

## Frequently Asked Questions

### Chapaton Project Macomb County, Michigan

#### **We want to go beyond Michigan Department of Environment, Great Lakes, and Energy (EGLE) requirements, why is this wrong?**

EGLE supports the County of Macomb going beyond what is required. This is one of the reasons that EGLE developed the Lake St. Clair framework calling for more coastal wetlands, better control of on-sight septic systems, a more comprehensive illicit connection elimination program for Municipal Separate Storm Sewer Systems (MS4). This Chapaton proposal does not meet state and federal regulations and EGLE cannot authorize the County to violate these regulations.

#### **This is innovative treatment, why can't EGLE recognize that?**

EGLE encourages innovated technologies like new types of treatment systems, better ways to remove infiltration into collection systems, in-system storage devices, real time system controls, and new methods for green infrastructure. Given that, EGLE cannot authorize the County to violate state and federal regulations.

#### **Won't this help Lake St. Clair and provide pollutant removal?**

This project actually provides minimal phosphorus removal.

- **Proposed project phosphorus removal**

This project could remove 400 pounds of phosphorus per year with reduction of treated events from 7-4, with a cost of 19 million dollars. The Great Lakes Water Authority (GLWA) Water Resources Recovery Facility (WRRF) removes 880,000 pounds annually for one million dollars to meet EGLE requirements for Lake Erie phosphorus reduction efforts. This is a dramatic difference.

- **Asset management**

Recently there was a sanitary sewer overflow from Harrison Township caused by various compounding reasons. This event alone could have discharged 150 pounds of phosphorus.

- **Failing septic systems**

If these systems discharge directly to surface waters, then it would take fixing 60 failing systems to achieve a 400-pound phosphorus reduction in a year. If only 10% of the failing system wastewater water makes it to surface waters, then it will take fixing 600 systems. This would cost 600,000 dollars to 6,000,000 dollars; much less than 19,000,000 dollars.

### **We can pilot the additional storage, why is this project still a concern?**

A primary issue with this project is that it is not permissible to use a water of the state for treatment/storage. Even after that, there would be engineering concerns with this facility. One is a concern with odors. All other Combined Sewer Overflow (CSO) Retention Treatment Basins in Southeast Michigan are designed with odor control equipment. This open air storage would have no odor control equipment. EGLE is concerned with regrowth microorganisms causing additional odors in the days after the event. Treated sewage could be held for days in the additional storage allowing for regrowth of microorganisms to occur. Not only is this a potential odor issue, but also an issue for human health. In light of Coronavirus and its presence in sewage, regrowth of microorganisms is a heightened concern. EGLE could allow for open sewage collection projects outside of residential areas when they do not use a water of the state. It is important for the protection of human health that a distance to residents is maintained.

### **What projects can EGLE offer as an alternative? What are the associated costs?**

Other than what is described in our Lake St. Clair framework, this particular project does have possible alternatives. One is green infrastructure where stormwater is controlled over time as land is redeveloped in areas contributing to the retention treatment basin (RTB). An example is the proposed redeveloped KMART site. In addition, the County is already proposing an in-system storage upstream of the RTB to control flows to the RTB. EGLE fully supports this. The County might also look to expand this RTB outside of a water of the state. We can also fully support this alternative. The County can also utilize coagulants to improve the discharge quality by reducing solids and phosphorus in RTB discharge events.

The Lake St. Clair framework calls for construction and/or restoration of coastal wetlands, failing septic system repairs, and identification and correction of illicit discharges.. A more focused illicit discharge elimination program (IDEP) for MS4 permits to further remove sanitary sewage from the storm system is critical. The County has already identified and corrected some major illicit connections including a subdivision and apartment complex where sewage went directly to the storm system. All of these indicate that a strong (or stronger) IDEP program is important.

### **EGLE discussed odors, but this is treated CSO. Why is EGLE concerned with an open storage facility?**

As described earlier, microorganisms, though disinfected, can regrow when stored. This storage could last for days. Odor could develop. We are especially concerned with nearby residents, and those that use this canal for boating.

### **What water quality value does this canal have? Should it be more protected than the lake?**

EGLE has an obligation to protect all waters in the state that fall under our regulations. This canal is one of those waters, and we protect it just like we protect the lake. These are our obligations under state and federal law. This canal offers a quiet spot for fish and aquatic life. It provides a place of boaters. There are public trust lands that are maintained here.

### Will the treatment wetland help?

This is not a wetland that is connected to the lake. EGLE does not believe that this wetland will provide any degree of treatment. It is too deep when the storage is filled. In addition, solids will accumulate after events. The storage structure cannot be flushed for the next event, and if flushed, plants will be affected.

### What is the concern with the proposed treatment facility?

EGLE is concerned with potential odors (from regrowth while treated volume is stored). We are concerned with leakage from the system to ground and surface water and ability to flush the storage system of solids to be ready for the next event.

### What regulations cover this project?

EGLE implements the federal Clean Water Act and the state Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). Part 31, Water Resources Protection, of the NREPA, requires that pollution control be implemented to protect water quality and meet all designated uses. This RTB provides adequate treatment because of this requirement. Part 4, Water Quality Standards (Part 4 Rules), rules are implemented pursuant to Part 31 to protect all waters of the state (including this canal).

Michigan's Environmental Justice Policy promotes the fair, non-discriminatory treatment and meaningful involvement of Michigan's residents regarding the development, implementation, and enforcement of environmental laws, regulations, and policies by this state. Fair, non-discriminatory treatment intends that no group of people, including racial, ethnic, or low-income populations, will bear a disproportionately greater burden resulting from environmental laws, regulations, policies, and decision-making.

Meaningful involvement of residents ensures an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health.

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