

From: [Shekter Smith, Liane \(DEQ\)](#)
To: [Busch, Stephen \(DEQ\)](#); [Benzie, Richard \(DEQ\)](#); [Monosmith, Carrie \(DEQ\)](#); [Craig, John \(DEQ\)](#)
Cc: [Prysby, Mike \(DEQ\)](#); [Brim, Richard \(DEQ\)](#)
Subject: RE: Flint ACO language
Date: Wednesday, February 12, 2014 11:05:00 AM

The language below in quotes is not what is included in the Order.

In general, I think what is provided below addresses our concern that we are not requiring them to use KWA as their source. It acknowledges that either scenario will require changes which must be permitted under Act 399. Not sure what is provided is the only or best way to say it; but I have no problem with it as written.

I do have a few other questions/comments on the Order in general that I will share with Rich.

From: Busch, Stephen (DEQ)
Sent: Wednesday, February 12, 2014 9:45 AM
To: Benzie, Richard (DEQ); Monosmith, Carrie (DEQ); Craig, John (DEQ); Shekter Smith, Liane (DEQ)
Cc: Prysby, Mike (DEQ)
Subject: FW: Flint ACO language

We are still trying to negotiate language in ACO the "Statement of Purpose" section that will appease both parties. They would like us to use the language in quotations below. The revised language does not force connection to KWA, and instead allows other options. As we have stated in the past construction permits will be necessary for the connection to KWA and construction permits are also necessary to allow the Flint WTP to operate on a continuous (non-emergency basis) regardless of source.

If this language will not be acceptable I need to know and will need to discuss how what we would want to adjust. The last ACO draft is attached for reference.

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

From: Robinson, Michael [<mailto:MRobinson@wnj.com>]
Sent: Monday, February 10, 2014 5:44 PM
To: Busch, Stephen (DEQ)
Cc: Daugherty Johnson
Subject: ACO

Steve, I checked with the City's bond counsel, and here is language that we MUST include in the consent order so that the City can move forward on this. Please let me know immediately if this language is or is not acceptable. If you would like to discuss it, please let me know.

Thanks,

Mike

“The respondent plans to use the Flint River as its temporary source of untreated water supply until KWA water is available. The respondent must undertake the KWA public improvement project or undertake other public improvement projects to continue to use the Flint River, such as additional water treatment plant public improvements, source water protection public improvements and public improvements to obtain back-up water supply, in order to comply with Act 399.”