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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 23 2014

REPLY TO THE ATTENTION OF:

WC-15J

CERTIFIED MAIL 7011 1150 0000 2639 5896
RETURN RECEIPT REQUESTED

Ms. Sue McCormick, Director
City of Detroit Water and Sewerage Department
9300 West Jefferson Avenue
Detroit, Michigan 48209

Subject: Information Request
Issued Pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a)
Docket No. V-W-14-308-18

Dear Ms. McCormick:

The U.S. Environmental Protection Agency has reviewed the submissions from the Detroit Water and Sewerage District (DWSD) on July 18, 2014 and August 28, 2014 in response to the Section 308(a) Information Request referenced above. This letter serves as a notice of the closeout of the Information Request and a record of EPA's concern with DWSD's current staffing optimization approach.

EPA recognizes DWSD's continued efforts to improve the efficiency of the Wastewater Operations Group (WWOG) organizational structure, but has concerns that DWSD's current approach may jeopardize its ability to maintain long term compliance with their National Pollutant Discharge Elimination System (NPDES) permit. The purpose of the information request was to provide context for review and evaluate the updated staffing plan produced by DWSD to comply with the Michigan Department of Environmental Quality (MDEQ) Administrative Consent Order No. ACO-000131 executed on July 8, 2011 (ACO). In its letter dated September 30, 2014, MDEQ approved the staffing plan framework and acknowledged the current process for staffing optimization. Ultimately, DWSD was not able to provide key documentation to support its current staffing approach. Below is a summary of some of the deficiencies EPA noted:

1. The ACO requires DWSD to identify a basis for determining the minimum number of maintenance and operations staff necessary to properly operate and maintain the DWSD facilities. DWSD has not gathered sufficient data to establish a basis for the minimum number of staff needed to operate the DWSD facilities.

In DWSD's July 18, 2014 letter, in response to EPA's request for records supporting the number of staffing work hours consumed while operating the plant under the pilot program, DWSD stated:

"DWSD has only spotty and entirely unreliable data on the assigned hours worked by support crews in support of pilot operating versus assigned tasks which are not supporting pilot operation teams."

2. EPA asked for DWSD's projection for future reductions in staffing. The reductions are occurring through attrition, and DWSD does not have a good estimate of how the staffing level will change over the course of the next year. This lack of knowledge may result in an unexpected drop in the staffing level and the loss of critical institutional knowledge.
3. DWSD has continued to have declines in their percentage of Preventative Maintenance completed and an increase in the occurrences of Corrective Maintenance. These trends seem to correlate with the decline in staffing below the recommended level. The graphs attached to this letter depict this apparent correlation.

MDEQ provided a framework for addressing staffing levels in early August 2014. This framework included the following four Guiding Principles:

1. Comply with all effluent limits and permit conditions.
2. Operate the treatment facilities with an adequate margin of safety below permit limits.
3. Reduce raw sewage discharges from remaining CSOs, considering actual precipitation.
4. Maintain the treatment facilities adequately.

These guiding principles are a positive step in allowing DWSD to continue implementing their staffing optimization process while addressing the concern which resulted in the staffing requirement of the ACO. However, DWSD has not demonstrated a clear path for balancing staffing optimization and NPDES compliance, nor has DWSD shown that the current level of staffing will maintain consistent compliance with DWSD's NPDES Permit.

DWSD has stated that an appropriate measure of compliance is whether DWSD can comply with its NPDES Permit effluent limitations and that effluent limitation compliance is a surrogate for determining the correct staffing level. NPDES effluent limitation compliance is a measurement at the furthest downstream end of DWSD's operation. There is concern that any action taken as a result of an observed fluctuation with the NPDES compliance status will occur too late for DWSD to adjust staffing levels prior to entering another period of noncompliance.

As such EPA supports the use of other metrics or parameters such as solids inventories, the percentage of Preventative Maintenance completed on time, and maintaining the staffing level required by MDEQ's ACO.

If you have any questions concerning this matter, please contact Jonathan Moody of my staff, at (440) 250-1708, or Nicole Cantello, Office of Regional Counsel, at (312) 886-2870.

Sincerely,

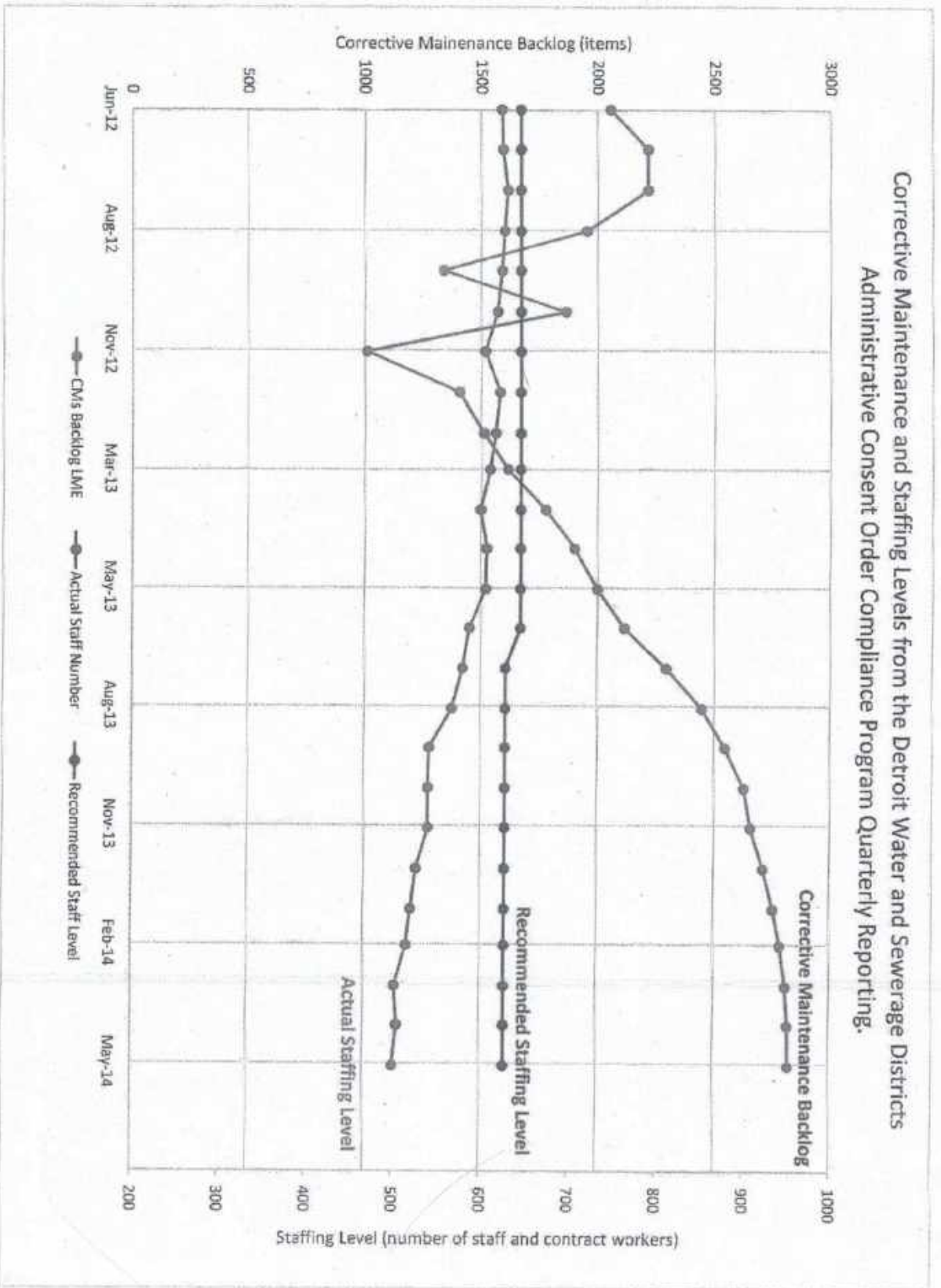


Dean Maraldo, Chief
Water Enforcement & Compliance Assurance Branch

Enclosure

cc: Jodi Peace, MDEQ, Email Only
Laura Verona, MDEQ Email Only

Corrective Maintenance and Staffing Levels from the Detroit Water and Sewerage Districts
 Administrative Consent Order Compliance Program Quarterly Reporting.



Preventative Maintenance Completed and Staffing Levels from the Detroit Water and Sewerage Districts Administrative Consent Order Compliance Program Quarterly Reporting.

