

Summary of Packet

This packet of documents shows the following:

- 1) In February 2015, the Department of Health and Human Services and the Department of Environmental Quality agreed to put language on the Health Risk Evaluation (HRE) form stating that water that meets the maximum contaminant levels established by the Federal Safe Drinking Water Act is considered safe to drink.
- 2) Early drafts of the HRE form in March 2015 contained this agreed upon language.
- 3) Somewhere between March 15 and April 2, this language was removed as the form went through multiple drafts.
- 4) The final form sent to well owners included the agreed upon language.

Document by Document Notes

- 1) **February 16, 2015 email from Tom Reeder**
 - Reflects the general agreement reached between the Secretaries of HHS and DEQ, that the HRE form would contain language about drinking water standards found in the Safe Drinking Water Act (SDWA) for chromium.
- 2) **February 18, 2015 email from Megan Davies**
 - Dr. Davies makes edits to Mr. Reeder's suggested language, using EPA factsheets found on the website for the Safe Drinking Water Act discussing chromium levels. In part, Dr. Davies' language states that drinking water that meets the national standards set by the SDWA is generally considered safe.
- 3) **March 13, 2015 (4:52 p.m.) email from Mina Shehee to Ken Rudo**
 - Dr. Shehee tells Dr. Rudo that the statement drafted by Dr. Davies regarding the SDWA must be included on the HRE form.
- 4) **March 13, 2015 (5:14 p.m.) email from Mina Shehee to Eric Smith and Debra Watts**
 - Dr. Shehee tells DEQ that the statement regarding chromium and the SDWA will be placed on the HRE form. The statement she writes in her email is the same statement written by Dr. Davies in her Feb. 18, 2015 email.
- 5) **March 14, 2015 (6:20 p.m.) email from Mina Shehee to Jay Zimmerman**
(5A is the attachment to this email)
 - Dr. Shehee sends HHS' version of the HRE form to DEQ. The attachment connected to the email shows an HRE form with a footnote at the bottom that reflects—verbatim—the language Dr. Davies submitted in her email to Tom Reeder on Feb. 18, 2015.
- 6) **March 14, 2015 (6:22 p.m.) email from Mina Shehee to Kendra Gerlach and Megan Davies**
(6A is the attachment to this email)
 - Dr. Shehee sends the same HRE form to Ms. Gerlach and Dr. Davies.

7) March 15, 2015 (2:33 p.m. and 3:01 p.m.) emails from Dr. Rudo to Dr. Shehee

(7A is the attachment to this email)

- Dr. Rudo objects to the footnote at the bottom of the HRE form. He believes it to be an untrue statement. Note, however, that in her Feb. 18, 2015 email, Dr. Davies states that she based the language in the footnote on factsheets she found on the U.S. EPA's Safe Drinking Water Act website.

8) March 19, 2015 Version of the HRE Form

- The footnote the departments had agreed to has been removed and replaced with a different footnote explaining the cancer risk of the .07µg level of hexavalent chromium.

9) March 27, 2015 Version of the HRE Form

- This version has the same footnote found in the March 19, 2015 draft of the HRE.

10) April 1, 2015 email from Kendra Gerlach to Rick Martinez

(10A and 10B are the attachments to this email)

- Ms. Gerlach sends a draft of the HRE form to Rick Martinez. The form has now been split into two HRE forms. One designated as the "all clear" and the other recommending residents not to drink their water. On the "do not drink" form, note that neither version of the footnote is present.

11) Final "Do Not Drink" form

- This form is the one sent to well owners. A paraphrase of the originally agreed upon language is now found in the last sentence of paragraph 1. It states that the recommendation not to drink represents the maximum in health protection, but the water still meets Safe Drinking Water Act standards. The footnote from the March 19 and March 27 versions of the HRE are now back in this form.

12) HRE form from 2014

- This is a prior HRE form reviewed and initialed by Dr. Rudo. It bases its drink/not drink determination on whether the well water at issue meets federal drinking water standards. Why does Dr. Rudo object to March 2015 drafts of the HRE mentioning federal standards when he was approving HRE forms in 2014 that based their drink/not drink recommendation on the federal standards?