

EPA statement:

In response to the characterization that Miguel is a whistleblower and EPA silenced him and hid his report:

EPA Region 5 Regulations Manager Miguel Del Toral is a top expert on lead and copper in drinking water and one of the people appointed to the Flint Safe Drinking Water Task Force by the EPA Regional Administrator, Susan Hedman. In late June, Miguel Del Toral sent a memo to his colleagues summarizing tap water sampling conducted at three residences in Flint and providing recommendations to control corrosion from lead service lines and lead plumbing.

EPA Region 5 did not publicly release Miguel del Toral's memo – because it contained confidential personal and enforcement-sensitive information – but it was immediately circulated to the entire EPA Region 5 team that was working to require Flint to implement corrosion control. In mid-July, MDEQ agreed to issue an order requiring the City of Flint to implement corrosion control treatment.

In September, a MDEQ spokesperson criticized Mr. Del Toral, calling him a “rogue employee.” The EPA Regional Administrator called the MDEQ director, the Michigan Governor's Office and the Flint Mayor to vehemently object to that statement. The MDEQ spokesperson subsequently called Mr. Del Toral to apologize for the remark.

In response to the report that EPA waited 9 months to act:

- In late June, Miguel Del Toral sent a memo to his colleagues summarizing tap water sampling conducted at three residences in Flint and providing recommendations to control corrosion from lead service lines and lead plumbing.
- In press statements to Michigan media since July, EPA Region 5 encouraged Flint residents to contact their local water utility to have their tap water tested and provided information about steps that residents can take to limit lead exposure from drinking water.
- On October 16, 2015, EPA established the Flint Safe Drinking Water Task Force to provide the Agency's technical expertise through regular dialogue with designated officials from Michigan Department of Environmental Quality and the City of Flint. The Task Force is led by the Region 5 Deputy Regional Administrator and continues to provide technical assistance to MDEQ and the City of Flint to implement corrosion control treatment and to develop school and residential sampling protocols.
- In November, EPA began an audit of MDEQ's drinking water program to examine MDEQ's implementation of the Safe Drinking Water Act and related rules on lead and copper, total coliform, nitrates, and ground water. This comprehensive audit will provide Flint residents and the people of Michigan with more information about MDEQ oversight of public water supplies and will identify actions that may be needed to strengthen the Michigan drinking water program.
- On January 16, 2016, President Obama signed an emergency declaration ordering federal assistance to support state and local response efforts in Flint, Michigan. The U.S. Department of Health and Human Services (HHS) was designated the lead federal

agency responsible for coordinating federal government response and recovery efforts. The goal of the federal response is 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.

- On January 21, EPA issued a Safe Drinking Water Act Emergency Order to Michigan Governor Rick Snyder and Flint Mayor Karen Weaver requiring that the State of Michigan and City of Flint to take a series of immediate steps to address the drinking water contamination in Flint. The Order requires that necessary information be promptly 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.
- On January 21, EPA Region 5 Administrator Susan Hedman offered her resignation effective February 1, and EPA Administrator McCarthy accepted given Susan's strong interest in ensuring that EPA Region 5's focus remains solely on the restoration of Flint's drinking water.
- On January 22, President Obama announced \$80 million available from the water infrastructure state revolving fund allocated to the State of Michigan as part of the President's enacted 2016 budget.
- EPA sampling efforts are testing different aspects of Flint's drinking water. Each effort involves collecting samples at locations throughout the city, and submitting them for analysis in an EPA laboratory.

As stated in the [Emergency Order](#) EPA issued on January 21st, the City, MDEQ and the State have failed to take adequate measures to protect public health. Although some progress has been made in addressing the drinking water crisis in the City, there continue to be delays in responding to critical EPA recommendations and in implementing the actions necessary to reduce and minimize the presence of lead and other contaminants in the water supply both now and in the near future. The Respondents have failed and continue to fail to provide the information necessary for EPA, the EPA Flint Task Force and the City's PWS customers to fully understand and respond promptly and adequately to the current deficiencies. EPA remains concerned that the City lacks the professional expertise and resources needed to carry out the recommended actions and to safely manage the City's PWS.