

STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

LANSING DISTRICT OFFICE



DAN WYANT DIRECTOR

December 16, 2014

WSSN: 02310

Mr. Brent Wright, Operation Supervisor City Of Flint - DPW Flint Water Plant 4500 North Dort Highway Flint, MI 48505

Dear Mr. Wright:

SUBJECT: Violation Notice – Maximum Contaminant Level for Total Trihalomethanes

Operational Evaluation – Total Trihalomethanes

4th Quarter 2014 Monitoring Period

The Department of Environmental Quality (DEQ), Office of Drinking Water and Municipal Assistance (ODWMA), records show that the City of Flint is in violation of the Safe Drinking Water Act, 1976 PA 399, as amended (Act 399); R 325.10610, *Maximum contaminant levels* (MCL) for disinfection byproducts, of the 1979 Administrative Code.

In accordance with R.325.10610, MCLs for disinfection byproducts, of the 1979 Administrative Code, the MCL for disinfection byproduct total trihalomethanes (TTHM) is 0.080 milligrams per liter (mg/L) as a Locational Running Annual Average (LRAA) at each monitoring location. As listed in the table below, our records show that the City of Flint's highest TTHM locational running annual average (LRAA), based on the last three quarters, ending November 30, 2014, is 0.099 mg/l which exceeds the standard, and that two of the eight sample site locations exceed the standard of 0.080 mg/L.

Further, in accordance with R325.10719l, *Disinfection byproducts: operational evaluation levels*, of the 1979 Administrative Code, when an operational evaluation level (OEL) at a monitoring location for TTHM exceeds 0.080 mg/L, a supply shall conduct an operational evaluation and submit a written report of the evaluation to the department not later than 90 days after being notified of the analytical result that causes the supply to exceed the operational evaluation level. As listed in the table below, our records show that TTHM operational evaluation levels for the City of Flint exceed 0.080 mg/L at four of the City's eight sample site locations.

TTHM Results (mg/L)					
	5/21/14	8/21/14	11/20/14	LRAA	OEL
DBP1 McDonalds	0.162	0.145	0.059	0.092	0.106
3719 Davison					
DBP2 Liquor Palace	0.112	0.127	0.033	0.068	0.076
3302 S. Dort Highway					
DBP3 North Flint Auto	- 0.097	0.118	0.041	0.064	0.074
6204 N. Saginaw St.					
DBP4 University Market	0.106	0.196	0.094	0.099	0.122
2501 Flushing Road					
DBP5 Taco Bell	0.079	0.181	0.034	0.074	0.082
3606 Corunna Road					
DBP6 Rite-Aid Pharmacy	0.088	0.144	0.054	0.072	0.085
5018 Clio Road					
DBP7 Salem Housing	0.082	0.112	0.050	0.061	0.074
3216 MLK Boulevard					
DBP8 BP Gas Station	0.075	0.112	0.036	0.056	0.065
822 S. Dort Highway	:				

Our investigation consisted of a review of ODWMA files for laboratory reports received for compliance monitoring. Our investigation is considered complete. This violation began on December 1, 2014, and will continue until TTHM LRAA is below the MCL at all sample sites.

We acknowledge and appreciate the city's cooperation with our recommendation to preemptively conduct an Operational Evaluation following the City's second quarterly round of monitoring in August. That Operational Evaluation report has identified possible causes and corrective measures for the elevated TTHM levels which we encourage the City continue implementing. These modifications have likely contributed in part to the reduction in TTHM levels reported in the most recent guarter, and suggest the City may be able to achieve compliance with the TTHM standard.

Our office is continuing to review the Operational Evaluation report that was submitted on December 1, 2014, and will provide the City and their consultant comments as needed to help address this MCL violation.

Water systems that exceed the OEL must complete and submit an Operational Evaluation in accordance with Administrative Rule 719I (R325.10719I) within 90 days of being notified of the violation. An updated Operational Evaluation report, which incorporates the most recent sample results, must now be completed and received by our office by no later than March 1, 2015.

If you have any other factual information you would like us to consider regarding the violation identified in this Violation Notice (VN), please provide them in a written response by January 16, 2015.

Administrative rule R 325.10403 of Act 399 requires that suppliers provide public notice (PN) as soon as practical, but no later than thirty (30) days after the supplier learns of this type of violation, by mail or direct delivery **and** by any other means reasonably calculated to reach customers not normally reached by mail. Enclosed is a sample PN

which contains the minimum required language. The City is encouraged to include additional information regarding its response to this violation. Please notify your consumers by January 10, 2015, and send us a signed and dated copy of the notice that you issued within ten (10) days of distributing the public notice. This violation must also be included in your 2014 Consumer Confidence Report (CCR), due by July 1, 2015. The PN must be repeated every quarter until you no longer exceed the TTHM standard. Failure to issue a PN for this violation will result in a fine of at least \$1,000 per event, with a maximum of \$5,000 per violation.

We anticipate and appreciate your continued cooperation in resolving this matter. If you have any questions regarding this VN, please contact us at the numbers below.

Sincerely,

Michael F. Prysby, P.E., District Engineer

Lansing District Office

Office of Drinking Water & Municipal

Assistance

517-290-8817

Adam Rosenthal, EQA Lansing District Office

Office of Drinking Water & Municipal

Assistance 517-284-6644

mfp/ar/jlr Enclosure

Mr. Darnell Early, Emergency Manager, City of Flint

Mr. Daughtry Johnson, City of Flint

Mr. Howard Croft, City of Flint

Mr. Robert Bincsik, City of Flint

Ms. Jennifer Crooks, U.S. Environmental Protection Agency, Region 5

Genesee County Health Department

Ms. Liane Shekter Smith, P.E., DEQ

Mr. Richard Benzie, P.E., DEQ

Mr. Stephen Busch, P.E., DEQ

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

City of Flint Did Not Meet Treatment Requirements

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Samples were collected for total trihalomethanes (TTHM) analysis from eight locations on a quarterly basis (May 21, August 21, and November 20 of 2014). The average of the results at **ANY** of the eight locations must not exceed the maximum contaminant level (MCL) for TTHMs, otherwise our water system exceeds the Maximum Contaminant Level (MCL). The standard for TTHMs is 80 µg/L. The location reporting the highest TTHM level was 99 ug/L; thus, our water system exceeds the TTHM MCL.

What should I do?

- There is nothing you need to do unless you have a severely compromised immune system, have an infant, or are elderly. These people may be at increased risk and should seek advice about drinking water from their health care providers.
- You do not need to boil your water or take other corrective actions. If a situation arises where the
 water is no longer safe to drink, you will be notified within 24 hours.

What does this mean?

This is not an emergency. If it had been an emergency, you would have been notified within 24 hours.

People who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.

What is being done?

We are currently working on solutions to correct the problem. We anticipate resolving the problem by 2015.

For more information, please contact Mr. Brent Wright at 517-787-6537 or the Flint Water Plant at 4500 North Dort Highway, Flint, MI 48505.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the City of Flint.

CERTIFICATION: WSSN: 02310

I certify that this water supply has fully complied with the public notification requirements in the Michigan Safe Drinking Water Act, 1976 PA 399, as amended, and the administrative rules.