

## **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-15J  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 886-6106

**Public Notice No.: 17-07-01-A**

**Public Notice Issued On: July 24, 2017**

**Comment period ends: August 23, 2017**

**Permit No.: MI-0059650-2 (REISSUANCE)**

**Application No.: MI-0059650-2**

**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  
Reverse Osmosis Plant  
W352 Wandahsega Lane  
Harris Township, Michigan  
Hannahville Indian Reservation  
Menominee County  
Latitude: 45.00 deg. 41.00 min. 93.00 sec.  
Longitude: 87.00 deg. 41.00 min. 25.00 sec.

**Receiving Water:** Unnamed wetland which flows into Depas Creek

#### **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 facility is located within the boundaries of the Hannahville 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 Indian Country. The permit will be issued by the EPA under the authorities of the Clean Water Act.

The permittee operates a water treatment plant consisting of three identical treatment trains consisting of dual media filters followed by a 5-micron filter followed by reverse osmosis. Chlorine is added to the raw water before the dual media filter and dechlorinated prior to the 5-micron filter. Backwash water from the filters (dual media and 5 micron) is discharged by sewer to the Hannahville Indian Community Wastewater Treatment Plant for treatment. Concentrate from the three reverse osmosis units runs through a 5,000-gallon equalization tank before

discharging to accommodate sampling. Up to 100,000 gallons per day (gpd) total can be discharged to the wetland via the same outfall pipe as the Hannahville Indian Community Wastewater Treatment Plant discharge. The wetland eventually flows into Depas Creek.

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

| <b>Parameter</b>              | <b>Date</b> | <b>Monthly average</b> | <b>Weekly Average</b> | <b>Daily Maximum</b> | <b>Daily Minimum</b> |
|-------------------------------|-------------|------------------------|-----------------------|----------------------|----------------------|
| Flow                          | All year    | Report                 | Report                | ---                  | ---                  |
| Total Iron                    | All Year    | 5 mg/L                 | ---                   | 10 mg/L              | ---                  |
| Total Suspended Solids        | All Year    | 30 mg/L                | ---                   | 50 mg/L              | ---                  |
| Total Chlorides (mg/L)        | All Year    | ---                    | ---                   | Report               | ---                  |
| Total Dissolved Solids (mg/L) | All Year    | ---                    | ---                   | Report               | ---                  |
| Gross Alpha Particles (pCi/L) | All Year    | ---                    | ---                   | Report               | ---                  |
| Total Radium (pCi/L)          | All Year    | ---                    | ---                   | Report               | ---                  |
| Total Sulfate (mg/L)          | All Year-   | ---                    | ---                   | Report               | ---                  |
| Total Residual Chlorine       | All Year    | 11 ug/L                | ---                   | 19 ug/L              | ---                  |
| pH                            | All Year    | ---                    | ---                   | 9.0 S.U.             | 6.5 S.U.             |

The effluent limits in the permit were developed to ensure compliance with 40 CFR Part 131, protection of human health and EPA's water quality criteria, and protection of Michigan's water quality standards where they are applicable. Since EPA does not have applicable effluent guidelines for this type of facility, we looked at the NPDES General Permit for potable water supply wastewater discharges (MIG640000) issued by the Michigan Department of Environmental Quality as a guide in the development of the permit. The General Permit covers similar water treatment systems used by the permittee. Based on the requirements of the General Permit, the limits in the draft permit have been carried over from the previous permit as we believe they are still applicable. The permittee has been in compliance with these limits.

#### **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 believes it has satisfied its requirements under the Endangered Species Act (ESA) and the National Historical Preservation Act (NHPA). The facility was expanded during the last permit

term using some federal funds from the US Department of Agriculture. To receive federal funding, the permittee conducted an environmental assessment and had to satisfy ESA and NHPA requirements. For this permit term, the facility does not plan on any new construction and therefore we believe the reissuance of the permit and the continued operation of the facility and its 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 Acting Regional Administrator of EPA, Region 5 proposes to issue a permit for the discharge subject to certain effluent limitations and special conditions.

### **COMMENT PROCEDURES**

The determination to issue an NPDES permit is tentative. Interested persons are invited to submit written comments on the draft permit. 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 23, 2017.
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 23, 2017.
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 23, 2017, will 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-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.

### **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 "<https://www.epa.gov/npdes-permits/hannahville-indian-community-reverse-osmosis-facility-npdes-permit-mi-0059650-2>". 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).

Unless a public hearing is scheduled, the EPA will issue a final determination as to the issuance 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.