

**Michigan Lead and Copper Rule: Activist Kit**

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**WHAT IS THE LEAD AND COPPER RULE? AND WHY? A BRIEF SUMMARY**

The drinking water crisis in Flint, MI began in 2014 and continues to be a public emergency while the city replaces lead pipes and upgrade its water system. Despite this massive wake-up call, state decision-makers have not implemented serious measures to prevent it from happening again. However, there is a huge opportunity *right now* to make your voice heard about the importance of safe drinking water.

The State of Michigan is currently considering [new rules and requirements](http://www.michigan.gov/deq/0%2C4561%2C7-135-3313_3675_3691-9647--%2C00.html) to improve aspects of our drinking water standards -- your input could help make Michigan be a national leader when it comes to providing clean water.

As part of a larger statewide effort to reduce lead exposure, the Michigan Department of Environmental Quality (DEQ) [drafted proposed changes to the Lead and Copper Provisions](http://dmbinternet.state.mi.us/DMB/ORRDocs/ORR/1684_2017-008EQ_orr-draft.pdf) of the Michigan Safe Drinking Water Act. This rule, called the Lead and Copper Rule (or LCR), is now out for public comment until March 7th.

In addition to comments submitted by email (ways to submit your comment are described in this toolkit), the DEQ and Drinking Water and Municipal Assistance Division (DWMAD) will hold a public hearing on March 1st (see below for details) to receive public comments on these proposed changes.

We need to speak up now and tell our state leaders to get lead service pipes out of the ground as soon as possible. This will require them to find all of the lead pipes and to move quickly to remove them *the right way* and protect residents during the replacement and for a period of time afterward. We also need to ensure the costs of pipe replacement are affordable -- especially for low-income households.

**LINK TO THE DRAFT LEAD AND COPPER RULE**

Click on the following link to visit the Department of Environmental Quality’s web page that includes the actual draft rule as well as details about public comment opportunities: [http://www.michigan.gov/deq/0,4561,7-135-3313\_3675\_3691-9647--,00.html](http://www.michigan.gov/deq/0%2C4561%2C7-135-3313_3675_3691-9647--%2C00.html)

**EXPECTED TIMELINE AND KEY DATES**

* Draft was approved by DEQ and sent to stakeholders the week of January 29th
* Public Comments may be submitted (by COB on March 7th ) electronically to: **DEQ-LCR-Comments@michigan.gov**
* Online Public Comment Period is February 8th – March 7th
* The Michigan League of Conservation Voters’ [Grand Rapids office](http://michiganlcv.org/about-us/contact-us/) is hosting a public comment training on 2/19 between 4-6pm. [Note: MLCV regional coordinators are also available for personalized comment training by phone or in-person]
* **Public Hearing in Lansing on March 1st ,** from 5-8pm, address below:

Lansing Center, Ballrooms 5-8

333 E. Michigan Ave

Lansing, Michigan 48933

**CORE MESSAGES**

* Safe drinking water is not a “nice to have” luxury, it is a basic necessity; it is absolutely essential that all Michiganders have access to clean, safe, affordable and accessible water.

* Flint made headlines in 2014 and our state leaders have done virtually nothing to prevent this from happening in other communities. If done correctly, the Lead and Copper Rule proposal could be an important step forward. As currently written, the rule could result in more lead in drinking water, in part because it allows for partial lead pipe replacement.

* Our state’s drinking water systems and drinking water sources are in desperate need of attention. We are starting with eliminating the dangers posed by the lead pipes that deliver drinking water to nearly half a million Michigan homes.

* There is no “safe” level of lead in drinking water -- even at the smallest detectable levels, lead exposure is connected to long-term reductions in mental capacity, behavior and achievement particularly among children under age 5. The American Academy of Pediatrics has called for stricter regulations, including taking action when lead is found in water in concentrations of more than 1 part per billion.

* When water suppliers assert that their water is under the “lead action level” it does not mean that the water in our homes is safe to drink, as there is no “safe” level of lead. The lead action level is not a health-based standard -- just because a community meets the lead action level doesn’t mean the water is lead-free.

* This is not just a Flint problem; dozens of municipal water systems would fail to meet the governor’s new standard for Lead and Copper if it were in place today--including those in Detroit, Monroe, Bay City, Benton Harbor, and Holland Township. The City of Detroit alone has at least 125,000 lead service lines in the ground.

* This issue needs to be addressed in a way that mitigates the risk to public health with a plan to ensure low-income households can afford their tap water.

* If we continue to ignore these problems, Michiganders will continue to face the scary reality of “drinking” water in their homes that is not actually safe to drink. This is a big opportunity to strengthen Michigan’s drinking water standard and make sure we can trust what comes out of our tap and not rely on filtration and bottled water.

**WAYS TO GET INVOLVED**

1. [Submit an online comment](https://act.myngp.com/Forms/6638571501935200256) before the deadline of 4:59pm on March 7th
2. Attend and/or speak at the [Lansing hearing on March 1st from 5-8pm](http://www.michigan.gov/deq/0%2C4561%2C7-135-3313_3675_3691-9647--%2C00.html)
3. Attend the [Grand Rapids](http://michiganlcv.org/about-us/contact-us/) Lead and Copper Rule public comment training on February 19th
4. Write a letter to the editor and send to your local paper (sample LTEs and potential hooks are included further in this document)
5. **Spread the word to your friends** on social media:

**Share the Facebook Event:** [**https://www.facebook.com/events/166176354165728/**](https://www.facebook.com/events/166176354165728/)

**Share on Facebook**

As part of a larger statewide effort to reduce lead exposure, the Michigan DEQ drafted proposed changes to the Lead and Copper Provisions of the Michigan Safe Drinking Water Act. This rule, called the Lead and Copper Rule, is now being considered by the public and key stakeholders.

We need to speak up and urge our state leaders to focus on replacing lead service lines the right way to keep lead out of our drinking water, figure out where all the lead service lines are and where action is most urgently needed, move as quickly as possible and be certain to keep families safe during the replacement period, and ensure the costs of pipe replacement are affordable -- especially for low-income households.

Take action now: <http://bit.ly/2Hncs7K>

**Share on Twitter**

Our state’s drinking water systems & waterways are in desperate need of attention, starting with the dangers posed by lead service lines delivering drinking water to nearly half a million #Michigan homes. #MichiganWaterCrisis

We need to speak up and urge our state leaders to focus on replacing lead service lines the right way to keep lead out of #Michigan’s drinking water: <http://bit.ly/2Hncs7K> #MichiganWaterCrisis

**BACKGROUND ARTICLES**

***Even after Flint, lead-free water lines may be a pipe dream in Michigan*** Bridge Magazine -- Jan. 31, 2018<http://www.bridgemi.com/michigan-environment-watch/even-after-flint-lead-free-water-lines-may-be-pipe-dream-michigan>

***Read Gov. Rick Snyder’s proposal to remove lead water pipes in Michigan*** Bridge Magazine – Jan. 31, 2018<http://www.bridgemi.com/michigan-environment-watch/read-gov-rick-snyders-proposal-remove-lead-water-pipes-michigan>

***Will Michigan Lead on Getting Lead Out of Drinking Water?*** NRDC Expert Blog – Jan. 29, 2018<https://www.nrdc.org/experts/cyndi-roper/will-michigan-lead-getting-lead-out-drinking-water>

***MDEQ makes case for strengthening lead in water rules after Flint crisis*** Michigan Radio – Nov. 30, 2017<http://michiganradio.org/post/mdeq-makes-case-strengthening-lead-water-rules-after-flint-crisis>

***EPA audit reveals “significant challenges” to Michigan’s drinking water program*** Michigan Radio – Oct. 27, 2017<http://michiganradio.org/post/epa-audit-reveals-significant-challenges-michigans-drinking-water-program>

***5 things to know about the state’s new “plain English” draft fixes to “dumb and dangerous” lead rule*** Michigan Radio Oct. 19, 2017<http://michiganradio.org/post/5-things-know-about-states-new-plain-english-draft-fixes-dumb-and-dangerous-lead-rule>

**LEAD AND COPPER RULE RECOMMENDATIONS**

Below is a summary of the environmental community’s technical recommendations to the State of Michigan. The Lead and Copper Rule should be paired with an “all-hands-on-deck” investment in clean and safe drinking water infrastructure as well as an approach to ensure access to affordable drinking water and provide relief to the most vulnerable populations.

1. **Replace lead service lines the right way to keep lead out of our drinking water.**
	* Partial lead service line replacements are expensive, increase the amount of lead in drinking water, and do not actually address the problem because it can cause lead to be released into the water system from the construction activity. These partial replacements are happening every day across Michigan and most residents are not even told it is happening at their home. Lead service lines must be completely removed.
	* The rules must specify that only copper lines should be used to replace lead service lines. The proposed rule does prohibit the use of coating and liners in meeting lead service line requirements -- the State should maintain this provision. Galvanized steel service lines also trap lead in them which can then be re-released into the drinking water system -- we need to focus replacing these lines as well.
2. **Figure out where all the lead service lines are and where action is most urgently needed.**
	* The current rule requires the development of an accurate lead service line inventory—so that water systems and the state can know for certain where these lines are, can notify residents affected, and appropriately prioritize lead service line replacement.
	* High-risk sites should be prioritized for getting an accurate inventory of lead service lines, water, sampling and testing, and scheduling replacement efforts.
3. **Move as quickly as possible and be certain to keep families safe during the replacement period.**
	* Given what is known about the dangers of lead in drinking water, the trigger for the new Lead Action Level should be January 1, 2021 rather than January 1, 2024.
	* Public education efforts should include both information about the availability of filters certified to remove lead and the critical importance of proper filter maintenance.
	* Public education should clarify that “lead-free” plumbing isn’t lead free, and it is critical to ensure plumbing you use in your home is marked “lead free” and intended for potable water use.
	* Given that there is no safe level of lead exposure, there is no scientific rationale for a Household Advisory Level (HAL) for lead in drinking water other than zero. Therefore, any level of lead detected in drinking water should trigger an advisory to the household affected.
	* The rule needs to include timely requirements for communicating the risk of lead exposure to customers during and for a period of time after lead service line replacement or construction.
	* The Lead and Copper Rule must clarify that corrosion control studies must be completed before a municipality changes its source water or treatment system. Corrosion control are the treatment techniques used to prevent lead and copper from leaching from pipes into drinking water.
	* The proposed rule ties lead service line replacement schedules to corrosion control effectiveness, resulting in improved public health protection during replacements. This renewed emphasis on the improvement of ongoing corrosion control treatment is necessary to ensure that water providers work to improve corrosion control effectiveness during the 20-year replacement period for those households that are last to see their lead service lines replaced.
	* All small and medium water systems applying corrosion control treatment should maintain treatment even after their lead levels drop below the action level.



**Lead and Copper Rule Public Comment Template**

Hello and thank you, \_\_\_\_\_\_\_\_\_\_\_\_\_\_(name of head of the panel), for this opportunity to speak with you today. My name is \_\_\_\_\_\_\_\_\_\_\_\_ and I am from \_\_\_\_\_\_\_\_\_\_\_\_\_. I am a member of Michigan League of Conservation Voters and \_\_\_\_\_\_\_\_\_\_\_ who support efforts to protect the right for Michiganders to have access to safe, healthy, drinking water and support healthy children. Together these organizations represent ### (region) Michigan of my neighbors. Thank you for providing us the opportunity to provide public comment on this important topic.

I have (#) considerations I request you consider while making your decision. (*reference the stakeholder recommendations to fill in this section.)*

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Safe drinking water is not a “nice to have” luxury, it is a basic necessity; it is absolutely essential that all Michiganders have access to clean, safe water. This issue needs to be addressed in a way that mitigates the risk to public health and ensure the costs of pipe replacement are affordable -- especially for low-income households. If we continue to ignore these problems, Michiganders will continue to face the scary reality of “drinking” water in their homes that is not actually safe to drink.

Thank you.



**Lead and Copper Rule Letter to the Editor Examples**

Writing a letter to the editor (also known as an LTE) is the perfect way to offer a rebuttal, add another perspective, or just express your appreciation for an already-published article or commentary piece. LTEs can also be submitted regarding current events.

**General Tips**

* Keep it short (150-250 words) – If you don’t edit your LTE, the news outlet might edit it for you. Since they could cut out your main point, it’s best to write something clear and to-the-point.
* Include your full name, contact information, location, and profession or expertise.
* Be timely – Try to get your LTE in on the same day the relevant article is published, or quickly following an announcement.
* Follow the rules – If you are responding to a specific article or op-ed, include the title and date of the piece you’re responding to in your LTE. Send your LTE in the body of your email, not as an attachment.

**How to Submit**

* Many news outlets have online submission forms for letters to the editor. Google can usually get you there.
* If you can’t find an online form, letters can be submitted by emailing the editor directly. Be sure to include the name, city and contact information of the person submitting—whether it’s you or you’re sending on behalf of someone else.
* Feel free to follow up with a phone call to the editor a few days after submission. Calling to flag the letter and ask if the paper is interested in running it can increase your likelihood of having it published.

Please let us know if your letter to the editor is published. We’ll deliver it to elected officials. Completing this final step in the letter to the editor process helps ensure that your letter’s impact is even greater.

**Lead & Copper Sample Letters:**

**State needs to get Lead and Copper Rule right**

Since the Flint water crisis, news stories about drinking water contamination feel like they’ve become a daily occurrence here in Michigan. Cities, suburbs, and rural communities alike face a growing array of threats to drinking water. Addressing all those challenges requires a commitment to cleaning up our waterways and fixing our drinking water infrastructure.

The Michigan DEQ has proposed key updates to Michigan’s Lead and Copper Rule—a rule that Governor Snyder has called “dumb and dangerous” on numerous occasions. The proposed change would lower the allowable levels of lead in drinking water and prioritize lead service line replacement.

The Michigan DEQ is accepting public comments on its proposed changes until March 7, 2018. While the new rule is good start, I encourage you to join me in urging the state to improve the plan in the following ways: (1) Reject dangerous “partial” lead service line replacement. (2) Keep the provision where all lead service lines are identified first, and then prioritize where action is most urgently needed. (3) Make certain that families are safe and informed when lead service lines are replaced.

Drinking water issues have been largely ignored by our elected leaders for too long—in fact, Michigan has only passed one new policy in response to Flint. Michigan needs to make a real commitment to protecting the drinking water of all Michiganders—that starts with a strong Lead & Copper Rule that will put Michigan’s drinking water systems on the path to being 100% free of lead pipes.

**LCR is not just a Flint issue**

Drinking water contamination is not just a Flint problem. Lead service lines are delivering drinking water to nearly half a million Michigan homes right now.  Many communities don’t even know how many lead service lines or which homes and businesses they’re hooked up to. Dozens of municipal water systems would fail to meet the Governor’s new standard for Lead and Copper if it were in place today--including those in Monroe, Bay City, Benton Harbor, and Holland Township.

The Michigan DEQ is accepting public comments on its proposed changes to the Lead and Copper Rule, and I encourage you to join me in urging our state leaders to focus on the following key areas for improvement: (1) Reject potentially dangerous “partial” lead service line replacement. (2) Figure out where all the lead service lines are, notify those affected, and prioritize where action is most urgently needed. (3) Move as quickly as possible and be certain to keep families safe during the replacement period. (4) Control costs to ensure that families are not left with unaffordable tap water.

At the end of the day, there is no “safe” level of lead exposure. We need to get these rules right! Tell Michigan’s leaders it’s time to protect our drinking water and invest in our long-neglected water systems.

**Michigan DEQ should reject “partial” replacement of lead pipes**

Early in 2018, the Michigan Department of Environmental Quality proposed changes to Michigan’s Lead and Copper Rule (LCR)—lowering the acceptable levels of lead in drinking water and requiring the removal of lead service lines in water systems with lead levels that exceed those more stringent new standards.

Strengthening Michigan’s LCR is an important step, but we need to do it right. Governor Snyder has called the rule “dumb and dangerous” on numerous occasions for good reason. It has failed to keep our kids safe from exposure to lead in our drinking water. Why? Because it relies on a faulty assumption that there is a “safe” level of lead exposure.

There is no “safe” level of lead exposure. Scientific studies have affirmed, again and again, that even at the smallest detectable levels, lead exposure is connected to long-term reductions in mental capacity, behavior, and achievement particularly among children under age 5.

It is alarming that the new LCR would allow so-called “partial” replacements of lead service lines. Partial lead service line replacements are happening every day in water systems across Michigan and most residents aren’t even told it is happening. These partial replacements are expensive, increase the amount of lead in drinking water, and do not actually address the problem.

This approach leaves the lead pipes closest to your family intact, but more worryingly-- it means crews will cuts through pipes’ protective coating—increasing the likelihood that lead particles will be released when the tap is turned back on. It’s unsafe -- lead service lines must be completely removed. I hope you will join me in urging the DEQ to make this important fix to the LCR to keep a generation of Michigan’s kids safe.

**Other Letter to the Editor “Hooks”:**

* There is no “safe” level of lead, so so every Michigan family deserves to know how much lead is in their drinking water. Household advisory level should be dropped from 40 ppb to 1 ppb -- the lowest detectable level.