

From: [Prysby, Mike \(DEQ\)](#)
To: [Busch, Stephen \(DEQ\)](#); [Benzie, Richard \(DEQ\)](#)
Subject: Fwd: Information Request and Documentation
Date: Wednesday, March 11, 2015 7:35:28 AM
Attachments: [image001.gif](#)
[ATT00001.htm](#)
[FOIA Request Flint Water.doc](#)
[ATT00002.htm](#)

I am out today and will return tomorrow. Having trouble getting the attachment to open on my phone...but since it appears to be a FOIA regarding Legionella, I felt it is prudent to get this message to you. I will be available tomorrow to discuss or compile any info that we have.

Sent from my iPhone

Begin forwarded message:

From: "Henry, James" <jhenry@gchd.us>
Date: March 10, 2015 at 6:40:17 PM EDT
To: Howard Croft <hcroft@cityoffflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityoffflint.com>, "Natasha Henderson" <nhenderson@cityoffflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityoffflint.com>
Cc: "Valacak, Mark" <MVALACAK@gchd.us>, "Cupal, Suzanne" <scupal@gchd.us>, "Hasan, Shurooq" <shasan@gchd.us>, "Childs, Bonnie" <BCHILDS@gchd.us>, "Hallwood, Dawn" <dhallwood@gchd.us>, "Johnson, M.D., Gary" <GJOHNSON@gchd.us>
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Respectfully,

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

Genesee County Health Department www.gchd.us

630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us



Genesee County Health Department

Mark Valacak, M.P.H., Health Officer
Gary K. Johnson, M.D., M.P.H., Medical Director

January 27, 2015

FOIA Coordinator, City of Flint
1101 S. Saginaw Street, 3rd floor
Flint, MI 48502

RE: Flint Water Plant Information Request

Dear FOIA Coordinator,

Under provisions of the Michigan Freedom of Information Act (MCLA 15.231 et seq; MSA 4.1801 (1) et seq) please provide copies of the following:

Provide specific water testing locations and laboratory results within the City of Flint public water system for Coliform, E-coli, Heterotrophic Bacteria and Trihalomethanes from January 1, 2010 to January 27, 2015. Provide any additional water testing that has been conducted for identifying potential public health risks. Include any available mapping of the water testing areas.

Provide a map delineating the boundaries of the City of Flint water distribution system. Include any changes to the boundaries, along with corresponding dates from January 1, 2014 to January 27, 2015.

Provide a map or list of locations, detailing dead ends, pooling, low pressure and any additional areas of concern within the City of Flint water distribution system. Include any modifications to the water distribution system addressing concerns, along with corresponding dates from January 1, 2014 to January 27, 2015.

If you determine that any of the requested information is exempt from disclosure, please detail what is being withheld and cite the exemption under FOIA. I anticipate the request being filled within five working days of receipt of this letter, as provided under FOIA. Please contact me at (810) 257-3618 if there are fees associated to comply with this request.

Sincerely,

Jim Henry

Jim Henry
Environmental Health Supervisor
Genesee County Health Department
630 S. Saginaw Street
Flint, MI 48502

Better Life Through Better Health

Floyd J. McCree Courts & Human Services Building ♦ 630 S. Saginaw Street, Ste. 4 ♦ Flint, Michigan 48502-1540

Burton Branch ♦ G-3373 S. Saginaw Street ♦ Burton, Michigan 48529

Main Phone 810-257-3612 ♦ Visit us at: www.gchd.us

From: Busch, Stephen (DEQ)
To: Prysby, Mike (DEQ); Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation
Date: Wednesday, March 11, 2015 9:36:56 AM

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Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

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Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

From: Benzie, Richard (DEQ)
To: Busch, Stephen (DEQ)
Subject: RE: Information Request and Documentation
Date: Wednesday, March 11, 2015 6:28:00 PM

It was – buried was not quite the case – it was still on my screen, but down quite a few from the chain of all unopened items.

From: Busch, Stephen (DEQ)
Sent: Wednesday, March 11, 2015 3:26 PM
To: Benzie, Richard (DEQ)
Subject: FW: Information Request and Documentation

I did cc you. Must be buried in the inbox.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: Busch, Stephen (DEQ)
Sent: Wednesday, March 11, 2015 9:37 AM
To: Prysby, Mike (DEQ); Benzie, Richard (DEQ)
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Subject: FW: Information Request and Documentation
Date: Wednesday, March 11, 2015 6:56:00 PM
Attachments: [image001.gif](#)
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To: Shekter Smith, Liane (DEQ)
Cc: Busch, Stephen (DEQ); Prysby, Mike (DEQ)
Subject: RE: Information Request and Documentation
Date: Wednesday, March 11, 2015 7:32:00 PM

Liane,

Steve's initial response is below.

As I see it, we need a plan of action fast.

- 1) Inform DEQ management, including legislative and media liaisons; suggest additional communication with DCH
- 2) Prepare response to Genesee County email – did anyone in ODWMA or DEQ have any contact with Genesee County about Legionella and if so, when and what? Was anyone in ODWMA or DEQ requested to meet with Genesee County to discuss Legionella and if so, when, and did they "decline" to meet?
- 3) Contact Flint to alert them of County's concerns and determine their response to the January 27th FOIA request.
- 4) Arrange for a meeting with Genesee County and other parties as deemed appropriate by DEQ management – DCH, Flint, Governor's Office, etc.; Establish a "Lead" agency but also develop a team approach to move forward and determine an appropriate, common message as well as when such information should be shared and by whom. Determine how long has Genesee County, DCH, and Flint been aware of the increased cases of Legionella and what the message should be about delays in public notification.
- 5) Determine additional steps – possible monitoring protocols, premise plumbing treatment options, public precautions if any, etc.; Consider possible CDC assistance.
- 6) Determine if EPA will be willing to share their draft Legionella guidance document being developed by a workgroup consisting of EPA, the States of Ohio, Minnesota, Pennsylvania, Washington, Nevada, Missouri and Nebraska, and CDC. The guidance will characterize the effectiveness of treatment technologies to address Legionella and address relevant regulatory implications. The primary implication is that individual customers that install "secondary" treatment systems to remove, reduce or prevent Legionella in their premise plumbing (such as hospitals are already doing) become by federal definition, public water systems required to comply with all applicable requirements of the Safe Drinking Water Act. The guidance has been delayed by internal reviews at EPA, but they are hoping to be able to have a final document in summer of 2015.

That's all I can think of at this point. Let me know what you think.

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Office of Drinking Water and Municipal Assistance
MDEQ
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From: Prysby, Mike (DEQ)
To: Busch, Stephen (DEQ); Benzle, Richard (DEQ)
Subject: RE: Information Request and Documentation
Date: Thursday, March 12, 2015 7:47:08 AM

Steve, Richard,

I did not receive a meeting request from Jim or the LHD concerning this matter.

Michael Prysby, P.E.

District Engineer

Office of Drinking Water and Municipal Assistance

517 290-8817

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From: Shekter Smith, Llane (DEQ)
To: Wurfel, Brad (DEQ); Sygo, Jim (DEQ); Howes, Sarah (DEQ)
Cc: Shaler, Karen (DEQ); Benzle, Richard (DEQ); Devereaux, Tracy Jo (DEQ); Busch, Stephen (DEQ)
Subject: FW: Information Request and Documentation
Date: Thursday, March 12, 2015 8:41:00 AM
Attachments: FOIA Request Flint Water.doc
Importance: High

The district received this late Tuesday.

Steve Busch has indicated that the district has not received a meeting request from Jim Henry or the Genesee County Health Department as indicated in his email below.

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Seems like the next step is to communicate with DCH and possibly develop a joint strategy/response. Not sure who in Exec wants to take the lead on this. Steve Busch and Mike Prysby will continue to be lead for us on this. They have been in contact with DCH recently but only to learn that little progress has been made in identifying a source or sources for the illnesses.

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To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>
Cc: "Valacak, Mark" <MVALACAK@gchd.us>, "Cupal, Suzanne" <scupal@gchd.us>, "Hasan, Shurooq" <shasan@gchd.us>, "Childs, Bonnie" <BCHILDS@gchd.us>, "Hallwood, Dawn" <dhallwood@gchd.us>, "Johnson, M.D., Gary" <GJOHNSON@gchd.us>
Subject: Information Request and Documentation

Hello everyone,

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performing our responsibilities.

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Respectfully,

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

Genesee County Health Department www.gchd.us

630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us



Genesee County Health Department

Mark Valacak, M.P.H., Health Officer
Gary K. Johnson, M.D., M.P.H., Medical Director

January 27, 2015

FOIA Coordinator, City of Flint
1101 S. Saginaw Street, 3rd floor
Flint, MI 48502

RE: Flint Water Plant Information Request

Dear FOIA Coordinator,

Under provisions of the Michigan Freedom of Information Act (MCLA 15.231 et seq; MSA 4.1801 (1) et seq) please provide copies of the following:

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Burton Branch ♦ G-3373 S. Saginaw Street ♦ Burton, Michigan 48529

Main Phone 810-257-3612 ♦ Visit us at: www.gchd.us

From: Busch, Stephen (DEQ)
To: Shekter Smith, Liane (DEQ); Wurfel, Brad (DEQ); Sygo, Jim (DEQ); Howes, Sarah (DEQ)
Cc: Shaler, Karen (DEQ); Benzie, Richard (DEQ); Devereaux, Tracy Jo (DEQ); Prysby, Mike (DEQ)
Subject: RE: Information Request and Documentation
Date: Thursday, March 12, 2015 8:49:54 AM
Attachments: FOIA Request Flint Water.doc

For reference, attached is the county health department's FOIA request to the City of Flint from January.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: Shekter Smith, Liane (DEQ)
Sent: Thursday, March 12, 2015 8:41 AM
To: Wurfel, Brad (DEQ); Sygo, Jim (DEQ); Howes, Sarah (DEQ)
Cc: Shaler, Karen (DEQ); Benzie, Richard (DEQ); Devereaux, Tracy Jo (DEQ); Busch, Stephen (DEQ)
Subject: FW: Information Request and Documentation
Importance: High

The district received this late Tuesday.

Steve Busch has indicated that the district has not received a meeting request from Jim Henry or the Genesee County Health Department as indicated in his email below.

The FOIA is specifically directed to the City of Flint not the DEQ.

While the change in source may have created water quality conditions that could provide additional organic nutrient source to support legionella growth, there is no evidence or confirmation of legionella coming directly from the Water Treatment Plant or in the community water supply distribution system at this time.

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 630 S. Saginaw St., Suite 4
 Flint, MI 48502-1540
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Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

From: Shekter Smith, Liane (DEQ)
To: Miller, Corinne (DCH)
Cc: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
Subject: FW: Information Request and Documentation
Date: Thursday, March 12, 2015 2:48:04 PM
Attachments: FOIA Request Flint Water.doc

Corinne —

This is the e-mail I mentioned this morning.

Liane J. Shekter Smith, P.E., Chief
 Office of Drinking Water and Municipal Assistance
 Michigan Department of Environmental Quality
 517-284-6543

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From: Miller, Corinne (DCH)
To: Shekter Smith, Liane (DEQ)
Cc: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation
Date: Thursday, March 12, 2015 3:02:27 PM

Thank you Liane.

I asked staff for a status update after we spoke.

Corinne Miller, PhD
 State Epidemiologist and Director
 Bureau of Disease Control, Prevention and Epidemiology
 Michigan Department of Community Health
 201 Townsend Street
 Lansing, Michigan 48913
 Telephone: 517-335-8900
 Fax: 517-335-8263

From: Shekter Smith, Liane (DEQ)
Sent: Thursday, March 12, 2015 2:48 PM
To: Miller, Corinne (DCH)
Cc: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
Subject: FW: Information Request and Documentation

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E-mail jhenry@gchd.us

From: Benzie, Richard (DEQ)
To: Poy, Thomas; Crooks, Jennifer
Subject: FW: Information Request and Documentation
Date: Thursday, March 12, 2015 7:21:00 PM
Attachments: FOIA Request Flint Water.doc
Importance: High

Please treat this information as confidential at this point as I am not sure when and who will bring this matter forward for public knowledge. But I thought you should get a heads up that another problem could become public soon. Liane forwarded the message from Genesee County to our management this morning along with the attached document, but we have not received a response yet. She also contacted the Department of Community Health and they are following up with the County. They told Liane that they have been offering assistance to the county on this matter on several occasions and had not received a response.

Steve and Mike indicated that they were not contacted by the county on this issue as stated in the attachment, so we don't know who they did contact or if they did. We suspect they are escalating the request for information at this time, but we also wonder why they need much of the information they requested from the city to conduct their investigation, which should have been completed by now. Both DEQ and DCH had the same reaction to their statement about the river before they complete their investigation.

Steve, Liane and I will be meeting tomorrow morning to discuss further. We may be meeting with the executive office as well.

From: Benzie, Richard (DEQ)
Sent: Wednesday, March 11, 2015 7:33 PM
To: Shekter Smith, Liane (DEQ)
Cc: Busch, Stephen (DEQ); Prysby, Mike (DEQ)
Subject: RE: Information Request and Documentation

Liane,

Steve's initial response is below.

As I see it, we need a plan of action fast.

- 1) Inform DEQ management, including legislative and media liaisons; suggest additional communication with DCH
- 2) Prepare response to Genesee County email – did anyone in ODWMA or DEQ have any contact with Genesee County about Legionella and if so, when and what? Was anyone in ODWMA or DEQ requested to meet with Genesee County to discuss Legionella and if so, when, and did they “decline” to meet?
- 3) Contact Flint to alert them of County's concerns and determine their response to the January 27th FOIA request.
- 4) Arrange for a meeting with Genesee County and other parties as deemed appropriate by DEQ management – DCH, Flint, Governor's Office, etc.; Establish a “Lead” agency but also develop a team approach to move forward and determine an appropriate, common

message as well as when such information should be shared and by whom. Determine how long has Genesee County, DCH, and Flint been aware of the increased cases of Legionella and what the message should be about delays in public notification.

- 5) Determine additional steps – possible monitoring protocols, premise plumbing treatment options, public precautions if any, etc.; Consider possible CDC assistance.
- 6) Determine if EPA will be willing to share their draft Legionella guidance document being developed by a workgroup consisting of EPA, the States of Ohio, Minnesota, Pennsylvania, Washington, Nevada, Missouri and Nebraska, and CDC. The guidance will characterize the effectiveness of treatment technologies to address Legionella and address relevant regulatory implications. The primary implication is that individual customers that install “secondary” treatment systems to remove, reduce or prevent Legionella in their premise plumbing (such as hospitals are already doing) become by federal definition, public water systems required to comply with all applicable requirements of the Safe Drinking Water Act. The guidance has been delayed by internal reviews at EPA, but they are hoping to be able to have a final document in summer of 2015.

That's all I can think of at this point. Let me know what you think.

From: Busch, Stephen (DEQ)
Sent: Wednesday, March 11, 2015 9:37 AM
To: Prysby, Mike (DEQ); Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation

Mike,

I am not aware of a meeting request from Jim Henry or the Genesee County Health Department as indicated in his email below. Did you receive any such request?

The FOIA is specifically directed to the City of Flint not the DEQ. If requested some of the information asked for regarding Total Coliform and E.Coli compliance sampling could be provided, but there may also be additional construction repair sampling data.

We can respond to Jim when you get back in, but at this point while the change in source may have created water quality conditions that could provide additional organic nutrient source to support legionella growth, there is no evidence or confirmation of legionella coming directly from the Water Treatment Plant or in the community water supply distribution system at this time.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: Prysby, Mike (DEQ)
Sent: Wednesday, March 11, 2015 7:35 AM
To: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
Subject: Fwd: Information Request and Documentation

I am out today and will return tomorrow. Having trouble getting the attachment to open on my phone...but since it appears to be a FOIA regarding Legionella, I felt it is prudent to get this message to you. I will be available tomorrow to discuss or compile any info that we have.

Sent from my iPhone

Begin forwarded message:

From: "Henry, James" <jhenry@gchd.us>
Date: March 10, 2015 at 6:40:17 PM EDT
To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>
Cc: "Valacak, Mark" <MVALACAK@gchd.us>, "Cupal, Suzanne" <scupal@gchd.us>, "Hasan, Shurooq" <shasan@gchd.us>, "Childs, Bonnie" <BCHILDS@gchd.us>, "Hallwood, Dawn" <dhallwood@gchd.us>, "Johnson, M.D., Gary" <GJOHNSON@gchd.us>
Subject: Information Request and Documentation

Hello everyone,

The Genesee County Health Department has made several written and verbal requests for specific information since October, 2014, including a Freedom of Information Act Request on January 27, 2015. The information still has not been received and the city's lack of cooperation continues to prevent my office from performing our responsibilities.

The Genesee County Health Department has the responsibility to conduct illness investigations and consider all potential sources, this is not optional. In 2014, Genesee County experienced a significant increase of confirmed Legionella illnesses relative to previous years. Legionella can be a deadly, waterborne disease that typically affects the respiratory system.

The increase of the illnesses closely corresponds with the timeframe of the switch to Flint River water. The majority of the cases reside or have an association with the city. Also, McLaren Hospital identified and mitigated Legionella in their water system. This is rather glaring information and it needs to be looked into now, prior to the warmer summer months when Legionella is at its peak and we are potentially faced with a crisis.

This situation has been explicitly explained to MDEQ and many of the city's officials. I want to make sure, in writing that there are no misunderstandings regarding this significant and urgent public health issue. The Trihalomethane issues "pale in comparison" to the potential public health risks of Legionella.

I am submitting the attached FOIA request again and requesting that the legal obligations of the request are met. If the information is not available, please let me know. In the past, I have requested to meet with the water plant staff and MDEQ regarding Legionella concerns. I did not receive a response from the water plant staff and MDEQ declined. I think it is in the best interest for all stakeholders that we meet and discuss the issues.

Respectfully,

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

Genesee County Health Department www.gchd.us

630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

From: Busch, Stephen (DEQ)
To: jhenry@gchd.us
Cc: Pryby, Mike (DEQ); Shekter Smith, Liane (DEQ)
Subject: RE: Information Request and Documentation
Date: Friday, March 13, 2015 3:46:59 PM
Attachments: FOIA Request Flint Water.doc

Mr. Henry,

The January 27, 2015, FOIA request you provided was directed to the City of Flint, not the DEQ. The DEQ has no record of a FOIA request from your office for such information. It is our understanding that the City has responded to your FOIA request, has helped you adequately redefine your request within the City's scope of public record to address such ambiguities as "any additional areas of concern", and provided you with additional information beyond the scope of your request.

The DEQ fully recognizes the public health threat posed to individuals that contract Legionnaires' Disease with the understanding that the disease is not contracted by ingestion of potable water and therefore not regulated under the federal Safe Drinking Water Act. Your email below claims that you have explicitly explained the situation to our Department. However, since contacting our office early last October to indicate a rise in cases, we have not received any further information regarding your epidemiological investigation into this matter.

Further, conclusions that legionella is coming from the public water system without the presentation of any substantiating evidence from your epidemiologic investigation appears premature and prejudice toward that end.

It is highly unlikely that legionella would be present in treated water coming from the City of Flint water treatment plant given the treatment plant's use of ozone along with complete treatment and chlorine disinfect contact time to comply with federal surface water treatment rules for potable water. Detections of total coliform or heterotrophic bacteria in the City's public water distribution system indicate an environment where bacterial growth may be supported. However, there is no direct correlation that can be made to the presence of legionella. While total organic carbon levels in potable water may serve as a food source for bacteria growth in private plumbing system, water temperatures in the City's distribution system are below legionella growth range, and chlorine residual levels would also limit such growth.

Our office agrees that water main breaks, water leaks, and system repairs are possible vectors for legionella to enter the public water system. These should be investigated as part of your epidemiology. DEQ staff can be made available to assist GCHD and the City regarding such matters, but to date no request by GCHD for any such meeting has been received, let alone declined as alleged in your email.

If GCHD is seeking assistance to complete its epidemiological investigation regarding this matter, such resource requests should be directed to the Michigan Department of Community Health. Our Office agrees that a multi-agency partnership would be beneficial to move forward and develop a unified response. In that respect, if our Office can be of any further assistance you may contact me directly.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: "Henry, James" <jhenry@gchd.us>
Date: March 10, 2015 at 6:40:17 PM EDT
To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>
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Respectfully,

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

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630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

From: Shekter Smith, Liane (DEQ)
To: Wurfel, Brad (DEQ); Benzie, Richard (DEQ); Sygo, Jim (DEQ); Howes, Sarah (DEQ)
Cc: Busch, Stephen (DEQ); Prysby, Mike (DEQ)
Subject: FW: Information Request and Documentation
Date: Friday, March 13, 2015 3:55:20 PM
Attachments: FOIA Request Flint Water.doc

FYI – in case you weren't bcc'd on this note. Just wanted to make sure we stay on the same page....

Nicely done Steve and Mike.

From: Busch, Stephen (DEQ)
Sent: Friday, March 13, 2015 3:47 PM
To: jhenry@gchd.us
Cc: Prysby, Mike (DEQ); Shekter Smith, Liane (DEQ)
Subject: RE: Information Request and Documentation

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Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

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To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>
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Respectfully,

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

Genesee County Health Department www.gchd.us

630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

From: Busch, Stephen (DEQ)
To: Howard Croft (hcroft@cityofflint.com); Brent Wright (bwright@cityofflint.com); mglasgow@cityofflint.com; Daugherty Johnson (djohnson@cityofflint.com)
Cc: Gerald Ambrose (gambrose@cityofflint.com); nhenderson@cityofflint.com; Prysby, Mike (DEQ)
Subject: Water Quality Optimization Strategy
Date: Tuesday, March 17, 2015 2:01:50 PM

Howard,

As Mike Prysby and I mentioned during our phone call earlier today, the City should be taking action to optimize water quality in the City's distribution system which will in turn provide the City's water customers with water quality that helps limit the potential for legionella occurrence in premise plumbing. It is recognized that contraction of Legionnaires' Disease is not from ingestion of potable water and not regulated under Safe Drinking Water Act requirements. Further, there is currently no direct evidence of legionella in the City's public water system. However, actions by the City of Flint water system can help minimize the potential for an outbreak in customer plumbing systems.

These actions include the following:

- Water main pigging and flushing to remove biofilm, tuberculation, and sediment throughout the distribution system. Failure to remove such material will limit the effectiveness of any disinfectant. Pigging is the preferred process and equipment can be obtained at minimal cost. As the growth range for legionella starts at 68 degrees F, conducting this work as soon as possible in the spring and early summer with cooler temperatures would help reduce the potential for formation under warmer water conditions.
- Maintain pH levels of 7.2-7.8 in finished water and distribution system when possible to maximize the disinfection and oxidation potential of the hypochlorous acid residual (versus the less potent hypochlorite ion). Any optimized corrosion control plan practices regarding pH levels must be taken into consideration.
- Maintain a minimum free chlorine residual of 0.5 mg/L throughout the distribution system when possible. Continuous residual at this level has been shown to be effective in control of legionella. (This will need to be balanced with requirements to limit TTHM formation and comply with the TTHM standard.)
- Continuous operation and optimization of the ozone treatment equipment to treat raw source water. Ozone is highly effective in the destruction of legionella bacteria.
- Conduct routine monitoring for legionella bacteria at the water treatment plant tap and at locations in the distribution system. Note: sample locations must take water directly off the main and not be from premise plumbing systems. Distribution locations could include storage tank inlets or pumping stations. Monitoring at the WTP plant tap would demonstrate removal of any legionella present in raw source water. A private laboratory that specializes in water sample analysis for legionella would need to be used.
- Optimize water treatment plant operation for pathogen reduction under surface water

treatment rule requirements. Optimizing the removal for similar pathogens can help reduce the potential for legionella.

A conference call with City staff would probably be best to facilitate further discussions of these actions in more detail. Mike and I can make ourselves available this week to discuss and answer any questions.

Stephen Busch, P.E.,
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

From: Shekter Smith, Liane (DEQ)
To: Devereaux, Tracy Jo (DEQ)
Subject: ODWMA 2015 SMT Presentation.pptx
Date: Tuesday, March 17, 2015 3:26:32 PM
Attachments: ODWMA 2015 SMT Presentation.pptx

A first draft to get a feel for where this is heading....

Office of Drinking Water and Municipal Assistance

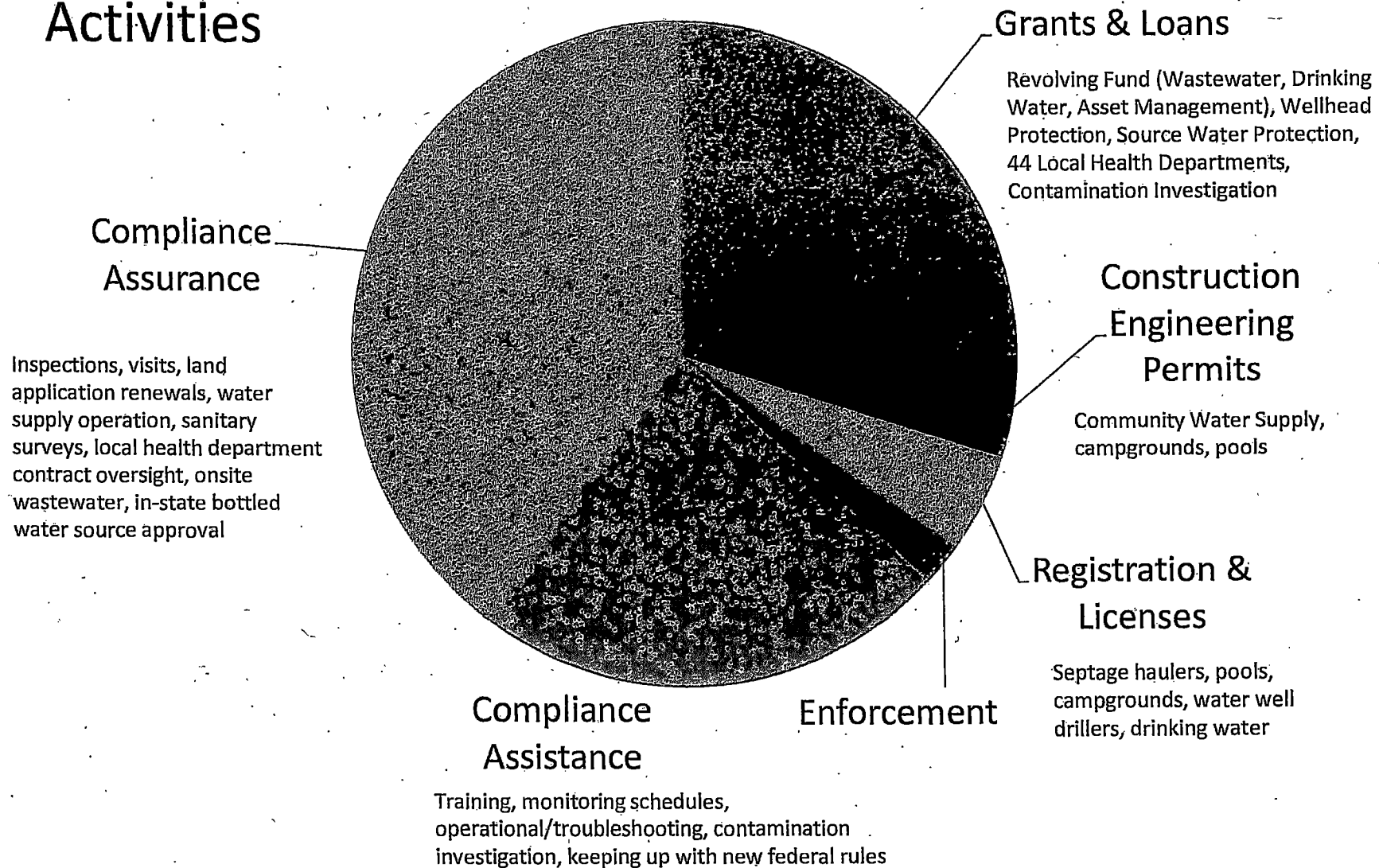
- Insert an optical illusion – two faces or lady in a dress.....

- Pie Chart here:
- # FTE's in the following programs:
 - CWS
 - NCWS
 - Well construction
 - Revolving Loan
 - Septage
 - On-site Wastewater
 - Campgrounds
 - Pools

- Pie Chart Here
- Funding
- Revolving Loan
- Campgrounds
- Pools
- PWS
- Septage
- On-site Wastewater

Office of Drinking Water & Municipal Assistance

Activities



2014 Office Factoids:

- 1400 Community water systems serving 7.6 million residents and visitors.
- 11,000 Noncommunity water systems.
- 4500 public swimming pools.
- 1200 campgrounds.
- 1.4 million water wells.
- 1.3 million onsite wastewater systems.
- \$67M DWRF low-interest loans obligated.
- \$270M SRF low-interest loans obligated.
- \$97M SAW grants obligated.

Permits

- Community Water Supply
- Campgrounds
- Pools

2014 Grants/Loans

- Revolving Loan
 - SRF \$190M low-interest loans obligated
 - DWRF \$50M low-interest loans obligated
 - SWQIF \$97M SAW grants
- Wellhead Protection
- Source Water Protection
- Local Health Departments

Grants to LHDs

- Campgrounds
- Pools
- Septage
- On-site Wastewater
- Noncommunity Water Supply
- Well Construction/P-III
- Contamination Investigation

Licenses/Registrations

- Pools: 5,400 licensed public swimming pools
- Campgrounds: 1,300 licensed campgrounds
- Well Drillers: 850 registered drinking water well drillers/contractors
- Septage Haulers: 390 licensed haulers
- Septage Hauling Vehicles: 850 licensed vehicles
- PWS Operators: 4,500 certified operators

Enforcement

- Well Drillers
- Campgrounds
- Public Water Supply
 - Monitoring and Reporting
 - Treatment Techniques/Maximum Contaminant Levels
 - Significant Deficiencies
 - Fees

Compliance Assurance

Compliance Assistance

Other distractions.....

- Water Strategy
- Water Use Advisory Council Implementation
- Alternative Institutional Controls
- Use of shallow wells for infiltration
- Legionella
- MEAP Certification
- Affordability of water (water shut offs)

From: Crooks, Jennifer
To: Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation
Date: Wednesday, March 18, 2015 9:54:03 AM
Importance: High

Hi, Richard. I know you've been in training this week, but I'm wondering if you'd be able to call Tom Poy when you get a minute to discuss this issue below. He understands that you may need to keep some internal discussions under your hat right now, but he wants to touch base with you—He's working on this from EPA end, and wants to provide assistance to you all:

Jen

From: Benzie, Richard (DEQ) [mailto:BENZIER@michigan.gov]
Sent: Thursday, March 12, 2015 6:22 PM
To: Poy, Thomas; Crooks, Jennifer
Subject: FW: Information Request and Documentation
Importance: High

Please treat this information as confidential at this point as I am not sure when and who will bring this matter forward for public knowledge. But I thought you should get a heads up that another problem could become public soon. Liane forwarded the message from Genesee County to our management this morning along with the attached document, but we have not received a response yet. She also contacted the Department of Community Health and they are following up with the County. They told Liane that they have been offering assistance to the county on this matter on several occasions and had not received a response.

Steve and Mike indicated that they were not contacted by the county on this issue as stated in the attachment, so we don't know who they did contact or if they did. We suspect they are escalating the request for information at this time, but we also wonder why they need much of the information they requested from the city to conduct their investigation, which should have been completed by now. Both DEQ and DCH had the same reaction to their statement about the river before they complete their investigation.

Steve, Liane and I will be meeting tomorrow morning to discuss further. We may be meeting with the executive office as well.

From: Benzie, Richard (DEQ)
Sent: Wednesday, March 11, 2015 7:33 PM
To: Shekter Smith, Liane (DEQ)
Cc: Busch, Stephen (DEQ); Prysby, Mike (DEQ)
Subject: RE: Information Request and Documentation

Liane,

Steve's initial response is below.

As I see it, we need a plan of action fast.

- 1) Inform DEQ management, including legislative and media liaisons; suggest additional communication with DCH
- 2) Prepare response to Genesee County email – did anyone in ODWMA or DEQ have any contact with Genesee County about Legionella and if so, when and what? Was anyone in ODWMA or DEQ requested to meet with Genesee County to discuss Legionella and if so, when, and did they “decline” to meet?
- 3) Contact Flint to alert them of County’s concerns and determine their response to the January 27th FOIA request.
- 4) Arrange for a meeting with Genesee County and other parties as deemed appropriate by DEQ management – DCH, Flint, Governor’s Office, etc.; Establish a “Lead” agency but also develop a team approach to move forward and determine an appropriate, common message as well as when such information should be shared and by whom. Determine how long has Genesee County, DCH, and Flint been aware of the increased cases of Legionella and what the message should be about delays in public notification.
- 5) Determine additional steps – possible monitoring protocols, premise plumbing treatment options, public precautions if any, etc.; Consider possible CDC assistance.
- 6) Determine if EPA will be willing to share their draft Legionella guidance document being developed by a workgroup consisting of EPA, the States of Ohio, Minnesota, Pennsylvania, Washington, Nevada, Missouri and Nebraska, and CDC. The guidance will characterize the effectiveness of treatment technologies to address Legionella and address relevant regulatory implications. The primary implication is that individual customers that install “secondary” treatment systems to remove, reduce or prevent Legionella in their premise plumbing (such as hospitals are already doing) become by federal definition, public water systems required to comply with all applicable requirements of the Safe Drinking Water Act. The guidance has been delayed by internal reviews at EPA, but they are hoping to be able to have a final document in summer of 2015.

That’s all I can think of at this point. Let me know what you think.

From: Busch, Stephen (DEQ)
Sent: Wednesday, March 11, 2015 9:37 AM
To: Prysby, Mike (DEQ); Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation

Mike,

I am not aware of a meeting request from Jim Henry or the Genesee County Health Department as indicated in his email below. Did you receive any such request?

The FOIA is specifically directed to the City of Flint not the DEQ. If requested some of the information asked for regarding Total Coliform and E.Coli compliance sampling could be provided, but there may also be additional construction repair sampling data.

We can respond to Jim when you get back in, but at this point while the change in source may have created water quality conditions that could provide additional organic nutrient source to support legionella growth, there is no evidence or confirmation of legionella coming directly from the Water

Treatment Plant or in the community water supply distribution system at this time.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

From: Prysby, Mike (DEQ)
Sent: Wednesday, March 11, 2015 7:35 AM
To: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
Subject: Fwd: Information Request and Documentation

I am out today and will return tomorrow. Having trouble getting the attachment to open on my phone...but since it appears to be a FOIA regarding Legionella, I felt it is prudent to get this message to you. I will be available tomorrow to discuss or compile any info that we have.

Sent from my iPhone

Begin forwarded message:

From: "Henry, James" <jhenry@gchd.us>
Date: March 10, 2015 at 6:40:17 PM EDT
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Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

From: Benzie, Richard (DEQ)
To: Crooks, Jennifer
Cc: Shekter Smith, Liane (DEQ)
Subject: Re: Information Request and Documentation
Date: Wednesday, March 18, 2015 10:29:17 AM

I will try. Maybe Liane can also talk with Tom before I may be able to get a chance.

Sent using OWA for iPhone

From: Crooks, Jennifer <crooks.jennifer@epa.gov>
Sent: Wednesday, March 18, 2015 9:53:19 AM
To: Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation

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- 5) Determine additional steps – possible monitoring protocols, premise plumbing treatment options, public precautions if any, etc.; Consider possible CDC assistance.
- 6) Determine if EPA will be willing to share their draft Legionella guidance document being developed by a workgroup consisting of EPA, the States of Ohio, Minnesota, Pennsylvania, Washington, Nevada, Missouri and Nebraska, and CDC. The guidance will characterize the effectiveness of treatment technologies to address Legionella and address relevant regulatory implications. The primary implication is that individual customers that install “secondary” treatment systems to remove, reduce or prevent Legionella in their premise plumbing (such as hospitals are already doing) become by federal definition, public water systems required to comply with all applicable requirements of the Safe Drinking Water Act. The guidance has been delayed by internal reviews at EPA, but they are hoping to be able to have a final document in summer of 2015.

That's all I can think of at this point. Let me know what you think.

From: Busch, Stephen (DEQ)
Sent: Wednesday, March 11, 2015 9:37 AM
To: Prysby, Mike (DEQ); Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation

Mike,

I am not aware of a meeting request from Jim Henry or the Genesee County Health Department as indicated in his email below. Did you receive any such request?

The FOIA is specifically directed to the City of Flint not the DEQ. If requested some of the information asked for regarding Total Coliform and E.Coli compliance sampling could be provided, but there may also be additional construction repair sampling data.

We can respond to Jim when you get back in, but at this point while the change in source may have created water quality conditions that could provide additional organic nutrient source to support legionella growth, there is no evidence or confirmation of legionella coming directly from the Water Treatment Plant or in the community water supply distribution system at this time.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

From: Prysby, Mike (DEQ)
Sent: Wednesday, March 11, 2015 7:35 AM
To: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
Subject: Fwd: Information Request and Documentation

I am out today and will return tomorrow. Having trouble getting the attachment to open on my phone...but since it appears to be a FOIA regarding Legionella, I felt it is prudent to get this message to you. I will be available tomorrow to discuss or compile any info that we have.

Sent from my iPhone

Begin forwarded message:

From: "Henry, James" <jhenry@gchd.us>
Date: March 10, 2015 at 6:40:17 PM EDT
To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>
Cc: "Valacak, Mark" <MVALACAK@gchd.us>, "Cupal, Suzanne" <scupal@gchd.us>, "Hasan, Shurooq" <shasan@gchd.us>, "Childs, Bonnie" <BCHILDS@gchd.us>, "Hallwood, Dawn" <dhallwood@gchd.us>, "Johnson, M.D., Gary" <GJOHNSON@gchd.us>
Subject: Information Request and Documentation

Hello everyone,

The Genesee County Health Department has made several written and verbal requests for specific information since October, 2014, including a Freedom of Information Act Request on January 27, 2015. The information still has not been received and the city's lack of cooperation continues to prevent my office from performing our responsibilities.

The Genesee County Health Department has the responsibility to conduct illness investigations and consider all potential sources, this is not optional. In 2014, Genesee

County experienced a significant increase of confirmed Legionella illnesses relative to previous years. Legionella can be a deadly, waterborne disease that typically affects the respiratory system.

The increase of the illnesses closely corresponds with the timeframe of the switch to Flint River water. The majority of the cases reside or have an association with the city. Also, McLaren Hospital identified and mitigated Legionella in their water system. This is rather glaring information and it needs to be looked into now, prior to the warmer summer months when Legionella is at its peak and we are potentially faced with a crisis.

This situation has been explicitly explained to MDEQ and many of the city's officials. I want to make sure, in writing that there are no misunderstandings regarding this significant and urgent public health issue. The Trihalomethane issues "pale in comparison" to the potential public health risks of Legionella.

I am submitting the attached FOIA request again and requesting that the legal obligations of the request are met. If the information is not available, please let me know. In the past, I have requested to meet with the water plant staff and MDEQ regarding Legionella concerns. I did not receive a response from the water plant staff and MDEQ declined. I think it is in the best interest for all stakeholders that we meet and discuss the issues.

Respectfully,

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

Genesee County Health Department www.gchd.us

630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

From: Shekter Smith, Liane (DEQ)
To: Benzie, Richard (DEQ); Crooks, Jennifer
Subject: RE: Information Request and Documentation
Date: Wednesday, March 18, 2015 10:33:25 AM

Sure, I'll try Tom now.

Liane J. Shekter Smith, P.E., Chief
 Office of Drinking Water and Municipal Assistance
 Michigan Department of Environmental Quality
 517-284-6543

From: Benzie, Richard (DEQ)
Sent: Wednesday, March 18, 2015 10:29 AM
To: Crooks, Jennifer
Cc: Shekter Smith, Liane (DEQ)
Subject: Re: Information Request and Documentation

I will try. Maybe Liane can also talk with Tom before I may be able to get a chance.

Sent using OWA for iPhone

From: Crooks, Jennifer <crooks.jennifer@epa.gov>
Sent: Wednesday, March 18, 2015 9:53:19 AM
To: Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation

Hi, Richard. I know you've been in training this week, but I'm wondering if you'd be able to call Tom Poy when you get a minute to discuss this issue below. He understands that you may need to keep some internal discussions under your hat right now, but he wants to touch base with you—He's working on this from EPA end, and wants to provide assistance to you all.
 Jen

From: Benzie, Richard (DEQ) [<mailto:BENZIER@michigan.gov>]
Sent: Thursday, March 12, 2015 6:22 PM
To: Poy, Thomas; Crooks, Jennifer
Subject: FW: Information Request and Documentation
Importance: High

Please treat this information as confidential at this point as I am not sure when and who will bring this matter forward for public knowledge. But I thought you should get a heads up that another problem could become public soon. Liane forwarded the message from Genesee County to our management this morning along with the attached document, but we have not received a response yet. She also contacted the Department of Community Health and they are following up with the County. They told Liane that they have been offering assistance to the county on this matter on several occasions and had not received a response.

Steve and Mike indicated that they were not contacted by the county on this issue as stated in the attachment, so we don't know who they did contact or if they did. We suspect they are escalating the request for information at this time, but we also wonder why they need much of the information they requested from the city to conduct their investigation, which should have been completed by now. Both DEQ and DCH had the same reaction to their statement about the river before they complete their investigation.

Steve, Liane and I will be meeting tomorrow morning to discuss further. We may be meeting with the executive office as well.

From: Benzie, Richard (DEQ)
Sent: Wednesday, March 11, 2015 7:33 PM
To: Shekter Smith, Liane (DEQ)
Cc: Busch, Stephen (DEQ); Prysby, Mike (DEQ)
Subject: RE: Information Request and Documentation

Liane,

Steve's initial response is below.

As I see it, we need a plan of action fast.

- 1) Inform DEQ management, including legislative and media liaisons; suggest additional communication with DCH
- 2) Prepare response to Genesee County email – did anyone in ODWMA or DEQ have any contact with Genesee County about Legionella and if so, when and what? Was anyone in ODWMA or DEQ requested to meet with Genesee County to discuss Legionella and if so, when, and did they “decline” to meet?
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Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

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Sent: Wednesday, March 11, 2015 7:35 AM
To: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
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Sent from my iPhone

Begin forwarded message:

From: "Henry, James" <jhenry@gchd.us>
Date: March 10, 2015 at 6:40:17 PM EDT
To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose

<gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>
Cc: "Valacak, Mark" <MVALACAK@gchd.us>, "Cupal, Suzanne" <scupal@gchd.us>, "Hasan, Shurooq" <shasan@gchd.us>, "Childs, Bonnie" <BCHILDS@gchd.us>, "Hallwood, Dawn" <dhallwood@gchd.us>, "Johnson, M.D., Gary" <GJOHNSON@gchd.us>
Subject: Information Request and Documentation

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Respectfully,

Jim

Jim Henry
 Jim Henry RS, MBA
 Environmental Health Supervisor
 Genesee County Health Department www.gchd.us
 630 S. Saginaw St., Suite 4
 Flint, MI 48502-1540
 Phone (810) 257-3618 Fax (810) 257-3125
 E-mail jhenry@gchd.us

Devereaux, Tracy Jo (DEQ)

From: Monosmith, Carrie (DEQ)
Sent: Thursday, March 19, 2015 8:22 AM
To: Shekter Smith, Liane (DEQ); Benzie, Richard (DEQ)
Cc: Busch, Stephen (DEQ)
Subject: FW: MHA & Michigan DEQ re: McLaren-Flint Water Treatment to Prevent Legionella
Attachments: MHA & Michigan DEQ re McLaren-Flint Water Treatment to Prevent Legionella .ics
Importance: High

I have finally been able to set up a conference call with some of the members of the Michigan Hospital Association. However, I do believe they are more interested in what is happening in Flint rather than the regulatory aspects of secondary treatment. Unfortunately, this meeting can only be held at 3 PM this afternoon, or else it will wait at least 2 more weeks because one of their participants will be out of the country.

I worked with Janice Jones, MHA, to get this set up. I did tell her that we would try to do it today, but it may have to be cancelled because the key people here all had meeting conflicts. (It conflicts with the Region 5 PWSS State call.) I don't mind handling the call, but I don't know the current Flint situation or enough of the particulars on the Legionella outbreak there to adequately answer their questions. Liane & Richard—if you can't participate, perhaps Steve Busch and I could meet with them. Please let me know what you would like to do so that if this needs to be postponed I won't be doing it at the last minute, thanks-Carrie

Devereaux, Tracy Jo (DEQ)

Subject: MHA & Michigan DEQ re: McLaren-Flint Water Treatment to Prevent Legionella
Location: 1-877-668-4493/Host: 23218831/Attendee: 23235794

Start: Thu 3/19/2015 3:00 PM
End: Thu 3/19/2015 4:00 PM

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Janice Jones

Importance: High

Thank you all for making time in your schedules to participate in this call. Ruthie, if you can be on this call that would be great, however Sam has indicated that if your schedule will not permit, we can proceed with just Laura being on the call. Please use the following conference call information:

Dial-In Number: 1-877-668-4493

Host Code: 23218831 (*Laura Wotruba, MHA*)

Attendee Code: 23235794 (*all others*)

I am allowing a full hour for this call, although Carrie Monosmith at Mich. DEQ has let me know it may only take 30 minutes. Thank you!

Janice Jones | Office Coordinator

Michigan Health & Hospital Association

Keystone Center for Patient Safety & Quality

517-886-8433 Phone | jjones@mha.org

The MHA Keystone: Obstetrics workshop will be held April 14 at the Dearborn Inn. [Click here](#) to register or learn more.

Carrie Monosmith, Drinking Water & Municipal Assistance at Michigan DEQ
 (517) 290-2601

monosmithc@michigan.gov

Carrie called regarding water treatments at hospitals to prevent legionella and the regulatory ramifications that would result from such water treatments. Apparently if the facility or facilities meet the definition of a public water supply, they fall under federal regulations. Two hospitals in Flint have done such water treatments – McLaren-Flint and Hurley. In her voicemail yesterday, she mentioned McLaren in particular has undergone water treatment to prevent legionella – sounds like they may have had a few cases. Carrie has indicated that this is expected to hit the newspapers in Flint concerning the situation with McLaren and it is possible that MHA may be called.

Devereaux, Tracy Jo (DEQ)

From: Monosmith, Carrie (DEQ)
Sent: Thursday, March 19, 2015 8:59 AM
To: Shekter Smith, Liane (DEQ); Benzie, Richard (DEQ)
Cc: Busch, Stephen (DEQ)
Subject: RE: MHA & Michigan DEQ re: McLaren-Flint Water Treatment to Prevent Legionella

The call is cancelled. We are going to try and reschedule in April.—Carrie

From: Monosmith, Carrie (DEQ)
Sent: Thursday, March 19, 2015 8:21 AM
To: Shekter Smith, Liane (DEQ); Benzie, Richard (DEQ)
Cc: Busch, Stephen (DEQ)
Subject: FW: MHA & Michigan DEQ re: McLaren-Flint Water Treatment to Prevent Legionella
Importance: High

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Devereaux, Tracy Jo (DEQ)

From: Busch, Stephen (DEQ)
Sent: Thursday, March 19, 2015 3:05 PM
To: Benzie, Richard (DEQ); Prysby, Mike (DEQ); Shekter Smith, Liane (DEQ)
Subject: FW: Information Request and Documentation

Response from Jim Henry below.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: Henry, James [mailto:jhenry@gchd.us]
Sent: Thursday, March 19, 2015 12:15 PM
To: Busch, Stephen (DEQ)
Cc: Valacak, Mark; Cupal, Suzanne
Subject: RE: Information Request and Documentation

Hello Mr. Busch,

Thanks for your response. I'm looking forward to working with your office moving forward. Based upon my experiences with this investigation, I think it is necessary for my communications to be candid and followed up in writing whenever possible. Our goal is to successfully conduct this investigation in efforts to better protect the public.

I agree there are ambiguities written in the FOIA request. GCHD does not have municipal water system expertise and we are continuously learning about the processes. The FOIA request is specific enough that we should have received a timely response from the City of Flint. Also, it is addressed to the City and I apologize if there were misunderstandings regarding the intended recipient.

There have not been any conclusions regarding the source of illnesses. Our team is gathering information and we suspect there may be several sources. It has been made clear that the Flint municipal water system is in compliance with the Safe Drinking Water Act. It seems reasonable that your office would be involved regardless if a potential health risk from municipal water is related to consumption, inhalation or dermal exposure. Perhaps the legislation should be revisited to better address risks.

As you mentioned, we had communications with your office in October 2014, regarding Legionella, but I also had three telephone conversations with Mr. Michael Prysby, from your office between January 21, 2015 and January 23, 2015. These conversations occurred around the same time that your office participated with the TTHM presentation in Flint. I "explicitly explained" the details of the Legionella concerns and the possible associations with the Flint municipal water system and I specifically requested to meet with your office for further discussions.

Mr. Prysby informed me that the concerns were discussed with you. I was informed there was no reason to meet because the municipal water system is in compliance with the Safe Drinking Water Act. Other than the timeframes written in your email, you are correct, I did not contact your office again until the email, dated March, 10, 2015.

GCHD has been working closely with MDCH and has consulted with CDC on several occasions regarding the epidemiological investigation. Also, we have been working with Legionella and municipal water experts, and recently with the USEPA. Based upon these discussions we have been informed that it is likely that a small amount of Legionella will survive the water treatment process at the plant and enter into the distribution system.

Our team is in the process of developing plans, which may include sampling locations within the distribution system and comparing environmental and clinical isolates. We recognize potential social, political and economic impacts regarding this investigation and need to be prepared for all outcomes. Hopefully, your office, the regulatory agency, will be available for assistance.

If a representative from your office is available to meet next week, please respond with some dates and times. I think it would be appropriate for the City to attend meetings and I will contact Mr. Croft, Flint DPW Director, after I receive a response from your office.

Thank you

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

Genesee County Health Department www.gchd.us

630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us



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For a copy of the Health Department's Notice of Information Practices, contact the Health Department or visit the Health Department's website at <http://www.gchd.us/>

From: Busch, Stephen (DEQ) [<mailto:BUSCHS@michigan.gov>]

Sent: Friday, March 13, 2015 3:47 PM

To: Henry, James

Cc: Prysby, Mike (DEQ); Shekter Smith, Liane (DEQ)

Subject: RE: Information Request and Documentation

Mr. Henry,

The January 27, 2015, FOIA request you provided was directed to the City of Flint, not the DEQ. The DEQ has no record of a FOIA request from your office for such information. It is our understanding that the City has responded to your FOIA request, has helped you adequately redefine your request within the City's scope of public record to address such ambiguities as "any additional areas of concern", and provided you with additional information beyond the scope of your request.

The DEQ fully recognizes the public health threat posed to individuals that contract Legionnaires' Disease with the understanding that the disease is not contracted by ingestion of potable water and therefore not regulated under the federal Safe Drinking Water Act. Your email below claims that you have explicitly explained the situation to our

Department. However, since contacting our office early last October to indicate a rise in cases, we have not received any further information regarding your epidemiological investigation into this matter.

Further, conclusions that legionella is coming from the public water system without the presentation of any substantiating evidence from your epidemiologic investigation appears premature and prejudice toward that end.

It is highly unlikely that legionella would be present in treated water coming from the City of Flint water treatment plant given the treatment plant's use of ozone along with complete treatment and chlorine disinfect contact time to comply with federal surface water treatment rules for potable water. Detections of total coliform or heterotrophic bacteria in the City's public water distribution system indicate an environment where bacterial growth may be supported. However, there is no direct correlation that can be made to the presence of legionella. While total organic carbon levels in potable water may serve as a food source for bacteria growth in private plumbing system, water temperatures in the City's distribution system are below legionella growth range, and chlorine residual levels would also limit such growth.

Our office agrees that water main breaks, water leaks, and system repairs are possible vectors for legionella to enter the public water system. These should be investigated as part of your epidemiology. DEQ staff can be made available to assist GCHD and the City regarding such matters, but to date no request by GCHD for any such meeting has been received, let alone declined as alleged in your email.

If GCHD is seeking assistance to complete its epidemiological investigation regarding this matter, such resource requests should be directed to the Michigan Department of Community Health. Our Office agrees that a multi-agency partnership would be beneficial to move forward and develop a unified response. In that respect, if our Office can be of any further assistance you may contact me directly.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

From: "Henry, James" <jhenry@gchd.us>

Date: March 10, 2015 at 6:40:17 PM EDT

To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)" <prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>

Cc: "Valacak, Mark" <MVALACAK@gchd.us>, "Cupal, Suzanne" <scupal@gchd.us>, "Hasan, Shurooq" <shasan@gchd.us>, "Childs, Bonnie" <BCHILDS@gchd.us>, "Hallwood, Dawn" <dhallwood@gchd.us>, "Johnson, M.D., Gary" <GJOHNSON@gchd.us>

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Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

Devereaux, Tracy Jo (DEQ)

From: Shekter-Smith, Liane (DEQ)
Sent: Thursday, March 19, 2015 3:30 PM
To: Sygo, Jim (DEQ); Wurfel, Brad (DEQ)
Cc: Benzie, Richard (DEQ); Busch, Stephen (DEQ)
Subject: FW: Information Request and Documentation

Please see the note below.

Has there been any further communication with or from DCH?

From: Busch, Stephen (DEQ)
Sent: Thursday, March 19, 2015 3:05 PM
To: Benzie, Richard (DEQ); Prysby, Mike (DEQ); Shekter Smith, Liane (DEQ)
Subject: FW: Information Request and Documentation

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Thanks for your response. I'm looking forward to working with your office moving forward. Based upon my experiences with this investigation, I think it is necessary for my communications to be candid and followed up in writing whenever possible. Our goal is to successfully conduct this investigation in efforts to better protect the public.

I agree there are ambiguities written in the FOIA request. GCHD does not have municipal water system expertise and we are continuously learning about the processes. The FOIA request is specific enough that we should have received a timely response from the City of Flint. Also, it is addressed to the City and I apologize if there were misunderstandings regarding the intended recipient.

There have not been any conclusions regarding the source of illnesses. Our team is gathering information and we suspect there may be several sources. It has been made clear that the Flint municipal water system is in compliance with the Safe Drinking Water Act. It seems reasonable that your office would be involved regardless if a potential health risk from municipal water is related to consumption, inhalation or dermal exposure. Perhaps the legislation should be revisited to better address risks.

As you mentioned, we had communications with your office in October 2014, regarding Legionella, but I also had three telephone conversations with Mr. Michael Prysby, from your office between January 21, 2015 and January 23, 2015. These conversations occurred around the same time that your office participated with the TTHM presentation in Flint. I "explicitly explained" the details of the Legionella concerns and the possible associations with the Flint municipal water system and I specifically requested to meet with your office for further discussions.

Mr. Prysby informed me that the concerns were discussed with you. I was informed there was no reason to meet because the municipal water system is in compliance with the Safe Drinking Water Act. Other than the timeframes written in your email, you are correct, I did not contact your office again until the email, dated March, 10, 2015.

GCHD has been working closely with MDCH and has consulted with CDC on several occasions regarding the epidemiological investigation. Also, we have been working with Legionella and municipal water experts, and recently with the USEPA. Based upon these discussions we have been informed that it is likely that a small amount of Legionella will survive the water treatment process at the plant and enter into the distribution system.

Our team is in the process of developing plans, which may include sampling locations within the distribution system and comparing environmental and clinical isolates. We recognize potential social, political and economic impacts regarding this investigation and need to be prepared for all outcomes. Hopefully, your office, the regulatory agency, will be available for assistance.

If a representative from your office is available to meet next week, please respond with some dates and times. I think it would be appropriate for the City to attend meetings and I will contact Mr. Croft, Flint DPW Director, after I receive a response from your office.

Thank you

Jim

Jim Henry
 Jim Henry RS, MBA
 Environmental Health Supervisor
 Genesee County Health Department www.gchd.us
 630 S. Saginaw St., Suite 4
 Flint, MI 48502-1540
 Phone (810) 257-3618 Fax (810) 257-3125
 E-mail jhenry@gchd.us



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From: Busch, Stephen (DEQ) [<mailto:BUSCHS@michigan.gov>]
Sent: Friday, March 13, 2015 3:47 PM
To: Henry, James
Cc: Prysby, Mike (DEQ); Shekter Smith, Liane (DEQ)
Subject: RE: Information Request and Documentation

Mr. Henry,

The January 27, 2015, FOIA request you provided was directed to the City of Flint, not the DEQ. The DEQ has no record of a FOIA request from your office for such information. It is our understanding that the City has responded to your FOIA request, has helped you adequately redefine your request within the City's scope of public record to address such ambiguities as "any additional areas of concern", and provided you with additional information beyond the scope of your request.

The DEQ fully recognizes the public health threat posed to individuals that contract Legionnaires' Disease with the understanding that the disease is not contracted by ingestion of potable water and therefore not regulated under the federal Safe Drinking Water Act. Your email below claims that you have explicitly explained the situation to our Department. However, since contacting our office early last October to indicate a rise in cases, we have not received any further information regarding your epidemiological investigation into this matter.

Further, conclusions that legionella is coming from the public water system without the presentation of any substantiating evidence from your epidemiologic investigation appears premature and prejudice toward that end.

It is highly unlikely that legionella would be present in treated water coming from the City of Flint water treatment plant given the treatment plant's use of ozone along with complete treatment and chlorine disinfect contact time to comply with federal surface water treatment rules for potable water. Detections of total coliform or heterotrophic bacteria in the City's public water distribution system indicate an environment where bacterial growth may be supported. However, there is no direct correlation that can be made to the presence of legionella. While total organic carbon levels in potable water may serve as a food source for bacteria growth in private plumbing system, water temperatures in the City's distribution system are below legionella growth range, and chlorine residual levels would also limit such growth.

Our office agrees that water main breaks, water leaks, and system repairs are possible vectors for legionella to enter the public water system. These should be investigated as part of your epidemiology. DEQ staff can be made available to assist GCHD and the City regarding such matters, but to date no request by GCHD for any such meeting has been received, let alone declined as alleged in your email.

If GCHD is seeking assistance to complete its epidemiological investigation regarding this matter, such resource requests should be directed to the Michigan Department of Community Health. Our Office agrees that a multi-agency partnership would be beneficial to move forward and develop a unified response. In that respect, if our Office can be of any further assistance you may contact me directly.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: "Henry, James" <jhenry@gchd.us>
Date: March 10, 2015 at 6:40:17 PM EDT
To: Howard Croft <hcroft@cityofflint.com>, "Mike Prysby (DEQ)"

<prysbym@michigan.gov>, Elizabeth Murphy <emurphy@cityofflint.com>, "Natasha Henderson" <nhenderson@cityofflint.com>, Jerry Ambrose <gambrose49@gmail.com>, Dayne Walling <dwalling@cityofflint.com>

Cc: "Valacak, Mark" <MVALACAK@gchd.us>, "Cupal, Suzanne" <scupal@gchd.us>, "Hasan, Shurooq" <shasan@gchd.us>, "Childs, Bonnie" <BCHILDs@gchd.us>, "Hallwood, Dawn" <dhallwood@gchd.us>, "Johnson, M.D., Gary" <GJOHNSON@gchd.us>

Subject: Information Request and Documentation

Hello everyone,

The Genesee County Health Department has made several written and verbal requests for specific information since October, 2014, including a Freedom of Information Act Request on January 27, 2015. The information still has not been received and the city's lack of cooperation continues to prevent my office from performing our responsibilities.

The Genesee County Health Department has the responsibility to conduct illness investigations and consider all potential sources, this is not optional. In 2014, Genesee County experienced a significant increase of confirmed Legionella illnesses relative to previous years. Legionella can be a deadly, waterborne disease that typically affects the respiratory system.

The increase of the illnesses closely corresponds with the timeframe of the switch to Flint River water. The majority of the cases reside or have an association with the city. Also, McLaren Hospital identified and mitigated Legionella in their water system. This is rather glaring information and it needs to be looked into now, prior to the warmer summer months when Legionella is at its peak and we are potentially faced with a crisis.

This situation has been explicitly explained to MDEQ and many of the city's officials. I want to make sure, in writing that there are no misunderstandings regarding this significant and urgent public health issue. The Trihalomethane issues "pale in comparison" to the potential public health risks of Legionella.

I am submitting the attached FOIA request again and requesting that the legal obligations of the request are met. If the information is not available, please let me know. In the past, I have requested to meet with the water plant staff and MDEQ regarding Legionella concerns. I did not receive a response from the water plant staff and MDEQ declined. I think it is in the best interest for all stakeholders that we meet and discuss the issues.

Respectfully,

Jim

Jim Henry

Jim Henry RS, MBA

Environmental Health Supervisor

Genesee County Health Department www.gchd.us

630 S. Saginaw St., Suite 4

Flint, MI 48502-1540

Phone (810) 257-3618 Fax (810) 257-3125

E-mail jhenry@gchd.us

Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Monday, March 23, 2015 6:19 PM
To: Devereaux, Tracy Jo (DEQ)
Subject: ASDWA Member Meeting - Summary for Minutes
Attachments: ASDWA Member Meeting - Summary for Minutes.doc

Here's my summary of my talk on the ASDWA meeting at the last managers meeting.

ASDWA Member Meeting Summary – Benzie

A review of some pertinent topics presented at the March meeting was provided to Public Water Supply Managers.

Peter Grevatt, Director of the Office of Ground Water and Drinking Water spoke about:

- the 2015 budget and how it was quite a bit below the 2014 budget
- the next Technical Support Grant contracts had been awarded to NRWA, RCAP and the Environmental Finance Centers
- the Source Water Collaborative continues to be successful and he mentioned the Charleston, WV and Toledo, OH incidents as reasons for continued vigilance in SWP
- ***EPA is committed to having a HAB health advisory available before the next HAB season on the Great Lakes, including a Health based value for microcystin.*** It may be more difficult to figure out how to implement than establishing a level - chronic vs. acute health impacts, communication, etc.
- ***Legionella is not a drinking water threat per se, but secondary treatment to mitigate these organisms makes these customers public water systems; EPA is trying to provide guidance on what treatment is effective for legionella.*** Unfortunately, the guidance is taking longer than expected due to the description of secondary treatment that requires oversight.

EPA staff in the OGWDW also spoke about:

- The status of the 2015 Needs DWIN Surveys
- WIFIA listening sessions and the concerns of states about the competition for federal dollars
- Upcoming Decontamination Tabletop Exercises for the characterization, decontamination and clearance following a chemical release (like WV).
- A new smart phone app – Info You Need To Know On The Go – a mobile app that provides one stop shopping for utility personnel looking for emergency contacts, severe weather tracker, Incident Action Checklists, Picture taking capabilities, etc., that is scheduled for a mid-March release.
- Collaboration of Source Water Protection issues, particularly with sister agencies on the establishment of TMDLs and Water Quality Standards.
- SDWIS Prime Update
- CCL, UCMR and regulatory updates, particularly the decision to regulate strontium, which apparently replaces calcium in the bones of children, and the results of UCMR3 to date, with chlorate and 1,4 – dioxane being the most prevalent detections.
- The fact that EPA is not in the process of developing a storage tank regulation

Several states spoke on several issues, including:

- Texas & California spoke on water reuse, both direct and indirect, and how it is becoming increasingly necessary in the face of droughts.
- Mississippi spoke on preparing staff to work during natural disasters that could dramatically impact their homes and places of employment

Devereaux, Tracy Jo (DEQ)

From: Busch, Stephen (DEQ)
Sent: Tuesday, April 07, 2015 12:10 PM
To: Henry, James
Cc: Prysby, Mike (DEQ); Benzie, Richard (DEQ); Shekter Smith, Liane (DEQ)
Subject: RE: Legionella Conference Call w/ MDCH

I am out of the office on Sick Leave today.

Mike Prysby will try to call in.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

From: Henry, James [<mailto:jhenry@gchd.us>]
Sent: Tuesday, April 07, 2015 12:06 PM
To: Busch, Stephen (DEQ)
Cc: Prysby, Mike (DEQ)
Subject: Legionella Conference Call w/ MDCH

Hello Mr. Busch,

If possible would you or a representative from your office please attend the conference call that is being hosted by MDCH regarding the Legionella cases in Genesee County. Your knowledge and experiences may help us better understand the Flint municipal water system and municipal water in general, relative to Legionella. I understand that this is short notice, the meeting is today at 2:30pm and the call line is below.

1-877-873-8017
Access code: 7931338

Thank you
Jim

Jim Henry RS, MBA
Environmental Health Supervisor
Genesee County Health Department www.gchd.us
630 S. Saginaw St., Suite 4
Flint, MI 48502-1540
Phone (810) 257-3618 Fax (810) 257-3125
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From: Hasan, Shurooq
Sent: Tuesday, April 7, 2015 10:25 AM
To: Henry, James
Subject: FW: Conference call line

From: Johnson, Shannon (DCH) [<mailto:JohnsonS61@michigan.gov>]
Sent: Monday, April 06, 2015 8:40 AM
To: Hasan, Shurooq
Subject: Conference call line

Hi Shurooq,

The conference call line for tomorrow's call from 2:30-3:30pm is:

1-877-873-8017

Access code: 7931338

Thanks,
Shannon

Shannon Andrews Johnson, MPH
Infectious Disease Epidemiologist
Michigan Dept. of Community Health
201 Townsend St., CVB 5th Floor
Lansing, MI 48913
Phone: 517-335-8165
Fax: 517-335-8263

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Cc: Benzie, Richard (DEQ); Shekter Smith, Liane (DEQ)
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I am available

Michael Prysby, P.E.
 District Engineer
 Office of Drinking Water and Municipal Assistance
 517 290-8817

From: Busch, Stephen (DEQ)
Sent: Tuesday, April 07, 2015 12:10 PM
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Shannon

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Infectious Disease Epidemiologist
Michigan Dept. of Community Health

201 Townsend St, CVB 5th Floor
Lansing, MI 48913
Phone: 517-335-8165
Fax: 517-335-8263

Devereaux, Tracy Jo (DEQ)

From: Shekter Smith, Liane (DEQ)
Sent: Tuesday, April 21, 2015 5:02 PM
To: Anderson, Madhu (DEQ)
Cc: Copen, Leigh (DEQ); Devereaux, Tracy Jo (DEQ)
Subject: RE: Potential issues

Director Lyons is aware of the potential legionella issue in Genesee County. He may not know that the investigation has not yet been completed or that a source has not yet been identified. DCH (Corinee Miller and her staff) and DEQ staff have been in contact.

Recently, our Environmental Health Section asked for assistance with an arsenic brochure that we were updating. DCH staff (Lynda Dykema, Kory Groetsch, Jen Gray and Lisa Quiggle) helped us edit this document and get it ready for distribution.

Liane J. Shekter Smith, P.E., Chief
Office of Drinking Water and Municipal Assistance
Michigan Department of Environmental Quality
517-284-6543

From: Anderson, Madhu (DEQ)
Sent: Tuesday, April 21, 2015 4:15 PM
To: Shekter Smith, Liane (DEQ)
Cc: Copen, Leigh (DEQ)
Subject: Potential Issues

Liane – I know this is short notice... but the Director and I are visiting with Nick Lyons tomorrow. Are there any specific issues that you think we should raise with him tomorrow as ones to be on the lookout for? Flint, septic proposals, etc. come to mind...

Thanks,



Madhu R. Anderson
Deputy Director, Economic and Strategic Initiatives
☎ 517 284 6702 or 517 290 9653



Devereaux, Tracy Jo (DEQ)

From: Maul, Sue (DEQ)
Sent: Wednesday, April 22, 2015 8:22 AM
To: DeBruyn, Dana (DEQ); Devereaux, Tracy Jo (DEQ)
Subject: RE: 2015 April

No, your summary is good.

From: DeBruyn, Dana (DEQ)
Sent: Tuesday, April 21, 2015 4:02 PM
To: Devereaux, Tracy Jo (DEQ)
Cc: Maul, Sue (DEQ)
Subject: 2015 April

Tracy,
 These were my draft notes from both the AM and the PM meeting. Can you clean these up? Also, I forgot to take minutes during Sue's talk on enforcement. Sue, do you want to add anything?

2015 April

Tuesday, April 21, 2015
 9:02 AM

ODWMA Management Team Meeting Agenda
 April 21, 2015 – McCauley Conference Room

1. Employee Engagement/Leadership Discussion
 Coursera classes (<http://www.coursera.org>) (Amy Lachance)

2. SMT/Office News

Well Construction/Pump Training- everybody is included that wants to attend this intense training on pumps, etc. Will Be Tuesday July 14 all day at LCC West.

In-Service Training- also will be at the LCC West. Needs modification of draft agenda. Program Slots will be scheduled for "interesting" stuff, not just talking about the rules.

☐ Liane needs to send out latest draft agenda

3. Personnel Issues

- IT Roles/Responsibilities for ODWMA vs. Section vs. DEQ (Carrie Monosmith)
 Ronda's roll is not as a "help desk".

☐ Tracy Jo should be a ODWMA sharepoint publisher (to help with Forms, P&P)
 Policies and procedures, forms always go through Kate

☆ Training needed on sharepoint 101 (Intranet) and much deeper (workflow). KG

- Availability of Phone Use During Emergency Situations

Discussion about 800 megahertz training. After ER meeting in May, then assess what we need for Emergency response.

- Succession Planning (Richard Benzie) -
- ✓ EQS (Philip Vacancy)-discussion

- ✓ Operator Certification Program – Paul Brun Del Re Retirement – Nov 2015; Open up to other people internally, job shadowing, Paul's position (EQA 9-12) through fall exams.
- ✓ Others
- ✓ LCR/CCR Specialist Update
 - ✿ This process of moving forward with these specialist positions needs to be coordinated and clearly communicated, so staff know what opportunities are available.

4. Training

- Coursera classes (<http://www.coursera.org>) (Amy Lachance)
- Michigan Environmental Health Association Annual Education Conference (Dana DeBruyn)
- LYNC Demonstration Scheduling (Ronda Page – 10:00 a.m.)

If you don't have LYNC 2013, call the help desk.

LYNC is a replacement for office view

May take several days to start working

What does it show when you lock your computer?

This is FOIAable.

This reviewed main features of LYNC, like creating LYNC meeting

These photos are the same as outlook. Remember DEQ policy on photos.

- ☐ Ronda will send quick reference guide thru Kate-which is now merged with Liane's email regarding calendars.
- ☒ Dana- Written instructions on time off will be sent to managers (conversation side bar)
 - <<How To Request Time Off in Outlook.doc>> attached
- ☐ Will ODWMA going to require LYNC of Staff at some minimal level? Discussion. Liane: Get it on all the computers and training will be offered.

5. Administration Issues

- Constitution Hall Validations for the Ellis Lot (Kathy Tetzlaff) KG, BF, TR, KT, will send out an email. Programs will still get charged. Hand it to person at the gate.
- Office Calendars (Kathy Tetzlaff) Have your calendar open-subject, locations and times. Admin needs to see "upfront details". Instructions have been put together. This is the "default" setting. Please let us know if you see others are "busy".

☐ It was recommended that Liane send the notice and instructions.

- Taxable Travel (Kathy Tetzlaff)-see handout. Mostly applies to DS that have more than 1 workstations.
- Personnel Update (Kathy Tetzlaff) James will be starting next payday. An updated duties list will be sent.
- OEA Water Conservation -10 Billion Gallon Challenge Representative (Dana DeBruyn) The contact is Devan Dodge. Will need to encompass the water Strategy, Water Use Advisory council Recommendations, etc.

☒ Dana To send Liane the email to solicit a volunteer.

- Cashier's Office (Jeremy Hoeh) A few missed copies of invoices, the deposit transaction details was missing. These should have a special stamp. What is the processing time to be expected from ACC? RMG who does what lists the point of contact for the programs as the contact for the Cashiers Office. Typically 2-3 days behind, except Nov-Jan., 2-3 weeks behind. Mail changes are also impacting this timeframe. Pay electronically will expedite process. Lori S. Can take these cc payments over the phone-they do not need to go to MDOT CCS.

Liane-

Part 127 fresh start meeting with MGWA

VCL geothermal-starting to move forward

Went to Kalamazoo for AWWA spring regional meeting.

Flint update

SMT update included-District visits-different formats; updating telecommunication policy (and working at home policy); DTMB workgroup;

Next year (Mon-Tue) Aug 1-2, 2016 at the RAM down-payment due.

AWWA membership confirmed for employees, one membership number to get to electronic magazines.

Field Topics:

1. FOS Update (Richard Benzie)

- Near record number of exam applications,
- San Survey training coming from EPA DEQ Id 6-8 people 2 session of 25 each June 8-12 and June 15-19. We will send those that need to go;
- Detroit may be the only project that comes in for RL;
- Needs survey delayed to be launched in early May 2015 site <http://www.dwnneeds.com/login.aspx> login from 2011 site is still the same;
- UCMR3 Richard has results of systems using EPA \$\$\$/less than 10,000 served. The results belong in the chemical monitoring files at the district.
 - ☐ Richard will give to Tracy Jo to send results out to district offices.
- Legionella was discussed.
 - ☐ A multi-agency group should be formed, for outreach, etc. Should Liane lead this?

2. Enforcement Matters (Sue Maul)

All called ACOs and not DACOs.

All need to be tracked.

All come through Lansing and come back to Lansing

We don't have a procedure for things other than Significant Deficiency (WRD one)

Sue and Richard need to review (send at the same time is OK). Liane does not need to see them before they go out.

3. Handling of Inactive or Standby Wells – Consistency of Monitoring and Exercising Protocols (Chuck Thomas) Draft policy is available on this. Issues: official stand-by well; vs., inactive wells; CT thought: Any well in well-field should be monitored as "active". KP discussed history and sampling protocol not addressed in the rules. Full monitoring PLUS Bacti quarterly and exercising the well (quarterly). Arsenic, for example, needed to be addressed. Off-line definition; standby (flip a switch and turn on) definition.

☆ Stand-by wells cannot be considered for Firm capacity. This is only a back up to the back up.

☆ Time to finish this policy. Could this be a mechanism for not sampling As if they know that it is over MCL? Kris to resurrect this conversation. Other stakeholders NCWS program; Water withdrawal.

4. Emergency Response Topics (Amy Lachance)

- St. Clair County Tabletop Exercise – May 21, 2015 DEQ has a few slots
- EPA's Water Utility Response On-the-Go mobile Web site-somehow tied into incident command.
(<http://watersgeo.epa.gov/responseotg/>)
- MiWARN Meeting Summary
- ICS Training Logistics. State Police talking about offering 300 and 400 level for supplies.

5. Site Specific Groundwater Flow Model Requests (MGMT) – Request Interpretation of Data and Application Among NCWS, CI, and SWP Staff (Dana DeBruyn) Work flow will be looked into. On some of these with numerous issues/parties involved, maybe a phone call is best.

6. Paragon Lab Investigation (Steve Busch) Handouts were provided regarding TOC.

7. EDM File Plan (Steve Busch) handouts provided. Would Lead/Copper go to near the top of the list?

8. Amy-Concerns with "cost optimization" firms coming into PWS-discussion.

Next meeting scheduled for May 13, 2015: Goodies – (Richard Benzie)

Created with Microsoft OneNote 2010
One place for all your notes and information

Devereaux, Tracy Jo (DEQ)

From: Devereaux, Tracy Jo (DEQ)
Sent: Wednesday, April 22, 2015 1:49 PM
To: DEQ-ODWMA-Supervisors-All
Subject: Draft Meeting Minutes - April ODWMA Manager Meeting
Attachments: ODWMA Management April 2015 Meeting Minutes -draft.docx; How To Request Time Off in Outlook.doc

Attached you will find the draft meeting minutes from the ODWMA management meeting, including a referenced attachment. Please respond with any suggested changes by c.o.b. Friday, April 24, 2015. I will send out the final minutes sometime next week. If you have any edits to the attendee portion (since I wasn't there) – please forward those as well, thanks.

Thanks,

Tracy Jo

Tracy Jo Devereaux, Management Assistant to
Liane J. Shekter Smith, P.E., Chief
Office of Drinking Water and Municipal Assistance
Michigan Department of Environmental Quality
Constitution Hall, 4th Floor, South Tower, Pillar P8
525 W. Allegan Street
Lansing, Michigan 48933
☎517-284-6544
✉devereauxt@michigan.gov

ODWMA Management Team Meeting

April 21, 2015

Minutes

In Attendance: Richard Benzie, Jon Bloemker, Steve Busch, Sonya Butler, Kris Donaldson, Dana DeBruyn (scribe), Wendy Fitzner, Kirsten Gasper (treats), Jeremy Hoeh, Amy Lachance, Bob London, Carrie Monosmith, Kris Philip, Liane Shekter Smith, Kathy Tetzlaff, Chuck Thomas.

1. Employee Engagement/Leadership Discussion

- Coursera classes (<http://www.coursera.org>) (Amy Lachance)

2. SMT/Office News

- Well Construction/Pump Training- everybody is included that wants to attend this intense training on pumps, etc. Will Be Tuesday July 14 all day at LCC West.
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- Training needed on SharePoint 101 (Intranet) and much deeper (workflow).
- KG Training
- Availability of Phone Use During Emergency Situations
Discussion about 800 megahertz training. After ER meeting in May, then assess what we need for Emergency response.
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 - ✓ EQS (Philip Vacancy)-discussion
 - ✓ Operator Certification Program – Paul Brun Del Re Retirement – Nov 2015; Open up to other people internally, job shadowing, Paul's position (EQA 9-12) through fall exams.
 - ✓ Others
 - ✓ LCR/CCR Specialist Update

This process of moving forward with these specialist positions needs to be coordinated and clearly communicated, so staff know what opportunities are available.

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If you don't have LYNC 2013, call the help desk. LYNC is a replacement for office view. May take several days to start working. What does it show when you lock your computer? This is FOIAable. This reviewed main features of LYNC, like creating LYNC meeting. These photos are the same as outlook. Remember DEQ policy on photos. Ronda will send quick reference guide thru Kate-which is now merged with Liane's e-mail regarding calendars. Dana- Written instructions on time off will be sent to managers (conversation side bar). Will ODWMA require LYNC for staff at some minimal level? Discussion. Liane: Get it on all the computers and training will be offered.

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- Part 127 fresh start meeting with MGWA
- VCL geothermal-starting to move forward
- Went to Kalamazoo for AWWA spring regional meeting
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- SMT update included-District visits-different formats; updating telecommunication policy (and working at home policy); DTMB workgroup;
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The next scheduled meeting is May 13, 2015. Goodies – Richard Benzie

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4. Emergency Response Topics (Amy Lachance)

- St. Clair County Tabletop Exercise – May 21, 2015, DEQ has a few slots.
- EPA's Water Utility Response On-the-Go mobile Web site-somehow tied into incident command. (<http://watersgeo.epa.gov/responseotg/>)
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DRAFT

ODWMA Management Team Meeting

April 21, 2015

Minutes

In Attendance: Richard Benzie, Jon Bloemker, Steve Busch, Sonya Butler, Kris Donaldson, Dana DeBruyn (scribe), Wendy Fitzner, Kirsten Gasper (treats), Jeremy Hoeh, Amy Lachance, Bob London, Carrie Monosmith, Kris Philip, Liane Shekter Smith, Kathy Tetzlaff, Chuck Thomas.

1. Employee Engagement/Leadership Discussion

- Coursera classes (<http://www.coursera.org>) (Amy Lachance)

2. SMT/Office News

- Well Construction/Pump Training- everybody is included that wants to attend this intense training on pumps, etc. Will be Tuesday July 14 all day at LCC West.
- In-Service Training- also will be at the LCC West. Needs modification of draft agenda. Program Slots will be scheduled for "interesting" stuff, not just talking about the rules. Liane needs to send out latest draft agenda

3. Personnel Issues

- IT Roles/Responsibilities for ODWMA vs. Section vs. DEQ (Carrie Monosmith)
Ronda's roll is not as a "help desk." Tracy Jo should be an ODWMA SharePoint Publisher (to help with Forms, Policies and Procedures, etc. in conjunction with Kate Jannereth, Forms Liaison)
- Training needed on SharePoint 101 (Intranet) and much deeper (workflow).
- KG Training
- Availability of Phone Use During Emergency Situations
Discussion about 800 megahertz training. After ER meeting in May, then assess what we need for Emergency response.
- Succession Planning (Richard Benzie) -
 - ✓ EQS (Philip Vacancy)-discussion
 - ✓ Operator Certification Program – Paul Brun Del Re Retirement – Nov 2015; Open up to other people internally, job shadowing, Paul's position (EQA 9-12) through fall exams.
 - ✓ Others
 - ✓ LCR/CCR Specialist Update

This process of moving forward with these specialist positions needs to be coordinated and clearly communicated, so staff know what opportunities are available.

4. Training

- Coursera classes (<http://www.coursera.org>) (Amy Lachance)
- Michigan Environmental Health Association Annual Education Conference (Dana DeBruyn)
- LYNC Demonstration Scheduling (Ronda Page – 10:00 a.m.)
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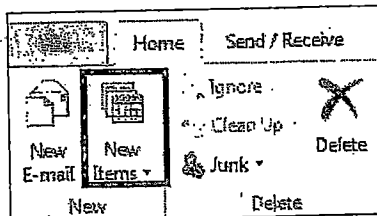
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DRAFT

How to request time off using the Outlook calendar

1. Open Outlook.
2. Click the **New Items** button on the **New** section of the **Home** tab.
- 3.



4. Select **Meeting**.
5. In the **To** field, type in the name of the Supervisor from whom you'd like to request time off, last name first.
6. In the subject line, type 'Your Name: number of hours and type of leave requested'. (For example: **Tommy Sample: 8 hrs A/L**.
 - o If you are requesting a partial day, enter the time of day. For example: Tommy Sample: A/L 2:30 – 4:30.
7. Check the **All day event** box, even if it isn't an all day event.
8. Choose the date the time off will occur.
 - o You can utilize the **Recurrence** function to schedule multiple days off.
9. Change **Show As** to **Free**. This is very important, otherwise you will be blocking off your supervisor's calendar for the entire day.
10. Change **Reminder** to **None**.
11. Any further comments can be entered into the message body.
12. If you'd like the appointment to be hidden from anyone besides yourself and your manager, click the **lock icon** in the **Tags** section
13. Click the **Send** button.
14. Create an appointment on your own calendar to block the time off as unavailable.

Here is a sample request:

Tommy Sample: 8 hrs A/L - Invited Event

Invited Event Insert Format Text Review Add-Ins

Calendar Appointment Scheduling Assistant Cancel Invitation Address Book Check Names Response Options Show As: Free Recurrence Time Zones Room Finder Categorize Tags Zoom

Invitations have not been sent for this meeting.

To: Manager, Sample

Subject: Tommy Sample: 8 hrs A/L

Location: Rooms...

Start time: Thu 6/7/2012 12:00 AM All day event

End time: Thu 6/7/2012 12:00 AM

Room Finder

Su	Mo	Tu	We	Th	Fr	Sa
27	28	29	30	1	2	3
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
1	2	3	4	5	6	7

Good Fair Poor

Choose an available room:

None

Devereaux, Tracy Jo (DEQ)

From: Shekter Smith, Liane (DEQ)
Sent: Friday, April 24, 2015 3:02 PM
To: Monosmith, Carrie (DEQ); Butler, Sonya (DEQ); Benzie, Richard (DEQ); Philip, Kris (DEQ)
Cc: Devereaux, Tracy Jo (DEQ)
Subject: FW: April 28-29 R5 PWSS Directors' meeting final agenda
Attachments: R5 PWSS Directors April 28 and 29 2015 FINAL agenda.docx

FYI -

From: Kuefler, Janet [<mailto:kuefler.janet@epa.gov>]
Sent: Friday, April 24, 2015 1:45 PM
To: Henry, Timothy; Lopez-Carbo, Maria; Bielanski, Andrew; DAnglada, Lesley; Mary.Vollbrecht@wisconsin.gov; Davenport, Thomas; Wortman, Santana; Cordero, Cesar; Rezanian, Lih-in W. (MDH); Shanks, Orin; Long, Sharon C; brandon.moss@wisc.edu; jeremy.olstadt@wisc.edu; Darnell, LuAnn; R5 WD GWDW; Al Lao; Benzie, Richard (DEQ); Beth.Messer@epa.state.oh.us; cathrine.wunderlich@wisconsin.gov; Dave.McMillan@illinois.gov; DeBruyn, Dana (DEQ); jill.jonas@wisconsin.gov; mike.baker@epa.state.oh.us; Monosmith, Carrie (DEQ); pcarroll@idem.in.gov; randy.ellingboe@state.mn.us; rick.cobb@illinois.gov; Robert.Smude@state.mn.us; Shekter Smith, Liane (DEQ); Steve Elmore
Cc: Lausted, Andrew; Cossa, Laura; Bakker, Gerry; Marquardt, Steve; Hyde, Tinka; Whittier, Nick
Subject: April 28-29 R5 PWSS Directors' meeting final agenda

Good afternoon!

We are looking forward to our meeting next week and your participation either in person or via webinar.

Please feel free to share this agenda with your staff who might wish to participate remotely via adobe connect webinar. The webinar link, and audio dial-in telephone number are the same for both days, and are included on the agenda. The conference room that we are using has ceiling microphones which provide good audio quality of group discussions for those participating by telephone.

I hope that those of you who will be here in Chicago have safe travels and will join us Tuesday evening for a group dinner at the Bridge House Tavern.

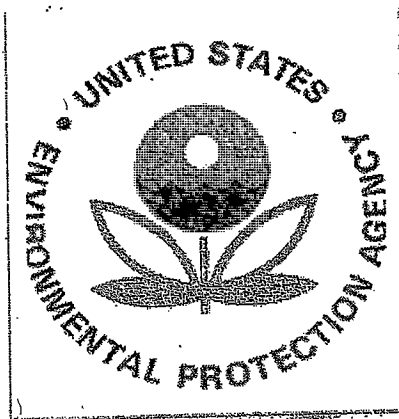
Please contact me if you have any questions and enjoy your weekend!

Janet Kuefler
 Ground Water and Drinking Water Branch
 State Programs Team Leader

United States Environmental Protection Agency, Region 5
 77 West Jackson Blvd. (WG-15J)
 Chicago, Illinois 60604

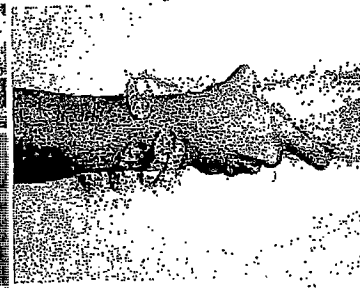
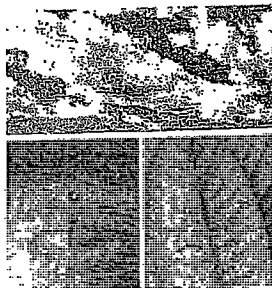
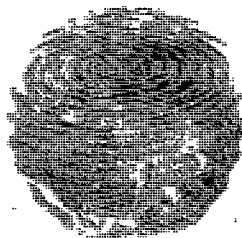
(312) 886-0123
kuefler.janet@epa.gov

Region 5 PWSS State Directors' Meeting



Tuesday, April 28 and
Wednesday, April 29, 2015

USEPA R5 Office
77 W. Jackson Blvd, Chicago
12th Floor Conference Center
Lake Michigan Room



R5 PWSS Directors' Meeting Agenda

Tuesday, April 28, 2015, Lake Michigan Room

Conference call line 1-877-226-9607, code 529-569-0482#

Adobe Connect webinar link: <https://epa.connectsolutions.com/r5pwss2015/>
(click "enter as a guest"; dial-in to conference line, above, for audio)

8:00 am CT	Early Bird Special: Coffee, Juice, Bagels, Cream Cheese and Networking	All
8:30 am CT	Setting the Stage for the Day - Welcome, Logistics, Introductions - Opening remarks with discussion on Clean Water Act / Safe Drinking Water Act integration	Tom Poy, R5 GWDWB Tim Henry, R5 Water Division Rita Bair, R5 Cary McElhinney, R5 Wendy Drake, R5 PWSS State Directors
9:15 am CT	USEPA Headquarters' Perspectives <i>Objective: States will receive updated information and responses to questions on office priorities, budget outlook, SDWIS-Prime, nutrients, harmful algal blooms, CWA/SDWA integration, revised total coliform rule, and other current topics</i>	Maria Lopez-Carbo, USEPA HQ's Office of Ground Water and Drinking Water (via webinar)
10:00 am CT	Break	
10:15 am CT	States Round Robin (15 minutes per state): WI, IL, IN, MI, MN, OH Issues, changes, areas of focus <i>Objective: Understand the status and challenges of State programs, share resources and insights, provide a foundation for future discussions of State priorities and R5 oversight priorities.</i>	PWSS State Directors
11:45 am CT	Lunch on Your Own	
1:00 pm CT	Program Implementation: Focus on Integration - DWSRF grants, including Q&A (10 minutes) - IEPA update on DWSRF set-aside use for water loss (10 minutes) - WDNR update on DWSRF set-aside use for nutrients (20 minutes) - Regulating aboveground storage tanks in Source Water Protection areas	Andy Bielanski, R5 Dave McMillan, IEPA Mel Vollbrecht, WDNR (via webinar) Pat Carroll, IDEM

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	(IDEM and Ohio EPA) (20 minutes)	Beth Messer, Ohio EPA
2:00 pm CT	Nutrients - Algal toxin health advisories - Update on Annex 4—Nutrients of the Great Lakes Water Quality Agreement	Lesley V. D'Anglada, DrPH, USEPA's Office of Science and Technology, Office of Water (<i>via webinar</i>) Tom Davenport, R5 Agriculture Coordinator Santina Wortman, R5
2:45 pm CT	Break	
3:00 pm CT	Legionella Control - Overview of EPA technical document expected for publication in very near future, "<i>Legionella</i>: current knowledge of treatment technologies" - Other work going on with <i>Legionella</i>	Cesar Cordero, USEPA HQ (<i>via webinar</i>) Beth Messer, Ohio EPA Jerry Smith, MDH (<i>via webinar</i>)
4:00 pm CT	Lab Certification - Modifications to Region 5's Certification Program – Parameter List - Region 5's Synthetic Organic Chemicals (SOC) Trigger Memo	Rita Blair, R5 PWSS State Directors
4:30 pm CT	Adjourn	
5:30 pm CT	Group Dinner: Bridge House Tavern, 321 N Clark Street, (312) 644-0283 Meet in Club Quarters Hotel Lobby (111 W. Adams) at 5:30 pm to walk over to restaurant. We have reservations at 6:00 pm. http://www.bridgehousetavern.com/	All are welcome!

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7:45 am CT	Early Bird Special: Coffee, Juice, Bagels, Cream Cheese, and Networking	All
8:00 am CT	MDH Virus Study The study examines the occurrence, fate, and transport of viruses in groundwater sources in MN. Future work, if funded, will estimate risk of acute gastrointestinal illness from consuming non-disinfected drinking water from groundwater sources.	Lih-in Rezanian, MDH <i>(via webinar)</i> Randy Ellingboe, MDH
8:45 am CT	Microbial Source Tracking (MST) • Introduction to microbial source tracking, the state of the science, and current ORD research activities (40 minutes, plus Q&A) • Use of MST for assessing well contamination in Wisconsin (40 minutes, plus Q&A)	Orin C. Shanks, USEPA's Office of Research and Development Sharon C. Long, Brandon D. Moss, & Jeremy Olstadt, Wisconsin State Lab of Hygiene
10:30 am CT	Break	
10:45 am CT	Round Robin of State RTCR Implementation Plans	Miguel Del Toral, R5 PWSS State Directors
11:45 am CT	Please purchase lunch and bring back to conference room.	
12:15 pm CT	Working Brown Bag Lunch: SDWIS-Prime Transition Discuss expected transition work, what other States have done, and Q&As.	LA Darnell, USEPA HQ on detail to R5
1:15 pm CT	Next Steps Review follow-up items, discuss date for next year's annual meeting, recommended changes to meeting format, etc.	Tom Poy, R5
1:30 pm CT	End of meeting	Tom Poy, R5

Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Wednesday, May 13, 2015 6:58 PM
To: Bloemker, Jon (DEQ); Donaldson, Kristina (DEQ); Lachance, Amy (DEQ); Thomas, Chuck (DEQ)
Cc: Busch, Stephen (DEQ); Shekter Smith, Liane (DEQ); DeBruyn, Dana (DEQ); Monosmith, Carrie (DEQ); Cook, Pat (DEQ); Philip, Kris (DEQ)
Subject: FW: Hospital Communication
Attachments: Water Safety Plan/HACCP Information; Water Safety Plan/HACCP Information

Here are the two separate emails that Steve sent to the hospitals in Flint that Mike and he visited recently to discuss premise plumbing issues.

Each of the emails has the 3 attachments that were mentioned in the managers meeting today.

The email messages outline an approach we should all follow for now when dealing with these facilities on this issue.

From: Busch, Stephen (DEQ)
Sent: Tuesday, May 05, 2015 3:10 PM
To: Monosmith, Carrie (DEQ); Benzie, Richard (DEQ); Shekter Smith, Liane (DEQ); DeBruyn, Dana (DEQ)
Cc: Prysby, Mike (DEQ)
Subject: Hospital Communication

For your reference, attached are the emails I sent as follow up to meeting with each of the hospitals.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

Devereaux, Tracy Jo (DEQ)

From: Busch, Stephen (DEQ)
Sent: Friday, May 01, 2015 3:00 PM
To: russell.hudson@mclaren.org
Cc: raelynn.hicks@mclaren.org; danete.hayman@mclaren.org; henry.lobb@mclaren.org; jason.white@mclaren.org
Subject: Water Safety Plan/HACCP Information
Attachments: EPA Small Systems Webinar Series_April 28_2015.pdf; WHO-LegionellaAndPreventionOfLegionellosis-2007.pdf; VHA Directive 1061 - Prevention of Healthcare associated Legionella 8-2....pdf; WHO-WaterSafetyInBuildings-2011.pdf

Rusty,

Thanks again for arranging the meeting with me earlier this week. As discussed during the meeting, use of your continuous chlorine disinfectant chemical feed system constitutes a public water system triggering requirements under the safe drinking water act, and I will be following up in the near future with more information regarding those requirements. As a reminder our office would need to permit any new treatment equipment prior to installation and use.

Today, I am providing additional information regarding Water Safety Plans and Hazard Analysis Critical Control Points (HACCP) system for your information/use.

Attached are two documents from the World Health Organization regarding Legionella and the development of water safety plans. Both have information specific to health care facilities. Also attached is the latest VHA directive to their facilities regarding protocols for the prevention of legionella. And the last attachment is from an EPA webinar earlier this week regarding Healthcare water systems. The later portion of this document contains information regarding various treatment systems, including chlorine dioxide which you indicated is currently under consideration. -

The video linked below reviews the HACCP/Water Safety Plan process steps. (*Best Practices in Preventing Disease From Waterborne Pathogens in Healthcare Water Systems*):

<https://youtu.be/LHqU2YSaagQ>

The basic Implementation Protocol is as follows:

1. Establish an HACCP team (responsible and accountable)
2. Describe the water system(s)
3. Develop the process flow diagrams
4. Confirm process flow diagrams with onsite audits
5. Perform systematic hazard analysis and risk characterization
6. Determine critical control points
7. Establish critical control limits (quantitative parameters)
8. Monitoring Methods and Frequencies
9. Develop Corrective Actions
10. Verification of HACCP implementation
11. Verification of hazard control
12. Documentation, communication, and recordkeeping

From our meeting it appears that you have already accomplished most of steps 1-4 of the protocol, but may want to consider refining protocol steps 5-12 of your existing plan. The attached documents from WHO should help to guide you through this process.

Al Kubly, Section Head of Facilities Operations, Mayo Clinic, would be an excellent contact on how to develop your water safety plan/HACCP. He chairs their Water Management Team that is implementing the Mayo Clinic's Potable Water Quality Program, which he spoke about at a recent conference. The Clinic phone number in Rochester, MN is 507-284-2511.

I will be in touch regarding public water system requirements and your existing treatment equipment, but in the meantime please let me know if you are in need of any further assistance or have any questions regarding these matters.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

Devereaux, Tracy Jo (DEQ)

From: Busch, Stephen (DEQ)
Sent: Friday, May 01, 2015 2:38 PM
To: Ann Newell (AnnNewell@hurleymc.com)
Subject: Water Safety Plan/HACCP Information
Attachments: WHO-LegionellaAndPreventionOfLegionellosis-2007.pdf; WHO-WaterSafetyInBuildings-2011.pdf; EPA Small Systems Webinar Series_April 28_2015.pdf; VHA Directive 1061 - Prevention of Healthcare associated Legionella 8-2-2014.pdf

Ann,

As promised I am providing additional information regarding Water Safety Plans and Hazard Analysis Critical Control Points (HACCP) system.

Attached are two documents from the World Health Organization regarding Legionella and the development of water safety plans. Both have information specific to health care facilities. Also attached is the latest VHA directive to their facilities regarding protocols for the prevention of legionella. And the last attachment is from an EPA webinar earlier this week regarding Healthcare water systems. The later portion of this document contains information regarding various treatment systems.

The video linked below reviews the HACCP/Water Safety Plan process steps. (*Best Practices in Preventing Disease From Waterborne Pathogens in Healthcare Water Systems*):
<https://youtu.be/LHqU2YSaag0>

The basic Implementation Protocol is as follows:

1. Establish an HACCP team (responsible and accountable)
2. Describe the water system(s)
3. Develop the process flow diagrams
4. Confirm process flow diagrams with onsite audits
5. Perform systematic hazard analysis and risk characterization
6. Determine critical control points
7. Establish critical control limits (quantitative parameters)
8. Monitoring Methods and Frequencies
9. Develop Corrective Actions
10. Verification of HACCP implementation
11. Verification of hazard control
12. Documentation, communication, and recordkeeping

Al Kubly, Section Head of Facilities Operations, Mayo Clinic, would be an excellent contact on how to develop your water safety plan/HACCP. He chairs their Water Management Team that is implementing the Mayo Clinic's Potable Water Quality Program, which he spoke about at a recent conference. The Clinic phone number in Rochester, MN is 507-284-2511.

As noted in the EPA presentation and as we have previously discussed, should your facility decide to install water treatment equipment, it may constitute a public water system triggering requirements under the safe drinking water act. Our office would need to permit any such treatment equipment prior to installation and use.

Please let me know if you are in need of any further assistance or have any questions regarding these matters.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

Devereaux, Tracy Jo (DEQ)

From: Busch, Stephen (DEQ)
Sent: Thursday, May 14, 2015 10:21 AM
To: Benzie, Richard (DEQ); Bloemker, Jon (DEQ); Donaldson, Kristina (DEQ); Lachance, Amy (DEQ); Thomas, Chuck (DEQ)
Cc: Shekter Smith, Liane (DEQ); DeBruyn, Dana (DEQ); Monosmith, Carrie (DEQ); Cook, Pat (DEQ); Philip, Kris (DEQ)
Subject: RE: Hospital Communication
Attachments: RE: Premise plumbing; Premise plumbing

Attached is some additional information regarding what plumbing appurtenances, fixtures, appliances, etc. would pose potential risk for harboring legionella.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: Benzie, Richard (DEQ)
Sent: Wednesday, May 13, 2015 6:59 PM
To: Bloemker, Jon (DEQ); Donaldson, Kristina (DEQ); Lachance, Amy (DEQ); Thomas, Chuck (DEQ)
Cc: Busch, Stephen (DEQ); Shekter Smith, Liane (DEQ); DeBruyn, Dana (DEQ); Monosmith, Carrie (DEQ); Cook, Pat (DEQ); Philip, Kris (DEQ)
Subject: FW: Hospital Communication

Here are the two separate emails that Steve sent to the hospitals in Flint that Mike and he visited recently to discuss premise plumbing issues.

Each of the emails has the 3 attachments that were mentioned in the managers meeting today.

The email messages outline an approach we should all follow for now when dealing with these facilities on this issue.

From: Busch, Stephen (DEQ)
Sent: Tuesday, May 05, 2015 3:10 PM
To: Monosmith, Carrie (DEQ); Benzie, Richard (DEQ); Shekter Smith, Liane (DEQ); DeBruyn, Dana (DEQ)
Cc: Prysby, Mike (DEQ)
Subject: Hospital Communication

For your reference, attached are the emails I sent as follow up to meeting with each of the hospitals.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

Devereaux, Tracy Jo (DEQ)

From: Busch, Stephen (DEQ)
Sent: Friday, May 01, 2015 12:17 PM
To: Prysby, Mike (DEQ); gthomas@cityofflint.com
Subject: RE: Premise plumbing
Attachments: Final Genesee supplemental questionnaire 2-23-15.docx

Glen,

The attached questionnaire that would be utilized by the Local Health Department and Department of Health and Human Services provides additional detail of what to be on the lookout for (See Questions 12 and 13). As we indicated almost every service connection could potentially have some element associated with what is listed in this questionnaire, but we are just looking for a rough list of those with more non-typical appurtenances such as spas, grocery stores with spray/mist system, garden/nurseries with mist irrigation, etc., and those that Mike provided. Thanks.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
Office of Drinking Water and Municipal Assistance
MDEQ
517-643-2314

From: Prysby, Mike (DEQ)
Sent: Friday, May 01, 2015 9:56 AM
To: gthomas@cityofflint.com
Cc: Busch, Stephen (DEQ)
Subject: Premise plumbing

Glen,

Based upon our discussion during our April 29th, 2015 site visit, approximately 40-45 commercial/industrial customers were identified as a potential candidate for needing a premise plumbing Water Safety Plan (WSP). Attached is a list of mechanical components within building premise plumbing to assist you in confirming this and/or identifying additional customers that could serve as WSP candidates. Please send us your completed list at your earliest convenience. Thanks.

Michael Prysby, P.E.
District Engineer
Office of Drinking Water and Municipal Assistance
517 290-8817

Devereaux, Tracy Jo (DEQ)

From: Prysby, Mike (DEQ)
Sent: Friday, May 01, 2015 9:56 AM
To: gthomas@cityofflint.com
Cc: Busch, Stephen (DEQ)
Subject: Premise plumbing
Attachments: Premise Plumbing.doc

Glen,

Based upon our discussion during our April 29th, 2015 site visit, approximately 40-45 commercial/industrial customers were identified as a potential candidate for needing a premise plumbing Water Safety Plan (WSP). Attached is a list of mechanical components within building premise plumbing to assist you in confirming this and/or identifying additional customers that could serve as WSP candidates. Please send us your completed list at your earliest convenience. Thanks.

Michael Prysby, P.E.
District Engineer
Office of Drinking Water and Municipal Assistance
517 290-8817

Devereaux, Tracy Jo (DEQ)

From: Busch, Stephen (DEQ)
Sent: Thursday, May 28, 2015 12:15 PM
To: Howes, Sarah (DEQ)
Cc: Benzie, Richard (DEQ); Devereaux, Tracy Jo (DEQ); Shaler, Karen (DEQ); Potter, Jodi (DEQ); Shekter Smith, Liane (DEQ); Prysby, Mike (DEQ); Wurfel, Brad (DEQ); Wyant, Dan (DEQ); Thelen, Mary Beth (DEQ); Sygo, Jim (DEQ); Shaler, Karen (DEQ); Potter, Jodi (DEQ); Pallone, Maggie (DEQ)
Subject: RE: Communications between City of Flint and DEQ
Attachments: Flint-2015-02-13-AnnualMonSched.pdf; Flint-2015-03-05-TTHM-VN-15-1.pdf; Flint-2015-03-30-PbCu90.pdf; Flint-2015-04-03-LT2ESWTR.pdf; Flint-2015-04-03-Permit151018.pdf; Flint-2015-05-06-CCR-reminder.pdf; Flint-2015-05-11-CCCP.pdf; S2 Grant Project No 9204.01.City of Flint.pdf; RE: Premise plumbing; Water Quality Optimization Strategy; call; Flint MORs; Flint River Source Water Assessment; FW: PEAS call; FW: Schematics for LT2 sampling plans; FW: Water Supply Sources; Premise plumbing; RE: City of Flint - March Bromate Results; RE: City of Flint March 2015 MOR; RE: City Water Tech Team; RE: HC Letter & FAQ's; RE: May Technical Advisory Meeting; RE: PEAS call; RE: RE: Flint Water Age map; RE: TTHM Draft Letter; RE: Water Supply Sources; Residential customers; Watermain breaks; distribution WQPs; January '15 MOR; Lead Copper Cert form; RE: City of Flint Water Plant Monitoring Results; RE: distribution WQPs; RE: distribution WQPs; RE: January '15 MOR

Sarah,

Per the request from Representative Neely, attached are communications from the DEQ Office of Drinking Water and Municipal Assistance (ODWMA) to the City of Flint dating back to February 2015.

This includes:

- 1 construction permit
- 7 letters
- 7 emails from Adam, Rosenthal, Environmental Quality Analyst
- 18 emails from Mike Prysby, District Engineer
- 2 emails from Steve Busch, District Supervisor

Please let us know if we can provide any further assistance in addressing Representative Neely's request or if they have any questions or issues we could help answer.

Stephen Busch, P.E.
 Lansing and Jackson District Supervisor
 Office of Drinking Water and Municipal Assistance
 MDEQ
 517-643-2314

From: Shekter Smith, Liane (DEQ)
Sent: Tuesday, May 26, 2015 1:59 PM
To: Busch, Stephen (DEQ); Prysby, Mike (DEQ)
Cc: Benzie, Richard (DEQ); Devereaux, Tracy Jo (DEQ); Howes, Sarah (DEQ); Shaler, Karen (DEQ); Potter, Jodi (DEQ)
Subject: FW: Communications between City of Flint and DEQ
Importance: High

Note the deadline of COB Thursday to Sarah.

From: Pallone, Maggie (DEQ)
Sent: Tuesday, May 26, 2015 1:21 PM
To: Shekter Smith, Liane (DEQ)
Cc: Wurfel, Brad (DEQ); Wyant, Dan (DEQ); Howes, Sarah (DEQ); Thelen, Mary Beth (DEQ); Sygo, Jim (DEQ); Shaler, Karen (DEQ); DEQ-Legislative-Contact; Potter, Jodi (DEQ)
Subject: Communications between City of Flint and DEQ

Liane,
Rep Neely has requested any communications that DEQ has had with City of Flint between February 2015 and today. Could you please pull that information together and get it to Sarah by COB on Thursday? She will then forward it the Representative's office.

Please let me know if you need any additional details.

Thanks,
Maggie

Maggie Pallone
Director of Legislative Affairs
Department of Environmental Quality
517-599-6190 (cell)
PalloneM@michigan.gov

Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Friday, July 31, 2015 8:03 PM
To: Prysby, Mike (DEQ); Busch, Stephen (DEQ)
Cc: Devereaux, Tracy Jo (DEQ)
Subject: Flint communications
Attachments: Flint messages 2015.xlsx

Here is a list of the messages I have that involve communication about Flint during the first half of 2015. Most of the messages I received were internal but there are some that included communication with Flint representatives. However, I am simply receiving a copy and one or both of you are also involved in those communications.

The ones that are from me are all internal and not to or with Flint.

Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Tuesday, September 08, 2015 6:19 PM
To: Shekter Smith, Liane (DEQ); Thomas, Chuck (DEQ); Bolf, Michael (DEQ); Cook, Pat (DEQ); Philip, Kris (DEQ)
Cc: Devereaux, Tracy Jo (DEQ)
Subject: DEQ Update 2015 for Fall ACE.pptx
Attachments: DEQ Update 2015 for Fall ACE.pptx

Here's my first full draft of the DEQ Update for the ACE in the Soo. It is too long. Let me know what you think and what you think we should or could eliminate. I covered the RTCR, a few proposed state rule changes included with the RTCR, the upcoming January 1, 2016 deadlines for state rules modified in 2009 (particularly the Reliability Studies and General Plan requirements), marketing the DWRF, and Secondary Treatment issues.

While there are too many slides, there are quite a few that are very fast – like some of the DWRF slides that are graphical illustrations of what is presented in the previous slide(s). My second slide says I covered the Needs Surveys, but I don't think I did, so I will have to change that slide. I also have a few other things to confirm/change before I make this a final version.

I have not run through it to see how long it takes but I know I would run long. Kris said I would run long if I only had 4 slides. Audacious statement for someone still on probation.

Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Wednesday, September 09, 2015 6:42 PM
To: Shekter Smith, Liane (DEQ); Thomas, Chuck (DEQ); Bolf, Michael (DEQ); Cook, Pat (DEQ); Philip, Kris (DEQ)
Cc: Devereaux, Tracy Jo (DEQ)
Subject: RE: DEQ Update 2015 for Fall ACE.pptx
Attachments: DEQ Update 2015 for Fall ACE.pptx

I'm still not done, but here is a cleaner, slightly more streamlined version after incorporating some comments from Pat and Liane. Mr. "Get 'R Done" wanted me to cut more, but at this point I have not yet done so. I have also attempted to clean up and add (or subtract) to some speaker notes.

I did have a slide on the Needs Survey and I left it in. If Mike and Liane find they can't do this in a half hour, I will cut more.

From: Benzie, Richard (DEQ)
Sent: Tuesday, September 08, 2015 6:19 PM
To: Shekter Smith, Liane (DEQ); Thomas, Chuck (DEQ); Bolf, Michael (DEQ); Cook, Pat (DEQ); Philip, Kris (DEQ)
Cc: Devereaux, Tracy Jo (DEQ)
Subject: DEQ Update 2015 for Fall ACE.pptx

Here's my first full draft of the DEQ Update for the ACE in the Soo. It is too long. Let me know what you think and what you think we should or could eliminate. I covered the RTCR, a few proposed state rule changes included with the RTCR, the upcoming January 1, 2016 deadlines for state rules modified in 2009 (particularly the Reliability Studies and General Plan requirements), marketing the DWRF, and Secondary Treatment issues.

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I have not run through it to see how long it takes but I know I would run long. Kris said I would run long if I only had 4 slides. Audacious statement for someone still on probation.

Devereaux, Tracy Jo (DEQ)

From: Graham, Lois (DEQ)
Sent: Friday, September 18, 2015 8:25 AM
To: Benzie, Richard (DEQ); Busch, Stephen (DEQ)
Subject: Flint water quality complaint

I forwarded the caller's message to Richard so he could also listen to it.

Steve: A woman who did not give her name, but I got the phone number by pressing 5 – 989-472-4165.
She complains about a concern of Legionella in the City of Flint water supply, that people are dying because of it, that the local health department isn't doing anything about it. Action is needed now. There are lots of discussions on Facebook. People should have the right to drinking water that is right for them.

She called me after I had left for the day and indicated she would call me back today.

Can someone contact her?

Lois Elliott Graham, R.S., M.S.A.
Office of Drinking Water & Municipal Assistance
Field Operations Section
Contamination Investigation Program
P.O. Box 30241
Lansing, Michigan 48909-7741
Office: 517-284-6530
Fax: 517-241-1328
grahaml@michigan.gov
4-South, Pillar N8



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Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Friday, September 18, 2015 9:29 AM
To: Shekter Smith, Liane (DEQ)
Subject: Fw: Flint water quality complaint

FYI

From: Graham, Lois (DEQ)
Sent: Friday, September 18, 2015 8:25:21 AM
To: Benzie, Richard (DEQ); Busch, Stephen (DEQ)
Subject: Flint water quality complaint

I forwarded the caller's message to Richard so he could also listen to it.

Steve: A woman who did not give her name, but I got the phone number by pressing 5 – 989-472-4165.

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4-South, Pillar N8



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Devereaux, Tracy Jo (DEQ)

From: Shekter Smith, Liane (DEQ)
Sent: Monday, September 21, 2015 12:10 PM
To: Benzie, Richard (DEQ); Busch, Stephen (DEQ)
Subject: RE: Flint water quality complaint

We should contact MDHHS and find out who the best individual/contact is so that we can refer these calls appropriately.

From: Benzie, Richard (DEQ)
Sent: Friday, September 18, 2015 9:29 AM
To: Shekter Smith, Liane (DEQ)
Subject: Fw: Flint water quality complaint

FYI

From: Graham, Lois (DEQ)
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 4-South, Pillar N8



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Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Monday, September 21, 2015 3:31 PM
To: Shekter Smith, Liane (DEQ); Busch, Stephen (DEQ)
Subject: RE: Flint water quality complaint

Steve, did you respond to this caller last week?

From: Shekter Smith, Liane (DEQ)
Sent: Monday, September 21, 2015 12:10 PM
To: Benzie, Richard (DEQ); Busch, Stephen (DEQ)
Subject: RE: Flint water quality complaint

We should contact MDHHS and find out who the best individual/contact is so that we can refer these calls appropriately.

From: Benzie, Richard (DEQ)
Sent: Friday, September 18, 2015 9:29 AM
To: Shekter Smith, Liane (DEQ)
Subject: Fw: Flint water quality complaint

FYI

From: Graham, Lois (DEQ)
Sent: Friday, September 18, 2015 8:25:21 AM
To: Benzie, Richard (DEQ); Busch, Stephen (DEQ)
Subject: Flint water quality complaint

I forwarded the caller's message to Richard so he could also listen to it.

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She complains about a concern of Legionella in the City of Flint water supply, that people are dying because of it, that the local health department isn't doing anything about it. Action is needed now. There are lots of discussions on Facebook. People should have the right to drinking water that is right for them.

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Fax: 517-241-1328

grahaml@michigan.gov

4-South, Pillar N8



Subscribe to our Environmental Health Email List by clicking on the red envelope

Devereaux, Tracy Jo (DEQ)

From: Benzie, Richard (DEQ)
Sent: Monday, September 21, 2015 6:53 PM
To: Laura Wotruba; Sam Watson; Scott, James D. (LARA)
Cc: Shekter Smith, Liane (DEQ); Busch, Stephen (DEQ); Prysby, Mike (DEQ); Dyke, Teri Lee (LARA); Remus, Laura (LARA); Devereaux, Tracy Jo (DEQ); Madziar, Joseph (LARA); Monosmith, Carrie (DEQ)
Subject: RE: Hospital Water Treatment Discussion
Attachments: Secondary Treatment Slides.pptx

Here are the slides covering the issue of secondary treatment that we used in our DEQ Update presentation this past Friday at the Annual Conference of the Michigan Section of the American Water Works Association. I borrowed some of them from an NSF presentation on HACCP that was given at an Association of State Drinking Water Administrators conference last November.

I hope it isn't too late to be of benefit to you.

-----Original Message-----

From: Laura Wotruba [<mailto:LWotruba@mha.org>]

Sent: Friday, July 31, 2015 9:44 AM

To: Sam Watson; Monosmith, Carrie (DEQ)

Cc: Benzie, Richard (DEQ); Shekter Smith, Liane (DEQ); Busch, Stephen (DEQ); nbirchm1@hurleymc.com; Prysby, Mike (DEQ); Janice Jones; Dyke, Teri Lee (LARA); Amy Barkholz; Remus, Laura (LARA); Scott, James D. (LARA); Looney, Carolyn (DEQ); Devereaux, Tracy Jo (DEQ); Madziar, Joseph (LARA); Kristen Cavanagh-Strong

Subject: RE: Hospital Water Treatment Discussion

Just wanted to chime in, so everyone on the call would have my contact information, which is listed in my signature block below. Happy to help with information dissemination as this process moves forward.

Laura Wotruba | Director, Public Affairs Michigan Health & Hospital Association Direct (517) 999-9071 | Cell (517) 290-4841 | Main (517) 703-8601 lwotruba@mha.org

-----Original Message-----

From: Sam Watson

Sent: Thursday, July 30, 2015 5:21 PM

To: Monosmith, Carrie (DEQ) <MONOSMITHC@michigan.gov>

Cc: Benzie, Richard (DEQ) <BENZIER@michigan.gov>; Shekter Smith, Liane (DEQ) <SHEKTERL@michigan.gov>; Busch, Stephen (DEQ) <BUSCHS@michigan.gov>; nbirchm1@hurleymc.com; Prysby, Mike (DEQ) <PRYSBYM@michigan.gov>; Janice Jones <JJONES@mha.org>; Dyke, Teri Lee (LARA) <DykeT@michigan.gov>; Amy Barkholz <abarkholz@mha.org>; Remus, Laura (LARA) <RemusL@michigan.gov>; Scott, James D. (LARA) <ScottJ6@michigan.gov>; Looney, Carolyn (DEQ) <LOONEYC@michigan.gov>; Devereaux, Tracy Jo (DEQ) <DEVEREAUXT@michigan.gov>; Madziar, Joseph (LARA) <madziarj@michigan.gov>; Laura Wotruba <LWotruba@mha.org>; Kristen Cavanagh-Strong <KCavanagh-Strong@mha.org>

Subject: Re: Hospital Water Treatment Discussion

Hello all

Just a follow up to thank you for the out reach. We look forward to sharing your information with our members Sam

Sam R. Watson

Michigan Health & Hospital Association
517-348-2249
Sent from a wireless device.

> On Jul 30, 2015, at 1:48 PM, Monosmith, Carrie (DEQ) <MONOSMITHC@michigan.gov> wrote:

>

> Agenda is attached, there will also be copies at the meeting.

>

>

> 6/29/2015 Update: Adding DLARA staff as optional, you are welcome to attend in person, send a representative, or participate via conference call, call-in info is noted below. Agenda to follow in the near future. Please refer to the attached map for direction to Constitution Hall if attending in person.

>

> Conference Call In Phone Number: 1-888-557-8511 Pass Code: 2752012

> Host (Carrie Monosmith) Pass Code: 6945

>

>

> Carrie Monosmith

> Environmental Health Section Chief

> Office of Drinking Water and Municipal Assistance Michigan Department

> of Environmental Quality Constitution Hall

> 525 West Allegan Street

> PO Box 30241

> Lansing, MI 48909-7741

> Phone: 517-290-2601, Fax: 517-241-1328

> Email: monosmithc@michigan.gov<<mailto:monosmithc@michigan.gov>>

>

>

>

>

> <Con Hall Map.pdf>

> <MHA MISHE July 30 2015 Meeting Agenda.docx> <meeting.ics>

Devereaux, Tracy Jo (DEQ)

From: Shekter Smith, Liane (DEQ)
Sent: Friday, November 20, 2015 9:13 AM
To: DEQ-ODWMA-Supervisors-All
Cc: Devereaux, Tracy Jo (DEQ)
Subject: FW: AWWA Water Services Insider

Share as appropriate.

Of note:

- EPA delivers cyanotoxins plan to Congress
- Advisory council considers recommendations on Lead and Copper Rule
- EPA seeks input on Legionella control
- House-Senate panel takes up transportation bill, WIFIA
- EPA funding could get bogged down in policy disputes

From: AWWA Public Affairs [mailto:publicaffairs@awwa.org]

Sent: Friday, November 20, 2015 9:04 AM

To: Shekter Smith, Liane (DEQ)

Subject: AWWA Water Services Insider

Having trouble viewing the email below? Please click here.
 Note: To ensure delivery to your inbox please add publicaffairs@awwa.org to your address book



**WATER SERVICES
INSIDER™**

Nov. 20, 2015

Welcome to the latest issue of the *Water Services Insider*. In this issue:

- 'Good Samaritan' legislation would address abandoned mine issues
- EPA delivers cyanotoxins plan to Congress
- Advisory council considers recommendations on Lead and Copper Rule
- EPA seeks input on *Legionella* control
- House-Senate panel takes up transportation bill, WIFIA
- EPA funding could get bogged down in policy disputes
- House committee reauthorizes bill to assist small water utilities

'Good Samaritan' legislation would address abandoned

mine issues

AWWA government affairs staff has been studying concepts for "Good Samaritan" legislation that would allow entities to clean up mine sites without assuming liability risks. With more than 400,000 abandoned hard rock mines throughout the United States, several members of Congress have expressed interest in introducing such legislation. Under current Clean Water Act and Superfund laws, parties that might act as Good Samaritans lack incentives to get involved with these sites. We are gathering input from water utilities and other experts to produce principles that will protect drinking water in the creation of proposed remediation plans.

EPA delivers cyanotoxins plan to Congress

The U.S. Environmental Protection Agency delivered its "Algal Toxin Risk Assessment and Management Strategic Plan for Drinking Water" to Congress on Tuesday, as required by the "Drinking Water Protection Act" (P.L. 114-45). The plan outlines EPA's actions to date, as well as anticipated work to evaluate the risks posed by cyanotoxins in drinking water. While not explicit, it appears that cyanotoxins will be included in the next round of the Unregulated Contaminant Monitoring Rule as part of the agency's continued work to determine if a SDWA standard is appropriate. EPA outlines how it is evaluating the comparability of available ELISA analytical methods with LC/MS/MS methods, as well as collecting information that will inform future recommendations to water utilities and states on management of cyanotoxins. While much of current efforts are focused on microcystin and cylindrospermopsin, the plan recognizes the need for research on a larger universe of cyanotoxins. The UCMR is scheduled for proposal in early 2016 and is to be finalized in 2017.

Advisory council considers recommendations on Lead and Copper Rule

The majority of this week's National Drinking Water Advisory Council meeting focused on drafting recommendations for revising the Lead and Copper Rule. In August, a NDWAC workgroup completed its report for the council's consideration. After evaluating the report and public comments, the NDWAC decided to forward the workgroup's recommendations to EPA Administrator Gina McCarthy. A transmittal package is now in development. The central element of the recommendations is that all systems would develop and implement a strategic plan to remove all lead service lines from water mains to building walls. In public comments to NDWAC, Flint community advocate Lee Walters challenged water systems to do more sooner, including posting their current LCR monitoring instructions to homeowners on their websites and revising those instructions to remove elements that reduce apparent lead levels (e.g., advising pre-stagnation flushing, capping the length of stagnation period, removing aerators). Yanna Lambrinidou, a member of the NDWAC Working Group with a dissenting opinion, called for utilities to make lead monitoring data more readily available to the public as well as other additional measures beyond those reflected in the Working Group report.

EPA seeks input on *Legionella* control

EPA held a public meeting last week to garner input on "Technologies for *Legionella*

Control: Scientific Literature Review." The agency is providing this literature review -- primarily focused on disinfection technologies -- to assist building owners contemplating adding treatment for *Legionella* control. The literature review is not SDWA "guidance," and EPA is explicitly leaving to state primacy agencies decisions on when a building must comply with SDWA requirements. Participants in the meeting were concerned that the literature review might be perceived as guidance, that there were technologies that were not included and that review did not summarize the literature in terms of controlling proliferation of *Legionella* in building systems. The document will be reviewed by subject matter experts in early 2016 and finalized in 2016.

House-Senate panel takes up transportation bill, WIFIA

A House-Senate conference committee began meeting this week to produce a single long-term surface transportation bill, and one that hopefully will contain the long-sought-after technical correction to the Water Infrastructure Finance and Innovation Act. One heartening development occurred during opening statements when U.S. Rep. Bob Gibbs of Ohio, chair of the House Subcommittee on Water Resources and Environment, said fixing WIFIA was one of his three priorities in producing the transportation bill. Rep. Bill Shuster, chair of the House Committee on Transportation and Infrastructure, said his goal was to file the final legislation Nov. 30 and have it on President Obama's desk by Dec. 4. However, he also admitted this would be a difficult task. AWWA ramped up its grassroots and direct advocacy efforts this week. While we have heard considerable support for the fix on the Hill, anything can happen in a political environment. Other water associations have ramped up their efforts as well. The Senate version of the transportation bill already contains the WIFIA correction.

EPA funding could get bogged down in policy disputes

While Congress and President Obama did produce a two-year budget deal earlier this fall, funding for EPA and its programs, including the state revolving loan fund, could still face a complicated road. Bills funding EPA and related agencies in both the House and Senate contain policy riders that could attract a veto or blocking maneuvers in the Senate. Those bills have apparently died. The two highest-profile riders would kill the Clean Power Plan and the rule defining "Waters of the U.S." Right now, the federal government is operating under a continuing resolution until Dec. 11. Expect to see an omnibus spending bill fund the government after that. Debates are still going on in the Capitol on whether the omnibus bill will contain the riders. If it does, the threat of a presidential veto or tough congressional battles will loom.

House committee reauthorizes bill to assist small water utilities

The House Committee on Energy and Commerce has approved and sent to the full House S. 611, a bill that would reauthorize technical assistance for small public water utilities. By passing the Senate bill without amendment, members hoped to speed final passage. It would let EPA make grants or initiate cooperative agreements with non-profit organizations to provide such assistance to small systems. Authorized funding would remain \$15 million annually. Congress has provided more than \$12 million a year for the program even after authorization expired in 2003.

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