



Minutes

**YPSILANTI COMMUNITY UTILITIES AUTHORITY
WATER SYSTEM ADVISORY COMMITTEE MEETING
Monday, June 24, 2019 – 3:00 p.m.
YCUA Administration Building
2777 State Road
Ypsilanti, MI 48198-9112**

Members Present: Anthony Morgan, Jeff Castro, Kristina Scarcelli, Mike Shaffer, Jerry Evans, Sean Knapp, Scott D. Westover, and Eric Sizemore.

Members Absent: None.

1. **CALL TO ORDER:** Mr. Castro called the meeting to order at 3:06 p.m.
2. **INTRODUCTION:** The council members introduced themselves: Ypsilanti City Council Member (Ward 3) Anthony Morgan and YCUA employees Jeff Castro, Kristina Scarcelli, Mike Shaffer, Jerry Evans, Sean Knapp, Scott D. Westover, and Eric Sizemore.

A. Purpose of the WSAC – Jeff Castro

Mr. Castro advised that YCUA has established the Water System Advisory Council (WSAC) for the purpose of educating and advising its community about lead in drinking water and other sources of lead exposure. He indicated that the WSAC will review public awareness campaign material provided by the statewide drinking water advisory council and will meet twice per year.

Mr. Morgan inquired as to whether any special meetings of the committee will be scheduled. Mr. Castro responded affirmatively, in the event that any lead and copper samples exceed limits or if a homeowner refuses the replacement of a lead service line.

Informational only; no motion from the council required.

B. EGLE Advisory Council Requirements – Jeff Castro

Mr. Castro advised that each water supply that serves a population of 50,000 or more, and each consecutive water system that serves a

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population of 50,000 or more, shall create a water system advisory council. He indicated that councils shall operate as follows:

1. A council shall consist of at least 5 members, appointed by the community supply. To be eligible for appointment to the council, an individual shall have a demonstrated interest in or knowledge about lead in drinking water and its effects. At least one member must be a local resident who does not formally represent the interests of any incorporated organization.
2. The members first appointed to a council shall be appointed within 180 days after the effective date of this rule.
3. The business that the council may perform shall be conducted at a public meeting of the council and held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.
4. The first meeting of a council shall be called by the water supply. At the first meeting, the council shall elect from its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the council shall meet at least annually.
4. A writing prepared, owned, used, in the possession of, or retained by the council in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.
5. The council shall do the following:
 - a. Develop plans for continuing public awareness about lead in drinking water, even when the action level is not exceeded.
 - b. Review public awareness campaign materials provided by the statewide drinking water advisory council to ensure the needs and interests of the community, considering the economic and cultural diversity of its residents, are addressed.
 - c. Advise and consult with the water supply on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded.
 - d. Advise and consult with the water supply on efforts to replace private lead service lines at locations where the owner declined service line replacement.

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- e. Assist in promoting transparency of all data and documents related to lead in drinking water within the water supply service area.
 - f. Collaborate with local community groups to ensure that residents have the opportunity to be involved in efforts to educate the community about lead in drinking water.
6. A water system advisory council may independently seek advice, direction, and assistance from the department or the statewide advisory council.

Mr. Morgan inquired as to whether YCUA's WSAC is required to report to the statewide advisory council. Mr. Castro responded that there is no requirement; that the state advisory council is only there to advise and assist. He cited as an example that the state advisory council can be called upon in the event that any lead and copper samples exceed limits or if a homeowner refuses the replacement of a lead service line.

Informational only; no motion from the council required.

C. New Rule Summary – Jeff Castro

Mr. Castro review the summary (not comprehensive list) of recent lead and copper regulatory changes in Michigan. He indicated that lead and copper requirements are complex, and additional information and training is being developed to help water supplies comply with the new requirements.

1. Lead Action Level - The lead action level of 15 parts per billion (ppb) remains in effect through December 31, 2024. The new lead action level of 12 ppb will take effect January 1, 2025. Lead and copper 90th percentiles are now calculated using highest lead and highest copper results from each site.
2. Lead and Copper Tap Sampling - Lead and copper tap sampling pools must be reviewed, updated as necessary, and submitted to the EGLE (formerly MDEQ) by January 1, 2020. Tier 1 and Tier 2 sample site criteria no longer include sites with copper pipes soldered with lead and installed after 1982. Tier 3 criteria have been modified to include sites with copper pipes soldered with lead and installed before July 1988. Systematic flushing of a sampling site and/or aerator removal or cleaning is prohibited immediately before compliance sampling is conducted. A second sample, in addition to the first draw, will be required at sites served by a lead service line (details and instructions will be provided once developed). The highest lead result and the highest copper result

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will be used to calculate the 90th percentile. A supply with optimal corrosion control treatment (OCCT) cannot reduce to three year lead and copper tap monitoring unless it meets water quality parameter ranges and either of the following apply:

- a. The water supply has no lead service lines OR
- b. The water supply has three annual rounds of sampling with 90th percentiles less than or equal to 5 ppb for lead and 650 ppb for copper.

3. Distribution System Materials Inventory (DSMI) - To ensure distribution system components and service lines are properly identified and effectively inventoried, the following requirements apply:

- a. A preliminary DSMI, based on available information, must be submitted to the EGLE by January 1, 2020.
- b. A final DSMI must be submitted to the EGLE by January 1, 2025, with a comprehensive updated inventory due every five years thereafter.
- c. Supplies with lead service lines must report to the EGLE annually on the status of lead service line replacement efforts.
- d. Supplies must notify residents served by lead service lines within 30 days of determining the service line content.

4. Lead Service Line Replacement - The Lead and Copper Rule previously required replacement of lead service lines at a rate of 7 percent per year, only when a water supply continued to exceed the lead action level after installing corrosion control treatment. While this requirement remains in effect, lead service line replacement requirements have been expanded to include the following:

- a. Partial lead service line replacement is no longer allowed except in the case of an emergency repair.
- b. Water supplies with lead service lines, regardless of lead action level values, must replace all lead service lines at an average rate of 5 percent per year, not to exceed 20 years, or in accordance with an alternate schedule incorporated into an asset management plan and approved by the EGLE.
- c. The full lead service line must be replaced at water supply expense, regardless of ownership.

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- d. A new service line definition was added, and the lead service line definition was updated.
5. Water Quality Parameter (WQP) Sampling - WQP sampling is required for all supplies with OCCT, including small and medium supplies, and all supplies exceeding an action level. WQPs have been expanded to include chloride and sulfate. WQP monitoring can no longer be reduced to 3-year monitoring. Rules have been clarified to require establishment of WQP ranges in the distribution system.
6. Continuity of Sources and Treatment - Clarification that supplies purchasing water from a supply with OCCT must also maintain OCCT. Clarification that the EGLE may require new or updated corrosion control studies when a supply changes source or treatment, or at any other time as appropriate.
7. Enhanced Transparency - The consumer notice of results (the results information provided to residents of sampled sites) must now include copper. Additional content and delivery requirements for lead public education following a lead action level exceedance have been added. Additional Consumer Confidence Report content for lead and copper reporting and lead service line reporting have been added. A statewide advisory council will be created to assist with development of public awareness campaign materials. Supplies serving 50,000 people or more must establish a community advisory council to assist with development of public awareness campaign materials.

Mr. Morgan inquired as to whether these public awareness materials are currently available online. Mr. Castro responded that they will be developed and published going forward. He indicated that one of the challenges that needs to be worked through is that some members of the community do not wish to have it made public that they have a lead service line, however, because it is part of the new rule, this will be required.

Informational only; no motion from the council required.

D. Slide Presentation – YCUA Lead & Copper Informational Webpage – Jeff Castro

Mr. Castro reviewed a PowerPoint informational piece prepared by YCUA's consulting engineers OHM Advisors:

1. Why do we care about lead?

2. Lead and Copper Rule Timeline (1986 – 2016)
3. Lead and Copper Rule Update Timeline (2017 – 2018)
4. Major Updates (2018 – 2019)
5. New Definitions
 - a. Service Line - The pipe from the discharge of the corporation fitting to customer site piping or to the building plumbing at the first shut-off valve inside the building, or 18 inches inside the building, whichever is shorter.
 - b. Lead Service Line - Either a service line which is made of lead or any lead pigtail, lead gooseneck, or other lead fitting that is connected to the service line, or both.

Replacement requirement includes publicly and privately owned portions of the lead service line.
6. Example Lead Service Lines
7. Partial Replacements Banned – Emergencies, Test and Notify
8. Legal Considerations - Request for Declaratory Ruling (August 2018), MDEQ has exceeded its authority submitted by GLWA, DWSD, OCWRC and 49 communities across state submitted statements of concurrence. MDEQ Denial of Request (October 2019). Next – Declaratory Judgement.
9. Additional Site Sampling Requirements - Prioritized based on known lead service lines. 5th liter sample protocol being updated and further guidance will be provided.

Mr. Castro then directed the council's attention to a demonstration of a lead and copper informational webpage currently under development by Ms. Scarcelli and OHM, using an ArcGIS Online Storymap. He indicated that the page will eventually incorporate a homeowner input system, which will allow YCUA's customers to assist the Authority in identifying and locating lead service lines throughout the area. Mr. Castro explained that the informational portion of this webpage will be online soon and will be a living document that will evolve as more information becomes available.

Mr. Morgan inquired as to whether it is mandatory to publish information on the health risks of lead exposure versus the cost of replacement. Mr. Castro responded that the only requirement at this time is to educate homeowners that it is their prerogative to address any issues that may exist in their plumbing fixtures but that it will be required by the state to assist

in the identification and removal of lead service lines within the next 20 years.

Mr. Morgan inquired as to whether this includes just the City of Ypsilanti and Ypsilanti Township or also the surrounding contract communities. Mr. Castro responded that the contract communities will be under the jurisdiction of their respective municipal government entities.

Informational only; no motion from the council required.

3. NEW BUSINESS

A. Appointment of Chair and Co-Chair – Jeff Castro

Mr. Castro advised that a matter of new business is to elect the WSAC's chair and co-chair.

Motion by Shaffer to elect Jeff Castro as the WSAC chair. Support by Evans. In favor: All. Opposed: None. (Motion carried.)

Motion by Castro to elect Anthony Morgan as the WSAC co-chair. Support by Shaffer. In favor: All. Opposed: None. (Motion carried.)

B. Appointment of Permanent Public Information Coordinator – Jeff Castro

Mr. Castro advised that a permanent public information coordinator for the WSAC must also be elected.

Motion by Castro to elect Kristina Scarcelli as the permanent public information coordinator. Support by Shaffer. In favor: All. Opposed: None. (Motion carried.)

C. Discussion of Objectives – Jeff Castro

Mr. Castro advised that the next meeting of the WSAC will take place sometime in December with a specific date to be determined at a later date. He indicated that, in the meantime, YCUA will be providing information on its website as it becomes available from the statewide advisory council. Mr. Castro explained that this will include sampling results that will be coming in between June and September as the lab begins developing its inventory with the assistance of customers and EGLE.

Mr. Castro also explained that, because YCUA is a Tier 1 utility and not Tier 3, 5th liter samples must be taken after the water service has remained stagnant for six hours.

Mr. Morgan inquired as to how long it will typically take to replace a lead service line. Mr. Evans responded that there are numerous variables to

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consider such as whether there are copper lines to be cut, which take more time. Mr. Shaffer interjected that replacements that involve excavating underneath roadways will also be considerably lengthier. Mr. Castro commented that winter weather will also impact the speed at which replacements can be completed. He added that a goal will be to replace approximately 5% of identified services per year.

Mr. Castro pointed out that, relatively speaking, the City of Ypsilanti and Ypsilanti Township are in great shape because, and beginning in 2000, all non-copper services identified during water main replacements and road restorations were either replaced or the homeowner notified.

Mr. Morgan inquired as to whether the replacements under the new rule will be done using rate payer monies. Mr. Castro responded affirmatively.

Informational only; no motion from the council required.

4. **PUBLIC COMMENTS:** There were no Public Comments for the month.
5. **ADJOURNMENT:** Motion by Castro to adjourn the meeting at 3:44 p.m. Support by Shaffer. In favor: All. Opposed: None. (Motion carried.)



Respectfully submitted,

KRISTINA SCARCELLI, Public Information Coordinator