



Water Board Building  
735 Randolph Street  
Detroit, MI 48226

Customer Care: 313-267-8000  
Emergencies: 313-267-7401  
[detroitmi.gov/dwsd](http://detroitmi.gov/dwsd)

March 15, 2019

Ms. Vanessa Peake  
[vpeake@urbandevelopmentcorp.org](mailto:vpeake@urbandevelopmentcorp.org)

**Re:** Public Comment – Lawn Repair at 19675 and 19745 St. Louis; Sinkhole at 19420 St. Louis/19431 Mt. Elliott; and Flood Damages at 19363, 19368, and 19426 St. Louis

Please accept this letter as a follow-up to a concern you addressed to the Board of Water Commissioners (BOWC) at a previous Board meeting.

Lawn Repair Complaint: The complaint stated that lawn repair reported at 19675 and 19745 St. Louis in early 2017 had yet to be completed by the Detroit Water and Sewerage Department (DWSD). A field inspection performed on February 15, 2019, observed new sidewalk. Due to snow on the grass, a follow up inspection will be performed in spring and the lawn will be restored if required.

Sinkhole Complaint: The complaint expressed concerns regarding a large sink hole in the alley behind 19420 St. Louis and 19431 Mt. Elliott. The sinkhole in the alleyway was investigated. A video inspection and positive dye test through the private sewer connection confirmed that the sinkhole is a private issue caused by the sewer service connection to 19412 St. Louis. A letter informing the property owner of the results of the inspection has been mailed. The pictures sent to the customer are attached for reference.

Flood Damage Complaint: The complaint expressed concerns regarding damages caused as a result of a flood in the year of 2014 that DWSD did not resolve for 19363, 19368, and 19426 St. Louis. A review of DWSD records indicate that work orders for “water in the basement” complaints were made for 19368 and 19426 St. Louis for the August 2014 storm event. In addition, a review of claims records was completed and no claims were filed for flood damage from any of these addresses. DWSD did not pay any claims for the August 2014 storm. For reference please find the letter that was mailed in 2014 to all claimants.

Thank you for contacting DWSD. If you have further questions, please don’t hesitate to contact our Restoration Unit at (313) 267-6425 or Claims Unit at (313) 267-3676.

Respectfully,

Palencia Mobley, P.E.  
Deputy Director and Chief Engineer

Cc: Honorable Board of Water Commissioners

Enclosures



CITY OF DETROIT  
WATER AND SEWERAGE DEPARTMENT  
CENTRAL SERVICES FACILITY

6425 HUBER AVENUE  
DETROIT, MICHIGAN 48211  
WWW.DETROITMI.GOV

Dear Detroit Water and Sewerage Department Customer:

**Regarding: Flood Damage Claim  
August 11, 2014 Rain Event**

This letter is the Detroit Water and Sewerage Department's ("DWSD") response to the claim you filed in connection with the August 11, 2014 rain event.

Numerous claims were filed in connection with this rain event. DWSD initiated an investigation of the claims and their relationship to the City sewer system. As a result of this investigation, DWSD has not identified any defects in its sewer system that caused flooding of basements.

Michigan Public Act 222, enacted in January of 2002, outlines the conditions under which a successful claim can be made against a municipality or governmental agency for a sewer back-up. When evaluating claims of this type, all of these five conditions must be met:

- The governmental agency, at the time of the event, owned, operated, or directly or indirectly discharged into a portion of the sewage disposal system that allegedly caused the damage or injury.
- The sewage disposal system had a defect.
- The governmental agency knew, or in the exercise of reasonable diligence, should have known, about the defect.
- The governmental agency, having a legal authority to do so, failed to take reasonable steps in a reasonable amount of time to repair, correct, or remedy the defect.
- The defect was a substantial proximate cause of the event of the property damage or physical injury.

DWSD's investigation has determined that the cause of your back up on your property was not a result of a blockage or any defect in the sewer system. The sewer system is mandated by the United States Environmental Protection Agency (USEPA) and the Michigan Department of Environmental Quality (MDEQ) to be designed for a "10-year storm event." The storm on August 11, 2014 has been classified as a "100-year storm event."



Therefore, the storm was beyond the design capacity of the sewer system, but no defect existed. Because all of the Michigan Public Act 222 conditions have not been met, unfortunately we must deny your claim for damages.

DWSD understands that this storm event seriously impacted the lives of many residents. However, the City of Detroit cannot accept liability for a storm event that was beyond the design capacity of its sewer system.

Sincerely yours,

Sue F. McCormick  
Director

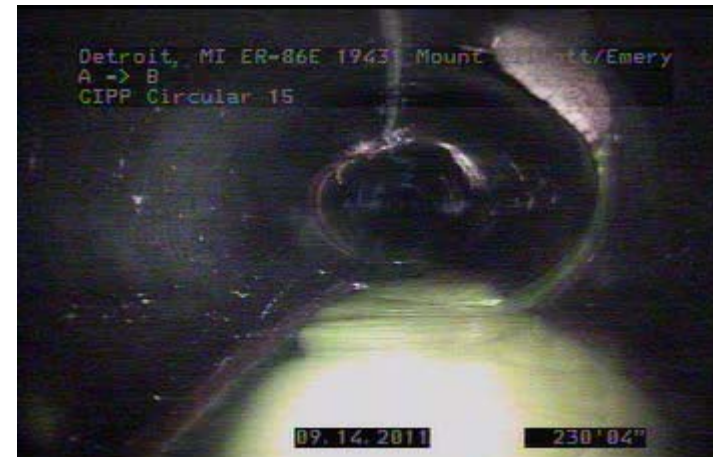
DAL:CJ:cj



## 19431 Mt. Elliott – Photos from Sinkhole Investigation (2011)



Positive Dye Test from Private Connection to 19412 St. Louis



Positive Dye Test from Private Connection to 19412 St. Louis  
Seen from Inside Lined 15 Inch Public Sewer



Positive Dye Test from Connection to 19431 Mt. Elliott



Capped Service in Line with Property at 19431 Mt. Elliott

**Summary of Sinkhole Investigation (2011):** The sinkhole was called in 2011 and reported to be behind the property at 19431 Mt. Elliott. Dye Test conducted in the sinkhole was positive through a capped connection which lined up with the property on the Mt. Elliott side of the alleyway at 19431 Mt. Elliott. The Dye test was also positive through the private sewer connection from 19412 St. Louis. The video inspection did not show an obvious sign of defect on the private connection to 19420 St. Louis.