
Sent: Wednesday, December 30, 2015 3:22 PM
To: Marc Edwards;'Mona Hanna-Attisha'
Cc: LawrenceR@mottchc.org;'Chris Kolb';'Andy Leavitt'
Subject: RE: DHHS Document in MDEQ FOIA

Hi Marc,

1. Again, I feel like I am having to infer things- but from my discussion with our toxicologist today, when the communications person in her section started drafting the plan, she then saw your media stories, and cut and pasted those into her plan, and up to that point had not been aware of magnitude of the water lead issues up until then. I was advised today that DEQ was advising them (Tox) that lead was not an issue according to their testing at that time.
 2. Sorry, I was misinformed about the draft issue from a staff person not privy to this issue this morning and; I checked with our lawyer earlier who did tell me that all drafts are FOIA-able,

From: Marc Edwards [mailto:edwardsm@vt.edu]
 Sent: Wednesday, December 30, 2015 3:09 PM
 To: Wells, Eden (DHHS) <WellsE3@michigan.gov>; 'Mona Hanna-Attisha' <MHanna1@hurleymc.com>
 Cc: LawrenceR@mottchc.org; 'Chris Kolb' <chris@environmentalcouncil.org>; 'Andy Leavitt' <aleavitt@senatedems.org>
 Subject: RE: DHHS Document in MDEQ FOIA

Please confirm the following:

1) The people who wrote this, claim no knowledge at all about harmful levels of lead in Flint water on September 8th. Even though we published results on bad lead in water in late August, and we issued a public health warning to not drink Flint water on September 8th.
<http://flintwaterstudy.org/2015/09/our-sampling-of-252-homes-demonstrates-a-high-lead-in-water-risk-flint-should-be-failing-to-meet-the-epa-lead-and-copper-rule/>
 And m-live had done a story on September 6th.
<http://michiganradio.org/post/team-testing-flint-water-lead-sample-sample#stream/0>

Also, in the document, it cites numerous these very news stories talking about dangerous levels of lead in Flint water at the end. So this seems to be false on its face. If so, who listed all the articles about the potential danger from lead in the water? Did they list the articles about high lead in Flint water, without reading them, or did they copy and paste something from MDEQ? I am sorry, I just don't see how this claim can be true given the document itself and what it says.

2) Who said draft documents are not FOIA-able? Where is that written? All existing documents and notes are FOIA-able. If DHHS think it should be withheld, you still have to acknowledge the document exists, and then give a reason why it is being with-held.

3) So DEQ made the request for help by phone, and there is no paper trail at all requesting the document? No meeting notes or nothing about the DEQ request? Just DEQ saying they need something by phone, and someone going ahead and writing it up?

4) The communications associated with the draft, were all verbal, and there are no documents associated with it up until the press conference?

Thanks!

Marc

From: Wells, Eden (DHHS) [mailto:WellsE3@michigan.gov]
 Sent: Wednesday, December 30, 2015 2:33 PM
 To: Mona Hanna-Attisha
 Cc: Marc Edwards; LawrenceR@mottchc.org; Chris Kolb; Andy Leavitt
 Subject: RE: DHHS Document in MDEQ FOIA

Hello again,

I followed up with my Tox folks today (I am an impatient person!) about the draft Communications Plan drafted up by one of our folks in Tox in early September—

1. This was always draft as it had never been sent up for approval and implemented- thus not felt to be FOIA-able.
2. It was first drawn up on the 8th at request of DEQ (our Tox health education group often provides support for them on health education issues), as felt that public health education was needed about water lead.
3. Tox was not aware that there was a concern about harmful levels of lead in the water during this drafting.
4. The draft was communicated on with DEDQ on a conference call on 9/11 and the following weeks with the Lead Program and with the local health department, and other stakeholders to get feedback...these were occurring up until up to your press conference.

Again, thank you for your questions and concerns—

Eden

From: Mona Hanna-Attisha [mailto:MHanna1@hurleymc.com]
 Sent: Wednesday, December 30, 2015 12:39 PM
 To: Wells, Eden (DHHS) <WellsE3@michigan.gov>
 Cc: Marc Edwards <edwardsm@vt.edu>; LawrenceR@mottchc.org; Chris Kolb <chris@environmentalcouncil.org>; Andy Leavitt <aleavitt@senatedems.org>
 Subject: Re: DHHS Document in MDEQ FOIA

Eden, obviously you were not involved, but why wasn't this communications plan implemented? It was thoughtful, thorough, and had recommendations that people could take to protect themselves.

Mona Hanna-Attisha MD MPH FAAP
 Director, Pediatric Residency Program
 Hurley Children's Hospital
 Michigan State University

On Dec 30, 2015, at 12:33 PM, Wells, Eden (DHHS) <WellsE3@michigan.gov> wrote:
 Good afternoon,

I now have a copy of this (this was drafted before I became part of the response, and was never implemented by Toxicology) and there are no concerns in sharing this draft Communications Plan that Toxicology had pulled together--- previous email was just stating why it was not part of PIOA package. It is attached, and again, do not hesitate to contact me anytime,

Eden

Eden V. Wells, MD, MPH, FACPM
 Chief Medical Executive
 Michigan Department of Health and Human Services
 201 Townsend St., 5th Floor CVB
 Lansing, MI 48913

From: Marc Edwards [mailto:edwardsm@vt.edu]
 Sent: Wednesday, December 30, 2015 10:54 AM
 To: Wells, Eden (DHHS) <WellsE3@michigan.gov>; LawrenceR@mottchc.org; 'Chris Kolb' <chris@environmentalcouncil.org>; 'Andy Leavitt' <aleavitt@senatedems.org>; Mona Hanna-Attisha <MHanna1@hurleymc.com>
 Subject: RE: DHHS Document in MDEQ FOIA

Hi Eden,

Today I received what DHHS FOIA claims is the rest of my FOIA documents. But still missing is the document on Flint Water Lead Communication Plan from September 9th, 2015, which is clearly responsive to my FOIA because it discusses the work of Virginia Tech. I also e-mailed you and argued that all documents associated with the genesis, writing and conceptualization of the Flint Water Communications plan would be clearly responsive, as are anything associated with the meetings about the document. Bob's e-mail to me mentioned a meeting on the water lead issue on September 8th...which I assume was associated with this document.

There is nothing in what was provided to me at all, about the September 9th document or the September 8th meeting. As far as DHHS is concerned, they are apparently taking the position the document does not exist...and it just came to MDEQ out of thin air. Obviously this is unacceptable to me. Is this the position of DHHS? If not, why do not have either the communications plan, or the documents that help understand where it came from? I do not even know who wrote it.

I also do not believe that Karen's entire body of e-mails has been produced. When I called out the fact that an e-mail from Mona was not in what was provided to me, she simply sent that 1 e-mail to the FOIA officer. I still feel an electronic search of her e-mails is going to be required if the task force is ever going to understand what DHHS was doing before you were involved.

Thanks in advance for looking into this disturbing problem. The letter today says that all responsive documents were produced, and that my only option is to appeal or sue DHHS.

Marc
 <Draft Comms Plan-EHS Tox 9_15.pdf>