

TO: MARY DEANAR



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT
LANSING



REBECCA A. HUMPHRIES
DIRECTOR

September 2, 2010

Supervisor's Office

CERTIFIED MAIL 7007 1490 0003 9691 5979

SEP 08 2010

Mr. Robert Cannon, Township Supervisor
Charter Township of Clinton
40700 Romeo Plank Road
Clinton Township, Michigan 48038-2900

Disposition

Dear Mr. Cannon:

**SUBJECT: Fourth Amended Administrative Consent Order (Consent Order)
AFO-SW10-007 for the Charter Township of Clinton (Township)**

Please find enclosed the executed copy of the Fourth Amended Consent Order AFO-SW10-007 entered between the Township and the Department of Natural Resources and Environment (DNRE), Water Resources Division (WRD). The Consent Order took effect on August 31, 2010. Thank you for your cooperation on this matter.

If you have any questions, please contact me at 517-241-7832;
WuycheckR@michigan.gov; or DNRE-WRD, P.O. Box 30458, Lansing MI 48909.

Sincerely,

Ronda Wuycheck, Enforcement Specialist
Enforcement Unit
Field Operations Section
Water Resources Division

RECEIVED
SEP 09 2010
ENGINEERING DEPT.

Enclosure

cc: Mr. Philip Argiroff, DNRE
Mr. Barry H. Selden, DNRE
Mr. Douglas Early, DNRE
Mr. Thomas Knueve, DNRE

[Faint, illegible handwritten notes or stamps]

**STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT
WATER RESOURCES DIVISION**

In the matter of:

AFO-SW10-007 8-31-2010
Date Entered: 8-31-2010

Charter Township of Clinton
40700 Romeo Plank Road
Clinton Township, Michigan 48038-2900

ACO-SW00-002
AFO-SW02-001
AFO-SW07-006
AFO-SW08-002

FOURTH AMENDED ADMINISTRATIVE CONSENT ORDER

Administrative Consent Order (Consent Order) ACO-SW00-002 entered on March 3, 2000, First Amended Consent Order AFO-SW02-001 entered on January 7, 2002, Second Amended Consent Order AFO-SW07-006 entered on November 21, 2007, Third Amended Consent Order AFO-SW08-002 entered on August 7, 2008 between the Department of Natural Resources and Environment (DNRE), Water Resources Division (WRD), and the Charter Township of Clinton is hereby amended as follows. Upon the consent of the parties and by the authority granted to the DNRE by the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, it is hereby AGREED AND ORDERED:

COMPLIANCE PROGRAM

The dates contained in paragraphs 22 through 27 of AFO-SW08-002 shall be amended as specified below:

22. The Township continues to rehabilitate and maintain its sanitary sewer system and shall use its best efforts to complete negotiations with the Detroit Water and Sewerage Department (DWSD) and Macomb County to obtain additional treatment capacity from DWSD and/or arrange for an exchange in volume utilizing the Mt. Clemens Wastewater Treatment Plant (WWTP). If these negotiations are successful, the Township shall **on or before December 31, 2012**, have completed construction of any necessary sewer connections and/or implemented any other

necessary measures to secure and begin using such additional treatment capacity for the DWSD or the Mt. Clemens WWTP.

- 23a. **On or before December 1, 2010**, the Township shall submit to the Department for approval, the hydraulic model, which includes collecting flow meter and rain gauge data from April 1, 2010 through October 31, 2010.
- 23b. **On or before February 1, 2011**, the Township shall submit to the Department for approval, a report with the selected alternative that will complete the appropriate engineering and structural improvements to its sanitary sewerage system (Part 41 permits shall be obtained as appropriate), to meet all applicable state and federal laws pertaining to SSOs.
- 23c. **On or before December 31, 2012**, the Township shall complete construction of the approved alternative submitted under 23b.
24. **On or before July 1, 2012**, the Township shall submit to the Department for approval, a work plan for conducting a Sanitary Sewer System Project Performance Certification (PPC) program to certify that the engineering and structural improvements the Township has implemented meet all applicable state and federal laws pertaining to SSOs.
25. **On or before January 1, 2013**, the Township shall have initiated the Sanitary Sewer PPC program in accordance with the approved work plan. The Township shall notify the Department, in writing, of compliance with this requirement by **January 15, 2013**. The PPC program shall be conducted for no less than one year.
26. **On or before February 1, 2014**, the Township shall submit to the Department for approval, the Sanitary Sewer System PPC program report.
27. If the Township does not certify that the engineering and structural improvements the Township has implemented meet all applicable state and federal laws

pertaining to SSOs, or if a positive certification is not approved by the Department, then the Township shall submit an approvable Corrective Action Program work plan to the Department **on or before July 31, 2014.**

GENERAL PROVISIONS

All other terms and conditions of ACO-SW00-002 shall remain in full force and effect and are not altered by this Amended Administrative Consent Order, except as specifically prescribed in this document. The effective date of this Fourth Amended Administrative Consent Order shall be the date upon which the chief of the DNRE, WRD signs this document.

Signatories

The undersigned CERTIFY they are fully authorized by the party they represent to enter into this Amended Consent Order to comply by consent and to EXECUTE and LEGALLY BIND that party to it.

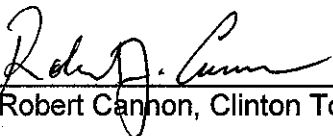
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT



William Creal, Chief
Water Resources Division

8/31/10
Date


CHARTER TOWNSHIP OF CLINTON



By: Robert Cannon, Clinton Township Supervisor

7-27-10
Date

APPROVED AS TO FORM:



By: Neil D. Gordon, Assistant Attorney General
For: S. Peter Manning, Chief
Environment, Natural Resources, and Agriculture Division
Michigan Department of Attorney General

8-27-10
Date