



COMMONWEALTH of VIRGINIA

M. Norman Oliver, MD, MA
State Health Commissioner

Department of Health
P O BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

May 10, 2020

Ms. Aretha R. Ferrell-Benavides
City Manager, City of Petersburg
135 North Union Street
Petersburg, Virginia 23803

Re: Health Officer Certification Pursuant to Code of Virginia §§ 15.2-2119(D) and 15.2-2119.4(D) – Shutting Off Water Endangers Health

Dear Ms. Ferrell-Benavides:

Pursuant to Code of Virginia §§ 15.2-2119(D) and 15.2-2119.4(D), I write to you to provide my certification as a health officer that shutting off water to residents of the City of Petersburg (City) endangers their health and the health of others.

As you know, we are currently in the midst of the 2019 novel coronavirus (COVID-19) pandemic. Both the Governor of Virginia and I have taken numerous steps to try to slow the spread of this deadly virus in Virginia. On February 7, 2020, I issued a Declaration of the 2019 Novel Coronavirus Infection as a Communicable Disease of Public Health Threat for Virginia. On March 12, 2020, Governor Northam declared a state of emergency due to the spread of COVID-19. On March 17, 2020, Governor Northam and I issued Order of Public Health Emergency One (Health Order No. 1), which took significant action in an effort to limit the virus' spread. On May 8, 2020, Governor Northam issued Executive Order 61, Phase One of Easing Certain Temporary Restrictions Due to COVID-19, and Order of Public Health Emergency Three, which I co-signed. The Commonwealth of Virginia has taken numerous actions to combat COVID-19 and to protect the residents of the Commonwealth.

The Robert Wood Johnson Foundation's 2020 annual report ranks Petersburg 132 out of 133 Virginia localities in health, one of the least healthy places in Virginia (<https://www.countyhealthrankings.org/app/virginia/2016/downloads>). The City's population struggles with obesity and poverty, which can increase risks of severe illness from the pandemic. Access to running water helps improve hygiene. Running water helps ensure persons can easily and routinely wash their hands and clothes. People need water to keep a sanitary residence and protect themselves and others. All data and recommendations point to the need for running water to reduce risks from the COVID-19 pandemic.

On April 27, 2020, the Honorable Delegate Lashrecse D. Aird requested that the City develop a strategy to reconnect water service to every home that had water disconnected preceding the pandemic. Delegate Aird asked you to identify all currently disconnected residences, start a process to reconnect those residences, and work on a long-term plan for persons experiencing financial hardship because of COVID-19.

Ms. Aretha R. Ferrell-Benavides

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On April 30, 2020, Queen Zakia Shabazz, Coordinator of the Virginia Environmental Justice Collaborative, sent an email to several Petersburg officials; Dwayne Roadcap, Director, Virginia Department of Health's Office of Drinking Water (ODW); and the Secretary of Health and Human Resources, Dr. Daniel Carey. Shabazz asked that the City "restore water services to the vulnerable residents of Petersburg" and included Delegate Aird's letter as an attachment.

After receiving this information, staff from ODW reached out to you and the City's Department of Public Utilities. ODW staff understands that between July 2019 and January 2020, the City shut off water service to about 730 connections that were at least 90 days delinquent. Of the 730 cases, the City has resolved about 500 of them – the account holder paid the past-due balance, worked out a payment plan, or moved out of the property – leaving approximately 230 connections without water service. Of the 230 without billed service since January, ODW staff understands that over 100 connections had illegally restored water service by replacing meters, running pipes directly from water mains, or using hoses connected to the water main or another property. ODW staff believes City Council directed the City's Department of Public Utilities to seek payment in-full for past due amounts or take legal action related to the illegal connections. It is my understanding that the City has not returned water service to the approximately 150 remaining connections. I understand that some of the remaining connections could be unoccupied.

I appreciate the City's efforts to date to restore water service at every residence in the City. However, due to the current COVID-19 pandemic, and the inextricable public health link between access to water and the ability to lessen the threat of contracting and transmitting COVID-19, I am providing you with the enclosed certification that ceasing to provide water endangers the health of the occupants of the premises and the health of others. The certification is provided pursuant to Code of Virginia §§ 15.2-2119(D) and 15.2-2119.4(D). In light of the certification, the City may no longer cease providing water to its residents.

Please notify me when the City has returned water service to all residents disconnected. If you have questions, or if I can be of further assistance, please contact me at norm.oliver@vdh.virginia.gov or (804) 864-7009.

Sincerely,



M. Norman Oliver, MD, MA
State Health Commissioner

cc: Alton Hart, M.D., Director, Crater Health District (w/ enclosure—Certification)