

## PUBLIC NOTICE

### PUBLIC NOTICE OF A DRAFT NPDES PERMIT TO DISCHARGE INTO WATERS OF THE UNITED STATES

U.S. Environmental Protection Agency  
Region 5, NPDES Programs Branch - WN-16J  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 886-6106

**Public Notice No.:** 15-03-01-A

**Public Notice Issued On:** March 11, 2015

**Comment Period Ends:** April 10, 2015

**Permit No.:** MI-0057366-3 (REISSUANCE)

**Application No.:** MI-0057366-3

Name and Address of Applicant:

Name and Address of Facility Where  
Discharge Occurs:

Hannahville Indian Community  
Water Operations Department  
N14911 Hannahville B1 Road  
Wilson, Michigan 49896

Hannahville Indian Community WWTP  
Hannahville Indian Reservation  
Harris Township, Michigan  
Menominee County  
(South ½ of the SE ¼ of the NE ¼ of the SW  
¼ of Section 12, and the North ½ of the NE  
¼ of the SE ¼ of the Section 12, Township  
38N, Range 25W)

**Receiving Water:** Wetland which is a part of the Depas Creek watershed

#### **Treatment Facility Description**

The above named applicant has applied for an NPDES Permit to discharge into the designated receiving water. The facility is located within the boundaries of the Hannahville Indian Community. The U.S. Environmental Protection Agency has retained the authority to issue NPDES permits to facilities with discharges to waters of the United States within Indian Country. The permit will be issued by the EPA under the authorities of the Clean Water Act.

The permittee completed the construction of Phase I of its wastewater treatment plant. Phase I includes headworks screening, a pre-equalization basin, two sequencing batch reactors (SBRs) system with biological and chemical treatment for phosphorus removal, post-equalization, and ultraviolet disinfection. The treated effluent flows through a diffuser into a wetland which is part of the Depas Creek watershed. Phase I is designed to treat an average daily flow of 230,000 gallons per day. The facility has been in operation since 2006. Phase II construction will begin in

the near future to handle future growth, by adding two additional SBR units. After the completion of Phase II, the facility is designed to treat 456,000 gallons per day. Wastewater is from domestic sources only, including flows from the Hannahville Indian Community, Bark River Township and a casino.

Solids from the SBR units are collected and pumped to an aerobic digester. The permittee may also use geotech drying media to further reduce the volume of sludge to be land applied. The plant has 180-days of sludge storage. The sludge is land applied to farmland held in trust for the Hannahville Indian Community.

The draft permit requires the applicant to meet the following effluent limitations:

**Proposed Effluent Limitations:**

**Monitoring Point 001A-** the permittee is authorized to discharge of treated municipal wastewater from Monitoring Point 001A through Outfall 001. Outfall 001 discharges to a wetland.

Parameter	Date	30-day average	7-day Average	Daily Maximum	Daily Minimum
Flow	All year	Report		Report	---
Biochemical Oxygen Demand (BOD <sub>5</sub> )	All Year	20 mg/L	30 mg/L		
Total Suspended Solids	All Year	20 mg/L	30 mg/L		
Ammonia	May 1- Sept. 30	15 mg/L		26 mg/L	
	Oct. 1- Apr. 30			26 mg/L	
Dissolved Oxygen	All Year				4 mg/L
E.coli	March 1 – October 31	126 E. coli/100 ml (geometric mean)		410 E. coli/100 ml	
Total Phosphorus	All Year	1.0 mg/L	2.0 mg/L		
Total Mercury	All Year	5.0 ng/L			
pH	All Year			8.0 S.U.	6.5 S.U.

The limits were developed to ensure compliance with 40 CFR parts 131 and 133, protection of human health and EPA’s water quality criteria and protection of Michigan water quality standards where they are applicable. Michigan water quality standards must be met at the boundary of the Reservation. It should be noted that this permit does not allow for an increase in loading when compared with the previous permit. The previous permit also included the loadings associated with Phase II construction

The permit also requires Pollutant Minimization Programs for mercury and phosphorus. It also requires compliance with 40 CFR Part 403 to prevent any pass through of pollutants or any inhibition or disruption of the permittee’s facility and 40 CFR Part 503 when sludge is used or disposed. The permittee plans on land applying its sewage sludge on the following identified sites during the permit term:

Site Name	Size	Latitude	Longitude
Site 1 - "400 Road Property"	14 acres	045° 46' 25.2" N	087° 25' 40.0" W
Site 2 - "400 Road Property"	28 acres	045° 46' 20.4" N	087° 25' 14.2" W

The permit only allows these sites to be used. If additional sites are needed, the permit requires the permittee to submit additional information and the permit may be modified, with public notice, to include the additional sites.

### **Section 401 Water Quality Certification**

EPA is the appropriate authority for purposes of certifying the proposed discharge under Section 401 of the Clean Water Act. Section 401 certification is not needed from the state or the Hannahville Indian Community as neither has federally approved water quality standards applicable to the receiving water at the point of discharge, however as stated above, EPA believes the effluent limitations included in the draft permit meet state water quality standards at the reservation boundary.

### **ESA and NHPA Compliance**

EPA has satisfied its requirements under the Endangered Species Act and the National Historical Preservation Act. This is an existing facility. Though there may be an expansion or construction within the permit term, it will occur within the existing footprint of the facility which has been previously disturbed. Therefore, it is believed that the reissuance of the permit and the continued operation of the facility and associated discharge will have no effect on endangered or threatened species or their critical habitat and will have no impact on historical, archeological, or cultural resources.

### **Tentative Determination**

On the basis of preliminary staff review and application of applicable standards and regulations, the Regional Administrator of EPA, Region 5 proposes to reissue a permit for the discharge from the Hannahville Indian Community Wastewater Treatment Plant subject to certain effluent limitations and special conditions.

### **Comment Procedures and Public Hearing**

The determination to issue the NPDES permit is tentative. EPA's comment and public hearing procedures may be found at 40 CFR 124.10, 124.11, 124.12, and 124.13. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permit may be submitted extends to April 10, 2015.
2. During the comment period, any interested person may request a public hearing by filing a written request which must state the issues to be raised. The last day for filing a request for public hearing is April 10, 2015.
3. In appropriate cases, including those where there is significant public interest, the EPA Regional Administrator may hold a public hearing. A decision has not yet been made as

to whether a public hearing will be held for this permit. Public notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons on the EPA mailing list at least 30 days prior to the hearing.

4. All comments postmarked after April 10, 2015 will not be considered in the formulation of the final determination.
5. Written comments or requests for a public hearing must be delivered or mailed to: John A. Colletti, U.S. Environmental Protection Agency, Region 5, NPDES Programs Branch - WN-16J, 77 West Jackson Boulevard, Chicago, Illinois 60604, or emailed to [colletti.john@epa.gov](mailto:colletti.john@epa.gov).

The application and Public Notice numbers should appear next to the EPA address on the envelope and on each page of any submitted comments. It is important that all viewpoints are considered before taking action. Therefore, we greatly appreciate your time and effort in participating in the public participation process. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision.

#### **Petition to Review**

Within 30 days following the service of notice of the Regional Administrator's final permit decisions, any person who filed comments on the draft permits or participated in a public hearing, if held, may petition the Environmental Appeals Board to review any condition of the permit decision. All documents that are sent through the U.S. Postal Service (except by Express Mail) **MUST** be sent to the following address: Clerk of the Board, U.S. Environmental Protection Agency, Environmental Appeals Board, 1200 Pennsylvania Avenue, NW, Mail Code 1103M, Washington, DC 20460-0001.

All mail sent to the Environmental Appeals Board may be delayed by a random sterilization procedure. Parties are encouraged to utilize the Board's e-filing system or hand or courier delivery when filing pleadings with the Board to avoid potential delays.

Documents that are hand-carried in person, delivered via courier, mailed by Express Mail, or delivered by a non-U.S. Postal Service carrier (e.g., Federal Express or UPS) **MUST** be delivered to: Clerk of the Board, U.S. Environmental Protection Agency, Environmental Appeals Board, 1201 Constitution Avenue, NW, U.S. EPA East Building, Room 3334, Washington, DC 20004

Documents that are hand-carried may be delivered to the Clerk of the Board between 8:30 a.m. and 4:30 p.m., Monday through Friday (excluding federal holidays).

#### **Availability of Documents**

The application, draft permit, including proposed effluent limitations and special conditions, statement of basis, and other documents contained in the administrative record, are available for inspection and may be copied at a cost of 15 cents per page at the Chicago Regional offices of the Environmental Protection Agency anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday. You may also view, the public notice, statement of basis, and draft permit on Region 5's website at "<http://www.epa.gov/region5/water/npdestek/index.htm>". All data submitted by the

applicant is available as part of the administrative record. For more information, please contact John Colletti at (312) 886-6106 or by e-mail at [colletti.john@epa.gov](mailto:colletti.john@epa.gov).

Please bring the foregoing to the attention of anyone you know that would be interested in this matter.