

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.31707 Compensation; requirements.

Sec. 31707.

(1) Timely and reasonable compensation under section 31706 consists of and is limited to either or both of the following:

(a) The reimbursement of expenses reasonably incurred by the complainant beginning 30 days prior to the date on which a complaint was made under section 31702 in doing the following:

(i) Paying for the cost of conducting a well assessment to determine that the small-quantity well and the well's equipment were functioning properly at the time of the failure.

(ii) Paying for the cost of obtaining an immediate temporary provision at the prior point of use of an adequate supply of potable water.

(iii) Obtaining 1 of the following:

(A) The restoration of the affected small-quantity well to the well's normal supply of water.

(B) The permanent provision at the point of use of an alternative potable supply of equal quantity.

(b) If an adequate remedy is not achievable under subdivision (a), the restriction or scheduling of the groundwater withdrawals of the high-capacity well so that the affected small-quantity well continues to produce either of the following:

(i) The well's normal supply of water.

(ii) The normal supply of potable water if the well normally furnishes potable water.

(2) The refusal of an owner of an affected small-quantity well to accept timely and reasonable compensation described in subsection (1) is sufficient grounds for the director to terminate an order imposed on the owner of a high-capacity well.

History: Add. 2012, Act 602, Imd. Eff. Jan. 9, 2013

Compiler's Notes: Former MCL 324.31707, which pertained to limitations to timely and reasonable compensation and the effect of small-quantity well owner's refusal to accept compensation, was repealed by Act 176 of 2009, Imd. Eff. Dec. 15, 2009.

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