



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GREYHER
DIRECTOR

July 23, 2018

VIA E-MAIL

The Honorable Karen Williams Weaver
Mayor of Flint
1101 South Saginaw Street
Flint, Michigan 48502

Dear Mayor Weaver:

SUBJECT: Lead Service Line Identification and Replacement Program

Thank you for your letters of June 15, 2018, and June 22, 2018, responding to our inquiry on lead service line removal and informing the state of Michigan that the city of Flint (City) has placed a moratorium on hydro excavation as a method for identifying service line composition. Pursuant to those letters, we need to clarify several issues and request additional information.

As you may be aware, the state of Michigan's new lead and copper rule (LCR) requires all public water systems to conduct a materials inventory to identify lead service lines. We anticipate hydro excavation to be a cost-effective means to achieving that end and look to our combined experience in the City to better inform us on an appropriate methodology. While the state of Michigan has never "mandated" that public water systems use any specific excavation method, hydro excavation has developed as an industry standard method for this type of work. This is, in part, because traditional excavation carries risks in that it can be more disruptive of existing utilities and can disturb or damage the service line or other nearby utility infrastructure.

We strongly believe hydro excavation can be an effective and efficient method to identify service line composition, if done correctly. Specifically, when copper is identified at the curb box using hydro excavation, an inspector must enter the home and determine whether the service line entering the home is copper, lead, or galvanized steel. Our understanding is that the hydro excavation method employed in the City required this in-home verification. Can the City confirm that this is indeed the case and also confirm that these inspections were being conducted and documented?

Your June 22, 2018, letter provides a revised requirement to extend the traditional excavation to a minimum of 10 feet. If there is a splice at 11 feet, the revised method will still miss it, providing no more protection than hydro excavation. A second hydro excavation done at the same location would achieve the same result as the revised method with less cost and less disturbance to the service line and adjacent utilities. Inspection of the service line material inside the residence is still required. Could you

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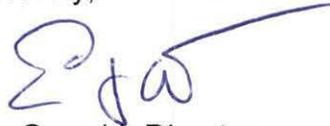
please clarify how this revised requirement would be more protective of the public health than a properly performed hydro excavation?

You mentioned in your letter that the City has found that "some of the service lines that were hydro excavated, were later found to contain lead material after they were excavated." We need additional information to make sure future investigation efforts in the state are conducted in a safe manner and will pass the information on to the United States Environmental Protection Agency (USEPA). Could you please further explain how these service lines were identified as potentially having been mischaracterized and whether the contractor at these specific residences performed an in-residence investigation of the line material entering the residence?

You also mention the American Water Works Association (AWWA) standard. We firmly believe hydro excavation with in-residence investigation meets the AWWA lead service line identification protocol detailed in section 4.1 of the standard. Indeed, section 4.1.1.4 describes hydro excavation.

Thank you for your prompt attention to these requests. If you have questions, please contact me at 517-284-6544; oswalde1@michigan.gov; or DEQ, Drinking Water and Municipal Assistance Division, P.O. Box 30817, Lansing, Michigan 48909-8311.

Sincerely,



Eric Oswald, Director

Drinking Water and Municipal Assistance Division

cc: Mr. Mark Adas, City Engineer, City of Flint
Mr. Robert Bincsik, Director, Department of Public Works, City of Flint
Mr. Huey Newsome, Chief Financial Officer, City of Flint
Ms. Linda Holst, Director, Water Division, USEPA, Region 5
Mr. Tom Poy, Chief, Ground Water and Drinking Water Branch, USEPA, Region 5
Mr. Anthony Ross, USEPA
Mr. Richard Kuhl, Michigan Department of Attorney General
Ms. C. Heidi Grether, Director, MDEQ
Mr. Aaron B. Keatley, Chief Deputy Director, MDEQ
Ms. Amy Epkey, Administration Deputy Director, MDEQ