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TO: Michigan Local Health Department Health Officers and
Environmental Health Directors

FROM: Eric J. Oswald, Director
Drinking Water and Environmental Health Division

DATE: March 24, 2020

SUBJECT: Guidance for Staffing in the Noncommunity Water Supply Program During
the COVID-19 Response and Suspended Field Operations

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Environmental Health Division (DWEHD), Environmental Health Section, recognizes the increase in demands on local public health as a result of the COVID-19 response.

Local health departments (LHD) have requested guidance to assist in prioritization and decision-making when implementing the Noncommunity Water Supply (NCWS) Program. Some of the barriers identified to implementing the Program under current circumstances include: LHD staff being directed to suspend travel, inspections, and meetings; LHD being utilized for COVID-19 response activities; the NCWS temporarily closed; and local drinking water labs and couriers also closing or limiting services.

The following guidance from EGLE regarding the NCWS Program during this time of COVID-19 response and social distancing is based on the most recent information as of the date of this memorandum. Future guidance will supersede any conflicts with what is written in this document.

Local public health staff shall be available to:

Follow-up on acute contaminants – Of primary importance is the review of incoming sample results for coliform positives and nitrate, nitrite, and combined nitrate/nitrite over the maximum contaminant level (MCL). Ensuring collection of required repeat samples after an initial coliform positive within 24 hours of being informed of the positive is also a high priority.

Level 2 Assessments, a requirement of an *E.coli* MCL and other triggers, must be completed by the LHD. If the LHD Environmental Health Director decides that a virtual assessment with video shall be performed to limit contact with the public, this should be properly documented to the file.

Level 1 assessments can be performed by the supply and submitted within 30 days of the trigger.

Routine coliform monitoring that is due by March 31 (systems on monthly or quarterly monitoring) – All supplies on quarterly or monthly frequency for coliform bacteria, including supplies that are completely closed under the Governor’s Executive Order, should be reminded to sample since they were open this quarter and month. Monitoring violations shall be issued if there is a failure to complete assigned sampling by the end of March.

For many situations, an effective reminder call or other method of contact from the LHD to the supply is more efficient than the follow up required for monitoring and reporting violations.

The Rules allow a transient supply on quarterly or annual monitoring to collect make-up coliform sample(s) in the ensuing monitoring period in addition to the sample(s) due for that period. *This does not excuse the monitoring violation*; rather, in determining future change to the monitoring frequency, the LHD can take the successful completion of make-up sampling into consideration.

There *may* be an option for closed NCWSs to choose to stop ongoing routine monitoring with the responsibility to later perform and certify start-up procedures and sampling before opening again.

Failure to monitor for any of the acute contaminants – The LHD response to the supply with notification of violation and requirement for public notice is important.

Follow-up on high-risk construction and operation deficiencies – Where a high-risk deficiency was determined during a sanitary survey, or a Level 1 or Level 2 Assessment, timely follow-up on corrections remains a priority. Confirmation of corrections may be accomplished through submittal of images and/or a signed certification from the owner, in some cases.

Permitting of replacement wells – Well permitting in cases where a replacement well is needed to ensure an adequate supply of potable water for drinking and handwashing should remain a priority. Final inspection and water sample collection is expected.

Seasonal start-up procedure tracking – Seasonal systems are among our most vulnerable to contamination and, in the case of children’s camps, can serve a vulnerable population. Reminding about, reviewing, and tracking certified start-up procedures, including collection of start-up coliform samples, should remain a priority.

What regulatory actions could be altered or temporarily deprioritized:

Sanitary surveys coming due – There is a five-year time limit between surveys. For those due for a survey during this unprecedented circumstance, EGLE suggests a telephone interview with the owner/operator using the enclosed form, “Sanitary Survey

Office Review Form for Temporary Use During Suspended Field Operations”. To finalize the survey, the onsite inspection visit would be completed and documented into the data system within six months after the initial interview.

Treatment surveillance visits – Although it is intended to be used in rare instances and requires special written appeal by the Environmental Health Director to EGLE, a provision to temporarily reduce the number of visits was added to the environmental health contract this year. An LHD can appeal to temporarily reduce the number of treatment surveillance visits if there are not currently enough trained staff to perform them. Surveillance of treatment for surface water and groundwater where there is a chemical feed remains a high priority.

Resources:

The Staff Reference Manual NCWS Program 2019 contains many helpful resources, templates, and answers to many common questions about the rules and implementation. It also includes a resources to help LHD managers insure basic public health protection during periods of staff transition. This document can also be a guide during this time.

EGLE continues to be in contact with the United States Environmental Protection Agency Region 5 and other Region 5 states to share best practices during this time. Please keep in mind that the minimum program requirements in the NCWS Program are drawn directly from the requirements of the Federal and the Michigan Safe Drinking Water Act (1976 PA 399, as amended) or are critical to effective implementation and reporting. These activities are essential to ensure drinking water quality and protect public health.

If you have questions, please contact Dana DeBruyn, Manager, Environmental Health Section, DWEHD, EGLE at 517-930-6463; DeBruynD@Michigan.gov; or EGLE, DWEHD, P.O. Box 30817, Lansing, Michigan 48909-8311.