



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
GRAND RAPIDS DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

December 22, 2020

Mr. Ellis Mitchell, City Manager  
City of Benton Harbor  
200 East Wall Street  
Benton Harbor, Michigan 49022

WSSN: 00600

Dear Mr. Mitchell:

**SUBJECT: Treatment Technique Violation Notice – Failure to Feed Coagulant Chemical**

The Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Municipal Assistance Division (DWMAD), records show the City of Benton Harbor (City) water treatment facility failed to add sufficient coagulant chemical as required by the Safe Drinking Water Act 1976 PA 399, as amended (Act 399); R 325.11008(2), *Complete treatment system; design and operation requirements*, for approximately four (4) hours on the morning of November 4, 2020. In addition, the operator in charge did not notify EGLE of the emergency immediately by phone as required by R 325.12304(1), *Emergency procedure*.

The violation began the morning of November 4, 2020 due to an oversight by City operation staff. It was identified and corrected around 11:00 a.m. that day by shutting down the treatment plant. However, during those hours water was distributed without the addition of coagulant chemical, which represents a risk to public health and is an emergency. EGLE was not notified until 3:45 p.m. on November 5, 2020 via an emailed emergency report.

Upon notification of the emergency, EGLE requested a precautionary boil water advisory be enacted by the City with support from the Berrien County Health Department, to mitigate the risk of pathogens in the treated water. Flushing the distribution system with chlorinated water and sampling for total coliform bacteria began on November 6, 2020. In addition, sampling for cryptosporidium was conducted by the Michigan Department of Health and Human Services (DHHS), Drinking Water Unit. Upon evaluation of sample results and response procedures, the precautionary boil water advisory was lifted by the City with approval from EGLE on November 10, 2020 at 5:00 p.m.

Our investigation consisted of documents submitted by the City regarding water treatment, sample results, flushing practices, and the November monthly operation report (MOR). When treating surface water an interruption in chemical coagulants poses an immediate public health risk. The response to investigate and mitigate the risk was necessary to protect public health. The investigation is now complete.

Administrative rule R 325.10403 requires that suppliers provide public notice not later than 30 days after learning of the violation by mail or direct delivery, and by any other means reasonably calculated to reach other persons regularly served by the system. Enclosed is a sample public notice. Please notify your consumers by February 16, 2021, and send this office a signed and dated copy of the notice that was issued, within 10 days of distributing the public notice. Additionally, this violation must be included in your 2020 Consumer Confidence Reports (CCRs) due by July 1, 2021.

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Finally, we urge the City to make improvements to ensure this lapse in treatment chemical does not happen again. This may include the ability to monitor and control the alum feed system from the operator control room, due to its location in the new plate settler building. It may also include automated startup/shutdown of the pump based on detection of flow in the treatment train and alarming capability.

If you have any factual information you would like us to consider regarding the violation identified in this Notice, please provide it in a written response by January 10, 2021. It is our intent to work with you on resolving this issue and determining the best method for achieving compliance. We anticipate and appreciate your cooperation in resolving this matter.

If you have any questions regarding this Violation Notice, please contact feel free to call the number below at your earliest convenience.

Sincerely,



Ernie Sarkipato, P.E.,  
Surface Water Treatment Specialist  
Grand Rapids District Office  
Drinking Water and Municipal Assistance Division  
616-307-0261

Enclosure

cc: Ms. Kimberly Thompson, City of Benton Harbor Clerk  
Mr. George Regan, F&V Ops, Operator in Charge  
Mr. Mike Bolf, Engineering Unit Supervisor, EGLE  
Mr. Steve Crider, Drinking Water Unit Manager, DHHS  
Ms. Courtney Davis, Berrien County Health Department