



Benzie-Leelanau
DISTRICT HEALTH DEPARTMENT
CARING FOR OUR COMMUNITIES

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April 10, 2018

House of Representatives
Attn: Gary Howell
P.O. Box 30014
Lansing, MI 48909-7514

Subject: Statewide Sanitary Code
HB 5752/HB 5753

Hello Mr. Howell,

My name is Thomas Fountain, Environmental Health Director for the Benzie-Leelanau District Health Department located in the northwest corner of Michigan's Lower Peninsula. I have been a professional advocate for public and environmental health in Michigan since 1982 the last 28 years here in Northern Michigan. I am proud to say we have a strong, effective sanitary code that has been in place here for nearly 46 years. Our department has adopted policies and have utilized new technology as it becomes available to improve our wastewater programs within the district. Locally we have some of the highest surface and groundwater quality in the world and it is my job to protect it. In 1990 Benzie County adopted the first Point Of Sale ordinance in the State and has been very successful locating and correcting defective septic systems and water wells.

We have been following the above referenced House Bills before they were introduced and have had concerns regarding the implications to my department if they were to pass. Our Board of Health has been encouraged to follow and understand these Bills and I may be urging the members to sign a resolution opposing the Bills at the next Board meeting similar to what some of our neighboring health departments have done recently. Following are some talking points of concern within the proposed legislation.

- Requires local sanitary codes to meet the standards of the sewage bill and administrative rules (ie. Statewide Code).
- Administrative rules will be developed by recommendations from a Technical Advisory Committee whose makeup includes only 25% representation of local public health.
- All local sanitary codes must be approved by the State.
- Repeal of all existing Point of Sale/Time of Transfers Programs within 3 years.
- Mandatory evaluations of all septic systems every 5 to 10 years.
- Assessment of fees by Local Health Departments on behalf of the State to cover administrative costs.
- Increased cost to property owners.
- Mandatory tank pumping.
- Increased enforcement activities and legal costs by local health departments.
- Significant increased workload for local public health departments (tracking, enforcement and evaluations).
- No provisions for adequate funding for local health departments.

The assumption that Michigan's waters are polluted with human pathogens because we do not have a Statewide Code is not accurate. Many local jurisdictions administer superior sanitary codes and provide excellent environmental and public health protection. Efforts should focus on areas or jurisdictions where problems have been identified. The lack of public health input throughout this process is disappointing. Public Health should have been a key stakeholder from the beginning. Although the bill may result in some positive outcomes for Michigan, overall I cannot see much benefit for the residents and environment for Benzie and Leelanau Counties. Thank you for your time regarding this matter.

A handwritten signature in black ink, appearing to read 'Tom Fountain', written in a cursive style.

Thomas L. Fountain, R.S.
Environmental Health Director

Cc Lisa Peacock