



STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

STEVEN E. CHESTER
DIRECTOR

January 29, 2008

Mr. Scott Monroe, Superintendent
Southwest Barry County Sewer & Water Authority
11191 South M-43 Highway
Delton, Michigan 49046

Dear Mr. Monroe:

SUBJECT: Amended Operating Plan Approval for Southwest Barry County Sewer & Water Authority

Review of Southwest Barry County Sewer & Water Authority amended operating plan has been reviewed and approved by the Department of Environmental Quality (DEQ), Water Bureau, Drinking Water and Environmental Health Section, On-Site Wastewater Unit. The amended plan has been posted on the Septage Waste Program website at www.michigan.gov/deqseptage. It can be viewed by clicking on "Approved Septage Waste Receiving Facility Operating Plans" located under "Downloads."

The septage waste receiving facility must operate in accordance with the approved plan. If a change in operations or conditions is anticipated, please file an amendment to the plan at least thirty days prior to the proposed date for implementation.

Thank you for your continued environmental stewardship. If you have any questions regarding this matter, please contact me.

Sincerely,

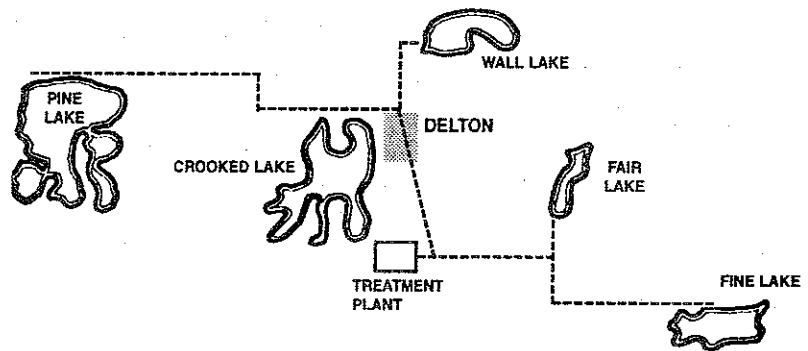
Matthew Campbell
Septage Program Coordinator
On-Site Wastewater Unit
Drinking Water and Environmental Health Section
Lansing Operations Division
Water Bureau
517-335-4178

MCC:CKP

cc: Mr. Eric Pessell, Barry-Eaton District Health Department
Mr. Richard Falardeau, DEQ
Mr. Dave Timm, DEQ

**Southwest Barry County
Sewer & Water Authority**

11191 South M-43 Highway
Delton, Michigan 49046
(269) 623-3401
Fax (269) 623-3404
Email: swbcswa@mei.net



***SOUTHWEST BARRY COUNTY SEWER AND WATER AUTHORITY'S
SEPTAGE RECEIVING OPERATIONAL PLAN***

- Location of the septage receiving facility-
12247 South M-43 Highway Delton, MI 49046
- Hours of operation-
8AM to 4PM Monday thur Friday & after hours by appointment.
- Categories of septage waste the receiving facility will accept.
Domestic waste only. (No grease traps)
- Fee structure charged to hauler to dispose of septage waste for treatment.
7.5 cents per gallon / slide sheet from flow meter.
- Service area of the septage receiving facility.
Local haulers.
- Any other conditions for receiving septage waste established by the receiving facility.
The hauler fills out paper with address number, date pumped, time of discharge and fills a sample bottle for analysis.
- Receiving facility's capacity.
S.W.B.C.S.W.A. will accept up to 10% of the plants normal daily influent flow of 250,000 gpd or 25,000 gallons.
The average daily 5 day biochemical oxygen demand limit is 730 lbs per day.

RECEIVED
MICH DEPT OF ENVIRONMENTAL QUALITY

NOV 20 2007

Water Division
Groundwater Section
WELL CONSTRUCTION UNIT

Effective date: January 1, 2008

BARRY COUNTY
BOARD OF COMMISSIONERS



CLARE TRIPP, CHAIR - DISTRICT 6 • JAMES FRENCH, VICE CHAIR - DISTRICT 2 • WAYNE ADAMS - DISTRICT 8 • DR. MICHAEL CALLTON - DISTRICT 5
HOWARD GIBSON - DISTRICT 4 • SANDRA JAMES - DISTRICT 3 • DONALD NEVINS - DISTRICT 1 • TOM WING - DISTRICT 7

06-12
04/25/2006

RESOLUTION ADOPTING SEPTAGE WASTE DISPOSAL ORDINANCE
BARRY COUNTY BOARD OF COMMISSIONERS

WHEREAS, State law requires that a person licensed in the business of septage waste servicing shall dispose of all septage waste in a public septage waste treatment facility if such a facility is available to receive that septage waste and is located within fifteen (15) road miles of the location where the septage waste is collected; and

WHEREAS, State law allows a local governmental unit such as Barry County to require by ordinance that all septage waste collected within its jurisdiction be disposed of in a public septage waste treatment facility regardless of the distance from the treatment facility, and to prohibit the application of septage waste to land or water within that governmental unit; and

WHEREAS, Barry County prefers to have all domestic septage collected in the County treated at a public septage waste treatment facility, regardless of the distance from the treatment facility, and to prohibit the application of septage waste to land or water within the County; and

WHEREAS, it has come to the attention of the Barry County Board of Commissioners that septage waste is being directly applied to land in Barry County; and,

WHEREAS, the practice of land-applying septage is being discouraged by the Michigan Department of Environmental Quality as being a contributing factor to contamination of our local water supply; and,

WHEREAS, a County ordinance will make it possible to track the source and disposal of all septage waste in Barry County, which will allow improved enforcement of all laws regarding the proper disposal of said septage waste;

THEREFORE, BE IT RESOLVED that the Barry County Board of Commissioners hereby adopts the Barry County Septage Waste Disposal Ordinance, a copy of which is attached and incorporated by reference.

BE IT FURTHER RESOLVED that notice of the adoption of this Ordinance shall be published in a newspaper in general circulation in Barry County.

Clare Tripp, Chairperson
Barry County Board of Commissioners

Debbie Smith
County Clerk



BARRY COUNTY SEPTAGE WASTE DISPOSAL ORDINANCE

BARRY COUNTY BOARD OF COMMISSIONERS
BARRY COUNTY, MICHIGAN

AN ORDINANCE adopted pursuant to 1994 Public Act No. 451, as amended, Sec. 11715, to require that all domestic septage collected in Barry County by a licensed septage waste servicer be disposed of at an available, public septage waste treatment facility located in Barry County; to prohibit the deposit of septage waste on land or water within Barry County; and to provide penalties.

THE COUNTY OF BARRY ORDAINS:

Section 1. Disposal of Domestic Septage in Public Septage Waste Treatment Facility.

All domestic septage collected in Barry County by a licensed septage waste servicer shall be disposed of at an available public septage waste treatment facility located in Barry County, regardless of the distance between the location of the public septage waste treatment facility and the location where the domestic septage waste is collected. Nothing in the section precludes the lawful disposal of septage waste outside the State of Michigan.

Section 2. Prohibition of Deposit of Septage Waste on Land or Water.

No septage waste shall be deposited on any land in Barry County, or in or upon any lake, pond, stream, ditch, manhole, river or other body of water in Barry County, provided that there is an available public septage waste treatment facility located in Barry County.

Section 3. Definitions.

All definitions set forth herein are derived from Part 117 of Act 451 of the Public Acts of 1994, as amended.

- a.) "Septage waste" means the fluid mixture of untreated and partially treated sewage solids, liquids, and sludge of human or domestic origin that is removed from a wastewater system. Septage waste consists only of food establishment septage, domestic septage, domestic treatment plant septage, or sanitary sewer cleanout septage, or any combination of these.



- b.) "Domestic septage" means liquid or solid material removed from a septic tank, cesspool, portable toilet, type III marine sanitation device, or similar storage or treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar facility that receives either commercial wastewater or industrial wastewater and does not include grease removed from a grease interceptor, grease trap, or other appurtenance used to retain grease or other fatty substances contained in restaurant waste.
- c.) "Licensed septage waste servicer" or "septage hauler" means a person or entity engaged in the business of servicing septage waste under a license granted by the Michigan Department of Environmental Quality for the servicing of septage waste.
- d.) "Servicing" means cleaning, removing, transporting, or disposing, by application to land or otherwise, of septage waste.
- e.) "Available" means willing to accept.
- f.) "Public septage waste treatment facility" means a septage waste or other wastewater treatment facility owned and operated by a County, Township, Municipality, or other regional authority and approved by the Michigan Department of Environmental Quality for treating septage waste, as defined in Part 117 of 1994 Public Act 451, as amended.

Section 4. Violations and Penalties.

- a.) Any person who violates the provisions of this Ordinance shall be responsible for a municipal civil infraction, punishable by the payment of a fine, plus costs and expenses for each offense. The fines for violation shall be \$500 for a first offense, \$750 for a second offense, and \$1,000 for a third offense in any 12-month period. Each instance of violation shall be considered a separate offense (i.e., each tank pumped, or each discharge of septage waste).
- b.) The Barry-Eaton District Health Department, together with deputies of the Barry County Sheriff, are the County officials authorized to issue municipal civil infraction violation notices and municipal civil infraction citations under this Ordinance. The payment of said fine shall be directed to the enforcing agency as appointed by Barry County.



The penalties for violation of this Ordinance shall be in addition to any penalties, fines, forfeitures, injunction and/or license sanctions that may be imposed by: Barry County, or any City or Township in Barry County, or pursuant to the Sewer/Use Ordinance of any public septage waste disposal facility located in Barry County, or the State of Michigan and/or the Michigan Department of Environmental Quality for any violation of state law or licensing requirements. Nothing in this Ordinance shall be construed to relieve any person from any state licensing requirements for the servicing of septage waste.

- a.) For any violation of the provisions of this ordinance, the Barry-Eaton District Health Department shall contact the Michigan Department of Environmental Quality to determine whether any licenses or permits issued under Act 451 of the Public Acts of 1994, as amended, should be revoked.

Section 5. Severability and Repealer.

- a.) The sections and/or subsections of this Ordinance shall be deemed to be severable. Should any section, subsection, or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the same may be stricken without affecting the validity of the Ordinance as a whole or part thereof not declared to be unconstitutional or invalid.
- b.) All County Ordinances and/or regulations in conflict with or inconsistent with this Ordinance are hereby repealed.

Section 6. Effective Date of Septage Waste Disposal Ordinance.

This Ordinance shall take effect thirty (30) days after publication of notice of its adoption.



Roll Call.

AYES

Gibson, James, Nevins, Wing, French, Tripp, and Adams. /

ABSENT: Gallton.

NAYS

N/A

APPROVED BY THE BARRY COUNTY BOARD OF COMMISSIONERS ON April 25, 2006.

Clare Tripp

Clare Tripp, Chairperson
Barry County Board of Commissioners

PUBLISHED IN THE HASTINGS BANNER ON MAY 4, 2006

ATTESTED AND CERTIFIED AS A TRUE COPY:

Debbie S. Smith
Debbie S. Smith
Barry County Clerk

