

DISCHARGE OF SEWAGE ALERT SYSTEM

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House Bill 4806 as introduced
Sponsor: Rep. Peter J. Lucido
Committee: Natural Resources
Complete to 9-19-17

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House bill 4806 would amend the Natural Resources and Environmental Protection Act (NREPA) by adding an additional requirement to the permitting process for a discharge from a combined sewer system.

Article II (Pollution Control), Chapter 1 (Point Source Pollution Control), Part 31 (Water Resources Protection) sets forth requirements to obtain a permit for a discharge from a combined sewer system. As defined in the Act, a combined sewer system is "a sewer designed and used to convey both stormwater runoff and sanitary sewage, which contains lawfully installed regulators and control devices that allow for delivery of sanitary flow to treatment during dry weather periods and divert stormwater and sanitary sewage to surface waters during storm flow periods."

In addition to the existing requirement, the bill would add a second requirement to the permitting process, which would require a permittee to implement a notification system, approved by the Department of Environmental Quality, for all users of the combined system. The notification system would alert users that atmospheric conditions pose a threat of sewage discharge and that a reduction in water usage could prevent or minimize the threat. The notification system may provide for different alerts based upon the magnitude of the threat.

MCL 324.3112b

FISCAL IMPACT:

House Bill 4806 would create increased costs, of an indeterminate magnitude, for both the state and some local units of government.

The bill would have an indeterminate fiscal impact on the Department of Environmental Quality (DEQ). The DEQ may realize increased costs by virtue of the bill's provision that requires departmental approval for notification systems implemented by combined sewer system permittees. However, the number of permittees affected by this requirement is unclear, as are the departmental resources necessary to review these notification systems. It is also unclear whether this additional requirement would affect permit revenue by reducing the number of permit applications. The National Pollutant Discharge Elimination System (NPDES) permit fee generated \$3.1 million in revenue for the DEQ in FY 2015-16; there are currently about 30 active NPDES permits in Michigan.

The bill would increase costs for the local governments that operate combined sewer systems seeking NPDES permits by creating the additional notification system requirement. The magnitude of this cost increase is difficult to determine since various local governments have differing resources available to dedicate to the implementation of a notification system. It is unlikely that the bill would affect local government revenues.

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