

Rich -- can you verify that the Order contains a provision that they must comply with state law (i.e., they need to apply for and get appropriate permits before commencing construction)? I think this will address Steve's concern below.

Otherwise, we'll probably need a generic statement about getting the appropriate Act 399 permits before they make system improvements.

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

From: Busch, Stephen (DEQ)
Sent: Thursday, March 20, 2014 8:37 AM
To: Shekter Smith, Liane (DEQ)
Cc: Brim, Richard (DEQ); Craig, John (DEQ); Sygo, Jim (DEQ); Shaler, Karen (DEQ); Willard, Veronica (DEQ)
Subject: RE: New 3.13

I think this language is more palatable. Since this is being brokered by OWMRP, if we added a line at the end requiring the respondent to obtain necessary permits under 399 from ODWMA it might make a little more sense as a compliance program item.

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Lansing and Jackson District Supervisor
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517-643-2314

From: Shekter Smith, Liane (DEQ)
Sent: Wednesday, March 19, 2014 4:51 PM
To: Busch, Stephen (DEQ)
Cc: Brim, Richard (DEQ); Craig, John (DEQ); Sygo, Jim (DEQ); Shaler, Karen (DEQ); Willard, Veronica (DEQ)
Subject: FW: New 3.13

I spoke with Mike earlier and suggested language that conveys that Flint has elected to leave the DWSD system. I think this addresses our issue. Your thoughts?

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From: Robinson, Michael [<mailto:MRobinson@wnj.com>]
Sent: Wednesday, March 19, 2014 4:47 PM
To: Shekter Smith, Liane (DEQ)
Subject: FW: New 3.13

From: Robinson, Michael
Sent: Wednesday, March 19, 2014 4:36 PM
To: 'Brim, Richard (DEQ)'
Subject: New 3.13

“Respondent has chosen to use its WTP to supply water to its customers and leave the DWSD after receipt of a notice of termination of service from DWSD. In order for Respondent to continue to use the WTP, Respondent must undertake the KWA public improvement project or undertake other public improvement projects to continue to use the Flint River, such as additional WTP public improvements, source water protection public improvements, and public improvements to obtain a back-up water supply, in order to comply with Act 399.”

Mike