

MICHIGAN PUBLIC WATER SYSTEM SUPERVISION PROGRAM  
**FY2018 PWSS Program Workplan**  
October 1, 2017 through September 30, 2018

**Michigan FY2018 PWSS Program Overall Summary**

**EPA Strategic Plan:** This continuing program grant is consistent with U.S. EPA's Strategic Plan Goal 2: Clean and Safe Water, which calls for protecting public health by providing safe drinking water. Many of the grant work plan activities contribute to the goal of assuring that people served by public water systems (PWSs) receive drinking water that meets all applicable standards through effective treatment and source water protection. Continuing program implementation includes adopting rules at least as stringent as federal regulations, providing assistance to PWSs on regulatory requirements, conducting sanitary surveys, ensuring that monitoring and follow-up is conducted, and enforcing regulations.

**Contacts:**

Eric Oswald, Drinking Water and Municipal Assistance Division Director, Michigan Department of Environmental Quality, [oswalde1@michigan.gov](mailto:oswalde1@michigan.gov), 517-284-6565

Jennifer Kurtz Crooks, U.S. EPA Region 5 Michigan State Program Manager, [crooks.jennifer@epa.gov](mailto:crooks.jennifer@epa.gov), 312-886-0244

**Federal Funding Used:** PWSS grant funds; Drinking Water State Revolving Fund (DWSRF) set-aside funds for the following programs: Small System Technical Assistance (SSTA), Public Water System Supervision (supplemental), Local Assistance for Capacity Development, and Wellhead Protection (WHP).

**1. Status of Rule Adoption and Implementation**

- Michigan has primacy for implementing the National Primary Drinking Water Regulations (NPDWRs) and anticipates fully implementing all aspects of its safe drinking water statutes and rules on which primacy is based. These rules will continue to be administered by the Michigan Department of Environmental Quality (MDEQ).
- MDEQ is working toward full implementation of the drinking water regulations and primacy agreement. The state will update the 2017 Implementation Plan to indicate progress in achieving full implementation, and submit the 2018 Implementation Plan describing the revised steps MDEQ will take to achieve full implementation and a schedule for doing so, within 90 days of the award of the FY 2018 PWSS grant and attached to the 2018 PWSS grant workplan.
- Michigan will ensure an adequate baseline core of individuals with the technical expertise are on staff to carry out all mandatory components of the PWSS program.
- U.S. EPA Region 5 will continue to track state reporting of rule violations. *Note:* See measures/indicators summary for the status of the various measures and indicators that are tracked by the Region and mentioned throughout this workplan.
- MDEQ submitted the Revised Total Coliform Rule (RTCR) primacy application and interim primacy has been issued.
- Michigan will implement the Fourth Unregulated Contaminant Monitoring Rule (UCMR4) activities as described in the U.S. EPA/MDEQ UCMR Partnership Agreement. [See attached UCMR4 agreement]

## **2. Sanitary Surveys**

- MDEQ will ensure an adequate group of individuals, with the technical expertise needed to perform sanitary surveys, are on staff.
- MDEQ will ensure that sanitary surveys are conducted periodically that, at a minimum, meet frequency requirements specified by rule. U.S. EPA Region 5 will track state commitments to conduct sanitary surveys within the federally required intervals.
- MDEQ will ensure that sanitary surveys include an evaluation of the eight essential elements: 1) source; 2) treatment; 3) distribution system; 4) finished water storage; 5) pumps, pump facilities, and controls; 6) monitoring and reporting and data verification; 7) system management and operation; and 8) operator compliance with State requirements.
- Region 5 recommends that MDEQ consider using sanitary surveys to evaluate and document status and progress of source water protection (SWP) and sustainable water infrastructure (SWI) activities.
- EPA recommends that sample siting plans for RTCR and for the Lead and Copper Rule (LCR) are reviewed during sanitary surveys to ensure samples are taken at representative sites and are taken during the designated time period.
- During sanitary surveys at noncommunity water systems, Local Health Departments (LHD) will identify sample sites/develop sample siting plans for all analytes, especially prioritizing completion of LCR sample siting plans for school/daycare facilities.
- EPA encourages State surveyors and inspectors to recommend the following activities to PWS managers during sanitary surveys, because these activities can help in building capacity and long-term independence of PWSs:
  - Asset management programs;
  - Energy efficiency programs;
  - Water loss monitoring/mitigation programs;
  - Source water protection and climate change adaptations; and,
  - Other involvement or roles in the local community.
- As requested, EPA can help promote training about these topics and provide outreach information as well as updates and guidance materials, about these types of activities.

## **3. Enforcement/ETT**

- MDEQ will maintain an adequate enforcement and compliance assistance program.
- MDEQ and U.S. EPA Region 5 will continue to exchange data to ensure that enforcement resources are targeted at the highest priority PWSs.
- Michigan will continue to address all systems not in compliance with state rule and regulation.
- U.S. EPA Region 5 will track state commitments under measure SDWA02 (involving addressing with a formal enforcement action or return to compliance, the number of priority systems equal to the number of its PWSs that have a score of 11 or higher on the July Enforcement Targeting Tool (ETT) report, and update State quarterly.
- MDEQ will keep records of pertinent state decisions.
- As an enforcement option, MDEQ will continue to refer noncompliant PWSs to the U.S. EPA Region 5 for follow-up action.
- MDEQ commits to work with U.S. EPA Region 5 on referrals and audits.
- An annual compliance report will be submitted to U.S. EPA annually by July 1<sup>st</sup>.
- U.S. EPA Region 5 and MDEQ have jointly developed a corrective action plan to address discrepancies and recommendations from the Michigan Program Review Report, dated November 2017.

- MDEQ is working toward full implementation of the drinking water regulations and primacy agreement. MDEQ will update the 2017 Implementation Plan to indicate its progress in achieving full implementation, and submit the 2018 Implementation Plan describing the revised steps MDEQ will take to achieve full implementation and a schedule for doing so, within 90 days of the award of the FY 2018 PWSS grant and will be attached to the 2018 PWSS grant workplan.
- Worksharing: During 2016 and 2017, U.S. EPA Region 5 and MDEQ worked together to identify nontransient noncommunity water systems (NTNCWSs) on annual/triennial monitoring for lead/copper that sampled outside of the June – September timeframe. Follow up of these violators, including issuing Notices of Violation, was conducted by U.S. EPA Region 5 and MDEQ, and U.S. EPA Region 5 reported the violations to SDWIS-Fed. A similar worksharing product is planned for 2018.

#### **4. Capacity Development, Small System Support, and DWSRF Program Integration**

- MDEQ will continue assisting existing PWS in acquiring and maintaining technical, managerial and financial (TMF) capacity. Further, the State will require new PWSs to demonstrate they have the TMF capacity to operate in compliance with federal and state regulations.
- Michigan will continue to report to U.S. EPA the status of the State Capacity Development Program on an annual basis, including providing a list of new PWSs within the last three years and indicating if they had ETT score of 11 or greater.
- U.S. EPA Region 5 will track completion of this report to avoid a 20% withholding of the Michigan DWSRF grant. This withholding would be required under the Safe Drinking Water Act (SDWA) should MDEQ fail to meet this commitment.
- U.S. EPA Region 5 will evaluate MDEQ's capacity development program and promote proactive efforts that would further advance capacity development.
- MDEQ currently is taking the Small Systems Technical Assistance (SSTA) set-aside, the Public Water System Supervision (supplemental) set-aside, the Wellhead Protection (WHP) set-aside, and the Local Assistance for Capacity Development set-aside.
  - o SSTA set-aside funds 4 drinking water full-time equivalents (FTEs), LHD noncommunity water systems (NCWS) regulatory training, and NCWS data system maintenance
  - o PWSS set-aside funds 17 drinking water FTEs, IT drinking water reporting software, transition to SDWIS Prime and Compliance Monitoring Data Portal
  - o WHP set-aside funds 13.5 drinking water FTEs; maintenance/support of MGMT, a software tool in ground water modeling; maintenance/support and enhancements of drinking water well construction data system, Wellogic; and 50/50 grants to local governments to increase source water protection efforts/initiatives.
  - o Local Assistance for Capacity Development set-aside funds 12 drinking water FTEs; financial adequacy studies of new community water systems (CWS); NTNCWS source water assessment updates; Capacity Assessments of NTNCWSs; surveillance visits at NCWS.

#### **5. Operator Certification and DWSRF Program Integration**

- Michigan will continue to maintain regulations for the operation and maintenance of all CWS and NTNCWS, as well as Transient Non-Community (TNCWS) systems as required by state rules, by properly certified individuals.
- Michigan will continue to report to U.S. EPA the status of the operator certification program on an annual basis.
- U.S. EPA Region 5 will track completion of this report to avoid a 20% withholding of the Michigan DWSRF grant. This withholding would be required under SDWA should the State fail to meet this commitment.

- During FY18, U.S. EPA Region 5 staff continued to evaluate State Operator Certification Programs, as part of the annual review process, to ensure the nine Baseline Standards are met, as outlined in U.S. EPA's Operator Certification Guidelines.
- PWSS set-aside funds staff (see item 4 above) to maintain the drinking water operator training and certification program.

## **6. Data Management and Reliability**

- MDEQ will continue to maintain existing data management systems as MDEQ works toward implementing SDWIS-State at the NCWS program, and ultimately implement SDWIS-Prime at CWSs and NCWSs. The necessary upgrade to newer, more State-of-the-art data management will provide capacity for new rules and new versions of FedRep, that track requirements for all rules. Data management will include the appropriate combination of hardware, software, and personnel to accurately and within a reasonable timeframe identify water supply operational inventories (including routine updates of system information), maintain water quality monitoring information, and track compliance with all violations (including: monitoring and reporting, maximum contaminant level, maximum residual disinfectant level, treatment technique, public notice, and public information requirements).
- The necessary upgrade to newer, more state-of-the-art data management will allow MDEQ to consistently report in a timely manner to U.S. EPA actions and sample data quarterly and inventory data at least annually in accordance with 40 CFR 142.15.
- MDEQ CWS program is currently using SDWIS/State 3.33 and FedRep 3.51 for CWSs; and FedRep 3.51 for NCWSs. WaterTrack is currently the NCWS database of record; however, the move to SDWIS-State is progressing, as noted in the attached 2017 Implementation Plan (to be updated within 90 days of the award of the 2018 PWSS grant and attached as part of the 2018 PWSS grant workplan.)
- MDEQ has begun evaluating transition to the new SDWIS Prime Database, and anticipates the eventual move to SDWIS-Prime when it becomes available from U.S. EPA, to manage water system compliance with all NPDWRs.
- MDEQ is currently in the pre-design phase of upgrading its entire data management system, including CWS program, and will go out to bid in fall 2018. NCWS program is currently in the process of moving to SDWIS-State. These data management upgrades will allow MDEQ to implement a plan to more fully report RTCR violations for NCWSs, including Level 1 and 2 assessment information, to SDWIS. See attached 2017 Implementation Plan (to be updated within 90 days of the award of the 2018 PWSS grant and attached as part of the 2018 PWSS grant workplan).
- U.S. EPA Region 5 will track quarterly and annual data reporting requirements and raise data management concerns as necessary.

## **7. Source Water Protection**

- MDEQ will continue to update source water assessments, as resources allow, and complete source water assessment reports for new PWSs.
- MDEQ will continue to document the status of CWS source water protection programs electronically to SDWIS/Fed.
- U.S. EPA Region 5 will continue to track the Source Water Assessment and Protection Program through SDWIS and other State and Federal Reports.

## **8. Lab Certification**

- MDEQ will continue to provide an adequate laboratory certification program for all regulated contaminants, at a minimum, to certify commercial laboratories within the State and maintain Principal State Laboratory capacity.
- MDEQ will continue to certify all laboratories that produce results for compliance with the SDWA at least once every three years and will meet all regulatory requirements.
- MDEQ State Laboratory will maintain a certification program and a certified State Lab for bacteriological, inorganic, and organic contaminants of concern. MDEQ lab does not conduct radionuclide analysis; State website provides a list of labs certified to conduct radionuclide analysis. <https://www.michigan.gov/deqlab>
- MDEQ laboratory will continue to submit annual questionnaires to Region 5.

## **9. Security**

- Michigan will continue to ensure that CWS will continue to maintain an adequate plan for the provision of safe drinking water under emergency circumstances.

## **10. Measures/Indicators**

- MDEQ will continue to participate in semi-annual conference calls with U.S. EPA Region 5 to discuss priority topics, such as national program measures, U.S. EPA Region 5 specific shared goals, and special high priority queries.
- U.S. EPA Region 5 will continue to track the status of the Michigan drinking water program with respect to national program measures, U.S. EPA Region 5 specific shared goals and special high priority queries—see the measures/indicators summary.
- In FY 2019, U.S. EPA and Michigan anticipate a priority area of focus will continue to be the public health concerns related to LCR implementation. As such, MDEQ will continue to provide information regarding lead action level exceedances upon request from U.S. EPA Region 5.