
From: Kaffer, Nancy <nkaffer@freepress.com>
Sent: Friday, November 06, 2015 2:28 PM
To: Wurfel, Brad (DEQ)
Cc: Murray, David (GOV)
Subject: RE: Need comment ASAP

The state doesn't run municipal drinking water systems, but it does sign off on their plans for water treatment -- yes?

If the state's assertion is that it mistakenly applied an ambiguously worded standard, it seems to me that the existence of a report, in MDEQ's possession before the switch, that indicated the need for -- and cost of -- corrosion control should have prompted further investigation? Do you disagree?

(BTW, per this report, phosphates would have cost \$60 a day.)

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From: Wurfel, Brad (DEQ) [<mailto:WurfelB@michigan.gov>]
Sent: Friday, November 06, 2015 2:24 PM
To: Kaffer, Nancy <nkaffer@freepress.com>
Cc: Murray, David (GOV) <MurrayD1@michigan.gov>
Subject: RE: Need comment ASAP

These questions all make the presupposition that the state actually runs municipal drinking water systems. Every municipal drinking water system is required by law to have a certified operator on staff. In Flint's case, they added outside expertise on contract as well as having a certified operator. The nuance in your question is the idea that they don't do anything locally without being told to do so by the State. Not the case at all. Plenty of systems around the state make adjustments to their drinking water system within guidelines. The DEQ staff offer counsel and guidance, but State's formal role is to serve as regulator, not operator.

Flint commissioned the report you mentioned. If they ignored the recommendations in appendix of the report they commissioned, they can probably best explain why. Our take was that Flint was to run two consecutive tests of the system to determine optimization needs. The U.S. EPA finally came out with its finished guidance on that and distributed it nationally this week. I've enclosed it. We were pleased that they acknowledged the Lead and Copper rule is worded ambiguously on continued corrosion control. The clarification will help Michigan and every other state going forward.

Your second questions also is more appropriately directed to Flint. The city made the decision to use the river, the historic backup, as their primary. DEQ's role was to oversee necessary changes to the drinking water plant to ensure the water met Safe Drinking Water standards.

To your final question, I recall it was reintroduced when the Flint City Council voted 7-1 to join Karegnondi, and DWSD responded by sending Flint a one-year contract termination notice. While that notice was not a shutoff notice, it did signal that the contract rates for water would be terminated and thus open for renegotiation. But again, this is a question best addressed by the city.

These issues will undoubtedly be considered by the Governor's After Action Review Task Force. Until that review is finalized, we don't have much more to say about it. The DEQ is now focused on implementing the Governor's 10-point plan to protect kids and families in Flint, which includes free tap filters for all city residents as a precaution, free home water testing and children's blood tests for all city residents, and an unprecedented look at potential for lead exposure in the city schools, among other things.

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