



GRETCHEN WHITMER  
GOVERNOR

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



PHILLIP D. ROOS  
DIRECTOR

January 4, 2024

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  
Supply: Benton Harbor

Dear Ellis Mitchell:

**SUBJECT: Regarding Request for Approval to Conduct Reduced Monitoring for Lead and Copper**

The 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 and received on November 15, 2023, by email to Mike Bolf, Supervisor, Engineering Unit, DWEHD. The letter notes the replacement of all known lead service lines in Benton Harbor, results for lead and copper monitoring at or under the Action Level (AL) for the previous 5 monitoring periods, and an official request to reduce the number and frequency of lead and copper monitoring. EGLE staff from the Lead and Copper Unit, Engineering Section, and Division management evaluated the request.

EGLE sent the City an annual monitoring schedule in February of 2023. Benton Harbor was required to sample 60 sites in the distribution system for each 6-month period for lead and copper, and 10 sites per quarter in the distribution for water quality parameters (WQPs), 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*, and R 325.10710b, *Monitoring requirements for water quality parameters*.

Benton Harbor removed all known lead and galvanized previously connected to lead (GPLC) service lines from the distribution system ahead of the 18-month goal set by Governor Whitmer in 2021. Since the last Action Level Exceedance (ALE) during the sampling conducted in the January 1 to June 30, 2021, monitoring period, Benton Harbor has demonstrated that the risk of lead exposure through drinking water has decreased, as shown in the table below. The most recent 90<sup>th</sup> percentile value for lead was, again, at 1 ppb. This was the second consecutive monitoring period where only Tier 3 sites, single-family residences that contain copper with lead solder (CLS) interior plumbing installed before July 1988, were used for the compliance calculation.

Monitoring Period	Lead 90 <sup>th</sup> Percentile (ppb)	Number of samples over 15 ppb	Range of lead results (ppb)
January 1 to June 30, 2021	24	11	0 - 889
July 1 to December 31, 2021	15	6	0 - 48
January 1 to June 30, 2022	14	5	0 - 53
July 1 to December 31, 2022	9	2	0 - 110
January 1 to June 30, 2023*	1	0	0 - 11
July 1 to December 31, 2023*	1	1	0 - 28

\*All samples collected from Tier 3 locations.

Optimal Water Quality Parameter (OWQP) ranges were set for Benton Harbor in a letter dated December 21, 2021. Benton Harbor has maintained compliance with the set OWQPs.

The purpose of tap monitoring for lead and copper is to assess corrosion at sites identified with the highest risk of lead exposure through drinking water. Corrosion control and removing lead and GPCL service lines have resulted in a decrease in the 90<sup>th</sup> percentile for lead. Now that the City has completed two, 6-month rounds of data for evaluation using only Tier 3 sites, EGLE has determined the system has stabilized. Additionally, Benton Harbor’s population is now below 10,000, according to US Census Data.

These factors, the change in population, and the low 90<sup>th</sup> percentiles, justify reducing the lead and copper monitoring to 20 samples annually for Benton Harbor, beginning in 2024. Benton Harbor must continue to prioritize sampling at Tier 3 sites, specifically those that have been previously sampled, unless the site’s tiering criteria changes, or the water supply is not able to coordinate sampling at the site during the monitoring period. Any sites that are not served by a lead service line should be sampled using the first draw, 1-liter sampling process. Unless directed otherwise by EGLE, the minimum monitoring requirements and reporting deadlines will be as follows:

- Collect samples from at least 20 Tier 3 locations between June 1<sup>st</sup> and September 30<sup>th</sup> and have them analyzed for lead and copper;
- Report lab results (unless Benton Harbor uses EGLE’s laboratory) and a Lead and Copper Report Form to EGLE by October 10<sup>th</sup>;
- Submit an example Consumer Notice of Lead and Copper and Certification of Requirements to EGLE by December 31<sup>st</sup>.

If you need updated instructions or reporting forms, please visit [www.michigan.gov/LCR](http://www.michigan.gov/LCR).

Additionally, because of the decrease in population, distribution WQP sampling will be reduced to from 10 sites to 3 sites per quarter. WQP sampling sites must be representative of the distribution system.

City of Benton Harbor

Page 3

January 4, 2024

The monitoring changes listed in this letter will be reflected on Benton Harbor's 2024 Monitoring Schedule, which will be released in early 2024.

Scenarios that could result in Benton Harbor being put back on 6-month standard monitoring for lead and copper, and increased WQP sampling requirements include:

- a change in source water;
- a change in water treatment;
- an ALE for lead and/or copper;
- having more than nine (9) excursion days of the optimal WQP designated ranges in a six-month monitoring period, resulting in a treatment technique violation.

Thank you for your many efforts to protect the public health of your residents. If you have questions, please contact Lisa Anderson at 517-282-1712; [AndersonL24@Michigan.gov](mailto:AndersonL24@Michigan.gov); or Lead and Copper Unit, Community Water Supply Section, Drinking Water and Environmental Health Division, EGLE, P.O. Box 30817, Lansing, Michigan 48909-8311.

Sincerely,

Michael Bolf, P.E., Manager  
Engineering Section  
Drinking Water and Environmental Health Division

cc: Marcus Muhammad, Mayor, City of Benton Harbor  
Abul Ahmed, F&V Operations  
Robert Jones, F&V Operations  
Darold Harlan, F&V Operations  
Guy Miller, Berrien County Health Department  
Nick Margaritis, Berrien County Health Department  
Ken Bowen, Michigan Department of Health, and Human Services  
Eric J. Oswald, EGLE  
George L. Krisztian, EGLE  
Erin Russell, EGLE  
Ryan VanDerWoude, EGLE  
Donal Brady, EGLE  
Kris Philip, EGLE  
Jeni Bolt, EGLE