

From: Benzie, Richard (DEQ)
To: Gov. Thomas Crooks, Jennifer
Subject: FW: Information Request and Documentation
Date: Thursday, March 12, 2015 7:21:00 PM
Attachments: FOIA Request Flint Water.doc
Importance: High

Please treat this information as confidential at this point as I am not sure when and who will bring this matter forward for public knowledge. But I thought you should get a heads up that another problem could become public soon. Liane forwarded the message from Genesee County to our management this morning along with the attached document, but we have not received a response yet. She also contacted the Department of Community Health and they are following up with the County. They told Liane that they have been offering assistance to the county on this matter on several occasions and had not received a response.

Steve and Mike indicated that they were not contacted by the county on this issue as stated in the attachment, so we don't know who they did contact or if they did. We suspect they are escalating the request for information at this time, but we also wonder why they need much of the information they requested from the city to conduct their investigation, which should have been completed by now. Both DEQ and DCH had the same reaction to their statement about the river before they complete their investigation.

Steve, Liane and I will be meeting tomorrow morning to discuss further. We may be meeting with the executive office as well.

From: Benzie, Richard (DEQ)
Sent: Wednesday, March 11, 2015 7:33 PM
To: Shekter Smith, Liane (DEQ)
Cc: Busch, Stephen (DEQ); Prysby, Mike (DEQ)
Subject: RE: Information Request and Documentation

Liane,

Steve's initial response is below.

As I see it, we need a plan of action fast.

- 1) Inform DEQ management, including legislative and media liaisons; suggest additional communication with DCH
- 2) Prepare response to Genesee County email – did anyone in ODWMA or DEQ have any contact with Genesee County about Legionella and if so, when and what? Was anyone in ODWMA or DEQ requested to meet with Genesee County to discuss Legionella and if so, when, and did they “decline” to meet?
- 3) Contact Flint to alert them of County's concerns and determine their response to the January 27th FOIA request.
- 4) Arrange for a meeting with Genesee County and other parties as deemed appropriate by DEQ management – DCH, Flint, Governor's Office, etc.; Establish a “Lead” agency but also develop a team approach to move forward and determine an appropriate, common

message as well as when such information should be shared and by whom. Determine how long has Genesee County, DCH, and Flint been aware of the increased cases of Legionella and what the message should be about delays in public notification.

- 5) Determine additional steps – possible monitoring protocols, premise plumbing treatment options, public precautions if any, etc.; Consider possible CDC assistance.
- 6) Determine if EPA will be willing to share their draft Legionella guidance document being developed by a workgroup consisting of EPA, the States of Ohio, Minnesota, Pennsylvania, Washington, Nevada, Missouri and Nebraska, and CDC. The guidance will characterize the effectiveness of treatment technologies to address Legionella and address relevant regulatory implications. The primary implication is that individual customers that install “secondary” treatment systems to remove, reduce or prevent Legionella in their premise plumbing (such as hospitals are already doing) become by federal definition, public water systems required to comply with all applicable requirements of the Safe Drinking Water Act. The guidance has been delayed by internal reviews at EPA, but they are hoping to be able to have a final document in summer of 2015.

That’s all I can think of at this point. Let me know what you think.

From: Busch, Stephen (DEQ)
Sent: Wednesday, March 11, 2015 9:37 AM
To: Prysby, Mike (DEQ); Benzie, Richard (DEQ)
Subject: RE: Information Request and Documentation

Mike,

I am not aware of a meeting request from Jim Henry or the Genesee County Health Department as indicated in his email below. Did you receive any such request?

The FOIA is specifically directed to the City of Flint not the DEQ. If requested some of the information asked for regarding Total Coliform and E.Coli compliance sampling could be provided, but there may also be additional construction repair sampling data.

We can respond to Jim when you get back in, but at this point while the change in source may have created water quality conditions that could provide additional organic nutrient source to support legionella growth, there is no evidence or confirmation of legionella coming directly from the Water Treatment Plant or in the community water supply distribution system at this time.

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

From: Prysby, Mike (DEQ)
Sent: Wednesday, March 11, 2015 7:35 AM
To: Busch, Stephen (DEQ); Benzie, Richard (DEQ)
Subject: Fwd: Information Request and Documentation