



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



GRETCHEN WHITMER  
GOVERNOR

LIESL EICHLER CLARK  
DIRECTOR

July 20, 2022

VIA EMAIL AND U.S. MAIL

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

WSSN: 00600  
County: Berrien  
System: Benton Harbor

SUBJECT: Response to Request to Reduce Number of Lead and Copper Sampling Sites

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Environmental Health Division (DWEHD), received a letter from the city of Benton Harbor (City) that was dated July 8, 2022, and received on July 18, 2022, by email to Mike Bolf, Supervisor, Engineering Unit, DWEHD. The letter addressed the City's current population, service line replacement program, concerns with achieving the required sampling requirements for lead and copper, and an official request to reduce lead and copper monitoring.

EGLE sent the City an annual monitoring schedule in March of 2022 which outlined the requirement to sample once per six-month period in 2022 for lead and copper in the amount of 60 sites, according to the administrative rules promulgated under the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 33); specifically, R 325.10710a, *Lead and copper in tap water; monitoring requirements*.

The purpose of tap monitoring for lead and copper is to get a sense of corrosion rates throughout the system. For R 325.10710a, the number of sampling sites is based on the population served by the water supply. For the City, it is vital to obtain samples from enough sites to adequately assess any trends across the system because significant funds are being spent for the sake of public health protection. For these reasons, EGLE has required the higher number of sampling sites to remain protective of public health and obtain the most reliable dataset for making decisions. The authority for this determination is Act 399, R 325.10732, *Specific testing frequencies; sample locations and parameters*.

The City has stated that it only has 51 lead service lines remaining in their pool. Per the City's lead service line replacement dashboard, as of July 19, 2022, there are still 1,100 service lines with unknown material that need to be identified and/or replaced. Of these 1,100 service lines, there are likely more than 60 service lines in the system that are lead service lines and, therefore, can be identified and sampled. The City must prioritize sampling of the known lead service line locations as quickly as possible prior to removal, then target locations with unknown service line materials but likely served by a lead service line for sampling. The samples collected from sites likely to have lead service lines should be retained until the site's tier can be verified by the City's contractors. The hold time on samples prior to acidification is 14 days and post

Ellis Mitchell  
Page 2  
July 20, 2022

acidification is six months. Once the City has verified the service line material and the tier of the sampled site(s), it can prioritize submittal of the Tier 1 site samples to the laboratory and work with EGLE to update the sampling plan to reflect the properly tiered locations. Nearing the end of the monitoring period, if less than 60 Tier 1 locations were sampled and identified, the City would then prioritize samples collected from Tier 2 sites, then from Tier 3 sites.

EGLE appreciates the efforts by the City in obtaining samples from 60 Tier 1 sites in the previous monitoring periods, and your cooperation and efforts to prioritize sampling from Tier 1 locations through the end of this monitoring period. After this monitoring period, EGLE will aid the City in transitioning to the highest tier sites available, including assisting to properly prioritize the updating of its sampling plan for the January to June 2023 monitoring period.

If you have any questions regarding this letter, please contact me at [OnanB@Michigan.gov](mailto:OnanB@Michigan.gov); Lead and Copper Unit, Community Water Supply Section, DWEHD, EGLE, P.O. Box 30817, Lansing, Michigan 48909-8311; or at the phone number provided below.

Sincerely,



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

cc: Darold Harlin, F&V Operations  
Rob Jones, F&V Operations  
Mike Bolf, EGLE  
Summer Haught, EGLE  
Ernie Sarkipato, EGLE  
Jeni Bolt, EGLE  
Erin Russel, EGLE