

**Summary of Department of Environmental Quality (DEQ) Actions
In Response to the
EPA Emergency Administrative Order
Updated: 02/06/2016 1800**

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; two (2) items have been completed; five (5) items have been completed and are ongoing; and one (1) item has not yet been completed, as its deadline is 2/20. 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.*

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 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.*

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.
 - 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.*

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.*
 - **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 is task is completed and ongoing.*

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.*