



## *CWA Working to Make Polluters Pay for Water Pollution Permits in Michigan*

Clean Water Action's (CWA) Michigan members are reacting in disbelief as the group's field and phone staff inform them that discharging contaminants into the state's waterways is legal. To make matters worse, residents are learning from our staff that these permits are *free*.

As first reported in a CWA and Clean Water Action report in 1995 (*"Pulling the Plug on Clean Water in Michigan"*), Michigan is one of only two Great Lakes states that do not charge permit holders a fee. Instead, millions in taxpayer dollars are funding the state's water pollution permit program and, therefore, taxpayers are subsidizing those who are legally polluting the state's waterways.

CWA is a strong advocate for dramatic reductions in the amount of contaminants entering the state's waterways. However, to the extent that polluters are legally dumping into our waters, the state should charge fees. CWA is promoting an approach that bases the fee on the **volume** and **toxicity** of a facility's discharge, which should cover the cost of administering, monitoring, and enforcing the program. Taxpayers should not be subsidizing these costs.

*"... Michigan is one of only two Great Lakes states that do not charge permit holders a fee. Instead, millions in taxpayer dollars are funding the state's water pollution permit program, and taxpayers are subsidizing those who are legally polluting the state's waterways..."*

When Congress enacted the federal Clean Water Act in 1972, the goal was to eliminate the discharge of pollutants into the nation's waterways thereby restoring them to "fishable and swimmable." Under the Clean Water Act, water pollution permits, which are officially known as "National Pollutant Discharge Elimination System (NPDES) permits," are issued to entities releasing pollution directly into the nation's waterways. Because Congress granted the authority to issue and enforce permits to the states, the Department of Environmental Quality (DEQ) is in charge of issuing and enforcing water pollution (NPDES) permits in Michigan.

According to the DEQ, there are currently 4,874 permits to discharge into Michigan's waters. Permit holders range from wastewater treatment plants to industrial facilities to laundromats discharging anything from sewage to toxic chemicals to hot water.

Since early February, CWA staff have collected more than 6,000 letters to Michigan Representatives and Senators in support of its "volume and toxicity" proposal. We are now meeting with lawmakers to begin drafting legislation and will work to push this forward in the months ahead. To learn more about how you can help, see the "Action Alert" on page 2.

# ***ACTION ALERT***



## **Making Polluters Pay for Water Pollution Permits in Michigan**

Please write both your State Representative and State Senator and encourage them to:

- !** Support legislation to require a fee for all water pollution permits so polluters will finally have to pay for the privilege of discharging into Michigan's waterways.
  
- !** Ensure the fee covers the cost of issuing and monitoring the permit and is based on the volume of waste being dumped and on the amount of toxic contamination contained in the discharge (e.g., the more you dump, the more you pay; and the more dangerous the discharge, the more you pay).

Address your letters to:

State Senator\* \_\_\_\_\_  
State Capitol  
P.O. Box 30036  
Lansing, MI 48909

*and*

State Representative\* \_\_\_\_\_  
State Capitol  
P.O. Box 30014  
Lansing, MI 48909

*\*If you do not know your State Senator or State Representative, please contact our East Lansing office at 517.203.0754 and our staff will assist you.*

Clean Water Action is a national citizens' organization working for clean, safe and affordable water, prevention of health-threatening pollution, creation of environmentally-safe jobs and businesses, and empowerment of people to make democracy work. Clean Water Action organizes strong grassroots groups, coalitions and campaigns to protect our environment, health, economic well-being and community quality of life. This update was prepared for our Michigan members and Clean Water Fund supporters who contribute at the sustaining level of \$60 or more.

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# Michigan Senate Releases Great Lakes Task Force Report

Michigan's Great Lakes finally became the focus of the Michigan legislature as the Senate's Great Lakes Conservation Task Force conducted a series of hearings throughout the state. In addition to testifying before the Task Force, Clean Water Action (CWA) encouraged its members and leaders from within local groups in the vicinity of the hearings to speak before the Task Force about their concerns.

Political pundits are speculating that the legislature's sudden attention to the Great Lakes might have something to do with the fact that election year is upon us and recent polls have found overwhelming public support for protecting the Great Lakes. CWA will work to implement key recommendations which could, if developed in appropriate ways, provide tremendous benefits to the state's waterways.

While one could say better late than never, it remains to be seen if the legislature will pass laws implementing the recommendations in ways that will actually address the problems facing the Great Lakes. Of course, the devil is in the details as the saying goes so CWA staff and volunteers will be working to remain apprized of the specific proposals pending before the legislature.

For more information, please contact Bethany Renfer in our East Lansing office (517.203.0754) or Cyndi Roper in our Grand Rapids office (616.742.4084).

## *Great Lakes Conservation Task Force Findings and Recommendations*

The following are the categories for which the Senate Great Lakes Conservation Task Force report includes findings and recommendations. The report is available on-line at:

[www.senate.state.mi.us/gop/greatlakesreport/conservationreport.pdf](http://www.senate.state.mi.us/gop/greatlakesreport/conservationreport.pdf)

- ▶ Aquifer Protection, Diversion, and Water Withdrawals
- ▶ Municipal Sewage Control
- ▶ Directional Drilling for Oil and Gas in the Great Lakes
- ▶ Water Quality Monitoring and Beach Closings
- ▶ Aquatic Nuisance Species
- ▶ Off-Shore Drilling in the Canadian Waters
- ▶ Pipeline Transport of Oil and Gas in the Great Lakes
- ▶ Commercial and Recreational Vessel Petroleum Spills
- ▶ Water Pollution Permitting (See "CWA Working to Make Polluters Pay for Water Pollution Permits in Michigan," on page 1.)
- ▶ Enforcement of Environmental Protection Laws
- ▶ Airborne Toxics
- ▶ "Areas of Concern" (contaminated hotspots)
- ▶ Land-Based Issues
- ▶ Fishery Health and Management
- ▶ Recreational Commercial Access to the Great Lakes
- ▶ Federal, State, Local, and International Issues
- ▶ Public Access and the Role of an Educated Citizenry

## ***Great Lakes Drilling Ban Legislation Becomes Law***

After months of political wrangling, state lawmakers approved a permanent ban on oil and gas drilling beneath the Michigan's Great Lakes shorelines. The bill gained approval in both chambers of the legislature and was sent to Governor Engler in March. In spite of his strong support for increased drilling, the Governor did not veto the bill so it took effect on April 5<sup>th</sup>.

This law symbolizes the first time in over a decade that overwhelming majorities of both chambers have supported controversial natural resources protection legislation. Supporters of the ban believe the lawmakers' actions are in response to an outcry from residents across the state to protect Michigan's natural resources coupled with the fact that it is an election year.

***We would like to thank the more than 7,000 CWA supporters who took the time to write their lawmakers.*** These handwritten letters were collected

at homes in 40 legislative districts by CWA's field staff. CWA members and supporters also attended public hearings and made phone calls to their elected officials urging them to protect the Great Lakes and its shorelines from the threat of future drilling.

**Representatives who voted against the ban:**

Bisbee (R, Jackson), Bradstreet (R, Gaylord), C. Brown (R, Sturgis), DeVuyst (R, Alma), Drolet (R, Clinton Township), Tabor (R, Charlotte), Vear (R, Hillsdale), and Hummel (R, St. Johns)

**Senators who voted against the ban:** Garcia (R, St. Johns), Gast (R, St. Joseph), Gougeon (R, Bay City), McManus (R, Traverse City), and Shugars (R, Portage)

**Senators excused from vote:** Dunaskiss (R, Lake Orion), Emmons (R, Big Rapids), Murphy (D, Detroit), Steil (R, Grand Rapids), and Vaughn (D, Detroit)

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