

From: Benzie, Richard (DEQ)
To: [Shekter Smith, Liane \(DEQ\)](#); [Allan, Jon \(DEQ\)](#)
Cc: [Finnell, Emily \(DEQ\)](#); [DeBruyn, Dana \(DEQ\)](#)
Subject: RE: DW goal
Date: Tuesday, May 12, 2015 10:59:00 AM

As you have heard me say before, the state does not have a rule or law that requires municipalities to practice "good government." We can recommend that water systems properly operate and maintain their facilities (source, treatment, storage, pumps, pipes, etc.), but under current regulatory authority, we cannot intervene in many situations until it deteriorates to the point that there is an "imminent" threat to public health.

For example, we encourage and repeatedly recommend water systems conduct O&M programs like hydrant flushing, valve turning, meter testing, etc., but we do not have a law or rule that says they have to do so. It's only when failure to do so results in system-wide or catastrophic events that we may then use emergency order provisions to require them to correct the problems that are jeopardizing public health. During the time that these systems are falling into disrepair, intermittent violations may occur as a result of the situations Liane mentioned below. The poster child for demonstrating this matter is Highland Park, but they are not alone in this category.

We are also implementing regulations that "challenge" each other, like the ones that Flint has experienced. A number of distribution system issues in Flint led to coliform violations last summer. In response, the city increased the chlorine dosage and residuals throughout the distribution system to disinfect more of the underground piping system where low usage and stagnant water had allowed increased microbial activity. That increased chlorine dose in turn contributed to higher disinfection byproduct formation that eventually exceeded a drinking water standard.

We also have no means to ensure that water systems are being adequately financed and that water rates reflect the true cost of service, including a replacement component. We are trying to address that issue with some increased planning requirements (Capital Improvement Plans, Asset Management principles), but those requirements are just being implemented now. So underground piping systems continue to deteriorate as they exceed their life expectancy and no one addresses the issue until it becomes catastrophic. And these are just the challenges in the community program consisting of ~1400 water systems of which only half are municipalities. Imagine the difficulty of ensuring 100% compliance in ~10,000 noncommunity water systems that do not have the redundancy and reliability requirements that are imposed on community systems and lose pressure every time there is a major thunderstorm or an ice storm that interrupts power supplies.

I'll quit preaching to the choir.

Richard

From: Shekter Smith, Liane (DEQ)
Sent: Tuesday, May 12, 2015 8:39 AM
To: Allan, Jon (DEQ)
Cc: Finnell, Emily (DEQ); Benzie, Richard (DEQ); DeBruyn, Dana (DEQ)
Subject: RE: DW goal

The balance here is between what is realistic and what is ideal. Of course, everyone wants 100% compliance. The reality, however, is that it's impossible. It's not that we "allow" a Flint to occur; circumstances happen. Water mains break, systems lose pressure, bacteria gets into the system, regulations change and systems that were in compliance no longer are, etc.

Do we want to put a goal in black and white that cannot be met but sounds good? Or do we want to establish a goal that challenges us but can actually be accomplished? Perhaps there's a middle ground?

From: Allan, Jon (DEQ)
Sent: Monday, May 11, 2015 8:04 PM
To: Shekter Smith, Liane (DEQ)
Cc: Fennell, Emily (DEQ)
Subject: Re: DW goal

Thoughts on Bills comment?

No drinking water advisories, beach closures or aquatic life impairments due to harmful algal blooms.

By 2020, 98% of population served by community water systems is provided drinking water that meets all health-based standards.

By 2020, 90% of the non-community water systems provide drinking water that meets all health-based standards.

No designated use impairments due to failing on-site wastewater systems.

No new designated use impairments due to emerging pollutants of concern.

Jon W. Allan, Director
 Michigan Office of the Great Lakes

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From: Creal, William (DEQ)
Sent: Monday, May 11, 2015 4:25 PM
To: Allan, Jon (DEQ)
Subject: DW goal

I think you are nuts if you go with a goal less than 100% for DW compliance in the strategy. How many Flints do you intend to allow???