



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

- DIVISION OF -

WATER & WASTE SERVICES

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JEFFREY WRIGHT
COMMISSIONER

July 20, 2015

Honorable Senator Debbie Stabenow
703 Hart Senate Office Building
Washington, DC 20510

Dear Senator Stabenow:

I am writing to you today as a follow-up to our conversation with your staff, Derrick Mathis and Aaron Suntag. I thank them for some of their valuable time to listen to our concerns and diligently follow-up on this important and urgent issue.

As Drain Commissioner for Genesee County, my office provides water and sewer service to over two-thirds of the population of the county. My office operates over 1,000 miles of pipe, over 500 pumping stations, and three wastewater treatment plants. Our treatment plants treat the water to current requirements and discharge the effluent to the Flint and Shiawassee Rivers. Both rivers flow into the Saginaw Bay, and ultimately Lake Huron. The water supply for our county comes from Lake Huron with the intake located downstream from the Saginaw Bay. This is a similar situation for most of Michigan. Our drinking water source is also the location where we discharge our wastewater effluent. Therefore, we are acutely aware of the need to protect the water quality of our Great Lakes.

Having said this, I would like to talk about language in the current Senate Appropriations bill, specifically "Prohibitions of Sewage Dumping into the Great Lakes," section 428. I am opposed to this use of an appropriations bill to bypass provisions of the Clean Water Act (CWA), along with the targeted focus of the provisions in this section. The first portion I'd like to refer to are the following definitions included in this legislation:

- A. Bypass. – The term 'bypass' means an intentional diversion of waste streams to bypass any portion of a treatment facility which results in a discharge into the Great Lakes.
- D. Partially Treated Sewage. – The term 'partially treated sewage' means any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that –

“(i) is not treated to national secondary treatment standards for wastewater; or

“(ii) is treated to a level less than the level required by the applicable national pollutant discharge elimination system permit.

Our largest treatment plant is the Anthony Ragnone Treatment Plant located in Montrose, Michigan on the Flint River.

This plant is a secondary treatment plant using a biologically active basin to consume the unwanted material from sewage prior to discharge into the Flint River. The treatment train is rated to sustain 49.5 million gallons per day (mgd). In our last 12 months, the average flow was 30 mgd. One of these two events was July 8, 2015, where the flow to the plant was 39.94 mgd. We received 6.55 inches of rain in eight hours, boosting our flow to 104.9 mgd. The next day, 2.2 more inches of rain was received, however, due to the efficiency of our processing the flows, we peaked on July 9 at 67.03 mgd and averaged for the day 48.44 mgd.

During that same period, we had two events where the flow exceeded the capacity of the plant. During these periods, we performed primary treatment on all the flow and then we maximized the flow to the secondary treatment -- in some cases, up to 60 mgd (120% of the rated capacity). The excess storm flow with low loading is sent to extended primary treatment, is disinfected and blended prior to discharge into the Flint River. The blended effluent meets the requirements of our National Pollutant Discharge Elimination Systems Permit (NPDES). We, therefore, are not defined as partially treated sewage by Section D. (ii) above. If we are not partially treated sewage, we must be fully treated sewage. The blended effluent meets **all** of the requirements of our National Pollutant Discharge Elimination Systems Permit (NPDES) and has for more than the past eight years.

The next section is 2. Prohibition. – A publicly owned treatment works is prohibited from performing a bypass unless –

- A. “(i) the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;
“(ii) there is not a feasible alternative to the pass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime; and
“(iii) the treatment works provides notice of the bypass in accordance with this subsection; or,
- B. The bypass does not cause effluent limitations to be exceeded, and the bypass is for essential maintenance to ensure efficient operation of the treatment facility.

For 363 out of 365 days a year, our flow averages 30 mgd. As a biological activated treatment plant, we maintain a colony of organisms to basically eat the unwanted material in sewage prior to discharging water to the river. Micro-organisms, as living creatures, eat on a daily basis. To maintain a healthy colony, you need to balance its size with the amount of food you provide it on a day-to-day basis. You can grow the colony and you can shrink the colony based on your flows. Growing the colony can take 6 to 8 weeks. Shrinking the colony can be in a matter of days. On

a short-term basis, you can over feed the colony. Therefore, to avoid washing out the colony during periods of high flows, the county diverts some of the flow to maintain an efficient operation of the plant. We, therefore, are not prohibited by Section 2 (B) as stated above.

Then we go to the following Section 5. Sewage Blending. – Bypasses prohibited by this section include bypasses resulting in discharges from a publicly owned treatment works that consist of effluent routed around treatment units and thereafter blended together with effluent from treatment units prior to discharge.

This section eliminates all the above sections. It is in conflict with the Definitions and Prohibition Sections. The result for our facility is that we would be required to double the size of the secondary treatment facility. We cannot maintain a colony to treat 115 mgd because we do not have an adequate food supply for this size colony for 365 days a year. We would also be required to add 115 mgd of tertiary treatment to the facility. Our current estimate to construct such facilities is \$760 million. This would result in an increase to the monthly bill of the average customer by approximately \$100 a month. Our current sewer rate is \$30 a month. This would be a 333% increase in rates.

The questions we have are as follows:

1. Why go to such great lengths to describe what is allowed and then in the next section, eliminate it all?
2. Why are the Great Lakes any more important than any other fresh water body? Why not make this common for all discharges in the United States? For example, West Virginia had a discharge into a fresh water river that knocked out the drinking water supply to a major city.

By adding these requirements only to the Great Lakes region, they are placing us and especially Michigan at a significant economic disadvantage. In the global market regions and local communities are competing for manufacturing. Manufacturers are comparing bottom lines: utility costs, gas, electric, water and sewage disposal costs make-up a part of that bottom line. If we have to quadruple rates for sewage disposal to comply with these requirements, we will lose out on future manufacturing and will lose our current manufacturers. Therefore, if those requirements are to be considered, they should be considered across the country not just one region.

Finally of concern is that these requirements add significant burdens to one region of the country. To add insult to injury, the appropriations bill also reduces the amount of available loan funds for municipalities to consider in financing the improvements required. If these significant requirements are to be placed on one region of the country then the allocation of SRF funding

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needs to be reallocated and our designation of sufficient additional funding should be set aside for these regional specific requirements.

To recap,

1. The proposed bill is in opposition to the current efforts of the EPA and MDEQ.
2. The proposed bill contradicts itself.
3. The bill places the region and Michigan at a significant economic disadvantage from the rest of the country.
4. The already inadequate funding of environmental programs is being reduced.

I again thank you for taking the time to listen to our concerns. Michigan is lucky to have responsive and supporting leaders in D.C. like you. I would be grateful if we could continue to communicate relating to this issue as the appropriations process moves forward. Please let me know if I can provide additional details and information, and I am happy to speak to you or your staff at any point.

Sincerely,



Jeff Wright
Genesee County Drain Commissioner

JW:JMW

cc: The Honorable Gary Peters, United States Senator
cc: The Honorable Dan Kildee, United States Congressman