

# TUESDAY MORNING: #FLINTWATERCRISIS HEARING TODAY



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

This is a semi-special morning roundup edition due to this morning's Congressional hearing on #FlintWaterCrisis. Details:

**Tuesday 15-MAR – 10:00 AM – Hearing on Flint, Michigan Water Contamination** (est 3 hours, on C-SPAN3)

Former Flint, Michigan Mayor Dayne Walling, former Emergency Manager Darnell Earley, EPA Region 5 Administrator Susan Hedman, and Virginia Tech University's Marc Edwards testify at a House Oversight Committee hearing on water contamination in Flint. [Link to House Oversight Committee calendar entry](#)

If you don't catch today's hearing, there will be another on Thursday morning:

**Thursday 17-MAR – 9:00 AM – Gov. Snyder (R-MI) & EPA Head McCarthy: House Hearing on Flint, MI Water Crisis** (est 3 hours, on C-SPAN3) [Link to House Oversight Committee](#)

calendar entry

You can find my timeline on Flint's water here – it still needs a number of new entries.\* Of particular note today will be the first half of 2014 when the decision to cut over from Detroit's water (DWSD) to the Flint River was finalized and enacted, under then-Emergency Manager Darnell Earley. Earley was the third EM appointed to Flint after December 2011; he had been preceded by Michael Brown (twice) and Ed Kurtz (once).

You'll recall that Michigan implemented an emergency manager law in 2011, allowing the state to appoint an administrator for insolvent municipalities. The EM law eliminated the powers of democratically elected municipal officials, vesting those powers and more in the appointee.

Reports this morning based on initial assessments of Darnell Earley's written statement for the hearing today indicate Earley was overwhelmed by the demands of the EM role in Flint, and he regrets not having pushed back more firmly on decisions about the water cut-over.

However, the timeline reveals that in early 2013 a previous EM Ed Kurtz actually signed the decision to buy water from the Karegnondi Water Authority (KWA) when it completed construction. Kurtz also notified the DWSD that Flint would leave in one year's time, in spite of a last-minute emailed offer on April 15, 2013 from DWSD offering a rate far cheaper than the rate Flint was paying in 2013, and possibly cheaper altogether than the KWA rate.

Did EM Ed Kurtz see this email? If he did, why was it ignored? If he didn't, why not?

Ditto for Darnell Earley – did he know there was an offer from DWSD making the KWA potentially irrelevant or redundant?

Why wasn't Flint able to accept the DWSD's cheaper rate from 2013 through to cut-over to the KWA upon the pipeline's completion as a

stop-gap, avoiding the debacle cutting over to the Flint River created?

Why was there so much pressure on development and implementation of the KWA, to the point that cheaper water from DWSD was ignored?

Michigan blogger Mark Maynard asked whether the KWA was really established to serve fracking wells in counties through which the pipeline ran from Lake Huron to Flint (see here and here). I would love to know if anybody has FOIA'd documents from the state, Flint, and the KWA regarding containing any of the search terms [fracking, hydraulic fracturing, wells, oil, natural gas, injection, energy].

We already know the state wasn't paying much attention (ahem) to fracking in northern Michigan; did they turn a blind eye to both bid rigging up north, and the development of water resources in eastern Michigan?

Get your popcorn maker out and ready for 10:00 a.m. EST. You know what I'll be doing – join me.

**UPDATE – 8:25 a.m. EST –**

I do have one more question I'd ask Darnell Earley about early 2014. Knowing the city's water would be cut over from DWSD to KWA in April, were there any tests conducted prior to the date DWSD was cut off as a source? In other words, did Flint River water enter the Flint water system anytime BEFORE the end of the contract with DWSD? Or was the city simply supposed to assume the cut over would work without fail?

I'd like to see when Genesee County Health Department first noticed changes in health services required, along with any anonymized health service data from hospitals serving Flint residents. Would the health data show illness in sync with the official cut-over to river water – or earlier?

**UPDATE – 2:20 p.m. EST –**

Drive-by impressions after hearing:

- Didn't get answers to my questions. Also, Earley should have been asked whether Snyder, as his boss, 1) asked him to limit contact with public for feedback, or 2) if it was clear going into EM role that public feedback should be limited, and 3) if it had been made clear by governor to Earley that financial concerns overrode all others in performance of EM duties.
- Susan Hedman's testimony helter-skelter, did not improve impression of her ability as a regulator. She's still on the hot seat. Email cited in hearing from EPA's Region 5 Water Division Branch Chief Debbie Baltazar which said, "I'm not so sure Flint is the community we want to go out on a limb for" did not help Hedman's case whatsoever.
- Do not recall any mention of Legionnaire's cases during questioning, though contamination was mentioned. Not good – lot of important focus on lead poisoning, but to forget about deaths due to this crisis?
- C-SPAN cameras caught Dr. Marc Edwards giving

interviews after hearing ended; he told interviewers Flint's water was safe for bathing (non-consumption hygiene purposes), but could not say when Flint's water was safe to drink because of testing still underway across Flint.

Ugh. Thursday's hearing will be must-see TV.

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*\* Sorry, harpie, I still have to follow up with the additional links you've shared recently.*