

PUBLIC NOTICE

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

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

Public Notice No.: 22-09-01-A

Public Notice Issued On: September 16, 2022

Comment period ends: October 17, 2022

Permit No.: MI-0059650-3 (REISSUANCE)

Application No.: MI-0059650-3

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
Reverse Osmosis Plant
W352 Wandahsega Lane
Harris Township, Michigan
Hannahville Indian Reservation
Menominee County
Latitude: 45° 41' 93" N
Longitude: 87° 41' 25" W

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:

Parameter	Date	Monthly average	Weekly Average	Daily Maximum	Daily Minimum
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 limits 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. EPA does not have applicable effluent guidelines for this type of facility. To ensure the permit limits comply with Michigan's water quality standards, we looked at the NPDES General Permit for potable water supply wastewater discharges (MIG640000) issued on January 22, 2020 by the Michigan Department of Environment, Great Lakes and Energy (EGLE) as a guide in the development of the permit. The general permit covers similar water treatment systems used by the permittee. A copy of the general permit and the basis for the limits within the permit can be found in the Administrative Record. 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 within the Hannahville Indian Reservation and will be unless and until the Tribe is approved for Treatment as a State (TAS) for CWA 303 and 401. EPA is in the process of certifying pursuant to Section 401. EPA believes the effluent limitations included in the draft permit meet tribal and state water quality requirements where they are applicable. The draft certification is available for review. We have discussed our reissuance of the permit with the Hannahville Indian Community and EGLE.

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 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 October 17, 2022.
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 October 17, 2022. EPA will hold a hearing if there is significant interest based on written requests. 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.
3. All comments received after October 17, 2022 will not be considered in the formulation of the final determination.
4. Due to the COVID-19 public health emergency, written comments or requests for a public hearing must be emailed to: John Colletti, U.S. Environmental Protection Agency, Region 5, Permits Branch at 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 decision, any person who filed comments on the draft permit or participated in a public hearing, if held, may petition the Environmental Appeals Board (EAB) to review any condition of the permit decision. Such a petition must include a statement of the reasons supporting review of the decision, including a demonstration that the issue(s) being raised for review were raised during the public comment period (including any public hearing). The petition should, when appropriate, show that each condition being appealed is based on a finding of fact or conclusion of law which is clearly erroneous.

AVAILABILITY OF DOCUMENTS

Due to the COVID-19 public health emergency, the application, draft permit, including proposed

effluent limitations and special conditions, Fact Sheet, and other documents contained in the administrative record may not be available for inspection at the Chicago Regional offices of the Environmental Protection Agency. Please contact John Colletti at (312) 886-6106 or by e-mail at colletti.john@epa.gov anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday if you are interested in viewing the administrative record. 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-plant-npdes-permit-mi-0059650-3>. All data submitted by the applicant is available as part of the administrative record. For more information, please contact Mr. Colletti as stated above.

Unless a public hearing is scheduled, the EPA will issue a final determination as to the reissuance 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 Mr. Colletti at the above email address. Please bring the foregoing to the attention of persons whom you know would be interested in this matter.