DEQ Update

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MS4 Permit Issuance

- 47 Individual permits issued
- Plan to reissue permits by September 2019
- Continue to meet with regional groups and share approved alternatives across the state
Expanded Regulated Area

New Urbanized Area
Midland

New MS4 Permittees Statewide
• 2 New Counties
• 8 New Cities
• 106 Potential Townships (DEQ to evaluate these townships first to determine if regulated as an MS4)
The intent of the program...

- Reduce and eliminate pollutants discharged via storm water to the surface waters of the state from industrial and municipal facilities

- Control pollutants at the sources by implementing best management practices

- 2931 facilities with NPDES permit coverage

- 888 facilities with No Exposure Certifications
  - Regulated facilities certifying that industrial materials and activities are not exposed to storm water runoff
NPDES Construction Storm Water Program
The intent of the program...

- Prevent the discharge of pollutants (including sediment) to waters of the state
  - Achieved by using Best Management Practices (BMPs), including Soil Erosion and Sedimentation Control (SESC) measures.

- Currently 963 sites with A Notice of Coverage (NOC)
  - Sites exceed 5 acres in size

- Over 3000 sites that receive automatic coverage with an approved SESC permit.
  - Sites are 1 acre or larger, and less than 5 acres
The intent of the Part 91 SESC program...

- Minimize erosion on projects involving earth changes

- Prevent off site sedimentation by using BMPs, including SESC measures.
DEQ Efforts

Support for Stormwater Utility Bill

WRD Wet Weather Programming

- Standardized rainfall data source across programs (NOAA Atlas 14)
- Post-Construction permit requirements in both MS4 and adjacent CSO areas

EPA Compliance

- NPDES Electronic Reporting Rule: MiWaters to capture required data
- MS4 Remand Rule: Permits must include clear, specific and measurable requirements and a public notice period
PFAS Uses

- Aerospace
- Apparel
- Building and Construction
- Chemicals and Pharmaceuticals
- Electronics
- Oil & Gas
- Energy
- Healthcare and Hospitals
- Aqueous Film Forming Foam
- Semiconductors
PFAS in wastewater

- PFOS is contaminant of concern. No exceedances of WQS from PFOA in wastewater identified to date.

- Potentially found in wastewater from:
  - Platers: Chemical fume suppressants, demisters, defoamers, wetting agents, surfactants
  - Leather and fabric treaters, tanneries
  - Paper and packaging manufacturers
  - Manufacturers of parts with PTFE coatings (bearings, wire, etc)
  - Landfills (leachate)
  - Centralized Waste Treaters
  - AFFF fire fighting foam
  - Groundwater cleanup sites (cleaners, former plating and automotive manufacturing, etc.)
Industrial Pretreatment Program (IPP) PFAS Initiative

• Conventional wastewater treatment processes are not effective in the removal of PFAS
  • Pass thru to waters of the state
  • Concentrate in sludge/biosolids?

• Goal of IPP PFAS Initiative
  • Identify Industrial Users (IUs) that use/have used PFOS/PFOA and are discharging elevated levels to POTW
  • Identify POTW effluents > WQS
  • Reduce/eliminate/control PFOS/PFOA discharges from IUs and ultimately to waters of the state
Industrial Pretreatment Program (IPP) PFAS Initiative

- February 2018 - Required PFAS screening at 93 Publicly Owned Treatment Works (POTWs) with IPPs
  - Survey Industrial Users with potential sources of PFAS
  - Follow-up sampling of probable sources
  - Sample POTW effluent if sources above screening criteria (12 ppt PFOS)
  - Interim Reports were due June 29, 2018 unless extension requested
    - 35 extension requests
  - Summary Reports due October 26, 2018 unless extension

Additional information on IPP PFAS Initiative:
https://www.michigan.gov/pfasresponse/0,9038,7-365-86510---,00.html
IPP PFAS Initiative Status
Update 11-22-18

94 POTWs with IPPs
IPP PFAS Interim Reports:
• 1 Report Outstanding
• 1 IR not yet due

*IR - Interim Report

Bin TBD: 26
Interim Report submitted but a bin determination cannot be made as staff have not yet reviewed the report, the report was determined to be incomplete, or sample results (from IUs and/or POTW effluent) are still pending

Bin 1: 30
No sources PFOS/PFOA found

Bin 2: 17
Sources found but POTW Effluent ≤WQS

Bin 3: 19
Sources found and POTW Effluent >WQS

IPP PFAS Requirements Complete
• Source reduction recommended
• Semi-annual PFAS monitoring required
• Local limits and PMP recommended

3a: 12 Effluent conc. of moderate priority (≤49 ppt)
• Source reduction required
• Quarterly POTW effluent monitoring required
• Local limits recommended
• Pollutant Min Plan SUO provisions recommended

3b: 7 Effluent conc. at highest priority (≥50 ppt)
• Source reduction required
• Monthly POTW effluent monitoring required
• Biosolids monitoring required
• Local limits recommended
• Pollutant Min Plan SUO provisions recommended
Legislative Activity
House Bills

- HB 4100 - Regulates creation of stormwater management utilities
- HB 4214 - Establishes Water Resources Commission
- HB 5854 - Creates voluntary wetland restoration permit program under DNR
- HB 5855 - Definitions for voluntary wetland restoration permit program under DNR
- HB 6122 - Increases the allowable moisture in sugar beet residuals
- HB 6123 - Reinstates the Water Use Advisory Council
- HB 6465 - Ballast Water/ USCB Type Approval
- HB 6472 - Floodplain permits for minor and general projects
Legislative Activity
Senate Bills

- SB 0965 - Allows municipalities to jointly enforce Part 91
- SB 1136 - Creates grant program for control/eradication of aquatic invasive plants in inland lakes
- SB 0756 - Regulates creation of stormwater management utilities
- SB 0965 - Allows municipalities to jointly enforce Part 91
- SB 1136 - Creates grant program for control/eradication of aquatic invasive plants in inland lakes
- SB 1188-1194 - Preempts local land use planning related to tree removal
- SB 1211 - Wetlands, inland lakes and streams