



FACT SHEET



# NEW DEADLINES FOR FLINT TO FINISH LEAD PIPE REPLACEMENTS

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In 2016, residents of Flint, Michigan, and nonprofit groups sued the City of Flint and Michigan state officials to help address the Flint water crisis and make sure everyone in the city had safe drinking water. In 2017, the groups entered into a settlement agreement with the city and State of Michigan that is enforced by a federal court. Under the agreement, the city must find and remove Flint’s lead and galvanized steel water service lines on a set schedule and at no cost to Flint residents.<sup>1</sup> The city must also fix any damage to lawns, sidewalks, driveways, and curbs resulting from the pipe work.<sup>2</sup>

The city was supposed to finish this work by January 1, 2020, but it missed that deadline. Since then, the agreement has been changed several times to give the city more time to finish the job. Indeed, the groups that brought the lawsuit have returned to court five times to force the city to follow the agreement, most recently this past November.

## PIPE REPLACEMENT PROGRESS AS OF JANUARY 2023

As of January 2023, the City of Flint had dug up more than 27,000 service lines and replaced more than 10,000 lead and galvanized steel pipes, out of 31,578 total eligible homes. There are still more than 1,000 addresses where the city must check the service line to see if it must be replaced.<sup>3</sup> And the city must still fix property damage at thousands of homes. About \$11 million of available funding under the agreement is left to complete this work.

## NEW DEADLINES FOR FINISHING PIPE REPLACEMENTS

In November 2022, after Flint once again failed to meet its deadline and failed to keep records of its property repair work, residents and nonprofit groups went back to court to enforce the agreement. Among other things, they asked the court to order the city to do more planning and reporting to ensure that it would quickly finish the remaining work. In response to the groups’ requests, in January 2023 the city agreed to:

- finish all pipe excavations and replacements by **August 1, 2023**;
- try to reschedule work if a resident is not home on the day the pipe work is scheduled; and
- create a detailed plan to make sure it finishes all pipe replacements as soon as possible, including planning for possible parts shortages and weather delays.

## ONGOING PROPERTY RESTORATION

As of January 2023, the city had failed to complete required repairs to lawns, driveways, curbs, and sidewalks at many homes. And because the city failed to keep proper records, it does not know where the work is incomplete. It therefore plans to send workers to visit homes in person to see if damage remains. The city agreed to finish these checks by **May 1, 2023**, at which time a deadline for the city to complete this work will be negotiated. The city has also agreed to create a detailed plan explaining how it will finish this work as soon as possible.



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## Act Now!

**Flint residents can still have their service lines checked and replaced for free if the pipe is made of lead or galvanized steel:** To participate in the city’s pipe replacement program, call (810) 410-1133 or download the consent form online at <https://www.cityofflint.com/get-the-lead-out> and submit it to [GetTheLeadOut@cityofflint.com](mailto:GetTheLeadOut@cityofflint.com).

## Free Water Resources

Residents can pick up free filters, replacement cartridges, and water-testing kits at City Hall, Monday to Friday, 9 a.m. to 5 p.m. If you can’t pick up these resources in person, you can request home delivery by calling (810) 410-2020. Deliveries are provided by City of Flint Public Health Navigators. It’s important to follow the instructions provided with your water filter to make sure it is installed and used correctly. To reduce bacteria in filtered water, experts recommend flushing filters each morning or after any long period when water has not been used.<sup>4</sup>

The agreement in Flint is part of a case brought by Concerned Pastors for Social Action, Melissa Mays, NRDC (Natural Resources Defense Council), and the American Civil Liberties Union of Michigan. They did not ask for money damages—just a solution to the lead contamination. The agreement in this lawsuit does not provide all of the justice Flint residents deserve. But we believe it is an important step toward making the city’s tap water safer. The agreement also shows that, by standing up together to fight for what’s right, the people of Flint have the power to force the government to do its job.

If you have questions about anything in this fact sheet, contact NRDC at [flintpiperemoval@gmail.com](mailto:flintpiperemoval@gmail.com) or call (312) 651-7918.

### ENDNOTES

- 1 *Settlement Agreement, Concerned Pastors for Social Action et al. v. Khouri et al.*, No. 16-10277 (E.D. Mich. Mar. 27, 2017), ECF No. 147, [https://assets.nrdc.org/sites/default/files/flint-drinking-water-lawsuit-settlement-agreement-20170327.pdf?\\_ga=2.236956424.868481419.1675374879-251189241.1674578477](https://assets.nrdc.org/sites/default/files/flint-drinking-water-lawsuit-settlement-agreement-20170327.pdf?_ga=2.236956424.868481419.1675374879-251189241.1674578477).
- 2 “Order Modifying Settlement Agreement,” ¶ 2, *Concerned Pastors for Social Action et al. v. Khouri et al.*, No. 16-10277 (E.D. Mich. Apr. 14, 2022), ECF No. 237, [https://www.nrdc.org/sites/default/files/237-order\\_modifying\\_settlement\\_agreement-flint-20220414.pdf](https://www.nrdc.org/sites/default/files/237-order_modifying_settlement_agreement-flint-20220414.pdf).
- 3 These numbers are based on NRDC staff analyses of reports received from the City of Flint through *Concerned Pastors*. The city’s reports are available at NRDC, “Flint Safe Drinking Water Case Documents and Status Updates,” October 5, 2022, <https://www.nrdc.org/resources/flint-case-documents>.
- 4 For more information, see University of Michigan, “Steps for Flint Residents to Reduce Bacteria in Filtered Water,” *Michigan News*, May 9, 2017, <https://news.umich.edu/steps-for-flint-residents-to-reduce-bacteria-in-filtered-water/>.