

Thelen, Mary Beth (DEQ)

From: Pallone, Maggie (DEQ)
Sent: Saturday, November 14, 2015 6:23 PM
To: Thelen, Mary Beth (DEQ); Sygo, Jim (DEQ); Shekter Smith, Liane (DEQ); Wurfel, Brad (DEQ); Tommasulo, Karen (DEQ); Krisztian, George (DEQ)
Cc: Feuerstein, Heather (DEQ)
Subject: Fwd: Rep. Kildee Update Letter and Health Fund Request
Attachments: image001.gif; ATT00001.htm; image002.gif; ATT00002.htm; image003.jpg; ATT00003.htm; image004.png; ATT00004.htm; 111315 Update and Health Fund Request (Snyder).pdf; ATT00005.htm; 10-6-2015 Response - Kildee.pdf; ATT00006.htm

FYI

Sent from my iPad

Begin forwarded message:

From: "Dickinson, Jordan" <Jordan.Dickinson@mail.house.gov>
Date: November 13, 2015 at 11:45:03 AM EST
To: "browne15@michigan.gov" <browne15@michigan.gov>
Cc: "wyantd@michigan.gov" <wyantd@michigan.gov>, "PalloneM@michigan.gov" <PalloneM@michigan.gov>, "snyder@michigan.gov" <snyder@michigan.gov>, "tcook@house.mi.gov" <tcook@house.mi.gov>, "RDeVries@senate.michigan.gov" <RDeVries@senate.michigan.gov>, "bswartztle@house.mi.gov" <bswartztle@house.mi.gov>, "Andrew Leavitt (ALeavitt@senate.michigan.gov)" <ALeavitt@senate.michigan.gov>
Subject: Rep. Kildee Update Letter and Health Fund Request

Hi Eric,

Please see the attached letter for Governor Snyder. Could you please make sure that he sees it? Just so you know, we are not doing a press release on it. Let me know if you have any further questions.

Thanks,

Jordan Dickinson
 Legislative Assistant
 Congressman Dan Kildee (MI-05)
 227 Cannon House Office Building
 Washington, D.C. 20515
 Phone: (202) 225-3611
www.dankildee.house.gov

orig: 3-1 Leg. US File
 cc: 2-2 EPA File
 cc: 2-1 Gov
 cc: mbt

DANIEL T. KILDEE
5TH DISTRICT, MICHIGAN

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SUBCOMMITTEE ON
HOUSING AND INSURANCE

SUBCOMMITTEE ON
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REP DANKILDEE

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November 13, 2015

Governor Rick Snyder
Executive Office of the Governor
P.O. Box 30013
Lansing, Michigan 48909

Governor Snyder:

I would like to provide you an update with some of the work we are doing in response to your letter on October 2, 2015 letter. I also have three requests of the state that are necessary to provide relief to the victims of the Flint water crisis.

First, Senator Stabenow, Senator Peters and I wrote a letter to the U.S. Environmental Protection Agency (EPA) asking for clarification on whether federal law permits states to use Safe Drinking Water State Revolving Funds (Revolving Funds) to finance the replacement of privately owned lead water service lines (attached). The EPA responded that the Revolving Funds can in fact be used for this purpose. My office immediately notified both your office and the Michigan Department of Environmental Quality of this fact.

Secondly, the three of us also wrote to Secretary Tom Vilsack requesting that the U.S. Department of Agriculture (USDA) provide greater clarification on the availability of "Ready to Feed" formula for recipients of Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in Flint. Additionally, the letter asks to identify resources to improve the nutrition of Flint residents specifically as it relates to lead, because a certain diet can reduce some of the impact of exposure. The USDA is currently reviewing the letter.

Third, I have been working with the EPA on important revisions to the Lead and Copper Rule that would prevent a public health crisis like the one in Flint from happening again in other communities. I will be providing testimony at a meeting of the National Drinking Water Advisory Council next Wednesday, November 18 on what we have learned firsthand in Flint and the necessary improvements to the Lead and Copper Rule.

I will continue to pursue all of these avenues in order to find assistance for the people of Flint. There are, however, additional steps that need to be taken to remediate the damage done to the people of Flint due to the failures at the state government level, alongside the forgiveness of Flint's Revolving Funds loan debt if that becomes available. I urge state and local partners to work in coordination to fulfill the following requests.

- First, I request that the state of Michigan use its Revolving Funds and other state resources such as the rainy day and general funds to repair the damage done to Flint's water distribution system.

Due to the corrosive nature of the water, conservative estimates show there has been hundreds of millions of dollars of damage done to Flint's water distribution system. The damage to the system will increase maintenance costs resulting in higher rates for Flint water users, who already are burdened by the highest water rates in the state. Furthermore, the presence of over 15,000 lead service lines continues to threaten the quality of the water and creates the potential for future lead exposure through drinking water. As stated previously, the EPA has said that using the Revolving Funds for this purpose is allowed under federal law, and I request the state do so.

- Second, I request the state create a fund for ongoing assistance to the people of Flint to respond to the impacts of lead exposure.

The effects of lead are serious and permanent, with especially harmful impacts on young children and those with weakened immune systems. In discussions with health professionals, they have expressed the need for significant investments in the local health system in order to respond to the widespread exposure of lead to the people of Flint, including monitoring of future lead exposure. This fund should include support for, at a minimum, continuous health monitoring, early education programs, nutrition education, support services for children to succeed in school, and continued exposure prevention efforts. The investments we make now to combat the negative impacts of lead exposure will pay dividends in avoided costs in the future.

- Finally, I again ask that the state immediately reverse course and rescind Flint's obligation to provide \$2 million for the cost of connecting to the Detroit water system and refund any money the city of Flint has had to pay.

Requiring a financially distressed city and its people to pay for the state's failures is an abdication of clear responsibility by the state. The state-appointed emergency manager was in charge of the city of Flint during the time that the decision to leave the Detroit system was made. The state – not Flint – created this water crisis, and the state needs to pay to fix it. The \$2 million Flint spent to reconnect to the Detroit water system could be used for many other essential services in Flint, such as hiring policemen and firefighters, improving schools and maintaining parks.

In addition to state investments, I encourage the state to request assistance from federal agencies. They have extensive experience working with health, education and nutrition systems nationwide and could provide critical resources to state officials. Specifically, the Centers for Disease Control and Prevention has offered resources if the state requests it. I will work to support any efforts for federal assistance the state makes.

I look forward to working with the state and federal governments to not only provide clean drinking water to the people of Flint immediately, but also repair the damage done to the city's water system and give local health professionals the resources they need to combat the long term impacts of lead exposure.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Kildee". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dan Kildee
MEMBER OF CONGRESS

Cc:

Senate Republican Leader Arlen Meekhof
Senate Democratic Leader Jim Ananich
Speaker of the House Kevin Cotter
House Democratic Leader Tim Greimel



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

OCT 28 2015

The Honorable Dan Kildee
House of Representatives
Washington, D.C. 20515

Dear Congressman Kildee:

Thank you for your October 6, 2015, letter asking whether federal law permits a state to use the Drinking Water State Revolving Fund to finance the replacement of privately owned lead water service lines.

Drinking Water State Revolving Fund loans can be used to finance lead service line replacement on public and private property, provided the loans are made to an eligible entity in accordance with the Safe Drinking Water Act to protect public health, and all other Drinking Water State Revolving Fund requirements are met. The eligible entity in this case is the Flint community water system. The U.S. Environmental Protection Agency is actively discussing the option of using the Drinking Water State Revolving Fund for lead service line replacement with the Michigan Department of Environmental Quality and the City of Flint.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Cathy Davis in the EPA's Office of Congressional and Intergovernmental Relations at Davis.CatherineM@epa.gov or (202) 564-2703.

Sincerely,

A handwritten signature in dark ink, reading "Kenneth J. Kopocis".

Kenneth J. Kopocis
Deputy Assistant Administrator