

MALEHA Environmental Health Forum

MPHI, Okemos, MI

December 20, 2018

Board of Directors:

Kristen Schweighoefer, Washtenaw, President
Matt Bolang, Livingston, President Elect
Vern Johnson, Kalamazoo, Past President
Adeline Hambley, Ottawa, Secretary

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Chris Klawuhn, Saginaw, Director
Tony Drautz, Oakland, Director
Andrew Cox, Macomb, Director
Don Hayduk, Jackson TC

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Regina Young, Barry-Eaton
Paul Andriacchi, Branch Hillsdale St Joe TC
Scott Withington, Detroit
Jim Henry, Genesee TC
Sara Simmonds, Kent TC
Kasee Johnson, Lenawee TC
Jeff Croll, Muskegon TC
Steve Demick, St. Clair
Tanya Rule, Western UP TC

Regina Young, Barry-Eaton
Kevin Green, Calhoun
Scott Smith, DHD #4 TC
Steven Stoddard, Lapeer
Max Bjorkman, Kent TC
Patrick Jacuzzo, Marquette TC
Mark Hansell, Oakland TC
Casey Elliott, Shiawassee
Randy Rapp, Allegan TC

Suzanne Lieurance, Chippewa TC
Mike Snyder, Delta Menominee TC
Daren Deyaert, Dickinson-Iron TC
Tip MacGuire, Huron Tuscola
Brendan Earl, Kent TC
Liz Braddock, Mid-MI TC
Claudia Terrell, Oakland TC
Maureen Franklin, Wayne TC

Guests: (TC = teleconference)

Sean Dunleavy, MDARD
Jeremy Hoeh, MDEQ
Matt Gamble, MDEQ
Larry Horvath, LARA

Orlando Todd, MDHHS
Laura de la Rambelje, MDHHS
Ian Smith, MDEQ
Meghan Swain, MALPH TC

Dana DeBruyn, MDEQ
Steve Crider, MDHHS

1. **Call to Order:** Meeting called to order by Kristen Schweighoefer at 9:30am
2. **Approval of Agenda:** Motion to approve by Vern Johnson, support by Matt Bolang. Motion carried.
3. **Approval of November 15, 2018 Minutes:** Motion to approve by Matt Bolang, support by Chris Klawuhn. Motion carried.
4. **Officer & Affiliate Reports**
 - a. **President's Report**

See attached report.
 - b. **Treasurer's Report**

Currently five payments for Director's Conference are still outstanding. Motion by Regina Young, support by Vern Johnson to approve the December Treasurer's Report. Motion carried.
 - c. **MALPH**—Meghan Swain

Currently in Lansing monitoring SB 1179 regarding restaurant grading. It has been assigned to the Agriculture Committee, but Ag. Committee was not scheduled to meet prior to the end of the year. Meghan conveyed that she is not aware of LHDs considering grading systems currently, and this is an unnecessary bill that is pre-empting something that is not occurring.

SB 5752, the Statewide Sanitary Code, did not have enough representatives to vote. At this point, the bill will not be moving forward during lame duck. It is unclear if the new Governor will support moving forward with this bill. MALEHA should move forward with determining if LHDs even want a statewide code, and determine next steps with the new administration and elected officials. Do LHDs want a statewide code moving forward? If so, what should it look like?

There were some conversations about reconvening next week. However, sentiment is to adjourn after this week and meet again in New Year with new administration. Names of appointed department heads have not been shared at this point, but will likely be shared next week.

Matt Bolang asked for additional information regarding the failure of SB 5752 to move forward. Meghan explained that the Michigan Environmental Council (MEC) opposed SB 5752. However, only opposition that was allowed to speak was the Michigan League of Conservation Voters. MI Environmental Council felt that the bill did not go far enough requiring inspections at regular intervals. Rep. Lower stated that bill didn't move forward because the MEC did not support final iteration of the bill. However, MEC communicated that they never supported any of the drafts as they felt it didn't go far enough.

d. **MEHA**

See attached update from Brian Cecil.

e. **MDEQ**—Dana DeBruyn, Ian Smith, Matt Gamble, and Jeremy Hoeh

Ian Smith—Provided update on PFAS sampling of childcare facilities identified as a non-community Type 2 water supply. Facilities have been sampled recently, with a few refusing sampling. An update on Robinson Elementary site—phase one has been completed, phase two has been completed with an additional 40 sites sampled. Results are expected soon. Macomb County sampling and results have been completed and results recently provided. Additional information will be shared via the listserv.

Steve Crider provided an update on other water sampling occurring in the State—surface water monitoring, fish samples, bio-solids, etc. Tip asked for clarification regarding bio-solid sampling/testing procedures. Steve stated he would follow-up and could report back at the next meeting.

Ken Bowen—had a long term monitoring site that was closed down years ago. It is currently being opened again to test surrounding homes for PFAS. Other LHDs might have similar actions occurring in their jurisdictions.

Matt Gamble—well construction training is complete for the year. 35 LHDs have participated in the trainings in 2018. A survey will be shared with LHDs to determine training needs in 2019. The Michigan Groundwater Conference will be in February in Grand Rapids. Additional information can be found at www.michigangroundwater.com

Jeremy Hoeh—Final thoughts on the Statewide Sanitary Code (HB 5752). With the environmental groups holding back support, the bills were unable to gain traction. Prior to the combining HB 5753 into HB 5752, the Governor's office supported the bills with funding to LHDs and MDEQ. However, after combining into one bill, the Governor's office pulled back support. Rep. Lower is still hoping to move a bill forward under the new administration. It would be beneficial to work together in designing a draft moving forward. In order to gain support from

environmental groups, a more defined routine inspection/trigger process would likely be required.

A Wastewater Accreditation Workgroup will likely be formed in early 2019 to discuss MPRs and any potential edits/changes to requirements. A request for participation of LHDs will be made through Kristen.

MDEQ is currently working on developing pool training for LHDs. Currently two are scheduled:

- Thursday, February 28, 2019 at Livingston County
- Friday, March 1, 2019 at Kent County

The annual Wastewater Conference will be held Jan. 8-10, 2019 at Kellogg Center in Lansing.

Dana DeBruyn—Currently there is no word on potential appointments by the incoming Governor. HB 4205, which prohibits state agencies from making more stringent requirements than federal requirements—the Governor's office is supporting bill, and MDEQ doesn't have any updates at this time.

Regina Young asked for clarification regarding pools and failing infrastructure. Jeremy stated if LHDs feel an issue is not getting addressed via normal inspection process, to contact MDEQ and they can help determine how to address issue(s) (such as utilizing local building/electrical inspectors).

Vern Johnson—Michigan Senator in Vern's area stated that HB 5752 was dead on arrival in the Senate. Vern stated this suggested that the lack of support demonstrates that the final bill was not well thought out/organized. The process of developing this bill is what killed the bill and created a final product that would not be supported. Moving forward, a process of collaboration that includes LHDs will be necessary to develop a final draft that could potentially be supported.

Dana DeBruyn—Asked for clarification on how this process could potentially move forward. Would MALEHA work to create points/draft and then bring to MDEQ to meet and discuss?

Kristen & Vern—Process would depend on the ask—is DEQ looking for a draft legislation from MALEHA, commentary on existing bill, or collaborative meetings to create draft?

Regina Young—After attending hearings and hearing various testimonies, it is important to remember this is a political process. As such, detractors are often marginalized and opinions are not heard. Perhaps moving forward, it would be beneficial to work with some of the agencies who were offered a chance to speak, such as the MEC and the Michigan League of Conservation Voters, to better allow MALEHA to have a voice in the process.

Matt Bolang—A survey will be created and sent to MALEHA to begin to gather some discussion points. This would allow for a more structured conversation at the January MALEHA meeting as to next steps.

f. **MDARD**—Sean Dunleavy

Sean Dunleavy—Food Law update meeting occurred December 14, 2018. Current draft was reviewed and items with more discussion were going to be assigned to smaller workgroups to discuss.

Marijuana FAQs—have been updated, and emergency rules have been adopted as rules.

FD312 FDA Specialized Processing Training had multiple LHD staff attending.

Fair wrap up will be occurring soon. Initial thoughts—2018 went smoothly, and communication was the key.

Tribal Entities--MDARD is meeting internally in January to discuss and a workgroup with LHDs will meet in early 2019 to determine next steps.

MPR Workgroup—meeting is set for Friday, January 11, 2019. MDARD notes on MPR will be shared with the workgroup in next week for review prior to discussion.

Sean will share recent recall on raw pet food via the listserv.

MDARD is currently working on evaluating and reworking the food license process. A brief presentation will occur in January, and MALEHA members can volunteer to participate in process.

Funding—funding process is being reviewed and findings will be shared with Kristen for discussion with MALEHA.

Matt Bolang—Requested clarification on licensing predominance and dual licensure. Sean stated this will be discussed at Food Law Workgroup. As more facilities implement specialized processes and wholesale items, additional inspection on these processes may be warranted. This could be partner inspections with MDARD or potentially require two licenses (food service and specialized processing). This issue also arises for some farm to fork processes (e.g. restaurant wanting to utilize eggs from own farm). Sean suggests MALEHA discuss and come to the Food Law Workgroup with one voice on issue.

g. **MDHHS**—Orlando Todd, Laura de la Rambelje, and Steve Crider

Laura de la Rambelje--Hepatitis A update: 909 cases in Michigan. Working on supplemental funding, \$1.1 million of funding has been approved. Funding will be driven by where outbreaks are occurring. A request has been submitted in the supplemental for \$7.1million. Hope to hear soon if this is approved.

Orlando Todd—Approximately \$1million in PFAS funding from 2018 was rolled over into 2019 budget, so current funding in 2019 is approx. \$4million. There has been some questions from legislatures regarding MDARD providing funding for LHD response—details on how funds are utilized were provided to help answer questions.

Steve Crider—See website for additional information that has been updated regarding bio-solids.

Regina Young—Is there any additional information regarding lead copper rule and additional staffing at MDHHS? Steve stated that this is in process currently. Current protocols are being reviewed for approval, once that is received he will be able to share additional information on how the positions will be utilized.

7. **Committee Reports--tabled**

a. Food

New task assigned: Food Committee to Review

b. Drinking Water

Irrigation and chemigation valves—MDEQ will be releasing a memo and creating a workgroup to gather concerns/input.

Parjanna—concerns on permits issued, these were forwarded to Rick Ruesz, MDEQ, for review.

c. On-site & Land-use

Survey will be coming via listserv regarding statewide sanitary code.

d. Legislative

Chair is needed. Let Kristen know if interested.

- e. Technology & Training
- f. PFAS

Two webinars this week, but they overlapped and were not well publicized.
Recommendation for departments to work together to communicate meeting times and prevent overlap of meetings.

- g. Vapor Intrusion Ad-hoc

8. MALEHA Member Reports (Non-MALEHA Committees) –tabled

- a. Medical Waste Pilot Program
- b. Local Inspection at Fairs
Meeting will likely occur in early 2019, for the 2019 season.
- c. DEQ Septic Code Workgroup

9. Old Business

- a. Statewide Sewage Code—survey to MALEHA membership to follow
- b. Mark Miller—Local Public Health Inventory Infosheet Project

10. New Business

- a. Larry Horvath, LARA

Provided a brief overview of the Bureau of Community Health Systems (BCHS) and programs covered (licensed facilities, childcare, medical marijuana, possibly recreational marijuana). As many programs overlap with Environmental Health and LHDs, MALEHA may make a request to LARA to attend monthly meetings to provide updates and discuss issues that overlap organizations. MALEHA will make this request to be considered and approved by the new department director is appointed.

Motion by Regina Young, support by Matt Bolang:

MALEHA President would author a letter to the Director of LARA requesting that a liaison position be created to work with local public health to improve coordination and collaboration of services for the betterment of the residents of Michigan.

Discussion: Recommended that Larry Horvath be cc'd and wait until name of new Director is available.

Motion Carried.

In the interim, Larry said he can act as the point of contact for any concerns or issues of LHDs.

- Larry Horvath, Bureau Director
horvathl@michigan.gov
(517) 643-5165

Review of the website of the BCHS and mapping available: www.michigan.gov/bchs

11. Items from Board

- a. Board meeting is scheduled in January, topics on agenda include:
 - Electronic Voting

- Meeting Location—MPHI fee increase
 - Discuss potential ByLaw Updates
- b. MGWA Director's Well Advisory Committee—Matt Bolang
- Matt provided an update of the issues discussed at most recent meeting. Items discussed included ants in wells, flowing/pressurized wells, and other well construction issues.

12. Items from Members

- a. Scott Withington—Provided additional information on the restaurant grading system bill and potential support from area elected officials.
- b. Steve Demick—March meeting conflicts with MEHA AEC in 2019. It is suggested that meeting is moved, or teleconference is available and held at usual time.
- c. Regina Young—Requested the Board look at revising the ByLaws to allow for emergency convening of MALEHA if emergent issues arise—perhaps calling a teleconference to discuss issues? Also, the Michigan Nature Association may have a room available for meeting at no charge. It is a location to consider if MALEHA moves away from MPHI.
- d. Chuck Lichon—Announced retirement Mid-January.

13. Future Agenda/Items

- a. January 2019: Bio-Solid Sampling Protocol—MDEQ or Jordan Bailey, MDHHS
- b. January 2019: Food License Process Workgroup--MDARD
- c. Matt Blakely—presentation on FAQs if medical marijuana passes
- d. Lead Assessments and Water Testing—Healthy Homes
- e. Accreditation Quality Improvement Initiative presentation

Motion by Matt Bolang, support by Tip MacGuire to adjourn. Motion carried.

Meeting adjourned at 11:50am

Submitted by:

Adeline Hambley 12/20/18

Approved x-xx-2018

_____, MALEHA Secretary



Michigan Association of Local Environmental Health Administrators MALEHA

Representing Local Environmental Public Health Departments in Michigan

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(989) 758-3684

Forum Report December 2018

2018 saw an increased focus in Environmental Health in Michigan. PFAS testing of municipal and non-community schools and day care centers, the continued spread of black legged ticks, ongoing harmful algal blooms, an increase in Legionella cases statewide, an ongoing Hepatitis A outbreak, continued vapor intrusion investigations, the passage of a recreational marijuana ballot initiative, beginning to update the food law and food code, and legislation that would have created a statewide sewage code.

As we move into 2019, I want to encourage our organization to take a look at all that transpired in 2018 and help shape 2019. Here are my top three areas of focus for 2019:

1. Statewide Sewage Code: While this topic is fresh in our minds, I'd like our organization to fully consider what items we could support from the previous legislation. Do we recommend having some minimums for education for staff? What about having periodic inspections of systems? What triggers would you recommend? What types of code-specific minimums would be acceptable? The concept of a statewide code has come up periodically over the past few decades, and will likely continue until it is achieved. I advocate for meeting with DEQ to discuss what those code items might be. The work we do now will serve us well for the future.

2. Develop working relationships: With all of the varied topics we face on a weekly or even daily basis, we need to continue to develop our professional relationships both within our organization, with our peers at other organizations, with our state counterparts and with those in all facets of environmental health – non-profit, advocacy, and elected officials to name a few. Strong partnerships and working relationships can help us answer the difficult questions and advocate for the best response.

3. Invest in our future: Environmental health is making headlines on a daily basis in our state. We need to help cultivate the leaders of tomorrow to help carry on all of the important work going on now. This leadership can be mentoring internal staff, encouraging students to shadow your staff and taking on interns. Even if these individuals don't end up in environmental health, they will take with them the experience you provided. They may go on to environmental health or other positions, but you will have gained an advocate in the process.

There are so many more big topics our profession is going to face in 2019 and beyond. I'm honored to work with such an outstanding group of individuals for a collective dedication to environmental health. Thank you for the work you do.

Respectfully Submitted,
Kristen Schweighoefer, 12-19-18

Adeline Hambley

From: Kristen Schweighoefer <schweighoeferk@washtenaw.org>
Sent: Thursday, December 20, 2018 9:42 AM
To: Adeline Hambley
Subject: Fwd: MEHA update for MALEHA
Attachments: image001.png; image002.png; image003.png

Kristen Schweighoefer
Environmental Health Director
Washtenaw County Health Department

Begin forwarded message:

From: "Brian T. Cecil" <btcconsulting@hotmail.com<mailto:btcconsulting@hotmail.com>>
Date: December 18, 2018 at 10:15:08 AM EST
To: Kristen Schweighoefer <schweighoeferk@washtenaw.org<mailto:schweighoeferk@washtenaw.org>>
Subject: Re: MEHA update for MALEHA

Kristen:

As of last Friday we have a full slate of candidates for the open offices in 2019, The AEC committee is actively filling slots of topics but are still open to suggested topics and speakers for the conference. The logo committee is putting together clothing offerings to promote the association and its new logo, stay tuned for further developments. Committee members are also assembling a resource page for the website to add links to popular and useful PH & EH sites, if your committee has other suggested resource sites they would like to see links to on our site send them to Mike Wesenburg @: mpwesenberg@meha.net<mailto:mpwesenberg@meha.net>

Refer them to the website for upcoming conferences and events that we partner with; Wastewater Conference in January and UPEHA Conference in February. Thank you...

Respectfully:

Brian T. Cecil, Food Safety Consultant
www.cecilconsulting.com<http://www.cecilconsulting.com>
517-206-0644

From: Kristen Schweighoefer <schweighoeferk@washtenaw.org<mailto:schweighoeferk@washtenaw.org>>
Sent: Tuesday, December 18, 2018 9:27 AM
To: Brian Cecil (btcconsulting@hotmail.com<mailto:btcconsulting@hotmail.com>)
Subject: MEHA update for MALEHA

Hi Brian,