



**ADMINISTRATIVE FINES POLICY SUMMARY**

Drinking water standards and monitoring and reporting requirements are established for public water supplies under the Safe Drinking Water Act, 1976 PA 399, as amended. Administrative fines are established under 1998 PA 56 for those water supplies that fail to meet state drinking water standards or fail to comply with monitoring and reporting requirements.

**Suppliers that fail to meet monitoring or reporting requirements** are subject to administrative fines. Failure to collect the required samples in a sampling event constitutes a violation. A sampling event consists of all required sampling for a contaminant group during a specific monitoring period from a single point of entry or from the distribution system. Examples may include: annual nitrate sample from a well during a calendar year, lead and copper tap samples from all the required sites during a specified monitoring period, or monthly bacteriological monitoring. Systems that fail to report analytical results or other required information also violate reporting requirements and are subject to fines. Failure to issue public notification following a monitoring violation is also a violation subject to fines.

<b>Monitoring, Reporting, and Public Notice Violations</b>	Systems Serving ≤ 10,000 People	Systems Serving > 10,000 People
Submits fraudulent report or intentionally fails to report	\$400	\$1,000
Failure to submit report or perform sampling scheduled <b>once per year or less frequently</b>	\$200	\$1,000
Failure to submit report or monitor by the new deadline set by Department of Environmental Quality (DEQ)	\$400	\$1,000 per day
Failure to submit report or perform sampling scheduled <b>more frequently than once per year</b> a 2 <sup>nd</sup> time in a 12-month running period (1 <sup>st</sup> failure followed by written warning, but no fine)	\$200	\$1,000 per day
Each additional failure to submit report or monitor in 12-month running period	\$400	\$1,000 per day
Failure to issue <b>public notice</b> following a monitoring violation	\$200	\$1,000
Subsequent failures to issue public notice	\$400	\$1,000 per day
Failure to <b>report analytical results</b> of sampling	\$200	\$1,000
Failure to report analytical results by new deadline set by DEQ	\$400	\$1,000 per day
Maximum fine per sampling event	\$2,000	\$10,000

**Suppliers that fail to exercise due diligence** to prevent, report, or resolve a state drinking water standard violation or fail to issue public notice of the violation are subject to administrative fines. The **contributory** fine applies when the DEQ determines that a single action or inaction may have contributed to a violation of a state drinking water standard or increased exposure to water exceeding a standard. Additional fines may be added for each additional action or inaction that may have contributed to the violation up to a maximum amount. The **negligent** fine applies after a violation of a state drinking water standard has been identified and the supplier of water has failed to comply with DEQ directives to minimize public exposure, including failure to issue public notice, associated with exceedance of a state drinking water standard, including failing to issue public notice following a violation.

<b>Violations of State Drinking Water Standards</b>	Supplies that Serve ≤ 10,000 People	Supplies that Serve > 10,000 People
Contributory: Minimum fine	\$400	\$1,000
Contributory: Each additional action or inaction results in additional fines	+ \$200	+ \$400
Contributory: Maximum fine total per violation	\$1,000	\$2,000
Negligent: Fine per day for failing to comply with a DEQ directive, compliance schedule, consent agreement, public notice requirements, or order to minimize public exposure associated with exceedance of a state drinking water standard.	\$1,000 per day	\$2,000 per day
Negligent: Maximum fine total per state drinking water violation	\$2,000	\$10,000

This is only a summary for information purposes. For the full text of the policies, please contact the Resource Management Division, Drinking Water and Environmental Health Section, at 517-241-1377; Policy and Procedures DWRP-03-001, Administrative Fines - Monitoring and Reporting Violations, effective June 19, 1997 (Rev. #3 – 9/2001); Policy and Procedures DWRP-03-012, Administrative Fines - Violations of State Drinking Water Standards, effective July 1, 1999 (Rev. #1 – 6/2000).

The Michigan Department of Environmental Quality (MDEQ) will not discriminate against any individual or group on the basis of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. Questions or concerns should be directed to the Quality of Life Human Resources, PO Box 30473, Lansing, MI 48909..