



# BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor  
Mount Clemens, Michigan 48043  
586-469-5125 FAX 586-469-5993  
macombcountymi.gov/boardofcommissioners

## HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE

TUESDAY, MAY 12, 2009

### AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Public Participation
5. Report on Swine Flu (mailed)
6. S.W.I.M. Team Report for March (mailed)
7. Prosecutor's Environmental Unit Report for April (mailed)
8. New Business
9. Public Participation
10. Adjournment

**MEMBERS:** Camphous-Peterson-Chair, J. Flynn-Vice-Chair, Brown, Rocca, Rengert, Vosburg, Brdak, Torrice, Kepler and Gielegem (ex-officio)

### MACOMB COUNTY BOARD OF COMMISSIONERS

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Marvin E. Sauger - District 2  
Phillip A. DiMaria - District 3  
Toni Mocerri - District 4  
Susan L. Doherty - District 5

Sue Rocca - District 7  
David Flynn - District 8  
Robert Mijac - District 9  
Ken Lampar - District 10  
Ed Szczepanski - District 11

James L. Carabelli - District 12  
Don Brown - District 13  
Brian Brdak - District 14  
Keith Rengert - District 15  
Carey Torrice - District 16

Paul Gielegem  
District 19  
Chairman

Ed Bruley - District 17  
Dana Camphous-Peterson - District 18  
Irene M. Kepler - District 21  
Frank Accavitti Jr. - District 22

Kathy Tocco  
District 20  
Vice Chair

Joan Flynn  
District 6  
Sergeant-At-Arms

William A. Crouchman - District 23  
Michael A. Boyle - District 24  
Kathy D. Vosburg - District 25  
Jeffery S. Sprys - District 26

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM:

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file a report from the Health Department on Swine Flu

INTRODUCED BY: Commissioner Paul Gielegem, Chairperson, Health and Environmental Services Committee

Representatives from the Health Department will present updated information and answer questions regarding Swine Flu.

COMMITTEE/MEETING DATE

Health Services – May 12, 2009

\_\_\_\_\_

\_\_\_\_\_

# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file the Surface Water Improvement and Monitoring (SWIM) Team report for March 2009.

INTRODUCED BY: Commissioner Dana Camphous-Peterson, Chairperson, Health and Environmental Services Committee

The March 2009 Surface Water Improvement and Monitoring (SWIM) Team report summarizes surface water monitoring, bathing beach monitoring, investigatory and educational activities of the SWIM Team for the month of March 2009.

COMMITTEE/MEETING DATE

Health and Environmental Services –May 12, 2009

\_\_\_\_\_  
\_\_\_\_\_

**MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
MONTHLY REPORT MARCH 2009**

**Mission:** Monitoring, educational, investigatory and enforcement activities toward achieving the goal of all Macomb County surface waters being in compliance with full body contact standards.

**Surface Water Monitoring:** 61 sampling locations were monitored this month for *E. coli* indicator bacteria. The monitoring for March 2009 indicates that 79 % of the sampling locations show improvement over the historical March data.

**Bathing Beach Monitoring:** Monitoring for the 2009-bathing season will resume in April.

**SWIM Team Investigations:**

	<u>March 2009</u>	<u>Year-To-Date</u>
Investigations Initiated	9	31
Cases Referred to Prosecutors Office	0	3
Investigations Resolved		20
Open Cases - 2009	11	
Open Cases from 2008	12	
Open Cases from 2007	4	
Open Cases from 2006	4	
Open Cases from 2005	2	
Open Cases from 2004	3	
Open Cases from 2003	3	

\*Investigations are initiated by citizen complaint, municipal referral or as an outcome of water quality monitoring results.

**Education and Public Information:**

Thirty-One Water Quality and Household Hazardous Waste Presentations were given to 905 students at the following locations:

6 <sup>th</sup> Grade	Algonquin Middle School	Clinton Township
4 <sup>th</sup> Grade	McGlennen Elementary School	Clinton Township
3 <sup>rd</sup> Grade	St. Mary School	Mount Clemens
4 <sup>th</sup> Grade	Amanda Moore Elementary School	Romeo
4 <sup>th</sup> Grade	Roberts Elementary School	Shelby Township
2 <sup>nd</sup> Grade	Harvey Elementary School	Sterling Heights
2 <sup>nd</sup> Grade	Fillmore Elementary School	Sterling Heights
7 <sup>th</sup> & 8 <sup>th</sup> Grade	Flynn Middle School	Sterling Heights

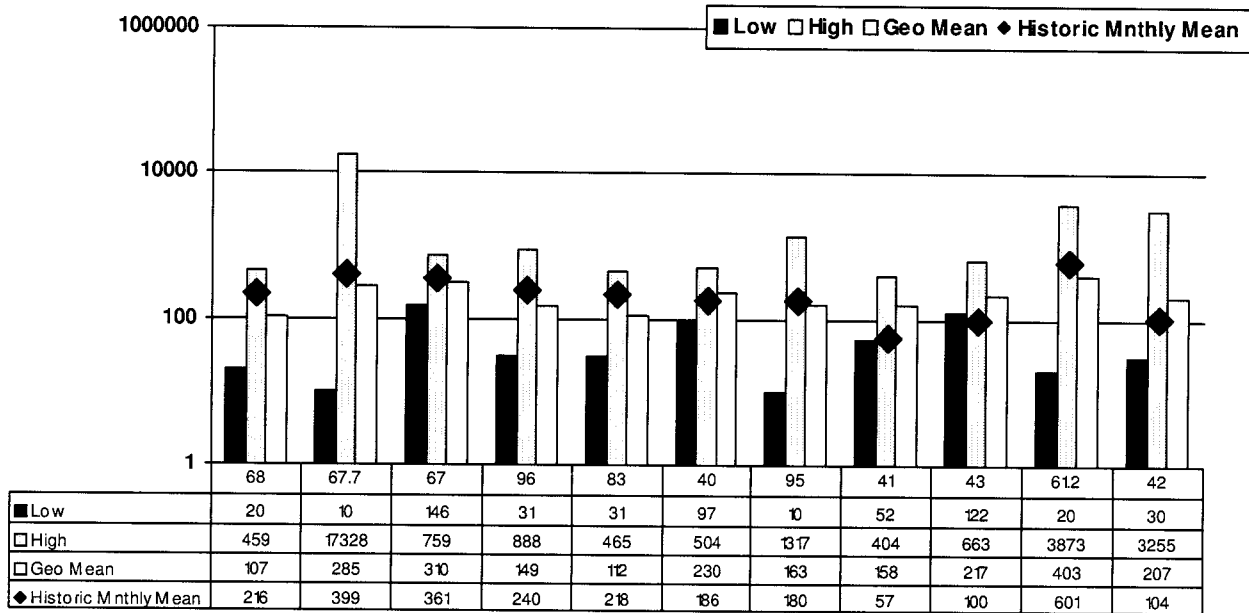
**MACOMB COUNTY HEALTH DEPARTMENT  
 ENVIRONMENTAL HEALTH SERVICES DIVISION  
 SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
 MONTHLY REPORT FOR MARCH 2009**

**SWIM TEAM INVESTIGATIONS**

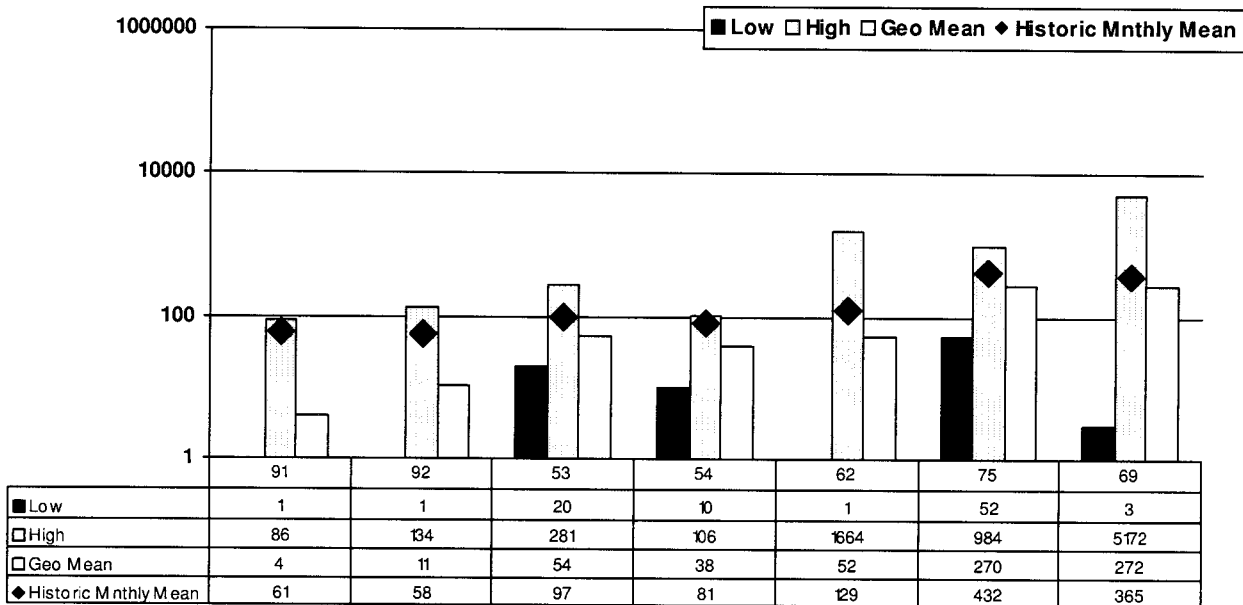
<u>Municipality</u>	<u>Mar-09 Investigations Initiated</u>	<u>Mar-09 Year To Date</u>
Armada Township	0	0
Armada Village	0	0
Bruce	0	0
Center Line	0	0
Chesterfield	0	0
Clinton	3	16
Eastpointe	0	0
Fraser	0	1
Harrison	2	3
Lenox	0	0
Macomb	0	2
Memphis	0	0
Mt. Clemens	0	0
New Baltimore	0	0
New Haven	0	0
Ray	0	0
Richmond Township	0	1
Richmond City	0	0
Romeo	0	0
Roseville	0	0
St. Clair Shores	0	1
Shelby	1	2
Sterling Heights	1	2
Utica	0	0
Warren	1	2
Washington	1	1
<b>Total #</b>	<b>9</b>	<b>31</b>

**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
3/1/2009 -3/31/2009**

**Clinton River Main Branch Watershed-EAST**

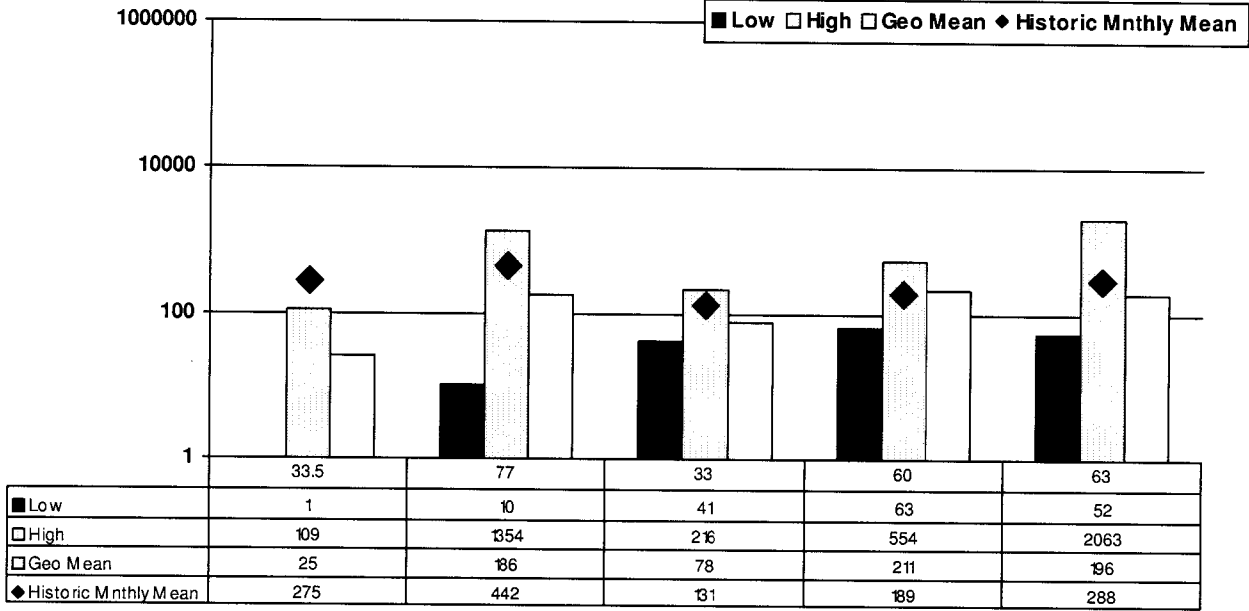


**Clinton River Main Branch Watershed-WEST**

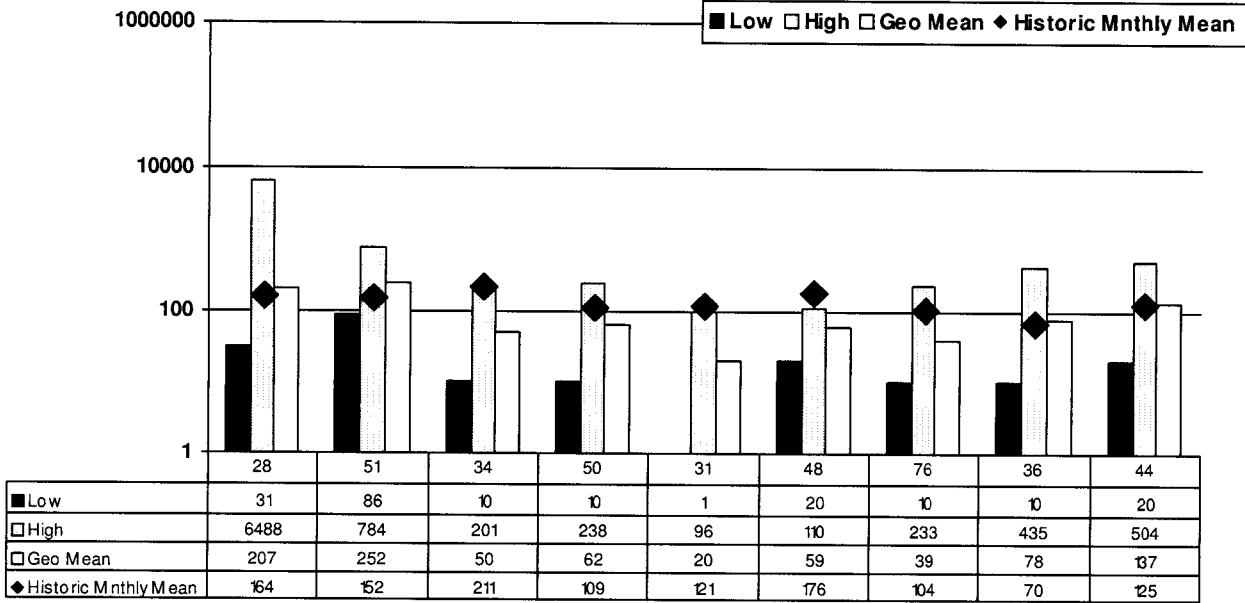


**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
3/1/2009 -3/31/2009**

**Clinton River Middle Branch Watershed**



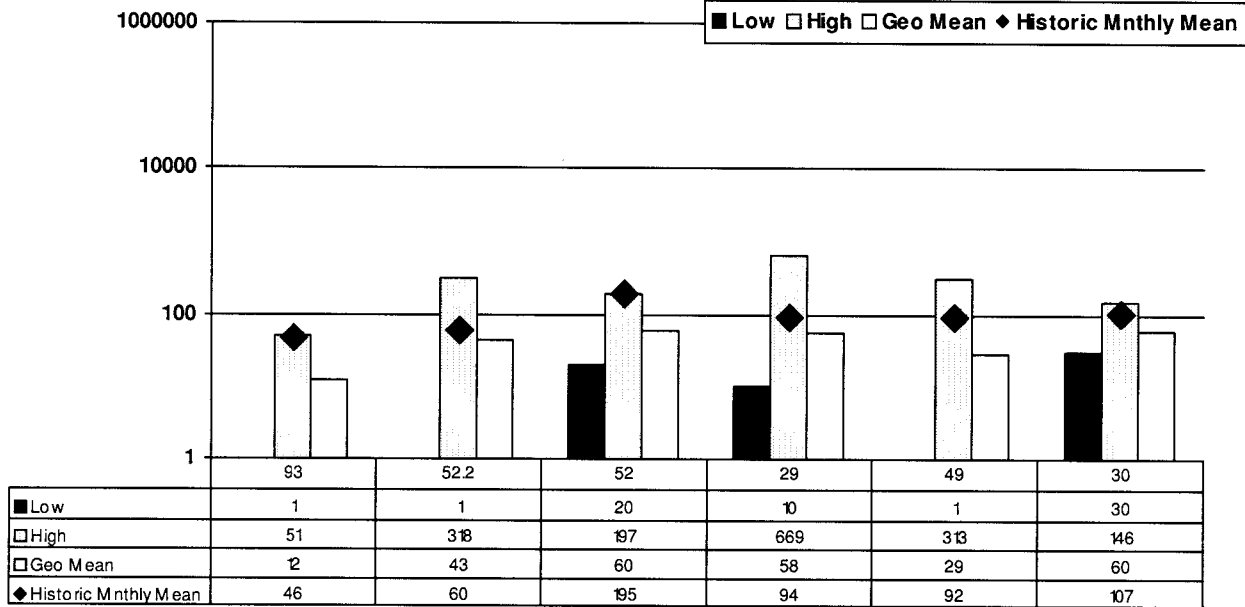
**Clinton River North Branch Watershed-EAST**



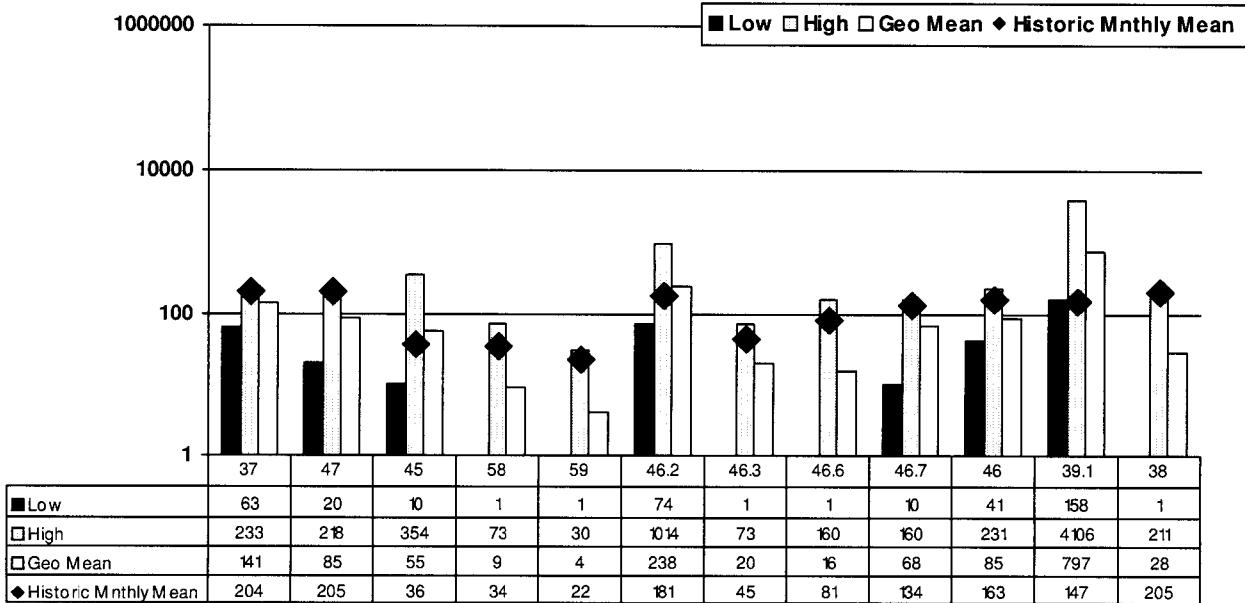


**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
3/1/2009 -3/31/2009**

**Clinton River North Branch Watershed-WEST**

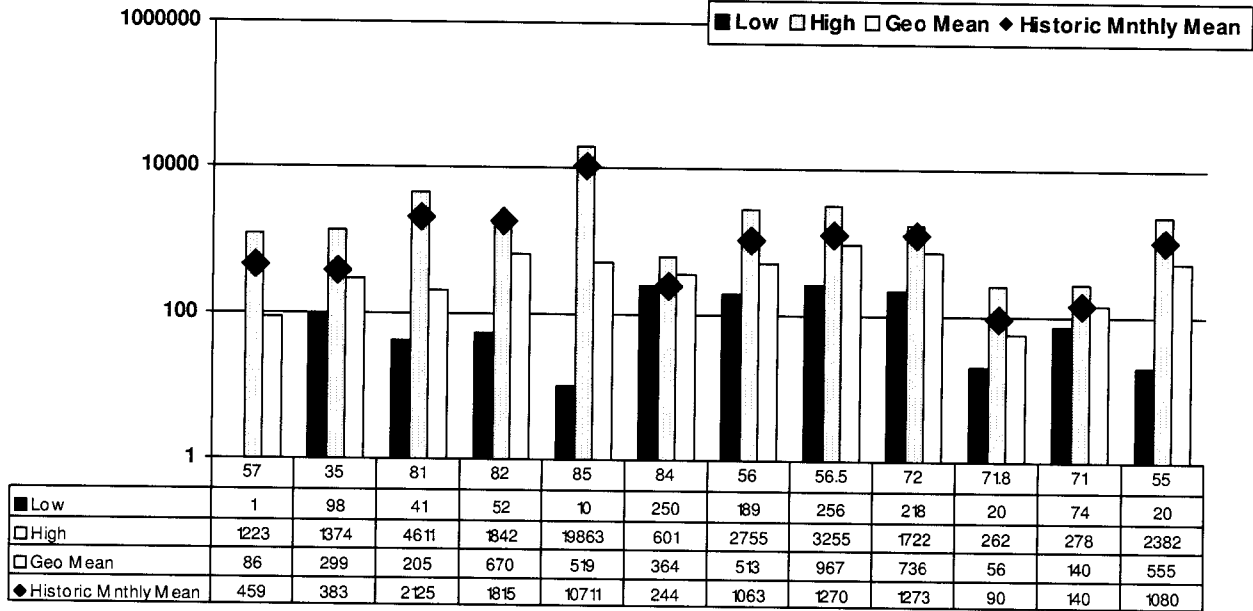


**Other: Salt River, Milk River, Crapauo Creek**



**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
3/1/2009 -3/31/2009**

**Red Run Drain/Bear Creek Watershed**



**Macomb County Health Department  
Environmental Health Services Division  
Retention Basin/Combined Sewer/Sanitary Sewer Overflows  
For the dates 3-1-09 thru 3-31-09**

Start	Start Time	End	End Time	Hours	Gallons	Receiving Water	Meets NPDES	Precipitation	Type
<b>CENTER LINE</b>									
3/8/2009	17:30	3/9/2009	1:45	8.25	535,972	LORRAINE DRAIN	N	1.74	SSO
3/11/2009	2:30	3/11/2009	8:45	6.25	295,219	LORRAINE DRAIN	N	3.17	SSO
<b>SubTotals for CENTERLINE</b>				14.5	831,191			4.91	
<b>CHAPATON RTB</b>									
3/7/2009	20:40	3/9/2009	4:50	27	109,200,000	LAKE ST. CLAIR	Y	1.95	CSO-T
3/11/2009	1:20	3/11/2009	10:45	9.42	67,600,000	LAKE ST. CLAIR	Y	1.18	CSO-T
<b>SubTotals for CHAPATON RTB</b>				36.42	176,800,000			3.13	
<b>CLINTON - BEACONSFIELD</b>									
3/11/2009	3:00	3/11/2009	3:30	0.5	2,570	CLINTON RIVER	N	1	SSO
<b>SubTotals for CLINTON - BEACONSFIELD</b>				0.5	2,570			1	
<b>CLINTON - LITTLE MACK</b>									
3/11/2009	2:00	3/11/2009	6:00	4	33,000	CLINTON RIVER	N	1	CSO-T
<b>SubTotals for CLINTON - LITTLE MACK</b>				4	33,000			1	
<b>CLINTON - RUTHERFORD</b>									
3/11/2009	2:30	3/11/2009	3:00	0.5	2,100	CLINTON RIVER	N	1	CSO-T
<b>SubTotals for CLINTON - RUTHERFORD</b>				0.5	2,100			1	
<b>FRASER</b>									
3/7/2009	22:15	3/8/2009	23:15	25	173,698	SWEENEY DRAIN	N	1.52	SSO
3/10/2009	20:30	3/11/2009	21:00	0.5	212,005	SWEENEY DRAIN	N	0.69	SSO
<b>SubTotals for FRASER</b>				25.5	385,703			2.21	
<b>MARTIN RTB</b>									
3/7/2009	20:35	3/9/2009	17:30	39.6	153,240,000	LAKE ST. CLAIR	Y	2.18	CSO-T
3/10/2009	13:35	3/11/2009	22:23	29.82	78,200,000	LAKE ST. CLAIR	Y		CSO-T
<b>SubTotals for MARTIN RTB</b>				69.42	231,440,000			2.18	

Start	Start Time	End	End Time	Hours	Gallons	Receiving Water	Meets NPDES	Precipitation	Type
<b>MILK RIVER RTB</b>									
3/7/2009	20:43	3/7/2009	23:12	1.87	19,342,500	LAKE ST. CLAIR	Y	0.88	CSO-T
3/8/2009	3:34	3/8/2009	20:24	4.42	40,653,000	LAKE ST. CLAIR	Y	0.79	CSO-T
3/9/2009	12:36	3/9/2009	1:38	1.03	7,657,000	LAKE ST. CLAIR	Y	0	CSO-T
3/10/2009	9:19	3/10/2009	17:55	1.94	14,326,000	LAKE ST. CLAIR	Y	0.84	CSO-T
3/11/2009	0:08	3/12/2009	13:00	5.55	57,158,000	LAKE ST. CLAIR	Y	0.26	CSO-T
<b>SubTotals for MILK RIVER RTB</b>				14.81	139,136,500			2.77	
<b>MT. CLEMENS RTB</b>									
3/11/2009	5:45	3/13/2009	8:00	50.25	5,483,300	LAKE ST. CLAIR	Y		CSO-T
<b>SubTotals for MT. CLEMENS RTB</b>				50.25	5,483,300				
<b>SOCSDS RTB</b>									
3/7/2009	20:36	3/11/2009	20:15	66.74	630,000,000	RED RUN DRAIN	Y	3.25	CSO-T
<b>SubTotals for SOCSDS RTB</b>				66.74	630,000,000			3.25	
<b>STERLING HEIGHTS</b>									
3/11/2009	5:00	3/13/2009	16:00	59	800,000	CLINTON RIVER	N	2.1	SSO
<b>SubTotals for STERLING HEIGHTS</b>				59	800,000			2.1	
<b>WARREN</b>									
3/8/2009	21:45	3/13/2009	3:10	101.42	108,700,000	RED RUN DRAIN	Y	3.13	BOF
<b>SubTotals for WARREN</b>				101.42	108,700,000			3.13	
<b>Total all locations</b>				443.06	1,293,614,364				

**5 HIGHEST E. COLI SURFACE WATER SAMPLING SITES  
(March, 2009)**

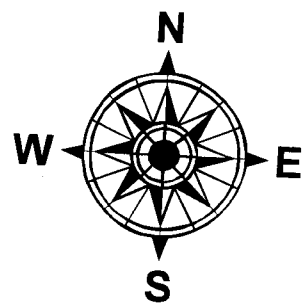
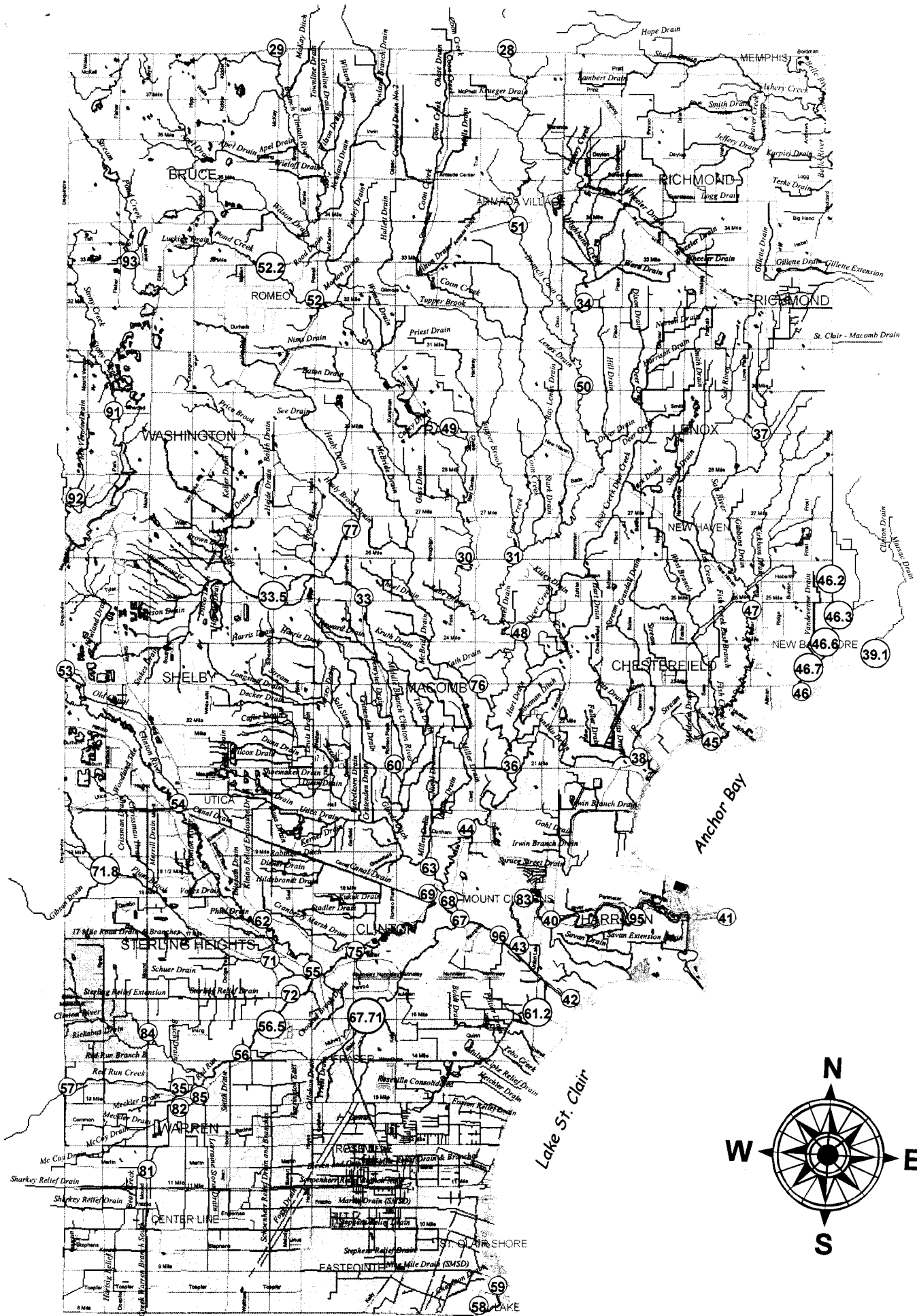
	<b>Sample #</b>	<b>Location</b>	<b>E. coli/100 mL (Geo Mean)</b>
1	56.5	Schoenherr Relief Drain at Red Run	967
2	39.1	Marsac Drain at M-29	797
3	72	Sterling Relief Drain - behind Freedom Hill Park	736
4	82	Bear Creek at Old 13 Mile Road	670
5	55	Red Run at Utica Road	555

**MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
SURFACE WATER SAMPLING SITES**

Sample #	Location
<b>Clinton River Main Branch Watershed - EAST</b>	
68	Clinton River at Moravian Road Bridge
67.71	Sweeney Drain at 15 Mile Road
67	Harrington Drain at Harrington Road
96	Clinton River Spillway at Shadyside Park Bridge
83	Clinton River at Mt. Clemens YMCA Dock
40	Clinton River at I-94
95	Clinton River at Albatross Docks
41	Clinton River at DNR Site
43	Clinton River Spillway at the Weir
61.2	Clinton-Harrison Relief Drain At Shook Road
42	Clinton River Spillway at Jefferson Avenue
<b>Clinton River Main Branch Watershed - WEST</b>	
91	Stony Creek at Inwood Road
92	Stony Creek West Branch at Stony Creek Road
53	Clinton River at Dequindre Road
54	Clinton River at Auburn Road
62	Clinton River at Kleino Road
75	Clinton River at Garfield Road
69	Canal Drain at Clinton River Road
<b>Clinton River Middle Branch Watershed</b>	
33.5	Middle Branch Clinton River at Schoenherr Road
77	Healy Brook Drain at Romeo Plank Rd.
33	Middle Branch Clinton River at 25 Mile Road
60	Middle Branch Clinton River at 21 Mile Road
63	Middle Branch Clinton River at Heydenreich Road
<b>Clinton River North Branch Watershed - EAST</b>	
51	East Branch Coon Creek at North Avenue
34	Highbank Drain at 32 Mile Road
50	East Branch Coon Creek at 30 Mile Road
31	East Branch Coon Creek at 26 Mile Road
48	Deer Creek at North Avenue
76	McBride Drain at Card Road
36	North Branch Clinton River at 21 Mile Road
44	North Branch Clinton River at Little Street
28	East Branch Coon Creek at Boardman Road
<b>Clinton River North Branch Watershed - WEST</b>	
93	East Pond Creek at 33 Mile Road
52.2	East Pond Creek at M-53
52	East Pond Creek at Powell Street
29	North Branch Clinton River at Boardman Road
49	North Branch Clinton River at 29 Mile Road
30	North Branch Clinton River at 26 Mile Road

**MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
SURFACE WATER SAMPLING SITES**

<b>Sample #</b>	<b>Location</b>
<b>Other: Salt River, Milk River, Crapeau Creek</b>	
37	Salt River at 29 Mile Road
47	Salt River at Washington Street
45	Salt River at Jefferson Avenue
58	Milk River at Alger Street
59	Milk River at Clairwood Street
46.2	County Line Road Drainage Ditch at Hobarth Road
46.3	Crapeau Creek at County Line Road
46.6	Vanderbenne Drain at Fox Point Street
46.7	Crapeau Creek at Ashley Street
46	Crapeau Creek at Main Street
39.1	Marsac Drain at M-29
38	River Voss at Jefferson Avenue
<b>Red Run Drain/Bear Creek Watershed</b>	
57	Red Run Drain at Dequindre Road
35	Red Run Drain at Van Dyke Avenue
81	Bear Creek at Mound Road
82	Bear Creek at Old 13 Mile Road
85	Lorraine Drain at Bear Creek
84	Beaver Creek at Mound Road
56	Red Run Drain at 14 Mile Road
56.5	Schoenherr Relief Drain at Red Run Drain
72	Sterling Relief Drain behind Freedom Hill Park
71.8	Plumbrook Drain at Ryan Road
71	Plumbrook Drain at Schoenherr Road
55	Red Run Drain at Utica Road





# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

FULL BOARD MEETING DATE: 5/21/09

AGENDA ITEM: \_\_\_\_\_

**MACOMB COUNTY, MICHIGAN**

**RESOLUTION TO receive and file the Status Report on the Prosecutor's Environmental Unit for April 2009, as submitted by Luanne Laemmerman**

**INTRODUCED BY: Dana Camphous-Peterson, Chairman, Health Services Committee**

**COMMITTEE/MEETING DATE**  
**Health Services 5/12/09**

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## **PROSECUTOR'S ENVIRONMENTAL UNIT REPORT**

Submitted by Luanne Laemmerman

### **April 2009**

#### **CIVIL CASES (in process):**

See table attached.

#### **CRIMINAL CASES (in process):**

People v Daniel Williams – MASH/Marine Division referral. Water Pollution Violation and Dumping Oil from Boat. Warrant authorized. Pre-exam 8/14/08 adjourned for discovery. Preliminary Exam scheduled to 10/6/08, 42-2. Bound over to Circuit Court; Plea negotiations complete. Defendant to pay \$3,000.00 to Lake/River Fund. Defendant missed first payment. Letter to Def attorney on 11/24/08. Defendant missed 4 payments; Show Cause Hearing on 1/28/09 – adjourned for payment by 2/5/09. **Bench Warrant issued on 2/17/09.**

People v Liston – Marine Division referral. Water Pollution Violation, Violation of County Health Regulations and Watercraft Pollution violations. Warrant authorized 9/20. Pre-Exam and Pretrial on 11/3/08. Preliminary exam held; felony charge dismissed. 1/14/09 Jury Trial adjourned by Court. Pretrial 2/4/09, 42-2; Pretrial rescheduled to 4/22/09, 42-2. **Jury Trial 5/13/09.**

People v Jalloul – Sheriff's Dept referral. Hazardous Waste Violations; Fire Code Violation. Release of gasoline in storm drain during delivery. Warrant authorized 2/3/09. Preliminary Exam 3/23/09, 41B; PE adjourned to 4/20/09, 41B. **Plea negotiation reached. Defendant paid approximately \$4500 restitution to City of Mt. Clemens for cleanup. Case Closed.**

People v Robert Martin and Fettes Mfg Co. – MDEQ-OCI referral. Water Pollution Violation; Liquid Industrial Waste Violation. Wastewater discharged into storm drain. Warrant authorized 3/2/09. Preliminary Exam 3/23/09, 41A3; **PE adjourned to 5/18/09, 41A3.**

#### **MEETINGS ATTENDED ON BEHALF OF COUNTY:**

4/14/09 – Michigan Association of Chiefs of Police, Environmental Crimes Committee  
4/30/09 – Macomb/St. Clair Inter-county Watershed Advisory Group

**Monthly Narrative:** Continued preparation for court proceedings on recent environmental cases. Continued work with MCHD and Clinton Township personnel regarding outstanding sanitary code violation and sewer connection. Continued work with MCHD regarding outstanding SWIM team cases. Continued coverage at District Court/general criminal and probate docket, including two appeals. Resolved open criminal case with restitution for cleanup.

Participated in meeting with Michigan Association of Chiefs of Police regarding Environmental Crimes Awareness Training for Local Law Enforcement. Continued work on appeals in general criminal cases. Prepared for jury trial (s).

**Future Plan:** Continue enforcement of outstanding SWIM team cases and criminal cases in process. Review DVD from 3/3/09 Citizen training and provide to cities/townships for public access viewing. Participate in Clinton River Water Festival and Lake St. Clair Water Festivals. Finalize contract for designation as Special Asst. Attorney General with AG's office. Meet with City/Township Attorneys to coordinate enforcement and promotion of environmental cases. Continue participation in educational programs to facilitate various environmental practices. Explore more effective procedures to notify prospective home buyers of foreclosed properties of outstanding sanitary code violations. Participate with Michigan Association of Chiefs of Police in Environmental Crimes Awareness Training for Law Enforcement on 5/29/09.

# Macomb County Health Dept/EHS Open Cases

05/04/09

Date Referred to Prosecutor	Civil Division/ Street	Violation	Referral Source	Issue/Status
3/28/05	Clinton Twp/ Cass Avenue	Section 3.1 & 3.4 Sewage Code	MCHD SWIM Team	Sanitary waste plumbed to storm drain discovered 1/03 through dye test. Complaint filed 12/05. Order of Consent Judgment issued 12/19/05. No compliance with Order. Letter to owner on 10/30/07 to pursue proper connection in order to avoid enforcement of Consent Order. Second letter to owner on 11/26 to contact Clinton Twp Water & Sewer Dept by 12/7 to avoid enforcement. Owner contacted Clinton Twp as directed. MCPO contacted by owner's attorney. Owner and/or attorney unresponsive. MCHD verifying alternative corrective action for property. MCHD setting up meeting with owner regarding corrective options. Owner working with MCPO and Clinton Twp personnel regarding sewer connection. No progress by owner after several months – letter to owner on 4/3/09 to decide remedy by 4/17/09 or MCPO will start legal action. <b>Owner to pursue Special Assessment District with connection to sanitary sewer within 7 months.</b>
12/28/05	Fraser/ 14 Mile Rd	Section 3.1 & 3.4 Sewage Code	MCHD SWIM Team	Failing septic system. Complaint filed 9/1/06. Order to show cause 9/25/06 – no show. Bench warrant 9/06. Case dismissed by A. Jacklyn 6/13/07 - defendant allegedly complied with sewer connection/started work. MCHD confirmed that connection not made as of 10/24/07. House sold on 12/19/06 - no POS conducted because purchased through foreclosure. 30-day letter sent to new owner on 12/26/07; no compliance, formal citation sent by MCHD on 3/5/08. Enforcement letter sent 4/25/08, correction by 6/15/08; owner currently getting repair estimates; owner trying to get permission to tie into neighboring sanitary lines. MCPO in contact with City of Fraser for options.
2/15/06	Clinton Twp/ Elmway Rd	Section 3.1 & 3.4 Sewage Code	MCHD SWIM Team	Illicit connection. Property transferred to new owner who paid sewer tap and frontage fees. Enforcement letters sent to property owner. Connection to sanitary sewer allegedly begun as of 7/2/07 according to A. Jacklyn. Certificate of occupancy to be withheld until home is connected to sanitary sewer. No action until owner applies for Certificate of Occupancy from Building Dept.
8/14/07	Chesterfield Twp/ Fairchild Lenox	Section 3.1 & 3.4 Sewage Code	MCHD SWIM Team	MCHD to manage file – house currently unoccupied; bank informed of standing violation. MCPO investigating procedures to notify buyers of standing violation. No action until house is transferred to new owner.
4/2/08	Clinton Twp/North Ave	Section 3.1 & 3.4 Sewage Code	MCHD SWIM Team	Failing septic; wastewater is discharging to the roadside ditch. Owner has not responded to letters regarding alternate septic installation locations. Enforcement letter sent 8/23/07. MCHD confirmed that home owned by the bank; no active discharge; MCHD sent notification letter to bank of standing violation on 12/21/07. MCPO investigating procedures to notify buyers of standing violation. No action until house is transferred to new owner.
7/2/08	Shelby Twp/ Barclay	undetermined	MCHD SWIM Team	Failing septic; citation to owner 3/20/08; sanitary available for connection; foreclosure proceedings in process – no enforcement of violation. MCPO investigating procedures to notify buyers of standing violation. No action until house is transferred to new owner.
11/20/08	Van Dyke/ Centerline	Section 3.1 & 3.6 Sewage Code	MCHD SWIM Team	Complaint received by MCHD 5/08; dye test attempted 5/08 – no entry granted; two letters requesting access to dye test sent 5/08-6/08; case referred to MCPO 7/08. Letter sent 7/16/08 to schedule inspection by 7/23/08 or search warrant will be served. MCPO spoke to owner – house vacant since 6/2/08. No violation. MCHD to notify bank. MCPO investigating procedures to notify buyers of standing violation. No action until house is transferred to new owner. 4/15/05 - Routine inspection by MCHD revealed illicit connection. 5/12/05 – 30-day compliance letter from Centerline. 11/14/05 – 14-day violation letter from MCHD. 1/3/06 – Citation issued by MCHD. 2006-2007 City of Centerline turned off water and owner illegally turned it back on. Water turned back on - 12/08. MCPO to issue demand for compliance. Owner disregarded demand; MCPO to escalate enforcement. 4/14/09 TCW owner –

# Macomb County Health Dept/EHS Open Cases

05/04/09

Date Referred to Prosecutor	Civil Division/ Street	Violation	Referral Source	Issue/Status
12/16/08	19 Mile Rd/Shelby Twp	Section 3.1, 3.4 & 5.1 Sewage Code	MCHD SWIM Team	referred MCPO to his attorney. <b>5/1/09 – mtg with owner; connection to be completed by end June 2009.</b>
1/2/09	Winkler/Harrison Twp	Section 3.1,3.3 & 3.4 Sewage Code	MCHD SWIM Team	3/07-4/07 – complaint and investigation revealed discharge of sewage to ground. 4/5/07 – 30-day letter from MCHD requiring connection to sanitary sewer. 5/07-10/07 – owner in process of connection, but did not complete. 8/14/08 – Citation issued by MCHD for failure to comply. 1/20/09 – agreement between owner and MCPO to pump systems 3x/wk and secure means of funding by 3/4/09. Owner retained counsel and is pursuing Special Assmt District (SAD) to pay for correction. Owner to pump tanks 3x/wk and reduce water use in the meantime in exchange for delaying enforcement. Owners have implemented steps to reduce water usage and pursue SAD. <b>4/27/09 - Petition for sanitary and storm sewer improvements executed.</b>
1/28/09	29 Mile/Ray Twp	Section 3.1, 3.4, 5.1 Sewage Code	MCHD SWIM Team	9/08 – complaint and investigation revealed discharge of sewage to ground. 9/22/08 – 30-day letter from MCHD. 10/30/08 – Citation issued by MCHD for failure to comply. 11/08-12/08 – owner applied and was issued a permit, but failed to repair. MCPO to issue 10-day letter to pursue correction. Enforcement letter sent; owner in contact with MCHD regarding correction. Owner obtained permit 3/09; <b>installation to commence when weather permits.</b> 3/21/05 Point of Sale inspection denied – septic system failing and laundry waste discharging directly to ground. Owner to install new system, but failed to do so. House not sold and owner directed to keep house vacant until violations corrected. House occupied by tenants; sewage on ground. Enforcement letter sent 3/13/09; owners met with MCPO and MCHD to discuss corrective action; well and septic system repair to be completed by end of June '09. <b>New well installed in April 2009.</b>
3/25/09	Toeffer/Warren	Section 3.1 Sewage Code	MCHD SWIM Team	12/08 – complaint received; raw sewage and toilet paper on ground; 10-day violation letter sent 1/2/09; Citation sent 2/9/09; water shut off by City of Warren; Warren Bldg Dept to post; site visit on 3/23/09 indicated house occupied with no posting; house for sale as of 4/10/09; house vacant since 4/1/09; Realtor contacted regarding violation. <b>No action until house is transferred to new owner.</b>
4/1/09	Gratiot/Lenox	Section 4.1 Public Health Code	MCHD/Water Quality	12/08 – complaint regarding damage to well casing; well determined to be improperly abandoned by unregistered well driller; well owner repaired and properly abandoned well; 3/9/09 unregistered well driller notified of violation and fines. <b>Driller to pay \$675 fine to MCHD by 5/15/09 and cease all well drilling activity until registration obtained.</b>
4/8/09	Lockwood/Washington Twp	Section 3.1, 3.4 & 5.1 Sewage Code	MCHD SWIM Team	11/20/08 – complaint of failing septic; 12/1/08 site visit confirmed; 1/7/09 30-day violation letter sent – no response; 2/26/09 Citation sent – no response; 4/14/09 TCW owner; owner to apply for permit by 4/17/09. <b>Permit obtained by owner.</b>

**Key:** bold text indicates latest activity.