

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
(EGLE)  
PUBLIC WATER SYSTEM SUPERVISION (PWSS) PROGRAM  
**FY2020 PWSS Program Workplan**  
October 1, 2019 through September 30, 2020

**EPA Strategic Plan:** This is a continuing program grant for the Public Water System Supervision Program and 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 to assure compliance with regulatory requirements, conducting sanitary surveys, ensuring that monitoring and follow-up is conducted, and enforcing regulations as described below.

States which meet the primacy requirements under 40 C.F.R. Part 142, are the primary regulators of their drinking water systems. EPA provides oversight of the implementation of state programs. Region 5 works with each primacy state to develop an annual work plan<sup>1</sup> that promotes collaborative inter-agency program planning and implementation as well as a clear understanding of both state and EPA commitments. The Region will also continue oversight of the primacy program through the interactive State Oversight Supplements (previously known as the "one-pagers") that are maintained collaboratively between the State and Region 5 on EPA's SharePoint site.

In addition, Region 5 periodically evaluates the implementation and enforcement of public drinking water standards at a programmatic level in all primacy states. Such a program review includes collection, analysis and interpretation of data, with recommendations by EPA to improve the state drinking water program's effectiveness.

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<sup>1</sup> In addition to the annual workplan, the state needs to submit the required grant application materials, including the appropriate application forms, a full budget including match funding, a budget narrative, and the appropriate certifications, as described in statutes (i.e., CFR Part 35) and EPA guidance, as found at <https://www.epa.gov/grants/epa-grants-policy-resources> .

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
(EGLE)

PUBLIC WATER SYSTEM SUPERVISION PROGRAM  
**FY2020 PWSS Program Areas and Workplan Activities**

**Federal Funding Used:** In addition to Michigan's public water supply fee program and other state funding sources, Michigan also implements the PWSS program using federal PWSS grant funds and Drinking Water State Revolving Fund (DWSRF) set-aside funds. EPA's PWSS grant to EGLE funds approximately 30% of the actual cost of implementation of the Safe Drinking Water Act in Michigan. The PWSS grant and state match during FY20 are being used to support 38 FTEs to implement the PWSS program. Descriptions of specific activities to be completed under the PWSS grant are described by program area below. EGLE also implements a portion of the PWSS program using the DWSRF set-aside funds (31 percent of the \$27 M grant) for the following programs: Small System Technical Assistance (two percent of grant), Public Water System Supervision (ten percent of grant), Local Assistance for Capacity Development (ten percent of grant), and Wellhead Protection (five percent of grant), Administration (four percent of grant). Set-aside funds are also used for Information Technology (IT) projects, training, grants and other activities supporting the implementation of the PWSS program within Michigan. Further details can be found below and in the DWSRF Set-Aside Workplans for FY20 submitted under separate cover.

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

- Michigan has primacy for implementing the National Primary Drinking Water Regulations and implements the safe drinking water statutes and rules on which primacy is based.
- Michigan is working toward full implementation of the drinking water regulations and primacy agreement. The state will update the 2019 Implementation Plan to indicate progress in achieving full implementation and submit the 2020 Implementation Plan describing the revised steps EGLE will take to achieve full implementation and a schedule for doing so, within 45 days of the award of the FY20 PWSS grant and attach it to the FY20 PWSS grant workplan.
- U.S. EPA and Michigan expect a priority area of focus will continue to be the public health concerns related to Lead and Copper Rule (LCR) implementation. As such, Michigan will continue to provide information regarding lead action level exceedances annually to U.S. EPA Region 5.
- Specific state compliance targets are included in the Measures and Indicators, attached.
- U.S. EPA and Michigan will conduct Unregulated Contaminant Monitoring Rule – Fourth Round (UCMR4) activities as described in the U.S. EPA/EGLE UCMR Partnership Agreement.
- Michigan will update the status of FY20 state activities conducted under the Program Review Corrective Action Plan at least semi-annually.
- EGLE submitted the Revised Total Coliform Rule (RTCR) primacy application and interim primacy has been issued.

- Additional activities being conducted by EGLE are detailed at the end of this document.

## **2. Sanitary Surveys**

- Michigan will maintain technical expertise needed to perform sanitary surveys and ensure that sanitary surveys meet the content and frequency requirements specified by rule. During the FY20 grant year Michigan will complete **400** Community Water System (CWS) sanitary surveys.
- Michigan will evaluate all eight elements and report status quarterly to SDWIS-FED. U.S. EPA Region 5 will track state targets to conduct sanitary surveys for all system types within the federally required intervals (see FY20 Measures and Indicators, attached).
- Michigan will continue to implement its new Operational Excellence checklist process for completing sanitary surveys, with extensive tracking of metrics to ensure consistency and effectiveness.

## **3. Enforcement**

- Michigan will maintain an adequate enforcement and compliance assistance program.
- Michigan will continue to address systems not in compliance with state rule, and report enforcement actions quarterly to U.S. EPA, via SDWIS-FED and respond to U.S. EPA requests for compliance and enforcement updates on priority systems (significant non-compliers) on a quarterly basis.
- Michigan will continue to refer noncompliant PWSs to U.S. EPA Region 5 for follow-up action if appropriate.
- Michigan will submit an annual compliance report to U.S. EPA annually by July 1<sup>st</sup>.
- In FY20, Michigan will:
  - o Update Enforcement Policy and provide staff training on its provisions, along with other enforcement topics as applicable.
  - o Analyze sanitary survey deficiencies and other violation data to ensure consistent application of regulations.
  - o Continue to refine Administrative Consent Order templates and other tools to return supplies to compliance efficiently.

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

- Michigan will continue assisting existing PWSs in acquiring and maintaining technical, managerial and financial (TMF) capacity. Further, Michigan will require new PWSs to demonstrate they have the TMF capacity to operate in compliance with federal and state regulations.
- Michigan will continue to submit the annual State Capacity Development Program report including providing a list of new PWSs within the last three years and indicating if they had Enforcement Targeting Tool (ETT) score of 11 or greater. Michigan will also prepare the triennial Governor's Capacity Development Report, due by October 1, 2020.

- Michigan's Area-Wide Optimization Program (AWOP) continues to develop. During FY 2020, Michigan will continue to participate in the Region 3 EPA AWOP multistate group for additional technical training and facilitation/help with ongoing AWOP implementation.
- Michigan will continue to coordinate the prioritization of DWSRF grant awards within EGLE to address capacity development issues.
- In FY20, Michigan will undertake activities to implement capacity development and support small systems using PWSS grant funds and DWSRF set-aside funds. These activities will include:
  - o Conducting financial adequacy studies of new CWSs.
  - o Assisting Local Health Department (LHD) staff in providing direct technical assistance to noncommunity water systems (NCWS) owners and operators, registered well drillers, and pump installers.
  - o Funding for NCWS regulatory training and data system maintenance at LHDs.
  - o Conducting capacity assessments of non-transient, noncommunity water systems (NTNCWSs).
  - o Providing direct assistance to facilities that are exploring, or have installed, secondary treatment for public health purposes therefore becoming a small public water supply.
  - o Conducting other activities outlined in the DWSRF Local Assistance for Capacity Development and Small System Technical Assistance set-aside workplans.

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

- Michigan will continue to maintain regulations for the operation and maintenance of PWSs by properly certified individuals.
- Michigan will continue to report to U.S. EPA, on an annual basis, how the state is implementing an Operator Certification program that complies with EPA's Operator Certification Guidelines, including the nine baseline standards.

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

- Michigan will maintain adequate data management systems and work toward developing additional data management capabilities in order to provide capacity for new rules and future versions of the federal database and reporting system.
- The necessary upgrade to newer, more state-of-the-art data management will allow Michigan 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.
- Michigan will expand NCWS RTCR violation reporting to U.S. EPA in FY 2020.
- In light of the current pause on SDWIS Prime development, Michigan will evaluate the current migration plan from WaterTrack, the current NCWS database of record, to SDWIS-State, as well as the planned integration of the Compliance Monitoring Data Portal (CMDP) for electronic data reporting. Extensive efforts will continue to be focused on the important goals of complete and efficient collection and reporting of accurate data and activities.

- Michigan is awarding a contract for the upgrade of its entire data management system, including applications integrating with SDWIS/State. This work will be ordered and prioritized based on addressing reporting shortfalls and the need to integrate with federal database upgrades.
- Michigan will correct errors identified on the FedRep ODS error reports or identified by Region 5 in a timely manner. i.e., errors are corrected either in the quarter first identified by Region 5 or first appear on the SDWIS/Fed ODS error reports, or the next quarter.

## **7. Source Water Protection**

- Michigan will continue to annually report<sup>2</sup> progress toward source water protection measures and targets for FY20. (See the attached Measures and Indicators).
- In FY20 Michigan will undertake the following activities to further implement the Source Water Protection Program, utilizing PWSS grant and DWSRF Wellhead Protection Set-Aside funds:
  - o Provide district-based training to new CWS staff on source water assessments and conduct at least **50** assessments if workload and priorities allow.
  - o Provide maintenance/support and enhancements of drinking water well construction data system, Wellogic. Provide training and oversight to Michigan Geological Survey (Western Michigan University) in their work (contracted using State funds) to enter well construction records into Wellogic. Begin developing a durable and ongoing process for quality control and quality assurance of information entered into Wellogic.
  - o Provide grants to local governments to increase source water protection efforts and initiatives.
  - o Partner with American Water Works Association, Michigan State University Institute of Water Research, and Michigan Rural Water Association to host a Source Water Protection Conference on October 29-30, 2019.
  - o Other activities outlined in the DWSRF Wellhead Protection Set-Aside Workplan.

## **8. Laboratory Certification**

- Michigan will continue to provide an adequate laboratory certification program for all regulated contaminants, at a minimum, to certify commercial laboratories within Michigan and maintain Principal State Laboratory capacity.
- Michigan Lab Certification Program will continue to submit annual questionnaires to the Region.
- During FY 2020, Michigan will promulgate regulations for its State laboratory certification program, that will allow the State to decertify laboratories. The State's inability to decertify laboratory is noted as a major program vulnerability.

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<sup>2</sup> Reporting is done either electronically to SDWIS/Fed or via separate reporting to Region 5.

## 9. Security/America's Water Infrastructure Act (AWIA<sup>3</sup>)

- Under primacy, states are required to ensure that CWSs maintain an adequate plan for the provision of safe drinking water under emergency circumstances. In FY20, Michigan will:
  - o Conduct an emergency response training for PWSS staff during the November Rule School Training. This will include a simulated emergency exercise involving role-playing and coordination.
  - o Continue to prepare emergency response plans for scenarios including harmful algal blooms (HABs) and Per- and Polyfluoroalkyl Substances (PFAS) contamination.
  - o Host and participate in an EPA-sponsored Spill Response Workshop and Table-Top Exercise simulating a spill into a surface water source for a CWS.
  - o During FY20, EPA Headquarters is planning to host a Spill Response Workshop/Table Top Exercise in Michigan to assist participants such as drinking water systems, emergency responders, State/Federal agencies to better prepare for potential spills on surface water sources.
- As a new FY20 priority under AWIA, Michigan will:
  - o Assist EPA Water Security Division (WSD) and Region 5 in verifying the population served and provide accurate contact information for CWSs subject to AWIA in Michigan.
  - o Participate in "train-the-trainer" sessions administered by WSD. (Training plan is available for ASDWA/state review).
  - o Assist in providing technical assistance to those CWSs required to comply with the law.
  - o Assist in communicating the new requirements, availability of tools and training materials, and certification processes.

### Other State Activities:

**Per- and Polyfluoroalkyl Substances (PFAS):** Michigan will take the following actions in FY20 regarding PFAS:

- o Prioritizing efforts relative to PFAS in groundwater to ensure a more robust dataset for decision making and public health protection. Follow-up sampling to the extensive 2018 sampling effort is taking place. Results are publicly available on the [www.michigan.gov/pfasresponse](http://www.michigan.gov/pfasresponse) website.
- o Updating and distributing technical guidance related to PFAS contamination in drinking water including fact sheets and other communication for distribution to stakeholders and public. Providing education and support to small systems on PFAS in source water.

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<sup>3</sup> Section 2013 of AWIA requires the CWSs serving more than 3,300 people to conduct a risk assessment (RA) addressing malevolent acts and natural hazards. In addition, the law requires these water systems to prepare or revise an emergency response plan (ERP) that incorporates the findings from this assessment. State review of ERP may be required under state law. AWIA does not require review of the RA or ERP. However, AWIA allows states to review the ERP as part of a state on-site visit, but not the RA.

- Promulgation of Michigan-specific PFAS maximum contaminant levels is underway.
- **Harmful Algal Blooms:** Michigan is taking the following actions to address the threat of HABs.
  - Michigan is conducting an extensive cyanotoxin sampling effort during the summer of 2019, analyzing raw and finished water from all surface water sources. This effort will be refined during FY20, and additional sampling will take place during the bloom season. A response matrix and emergency response plan have been developed, and detectable cyanotoxins will be handled in accordance with these documents.
  - The National Oceanic and Atmospheric Administration (NOAA) Great Lakes Environmental Research Laboratory will continue to work with Saginaw Bay public water systems to develop a HAB forecast model for the Saginaw Bay area.
  - Michigan's governor signed an Executive Directive in June 2019 to reduce nutrient and HAB impacts and achieve a healthier Lake Erie ecosystem. Michigan will undertake targeted phosphorous reductions and nutrient-related ecosystem goals for Lake Erie, reducing the nutrient loadings to the Western Lake Erie Basin by 40 percent by 2025.
- **Sustainable Water Infrastructure:** Michigan does not currently have any specific sustainable infrastructure initiatives, but program staff will investigate the potential for these during FY20.
- **Environmental Justice:** EGLE has hired an Environmental Justice Coordinator and is in the process of hiring a Clean Water Advocate. These positions will be responsive to drinking water concerns that may have environmental justice components. Additionally, the DWSRF program allows consideration for systems designated "disadvantaged." Benefits of this designation include extra points on the Project Priority List, forty-year loan options, and loan forgiveness of planning costs.
- **Lead and Copper Activities:** Michigan is conducting numerous activities that go beyond federal Lead and Copper Rule requirements.
  - Implementation of Michigan's more stringent lead and copper regulations promulgated June 2018.
  - Coordination of voluntary lead and copper school sampling program.
  - Coordination with the Michigan Department of Health and Human Services on communication and public health response efforts relative to lead and copper.

**Table of FY 2020 Regional/State Measures**

<b>Description</b>	<b>Name and update schedule</b>	<b>Target</b>
EPA and EGLE will work collaboratively to implement the national HQ Office of Water measure and national compliance initiative (NCI) to <u>reduce by 25% by the end of FY 2022</u> , the number of CWSs that are out of compliance with health-based standards.	U.S. EPA	<b>FY20:</b> N/A
Percent of CWS and NCWS with san. survey w/in the past 3 or 5 yrs as required.	R5 - Updated by Region 5 in April and October	<b>State FY20 target:</b> 82% CWS 82% NCWS
Percent of CWS where risk to public health is minimized through source water protection	R5 SWP Program measure	<b>State FY20 target:</b> 36% CWS
Percent of population served by CWS where risk to public health is minimized through source water protection	R5 SWP Program measure	<b>State FY20 target:</b> 70% population served by CWS
All Rule Violation Completeness Reporting	R5 High Priority: Updated quarterly by Region 5	N/A for FY20 will establish a baseline
1. Percent of <u>CWS systems</u> meeting all health-based standards	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> ≥95%
2. Percent of <u>population</u> of CWS meeting all health-based standards	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> ≥95%
3. Percent of <u>NTNCWSs</u> meeting all health-based standards	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> ≥95%
4. Percent of <u>TNCWSs</u> meeting all health-based standards	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> ≥95%
5. Percent of <u>population</u> served by CWSs with <u>significant /major monitoring violations</u>	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> <5%
6. Percent of <u>CWS systems</u> with <u>significant /major monitoring violations</u> (includes LCR Type 66 violations)	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> <10%
7. Percent of <u>NTNCWSs</u> with significant/major monitoring violations for <u>acute</u> health risks	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> <5%
8. Percent of <u>NTNCWSs</u> with significant/major monitoring violations for <u>chronic</u> health risks.	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> <10%

9. Percent of <u>TNCWSs</u> with significant/major monitoring violations	Shared Goals: Updated annually in April by Region 5	<b>CY19:</b> <10%
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