

Act No. 70  
Public Acts of 1995  
Approved by the Governor  
June 2, 1995  
Filed with the Secretary of State  
June 5, 1995

**STATE OF MICHIGAN**  
**88TH LEGISLATURE**  
**REGULAR SESSION OF 1995**

Introduced by Reps. Alley, Sikkema, Middaugh, Bennane, Murphy, McManus, Profit, Bodem, Hill, Freeman, Munsell, Byl, Gnodtke, Brackenridge, Yokich, Weeks, Fitzgerald, Pitoniak, Lowe, Geiger, Leland, McBryde, Jellema, Gustafson, Johnson, Gilmer and Nye

# **ENROLLED HOUSE BILL No. 4597**

AN ACT to amend Act No. 451 of the Public Acts of 1994, 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 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," being sections 324.101 to 324.90101 of the Michigan Compiled Laws, by adding sections 3109a and 3109b.

*The People of the State of Michigan enact:*

Section 1. Act No. 451 of the Public Acts of 1994, being sections 324.101 to 324.90101 of the Michigan Compiled Laws, is amended by adding sections 3109a and 3109b to read as follows:

Sec. 3109a. (1) Notwithstanding any other provision of this part, or rules promulgated under this part, the department shall allow for a mixing zone for discharges of venting groundwater in the same manner as the department provides for a mixing zone for point source discharges. Mixing zones for discharges of venting groundwater shall not be less protective of public health or the environment than the level of protection provided for mixing zones from point source discharges.

(2) Notwithstanding any other provision of this part, if a discharge of venting groundwater is in compliance with the water quality standards provided for in this part and the rules promulgated under this part, and the discharge is provided for in a remedial action plan that is approved by the department pursuant to part 201, a permit under this part is not required for that discharge.

(3) As used in this section:

(a) "Mixing zone" means that portion of a water body where a point source discharge or venting groundwater is mixed with receiving water.

(b) "Venting groundwater" means groundwater that is entering a surface water of the state from a facility, as defined in section 20101.

Sec. 3109b. Notwithstanding any other provision of this part, remedial actions that satisfy the requirements of part 201 satisfy a person's remedial obligations under this part.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.