

PUBLIC NOTICE

PUBLIC NOTICE OF DRAFT NPDES PERMITS TO DISCHARGE INTO WATERS OF THE UNITED STATES

U.S. Environmental Protection Agency
Region 5, NPDES Programs Branch - WN-15J
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 886-6106

Public Notice No.: 18-07-01-A

Public Notice Issued On: July 18, 2018

Comment Period Ends: August 17, 2018

Permit No.: MI-0054640-5 (REISSUANCE)

Application No.: MI-0054640-5

Name and Address of Applicant:

Grand Traverse Band of Ottawa
and Chippewa
2605 N. West Bayshore Drive
Suttons Bay, Michigan 49682

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

Peshawbestown Wastewater Treatment Plant
3499 E. Putnam Road
Suttons Bay, Michigan
Grand Traverse Indian Reservation
Leelanau County
(N.E. ¼ of the S.W. ¼ of S2, T30N, R11W)

Receiving Water: West Grand Traverse Bay

DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE

The above-named applicant has applied for an NPDES Permit to discharge into the designated receiving water. The above facility is a tribally-owned facility located on the Grand Traverse Indian Reservation. The U. S. Environmental Protection Agency (EPA) 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 (CWA).

The application and supporting documents indicate that the permittee operates a 0.12 mgd Sequencing Batch Reactor (SBR) system with phosphorus removal followed by ultraviolet (UV) disinfection. Solids from the SBR unit are wasted to two (2) aerobic digesters and then stored in covered tanks. From the storage tanks, the sludge is land applied by injection by a private contractor to farmland. The discharge is continuous to West Grand Traverse Bay. The following land application sites have been identified by the permittee as sites that could be used during the permit term.

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Site Name	Location
Ron Schaub 001	2020 S. French Rd. Lake Leelanau, MI, Leelanau County 44 57' 56"N 85 44' 79"W
Michael Plamondon 004	Centerville Twp., Section 3, Township 29N, Range 12W, Lake Leelanau, MI, Leelanau County 44 56' 53"N 85 44' 39"W

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

Parameter	Concentration (Specified Units)			
	Minimum	Monthly	Weekly	Maximum
Flow (MGD)	-	-	-	-
Dissolved Oxygen (mg/L)	4.0	-	-	-
pH (SU)	6.0	-	-	8.5
Total Suspended Solids (TSS) (mg/L)	-	15	22.5	-
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) (mg/L)	-	12	20	-
Phosphorus, Total (mg/L)	-	0.5	-	1.0
Nitrogen, ammonia (mg/L)	-	Report	-	Report
Mercury, Total (ng/L)	-	1.3	-	Report
E. coli (#/100ml)	-	126 ^a	-	235

Notes: ^a Geometric mean-minimum of four samples in 30 days

The permit also requires monitoring for Total Kjeldahl Nitrogen, Nitrate plus Nitrite Nitrogen, Oil and Grease, total dissolved solids, priority pollutants and whole effluent toxicity, compliance with 40 CFR Part 503 when sludge is used or disposed and 40 CFR Part 403 to prevent any pass-through of pollutants or any inhibition or disruption of the permittee's facility. These limits are consistent with federal regulations and are also intended to be protective of Michigan water quality standards where they are applicable

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 Grand Traverse Band of Ottawa and Chippewa as neither has federally approved water quality standards applicable to the receiving water at the point of discharge.

ESA AND NHPA COMPLIANCE

EPA has satisfied its requirements under the Endangered Species Act and the National Historical Preservation Act. Since this is an existing facility with no new planned expansion or construction expected within the permit term, it is believed that the reissuance of the permit and the continued operation of the facility will have no effect on endangered or threatened species or their critical habitat and will have no impact to 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 Peshawbestown 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 August 17, 2018.
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 August 17, 2018.
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 later than August 17, 2018, will not be considered in the formulation of final determinations.
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-15J, 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. 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 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 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 <https://www.epa.gov/npdes-permits/peshawbestown-wastewater-treatment-plant-npdes-permit-mi-0054640-5>. All data submitted by the applicant are 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.

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