

STATE OF MICHIGAN



JOHN ENGLER, Governor
DEPARTMENT OF ENVIRONMENT QUALITY
"Better Service for a Better Environment"

HOLLISTER BUILDING, PO BOX 30473, LANSING MI 48909-7973

INTERNET: www.deq.state.mi.us

RUSSELL J. HARDING, Director

REPLY TO:
SURFACE WATER QUALITY DIVISION
KNAPPS CENTRE
PO BOX 30273
LANSING, MI 48909-7773

April 28, 1999

Mr. James E. Murray, Director
Wayne County Department of Environment
415 Clifford
Detroit, MI 48226

Dear Mr. Murray:

As we agreed on April 12, 1999, the U.S. Environmental Protection Agency-Region 5 (EPA), the Michigan Department of Environmental Quality (DEQ), and Wayne County's Rouge Program Office (RPO) establish the process set forth in this letter for analyzing data on the effectiveness of Rouge River combined sewer overflow (CSO) demonstration basins. This will help ensure that the proper data are considered as soon as available, that the proper people review the data, and that we maximize our opportunity to reach consensus on what constitutes "adequate treatment" for Rouge River CSOs. Some of the projects for correction of Rouge River CSO discharges are nearing the end of the "retention basin evaluation" phase, and the other facilities (except Dearborn) will become operational during 1999. Therefore, significant evaluation data were collected, and much more will be collected during the next two years.

The DEQ previously communicated plans for restoring and protecting the Rouge River in three letters (attached) as follows:

1. Letter of September 4, 1997, to you from Mr. Richard Johns, explaining the process for determining appropriate schedules to achieve the Phase II goal of protection of public health and elimination of raw sewage.
2. Letter of March 30, 1998, to Dr. Jonathan Bulkley from Mr. William McCracken, explaining the process for proceeding toward the Phase III goal of in-stream compliance with the water quality standards at times of discharge.
3. Letter of August 11, 1998, to the Rouge CSO Retention/Treatment Basin (RTB) Communities from me, providing "Criteria for Success in CSO Treatment".

The next step in carrying out these plans is the analysis of data generated during the RTB evaluation. I understand and support the desire of the Rouge Watershed Communities to proceed in a single step to construct the needed CSO treatment facilities to comply with both the Phase II and Phase III goals. Therefore, data must be evaluated both from the RTB discharges and from the receiving streams. Also, some evaluation of other pollutant sources may be needed to allow assessment of the cost-effectiveness of incorporating measures to achieve Phase III objectives during design of CSO controls.

Following the data analysis, DEQ will need to make a determination of what level of treatment is adequate to achieve the "criteria for success" from the August 11, 1998 letter (Number 3 above). The DEQ will work with the RPO and the Rouge Watershed Communities to reach consensus, if possible, in making this important determination of "adequate treatment". The process for these reviews will be carried out as follows:

A. RTB Committees-to analyze discharge data from groups of RTBs. There will be three of these committees-one for each group of RTBs as follows:

- Oakland County RTB Committee: Birmingham RTB, Acacia Park RTB, and Bloomfield Village RTB
- Detroit RTB Committee: Hubbell/Southfield RTB, Seven Mile RTB, and Puritan/Fenkell RTB
- Wayne County RTB Committee: Redford RTB, Inkster RTB, Dearborn Heights RTB, and River Rouge RTB.

The RTB Committees will review discharge data in relation to the Phase 11 criteria for success. The DEQ representative on all of the RTB Committees will be Mr. Phil Argiroff of the Southeast Michigan District Office. He will be provided the discharge data from each RTB that received the proper quality assurance/quality control (QA/QC) review, according to the uniform format previously agreed to (copies available from Mr. Ed Kluitenberg). Data which fall the QA/QC criteria will also be provided, along with relevant comments. Mr. Argiroff is responsible for dissemination of the RTB discharge data within the DEQ. Mr. Argiroff will convene a meeting to discuss a particular group of RTBs when an adequate amount of data has been received to justify meeting to discuss the analysis. Each RTS Committee will include Mr. Argiroff, an RPO representative (Ms. Carol Hufnagel), the facility operators or other representatives of each community, and representatives of the communities' design consultants. The committee members may bring others to the meetings as appropriate. When finished analyzing the discharge data on a particular RTS group, the RTB Committee will report in writing to the CSO Workgroup indicating its conclusions of whether the individual RTB is achieving the Phase 11 criteria for success.

B. Rouge Stream Data Committee-to evaluate receiving stream data for impacts from individual RTBs. This committee will analyze in-stream data in relation to the Phase III criteria for success. The Committee will consist of four persons from DEQ (Mr. Bill Creal, Mr. Mark Oemke, Mr. Phil Argiroff, and Mr. Mike Mulcrone), three persons from RPO (Ms. Carol Hufnagel, Mr. Ed Kluitenberg, and Mr. Joe Rathbun), one person from Oakland County, one person from Detroit and one person from Wayne County (Mr. Vyto Kaunelis). Mr. Creal will be provided the in-stream data relevant to these evaluations that received the proper QA/QC review, according to a uniform format to be developed by the Rouge Stream Data Committee. Data which fail the QA/QC criteria will also be provided along with relevant comments. Mr. Creal is responsible for dissemination of the in-stream data within the DEQ. Mr. Creal will convene meetings to discuss the data when adequate data have been forwarded to DEQ to justify meeting to discuss the evaluation. Committee members may bring others to the meetings as appropriate. The Committee will report in writing to the CSO Workgroup indicating its conclusions of whether the receiving water downstream from each individual RTB is achieving the Phase III criteria for success and, if not to what extent the RTB discharge is contributing to the problem. Some conclusions and recommendations may be the result of predictive modeling, considering all sources of pollutant loading. The committee may provide comments regarding the importance of pollutant sources other than CSO's, based on predictive modeling work.

Mr. James E. Murray

April 28, 1999

Page 2 of 3

- C. CSO Workgroup-to compile the information on success of the individual RTBs in meeting the Phase II and Phase III criteria for success and to propose what level of treatment should be considered adequate. Workgroup members will include five from the DEQ (Mr. Bill McCracken, Mr. Bill Creal, Mr. Phil Argiroff, Mr. Roy Schrameck, and Mr. Tom Knueve), two from RPO (Ms. Carol Hufnagel and Mr. Ed Kluitenberg), and one representative from each jurisdiction which has an RTB (Beverly Hills, Birmingham, Bloomfield Hills, Bloomfield Twp, Dearborn, Dearborn Heights, Detroit Inkster, Oakland Co, Redford Twp, River Rouge, and Wayne County). Ms. Carol Hufnagel will convene the Workgroup following receipt of reports from the RTB Committees and the Rouge Stream Data Committee, or as needed during data collection. Workgroup members may invite others to the meetings as appropriate. The Workgroup will develop recommended levels of treatment considered 'adequate' to achieve the Phase II criteria for success, and the Phase III criteria for success. The recommendations will be reported in writing to the entities represented on the CSO Workgroup, to the EPA and the Federal Court, and to other appropriate entities, such as the Rouge River Remedial Action Council and the Rouge River Steering Committee.

The deliberations under A, B, and C above will be conducted by consensus. If consensus cannot be reached, the differing viewpoints will be provided in the Committee or Workgroup report. Any differing viewpoints will be discussed at a "policy meeting," with the DEQ, EPA, and appropriate Southeast Michigan entities prior to the DEQ making a decision on "adequate treatment".

We request your assistance in providing the additional names of individuals to participate on the above communities. Thank you for your assistance in finalizing this review procedure. If unforeseen circumstances occur which indicate that a revised procedure is needed, we will meet to discuss the situation. Then, if appropriate, this procedure will be modified. We appreciate the key role Wayne County and the RPO have in the overall Rouge cleanup effort. Please contact Mr. William McCracken, Chief, Permits Section, at phone 517-335-4114 if you have questions, or you may contact me.

Sincerely,



David A. Hamilton, Chief
Surface Water Quality Division
517-335-4176

Attachments: Letter of September 4, 1997
Letter of March 30, 1998
Letter of August 11, 1998

CC/att: Dr. Jonathan Bulkey, Federal Court Monitor
Mr. Tim Henry, EPA
Mr. Phil Sanzica, Oakland County
Mr. Gary Fujita, Detroit Water and Sewage Department
Mr. Roy Schrameck, DEQ
Mr. William McCracken, DEQ