



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES

LANSING

GRETCHEN WHITMER
GOVERNOR

ELIZABETH HERTEL
DIRECTOR

August 19, 2022

Mr. Nick Leonard, Executive Director
Great Lakes Environmental Law Center
444 Second Avenue
Detroit, MI 48201

Dear Mr. Leonard:

Thank you for your letter dated July 28, 2022, to the Michigan Department of Environment, Great Lakes, and Energy and the Michigan Department of Health and Human Services (MDHHS). We value your input and appreciate the opportunity to review and respond to your request.

Every Michigander deserves safe drinking water, and I can assure you that we are taking every precaution to address this issue with all tools that we have at our disposal.

Your letter flags two primary concerns that underscore the urgency placed around your proposed recommendations. The first concern was that detectable levels of lead in results from both voluntary and compliance samples may indicate residents are not using a properly installed water filter. For awareness, sampling protocols dictate that filters are bypassed when collecting a water sample. This ensures the samples being collected are measuring unfiltered water. It would not be appropriate to use these data points to infer if a filter is properly installed or operated. However, these sample results can be used to verify whether filter use at these locations is appropriate and necessary.

Your second concern was that lead service line replacements may increase the risk of lead in the near-term. The department understands this concern but remains encouraged that our data indicates that this has not become a problem in Benton Harbor as the lines are being removed. As you are aware, the State of Michigan has raised concerns about ensuring that proper flushing is occurring at every house as lines are removed to further minimize this risk, and our message to residents is to continue using filters or bottled water, even after service line replacement, until MDHHS can complete a lead inspection of the home and every elimination of lead exposure. We are continuing to communicate routinely with Benton Harbor contractors to ensure that proper flushing procedures are being implemented.

The health and safety of the people and families of Benton Harbor remain at the core of every decision we make, whilst implementing efforts to mitigate the threat of lead in drinking water. We have thoroughly reviewed your recommendations, and would like to highlight efforts that are currently underway:

1. Water filters distributed to residents must be certified to meet the American National Standards Institute/National Sanitation Foundation (ANSI/NSF) standard 53 for lead reduction and ANSI/NSF standard 42 for particulate reduction.

A recent U.S. Environmental Protection Agency study confirmed that certified filters, properly installed and maintained, are effective in reducing lead in Benton Harbor drinking water. The Berrien County Health Department is offering filters to residents free of charge. The filters that the state is providing to Berrien County and other communities in the state meet both of these standards.

2. Follow the model set in Flint and establish the Community Outreach and Resident Education (CORE) program in Benton Harbor by hiring 90 education specialists, preferably Benton Harbor residents, to provide outreach regarding water filter outreach and education. This should include going door-to-door to provide the following:
 - Faucet-mount filters at all households. For households that already have faucet-mount filters, ensure they are properly installed and maintained.
 - Provide pitcher-style filters only for households with faucets that are not compatible with faucet-mount filters. The Benton Harbor filter study demonstrates that faucet-mount filters are more reliable than pitcher-style filters.
 - Filter education to residents, including training about why filters are important, how to properly install and use water filters, how to maintain water filters, and how to replace water filters.
 - Information about how residents can obtain replacement water filters in the future and contact information for further assistance.
 - Dedicate \$50,000 in funding to publicize the CORE program.

The State of Michigan is taking a collaborative approach to distribute point of use filters, educational materials, and in-home assistance to Benton Harbor residents. Materials provided by the City's contractors (Abonmarche Consultants, Inc) when the lead service line is replaced include the ongoing recommendation that residents continue to use bottled water or certified filters. The MDHHS and their contractor (Mario Morrow and Associates) are reaching out to residents, including personal outreach to home bound residents, to provide filters, and reinforce the opportunity to get a full lead inspection of their home, including testing of the plumbing. Although staff conducting outreach are not limited to Benton Harbor residents, there is an effort by both MDHHS contractors and the local health department to hire staff from the community.

There is also a statewide workforce development initiative aimed towards assisting with the certification of construction professionals seeking lead abatement credentials.

For each household where a lead service line is replaced, the contractor supplies leave-behind material immediately following service line replacement. The leave-behind material advises of service line replacement, to continue using free filters or bottled water, and to apply for a free lead inspection of any home. The MDHHS has provided enhanced material by mail for residents with lead service line replacement and is using door knocking efforts to reinforce the messages of the leave-behind material and offer a free filter. Operationally, education and outreach efforts entail the following:

- ***Homebound:*** *When a resident is available to engage, a contractor thoroughly explains the content of the leave-behind material and assistance is offered with filter and lead inspection program enrollment. If bottled water is requested, individuals are directed to call 2-1-1 or 844-875-9211. If a filter is requested, the filter program is explained, and the household is enrolled. The filter and two cartridges are provided onsite, or the resident can request for one to be mailed. The household is included in a program for replacement cartridges to be mailed. Assistance with filter installation is actively offered and MDHHS conducts a follow-up phone call to ensure successful installation for households choosing to self-install. If the resident is unavailable to engage, leave-behind material is hung on the door in a plastic bag with an introduction letter. Follow up visits are made to that household as well.*
 - ***Non-Homebound:*** *The MDHHS mails the leave-behind material with an introduction letter attached. The materials explain how residents are to request bottled water, filters (including offer of installation assistance), and a free home lead inspection. Staff monitors the data system and repeats direct mailing, at least twice, for non-respondents.*
3. Conduct in-home visits to ensure that all homes that have a lead service line replaced are properly flushed per contract requirements and immediately receive water filters. Resample the water after flushing has been completed, especially at homes that were not properly flushed at the time the lead service line was replaced. If residents already have water filters, ensure they are properly installed.

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Following lead service line replacement, contractors are expected to perform high velocity flushing of all household taps. In-home outreach includes filter recommendation and installation assistance is also discussed. In addition, community water testing is planned following lead source removals.

4. Conduct in-home visits to any home where any sample testing finds the presence of lead as soon as possible to ensure they have a properly installed water filter.

If a household displays a water lead level >15 ppb, a MDHHS sanitarian goes to the home, taking water samples, and offering education and assistance.

Every household in this community is eligible for a free lead inspection of their home and, if sources of lead are found, abatement services. The inspection includes education about lead sources in the home and reinforces need for filters or bottled water until lead sources in drinking water are abated. This means that lead-containing plumbing and fixtures (faucets) will be replaced, and abatement will occur of other lead hazards in the home to prevent exposure.

Thank you for your correspondence. The department remains committed to pursuing appropriate measures to protect access to safe drinking water for the City of Benton Harbor. Again, we appreciate your recommendations and will keep them in mind as we work diligently to remediate this issue.

Sincerely,



Elizabeth Hertel
Director

EH:cb

c: Liesl Clark, Director
Michigan Department of Environment, Great Lakes, and Energy