

**Summary of Department of Environmental Quality (DEQ) Actions
In Response to the
EPA Emergency Administrative Order
Updated: 02/16/2016**

EXECUTIVE SUMMARY:

The EPA Emergency Administrative Order contains 15 overall items to be addressed by DEQ. The status of each of the 15 items has been categorized into the following categories: ongoing, completed, completed & ongoing, and not completed. The current status of the items is as follows: seven (7) items are ongoing; one (1) item has been completed; six (6) items have been completed and are ongoing; and one (1) item has not yet been completed, as its deadline is 2/20/16. To date, all deadlines imposed in the EPA Order have been met and work continues on several items that require an ongoing effort.

DETAILED INFORMATION:

EPA Order Due Date: 01/21/2016

- **Item 55: “Shall cooperate with EPA for conducting sampling and other diagnostic activities”**
 - The Testing/Sampling Group has been assigned this task. Communication has been initiated by the group.
 - *It is an ongoing process.*
- **Item 60: “Shall not switch water supplies until plans have been submitted and approved”**
 - The Public Health Group has been assigned to this task and they have received an agreement to comply from the City of Flint.
 - *This task has been completed.*

EPA Order Due Date: 01/22/2016

- **Item 50: “Intent to Comply Letter”**
 - The Administrative Group was assigned this task.
 - *This task was completed on 01/22/2016. Letters of intent have been posted to the Flint Water website from both MDEQ and the City of Flint.*

EPA Order Due Date: 01/26/2016

- **Item 51: “Public Website posting all reports, plans, weekly status reports on progress, except Personally Identifying Information (PII)”**
 - The Administrative Group was assigned this task. The information currently available has been posted on the Flint Water website and will continue to be updated as more results become available.
 - *This is an ongoing task.*

- A representative from the Administrative Group will be working with SEOC to add an EPA Order section.
 - *This is an ongoing task. A tab added to the Flint Water website includes all relative documents posted to date; additional documents continue to be posted as they are developed. We are considering adding folders under this tab to better organize the documents, especially as recurring reports begin to accumulate.*

EPA Order Due Date: 01/28/2016

- **Item 63: “Shall engage a panel of experts to advise and make public recommendations to the city on steps needed to mitigate the imminent and substantial endangerment to the health of persons and general operation of the city’s PWS to comply with SDWA & NPDWRs”**
 - The Administrative Group has been assigned to this task. A panel of experts met in Flint on 01/27/2016 at 3:00 p.m.
 - The Flint Water Interagency Coordinating Committee (FWICC) was created by a 1/11/16 Executive Order by Governor Snyder. That order and a list of committee members have been posted to the Flint Water website.
 - *This is an ongoing task. The FWICC is meeting weekly and has engaged in a subcommittee structure, which has also been posted to the website.*

EPA Order Due Date: 01/31/2016

- **Item 52: “Is progress being made with corrosion control in the City? Respond to EPA Flint Task Force”**
 - The Public Health Group has been assigned to this task. The City of Flint is being asked to provide data.
 - *This task has been completed.*
 - EPA agreed on the dosing level for orthophosphate (01/27/2016).
 - *This task has been completed.*
 - Next step: Conduct weekly status calls with Flint Water Treatment Plant.
 - *This task is completed and is ongoing. Conference calls between the DEQ Public Health Group and the City of Flint are scheduled for each Friday at 1:30 p.m.*
 - Review Monthly Operational Reports to ensure corrosion control treatment is appropriately maintained.
 - *Task is completed and ongoing. Monthly Operation Reports, including consolidated reports for the years 2013-15, one-month reports for Dec. 2015 and January 2016, and a weekly update for the first week of February, 2016 have been posted to the Flint Water website.*
 - December Monthly Operations Submitted with Dosages (1st week of January). Data expected from City on 01/29/2016.
 - *Task has been completed.*

- *Supplemental documentation explaining the DEQ response to this item has been posted to the Flint Water website.*
- **Item 53:**
- **A. “Water Quality parameter measurements in distribution system”**
 - The Public Health Group has been assigned to this task.
 - Ensure City conducts/provides WQP data as required and that during their weekly status call; they discuss WQP trends/concerns.
 - *Task is completed and ongoing. Monthly Operation Reports have been posted to the web, as noted for item 52 above.*
- **B. “All lead in water testing results for the city since January 2013 including those not used for LCR compliance”**
 - The Public Health Group has been assigned to this task.
 - *Task is completed and ongoing.*
 - Provide any lead results in DEQ files for monitoring since Jan 2013 (target 01/29/2016) to the Administrative Group so that they can vet and send to those who maintain the website.
 - *Task is completed and ongoing. Supplemental information explaining past monitoring efforts has been posted to the Flint Water website.*
 - Ensure ongoing monitoring results continue to be provided and posted to the website.
 - *This task is ongoing. A spreadsheet of updated test results is being posted daily to the Flint Water website.*
- **C. “Identification of areas by zip code in the city with elevated blood levels”**
 - The Administrative Group has been assigned to coordinate with DHHS.
 - *Ongoing process. An explanation of results for blood lead level testing has been posted to the Flint Water website to supplement information originally posted.*
- **Item 54:**
- **A. “Existing inventory of homes with lead service lines in Excel or similar format”**
 - The Infrastructure Group and DNR GIS is assigned to the task of compiling this data. Would like to obtain a list of billing addresses that receive Flint Water to aid in mapping.
 - *This task is complete and ongoing. A supplemental document has been posted to the Flint Water website to further explain the status of lead line identification in the city.*
- **B. “Addresses of homes that have had water service interruptions or street disturbances (e.g. water main breaks, etc.) within last year”**
 - This task has been assigned to the Infrastructure and Public Health Groups.
 - *This task has been completed.*
 - The Infrastructure and Public Health Groups called the City on 1/29/2016 to get update on status.
 - *This task has been completed.*
- **C. “Addresses of currently unoccupied homes”**

- This task has been assigned to the Infrastructure and Public Health Groups. MDEQ is working with the City of Flint Department of Public Works to acquire the data and map these locations. The information for this is not for public dissemination due to safety reasons.
 - *This is an ongoing task. A list of unoccupied homes had been posted to the Flint Water website on 1/31/16, with personal information removed.*
- **Item 69:**
- **A. “Any agent, consultant or contractor used for carrying out this order shall also abide by record retention restrictions under this order”**
 - This task has been assigned to the Administrative Group. The recommended action is to comply with the order and provide instruction. Assistant Attorney General (AAG) procured a Document Unit Leader.
 - *This is an ongoing task.*
 - All agents or contractors will be required to comply with the Retention Schedule of the EPA Order.
 - *This task is ongoing.*
 - Identify record retention elements and provide direction to all personnel, agents, or contractors that are or may become involved with the Flint water incident. Also prepare a Documentation Unit Leader task list and identify resource(s) needed to fill the position. This was assign to the Assistant Attorney General.
 - *This task has been completed.*
- **B. “Any agent, consultant or contractor used for carrying out this order shall also abide by record retention restrictions under this order”**
 - This task has been assigned to the Legal Team and the Administrative Group. The Document Unit Leader will work with The AAG and Administrative Group to produce a letter.
 - *This task is ongoing.*
 - A letter was sent to the City of Flint from DEQ on 01/31/16.
 - *This task is completed.*

EPA Order Due Date: 02/04/2016

- **Item 59: “City shall submit to DEQ the following items listed below:”**
- **A. “Submit a plan and schedule to MDEQ for designated optimal corrosion control and water quality parameters and water monitoring plans”**
 - The Public Health Group has been assigned to this task.
 - A weekly conference call has been scheduled for Fridays at 1:30PM to review and discuss water quality monitoring results for the past week (every week). Data will be reviewed and submitted for posting on the website.
 - *This task is completed and ongoing. A Plan for Optimization of Corrosion Control as well as an October 30, 2015 letter from MDEQ to the City of Flint have been posted to the Flint Water website to supplement information originally posted to the web in regard to this item.*

- **B. “Submit a sampling plan for daily monitoring submitted in a weekly report”**
 - The Public Health and Infrastructure Groups have been assigned to this task.
 - A weekly conference call has been scheduled for Fridays at 1:30PM to review and discuss water quality monitoring results for the past week (every week). Data will be reviewed and submitted for posting on the website.
 - *This task is completed and ongoing.*
- **C. “Submit an operations plan for the corrosion control equipment submitted in weekly format including monitoring, calibration, verification and daily monitoring of finished water corrosion control parameters”**
 - The Public Health Group has been assigned to this task.
 - Received confirmation from City of Flint Supervisor of Public Utilities that their plan will be submitted by 02/04/2016, along with weekly updates.
 - *This task is completed and ongoing.*

EPA Order Due Date: 02/05/2016

- **Item 61: “City must demonstrate and MDEQ must ensure the city has necessary capable and qualified personnel to perform duties in PWS”**
 - The Public Health Group has been assigned to this task.
 - City of Flint has submitted a list of employees and their drinking water certifications to MDEQ. Review of this information and training needs is now underway by MDEQ.
 - *This task is completed and ongoing. Explanatory information, accompanying a water treatment plant org-chart and employee position descriptions, has been posted to the Flint Water website to supplement information originally posted to the web in regard to this item.*

EPA Order Due Date: 02/20/2016

- **Item 62: “City will document and share steps to develop and implement a distribution system water quality optimization plan to MDEQ”**
 - The Public Health Group has been assigned to this in coordination with the City of Flint.
 - *This is an ongoing task. The respondents continue to work diligently toward completion of this task by the 2/20/16 deadline.*
 - Establish a realistic due date. MDEQ to contact national drinking water organization currently working on the distribution system optimization plan framework.
 - City to submit proposal by 02/20/2016 to MDEQ and EPA for review/evaluation of the proposal.

EPA Order Due Date: Monthly

- **Item 57: “Shall maintain chlorine residual in the distribution system in accordance to SDW and National Primary Drinking Water Regulations (NPDWR)”**
 - The Public Health Group has been assigned to this task.

- *This has been completed and ongoing. Additional information on chlorine residual was posted to the Flint Water website to supplement information originally posted in regard to this item.*
 - Regulatory requirements are already in place for residual chlorine. The City is required to monitor chlorine regularly and report on Monthly Operating Reports.
 - *Monthly Operational Reports, which include chlorine residual information, continue to be posted to the Flint Water website, as described under item #52 above.*
 - Review Chlorine residual levels in weekly status calls.
 - *Conference calls between the DEQ Public Health Group and the City of Flint are scheduled for each Friday at 1:30 p.m.*
- **Item 58: “City shall continue to add corrosion inhibitors at sufficient levels”**
 - The Public Health Group has been assigned to this task.
 - *This is an ongoing task. Water quality parameter monitoring reports continue to be posted weekly to the Flint Water website.*
- **Item 68: “Preserve records and data for six years”**
 - The Administrative Group and the Legal Team have been assigned to this.
 - *This is an ongoing task.*
 - To ensure consistency, retain all records following General Schedule #5, specifically GS5.10. When contacted regarding disposal, all records will be put on a litigation hold for one additional year and not destroyed. Training will be conducted by DTMB Record Center to all DEQ staff to ensure consistency and understanding.
 - *This will be an ongoing task.*

EPA Order Due Date: 01/21/2022

- **Item 68: “After six years must notify EPA 60 calendar days prior to destruction of any data pertaining to this order”**
 - The Administrative Group and the Legal Team have been assigned to this task.
 - To ensure consistency, retain all records following General Schedule #5, specifically GS5.10. When contacted regarding disposal, all records will be put on a litigation hold for one additional year and not destroyed. U.S. EPA will be notified when the additional one-year litigation hold is put in place.
 - *This is an ongoing task.*