

MALEHA Environmental Health Forum
Michigan Nature Center, Okemos, MI
October 17, 2019 9:30 AM

Board of Directors: (TC = teleconference)

Matt Bolang, Livingston, President	Ken Bowen, Ionia, Director
Chris Westover, Monroe, Treasurer	Kevin Green Calhoun, Director TC
Liz Braddock, Mid Michigan, Secretary	Steve Stoddard, Lapeer Director
Kristen Schweighoefer Washtenaw, Past President	Dan Thorell, Grand Traverse, Director TC

Members:

Jay VanStee, Barry-Eaton TC	Don Hayduk, Jackson TC	Steve Demick, St. Clair
Joel Kwiatkowski, Bay TC	Sara Simmonds, Kent	Tip MacGuire, Tuscola
Paul Andriacchi, Br.-Hills-St. Joe TC	Cindy Merritt, Lenawee TC	Maureen Franklin, Wayne TC
George Friday, Cass-Van Buren TC	Patrick Jacuzzo, Marquette TC	Pam Koczman, U of M TC
Suzanne Lieurance, Chippewa TC	Michael Eslick, Muskegon	Scott Smith, D4 TC
Scott Withington, Detroit	Laura Riddell, Oakland TC	
Tip MacGuire, Huron	Chris Klawuhn, Saginaw	

Guests:

Sean Dunleavy, MDARD	Ian Smith, EGLE	Dianne Barnes, LARA/BCC
Tim Slawinski, MDARD	Matt Gamble, EGLE	Andrea Keatley, MDHHS
Kevin Besey, MDARD	Laura Remus, LARA	

1. **Call to Order:** Meeting called to order by Matt Bolang at 9:30 am
2. **Approval of Agenda:** Motion to approve agenda with the addition of Manufactured Mobile Homes to the agenda by Chris Klawuhn, support by Chris Westover. Motion carried.
3. **Approval September 19, 2019, Minutes:** No motion. Tabled until November meeting, to give members an opportunity to review and for an updated attendance to be included.
4. **Officer & Affiliate Reports**
 - a. **President's Report**
 - Written report provided via listserv
 - Members to review Committee Lists
 - Co-Chair is needed for the Food Committee
 - Board Meeting highlights includes discussing the need to re-engage with the Non Community Staff at EGLE to continue previous meetings, work on future proposed Statewide Sanitary Code and Pool Rule.
 - b. **Treasurer's Report**

Motion by Chris Klawuhn, support by Kristen Schweighoefer to approve the October Treasurer's Report. Motion carried.

c. MALPH

No report

d. MEHA

Report distributed via list serve.

5. State Department Reports

a. EGLE

Ian Smith – Oct 1 MCL Draft Rules went to the Environmental Rules Committee for review. There are public listening sessions to follow as well as Public Comment opening soon. Sampling initiative for Non Community Supplies moving along. Discussion is ongoing if additional quarterly sampling. Will continue and who will be sampled now that budget in place. Emerging Contaminants Unit supervised by Ian will branch out to more than PFAS. Micro plastics and Legionella being considered for the unit work and Ian will reach out to this group with more information.

Matt Gamble

IT Modernization/Upgrade Project: The vendor KL&A has been selected for the IT Modernization Project. We continue to prepare for transition to federal data systems and Compliance Monitoring Data Portal. SDWIS Prime still delayed at federal level – so we are working with the Department of Management, Technology, and Budget to prepare for deployment of SDWIS State version 3.4, being developed by the United States Environmental Protection Agency (USEPA) to bridge the gap until SDWIS Prime becomes available.

DWEHD recently hosted an onsite meeting with Global Environmental Consulting. The purpose of their visit was to facilitate a Strengths/Weaknesses/Opportunities/Threats (SWOT) analysis of options for noncommunity data management, including SDWIS State, enhancements to Water Track, or a Hybrid option. This was an intensive few days. A report will be available soon to be used in the very important next step of making a decision on next steps.

EGLE Budget and FTEs:

EGLE's \$599.6 million FY 2020 budget represents a 19.6% funding increase that is primarily focused on protecting Michigan's drinking water.

The 2020 budget also provides EGLE with additional FTEs.

Specific to DWEHD, we are identifying and prioritizing new positions to serve in public water and environmental health programs and to support our IT programs and overall administration functions (including electronic records management and FOIA)

More than half of EGLE's budget is allocated for investments in Michigan communities via grants, loans, and contracts addressing environmental and infrastructure needs.

Part of that funding for communities includes an additional \$105 million for drinking water initiatives, including the following categories:

- Lead and Copper Rule Implementation - \$37.5 million
- PFAS and Emerging Contaminants - \$25 million
- Drinking Water Revolving Fund Loan Forgiveness - \$35 million
- Affordability and Planning - \$7.5 million

Source Water Conference – October 29 and 30 in Mt. Pleasant. This is a reboot of a biannual conference held in the past. It is aimed at water system operators and regulators who are interested in source water protection and resources available to help them understand their water source better.

LHD grants/contracts-Our administration staff is still waiting on financial coding for FY 20 and therefore the contracts are not ready to email out to LHDS. An announcement will be sent on the list serve when these have all been completed. The target date is now moved to the end of the month.

Noncommunity Program contract language-EGLE is proposing the following be appended to the end of the existing paragraph on treatment surveillance, Part C. Requirements – Grantee, item number 9:

In rare instances, if current staff resources suitably trained to conduct surveillance visits are unavailable, the Grantee may make a written request by June 30 to reduce temporarily the number of surveillance visits to be conducted (described in more detail in the Staff Reference Manual).

RTCR supplemental funding-The \$200,000 supplemental to support the ongoing efforts of LHDs to adjust to the added burden of the Revised Total Coliform Rule is again being included in the FY20 contract allocation. The amount allocated across all noncommunity supplies is \$21.60 per active supply. No specific reporting on usage of this funding is required.

LCR DDMI-The 2018 upgrade of the MI SDWA's Lead and Copper Rule, requires each community and nontransient noncommunity water supply to submit a preliminary distribution system materials inventory (DDMI), as well as a verified sample siting plan (SSP), to the department by January 1, 2020. EGLE has prepared a direct mailing to owners and operators containing two simple forms for them to complete, sign and remit to EGLE. One form asks them to find out, to the best of their ability, the material of the service line between well(s) and storage tank(s). Guidance for how to determine this, through assistance of a well driller, performance of a scratch test, or from other documentation, is included. The second form displays a customized sample siting plan (SSP) for the water supply from data records in WaterTrack. The request being made on the form is to verify the number of sampling locations, that each location is uniquely identified, and that building plumbing where there is the highest risk of lead leaching is represented among the sampling locations, to the best of their knowledge. Doing this much will meet the January 2020 requirements. More detailed assessment and reporting of materials in the distribution system will continue over the next five years in preparation for the complete DDMI due January 2025.

b. MDARD

Kevin Besey - Communicating with some farmers regarding PFAS Bio solid testing and also feed and crop testing in specific counties.

Sean Dunleavy – Principle of Collaboration meeting scheduled for after the December MALPH meeting. October 28th Meeting LARA & MRA to discuss Marijuana

The Marijuana Regulatory Agency (MRA) is facilitating a stakeholder workgroup to discuss and provide suggestions on the following regulatory topics: temporary events, designated consumption establishments, and other special licenses. The work group will take place following the MRA's public meeting in Traverse City, Michigan on October 28, 2019 from 1:00 -3:00 p.m. Vern Johnson will represent MALEHA.

Marijuana Events are occurring through the State where food is also being sold. For example recent Indoor Marijuana Expo events in Detroit where City of Detroit issued temp food permits at an event where Marijuana was a display product at the expo. Concern with smoke and contact exposure when inspectors have to be at these events. MDARD refer LHD to review the handout (attached) regarding Marijuana and Industrial Hemp

MDARD Software Meeting has taken place with MALEHA representation and a 2nd meeting is to follow.

Action Level Exceedance for Lead in Drinking Water. Request that LHD work with MDARD regional supervisors to get the same messaging out to the food establishments. Expectation is that the facility follow recommendations since not enforceable.

Tim Slawinski – Continue to meet with the Marijuana Regulatory Agency with proposed Adult Marijuana Rules being released November/December. Discussion continues on allowing food at consumption sites, allowing marijuana at food licensing sites and consumption sites being dual licensed. Many questions regarding inspection of consumption sites. Food Law does not prevent a food license from being issued at a consumption site so there is concern on LHD inspectors having to potentially inspect facilities that allow marijuana consumption. Concern if consumption sites are bring your own product that may include unknown additives in addition to marijuana.

MDARD is aware that Rep Lauer is looking at proposing language change to the Industrial Hemp Law since the Law and its intent are different. More activity around this in the future.

c. MDHHS

Laura de La Rambelje provided the following via email.

EEE: Hotwash and further plans for future responses will be coming.

ELPHS LCSA Update: Situation for the \$10M from Local Community Stabilization Agency looks positive.

ELPHS MDHHS Budget Update: MDHHS did receive an additional \$6M in its FY 20 Budget for Essential Public Health Services, and the budget language does authorize the new funding formula. MDHHS will provide an update when it is available, and also the individual LHD allocations.

Andrea Keatley for Safe Siting Grant. The Safe Places Program will work to develop tools for applicants/ owners of early childhood facilities to be aware of environmental health concerns that could impact proposed locations. Ideas include a website with an educational PowerPoint, brochure and a voluntary questionnaire that all new applicants can complete.

Request our support and collaboration as MDHHS apply by December 15 for a new 3 year grant cycle. Motion by Steve Stoddard to Draft a letter of support for the Safe Siting Grant application for the next cycle, support by Scott Withington. Motion Carried

d. LARA

Laura Remus- end of year billing can be discussed with Lorrie Smith if there are any issues

Dianne Barnes Bureau of Construction Code provided three (3) handouts regarding Manufactured Housing Communities included State Agency Responsibilities, Executive Order 2016, The Mobile Home Commission Act (1987). Mobile Home Communities (MHC) are licensed on a 3 year renewal. Inspections are conducted yearly and a copy is sent to the MHC owner. Request was made to Ms. Barnes that copies of inspections be sent to LHD's also. The Bureau of Construction Code is limited by their scope of inspection, and all complaints relating to water or sewage are referred to EGLE. If a MMC no longer has a license (did not renew) it is no longer under the authority of the Mobile Home Commission Act and the case is referred to the local prosecutor. Letter is sent to the MHC owner and copied to the Prosecutor's office. Request was made that the LHD be copied on these letters also. The AG handles licensing removal cases and this can lead to a MHC residents becoming homeless. In the past there has been an unsuccessful attempt to open up the rules. A structure at a MHC needs to meet the HUD definition that a mobile home is on a chassis so shipping containers used as homes or the "tiny home" concept do not cross in to the Mobile Home Rules.

Committee Reports

a. Food: No update

b. Drinking Water

Meeting with EGLE scheduled in the afternoon Private & Type III MPR discussion

c. On-site & Land-use: No update

d. Legislative:

HB5104/5105 tie bar to SB 589/590 Installation of Water Filtration Systems/ Filter water bottle filling stations in Schools and Daycares with EGLE being the responsible regulator.

HB 4496 Construction inspections for school buildings

e. Technology & Training

Powerpoints from Roscommon will be uploaded and made available for review. The committee will be expanded to concentrate on the technology side. Goal is to survey members and get an idea of who uses what software for mapping/GIS, permitting and Inspections and scanning.

f. PFAS ad-hoc: No update

g. Lead/Copper: No update

6. External Workgroups with MALEHA Representation

a. MiClear

Christ Westover attended an October 4th meeting included a site visit to the River Raisin Watershed to look at constructed wetlands

b. Marihuana Joint Workgroup: No update

c. MALEHA/MALPH Onsite Code

d. Legionella: No update

e. HAB: Year-end meeting being scheduled

f. Vapor Intrusion: group hasn't meet, need to reach out to Sue Manente or Deb MacKenzie-Taylor see who will be heading this up for MDHHS

7. Old Business None

8. New Business

Meeting Rotation Location: Propose that a meeting per quarter be held in the Northern Region likely Harrison to give the Northern members an opportunity to meet in person. Southern members and State could call in. Both EGLE and LARA felt that they would be able to send a representative. President is working on securing a date but is looking at December meeting. Motion to rotate a forum meeting to a Northern location made by Sarah Simmonds and supported by Ken Bowen

9. Items from Board

At the MI Premier PH Conference, Ken Bowen spoke to the Michigan Environmental Council who are pushing to make Lead Environmental Inspections a parts of Essential Local Public Health Services, Ken will reach to the organization for more information

10. Items from Members

11. Future Agenda/Items

a. FOIA Training - Jennifer Bernstein, Network for Public Health Law (Nov).

b. EGLE lab updates - Kirby Shane & Marlene Kane (Nov)

Motion by, Chris Westover, support by Steve Stoddard to adjourn. Motion carried.

Meeting adjourned at 11:28 am

Submitted by:

Liz Braddock 10/22/19

Approved 11-21--2019

Liz Braddock, MALEHA Secretary