

Olszewski, Rosemarie (DEQ)

From: Thelen, Mary Beth (DEQ)
Sent: Thursday, October 01, 2015 3:40 PM
To: Olszewski, Rosemarie (DEQ)
Subject: FW: Statement from Rep. Phelps on his denied FOIA requests pertaining to the City of Flint water crisis
Attachments: 6422 - EXEC, ODWMA, WRD + Lansing - due: 9/15/15; 6422.pdf

Please print all.

From: Shaler, Karen (DEQ)
Sent: Thursday, October 01, 2015 3:10 PM
To: Sygo, Jim (DEQ); Pallone, Maggie (DEQ); Wurfel, Brad (DEQ)
Cc: Thelen, Mary Beth (DEQ); Feuerstein, Heather (DEQ)
Subject: RE: Statement from Rep. Phelps on his denied FOIA requests pertaining to the City of Flint water crisis

FYI, yesterday ODWMA e-mailed to Rep. Phelps the three documents from the attached e-mail that Steve Busch said are responsive to this FOIA request. The Executive Division did not have any responsive records as he requested documents regarding "waivers, permits or applications to use the Flint River as a source of water and/or drinking water for the City of Flint...." I've also attached his FOIA request. Note that ODWMA's documents were provided at no charge, so today I placed in the U.S. Mail Rep. Phelps's voided \$50 good faith deposit personal check, which Maggie is aware of.

From: Pallone, Maggie (DEQ)
Sent: Thursday, October 01, 2015 2:56 PM
To: Shaler, Karen (DEQ); Sygo, Jim (DEQ)
Subject: FW: Statement from Rep. Phelps on his denied FOIA requests pertaining to the City of Flint water crisis

From: Wurfel, Brad (DEQ)
Sent: Thursday, October 1, 2015 2:54 PM
To: Pallone, Maggie (DEQ) <PalloneM@michigan.gov>
Subject: Fwd: Statement from Rep. Phelps on his denied FOIA requests pertaining to the City of Flint water crisis

Sent from my iPhone

Begin forwarded message:

From: "Eggert, David" <DEggert@ap.org>
Date: October 1, 2015 at 2:47:11 PM EDT
To: Brad Wurfel <WurfelB@michigan.gov>
Subject: Fwd: Statement from Rep. Phelps on his denied FOIA requests pertaining to the City of Flint water crisis

Sent from my iPhone

Begin forwarded message:

From: Rosemary Jones <RJones@house.mi.gov>
Date: October 1, 2015 at 2:42:16 PM EDT
To: Rosemary Jones <RJones@house.mi.gov>
Subject: Statement from Rep. Phelps on his denied FOIA requests pertaining to the City of Flint water crisis

FOR IMMEDIATE RELEASE:
Thursday, Oct. 1, 2015

Contact: Rep. Phil Phelps
Phone: (517) 373-7515

Statement from state Rep. Phil Phelps (D-Flushing) on his FOIA requests pertaining to the City of Flint water crisis being denied:

"Residents of the City of Flint face a substantial health risk due to contaminants found in their drinking water. In an effort to not politicize this situation, I have been working directly with state and local officials in seeking important information and attempting to correct the City's water crisis. Unfortunately, I have been faced with continual road blocks in my requests for information. It has been nearly a month since I submitted Freedom of Information Act (FOIA) requests to the State and the City of Flint requesting to see documents related to the City's switch to using water from the Flint River. I requested the applications and permits required by law to change a city's source of water. So far, the State Treasury has violated FOIA by not providing any information or even a denial. The Department of Environmental Quality (DEQ) and City of Flint have denied my request saying that the documents I requested do not exist. However, state law requires Michigan cities to apply for a permit from the DEQ to switch their source of water. Violation of this law is punishable by a fine of \$5,000 per day and possible incarceration. I find it hard to believe that the DEQ and the City of Flint ignored such a critical step, not to mention one that the cost in fines alone would already be roughly \$2.5 million and cause those responsible to be subject to criminal prosecution.

"My request for these documents was meant to be a fact-finding mission to ascertain the degree to which the State knew about or took any action to determine the potential hazards of making this switch prior to being officially ordered by the State-appointed Emergency Manager. Since the State has decided not to disclose this information to me, it is unclear the extent to which the State is culpable. I believe the bottom line here is that the decision to switch the source of Flint's water to the Flint River was made by the Emergency Manager appointed by Governor Snyder and the burden is on his shoulders to make this right.

"The use of the river water has caused a great amount of destruction to the City's water infrastructure, and it has put the residents who use the water in harm's way. To help continue this fight for information, I have retained attorney Keith D. Flynn of the law firm Miller-Cohen P.L.C. to further evaluate my legal options.