

July 18, 2012

Mr. Rick Rusz, Chief of Groundwater Permits
Michigan Department of Environmental Quality
Constitution Hall, Permits Section, Water Bureau
525 West Allegan Street
P.O. Box 30473
Lansing, Michigan 48909-7973

Dear Mr. Rusz,

Thank you for your response to Sleeping Bear Dunes Superintendent Dusty Shultz's letter regarding The Homestead Resort sewage system. As a representative of the "Drifters United" group and other concerned citizens, I have some questions relating to your letter and this issue. I'll post this on the HomesteadSewage.org website, and welcome you to respond with any answers, additional information, or any other material you might like to provide. I will post anything you provide.

In addition to addressing the questions below, I ask that you please advise us of any perceived errors that you find in the accompanying text. If there are any misunderstandings on our part, we certainly want to be made aware of them. On the other hand, if you believe us to be in error on some point, and it turns out that perhaps you were not aware of all the pertinent facts, surely you'll agree that it will be good to get those facts correctly understood by all. Similarly, if you identified any suspected mistakes on the HomesteadSewage.org website that I asked you to review prior to issuing your response to the NPS request, please advise us.

- 1) In the second paragraph of your letter, you state that neither DEQ investigations nor NPS inspections documented any instances of spray drift last year, and do not warrant any changes. Please correct me if I'm wrong, but my understanding is that there were not any DEQ inspections of the system conducted while it was running last year; and unfortunately, the NPS inspections were not very effective—mostly occurring when the wind was less 5 mph and/or when it had been raining (so the system could not be run), etc..

However, I did personally document an instance of clear, significant blowing of drift well into the public Park area on September 7, and provided this information to DEQ and NPS (Please see <http://homesteadsewage.org/spray-drift-incident-september-2011/>). As Superintendent Shultz acknowledged (in a letter copied to the DEQ), "video clearly shows an overspray incident took place on that day [September 7, 2011] on the resort's wastewater disposal easement Parcel B." This occurred on the first and only time that I observed the system running last year. I then requested to be informed if any changes were made in the system. Because none were made, I did not make further observations. (Because it was clear that drift was occurring with the existing system, further checks were unneeded.)

Question: Do you disbelieve my report, or believe that my video was somehow

falsified? If not, shouldn't it be considered when assessing the safety of the system?

- 2) Essentially the same thing also happened the previous year: I documented overspray during my only observation of the system, and provided video to DEQ and NPS (<http://www.youtube.com/watch?v=BUTjzpAA4uw>). Further, NPS inspections during 2010 and previous years have documented drift many times.

Question: In view of the fact that drift has been detected numerous times despite very limited numbers of inspections, do you believe that spray drift is rarely occurring; that we just coincidentally happened to be there during unique or rare events? (And are you willing to bet the health of the public on this)? Please explain your thinking on this.

- 3) Your engineer Janice Heuer has written (in a letter to Superintendent Shultz), "Sewage spray poses a hazard that justifies restricted access." NPS guidelines call for respirators, etc., to be worn by employees whenever exposure is possible. Available scientific literature contains many statements such as the following: ". . . It has now become well known that enteroviruses and Cryptosporidium are commonly present in water treated to meet the fecal coliform standard. Therefore, those who have contact with such water are exposed to part of the endemic pathogen problem that causes large numbers of people to become ill . . ." (<http://www.wwdmag.com/wastewater/monitoring-reclaimed-wastewater-usage-public-parkland-vegetation-reduce-risks>)

Question: Do you believe that the parklands surrounding the spray fields can be opened to public use and the warning signs moved back to the easement perimeter, so the public can fully utilize all National Lakeshore lands?

- 4) Your agency's Compliance Summary quotes Superintendent Shultz as saying (in another context) that "NPS does not feel the spray fields are a major safety concern for hunters and other visitors. The area is lightly used . . ." It is true that the area is lightly used. As a retired Park Ranger who covered that area and surroundings for 21 years, I can tell you why it is lightly used. There are, by necessity, red-lettered signs warning of the "Sewage Spray Area" in the park areas surrounding the fields. Nobody chooses to recreate anywhere near something like that. Prior to establishment of the sewage spray system, however, the area was quite heavily used.

That is the reason why the fields are "not a major safety concern"—because the owners of the property, the public, have given up all use of the area. (Actually, spray has been repeatedly documented blowing well-beyond the signs, and into areas where visitors might be, unaware of the situation. However, disregarding that for the moment--) Shouldn't DEQ policies and practices protect the right of adjacent property owners to use their property—as well as address safety concerns that remain after such use has been given up?

Question: If a similar facility were producing periodic drift across someone's backyard, requiring them to abandon all use of it; and they had requested the DEQ to require some changes to address the situation so they could regain use of their

yard--would the DEQ simply point out that there was no safety hazard (because the owners had given up all use of their yard), and thus no need to seriously address the situation? Is there some significant difference here?

- 5) In the third paragraph you express concern that “a reduction in the wetted area May result in other problems.” Please note that other alternatives are available for preventing such problems—Use of subsurface or drip irrigation (Please see http://www.geoflow.com/d_brochure.pdf); further pre-treatment of the effluent, etc..

Question: Do DEQ regulations or policies allow for trespass of adjacent properties if there are difficulties with a spray system? Or is the owner of such a system expected to find some solution to the situation?

Thank you for your time and attention to this letter and these concerns. We look forward to your response.

Sincerely,

Tom Van Zoeren