

**STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION**

In the matter of:

AACO-000033
Date Entered: 1-25-2016

City of Plymouth
201 South Main Street
Plymouth, Michigan 48170

Final Order of Abatement Number 2095, entered on September 8, 1988
First Amended Final Order of Abatement (ACO-SW07-006), entered on June 29, 2007
Second Amended Final Order of Abatement (AACO-000015), entered on January 10, 2013

THIRD AMENDED FINAL ORDER OF ABATEMENT

This amendment results from the need to amend the Final Order of Abatement Number 2095, the First Amended Final Order of Abatement (ACO-SW07-006) and the Second Amended Final Order of Abatement (AACO-000015), in order to meet the statutory requirement of state and federal law. The Water Resources Division (WRD) of the Department of Environmental Quality (DEQ) has determined that the City of Plymouth (City), which owns and operate a sanitary sewer collection system and discharges its sanitary wastewater to the North Huron Valley/Rouge Valley Regional System (NHV/RVS), needs a revised schedule in which to perform the corrective actions outlined in AACO-000015 in order to fully comply with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.3101 *et seq.*; and the rules promulgated thereunder. The NHV/RVS is a regional sewer system district that serves all or part of 15 communities in southwestern Oakland County and western Wayne County. The ACO and above referenced amendments are hereby amended as follows. Upon the consent of the parties and by the authority granted to the DEQ by the NREPA, it is hereby AGREED AND ORDERED:

COMPLIANCE PROGRAM

Paragraph 3.2, 3.3, 3.4 and 3.7 of the Second Amended Final Order of Abatement

(AACO-000015) shall be amended in its entirety as specified below:

- 3.2 The City collected and evaluated flow monitoring data for a period of 12 consecutive months from July 1, 2012, through July 1, 2013, following completion of construction of the projects specified in paragraph 3.1 of ACO-SW07-006. Based on these results, the City was not able to certify the contract capacity as previously established and defined in the Final Order of Abatement Number 2095 or has had SSOs due to capacity issues. The City shall submit a long term corrective action plan to the DEQ for review and approval no later than June 29, 2016.
- 3.3 The goals of the long term corrective action plan shall be; a) to bring the City into compliance with Final Order of Abatement Number 2095, and b) to implement appropriate engineering and structural improvements to the sewer system consistent and acceptable to meet DEQ's SSO Policy Statement Dated December 27, 2002, and the DEQ SSO Clarification Statement dated October 23, 2003. The City will utilize the approved long term corrective action plan outlined in the Order (AACO-000031) entered between the DEQ and the County on July 29, 2015, to fulfill the requirements of this stipulation.
- 3.4 The completion of a year-long Project Performance Certification Program (PPC) and all associated submittals to certify that the long term corrective action plan is consistent and acceptable to meet DEQ's SSO Policy Statement Dated December 27, 2002, and the DEQ SSO Clarification Statement dated October 23, 2003, shall be completed by the County as outlined in the Order (AACO-000031) entered between the DEQ and the County on July 29, 2015.

3.7 The City shall submit all reports, work plans, specifications, schedules, or any other writing required by this Section to the Southeast Michigan District Supervisor, WRD, DEQ, 27700 Donald Court, Warren, Michigan 48092. The cover letter with each submittal shall identify the specific paragraph and requirement of this Third Amended Final Order of Abatement that the submittal is intended to satisfy.

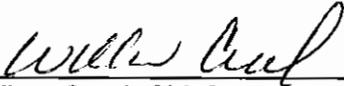
GENERAL PROVISIONS

All approved work plans required by this Third Amended Order of Abatement shall be incorporated by reference into the Final Order of Abatement Number 2095, the First Amended Final Order of Abatement (ACO-SW07-006) and the Second Amended Final Order of Abatement (AACO-000015), where applicable, and shall be enforceable in accordance with the applicable provisions of the Orders. All other terms and conditions of the Final Order of Abatement Number 2095, the First Amended Final Order of Abatement (ACO-SW07-006) and the Second Amended Final Order of Abatement (AACO-000015), where applicable, shall remain in full force and effect and are not altered by this Third Amended Final Order of Abatement, except as specifically prescribed in this document. The effective date of this Third Amended Final Order of Abatement shall be the date upon which the chief of the DEQ, WRD, signs this document.

Signatories

The undersigned CERTIFY they are fully authorized by the party they represent to enter into this Amended Consent Order to comply by consent and to EXECUTE and LEGALLY BIND that party to it.

DEPARTMENT OF ENVIRONMENTAL QUALITY

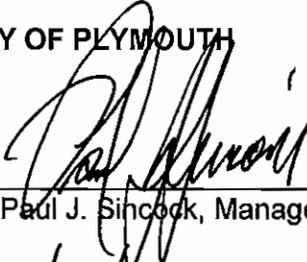


William Creal, Chief
Water Resources Division

1/25/2016

Date

CITY OF PLYMOUTH



By: Paul J. Sincoc, Manager

12/14/15

Date

APPROVED AS TO FORM:



By: Neil Gordon, Assistant Attorney General
For: S. Peter Manning, Chief
Environment, Natural Resources, and Agriculture Division
Michigan Department of Attorney General

1/20/2016

Date