



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
KALAMAZOO DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

May 8, 2019

Mr. James Ritsema  
City of Kalamazoo  
241 W South St  
Kalamazoo, Michigan 49007

WSSN: 03520/05200  
County: Kalamazoo

Dear Mr. Ritsema:

**SUBJECT:** Corrected Treatment Technique Violation for Failure to Maintain Corrosion Control Treatment within Required Range

Since April 16, 2019, several conversations have occurred between the Michigan Department of Environment, Great Lakes and Energy (EGLE), Drinking Water and Environmental Health Division (DWEHD), the City of Kalamazoo (Kalamazoo), which led to the conclusion that the number of excursion days previously reported was incorrect. This letter serves as an update and correction to the violation notice sent April 16, 2019. EGLE records show that the City of Kalamazoo (Kalamazoo) is in violation of the Safe Drinking Water Act 1976 PA 399, as amended (Act 399); R 325.10604f *Treatment techniques for lead and copper*, of the 1979 Administrative Code.

Rule 604f states that a water system is out of compliance if it has excursions for a DWEHD specified parameter on more than nine days during a six-month period. An excursion occurs when the daily value for one or more of the water quality parameters measured at a sampling location is below the minimum value or outside the range designated by the DWMAD. Kalamazoo was informed of these ranges in letters dated November 19, 2003, and September 28, 2018. During the monitoring periods indicated below, Kalamazoo had more than nine excursion days.

Monitoring period	Location	Excursion days
January 1 – June 30, 2018	Point of entry	26 days
July 1 – December 31, 2018	Point of entry	13 days
	Parchment Distribution System	20 days

The EGLE investigation consisted of a review of water quality parameter and Monthly Operating Reports. Our investigation is considered complete. The violation began January 1, 2018, and will continue until the water quality parameter sample results meet the required ranges for a six-month monitoring period. EGLE acknowledges that the violation notice issued April 16, 2019 indicates Kalamazoo had already incurred ten excursion days in 2019. Only nine excursion days have occurred to date. If no additional excursion days occur between now and June 30, Kalamazoo will return to compliance with the treatment technique violation, and EGLE will rescind the violation for the monitoring period January 1 – June 30, 2019. If one additional excursion day occurs between now and June 30, 2019, the existing violation notice will stand, and Kalamazoo must have fewer than nine excursion days in the next monitoring period, July 1 – December 31, 2019, in order to return to compliance.

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Administrative Rule R 325.10403, *Tier 2 public notice; form, manner, and frequency of notice*, of Act 399, requires that suppliers provide public notice not later than 30 days after learning of the violation by mail or direct delivery and by any other means reasonably calculated to reach other persons regularly served by the system. Enclosed is a sample public notice. Please notify your consumers by **May 16, 2019**, and send us a signed and dated copy of the issued notice within 10 days of distribution. This violation must be included in your 2018 Consumer Confidence Report (CCR), due by July 1, 2019. Any violations for 2019 must be included in your 2019 CCR, due by July 1, 2020.

The EGLE is authorized under Section 7 of Act 399, MCL 325.1007, to issue fines for public water supply monitoring and reporting violations. Failure to issue a Public Notice for this violation will result in a fine of at least \$1000. Additional violations are subject to fines of increasing amounts. If you would like more information on the DWMAD administrative fines policy, contact me at the phone number or e-mail listed below.

If you have any factual information you would like us to consider regarding the violations identified in this Violation Notice (VN) please provide it in a written response by **May 10, 2019**.

We anticipate and appreciate your cooperation in resolving this matter. If you have any questions regarding this VN, please contact me at [bishop@ch2mhill.com](mailto:bishop@ch2mhill.com); or 269-330-9153.

Sincerely,



Heather Bishop, REHS  
District Supervisor  
Kalamazoo District Office  
Drinking Water & Municipal Assistance Division  
269-330-9153

HB:ne

Enclosure

cc: Mr. Tom Spitzner, City of Kalamazoo  
Mr. James Baker, City of Kalamazoo  
Ms. Nancy Stoddard, City of Parchment, City Manager  
enc: Mr. John Paquin, City of Kalamazoo  
Ms. Shannan Deater, City of Kalamazoo