



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

September 17, 2020

VIA E-MAIL

The Honorable Sheldon A. Neeley
Mayor of Flint
1101 South Saginaw Street
Flint, Michigan 48502

WSSN: 02310
City of Flint

Dear Mayor Neeley:

SUBJECT: City of Flint - Lead and Copper Monitoring of Drinking Water Taps

After review by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) of the documentation that has been submitted by the city of Flint (City) for the most recent round of lead and copper monitoring of drinking water taps from January 1, 2020, to June 30, 2020, it has been determined the City is below the Action Levels (AL) as summarized below:

Contaminant	AL	MCLG*	90 th Percentile Value	Number of Samples Above AL	Range of Individual Results	Typical Source of Contaminant
Lead	15 parts per billion (ppb)	0	4 ppb	2	0-41 ppb	Corrosion of household plumbing systems; service lines that may contain lead; Erosion of natural deposits
Copper	1,300 ppb	1,300	80 ppb	0	0-310 ppb	Corrosion of household plumbing systems; Erosion of natural deposit

*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.

Sample Reporting and 90th Percentile Calculation

EGLE received your Lead and Copper Report form on August 28, 2020. Included with the form were the results of the samples collected from 116 unique sites (120 sample sets total) during the January 1, 2020, to June 30, 2020, monitoring period. After the exclusion of 71 sample sets due to invalidation under the Lead and Copper Rule (LCR), the remaining 49 verified Tier 1 and Tier 2 sites were used to calculate the 90th percentile value of 4 ppb for lead.

While this number of 49 sites falls short of the requisite number of 60 needed for compliance, we recognize the challenges the City faced in dealing with the Covid-19 global pandemic while trying to meet the requirements. Information regarding this monitoring violation are detailed under separate cover.

Continue Corrosion Control Treatment

The City must continue corrosion control treatment and continue to maintain water quality parameter levels to reduce the amount of lead and copper leaching into the drinking water. The City must also continue monitoring its corrosion control treatment on a daily basis to ensure proper operation is maintained. In addition, the City must continue monitoring water quality throughout the distribution system to demonstrate the effectiveness of the City's corrosion control treatment. Finally, the City has a contract to develop a Distribution System Optimization Plan. When the Plan is complete, additional, long-term measures may be required to provide optimal corrosion control treatment.

Continue Lead Service Line Replacement

To remain in compliance with the terms of the Concerned Pastors for Social Action Settlement Agreement (Settlement Agreement), we continue to support the City's intentions of continuing to locate and replace lead service lines throughout the city.

Conduct Water Quality Parameter (WQP) Monitoring

Continue to conduct WQP monitoring and meet the WQP levels for pH and orthophosphate residuals as required by the October 30, 2015, December 13, 2017, and June 6, 2019, correspondence from this department. Also, continue to submit to EGLE the Weekly Enhanced Water Quality Parameters.

Lead and Copper Tap Monitoring

Your next round of lead and copper tap monitoring must be conducted **between July 1, 2020, and December 31, 2020**. You are required to collect a minimum of two (2) (a 1st and 5th liter) tap samples per site, from 60 Tier 1 sites (120 total samples). In accordance with Paragraph 49 of the Settlement Agreement, half of the minimum number of samples (60), or 30 individual sites, must be sampled during the months of July and August 2020. Select the same sites used in previous monitoring periods unless sites no longer meet Tier 1 criteria. If a site no longer meets Tier 1 criteria, it must be replaced by another confirmed Tier 1 site, or Tier 2 site if Tier 1 sites are not

available, to maintain the required number of sites. Written documentation explaining the reason for any changes in sampling sites, including the service line material composition, must be provided to EGLE. An updated version of your sampling plan should be submitted to EGLE during each six-month monitoring period.

New Michigan Lead and Copper Rule Revisions

As of June 14, 2018, the State of Michigan enacted changes to the Administrative Rules promulgated under the Michigan Safe Drinking Water Act, 1979 PA 399, as amended (Act 399). The revised rules can be found on EGLE's Web site at www.Michigan.gov/DrinkingWater. Click on Community Water Supply and then the Safe Drinking Water Rules link under Laws and Rules.

Consumer Confidence Report (CCR)

Results of 2020 compliance monitoring must be included in your CCR, which is due to our office, your customers, and the local health department by **July 1, 2021**. However, we encourage the City to provide this CCR to residents as soon as practical. You may use the table format from page 1 of this letter.

For additional information on CCR requirements, visit EGLE's web site at www.michigan.gov/drinkingwater. Click on the Community Water Supply Home Page and then the Consumer Confidence Report Rule link under Laws and Rules.

Summary of Upcoming Requirements

Complete By	Requirement	Comments
Ongoing	Collect WQP samples.	Continue to collect required WQP samples.
Between July 1 and Dec 31, 2020	Collect samples from 60 Tier 1 sites (1 st /5 th liters, 120 total samples) within the distribution system and have them analyzed for lead and copper. At least 30 sites (60 samples) must be collected during July and August 2020.	Report the results to EGLE and deliver the customer notice of individual results using the downloadable <i>Lead and Copper Report and Consumer Notice of Lead Result Certificate</i> . Report due by January 10, 2021.
September 30, 2020	For the January 1-June 30, 2020n monitoring period, send EGLE a signed copy of the <i>Consumer Notice of Lead and Copper Results Certificate</i> .	Download <i>Consumer Notice of Lead and Copper Results Certificate</i> in word or PDF format from www.Michigan.gov/LCR .
July 1, 2021	Report 2020 90 th percentile values in the CCR.	Specific lead health effects language must be included.

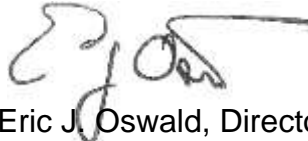
The Honorable Sheldon A. Neeley

Page 5

September 17, 2020

Thank you for your prompt attention to this matter. We will continue to offer assistance in implementing these regulations. If you have questions, please contact me at 517-284-6544; OswaldE1@Michigan.gov; or EGLE, Drinking Water and Environmental Health Division, P.O. Box 30817, Lansing, Michigan 48909-8311.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Oswald". The signature is stylized and written in a cursive-like font.

Eric J. Oswald, Director

Drinking Water and Environmental Health Division

cc: Mr. Michael D. Harris, Acting Director, Enforcement and Compliance Assurance
Division, United States Environmental Protection Agency (USEPA), Region 5
Ms. Elizabeth Murphy, USEPA, Region 5
Ms. Sarah Tallman, Natural Resources Defense Council
Mr. Clyde Edwards, City Administrator, City of Flint
Ms. Angela Wheeler, City Attorney, City of Flint
Mr. Blair Selover, Manager, F&V Operations, Contractor for City of Flint
Mr. Richard Kuhl, Michigan Department of Attorney General
Ms. Liesl Eichler Clark, Director, EGLE
Mr. Aaron B. Keatley, Chief Deputy Director, EGLE
Ms. Amy Epkey, Senior Deputy Director, EGLE
Mr. George L. Krisztian, EGLE