



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

September 8, 2022

VIA E-MAIL

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

WSSN: **00600**  
County: Berrien  
Supply: City of Benton Harbor

Dear Ellis Mitchell:

SUBJECT: Violation Notice (VN) – Reporting for Individual Analytes: Endrin and PCB/  
Aroclors

The Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Environmental Health Division (DWEHD), records show that the City of Benton Harbor (City) is in violation of the Safe Drinking Water Act, 1976 PA 399, as amended (Act 399); R 325.10734, *Required reporting to the department* of the 1979 Administrative Code.

In accordance with the rule cited above, a supplier of water shall report to the department the results of a required analysis within the first 10 days following the end of the monitoring period. These reporting requirements were outlined in a cover letter that accompanied Benton Harbor's 2020 and 2021 Monitoring Schedule, sent out at the beginning of each respective year. EGLE records show that the City collected the individual analytes, Endrin and PCB/Aroclors, during two required monitoring periods of October 1, 2020, to December 31, 2020, and January 1, 2021, to March 31, 2021, but the results of both individual analytes were not originally reported in either lab report by their respective deadlines of January 10, 2021, and April 10, 2021.

EGLE's investigation consisted of a review of DWEHD files for laboratory reports received for compliance monitoring as well as conversations with the laboratory that performed the analysis. EGLE's investigation is considered complete. Benton Harbor was out of compliance on January 11, 2021, and April 11, 2021, and returned to compliance on August 23, 2022, the date the Endrin and PCB/Aroclors results were provided to EGLE. Please note that this violation must be included in your 2022 Consumer Confidence Report (CCR) due by July 1, 2023.

EGLE is authorized under Section 7 of Act 399, Michigan Compiled Law, Section 325.1007, to issue fines for public water supply reporting violations. There is no fine for this violation. However, failure to meet reporting deadlines for this contaminant group within the next 12 months will result in a fine of \$200. Additional violations are subject to fines of increasing amounts. If you would like more information on the DWEHD's administrative fine's policy, please contact me.

If you have any factual information, you would like us to consider regarding the violation identified in this VN, please provide it in a written response by October 8, 2022.

EGLE anticipates and appreciates your cooperation in resolving this matter. If you have any questions regarding this VN, please contact me at the phone number listed below, or by e-mail at [BolfM@Michigan.gov](mailto:BolfM@Michigan.gov).

Sincerely,

Michael Bolf, P.E.  
Engineering Section Manager  
Drinking Water and Environmental Health Division  
906-630-4107 (Mobile) | [BolfM@Michigan.gov](mailto:BolfM@Michigan.gov)

cc:

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