

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.: 15-02-01-B

Public Notice Issued On: February 4, 2015

Comment period ends: March 6, 2015

Permit No.: MI-0055808-3 (Modification)

Application No.: MI-0055808-3-MOD

Name and Address of Applicant:

Charter Township of Union
2010 South Lincoln Road
Mt. Pleasant, Michigan 48858

**Name and Address of Facility
Where Discharge Occurs:**

Union Township Wastewater
Treatment Plant
4511 East River Road
Mt. Pleasant, Michigan 48858
NW1/4, SE1/4, Section 2, T14N, R4W
Union Township, Isabella County

Receiving Water: Chippewa River

DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE

The above named applicant has applied for a modification to its NPDES Permit to discharge into the designated receiving water. The discharge is located within the boundaries of the Isabella Indian Reservation. 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 the boundaries of Indian Reservations. The permit will be issued by EPA under the authorities of the Clean Water Act.

Influent to the treatment facility passes through screening for grit removal, then flows to oxidation ditches for biological treatment. Chemicals for phosphorus removal are added after the oxidation ditches and then the wastewater flows to clarifiers for settling. After clarification, the water flows through a tertiary filter for polishing followed by ultraviolet light disinfection, then discharge to the Chippewa River. Sludge is processed through aerobic digesters and then land applied at agronomic rates. The permittee is upgrading/expanding the facility; this project will

result in a plant capacity increase from 1.2 million gallons per day to 2.4 million gallons per day of wastewater.

MODIFICATION REQUEST

The permittee submitted a permit modification request on December 23, 2014 requesting the frequency of monitoring for mercury be reduced from monthly to quarterly. The permittee's data (see the administrative record) shows that the township is consistently well below the 10 ng/l limit in the current NPDES Permit. This would also reflect the sampling schedule that the Michigan Department of Environmental Quality will be implementing starting January of 2015.

PROPOSED MODIFICATION TO THE EXISTING PERMIT

Based on the permittee's data since 2005, the average of all mercury samples taken is 0.577 ng/L and the 2014 12-month rolling average (January-December) is 0.596 ng/L. The permit is being modified to require quarterly sampling, to be taken in January, April, July and October. To determine compliance with the 12-month rolling average limit, the monthly average result obtained from the quarterly sample shall be used as the monthly average for the months that were not sampled during the quarter. This permit would modify the permit issued on June 5, 2013

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. Clean Water Act Section 401 certification is not needed from Michigan Department of Environmental Quality nor the Saginaw Chippewa Tribe as neither has federally approved water quality standards applicable to the receiving water at the point of discharge.

ESA AND NHPA COMPLIANCE

EPA believes it has satisfied its requirements under the Endangered Species Act and the National Historical Preservation Act. Changing the monitoring frequency will have no effect on historic properties or threatened or endangered species or their habitat.

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 modify the permit for the discharge from the Union Township Wastewater Treatment Plant subject to certain effluent limitations and special conditions.

COMMENT PROCEDURES

The determination to issue the modified NPDES permit is tentative. Interested persons are invited to submit written comments on the draft modification and the proposed decision on the Antidegradation Demonstration. 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 until **March 6, 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 **March 6, 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 received after **March 6, 2015** may not be considered in the formulation of final determinations.
5. Written comments of request 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

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.

PETITION TO REVIEW

Within 30 days following the service of notice of the Regional Administrator's final permit decision, any person who filed comments on the draft permit 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 modification request, draft permit modification, Fact Sheet, 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, statements of basis, and draft permits 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 records. For more information, please contact John Colletti at (312) 886-6106 or by e-mail at colletti.john@epa.gov.

Unless a public hearing is scheduled, the EPA will issue a final determination as to the modification of the permit in a timely manner after the expiration of the public comment period. If you would like to receive a copy of the final determination, please submit a request during the comment period to the above address. Please bring the foregoing to the attention of persons whom you know would be interested in this matter.