



Board of Directors
735 Randolph Street, Suite 1900
Detroit, Michigan 48226
(313) 224-4785

Approval of the Updated 2024 GLWA Industrial Pretreatment Program Rules

Agenda of: November 21, 2024

Item No.: **2024-396**

Amount: N/A

TO: The Honorable
Board of Directors
Great Lakes Water Authority

FROM: Suzanne R. Coffey, P.E.
Chief Executive Officer
Great Lakes Water Authority

DATE: November 13, 2024

**RE: Approval of the Industrial Pretreatment Program Rules 2024
Amendment**

MOTION

Upon recommendation of David W. Jones, General Counsel, the Board of Directors (“Board”) for the Great Lakes Water Authority (“GLWA”): **approves the Updated 2024 GLWA Industrial Pretreatment Program Rules, as amended**; and authorizes the Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote.

JUSTIFICATION

The Industrial Pretreatment Program (“IPP”) is administered for the enforcement of local pollution controls following the objectives of the National Pollutant Discharge Elimination System (NPDES) permit and the Clean Water Act (“CWA”). The Michigan Department of Environment, Great Lakes and Energy (“EGLE”) is currently negotiating GLWA/Detroit Water and Sewerage Department’s (“DWSD”) NPDES permit, and the IPP Rules have been updated to incorporate relevant changes.

On July 1, 2019, EGLE issued GLWA/DWSD's current NPDES Permit, which required GLWA to (i) develop GLWA IPP Rules, (ii) develop and obtain approval from EGLE for a revised IPP based upon the aforementioned GLWA Rules, and (iii) amend the GLWA Rules to incorporate the Local Limits Evaluation report of June 1, 2021, as revised. The Updated 2024 IPP Rules address these requirements.

The current Industrial Waste Control regulatory programs include: (1) the IPP, (2) the Surcharge Program, (3) the Hauled-in-Waste Program, and (4) the Special Waste Discharge Program.

Industrial Pretreatment Program: The IPP is a local regulatory program that controls toxic pollutant discharges to the Collection System. Through a command/control center, the IPP regulates the indirect discharge of wastewater by non-domestic, commercial, and industrial users.

Surcharge Program: The Surcharge Program complies with Michigan and Federal regulations that require all users of public sewerage system facilities to contribute towards treatment costs for pollutants pertaining to facilities and their operation.

Hauled-in-Waste Program: This program regulates and controls the discharge and release of septic wastes in the wastewater system. Discharges are permitted at specific dump sites.

Special Waste Discharge Program: This program regulates and controls the discharge and release of treated groundwater from underground storage tank sites, construction and pond water, wastewater associated with the development or cleanup of buildings or properties, and other uncategorized wastewater. The program also maintains a general permit program for gas, steam, and electrical utilities.

The Board approved the current GLWA IPP Rules on November 19, 2019. EGLE subsequently updated and approved the Local Pollutant Discharge Limits Evaluation and the Updated 2024 IPP Rules includes these limits. The GLWA IPP Rule Updates were presented to the Wastewater Analytical Task Force (WATF) on April 12, 2024.

A summary of the proposed 2024 Updates to the IPP Rules is as follows:

1. The term "Non-residential water meter" is now defined to clarify its use in applying the IWC Meter Charge.
2. The definition for "PFAS Compounds" is modified to include eleven (11) additional compounds identified by Michigan EGLE.

3. The definition of “Total Phenolics Compounds” is revised to clarify its meaning.
4. Revised and/or new local pollutant discharge limitations are proposed based on the approved June 2021 study as follows:
 - a. The Daily Maximum Limit for Total Phosphorus is reduced from 150 mg/l to 125 mg/l.
 - b. The Daily Maximum Limit for Available Cyanide is added for 1.5 mg/l.
 - c. The Daily Maximum Limit for Copper is reduced from 3 mg/l to 0.72 mg/l.
 - d. The Daily Maximum Limit for Mercury replaces the “Non-detect limit with a numerical value of 0.002 mg/l.
 - e. The Daily Maximum Limit for Perfluorooctane Sulfonic Acid (PFOS) is added for 65 ng/l (nanograms per liter).
 - f. The Daily Maximum Limit for “Total Phenolic Compounds” is revised from 1 mg/l to 5 mg/l.
5. A typographical correction is made to identify “seven (7)” phenolic compounds instead of eight (8).

The Board received and filed the Updated 2024 GLWA on September 25, 2024; and held a public comment period until November 11, 2024. Four comments were received and were addressed. A Summary of the Public Comments and GLWA Responses is attached along with a Redline Copy and Proposed 2024 IPP Rules for Approval.

GLWA is required by state and federal law to adopt binding rules and regulations to comply with all applicable state and federal laws, including, without limitation, the requirements of the Federal Water Pollution Control Act, 33 USC Section 1251, et seq., the General Pretreatment Regulations for Existing and New Sources of Pollution, 40 CFR 403, and the National Categorical Pretreatment Standards contained in 40CFR Sections 405-471.

BUDGET IMPACT

The proposed action does not impact the budget.

COMMITTEE REVIEW

This matter is being presented to the Legal Committee at its meeting on November 21, 2024. A Public Hearing regarding the Updated 2024 GLWA Industrial Pretreatment Program Rules is scheduled for November 21, 2024.

SHARED SERVICES IMPACT

This item does not impact the Shared Services Agreement between GLWA and DWSD.



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General Certification

The undersigned hereby certifies that (i) the Resolution **2024-396** regarding “**Approval of the Updated 2024 GLWA Industrial Pretreatment Program Rules**” attached hereto is a true and complete copy of the Resolution duly passed by the Great Lakes Water Authority Board of Directors at a meeting held on November 21, 2024 at which meeting a quorum was present and remained throughout, (ii) the original thereof is on file in the records of the Great Lakes Water Authority Board of Directors, (iii) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (iv) Minutes of such meeting were kept and will be or have been made available as required thereby.

YES: Brian Baker, Mark Miller, John J. Zech, Gary Brown, and Freman Hendrix

NO: None

ABSTAIN: None

EXCUSED: Jaye Quadrozzi

Dated: November 21, 2024

By: Rechanda L. Willis
Title: Executive Board Assistant