

Newly-released Email Details Complicity of Obama's EPA in Flint Poisoning

By [James Brewer](#)

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Federal authorities from the Obama administration's Environmental Protection Agency engaged in what can only be described as a criminal conspiracy to conceal the dire health threat to residents of Flint, Michigan from its toxic water supply. While the Democrats and much of the news media have attempted to foist the blame solely on the state's Republican governor, new evidence shows that the EPA functioned as an accomplice in the poisoning of city residents and its cover-up.

In a just-released June 25, 2015 internal [email](#), US Environmental Protection Agency (EPA) Region 5 water expert Miguel Del Toral described the situation in Flint as “bordering on criminal neglect” after he discovered high levels of lead in tap water and efforts of state officials to conceal it from the public. Del Toral sent the message to his superior, EPA Section Chief of Ground Water and Drinking Water Rita Bair, the day after submitting a detailed interim [report](#) warning of high lead in Flint water.

Del Toral reported that city officials had not treated the city's water supply with anticorrosive phosphates for more than a year after switching the city supply to the highly polluted Flint River. The refusal to treat the water—a violation of the federal Clean Water Act—resulted in the leaching of lead, copper and other neurotoxins from the city's antiquated pipes into the water delivered to the city's homes, schools and workplaces.



Image: Miguel Del Toral

Del Toral's report included detailed results from his sampling and an explanation of why previous testing city water staff showed much lower levels of contamination. Under the direction of the Michigan Department of Environmental Quality (MDEQ), Flint water department employees took the samples after doing a "pre-flush" of the water from household taps—a method designed to give a distorted and deliberately lower lead content.

In an effort to dissuade him from pursuing the issue, Bair questioned Del Toral's assertion that high lead levels were pervasive throughout the city. Del Toral responded angrily,

"The widespread high lead is my judgment based on a couple of decades working with lead issues and I stand by it despite the limited data set from Flint. A simple application of scientific principles to the circumstances in Flint along with the limited data are enough to know that there is a problem there. They have had no corrosion control treatment in place for over a year now and they have lead service lines. It's just basic chemistry on lead solubility. You will have high lead leaching into the water where you are doing nothing to mitigate that. We don't need to drop a bowling ball off every building in town to know that it will fall to the ground in all of these places."

After saying "City of Flint is flushing away the evidence before measuring it," Del Toral wrote, "there is zero chance or close to zero chance that you will ever capture any of the high lead." He then added,

"I understand that this is not a comfortable situation, but the State is complicit in this and the public has a right to know what they are doing because it is their children that are being harmed. At a MINIMUM, the City should be warning residents about the high lead, not hiding it telling them that there is no lead in the water. To me that borders on criminal neglect. The only people that question the science are the ones that have a vested interest in not finding lead. When we look, we find it. When they look, they either don't find it or if

they find it, they dismiss it as the resident's plumbing or use some other fabricated reason."



Image: The Flint water treatment plant

The email not only provides *prima facie* evidence that the Michigan Department of Environmental Quality (MDEQ) and local agencies were breaking the law and concealing the truth from residents. It proves that the EPA, the federal agency charged with enforcing safe drinking water standards, was just as responsible for a crime that has led to the deaths of least 10 residents and which has done permanent damage to thousands of children and other residents.

In the same email, Del Toral condemns the EPA.

"I am really getting tired of the bad actors being defended, the bad actions being ignored, and people trying to do the right thing are constantly being subjected to intense scrutiny as if we were doing something wrong. It's all of this 'don't find anything bad' crap at EPA that is the reason I desperately want to leave. I am not happy to find bad things. It is completely stressful because it means children are being damaged and I have to put up with all of the political crap, but where these problems exist I will not ignore them. I truly, truly hate working here. EPA is a cesspool."

His superiors at the EPA quashed Del Toral's interim report. Susan Hedman, Region 5 administrator, who has since been forced to resign, told Flint Mayor Dayne Walling that she was sorry it was ever written and in its form, would never see the light of day.

The atmosphere Del Toral describes in the EPA is not simply the product of bureaucratic indifference by this or that functionary. It is an expression of the decades of deregulation and defunding by both the Democrats and Republicans, which have transformed the character of these governmental agencies that once exercised at least a modicum of oversight over the rapacious activities of big business.

These bodies, from the Food and Drug Administration (FDA), set up in 1927 to monitor quality and prices of food products and pharmaceuticals; the Securities and Exchange Commission, (1934), to oversee and regulate the financial operations of banks, the stock market and investment banks; the Federal Aviation Administration (FAA), (1958), to regulate practices and prices of commercial airlines; the Occupational Safety and Health

Administration (OSHA) and the EPA, both set up in 1970, and the Mine Safety and Health Administration MSHA, (1977), all fall under the executive branch of government, i.e., under the President.

Over the last four decades, successive governments from Reagan to Obama have slashed funding to these agencies and promoted “free-market” policies that have eviscerated any real check on the relentless drive for profits at the expense of the health, safety and living standards of working people. In many cases, former corporate executives or bought-and-sold trade union officials have been put in charge of “regulating” such operations, leading to the predictable spread of disease, occupational deaths and, of course, the reckless speculation that led to the 2008 financial crash.

Other studies, including by Virginia Tech Professor Marc Edwards, have pointed to the role of the EPA in covering up the poisoning of water in Washington, DC and other cities. For its part, the Obama administration has reduced funding for water infrastructure and lead testing for children. This is part of an overall slashing of critical spending by both big-business parties, including a 75 percent reduction in water infrastructure in real terms since the 1970s. Meanwhile trillions have been squandered on bank bailouts, corporate tax cuts and endless wars.

In the late 1960s, when Flint was thriving as GM’s industrial powerhouse and had a population of over 200,000, the Detroit water system built a 72-inch pipeline and a brand-new water treatment facility near Lake Huron to bring treated Great Lakes water some 70 miles inland to supply the city. It was engineered with enough capacity to deliver all the water the city would need based on its continued expansion. For 45 years, this pipeline was Flint’s water source.

How then, did the EPA—the body tasked with safe water enforcement—allow the city of Flint to 1) disconnect from this proven source of clean water on the promise that a new pipeline to be built six miles to the north would deliver raw, untreated lake water when completed in late 2016 to Flint’s 130-year-old and largely mothballed treatment plant; and 2) in the interim, use the Flint River as the main water source, which was known to be polluted and corrosive; then 3) allow the water to be pumped into the city’s system with no corrosion control?

The Obama-appointed Administrator of the EPA, Gina McCarthy, stubbornly [testified](#) before Congress on March 17 that the EPA had nothing to do with the Flint catastrophe. Her first visit to Flint was a public relations event to “rebuild trust” on February 2 where she put forward the official line that the MDEQ alone was responsible for the Flint poisoning. When a *World Socialist Web Site* [reporter](#) posed the question that the quashing of Miguel Del Toral’s June report made the EPA just as responsible, she denied that the EPA suppressed him.

The email makes clear that Del Toral sought to sound the alarm after he discovered the situation. Rather than immediately informing the public and holding state and city officials accountable for brazenly breaking the law, the Obama administration’s EPA joined in the criminal conspiracy.

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Articles by: [James Brewer](#)

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