

**Summary of Department of Environmental Quality (DEQ) Actions
In Response to the
EPA Emergency Administrative Order
Updated: 02/01/2016 0930**

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 ongoing, completed, completed & ongoing, and not completed. The current status of the items is as follows: 7 items are ongoing; 2 items have been completed; 5 items have been completed and are ongoing; and 1 item has not yet been completed. 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.
 - *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.*

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 that is currently available has been posted on the website and will 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.*

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 had a meeting in Flint on 01/27/2016 at 3:00 p.m.
 - This is an ongoing task.

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.*
 - Review Monthly Operational Reports to ensure corrosion control treatment is appropriately maintained.
 - *Task is completed and ongoing.*
 - December Monthly Operations Submitted with Dosages (1st week of January). Data expected from City on 01/29/2016.
 - *Task has been completed.*
- **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. (A Monthly Operations Report has been sent to the DEQ by the City of Flint).*
 - **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. (Residential test results have been posted on the web. Compliance data is being vetted by DEQ staff).*
 - Ensure ongoing monitoring results continue to be provided/posted to website.
 - *This task is ongoing.*
 - **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.*
- **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 has been completed.*
 - **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.*
- **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 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.*
 - It is recommended that a letter should be drafted from DEQ to the City of Flint.
 - *This task is ongoing.*

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.
 - Confirm with City that they will have plans completed and submitted by 02/04/2016.
 - **B. “Submit a sampling plan for daily monitoring submitted in a weekly report”**
 - The Public Health Group and Infrastructure Group have been assigned to this task.
 - Confirm with the City that they will have plans completed and submitted by 02/04/2016.
 - **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 have been assigned to this task.
 - Confirm with the City that they will have plans completed and submitted by 02/04/2016.

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.
 - *This is an ongoing task.*
 - MDEQ to get list of all operators employed at the treatment plant and validate that they are properly certified. MDEQ will provide appropriate targeted training for Flint operations staff.

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.*
 - 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.*
 - Regulatory requirements are already in place for residual chlorine. The City is required to monitor chlorine regularly and report on Monthly Operating Reports.
 - Review Chlorine residual levels in weekly status calls.
- **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.*
- **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.*