
From: Wurfel, Brad (DEQ)
Sent: Thursday, September 10, 2015 3:05 PM
To: Ronald Fonger
Subject: RE: things in flint

You're on a deadline, so I'll leave this at this.

From: Ronald Fonger [mailto:RFONGER1@mlive.com]
Sent: Thursday, September 10, 2015 2:17 PM
To: Wurfel, Brad (DEQ)
Subject: things in flint

Brad:

I'm wrapping up a story on the lead issue that includes a comment from Howard Croft, Flint's DPW director. He said the city did not act sooner on an optimization plan because it was acting on advice from the DEQ.

Michigan DEQ regulates municipal drinking water systems -- not on advice, but on direction drawn from statute. The rule states that large system operators, when changing water sources, must do two consecutive rounds of water tests in a 12-month period to see how the water affects lead and copper. Those results show the system complies with the federal rule -- 90 percent of the samples are 15 parts per billion or less. If the system is large -- 50,000 or more customers -- they still have to proceed with optimizing the system. They get a year to make a plan, based on the results of the tests. We get a year to review the plan. They get two years to implement the plan.

We've encouraged Flint to skip the time periods and move immediately to optimizing.

Here's the best three paragraphs I've got (from Richard Benzie) to explain optimization as it relates to the Lead and Copper Rule.

To begin, when the lead and copper rules (LCR) were first implemented, large systems were allowed to collect two sets of lead and copper samples in consecutive 6 month monitoring periods and if their 90th percentile lead level was within 5 milligrams per liter of the lead level in their source water, they did not have to further "optimize" corrosion control treatment. When Flint changed water sources from the Great Lakes to an inland river and employed water treatment that was significantly different (precipitative softening vs. direct filtration) than that supplied by Detroit, we granted Flint as a "new supply" the same consideration to determine if their treatment already provided optimal corrosion control.

As you know, their first 6 month monitoring results complied with the Action Level for lead and were close to demonstrating optimal corrosion control treatment (OCCT). Since the city would be averaging results from the two consecutive monitoring periods for the purposes of OCCT determination, we awaited their second set of results to see what they would reveal. After getting the second set, it was determined that Flint was again in compliance with the lead and copper Action Level but they did not qualify as already practicing OCCT.

Under the original regulatory schedule for implementing OCCT, a community serving more than 50,000 people was given a year to conduct treatment studies and submit them to DEQ. We then have 6 months to review their studies and designate their OCCT. They then have 2 years to install that treatment. During all that time, no monitoring is required. Our response to the concerns raised in that memo but also more significantly, in formal discussions with Region 5 EPA Managers, was to encourage Flint to not take the time we believe they were entitled to have for this process but to move as quickly as possible to implement some OCCT.

He said the city was aware of the issue of corrosion control as it began to use the Flint River but followed the guidance of DEQ.

See above.

Do you want to comment on why Flint officials were given that advice – or did it not happen that way?

Croft did say one concern about adding phosphates, for example, was that it could make the problem with bacteria in the water worse.

One problem with optimizing is that it's optimizing. It's not fixing. It's literally making the water the best it can be, recognizing that it is still water, and folks who have lead pipes will still have lead in their water at some level. Don't lose sight of the thing I keep saying, over and over, trying to get you to print it -- folks in Flint who have lead pipes or a lead service connection had lead in their water at some level before this issue was in the newspaper. Before the switch to the Flint River. Optimizing can minimize impacts, but it won't alleviate the issue. Water – even Ph neutral water – corrodes with time. Look at the Grand Canyon, or the way Virginia tech can make lead samples in home water tests. The only way to get rid of lead in home drinking water completely is to replace lead pipes and connections in the home system.

Also, do you want to comment on this statement from Marc Edwards:

"We have provided that information (about lead in water), and MDEQ did not," Edwards said. "In the days ahead, we will be exposing just some of the irresponsible actions of MDEQ relative to the lead sampling in Flint -- these actions are not consistent with federal law."

We've got a state program built on federal law, testing and standards. It's in place throughout the state and has been effectively protecting drinking water supplies for decades. We welcome public interest in how we've managed Flint or any other water supply, because it's a consistent, solid program.

Finally, after I finish that story, I am starting work on another, based on the letter that I've attached from Flint's state legislative delegation to the DEQ.

Do you want to comment on that?

I need a response on the first questions first as I expect that story to post this afternoon but I will update it with your response as soon as I get it.

Call me if it's easier.

Thanks,

Ron Fonger

MLive Media Group

Reporter

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