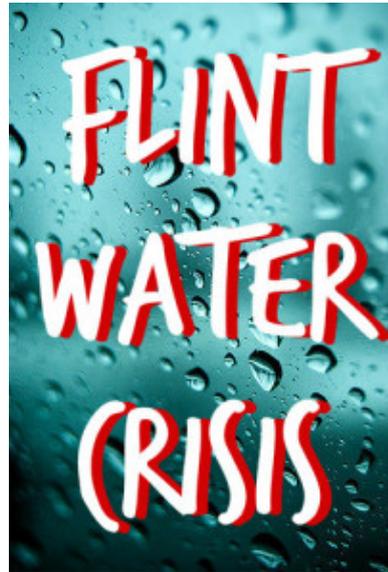


#FLINTWATERCRISIS: I DON'T THINK THAT REPORT SAID WHAT YOU THINK IT SAID, GOV



[image (mod): LeAnn E.
Crowe via Flickr]

Today's House Oversight Committee hearing into the Flint Water Crisis was a joke. It was partisan – more so than the previous two hearings – because Republicans finally clued in that a Republican state governor's crisis doesn't make them look good if they don't kick up a stink and draw fire away from their role in the mess.

And yes, Congress' GOP members are directly responsible for what happened in Flint, because they are also responsible for neutering the Environmental Protection Agency. Congress is the one entity which failed to take any responsibility for what happened in Flint – and what happened in Flint had already happened in Washington DC. Congress ensured that the EPA would be subordinate to the states, relying on

states to act with inadequate recourse to step in and intervene. See Primacy Enforcement Responsibility for Public Water Systems (pdf) and note the obligations the states have to ensure safe drinking water under these laws:

- Safe Drinking Water Act, 1974, as amended in 1986 and 1996
- Primacy Regulations 40 CFR Part 142, Subpart B, 1976, as amended in 1986
- Revisions to Primacy Requirements (1998), 63 FR 23362 codified at 40 CFR Part 142

These are Congress' purview; as part of the Executive Branch, the EPA does not make law. Only Congress does.

Equally annoying today is the tendency by the Republican representatives to go easy on Michigan's Governor Snyder, who tried to make it sound like he was doing everything he could to fix Flint and be open and transparent. You know this is bull hockey if you've looked at batches of emails released to date.

You know it's also nonsense if you look at documents produced by the Snyder administration, intended to assist the public with understanding what happened.

One example is a timeline of the Flint water crisis laid out in a two-page presentation, with bubbles containing descriptions of events. A bubble marking March 12, 2015, appears in the upper right of the first page, denoting the submission of a report by Veolia Water. The firm had been hired by Flint's emergency manager as water quality consultant to review and evaluate the water treatment process and distribution system.

Veolia completed and submitted their report to

the city on March 12, but the report does not actually say what the state's timeline document says. Veolia wrote,

“Although a review of water quality records for the time period under our study **indicates compliance with State and Federal water quality regulations**, Veolia, as an operator and manager of comparable utilities, recommends a variety of actions to address improvements in water quality and related aesthetics including: operational changes and improvements; changes in water treatment processes, procedures and chemical dosing; adjustments in how current technologies are being used; increased maintenance and capital program activities; increased training; and, an enhanced customer communications program.”

Veolia relied on what previous water quality records said; they did not actually conduct tests themselves, or audit how the previous records and reports were prepared.

But the timeline published by the governor's office reads,

“Flint water consultant Veolia, issues report that water meets state and federal standards. Does not report specifically on lead.”

The second sentence is correct, the first a misrepresentation. That's not what Veolia's report said.

The second sentence may be factually correct, but the company was not hired by Flint's emergency manager to evaluate lead levels specifically, based on the supporting documentation accompanying the resolution authorizing the contract with Veolia.

If one entry on the timeline prepared by the

state is this iffy, what about the rest of the timeline?

If this timeline is this iffy, what about everything else generated by officials from the governor's office on down?