

Thelen, Mary Beth (DEQ)

From: The Office of Senator Ananich <SenJAnanich@senate.michigan.gov>
Sent: Wednesday, October 21, 2015 12:43 PM
To: hedman.susan@epa.gov; mccarthy.gina@epa.gov
Cc: Jordan.Dickinson@mail.house.gov; mayor@cityofflint.com; HCroft@cityofflint.com; poy.thomas@epa.gov; Schock.michael@epa.gov; Lytle.darren@epa.gov; fortin.denise@epa.gov; Wyant, Dan (DEQ); aaron_suntag@stabenow.senate.gov; Bentley.Johnson@peters.senate.gov; Davis.CatherineM@epa.gov; repphelps@house.mi.gov; SheldonNeeley@house.mi.gov; snyder
Subject: Letter Requesting EPA Review of Flint, MI Water
Attachments: 2015.10.21 EPA Review Request FINAL.PDF

PPI

Administrator McCarthy and Regional Director Hedman,

Please see the attached letter regarding a request for an EPA review of Flint, Michigan's water treatment.

Please do not hesitate to contact my office if you have any questions. Thank you for your time and attention.

Sincerely,

The Office of State Senator Jim Ananich
 Michigan Senate Minority Leader
 District 27



CC: S492

George K.

Liane Shellen

Steve Busch

Maggie Pollack

Brad Wunfel

Director asked
 that I
 provide you
 a copy.

mlt
 10-23

Orig: Duesch

SENATE MINORITY LEADER
JIM ANANICH

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October 21, 2015

Gina McCarthy
Administrator
United States Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code 6106A
Washington, DC 20460

Susan Hedman
Regional Administrator
United States Environmental Protection Agency Region 5
Ralph Metcalfe Federal Building
77 West Jackson Boulevard
Chicago, IL 60604

Re: EPA Review Needed on Flint, Michigan Water Treatment

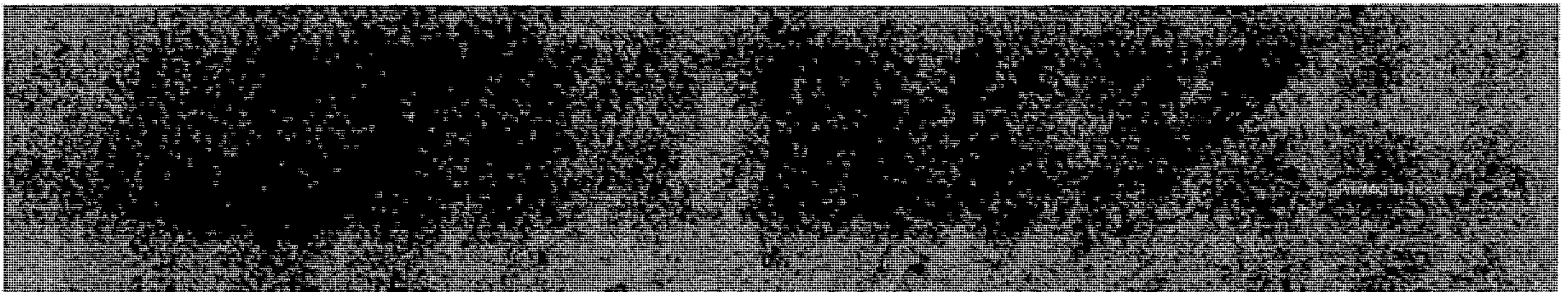
Administrator McCarthy and Regional Director Hedman,

Today Congressman Dan Kildee requested that the United States Environmental Protection Agency conduct an investigation into the water system in Flint, Michigan. I agree that such an investigation is vital to ensuring that the people responsible for Flint's dangerous water quality are held accountable. Similar to Congressman Kildee's request, I am requesting the EPA conduct a review of the Michigan Department of Environmental Quality's (MDEQ) oversight of water treatment in Flint as provided for in the Lead and Copper Rule, 40 CFR Sec. 141.80.

After decades of relying on water from the Detroit Water and Sewerage Department (DWSD), Flint began treating its own water from the Flint River in April 2014 at the behest of state-appointed Emergency Managers. DWSD had used — and continues to use — anti-corrosion treatments in its water to prevent lead leaching from an aging infrastructure into residents' drinking water. For a number of reasons, raw water from the Flint River is significantly more corrosive than the lake water that DWSD uses. Despite this, Flint chose not to treat the raw Flint River water by any method traditionally associated with preventing lead corrosion. Multiple consultants and the EPA advised the city to use additional corrosion control measures, but that advice went unheeded by the City of Flint and the MDEQ.

Foreseeably, lead has been seeping into Flint's drinking water for more than a year, causing an alarming rise in the number of children in Flint with elevated blood lead levels. Independent research conducted by Virginia Tech professor Marc Edwards indicated high lead levels in tap water, and a study led by Hurley Medical Center pediatrician Dr. Mona Hanna-Attisha revealed that in high-risk areas of the city, the rate of lead overexposure among children more than doubled since switching water sources. State data have confirmed these results.

Additionally, several questions remain regarding how Flint and state officials conducted water sampling under the Lead and Copper Rule. Allegedly, officials did not target samples in high-risk Tier 1 locations or repeat locations in subsequent tests. Consumers were also instructed to pre-flush their taps prior to collecting samples, resulting in lower lead level results. It is unclear whether a sufficient number of samples were taken or why MDEQ excluded two high lead level samples from Flint's July 2015 water quality report.



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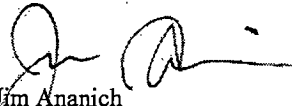
The State of Michigan has pledged to help reconnect the City of Flint to DWSD and take additional steps to help remediate the lead problem. However, these are stopgap measures that will never undo the damage already done.

Ultimately, the EPA retains the ability and responsibility to oversee the state's efforts to obtain and maintain safe drinking water for its residents. As such, I appreciate that the EPA has established the Flint Safe Drinking Water Task Force. However, it also is within the EPA's power to review the actions of MDEQ and the City of Flint as they pertain to lead testing and treatment under the Lead and Copper Rule. We want to ensure Flint remains compliant once it switches its permanent water source to the Karegnondi Water Authority.

I respectfully request that, under 40 CFR Sec. 142.19, Regional Administrator Hedman review MDEQ's determinations regarding corrosion control for lead in Flint, Michigan. Regardless of the findings, I am also requesting that Regional Administrator Hedman make public all evidence gathered during the course of that review. Michigan citizens deserve to know whether MDEQ is operating safely and effectively.

If you have any questions, please contact my office at senjananich@senate.mi.gov or (517) 373-0142. Thank you for your consideration.

Sincerely,


 Jim Ananich
 Senate Democratic Leader
 District 27

cc:

Governor Rick Snyder
 U.S. Representative Dan Kildee
 U.S. Senator Debbie Stabenow
 U.S. Senator Gary Peters
 State Representative Sheldon Neeley, District 34
 State Representative Phil Phelps, District 49
 Mayor Dayne Walling, City of Flint
 Howard Croft, City of Flint
 Susan Hedman, EPA
 Thomas Poy, EPA
 Michael Schock, EPA-ORD
 Darren Lytle, EPA-ORD
 Denise Fortin, EPA
 Dan Wyant, MDEQ
 Liane Shekter-Smith, MDEQ
 Pat Cook, MDEQ
 Stephen Busch, MDEQ
 Brad Wurfel, MDEQ
 Marc Edwards, Virginia Tech