

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30755  
LANSING, MICHIGAN 48909

June 11, 2018

The Honorable Karen Williams Weaver  
Mayor of Flint  
City Hall  
1101 S. Saginaw Street  
Flint, MI 48502

Re: Notice under 42 U.S.C. § 300j-8 of the Safe Drinking Water Act

Dear Mayor Weaver,

This is a notice under 42 U.S.C. § 300j-8 of the Safe Drinking Water Act. The City of Flint is the owner and operator of the City's water treatment and distribution systems. DEQ issued a Significant Deficiency Violation Notice (SDVN) to the City on August 11, 2017 based on a sanitary survey DEQ performed of the City's water treatment and distribution systems. As of the date of this notice, the City has not taken adequate corrective action and is therefore in violation of the Safe Drinking Water Act, 42 U.S.C. § 300f, *et seq.* The City is also in violation of the Michigan Safe Drinking Water Act, 1976 P.A. 399, which the State of Michigan enacted "under" the federal act, 42 U.S.C. § 300j-8(b)(1), to obtain primary enforcement authority of the federal act. See 42 U.S.C. § 300g-2.

The sanitary survey DEQ performed, the SDVN that DEQ sent to the City and correspondence related to it, and a draft Administrative Consent Order are attached to this notice. These attachments provide "sufficient information to permit" the City to "identify the specific requirement[s]" of the state and federal Safe Drinking Water Acts that DEQ alleges the City to be violating, as required by 40 C.F.R. § 135.12(a).

DEQ strongly prefers to work cooperatively with the City to address these issues. But if the City does not enter into and comply with an Administrative Consent Order that addresses the City's outstanding violations, then DEQ will be compelled to request that the Department of Attorney General file suit in federal district court against the City.

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As required by 40 C.F.R. § 135.12(a), this is the full name, address, and telephone number of the person giving this notice:

Michigan Department of Environmental Quality  
Eric Oswald, Director  
Drinking Water and Municipal Assistance Division  
P.O. Box 30817  
Lansing, MI 48909  
(517) 284-6544

As required by 40 C.F.R. § 135.13, this is the name, address, and telephone number of the legal counsel representing the Michigan Department of Environmental Quality:

Michigan Department of Attorney General  
Richard Kuhl, Assistant Attorney General  
Environment, Natural Resources and Agriculture Division  
P.O. Box 30755  
Lansing, MI 48909  
(517) 373-7540

Please do not hesitate to contact us to discuss this matter.

Sincerely,



Richard S. Kuhl  
Assistant Attorney General  
Environment, Natural Resources, and  
Agriculture Division  
(517) 373-7540

RSK/amm  
Enclosures

c: Ms. C. Heidi Grether, Director, MDEQ  
Mr. Eric Oswald, MDEQ  
Administrator Scott Pruitt  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
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Regional Administrator Cathy Stepp  
U.S. EPA Region 5  
77 West Jackson Blvd.  
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to Mayor Weaver [SDWA Notice] 2018-06-11.docx