



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## OVERSIGHT OF SEWAGE DISCHARGE INTO THE GREAT LAKES

House Bill 5696  
Sponsor: Rep. Michael Switalski  
Committee: Conservation and Outdoor  
Recreation

Complete to 10-26-00

### A SUMMARY OF HOUSE BILL 5696 AS INTRODUCED 4-27-00

Part 31 of the Natural Resources and Environmental Protection Act (NREPA), which governs water resources protection, specifies that if sewage that hasn't received all the treatment that is available and utilized under ordinary dry weather conditions is discharged from a combined sewer system (CSS) into state waters, then the responsible municipality must notify the Department of Environmental Quality (DEQ) and other entities whose waters may be affected by the discharge. House Bill 5696 would amend the act to delete references to combined sewer systems. The bill would refer, instead, to "sewage systems." The bill would also refer to "untreated or partially treated sewage" rather than sewage that "hasn't received all available treatment."

Definitions. Under the bill, "partially treated sewage" would be defined to mean any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that wasn't treated to national secondary treatment standards for wastewater, or that was treated to a level less than that required by the municipality's National Pollutant Discharge Elimination System permit.

"Sewer system" would be defined to mean a sewer system designed and used to convey sanitary sewage or storm water, or both.

Notification and Testing of Discharge. Currently, the act specifies that the municipality responsible for a discharge must notify certain entities promptly after the discharge. In addition it must notify them at the conclusion of the discharge of the amount of the discharge. The bill would specify that the notification would have to include the volume and quality, rather than the amount, of the discharge, as measured according to procedures and analytical methods approved by the department; and also include which waters or land area, or both, would receive the discharge. Also, in addition to verifying that the responsible municipality was in full compliance with the requirements of its national pollutant discharge elimination system permit, the bill would specify that it would have to be in compliance with applicable state and federal statutes, rules, and orders. Further, when a discharge was tested for *E. coli*, the DEQ would have to be notified, as well as affected local health departments.

Annual Report. Currently, under the act, a municipality that operates a sewer system that might discharge sewage into the waters of the state must annually contact other municipalities whose waters might be affected. The bill would require that, in addition, an annual report summarizing the information reported during the previous calendar year on discharges would have to be provided by February 1 to each municipality that is required to be notified when a discharge does occur, and to other municipalities that wish to be notified.

In addition to complying with the requirements of its national pollutant discharge elimination system permit, under the bill, a municipality that was responsible for a discharge would have to comply with applicable state and federal statutes, rules, and orders.

MCL 324.3112a

Analyst: R. Young

---

#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.