STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING

GRETCHEN WHITMER
GOVERNOR

LIESL EICHLER CLARK
DIRECTOR

February 4, 2021

VIA EMAIL AND U.S. MAIL

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

WSSN: 00600
County: Berrien
Supply: Benton Harbor

Dear Mr. Mitchell:

SUBJECT: Lead and Copper Monitoring - Action Level (AL) Exceedance

The Benton Harbor community water supply's 90th percentile value exceeded the AL for lead during the most recent round of lead and copper monitoring of drinking water taps from July 1 to December 31, 2020, as summarized below.

Contaminant	AL	MCLG*	90th Percentile Value	Number of Sites Above AL	Range of Sample Results	Typical Source of Contaminant
Lead	15 parts per billion (ppb)	0	24 ppb	11	0 - 240 ppb	Corrosion of household plumbing systems; Service lines that may contain lead; Erosion of natural deposits
Copper	1.3 parts per million (ppm)	1.3	0.0	0	0 – 0.2 ppm	Corrosion of household plumbing systems; Erosion of natural deposits

*MCLG: Maximum contaminant level goal means the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

An AL exceedance is not a violation, but it triggers other requirements under the administrative rules promulgated under the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399). Requirements include water quality parameter (WQP) monitoring, source water monitoring, corrosion control treatment, and public education (PE). Please refer to the "Timetable of Upcoming Requirements" for your specific deadlines for each of the following requirements.

Issue a Public Advisory (PA)
An amendment to Act 399 on March 29, 2017, requires a public water supply to issue a PA within three business days to inform all persons served about the lead AL exceedance. It is the intent of the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to work with you to develop the PA materials to ensure it complies with the requirements set forth in Act 399. A template has already been provided to you. Please contact EGLE if you plan to use broadcast media as your delivery method.

Deliver Consumer Notice of Lead and Copper Results
Thank you for completing this requirement timely.

Distribute PE
Sixty days after the end of the monitoring period that exceeded the AL deliver PE materials to all consumers.

This material is intended to educate consumers about lead health effects, sources of lead, and steps to minimize exposure. Note that the PE material must include information about the following: the exceedance in your water supply, what you are doing to reduce lead levels, lead service lines in your distribution system, and the history of lead levels in your water supply. A template has already been provided to you.

A sample copy of the final PE material along with a PE distribution certification form must be submitted to EGLE no later than ten days after the PE is due. Repeat each year until the lead AL is no longer exceeded.

Conduct WQP Monitoring
Continue collecting one set of WQP samples every two weeks from the entry point to the distribution system, TP001 (Treatment Plant Tap), and quarterly from ten locations in the distribution system.

The WQP samples shall be analyzed for pH, alkalinity, calcium, conductivity, orthophosphate, chloride, sulfate, and temperature. Temperature and pH are field tests and should be completed at the time of sample collection.

If you use EGLE's laboratory, order bottles by calling 517-335-8184 or by downloading the form EQP 2301 *Bottle Order Form* from Michigan.gov/EGLELab. Click on Drinking Water. The tests are analyzed from one sample bottle per location. Request the analyses using the following test codes:

Test Code	Cost	Bottle Number	Test Description
CORR	$51.00	33	Conductivity, Alkalinity, Phosphate, and Calcium
R	$18.00	32,33	Chloride, Sulfate

Conduct Source Water Monitoring
Thank you for completing this requirement on March 16, 2019. You must repeat this sampling every third year until both lead and copper ALs are met during the entire three-year period.

Minimize Corrosion
Minimize lead in the drinking water by reducing corrosion of water pipes and household plumbing that contain lead. This is Benton Harbor's fifth AL exceedance. Benton Harbor has made corrective actions to the corrosion control treatment system per EGLE's

direction in a letter dated February 13, 2020. EGLE anticipates this change having a positive impact on the distribution system's corrosion rates and will assess the effectiveness of the current corrosion control treatment based on sequential sampling at homes in the distribution system and future rounds of compliance monitoring.

Lead and Copper Monitoring
To show the ALs can be met, collect a lead and copper sample from 60 sites between January 1 and June 30, 2021, and again between July 1 and December 31, 2021. These sites should be selected from your Lead and Copper Sampling Plan.

If you need to select new sites, choose the highest Tier criteria available within your distribution system, giving Tier 1 sites first priority. Document any changes on your Lead and Copper Sample Site Plan and submit it to your local district office email address. If you have Tier 1 or Tier 2 sites, i.e. sites with a lead service line, compliance sampling will require that you collect a first-liter and fifth-liter sample from each sampling location.

Within 30 days of learning of results, provide individual lead and copper tap results to people who receive water from sites that were sampled. Even if lead or copper was not detected, all monitoring, reporting, consumer notification, and EGLE certification requirements remain in effect.

Consumer Confidence Report (CCR)
Include this AL exceedance in your CCR, which is due to our office, your customers, and the local health department by July 1, 2021. You may use the table format from the first page of this letter.

Also, because the lead AL was exceeded, include the following health effects language:

> *Infants and children who drink water containing lead could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.*

What Happens Next?
If you can show that both lead and copper ALs are met in two consecutive six-month periods, then many of the requirements outlined in this letter will no longer apply.

Timetable of Upcoming Requirements

Complete By	Requirement	Comments
Within three business days	Distribute a PA.	Distribute a PA to inform all persons served by the water supply of the lead AL exceedance. Distribution of the notice must be in a form and manner designed to fit the specific situation and must be reasonably calculated to reach all persons served by the public water supply.
Continue	Collect WQP samples (entry point to the distribution system).	Collect one set of WQP samples every two weeks from the entry point to the distribution system, TP001 (Treatment Plant Tap).
March 1, 2021	Perform PE activities including delivering PE materials to all consumers.	PE required activities are listed in enclosed template and checklist. Repeat every year until the lead AL is met in the most recent round of sampling.
March 11, 2021	Send EGLE certification of PE compliance along with a sample copy of the materials delivered.	Sample certification enclosed. Required whenever PE required.
Between January 1 and June 30, 2021	Collect samples from 60 sites from the distribution system and have them analyzed for lead and copper.	Report the results to EGLE and deliver the consumer notice of individual lead and copper results using the downloadable *Lead and Copper Report and Consumer Notice of Lead and Copper Results Certificate*. **Report due July 10, 2021.**
Between January 1 and June 30, 2021	Collect WQP samples (Distribution system).	Collect one set of WQP samples from 10 locations in the distribution system quarterly. Analyze the samples for pH, alkalinity, calcium, conductivity, orthophosphate, chloride, sulfate, and temperature.
July 1, 2021	Report the 2020 AL exceedances in the CCR.	Specific lead health effects language must be included.
Between July 1 and December 31, 2021	Collect samples from 60 sites from the distribution system and have them analyzed for lead and copper.	Report the results to EGLE and deliver the consumer notice of individual lead and copper results using the downloadable *Lead and Copper Report and Consumer Notice of Lead and Copper Results Certificate*. **Report due January 10, 2022.**
Between July 1 and December 31, 2021	Collect WQP samples (Distribution system).	Collect one set of WQP samples from 10 locations in the distribution system quarterly. Analyze the samples for pH, alkalinity, calcium, conductivity, orthophosphate, chloride, sulfate, and temperature.
September 30, 2021	For the January through June 2021 monitoring, send EGLE certification of Consumer Notice of Lead and Copper results compliance along with a sample copy of the notice delivered.	Download *Lead and Copper Report and Consumer Notice of Lead and Copper Results Certificate* in Word or PDF format from Michigan.gov/LCR.
March 31, 2022	For the July through December 2021 monitoring, send EGLE certification of Consumer Notice of Lead and Copper results compliance along with a sample copy of the notice delivered.	Download *Lead and Copper Report and Consumer Notice of Lead and Copper Results Certificate* in Word or PDF format from Michigan.gov/LCR.
March 31, 2022	Collect one lead and copper sample from your entry point to the distribution system, TP001 (Treatment Plant Tap).	Repeat every third year until both ALs are met for the whole three-year period.

We recognize that the Lead and Copper Rule is complex and may be confusing. We will continue to offer assistance in implementing these regulations. If you have any questions, please contact us at BoltJ@Michigan.gov; OnanB@Michigan.gov; or at the phone numbers provided below.

Sincerely,

Jeni Bolt, Environmental Quality Specialist
Lead and Copper Unit
Drinking Water and Environmental Health Division
517-331-5161

Brandon Onan, Supervisor
Lead and Copper Unit
Drinking Water and Environmental Health Division
616-307-6736

Enclosures (PA Checklist, PE Distribution Check, WQP report form, Tier Criteria)
cc/enc: Mr. George Regan, F&V Operations
Ms. Nicki Britten, Berrien County Health Department
Mr. Nick Margaritis, Berrien County Health Department
Mr. Steve Crider, Michigan Department of Health and Human Services
Mr. Mike Bolf, EGLE
Mr. Ernie Sarkipato, EGLE
Mr. Matt Sylvester, EGLE
Mr. Jeremy Klein, EGLE