



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
LANSING



LIESL EICHLER CLARK  
DIRECTOR

July 25, 2022

Violation Notice No. VN-012473

VIA E-MAIL

Jonathan W. Edgerly  
Michigan Department of Military and Veterans Affairs  
Camp Grayling, Building 100A  
Grayling, Michigan 49739

Dear Jonathan:

**SUBJECT:** National Pollutant Discharge Elimination System (NPDES)  
Certificate of Coverage (COC) No. MIS110546  
Designated Name: Mich ANG-Camp Grayling  
Per- and Polyfluoroalkyl Substances (PFAS)  
Violation Notice

On December 7, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), received the results of the Short-Term Storm Water Characterization Study (STSWCS) conducted between June 24 and October 8, 2021, at the Michigan Department of Military and Veterans Affairs (DMVA), Michigan Air National Guard (ANG), Camp Grayling Cantonment Area, located at Building 100A, State Maintenance Shop, Grayling, Crawford County, Michigan (Facility). The DMVA was issued the COC identified above under NPDES General Permit No. MIS110000 (Permit) to discharge storm water associated with industrial activity to Lake Margrethe. In accordance with the Permit, the WRD required the DMVA to conduct the STSWCS in Compliance Communication No. CC-002853 issued on December 28, 2020.

The objective of the STSWCS was to evaluate concentrations of PFAS, specifically Perfluorooctanesulfonic Acid (PFOS) and Perfluorooctanoic Acid (PFOA), and other pollutants of concern in storm water discharges from all discharge points (outfalls and points of discharge) at the Facility to determine compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.3101 *et seq.*; the Part 4 Rules, Water Quality Standards (WQS), promulgated pursuant to Part 31, R 323.1041 *et seq.*; and the Permit. Based on a review of the data provided by the Facility, including the STSWCS results, it appears that the discharge exceeds the Water Quality Value (WQV) developed in accordance with the WQS to protect waters of the state. The table below identifies results that exceeded the WQV.

Sample Location	Sampling Conditions	Sample Date	Pollutant	Result	Applicable Criteria at Monitoring Point
AOI-15-2-C	Wet Weather	06/24/21	PFOS	439 ng/L	12 ng/L
AOI-15-2-C	Wet Weather	07/13/21	PFOS	321 ng/L	12 ng/L
AOI-15-2-D	Wet Weather	07/13/21	PFOS	14.5 ng/L	12 ng/L
AOI-15-2-C	Wet Weather	10/08/21	PFOS	238 ng/L	12 ng/L

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The Permit authorizes the DMVA to discharge storm water associated with industrial activity to Lake Margrethe if it meets the criteria established in the Permit. The Permit does not authorize discharges that may cause or contribute to a violation of a WQV. Therefore, the discharge of storm water contaminated with PFOS above the WQV is a violation of Part 31, specifically Section 3109, and the Permit.

The violations in this Violation Notice are continuing.

The DMVA shall take immediate action to achieve and maintain compliance with the terms and conditions of Part 31 and the Permit.

Bringing the unauthorized storm water discharge into compliance with the WQV for PFOS shall be accomplished expeditiously. Therefore, the WRD intends to offer a voluntary Administrative Consent Order (ACO) as allowed under Sections 3106 and 3112 of Part 31, MCLs 324.3106 and 324.3112, respectively, that will establish actions necessary to prevent pollution the WRD considers to be unreasonable and against the public interest. The ACO will establish a path/process to comply with the WQV with a mutually agreed upon compliance plan and schedule. If the DMVA chooses to not enter into the ACO, the WRD may terminate the COC after notice and opportunity for hearing. If terminated, any discharge by the DMVA would be an unauthorized discharge and a violation of Part 31. The WRD would then pursue enforcement in accordance with Part 31.

Please notify the WRD **by August 25, 2022**, if the DMVA intends to engage with the WRD to draft and negotiate an ACO, via the "PFAS ACO Cooperation Decision" form on the Facility's dashboard in MiWaters. The WRD will then develop and send a draft ACO to the DMVA.

Please be aware, compliance with the requirements outlined in this Violation Notice does not constitute a release or waiver of liability for compliance with Part 31 and the Permit.

We appreciate your prompt attention to this matter. Should you have any questions regarding this letter or wish to schedule a meeting to discuss it, please contact me at 517-388-0267;

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[zuberb@michigan.gov](mailto:zuberb@michigan.gov); or EGLE, WRD, Emerging Pollutants Section, 525 West Allegan Street, Constitution Hall, 3rd Floor South, P.O. Box 30458, Lansing, Michigan 48909-7974.

Sincerely,



Brian Zuber  
Senior Environmental Quality Analyst  
Emerging Pollutants Section  
Water Resources Division

bz/nm

cc: Julie Werner, DMVA (electronic)  
Patricia Lyman, DMVA (electronic)  
Stephanie Kammer, EGLE, WRD  
Brian Jankowski, EGLE, WRD  
Justin Bragg, EGLE, WRD  
Randy Rothe, EGLE, RRD  
Christiaan Bon, EGLE, RRD