

## **Appendix E**

# **Illicit Discharge Elimination Plan**

## **Meridian Charter Township**



# ILLICIT DISCHARGE ELIMINATION PLAN

Meridian Charter Township

March 7, 2025

## ***A. Introduction***

The National Pollutant Discharge Elimination System Permit (NPDES) for Discharge of Stormwater to Surface Waters from a Municipal Separate Storm Sewer System (MS4) requires that all MS4s develop an Illicit Discharge Elimination Plan (IDEP). The major components of the IDEP plan are highlighted below. These components include eliminating illicit discharges, reviewing the legal authority, minimizing seepage from septic systems and sanitary sewers, and the coordination of activities. To satisfy these various components, Meridian Charter Township will respond in a manner consistent with the scope of its current legal authority and is not assuming any authority or responsibility currently vested in another municipal authority or department. If the legal authority or responsibility necessary to satisfy one of the components is vested in whole or in part in another municipal authority (city, county and community organizations) or municipal department, Meridian Charter Township will coordinate with that municipal authority or department in an effort to satisfy the component. Municipal authorities include but are not limited to, the Drain Commissioner, County Road Department, and County Board of Commissioners. Municipal departments include, but are not limited to Public Service, Engineering, Parks and Recreation and Community Development.

The Township will conduct IDEP work (dry-weather screening) on the Township's outfall and points of discharge locations once per permit cycle.

## ***B. Eliminating Illicit Discharges and Connections***

One of the primary actions under the IDEP is to identify and remove all illicit discharges and connections from the municipal storm sewer system. Outfall maps identifying the outfalls, currently known, within the municipal limits have been prepared (Attachment D).

The initial focus of this program was to inventory and screen each of the outfalls during dry weather. This process is illustrated in Attachment A, Work Plan Flow Chart. An outfall inventory (Table 1 attachment of the MS4 permit application) provides the identification number and the physical location of each outfall (conducted using Attachment B). The data has been recorded on a drainage system inventory sheet (see Attachment B). Each outfall will also be screened, which will document general information, flow measurements, visual and odor observations, and data from chemical and biological water analysis. This data will be recorded on a drainage system screening form (see Attachment C). Water quality samples will be taken from the outfall if dry weather flow is observed, and no obvious source of the flow can be determined at time

of observation. The samples will be taken within 1-2 business days after initial observation of dry weather flow. The basic analytical tests performed will include surfactants, ammonia, fluoride, hardness, total organic carbon (TOC), and *E. coli*. Additional analytical tests may be added if specific sources need to be targeted. Collected data will be entered into a database for future tracking of potential sources.

The results of the water quality tests and observations noted on the drainage system screening form will be used to determine if potential problems exist at each outfall. If field screening failed to identify the source of the illicit discharge, then source investigation will continue with the goal of completing the investigation within two weeks of identifying the illicit discharge.

Once the source is identified, Meridian Charter Township will work to mitigate the illicit discharge as follows: Follow the procedures as set forth in Township's regulatory mechanisms. The following procedure will also be followed in case regulatory mechanisms were not clear or specific to the pollutant causing the illicit discharge:

- Contact the responsible party by both verbal and written notifications to cease and desist illicit discharge immediately whether the party is Township affiliated or not.
- If the source could not be eliminated immediately, the Township will require immediate containment of the illicit discharge, or temporary plan to divert the discharge to an acceptable location away from the outfall. This action will be required to be in place within 24 hours of the source identification, and will only be allowed to last no more than 72 hours. During the 72 hours, the responsible party will be required to provide a plan to implement a permanent corrective action to be completed within 30 days.

Follow up investigation will involve additional screening and sampling of the outfall. In addition, strategic manholes within the system connected to that outfall will be inventoried, screened, and sampled using the same procedures. This process will allow the pollutant stream to be traced throughout the system until the source is isolated within a relatively short reach of the sewer.

Televising the sewer may be used to further isolate the pollutant source. Dye testing of building fixtures will be used to positively identify illicit connections. Once the connection is confirmed, Meridian Charter Township will work with the owner to remove the connection.

### ***C. Reviewing the Legal Authority***

Existing legal authority and enforcement procedures will be reviewed to assure that all requirements of the General Permit are fulfilled. If the local ordinances do not adequately prohibit illicit connections and discharges an action plan will be developed and ordinance changes adopted, if necessary, to prohibit and remove illicit connections.

Additionally, the Michigan Drain Code, Section 280.423 prohibits sanitary connection to county drains and gives the Drain Commissioner authority to remove illegal connections. An excerpt of the relevant pages from the Michigan Drain Code is provided below. In addition, Township ordinances related to illicit connections are provided in Appendix F of the Stormwater Management Program.

***D. Minimizing Seepage from Septic Systems and Sanitary Sewers***

The Ingham county health department manages the on-site sewerage disposal systems (OSSDS) within the Township. A cooperative review of the OSSDS program and the status of identifying failing systems will be conducted with the Ingham County Health Department. If a process for identifying failing septic systems is not currently in place the municipality will develop a map of failing OSSDS and correction program.

Leaky sewer systems should not be a problem, since the municipality follows design standards outlined in the document *"Recommended Standards for Waste Water Facilities."* If significant leaks from sanitary sewer lines exist, they will be picked up during the outfall screening process. As the contamination is followed upstream, potential sources will be identified. These sources will then be tested for connectivity using dye. If all potential sources prove to be negative then the line will be televised to identify the condition of the sewer and the potential for seepage of sewage from sanitary lines. If necessary, pressure tests will be conducted on sanitary lines to confirm the loss of sanitary wastewater from that system. Corrections will be made based on the findings and the Township will continue to monitor & maintain the sanitary sewer system.

***E. Program Schedule, Staff Training and Evaluation***

Meridian Township will conduct dry-weather screening of the Township outfalls during parking lots sweeping and catch basin screening in 2014. Township staff will be trained once per permit cycle and new hires within the first year of employment. The Excal video: *Illicit Discharge Detection and Elimination a grate concern.*

When field screening is conducted the Township will review the process field staff to ensure the protocol would be followed as intended. If an illicit discharge was identified, the discussed protocols will be followed and then reviewed to determine overall effectiveness and identify room for improvement.

***F. Excerpt from 1956 Michigan Drain Code- Section 280.423***

Discharge of certain sewage or waste matter into drains prohibited; construction to purify flow; petitions; order of determination; findings; construction of drain; plans and specifications; contracts; costs; review; acquisition of land; application and fee for sewer connections; powers of drain commissioner or drainage board; failure to comply with section; violation as misdemeanor; fine; "person" defined.

Sec. 423. (1) A person shall not continue to discharge or permit to be discharged into any county drain or intercounty drain of the state any sewage or waste matter capable

of producing in the drain detrimental deposits, objectionable odor nuisance, injury to drainage conduits or structures, or capable of producing such pollution of the waters of the state receiving the flow from the drains as to injure livestock, destroy fish life, or be injurious to public health. This section does not prohibit the conveyance of sewage or other waste through drains or sewers that will not produce these injuries and that comply with section 3112 of part 31 (water resources protection) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.3112 of the Michigan Compiled Laws.

(2) Disposal plants, filtration beds, and other mechanical devices to properly purify the flow of any drain may be constructed as a part of any established drain, and the cost of construction shall be paid for in the same manner as provided for in this act for other drainage costs. Plants, beds, or devices may be described in the petition for the location, establishment and construction of drains or in the petition for the cleaning, widening, deepening, straightening, or extending of drains, or in the application for the laying out of a drainage district. Petitions for the construction of plants, beds, and devices for use on any established drain may be filed by the same persons and shall be received and all proceedings on the petitions in the same manner as other petitions for any drainage construction under this act.

(3) If the department of Environment, Great Lake, and Energy (EGLE) determines that sewage or wastes carried by any county or intercounty drain constitutes unlawful discharge as prescribed by section 3109 or 3112 of part 31 of Act No. 451 of the Public Acts of 1994, being sections 324.3109 and 324.3112 of the Michigan Compiled Laws, that 1 or more users of the drain are responsible for the discharge of sewage or other wastes into the drain, and that the cleaning out of the drain or the construction of disposal plants, filtration beds, or other mechanical devices to purify the flow of the drain is necessary, the department of environmental quality may issue to the drain commissioner an order of determination identifying such users and pollutants, under section 3112 of Act No. 451 of the Public Acts of 1994, being section 324.3112 of the Michigan Compiled Laws. The order of determination constitutes a petition calling for the construction of disposal facilities or other appropriate measures by which the unlawful discharge may be abated or purified. The order of determination serving as a petition is in lieu of the determination of necessity by a drainage board pursuant to chapter 20 or 21 or section 122 or 192 or a determination of necessity by a board of determination pursuant to section 72 or 191, whichever is applicable. A copy of the findings of the department shall be attached to the order of determination which shall require no other signature than that of the director of the department of environmental quality. Upon receipt of the order of determination, the drain commissioner or the drainage board shall proceed as provided in this act to locate, establish, and construct a drain. If the responsible users of the drain are determined to be public corporations in the drainage district, the drain commissioner or the drainage board shall proceed as provided in chapters 20 and 21, as may be appropriate, using the order of determination as the final order of determination of the drainage board. If the

responsible users are determined to be private persons, the drain commissioner shall proceed as provided in chapters 8 and 9, using the order of determination as the first order of determination.

(4) Plans and specifications for the construction as part of a drain of any disposal plant, filtration bed, or other mechanical device to properly purify the flow of the drain shall be prepared by the drain commissioner or the drainage board. Contracts for construction shall be let in the manner provided in this act. To meet the cost of any preliminary engineering studies for the construction of abatement or purification facilities, the drain commissioner or the drainage board shall apportion the cost among the several parcels of land, highways, and municipalities benefited thereby in the same manner as provided in chapter 7 or against the public corporations affected by the order of determination in the same manner as provided in chapters 20 and 21. The costs and charges for maintenance shall be apportioned and assessed each year. If the apportionment is the same as the last recorded apportionment, a day of review or a hearing on apportionments is not necessary, but if the apportionment is changed, notice of a day of review or a hearing on apportionments shall be given to each person whose percentage is raised.

(5) Land may be acquired as a site for the construction of such plants, beds, and devices, and releases of land may be obtained in the same manner as provided in this act for other lands acquired for right of way.

(6) A person shall not connect sewage or other waste to a county or intercounty drain except with the written approval of the appropriate commissioner or the drainage board indorsed upon a written application for such service and the payment of a service fee of not to exceed \$50.00 for each connection to a covered drain. The application shall include information showing that all other local, state, and federal approvals related to the sewage or waste has been obtained.

(7) The fee provided for in subsection (6) shall be set and collected by the drain commissioner, as approved by the county board of commissioners or the drainage board, and deposited with the county treasurer, to be credited to the drain fund set up for the maintenance or construction of the drain. The commissioner or the drainage board shall keep a record of applications made and the action on the applications. The commissioner or the drainage board may reject applications for or require such modification in requested applications for sewer connections to county drains as necessary to attain the objectives set forth in this section.

(8) Subject to the review and approval of the department of environmental quality, the drain commissioner or drainage board may study the requirements of persons for flood control or drainage projects including sewage disposal systems, storm sewers, sanitary sewers, combined sanitary and storm sewers, sewage treatment plants, and all other plants, works, instrumentalities, and properties useful in connection with the collection,

treatment, and disposal of sewage and industrial wastes or agricultural wastes or runoff, to abate pollution or decrease the danger of flooding. The objective of such studies shall be that sewers, drains, and sewage disposal facilities are made available to persons situated within the territorial limits of any drainage district or proposed drainage district as necessary for the protection of public health and the promotion of the general welfare.

(9) The drainage board or drain commissioner may cooperate, negotiate, and enter into contracts with other governmental units and agencies or with any public or private corporation including the United States of America, and to take such steps and perform such acts and execute such documents as may be necessary to take advantage of any act of the congress of the United States which may make available funds for any of the purposes described in this section.

(10) Failure to comply with any of the provisions of this section subjects the offender to the penalties described in section 602. However, for each offense, a person who violates subsection (6) is guilty of a misdemeanor punishable by a fine of not more than \$25,000.00 or imprisonment for not more than 90 days, or both. In addition, the person may be required to pay the costs of prosecution and the costs of any emergency abatement measures taken to protect public health or the environment. Payment of a fine or costs under this subsection does not relieve a person of liability for damage to natural resources or for response activity costs under the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.101 to 324.90106 of the Michigan Compiled Laws.

(11) As used in this section, "person" means an individual, partnership, public or private corporation, association, governmental entity, or other legal entity.

**History:** 1956, Act 40, Imd. Eff. Mar. 28, 1956 ;--Am. 1972, Act 298, Imd. Eff. Dec. 14, 1972 ;-

Am. 1996, Act 60, Imd. Eff. Feb. 26,1996 ;--Am. 1996, Act 552, Eff. Mar. 31,1997.

**Popular Name:** Act 40