

Legislation Text

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Industrial Pretreatment Program Agreement between GLWA, City of Pontiac Wastewater Treatment Facility Drainage Board and the Clinton River Water Resource Recovery Facility Drainage Board

Agenda of: October 9, 2019

Item No.: **2019-352**

Amount: N/A

TO: The Honorable
Board of Directors
Great Lakes Water Authority

FROM: Sue F. McCormick
Chief Executive Officer
Great Lakes Water Authority

DATE: October 9, 2019

RE: Industrial Pretreatment Program Agreement between GLWA, City of Pontiac Wastewater Treatment Facility Drainage Board and the Clinton River Water Resource Recovery Facility Drainage Board

MOTION

Upon recommendation of Suzanne Coffey, Chief Planning Officer, the Board of Directors (Board) for the Great Lakes Water Authority (GLWA), **recommends the approval of the Industrial Pretreatment Program Agreement between GLWA, City of Pontiac Wastewater Treatment Facility Drainage District and the Clinton River Water Resource Recovery Facility Drainage District;** and authorizes the Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote, including the execution of the Agreement.

BACKGROUND

Pollutants in industrial wastewater may compromise treatment processes or contaminate waters of the state. To protect treatment and recovery facilities and the environment, the State of Michigan administers an Industrial Pretreatment Program (IPP) which requires industrial dischargers to use treatment techniques and management practices to reduce or eliminate the discharge of harmful pollutants to sanitary and combined sewers. The IPP is a core part of the Federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES). At the present time, the Great Lakes Water Authority ("GLWA") administers the Industrial Pretreatment Program for its entire wastewater service district also identified as the tributary area for the GLWA Water Resource Recovery Facility (WRRF).

In recent years, Oakland County has established two Drainage Districts which together receive wastewater and treat at a facility in Pontiac known as the Clinton River WRRF. The two Drainage Districts are known as the City of Pontiac Wastewater Treatment Facility Drainage District and the Clinton River Water Resource Recovery Facility Drainage District. Each Drainage District has a governing Board which conducts business on its behalf. As is the case in GLWA, the Clinton River WRRF has an NPDES permit requirement to administer IPP for its tributary area. At the present time, the Water Resource Commissioner of Oakland County administers the IPP for the entire wastewater tributary area for the City of Pontiac Water Resource Recovery Facility.

Oakland County has a wastewater interceptor system known as the Clinton-Oakland Sewage Disposal System (COSDS). This system collects wastewater from municipalities in the central and eastern portion of Oakland County and delivers it to both of the above referenced Drainage Districts and the Oakland Macomb Interceptor Drain Drainage District (OMIDDD). The OMIDDD has an agreement with GLWA for wastewater services including conveyance to and treatment at GLWA's WRRF. As is provided for in the agreement, a portion of the wastewater in the COSDS interceptor is diverted such that it is delivered to the WRRF in Pontiac and the remaining flow travels downstream to the OMIDDD to the GLWA collection system and is delivered to GLWA's WRRF. At the diversion point most of the flow is diverted to the WRRF in Pontiac. This flow diversion results in overlapping service areas and creates a geographic area that is governed by two Industrial Pretreatment Programs with differing requirements and IPP rules.

JUSTIFICATION

The GLWA, the City of Pontiac Wastewater Treatment Facility Drainage Board and the Clinton River Water Resource Recovery Facility Drainage Board (collectively the "Parties") desire to establish an understanding regarding the IPP program so as to simplify program administration for the "Diversion Area". The Diversion Area is shown on the attached Exhibit A and is labeled "Perry Street Diversion Lift Station Tributary Area". The simplification is beneficial to both the Parties and the public. The parties benefit from this cross-utility collaborative effort by reducing duplicative efforts. The public benefits administratively by having only one agency with which to work and financially because efforts that were previously duplicative will no longer be so.

The arrangement has been drafted into a tri-party agreement (attached). The Agreement's provisions are summarized below.

- (1) Specifies the Drainage Districts as having lead enforcement authority of the Parties' IPP rules in the diversion area.
- (2) Specifies the Drainage Districts as having lead responsibility for administration of the programs. The Drainage District will enforce the most stringent requirements as requested by GLWA and agree to continue to be bound by and comply with the procedures set forth in the Drainage Districts' IPP Manual of Procedures. Such responsibilities include but are not limited to
 - a. Identification of non-domestic users
 - b. Ability to deny or impose conditions on discharges that may cause NPDES permit violations
 - c. Ability to require users and premises to comply with standards
 - d. Authority to sample, inspect and/or surveil dischargers
 - e. Authority to halt or prevent harmful discharges
 - f. Ability to issue permits for dischargers
 - g. Ability to take enforcement action
 - h. Prepare annual reports for GLWA and the Michigan Department of the Environment, Great Lakes & Energy
- (3) Requires a communication channel for coordination
- (4) Provides for the collection of GLWA's IWC charges, Drainage District's IPP fees and surcharges.

It should be noted that the cross-utility collaboration provided by this Agreement is precedent setting as IPP coordination such as this has never before been undertaken by the DWSD, GLWA or member partners in our regional wastewater service area. It illustrates GLWA's and Oakland County's commitment to efficiency by developing an innovative method to streamline the IPP processes for the public benefit.

BUDGET IMPACT

This request does not impact the GLWA's budget.

COMMITTEE REVIEW

This item was presented to the Operations and Resources Committee at its meeting on October 9, 2019. The Operations and Resources Committee unanimously recommended that the GLWA Board adopt the resolution as presented.

SHARED SERVICES IMPACT

This request does not impact the Shared Services Agreement.