

**Subject:** EPA Statement on Next Steps in Flint, MI

Below is a statement outlining actions taken by the agency today to assist the ongoing federal response in Flint, Michigan to ensure that necessary actions are taken to return safe drinking water to the people of Flint and to prevent a situation like this from ever being repeated.

- As part of the ongoing federal response in Flint, MI, EPA Administrator Gina McCarthy spoke to Michigan Governor Rick Snyder, sent him a [letter](#), and issued a [Safe Drinking Water Act Emergency Order](#) to ensure the state and city immediately take actions necessary to protect public health. EPA has determined the State of Michigan and the City of Flint's responses to the drinking water crisis in Flint have been inadequate to protect public health, there are serious, ongoing concerns with delays, lack of adequate transparency, and capacity to safely manage the drinking water system. Governor Snyder reiterated his commitment to quickly get safe water back to the people of Flint and the willingness of his new team to work with EPA to define a path forward as soon as possible. McCarthy also spoke to newly elected Flint Mayor Karen Weaver about these next steps.
  - The Safe Drinking Water Act Emergency Order requires the State of Michigan and City of Flint to take a series of immediate steps to address the drinking water contamination in Flint. It also requires that necessary information promptly be provided to the public in a clear and transparent way. To assure accurate, reliable and trustworthy information is available to inform the public and decisions about next steps, EPA will implement sampling and analysis of lead levels in the City of Flint's public water system. EPA will publish these sampling results on its website to provide the public with better, more reliable information on ongoing efforts to abate the public health emergency in the City of Flint.
  - EPA considers the actions required by the Order essential to the protection of public health against further harm from drinking water contamination, and to restoring public confidence that the ongoing drinking water crisis in Flint will be promptly and fully remedied. EPA expects to receive prompt notice of the state's and city's intention to comply with the requirements of the Order, as well as the Governor's and mayor's agreement to take prompt and decisive action on these steps. In the coming weeks, EPA may take additional actions under the Safe Drinking Water Act.
- EPA Region 5 Administrator Susan Hedman has offered her resignation effective February 1, and EPA Administrator Gina McCarthy has accepted given Susan's strong interest in ensuring that EPA Region 5's focus remains solely on the restoration of Flint's drinking water.
- EPA Administrator Gina McCarthy sent a memo to all staff instating a formal policy, effective immediately, on elevation of critical public health issues. It includes specific parameters for staff to elevate critical public health and/or environmental issues so that the agency can properly assess them and respond at appropriate policy and governmental levels.
- EPA is committed to improving the public health protection provided by the Lead and Copper Rule and is actively considering revisions to the rule. EPA's primary goal is to improve the effectiveness of the rule in reducing exposure to lead and copper from drinking water. To help shape an updated rule, EPA has engaged with a broad range of stakeholders and experts. In

December 2015, the agency received extensive recommendations from our National Drinking Water Advisory Council and from other concerned citizen groups. The agency will carefully evaluate these recommendations, national experience in implementing the rule, and the experience in Flint to develop a proposed revision to the rule – which we expect to propose for comment in 2017. Even as we develop proposed revisions, we will engage with states and other stakeholders on possible nearer-term steps that could strengthen implementation of the existing rule.

Earlier this week, EPA Office of Water staff met with stakeholders from Flint, MI to specifically discuss revisions to the Lead and Copper Rule. These stakeholders shared their feedback on issues including lead service line replacement, sampling protocols, and implementation and enforcement. EPA appreciated the opportunity to meet and hear their comments on improving the Lead and Copper Rule, particularly given the serious situation in Flint, Michigan.

- Finally, EPA Administrator Gina McCarthy requested that EPA's Office of Inspector General conduct a program evaluation of Region 5's public water system supervision program under the Safe Drinking Water Act, specifically the implementation of its state oversight and operational responsibilities and performance. The agency is working to understand what it could have done to prevent this crisis in the City of Flint, and the Inspector General has agreed to conduct a thorough, independent look at the effectiveness of this program. This review will be beneficial in identifying the actions necessary to prevent a situation like Flint from ever being repeated.

#### **Background on Federal Response in Flint, MI**

President Obama signed an emergency declaration on Saturday, ordering federal assistance to support state and local response efforts.

The U.S. Department of Health and Human Services (HHS) has been designated the lead federal agency responsible for coordinating federal government response and recovery efforts.

In collaboration with the Federal Emergency Management Agency (FEMA), HHS will identify and mobilize the capabilities of the rest of the federal partners – including the Small Business Administration, the Environmental Protection Agency (EPA), and the Departments of Housing and Urban Development (HUD), Education and Agriculture (USDA) -- that are already working to help residents in Flint.

The goal of the federal response will be to help state and local leaders identify the size and scope of the problem, and work with them to make and execute a plan for mitigation of the short- and long-term health effects of lead exposure.