

Michigan officials “game” sampling of lead in water

James Brewer
28 April 2016

A 2008 email from a Michigan water quality official asked a technician in Fenton, Michigan, near Flint, to falsify the results of a high lead sampling by testing more homes.

The *Guardian* reviewed the email and reported on it Wednesday. Adam Rosenthal of the Michigan Department of Environmental Quality (MDEQ) sent the email to the technician and copied Mike Prysby, the engineer in MDEQ’s Office of Drinking Water and Municipal Assistance who was just indicted on criminal charges for his role in the Flint water crisis.

Samples collected from five of the nearly 45 homes in the Chateaux Du Lac Condominiums, in the small town of Fenton, which runs its own private water system, were sent to the MDEQ and showed high levels of lead. One of the homes tested at 115 parts per billion (ppb)—almost ten times higher than the US Environmental Protection Agency’s (EPA) “action level” of 15 ppb. Rosenthal wrote in his September 16, 2008 email, “I just saw the results—115 ppb for lead is a bit high. Since this is an annual round of monitoring, which ends 9/30/08, there is still time to collect more samples and possibly bump this one out.”

Dr. Marc Edwards, the Virginia Tech University engineering professor who exposed the high lead levels in Flint when he conducted his own sampling, told the *Guardian*, “Oh my gosh, I’ve never heard [it] more black and white. In the Flint emails, if you recall, it was a little bit implied ... this is like telling the strategy, which is: ‘You failed, but if you go out and get a whole bunch more samples that are low, then you can game it lower.’”

“It just shows that this culture of corruption and unethical, uncaring behavior predated Flint by at least six years.”

The Flint emails referred to by Edwards were from

June of last year, seven years later. In one, the same Adam Rosenthal wrote to Flint water official Mike Glasgow, who is another of those indicted by the state of Michigan, “We hope you have 61 more lead/copper samples collected and sent to the lab by 6/30/15, and that they will be below the AL [EPA action level] for lead. As of now with 39 results, Flint’s 90th percentile is over the AL for lead.”

The EPA Lead and Copper Rule (LCR) is the federal law governing the monitoring and mediation of lead in water. According to the LCR, 90 percent of the sampling results for a community must be below the 15 ppb threshold. Otherwise, a “high lead public notice” must go into effect, warning residents that the water is unsafe to drink until measures to resolve it are introduced and further testing confirms the water is safe to drink.

In the case of the Fenton testing, rather than taking appropriate measures to address the high lead, Rosenthal encouraged taking “a minimum of 5 more samples,” which if below 15 ppb, would have kept the system in compliance. “Since compliance is based on the 90th percentile, the 9th highest sample would count, 20 samples would be the 18th highest for the 90th, and so on,” explained Rosenthal.

“Otherwise we’re back to water quality parameters and lead public notice.”

Another Virginia Tech water expert, Yanna Lambrinidou, who worked with Edwards in uncovering the lead in water crisis in Washington DC, explained to the *Guardian* how the MDEQ subverted the protections intended in the LCR: “So if you collect 10 samples and you put them in order from lowest to highest, [if] the sample in position No 9 is below 15ppb ... then what that last sample is doesn’t matter for compliance purposes,” she said. “It could be 40,000ppb, but it still

gives you compliance with the lead action level.”

Of Rosenthal’s email, Lambrinidou said, “Of course, it’s alarming ... The one and only regulation in the nation to protect us from lead in drinking water” was subverted.

LeeAnne Walters, the Flint resident and mother who was instrumental in exposing the health danger and the lies of local and state officials on Flint water, spoke to the *World Socialist Web Site* about the revelation: “If you had told me this two years ago, I wouldn’t have believed it. But with all that’s happened over the last two years, I’m not surprised.

“In Philadelphia, it has emerged that they have been improperly testing since 2002, by sampling a greater and greater proportion of homes that are least at risk in violation of the lead and copper rule. This is just one more thing that has been revealed now as a result of what’s come out about Flint.”

Rosenthal remains on the MDEQ payroll while five other higher-level officials of the department have either been fired or forced to resign so far due to their roles in the Flint water crisis.

Last week, the State of Michigan announced the indictment of three officials in connection with the crisis: Prysby, Glasgow and Stephen Bush, the district supervisor in the MDEQ Office of Drinking Water and Municipal Assistance. These indictments are part of a damage control operation aimed at shielding those who oversaw the transfer of the city’s water supply from Detroit to the corrosive Flint River, then covered up the consequences. Among those culpable are Michigan Governor Rick Snyder (a Republican), former Emergency Manager Darnell Earley and former Flint Mayor Dayne Walling (both Democrats), and the Obama administration’s Environmental Protection Agency.

The indifference on display in the email form Rosenthal is the product of a culture created by a system in which the health and safety of residents is subordinated to the various profit-making schemes of the entire political establishment, operating on behalf of the corporate and financial elite.



To contact the WSWS and the
Socialist Equality Party visit: