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Cc: Pov, Thomas; Bair, Rita; Damato, Nicholas; Shoven, Heather; Murphy, Thomas; Porter, Andrea; Deltoral, Miguel; Kuefler, Janet; McElhinney, Cary; Noureldin, Mostafa
Subject: Agenda for MI Semi-Annual Call on Wed 6/10 at 10am EST; 9am CST
Date: Monday, June 08, 2015 11:20:01 AM
Importance: High

Good morning! Below is the Agenda I came up with for our semi-annual call this Wed morning. Please let me know if you would like to add additional items for us to discuss. Please note that I have invited Steve Busch, Mike Prysby and Pat Cook to discuss item no. 3 regarding Flint.

Jennifer

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Agenda Topics for Michigan Semi-Annual Call on Wednesday June 10, 9am CST

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1. Changes in Lead Disinvestments and Commitments for FY 2016 ARDP—for discussion: Due to our extreme focus on lead in drinking water, this is the consensus here.
 - a. Consumer notification of tap results at NTNCWSs:
 (Suggested wording) The NCWS program commits to full implementation of the lead consumer notification of tap results requirement, to begin in CY 2016. Region 5 will assist in a notification outreach effort in late FY 2015 to remaining 698 NTNCWSs that are not schools/daycares, to begin providing lead consumer notice in CY 2016. NCWS program commits to include information on providing lead consumer notice in the annual monitoring letter sent to all NTNCWSs for CY 2016.
 - b. Collection of Lead samples at NTNCWSs during June – September 2016 timeframe
 (Suggested wording) NCWS program commits to including information in the applicable NTNCWS annual monitoring letters of the requirement to collect their annual/triennial lead sample between June and September only, during CY 2016. The MDEQ currently does not have the capability to track lead sampling compliance within this specific timeframe.
 - c. Follow-up Actions for NTNCWSs that sample outside of June-September 2015 timeframe
 (From 5/5/15 call notes w/EPA) MDEQ commits to providing Region 5 with all CY 2015 lead (and copper?) sample data for all NTNCWSs by March 2016 so that EPA can analyze how many PWSs monitored outside the June through October timeframe. EPA commits to follow-up with MDEQ to discuss follow-up actions.
 - d. Submittal of the lead and copper reporting form
 (Suggested wording) MDEQ commits to requiring CWSS and NTNCWSs to submit the lead and copper reporting form via the annual monitoring letters to each system, tracking CWSS and NTNCWSs submittal of the lead and copper reporting form, and commits to issuing violations for failure to submit the lead and copper reporting form. The reporting form provides the address of the sample site, designates sampling site selection criteria, and explanation(s) for any changes in sampling sites.
2. Enforcement Update with Heather
NTNCWSs under Bottled Water agreements due to Arsenic MCL violations:
 Per discussions with Region 5 and the February 2014 EPA/OECA memo, MDEQ has closed the old Arsenic open-ended MCL violations; however, no further quarterly monitoring is being conducted at the (± 27) systems that are still under bottled water agreements. Thus, no more arsenic MCL violations will be reported for these systems and these systems will not become priority systems (ETT score of 11 or more) since only one arsenic MCL violation will be reported (5 points) even though they have a longstanding issue with arsenic noncompliance. The Region would like to discuss the pros and cons of placing these PWSs with arsenic MCL violations on quarterly monitoring as required under 40 CFR Section 141.23(c)(7); and brainstorm possible solutions.
3. Status of Flint
 - a. TTHM levels for May—Due to MDEQ district engineer June 10
 - b. Lead in Flint
 Our discussions with MDEQ indicate that no phosphates/corrosion control has been added to the system since April 2014 when the source of drinking water changed to the Flint River. We understand that the City is just finishing up its

second set of 6-month initial monitoring for lead; where the results will probably warrant a Corrosion Control Study to be conducted. Since Flint has lead service lines, we understand some citizen-requested lead sampling is exceeding the Action Level, and the source of drinking water will be changing again in 2016, so to start a Corrosion Control Study now doesn't make sense. The idea to ask Flint to simply add phosphate may be premature; there are many other issues and factors that must be taken into account which would require a comprehensive look at the water quality and the system before any treatment recommendations can/should be made. Miguel is recommending MDEQ and EPA? approach Flint about formally requesting EPA's Office of Research and Development in Cincinnati support on the lead in Flint drinking water issue, and request that Mike Schock, ORD, and possibly Darren Lytle, ORD, to participate in Flint's drinking water advisory committee so that a comprehensive evaluation on how to proceed can be discussed.

4. Update on WaterTrack to SDWIS-State: The migration of WaterTrack data to SDWIS-State was number 39 on the Dept of Technology Management and Budget's (DTMB) project list last year; this year it is number 30. It doesn't appear this project has a high priority. Does the State have any new information on the progress of this project?

5. Consequences of cutting the State drinking water program to a "minimal program"

Jennifer had a discussion with Richard Benzie regarding the possibility of the Michigan State Legislature looking to have just a minimal drinking water program, meaning only a program with activities that are required by the Federal SDWA. Jennifer ultimately discussed this internally with Tom Poy. The minimal program suggested would cut out Operator Certification, Capacity Development, Plan Review, Cross Connection Control, Source Water Protection, among other programs that are State required. Operator Certification and Capacity Development, while not required by the Federal regulations, do have financial strings attached. And Plan review/construction permits are required by the SRF program for a loan. Any recent communication with the State Legislature that they might proceed and make this possibility a reality?

6. EPA's Resource Message at the LHD Workshop in April

From the 2014 analysis of Shared Goals 2013 data, which is compliance data, for noncommunity systems, there are increasing trends of nitrate M/R violations for both NTNCWSs and TNCWSs. We discussed this on the last semi-annual call. Analysis of the 2015 Shared Goals 2014 data (April 2015) shows an improvement—that of decreasing numbers of bacte/nitrate M/R violations.

However, in light of the upcoming implementation of RTRC in 2016, the question raised here in the Region is: Does the State have a plan with the LHDs as to what activities must be prioritized, and what will fall off the plate? Not all LHDs will need to disinvest based upon each LHD's resources, but some poorly funded LHDs may have to disinvest in some activities/drop activities that have no risk to public health.

Jennifer