

From: [Maul, Sue \(DEQ\)](#)
To: [Shekter Smith, Liane \(DEQ\)](#); [Busch, Stephen \(DEQ\)](#)
Cc: [Benzie, Richard \(DEQ\)](#); [Craig, John \(DEQ\)](#)
Subject: RE: City of Flint- Request from Mike Robinson
Date: Friday, December 20, 2013 9:52:59 AM

I am not aware of any drinking water enforcement issues with the City of Flint. It would seem a Consent Order would be more appropriate in this case since the City has something to gain. A Director's Order under Section 15 of Act 399 is more for cases when the water supply will not sign a consent order, like Highland Park. I have cc'd John Craig since possible Part 115 violations are mentioned below.

Sue Maul

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From: Shekter Smith, Liane (DEQ)
Sent: Friday, December 20, 2013 9:09 AM
To: Busch, Stephen (DEQ)
Cc: Benzie, Richard (DEQ); Maul, Sue (DEQ)
Subject: RE: City of Flint- Request from Mike Robinson

Steve –

Can you help me understand this proposal. Is ODWMA in enforcement over this issue? I'm not seeing the similarity to Three Rivers. With them, an ACO made sense because there were drinking water violations. And if there are violations related to the residual lagoon, shouldn't that be a WRD lead similar to Plainfield Township? What am I missing?

Liane J. Shekter Smith, P.E., Chief

Office of Drinking Water and Municipal Assistance

Michigan Department of Environmental Quality

**** Effective August 12, 2013 my new number will be (517) 284-6543**

From: Zacharda, Nicole (DEQ)
Sent: Thursday, December 19, 2013 4:11 PM
To: Creal, William (DEQ)
Cc: Shekter Smith, Liane (DEQ); Busch, Stephen (DEQ); Selden, Barry (DEQ); Vanderlaan, Mary (DEQ); Rusz, Rick (DEQ)
Subject: City of Flint- Request from Mike Robinson

Good afternoon,

I've just met with Lansing District Staff for WRD and the Drinking Water program. Yesterday I received a call from Mike Robinson (he'd initially contacted Barry) seeking what I'd characterize as a 'sweetheart' ACO intended to ease the City's ability to access bond funding for their possible new water intake from Lake Huron. As a trade of sorts, Mike was suggesting that his client would resolve Part 31 issues at their water treatment residual lagoon. I told Mike that while I understood the Part 31 angle, this really seems like a Drinking Water program lead. I did provide him with a copy of the City of Three Rivers, SDWA Section 15 Order that I did a few years ago as an example and told Mike I'd be following up with district staff prior to briefing you.

Having met with Steve Busch and others (including Mary Vanderlaan and Rick Rusz), my suspicions have been confirmed and this really does not strike me as our issue in the WRD. In fact, Mr.

Robinson and Dept. of Treasury officials have already been communicating with Steve about an Order of some sort in light of Flint's financial situation.

Provided that you & Liane concur, my recommendation at this point is that I check back in with Mike Robinson and suggest that he work through Steve and his staff, with other Divisions (there is also a Part 115 issue) assuring that our concerns are covered behind the scenes through Drinking Water's permit review, which should compel lagoon improvements.

Please let me know if you have any questions,

Nicole

Nicole Zacharda

Enforcement Specialist

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