

Flint emergency manager, EPA continue to dodge responsibility for water crisis

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At the second of a series of Congressional oversight committee hearings in Washington, DC on the Flint water crisis held Tuesday, former local, state and federal officials testified on the events leading to the lead poisoning of the population of Flint, Michigan.

The day before the hearing, the *Washington Post* published an opinion piece by Gina McCarthy, the national administrator of the Environmental Protection Agency (EPA), entitled, “Michigan evaded the EPA on Flint. We can’t let that happen elsewhere.” McCarthy set the tone for the hearing by placing exclusive blame for the disaster on the state of Michigan, claiming it “did not act as a partner” with the federal agency.

Testifying before the panel Tuesday were former EPA Region 5 (Northern Midwest) administrator Susan Hedman, former Flint Emergency Manager Darnell Earley and former Flint Mayor Dayne Walling. Also testifying was Virginia Tech Professor Marc Edwards, who conducted independent sampling of residents’ water that brought the widespread lead contamination to light.

Just as in the previous hearing on February 3, two busloads of Flint residents filled the audience seats and overflow viewing rooms. Representatives of Congress, notably oversight committee chair Jason Chaffetz (Utah) and ranking member Elijah Cummings (Maryland), took the opportunity to grandstand and profess deep concern over the poisoning of Flint residents.

Chaffetz in his opening remarks played a July 8, 2015 video of the local Flint television news broadcast in which Walling infamously drank the water and declared it safe, claiming it would “continue to get more safe and more secure.” Chaffetz referred to an internal June memo written by EPA water expert Miguel Del Toral warning of high lead levels in the

water due the lack of any corrosion control treatment. Without treatment the corrosives in the water caused the city’s antiquated pipelines to leach lead, copper and other toxins.

Chaffetz cited an email by Hedman calling Del Toral’s report a “preliminary draft,” saying, “it would be premature to draw any conclusions.” The email told Walling the water was safe before the mayor appeared on television to tell residents to drink the water. Chaffetz said demagogically, “What’s sickening about this is that it was totally avoidable.”

More tellingly, Chaffetz displayed a September 28 internal memo between EPA water quality officials discussing Flint water, in which one official said, “... perhaps she already knows this but I’m not so sure Flint is the community we want to go out on a limb for.”

Susan Hedman’s preliminary testimony was remarkable in her intransigent defense of the EPA and herself, claiming the federal agency bore absolutely no responsibility for the poisoning of Flint. Her testimony was completely in line with the position in McCarthy’s *Post* op-ed piece.

Edwards, who testified last, gave a scathing reply to Hedman’s testimony. He said her qualities were apparently what the EPA valued most in an administrator: “Willful blindness, in this case to the pain and suffering of Flint residents, unremorseful for their role in causing this man-made disaster; and completely unrepentant and unable to learn from their mistakes.” Edwards added angrily, “Ms. Hedman said EPA had nothing to do with creating Flint. EPA had everything to do with creating Flint.”

Edwards referred to the lead poisoning in Washington, DC from 2001 to 2004. “That actually was 20 to 30 times worse in terms of the health harm to

children.” EPA covered it up for six years, he said. Citing falsified scientific reports written by EPA, he explained that the agency was responsible for the climate across the US of cheating in testing and covering up for health risks from lead-poisoned drinking water.

Describing his own professional struggle over this issue, Edwards said, “Since 2006 when we realized that this cheating was occurring, I worked with a small group of people who tried to expose these practices to EPA and we failed. We failed to get EPA to take lead and water risks seriously. And because we failed, I was not surprised when Flint occurred. I was expecting a Flint to occur.”

Returning to Hedman, he said, “I purposely observed, witnessed and uncovered wrongdoing by Ms. Susan Hedman at the US EPA in covering up this problem. Ms. Hedman, at every step, aided, abetted and emboldened the unethical behavior of civil servants at the Michigan Department of Environmental Quality.” Stating that Hedman allowed Flint’s children to be harmed, Edwards asked, “why should she not suffer the same or a worse fate than a common landlord” who negligently exposes a single child to lead paint exposure.

He closed his testimony by referring to McCarthy’s editorial in the *Post*, saying he was “dumbfounded” at her insistence that the EPA bore no blame for Flint, and called on her to acknowledge “EPA’s failures over the last decade to enforce the provisions of the EPA Lead and Copper Rule.”

The testimony of all three former officials amounted to self-serving finger-pointing. Former Flint Emergency Manager Darnell Earley—a Democrat who was appointed by Republican Governor Rick Snyder in September 2013—declared that he had been “unjustly persecuted, vilified and smeared” over the Flint water crisis. He claimed he had nothing to do with the decision to use the Flint River as a water source, blaming the Flint City Council instead. He said the move to the Flint River was “inherent” in the decision by the Flint City Council to approve a switch over to the new Karegnondi Water Authority (KWA). Cummings pointed out, however, that Genesee County had signed onto the KWA but had signed a contract to buy water from Detroit’s system until the KWA pipeline was completed.

Earley falsely claimed that Detroit cut the city off from water service, leaving no choice but to use the Flint River. In fact, the Detroit Water and Sewerage Department (DWSD) had offered to deeply discount its water to Flint, its largest outside customer, if it stayed with DWSD.

Former Mayor Dayne Walling, another Democrat, presented himself as a victim of false information that he received from Michigan and federal water safety authorities. None of the representatives questioned him about his role in the public relations drive to break from the Detroit water system and join the KWA pipeline project. In September 2011 he ordered a 35 percent water rate increase for Flint residents. This was just one of a series of rate hikes implemented by Walling and various emergency managers between 2011 and 2014. Flint officials cited exorbitant water rates as the reason for severing the city’s half-century tie to Detroit’s water system; however, they were adding charges to pay for Flint’s budget crisis and rising borrowing costs.

Cummings announced that a series of transcribed interviews with key witnesses were carried out with Dan Wyant, former director of Michigan’s Department of Environmental Quality (DEQ), who stated that corrosion control was not necessary in Flint, and Jerry Ambrose, Flint’s last emergency manager, who overruled the March 2015 vote by the city council to reconnect to Detroit water. Still to be interviewed, he said, is Ed Kurtz, the emergency manager who signed the contract with the KWA and contracted an engineering firm to make the updates required to use the Flint River.

The next hearing will take place Thursday, where Michigan Governor Rick Snyder and EPA head Gina McCarthy are expected to testify.



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