies and contamination site studies. When inadequate information exists to make a decision, the owner may be required to provide sample results from certain wells, drill test wells, conduct hydrogeological studies or provide other data that the Health Officer deems necessary.

5.17 INSPECTIONS

- A. The Health Officer may make any site inspections deemed necessary before, during or after construction of the water supply. Conditions that may necessitate an inspection of a completed well include: an issued deviation,

suspected violations(s), special conditions imposed by the Health Officer, a contamination site, a complaint on the installation or a request by the well driller.

- B. The Health Officer is authorized to make random inspections of completed wells as deemed necessary and appropriate.
- C. Inspections may include verification of proper grouting and/or requiring the well drilling contractor to excavate any necessary portion of the water system. If the health department requires a well driller to excavate a portion of a water supply system and no violation exists, then the health department shall pay the excavation costs; however, this provision shall not apply where the well driller fails to provide notification as required in these regulations. Costs shall be borne by the well driller if violations exist at the site or are uncovered as a result of the excavations.

5.18 COMPLETED WATER SUPPLIES

- A. Upon completion of a new well or extensive repair there shall be a completed "Water Well and Pump Record" prepared by the well driller and/or pump installer, as applicable, and submitted to the Health Officer within 60 days of the date of completion.
- B. A well that has been abandoned shall be properly plugged and a report submitted to the Health Officer.
- C. Upon completion of a new well or an extensively repaired well a water sample shall be collected indicating raw water quality meets minimum public health standards. Water samples shall include sample analysis for coliform bacteria and any other parameter deemed necessary by the Health Officer. Analysis of water samples shall be performed by laboratories certified by The Michigan Department of Environmental Quality.
- D. Property owners may request an inspection of any newly installed or extensively repaired well, if not already inspected under Item 5.17 of these regulations. Such an inspection shall be subject to any fee(s) required by the Board of Health for District Health department No. 2.

5.19 CORRECTION OF VIOLATIONS

The Health Officer may require the inspection, correction, plugging, removal, or abandonment of a well that is constructed without a notification or is in violation of these regulations. The Health Officer may require correction of a violation of these regulations within a reasonable time period

5.20 STOP WORK ORDER

If the Health Officer determines that a water supply under construction does not comply with the requirements of these regulations, the Health Officer may issue a written stop work order. Work shall not resume until the owner and/or contractor have agreed to make corrections to comply with these regulations, and the

Health Officer rescinds the stop work order.

5.21 ADVISORY COMMITTEE

An Advisory Committee shall be created and composed of the following:

- 1.) Two (2) County Commissioners serving on the Board of Health.
- 2.) Two (2) citizens residing in the district.
- 3.) One (1) well driller registered in the State of Michigan, who shall be nominated from a list provided by the local Well Drillers Association.
- 4.) One (1) builder, licensed by the State of Michigan.
- 5.) One employee of the District Health Department No. 2, appointed by the Health Officer.
- 6.) One (1) sewage system installer from one of the counties in the district.

Each member of the Committee shall be appointed by the Board of Health, except that member appointed by the Health Officer. There shall be a three (3) year staggered term. The first committee shall be appointed as follows:

- Two (2) for a one (1) year term,
- Three (3) for two (2) year term,
- Three (3) for a three (3) year term.

The first term of office shall begin on the effective date of these regulations.

Duties

The members of the Advisory committee shall at their first meeting and thereafter once a year, select a chairperson and a vice chairperson from among the members. A recording secretary shall be appointed by the Health officer from among staff of District Health Department No. 2. The Advisory Committee shall meet a minimum of once a year to conduct necessary business. Additional meetings may be called by the chairperson or any other three members of the Advisory Committee.

The first meeting shall take place not more than forty (40) days after the effective date of these regulations, to assist in consultation for implementing the Water Supply regulations.

Five (5) members shall constitute a quorum to conduct business.

All meetings of the Advisory Committee shall be in compliance with the Open Meetings Act, Act 267, P.A. 1976, as amended.

District Health Department No. 2, with the advice of the Advisory Committee, shall promulgate rules, prepare materials, and develop procedures and annually update the educational Packet.

5.22 EMERGENCY CONDITIONS

In the event an emergency arises where the lack of water will result in undue hardship and the offices of the District Health Department No. 2 are closed, or when the driller is involved with repair work and it is deemed necessary to begin construction immediately on a new well, a registered well driller may begin extensive changes to or construction of a new water supply without notification. The well driller shall contact the Health Officer on or before the second working day after the well was installed and complete the required notification form.

5.23 CONTAMINATED PUBLIC WATER SUPPLY

When a public water supply is determined to be contaminated or fails to meet Michigan's appropriate maximum contaminate levels, as established through the Michigan Department of Environmental Quality, the Health Officer shall issue an order for correction. Correction shall be achieved within a time specified after receiving written notice from the health officer. Any contaminated public water supply, which in the judgment of the Health Officer represents an immediate imminent health hazard, shall be posted with suitable signs at each outlet, or the outlets shall be made inoperable. Approved drinking water shall be provided where deemed necessary.

5.24 APPEALS - WATER SUPPLY

Appeals of these regulations shall be governed by the Chapter VIII, "Appeals", in these regulations. Such appeals shall not consider matters related to interpretation of the state of Michigan's well and pump statutes, rules and codes in Act 368, P.A. 1978, Part 127, as amended or Act 399, P.A. 1976 as amended.

5.25 EFFECTIVE DATE

This chapter shall take effect on December 12, 1997.