



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

GARLIN GILCHRIST II  
LT. GOVERNOR

The Honorable Andrew R. Wheeler  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Mail Code: 1101A  
Washington, DC 20460

RE: National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions,  
Docket No. EPA-HQ-OW-2017-0300

Dear Administrator Wheeler:

Thank you for the opportunity to comment on the proposed changes to the federal Lead and Copper rule.

It is abundantly clear to Michiganders that everyone deserves clean drinking water. After the Flint Water Crisis, there is still work to do to affirm that everyone can trust the water coming out of their taps. Since taking office, the Whitmer Administration has committed to doing everything we can to clean up our drinking water, including implementing strict water quality standards and coordinating with local communities to reduce or eliminate all sources of lead found in Michigan homes.

In 2018, then-Governor Snyder and Michigan's Republican-led legislature enacted changes to the Michigan Safe Drinking Water Act (MSDWA) to increase protections against lead in our drinking water through new testing and detection standards. The Michigan Lead and Copper rule lowers the Action Level from 15 parts per billion (ppb) to 12 ppb on January 1, 2025, requires the replacement of all lead service lines in Michigan, and bans the partial replacement of lead service lines. Prior to the adoption of the new Michigan Lead and Copper Rule, Michigan's requirements were consistent with the federal Lead and Copper rule. Our state's Lead and Copper rule is now the strongest in the nation.

We are encouraged that the Trump Administration has decided to make changes to the federal Lead and Copper rule, which was first established in 1991 and is sorely in need of an update to better protect human health. Our country needs urgent action to identify and address elevated lead levels in public water systems.

Unfortunately, this proposed rule weakens protections by slowing the replacement of lead service lines and failing to strengthen public health safeguards. The lead service line replacement rules also create an environmental justice issue where those with resources can get their entire lead service line replaced sooner while the poorest and most vulnerable will have to wait. We urge the Environmental Protection Agency (EPA) to follow our state's lead in lowering the Action Level for lead in drinking water. The addition of a "Trigger Level" is confusing to water supplies and the public, complicates already complicated requirements, and, importantly, does not go far enough to protect public health.

Furthermore, it is very concerning that this proposed rule would more than double the amount of time allotted for water systems to replace lead pipes. The only way to eliminate the risk of lead exposure from lead service lines is to remove them. That's why our state has increased the pace of removal, and why we are calling on the Trump Administration to follow suit.



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Not only do we ask the EPA to strengthen this proposed rule, but we also urge the Trump Administration to support increased investment for states and communities grappling with crumbling and unsafe drinking water and wastewater infrastructure. In the Great Lakes region alone, a staggering \$179 billion over the next 20 years is needed in improvements, upgrades, and repairs.<sup>1</sup> The federal government's contribution to water infrastructure has declined from 63 percent of spending in 1977 to 9 percent today. These costs are passed on to those who can least afford it, with water utility bills doubling or tripling over the last decade in many cities.

Significant federal resource investment will be necessary for successful implementation of these very complex and impactful regulations. We urge the EPA to commit to providing additional resources to regulating agencies in the form of funding for human resources, extensive guidance materials and training, significant data management upgrades, and more. It is past time to get serious about removing lead from our water systems, and in Michigan, we're leading the way. We urge the Trump Administration to take stronger and swifter action to protect the public from this toxic metal.

When the federal government, state agencies, and local communities work together to protect public health, we can ensure that everyone has access to safe, clean drinking water. Our administration continues to work toward real and permanent solutions that ensure every Michigander can bathe their kids and give them a glass of water at the dinner table safely.

Additional comments from EGLE are attached, and we ask for your careful consideration.

Sincerely,

A handwritten signature in blue ink that reads "Gretchen Whitmer".

Gretchen Whitmer  
Governor of Michigan

A handwritten signature in blue ink that reads "Liesl Eichler Clark".

Liesl Eichler Clark, Director  
Department of Environment, Great Lakes, and Energy

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<sup>1</sup>"Water Infrastructure in the Great Lakes Region." The Healing Our Waters - Great Lakes Coalition, March 2018. <https://1bgfed3gunqq3wtodz172r4o-wpengine.netdna-ssl.com/wp-content/uploads/2019/01/FACT-SHEET-2018-03-Water-Infrastructure-Fact-Sheet.pdf>