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**From:** Wurfel, Brad (DEQ)  
**Sent:** Monday, November 16, 2015 3:10 PM  
**To:** Ronald Fonger  
**Cc:** Murray, David (GOV); Wurfel, Sara (GOV); Lasher, Geralyn (DHHS); Minicuci, Angela (DHHS); Eisner, Jennifer (DHHS)  
**Subject:** RE: nrdc/aclu lawsuit

Ron, here's the EPA link to its page on requirements for schools. I excerpted and bolded the important language. Schools that are part of a municipal supply don't have separate requirements. Those that have their own building water supply are already subject to all the SDWA requirements.

If there's a requirement for education and outreach, perhaps DHHS would know. I've included them here to loop them in.

Our folks are still looking into this, but the day is growing late. If I come up with something further, I'll share it along.

[http://water.epa.gov/infrastructure/drinkingwater/schools/upload/2006\\_1\\_11\\_schools\\_lead\\_srg\\_lcr\\_schools.pdf](http://water.epa.gov/infrastructure/drinkingwater/schools/upload/2006_1_11_schools_lead_srg_lcr_schools.pdf)

*"Schools and child care facilities **that have their own water supply and are considered non-transient, non-community water systems (NTNCWSs)** (emphasis added) are subject to the Lead and Copper Rule (LCR) requirements.*

*The LCR was developed to protect public health by minimizing lead and copper levels in drinking water. The most common source of lead and copper in drinking water is corrosion of plumbing..."*

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**From:** Ronald Fonger [<mailto:RFONGER1@mlive.com>]  
**Sent:** Monday, November 16, 2015 12:23 PM  
**To:** Wurfel, Brad (DEQ)  
**Subject:** nrdc/aclu lawsuit

Brad:

I've asked Dave Murray for a comment on the notice of intent to sue that was filed this morning by the ACLU/NRDC, naming officials from the state and city as potential defendants.

Separate from the story about the potential legal action, I'm following up on an allegation that's specific to the DEQ on page 14.

The notice says the SDWA requires each state to establish a program "to assist" schools and day care centers in "testing for, and remediating, lead contamination in drinking water."

The notice says test results must be made available at schools, with notification to parents and teachers.

It says Michigan does not maintain such a program, which is in violation of SDWA's schools provision.

Can you or someone from the department talk to me about this claim?

Thanks,

**Ron Fonger**  
MLive Media Group  
Reporter

mobile PPI

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