



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
GRAND RAPIDS DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

September 23, 2021

Compliance Communication No. CC-003487

VIA E-MAIL

Mr. Erik Booth, P.E., Manager  
Operations and Power Supply  
Grand Haven Board of Light and Power  
1700 Eaton Drive  
Grand Haven, Michigan 49417

Dear Mr. Booth:

SUBJECT: National Pollutant Discharge Elimination System (NPDES)  
NPDES Permit No. MI0000728  
Designated Name: Grand Haven BL&P-J B Sims  
Per- and Polyfluoroalkyl Substances (PFAS)  
Compliance Communication

On June 18, 2021, the Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), obtained the June 17, 2021, press release from the Community News, wherein the Grand Haven Board of Light and Power (GHBLP) reported finding PFAS and other pollutants above the established criteria in the groundwater at the former Grand Haven BL&P-J B Sims site. This press release referenced the groundwater sampling results contained in the June 16, 2021, Preliminary Review of Groundwater Sampling, conducted on May 21, 2021, by GHBLP consultant Golder Associates, Inc. The press release indicated that this sampling was conducted in preparation for potential remedial activities that may include significant dewatering and discharges to the river to draw down the groundwater to facilitate the required excavation of coal ash.

In the July 7, 2021, follow-up e-mail from the WRD, GHBLP was advised that a prior March 19, 2021, request to use aboveground temporary piping to discharge coal pile runoff, boiler condensate, and accumulated storm water under the administratively extended NPDES Permit did not identify PFAS among the potential pollutants in this discharge. The WRD expressed concern that groundwater contaminated by PFAS at the Grand Haven BL&P-J B Sims site may be mixing with the coal pile run-off, precipitation in impounded areas, and other water on-site. A site visit by WRD staff on July 16, 2021, noted that groundwater was presenting as surface water on the east end of the coal pile excavation area. In the July 22, 2021, e-mail in follow up to the site visit, the WRD advised GHBLP that the coal pile run-off included groundwater, which was not authorized for discharge under the NPDES Permit. In subsequent e-mails, GHBLP agreed to collect additional samples for PFAS to characterize the ponding water accumulating in the Unit 3 impoundment and the coal pile areas. GHBLP also indicated that the water in the

coal pile run-off area would not be discharged until the PFAS testing results were received, reviewed, and a best path forward was determined with EGLE.

On August 4, 2021, GHBLP provided the results of the July 16, 2021, PFAS sampling of the ponding water at the coal pile run-off area, water in the Unit 3 impoundment, and surface waters near Monitoring Well 8 (MW-8). Six of eight samples contained perfluorooctanesulfonic acid (PFOS) above the Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); Rule 323.1057 (Rule 57), Water Quality Standard (WQS), for PFOS of 11 ng/L. The results exceeding the PFOS WQS are summarized in the table below.

Sample Location	PFOS Sample Result in ng/L	PFOS WQS in ng/L
Unit 3 Impoundment North	23.96	11
Unit 3 Impoundment South	20.66	11
Coal Pile Run-Off (CPR 01)	73.20	11
Coal Pile Run-Off (CPR 03)	39.24	11
N-Near MW-8	11.83	11

In the August 4, 2021, e-mail transmitting the PFAS results, GHBLP stated that “J.B. Sims understands they are on hold moving water in the coal yard and clay basin area and is in the process of looking into alternative options to complete objectives.” The GHBLP also stated in the e-mail that they would keep the WRD “in the loop with our plans to move forward”.

The NPDES Permit that was issued to GHBLP on September 28, 2012, did not address PFAS, nor was PFAS or groundwater contaminated by PFAS apparently known by GHBLP or the WRD to be present in the effluent at that time. If PFOS was discharged in the Grand Haven BL&P-J B Sim’s effluent above WQS, WRD will consider those discharges to be new effluent information. Bringing future discharges into compliance with the WQS for PFOS needs to be accomplished expeditiously.

Moving forward, any dewatering activities or storm water discharges from the site to surface waters will need to meet WQS. It is likely that a treatment system, such as a multistage, granular-activated carbon system, or an equivalent system, will be necessary to achieve compliance with the PFOS WQS. The WRD’s preferred strategy is to cover PFAS-contaminated discharges under a voluntary Administrative Consent Order (ACO), as allowed under Sections 3106 and 3112 of the NREPA, MCL 324.3106 and MCL 324.3112, respectively, to prevent pollution the WRD considers to be unreasonable and against the public interest. The ACO will establish a path/process to comply with the WQS for PFOS with a mutually agreed-upon compliance plan and schedule.

Please respond in writing by **November 1, 2021**, and provide information on how GHBLP intends to manage collected storm water/groundwater at the site and whether GHBLP intends to maintain a discharge from the site to surface waters of the state.

The WRD is also responsible for regulating floodplains and wetlands under Part 31 of the NREPA, Part 301, Inland Lakes and Streams, and Part 303, Wetlands Protection. Should you

desire to perform construction activities within regulated areas on-site, it will be necessary to obtain the appropriate permits from the WRD prior to construction. Additional resources on our application process can be found at: [https://www.michigan.gov/egle/0,9429,7-135-3313\\_71520\\_24403---,00.html](https://www.michigan.gov/egle/0,9429,7-135-3313_71520_24403---,00.html).

We hope the information in this letter addresses and clarifies the path forward to achieve compliance with PFOS requirements.

We anticipate and appreciate your cooperation in addressing this matter. Should you require further information or you would like to arrange a meeting to discuss it, please contact Mr. Matthew Pfister at 517-667-1073, [PfisterM@michigan.gov](mailto:PfisterM@michigan.gov); or EGLE, WRD, Emerging Pollutants Section, 525 West Allegan Street, P.O. Box 30242, Lansing, Michigan 48909-7742.

Sincerely,



Stephanie Kammer, Manager  
Emerging Pollutants Section  
WRD, EGLE

TPB/SK/SEA

cc: Mr. Paul Cederquist, GHBLP (electronic)  
Mr. Jon Russell, EGLE  
Mr. Michael Worm, EGLE  
Ms. Audrie Kirk, EGLE  
Mr. Thomas Berdinski, EGLE  
Ms. Chris Veldkamp, EGLE  
Mr. Matthew Pfister, EGLE  
Ms. Cory Brown, EGLE  
Mr. Jake Patin, EGLE  
Mr. Fred Sellers, EGLE  
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