

Ontonagon



Harbor Town

Gateway to the Porcupine Mountains

VILLAGE OF ONTONAGON

Founded in 1843

315 Quartz Street

Ontonagon, Michigan 49953

Phone: 906-884-2305 Fax: 906-884-4369

TDD: 1-800-649-3777

Website: www.villageofontonagon.org

Pam Coey
President

Sarah Hopper
President Pro-Tem

Willie DuPont
Village Manager

Wendy Pence
Clerk

TRUSTEES

Lyle Perry
Mike Rebholz
Debra Seid
Dorothy Sharkey

AGENDA

VILLAGE COUNCIL MEETING

APRIL 06, 2026

9:00 A.M. 315 QUARTZ ST.

SPECIAL MEETING

1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER – ROLL CALL
3. PUBLIC COMMENT (Five Minute Limit Per Individual on Agenda and Non-Agenda Items)
4. APPROVAL OF AGENDA
5. BUSINESS
 - a. Consent Agreement
6. ADJOURNMENT

The Village of Ontonagon is an equal opportunity provider and employer. Complaints of discrimination should be sent to:

USDA, Director, Office of Civil Rights, Washington, DC 20250-9410 .



**THIS DOCUMENT IS FOR SETTLEMENT DISCUSSION ONLY AND IS EXEMPT
FROM FOIA AND NOT ADMISSIBLE IN COURT UNDER MRE 408**

**STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
DRINKING WATER AND ENVIRONMENTAL HEALTH DIVISION**

ADMINISTRATIVE COMPLIANCE AGREEMENT

In the matter of:

DWEHD Agreement No. ACA-399-08-2026

SECTION I

FACILITY OWNER/OPERATOR

NAME Village of Ontonagon		OWNER ☒	OPERATOR ☒
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS BUSINESS IDENTIFICATION NUMBER			
ADDRESS 315 Quartz Street			
CITY Ontonagon	STATE Michigan	ZIP CODE 49953	
CONTACT NAME/TITLE William DuPont, Village Manager		PHONE # 906-285-2451	

FACILITY NAME AND LOCATION

FACILITY NAME Village of Ontonagon		WATER SUPPLY SERIAL NUMBER 05030
FACILITY OWNER IF NOT IDENTIFIED ABOVE		
ADDRESS 315 Quartz Street		
CITY Ontonagon	STATE Michigan	ZIP CODE 49953
COUNTY Ontonagon		
CONTACT NAME Jeremy Graff, Water Plant Supervisor		PHONE # 906-885-5631

- 1.1 This document results from allegations by the Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Environmental Health Division (DWEHD). EGLE alleges that the Village of Ontonagon (Owner/Operator), owner/operator of the above-referenced facility, is in violation of the Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder.
- 1.2 Specific alleged violations are referenced in the EGLE Sanitary Survey Report (SNSV) attached to this Administrative Compliance Agreement (Compliance Agreement) as Exhibit A. The Owner/Operator and EGLE agree to resolve the alleged violations set forth therein through entry of this Compliance Agreement. The Owner/Operator agrees to resolve all compliance issues set forth in Exhibit A in accordance with the requirements contained in this Compliance Agreement. This Compliance Agreement, in its entirety, shall consist of Section I, the attached Sections II, III, and IV, Exhibit A, and any other referenced attachments, exhibits, or appendices. This Compliance Agreement shall be considered null and void if it does not include, at a minimum, Sections I, II, III, and IV and Exhibit A. The Owner/Operator further agrees that this Compliance Agreement shall become effective on the date it is signed by the DWEHD Director, designee of the EGLE Director.

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- 1.3 The Owner/Operator agrees to pay stipulated penalties of \$500 per day and provide public notification for failure to complete corrective actions as specified in Section II, Compliance Schedule, unless an extension has been approved under Paragraph 4.14, of this Compliance Agreement. Failure to make a timely payment constitutes a violation of this Compliance Agreement.
- 1.4 The Owner/Operator agrees to make payment of all funds due pursuant to this agreement by certified check made payable to the "State of Michigan" and mailed to the Accounting Services Division, Cashier's Office for EGLE, P.O. Box 30657, Lansing, Michigan 48909-8157. To ensure proper credit, all payments made pursuant to this Compliance Agreement must include "Payment Identification Number DWEHD90178" on the check. The Owner/Operator agrees not to contest the legality of the civil fine.

Signatories

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Eric J. Oswald, Director
Drinking Water and Environmental Health Division

Date

I, the undersigned, CERTIFY that I am fully authorized by the party identified above to enter into this Compliance Agreement to comply by consent and to EXECUTE and LEGALLY BIND that party to it. I further attest that all information provided herein is accurate and true.

VILLAGE OF ONTONAGON

William DuPont, Owner/Operator

Date

SECTION II - COMPLIANCE SCHEDULE

IT IS THEREFORE AGREED AND ORDERED THAT the Owner/Operator shall take the following actions to prevent further violations of Act 399 and the administrative rules promulgated thereunder and/or to correct the significant deficiency identified in the SNSV attached to this Compliance Agreement as Exhibit A.

- 2.1 Not later than May 2, 2026, the Owner/Operator shall submit to EGLE, for review and approval, a General Plan in accordance with Part 16 of the Act 399 administrative rules. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.2 Not later than May 2, 2026, the Owner/Operator shall submit to EGLE, for review and approval, an updated Reliability Study in accordance with Part 12 of the Act 399 administrative rules. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.3 Not later than May 2, 2026, the Owner/Operator shall submit to EGLE, for review and approval, an updated written service agreement between the Village of Ontonagon and all regional communities connected to the Village of Ontonagon water distribution system. The service agreement shall authorize the implementation of a cross connection control program for the distribution system outside the Village of Ontonagon village limits. EGLE will notify the Owner/Operator, in writing, of approval or of any deficiencies in the submittal.
- 2.4 Not later than May 2, 2026, the Owner/Operator shall replace the damaged vent screen on the White Pine elevated storage tank. The Owner/Operator shall submit to EGLE, for review and approval, photographic documentation of the completed work. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.5 Not later than May 2, 2026, the Owner/Operator shall submit to EGLE, for review and approval, a written routine valve turning program for all valves in the regional water system in accordance with R 325.11108 of the Act 399 administrative rules. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.6 Not later than 90 days from EGLE's written approval of the valve turning program under Paragraph 2.5, and by September 30 every year thereafter for the duration of this Compliance Agreement, the Owner/Operator shall submit to EGLE, for review and approval, a written annual progress report after the implementation of the valve turning plan under Paragraph 2.5. EGLE will notify the Owner/Operator, in writing, of any deficiencies in the submittals.
- 2.7 Not later than May 2, 2026, the Owner/Operator shall complete sludge removal of the settling basin. The Owner/Operator shall submit to EGLE, for review and approval, photographic documentation not later than 14 days from completion of the sludge removal. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.8 Not later than June 30, 2026, the Owner/Operator shall submit to EGLE, for review and approval, an updated cross connection control program that includes a provision to address all customer classes, including residential customers, in accordance with

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Part 14 of the Act 399 administrative rules. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.

- 2.9 Not later than 90 days from EGLE's written approval of the updated cross connection control program under Paragraph 2.8, and by September 30 every year thereafter for the duration of this Compliance Agreement, the Owner/Operator shall submit to EGLE, for review and approval, a written mid-year progress report indicating the number of cross connection inspections and re-inspections conducted during the period of January 1 through June 30 of the same year for each customer class for the entire regional area served by the Village of Ontonagon water system. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.10 Not later than June 30, 2026, the Owner/Operator shall install approved anti-siphon devices to all chemical feed systems in accordance with Section 5.5.5 of the most current version of Recommended Standards for Water Works, prepared by the Great Lakes Upper Mississippi Board of State and Provincial Public Health and Environmental Managers (Ten States' Standards). The Owner/Operator shall submit to EGLE, for review and approval, photographic evidence of the completed work or description, as appropriate. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.11 Not later than June 30, 2026, the Owner/Operator shall install 24-mesh screens on all storage tank overflows. The Owner/Operator shall submit to EGLE for review and approval, photographic evidence of the completed work. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.
- 2.12 Not later than June 30, 2026, the Owner/Operator shall submit to EGLE, for review and approval, an updated plan and schedule to repair or replace the White Pine elevated storage tank. The schedule shall include, at a minimum, the following items:
- a. A date to submit the final project plans to repair or replace the White Pine elevated storage tank.
 - b. A written schedule to obtain funding to repair or replace the White Pine elevated storage tank.
 - c. A date to submit an administratively complete Act 399 construction permit application, in accordance with Section 4 of Act 399 (Michigan Compiled Law 325.1004, to repair or replace the White Pine elevated storage tank).
 - d. A written schedule to complete construction in accordance with the EGLE-issued Act 399 construction permit.

EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal. The EGLE-approved schedule shall be incorporated into this Compliance Agreement by reference.

- 2.13 Not later than one (1) year from the EGLE-issued Act 399 construction permit, in the EGLE-approved plan under Paragraph 2.12, the Owner/Operator shall complete the repair or replacement of the White Pine elevated storage tank in accordance with the EGLE-approved schedule under Paragraph 2.12. Not later than seven (7) days from completion of the work, in accordance with the EGLE-issued Act 399 construction permit, the Owner/Operator shall notify EGLE to request a site inspection. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the inspection.

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- 2.14 If funding to repair or replace the White Pine elevated storage tank is not obtained in accordance with the EGLE-approved schedule under Paragraph 2.12, then not later than 30 days from notification of funding rejection, the Owner/Operator shall submit to EGLE, for review and approval, a written revised plan and schedule to complete the White Pine elevated storage tank project. The plan and schedule shall include, at minimum, any unresolved items listed under Paragraph 2.12. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittals. The EGLE-approved schedule shall be incorporated into this Compliance Agreement by reference.
- 2.15 Not later than August 31, 2026, the Owner/Operator shall have the intake inlet and pipeline inspection completed by a qualified diving contractor in accordance with R 325.10907 of the Act 399 administrative rules. The Owner/Operator shall submit to EGLE, for review, a copy of the inspection report not later than 30 days after receiving the report. EGLE will notify the Owner/Operator, in writing, of any deficiencies in the submittal.
- 2.16 If any deficiencies or repairs are identified in the inspection report submitted under Paragraph 2.15, then not later than 60 days from EGLE's written notification, the Owner/Operator shall submit to EGLE, for review and approval, a written plan and schedule to address all deficiencies in accordance with Part 9 of the Act 399 administrative rules. The EGLE-approved schedule shall be incorporated into this Compliance Agreement by reference.
- 2.17 Not later than November 1, 2026, the Owner/Operator shall have the sludge vacuum control system and the sludge vacuum removal system evaluated and repaired by qualified individual(s) in accordance with state and local building codes and regulations. The Owner/Operator shall submit to EGLE, for review and approval, written documentation of the completed work. EGLE will notify the Owner/Operator, in writing, of approval or any deficiencies in the submittal.

Sections III and IV of this Compliance Agreement shall not be altered in any way, including adding or eliminating any language, striking terms or parts of terms, retyping in whole or in part, or using a different format. Any changes to this document without written approval from EGLE renders the Compliance Agreement null and void.

SECTION III - STIPULATIONS

The Owner/Operator and EGLE stipulate as follows:

- 3.1 EGLE is authorized to enter this Compliance Agreement requiring the Owner/Operator to comply with state law under Section 15 of Act 399.
- 3.2 The Owner/Operator consents to the issuance and entry of this Compliance Agreement and stipulates that the entry of this Compliance Agreement constitutes a final order of EGLE and is enforceable as such under the appropriate provisions of state law identified in this Compliance Agreement. The Owner/Operator agrees not to contest the issuance of this Compliance Agreement and that the resolution of this matter by the entry of this Compliance Agreement is appropriate and acceptable.
- 3.3 The Owner/Operator and EGLE agree that the signing of this Compliance Agreement is for settlement purposes only and does not constitute an admission by the Owner/Operator that the law has been violated.

- 3.4 The Signatory to this Compliance Agreement on behalf of the Owner/Operator agrees and attests that he/she is fully authorized to ensure that the Owner/Operator will comply with all requirements under this Compliance Agreement.
- 3.5 The Owner/Operator shall achieve compliance with the aforementioned regulations in accordance with the requirements contained in Section II of this Compliance Agreement.

SECTION IV - GENERAL PROVISIONS

The Owner/Operator and EGLE further stipulate as follows:

- 4.1 With respect to any violations not specifically addressed and resolved by this Compliance Agreement, EGLE reserves the right to pursue any other remedies to which it is entitled for any failure on the part of the Owner/Operator to comply with the requirements of Act 399 and the administrative rules promulgated thereunder.
- 4.2 EGLE and the Owner/Operator consent to enforcement of this Compliance Agreement in the same manner and by the same procedures for all final orders entered pursuant to the provisions of Act 399.
- 4.3 This Compliance Agreement in no way affects the Owner/Operator's responsibility to comply with any other applicable local, state, or federal laws or regulations.
- 4.4 EGLE reserves its right to pursue appropriate action, including injunctive relief to enforce the provisions of this Compliance Agreement, and applicable statutory fines for any violation of this Compliance Agreement.
- 4.5 Nothing in this Compliance Agreement is or shall be considered to affect any liability the Owner/Operator may have for natural resource damages caused by the Owner/Operator's acts or omissions at the facility. The State of Michigan does not waive any rights to bring an appropriate action to recover such damages to the natural resources.
- 4.6 In the event the Owner/Operator sells or transfers the facility, he/she shall advise any purchaser or transferee of the existence of this Compliance Agreement in connection with such sale or transfer. Within 30 calendar days, the Owner/Operator shall also notify the DWEHD Engineering Section Manager, in writing, at EGLE-DWEHD, Engineering Section, Marquette District Office, P.O. Box 30817, Lansing, Michigan 48909-8311 of such sale or transfer, the identity and address of any purchaser or transferee, and confirm the fact that notice of this Compliance Agreement has been given to the purchaser and/or transferee. The purchaser and/or transferee of this Compliance Agreement must agree, in writing, to assume all of the obligations of this Compliance Agreement. A copy of that agreement shall be submitted to the DWEHD Engineering Section Manager within 30 days of assuming the obligations of this Compliance Agreement.
- 4.7 The provisions of this Compliance Agreement shall apply to and be binding upon the parties to this action and their successors and assigns.

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- 4.8 This Compliance Agreement constitutes a civil settlement and satisfaction as to the resolution of the violations specifically addressed herein; however, it does not resolve any criminal action that may result from these same violations.

Reporting

- 4.9 The Owner/Operator shall make all submittals and written notifications required by this Compliance Agreement, to the DWEHD Enforcement Analyst, at EGLE-DWEHD-Enforcement@Michigan.gov, or EGLE-DWEHD, Deborah A. Stabenow Building, P.O. Box 30817, Lansing, Michigan 48909-8311. The cover letter with each submittal or notification shall identify the specific paragraph and requirement of this Compliance Agreement that the submittal or notification is intended to satisfy.
- 4.10 The Owner/Operator shall verbally report any violation(s) of the terms and conditions of this Compliance Agreement to the DWEHD Engineering Section Manager at 906-630-4107 by no later than the close of the next business day following detection of such violation(s) and shall follow such notification with submittal of a written report within five business days following detection of such violation(s). The written report shall include a detailed description of the violation(s), as well as a description of any actions proposed or taken to correct the violation(s). The Owner/Operator shall report any anticipated violation(s) of this Compliance Agreement to the above-referenced individual in advance of the relevant deadlines whenever possible.

Retention of Records

- 4.11 Upon request by an authorized representative of EGLE, the Owner/Operator shall make available to EGLE all records, plans, logs, and other documents required to be maintained under this Compliance Agreement or pursuant to applicable laws or rules. All such documents shall be retained by the Owner/Operator for at least a period of three years from the date of generation of the record unless a longer period of record retention is required by the applicable law or its rules.

Right of Entry

- 4.12 The Owner/Operator shall allow any authorized representative or contractor of EGLE, upon presentation of proper credentials, to enter upon the premises of the facility at all reasonable times for the purpose of monitoring compliance with the provisions of this Compliance Agreement. This paragraph in no way limits the authority of EGLE to conduct tests and inspections pursuant to Act 399 and the administrative rules promulgated thereunder or any other applicable statutory provision.

EGLE Approval of Submittals

- 4.13 For any work plan, proposal, or other document, excluding applications for permits or licenses, that are required by this Compliance Agreement to be submitted to EGLE by the Owner/Operator, the following process and terms of approval shall apply:
- a. All work plans, proposals, and other documents required to be submitted by this Compliance Agreement shall include all of the information required by the applicable statute and/or rule and all of the information required by the applicable paragraph(s) of this Compliance Agreement.

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- b. In the event EGLE disapproves a work plan, proposal, or other document, it will notify the Owner/Operator, in writing, specifying the reasons for such disapproval. The Owner/Operator shall submit, within 30 days of receipt of such disapproval, a revised work plan, proposal, or other document that adequately addresses the reasons for EGLE's disapproval. If the revised work plan, proposal, or other document is still not acceptable to EGLE, EGLE will notify the Owner/Operator, in writing, of this disapproval.
- c. In the event EGLE approves with specific modifications, a work plan, proposal, or other document, it will notify the Owner/Operator, in writing, specifying the modifications required to be made to such work plan, proposal, or other document prior to its implementation and the specific reasons for such modifications. EGLE may require the Owner/Operator to submit, prior to implementation and within 30 days of receipt of such approval with specific modifications, a revised work plan, proposal, or other document that adequately addresses such modifications. If the revised work plan, proposal, or other document is still not acceptable to EGLE, EGLE will notify the Owner/Operator, in writing, of this disapproval.
- d. Upon EGLE approval, or approval with modifications, of a work plan, proposal, or other document, such work plan, proposal, or other document shall be incorporated by reference into this Compliance Agreement and shall be enforceable in accordance with the provisions of this Compliance Agreement.
- e. Failure by the Owner/Operator to submit an approvable work plan, proposal, or other document, within the applicable time periods specified above, constitutes a violation of this Compliance Agreement and shall subject the Owner/Operator to the enforcement provisions of this Compliance Agreement.
- f. Any delays caused by the Owner/Operator's failure to submit an approvable work plan, proposal, or other document when due shall in no way affect or alter the Owner/Operator's responsibility to comply with any other deadline(s) specified in this Compliance Agreement.
- g. No informal advice, guidance, suggestions, or comments by EGLE regarding reports, work plans, plans, specifications, schedules, or any other writing submitted by the Owner/Operator will be construed as relieving the Owner/Operator of his/her obligation to obtain written approval, if and when required by this Compliance Agreement.

Extensions

- 4.14 The Owner/Operator and EGLE agree that EGLE may grant the Owner/Operator a reasonable extension of the specified deadlines set forth in this Compliance Agreement. Any extension shall be preceded by a written request to the DWEHD Engineering Section Manager no later than ten business days prior to the pertinent deadline and shall include:
- a. Identification of the specific deadline(s) of this Compliance Agreement that will not be met.
 - b. A detailed description of the circumstances that will prevent the Owner/Operator from meeting the deadline(s).

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- c. A description of the measures the Owner/Operator has taken and/or intends to take to meet the required deadline(s).
- d. The length of the extension requested and the specific date on which the obligation will be met.

No change or modification to this Compliance Agreement shall be valid unless in writing from EGLE and, if applicable, signed by both parties.

Termination

4.15 This Compliance Agreement shall remain in full force and effect until terminated by a written Termination Notice (TN) issued by EGLE. Prior to issuance of a written TN, the Owner/Operator shall submit a request consisting of a written certification that the Owner/Operator has fully complied with the requirements of this Compliance Agreement and has made payment of any fines required in this Compliance Agreement. Specifically, this certification shall include:

- a. The date of compliance with each provision of the compliance program in Section II of this Compliance Agreement, and the date any fines or penalties were paid.
- b. A statement that all required information has been reported to the DWEHD Engineering Section Manager.
- c. Confirmation that all records required to be maintained pursuant to this Compliance Agreement are being maintained at the facility.

EGLE may also request additional relevant information. EGLE shall not unreasonably withhold issuance of a TN.

Village of Ontonagon
Administrative Compliance Agreement

Administrative Compliance Agreement
Exhibit A

Enforcement Type

Sanitary Survey Report

Issue Date

December 15, 2025

DRAFT

Exhibit A



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
DRINKING WATER AND ENVIRONMENTAL HEALTH DIVISION



PHILLIP D. ROOS
DIRECTOR

December 15, 2025

Via Email

Willie DuPont
Village of Ontonagon
315 Quartz St
Ontonagon, MI 49953

WSSN: 5030
County: Ontonagon

Dear Willie DuPont:

SUBJECT: Sanitary Survey Report for the Water Supply Serving the Village of Ontonagon

This letter confirms the Department of Environment, Great Lakes, and Energy's (EGLE) meeting with Jeremy Graff and Willie DuPont on November 3, and November 5, 2025 to conduct a Sanitary Survey (Survey) of the Village of Ontonagon Regional Water Treatment System (Ontonagon) and to present final findings, discuss areas for improvement, and identify timelines for corrective actions. The purpose of a Survey is to evaluate water systems with respect to requirements of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399). It is also an opportunity to update EGLE's records, provide technical assistance, and identify risks that may adversely affect drinking water quality. Enclosed for your reference is a Survey review summary and the standard report for Ontonagon from our database. Please share these findings with Village of Ontonagon board members so local decision makers are informed of the water system needs.

Since the last Survey, EGLE acknowledges Ontonagon has completed the following water facility improvements and operations:

1. Raw Water Pump #1 was replaced.
2. Redundant soda ash feed equipment was purchased.
3. Began quarterly calibration of turbidimeters.
4. Investigated coagulant aid chemicals for high turbidity events.

The following table summarizes EGLE's final findings from the Survey of the water system:

Survey Element	Findings
Source	Deficiencies Identified
Treatment	Deficiencies Identified
Distribution System	Deficiencies Identified
Finished Water Storage	Significant Deficiencies Identified
Pumps	Recommendations Made
Monitoring & Reporting	Recommendations Made

Survey Element	Findings
Management & Operations	Deficiencies Identified
Operator Compliance	Recommendations Made
Security	No Deficiencies/Recommendations
Financial	Recommendations Made
Other	No Deficiencies/Recommendations

At this time, Ontonagon is meeting the strict primary water quality standards of Act 399 and complies with all water sampling requirements.

Significant Deficiencies:

Significant deficiencies are serious sanitary deficiencies identified in water systems which include, but are not limited to, defects in design, operation, maintenance, or a failure or malfunction of the sources; treatment, storage, or distribution systems that are determined to be causing, or have the potential to cause, contamination into the public water supply.

Significant deficiencies must be corrected or the water supply must have an EGLE-approved corrective action plan within 120 days of the date of this letter, or earlier if specified by EGLE. Failure to meet the deadline is a treatment technique violation with public notice requirements and may result in administrative penalties up to \$10,000 per violation.

During the Survey, one significant deficiency was identified:

1. **R 325.11112 Storage tanks generally:** Per Rule 1112, All storage tanks, including hydropneumatic or gravity storage tanks which are used for the storage of finished water, shall meet all of the following requirements: (a) Be watertight below the maximum water level elevation. (b) Be constructed with materials and coatings approved by the department pursuant to part 21 of these rules. (c) Have no unprotected openings. (d) Be provided with access to the inside of the tank for inspection or repair.

Professional inspections of the White Pine elevated storage tank have identified large holes in vent screens and a lack of adequate safety rails to access the rooftop entrance hatch. The inspection reports also recommended actions related to the foundation, structural steel, coatings, corrosion protection, and appurtenances were identified as essential to ensure the integrity of the tank. EGLE believes failure to address these concerns poses a sanitary risk to your customers and may lead to failure of the tank or its components. Annual inspections of the tank by Village staff are ongoing and a professional inspection is completed every three years, with the most recent being completed September 25, 2025. To correct this deficiency, the following actions are required:

- i. Replace the damaged vent screen by March 31, 2026.
- ii. Submit an updated plan for repairing or replacing the White Pine elevated storage tank by June 30, 2026.

- iii. Beginning in 2026 and continuing until the tank is repaired or replaced, submit an annual report on the status of progress made towards repairing or replacing the White Pine elevated storage tank.
- iv. Repairs or replacement of the White Pine elevated storage tank must be completed by December 31, 2028.
- v. Continue the schedule of annual inspections of the White Pine elevated storage tank, and completion of professional inspections at least every three years by a professional engineer or tank consultant.

Deficiencies:

Deficiencies indicate noncompliance with Act 399 and the promulgated rules, which include defects in a water system's infrastructure, design, operation, maintenance, or management that cause, or may cause, interruptions to the "multiple barrier" protection system and adversely affect the system's ability to produce safe and reliable drinking water in adequate quantities.

During the Survey, eight deficiencies were identified and are listed below:

1. **Rule 325.10907 Intake inlet and pipeline:** Per Rule 907 (3), The intake shaft shall be constructed to reasonably protect against physical hazards associated with the surface water source. Ontonagon has a single raw water intake and shore well that was installed in 1954 by the Copper Range Company. The intake has not been inspected since the 1990's and it is unknown if there has been any degradation of the intake impacting protection from hazards associated with the surface water source. To correct this deficiency, a complete inspection of the intake and shore well shall be completed by August 31, 2026.
2. **R 325.12102 Approval of chemicals and other materials:** Per Rule 2102, all chemicals that come into contact with water intended for use in a public water supply shall meet ANSI/NSF standard 60. Anti-siphon devices are necessary to prevent chemicals from being accidentally added above the NSF maximum dosage.

Per section 5.5.5 of Ten States' Standards, all liquid chemical feeders shall be installed so that chemical solutions cannot be siphoned or overfed. No anti-siphon device or air gap is present on the alum, and soda ash feed systems. To correct this deficiency, install appropriate anti-siphon provisions to the chemical feeds by June 30, 2026.

3. **R 325.11108 Distribution system valves:** Per Rule 1108, sufficient valves shall be provided on distribution systems to minimize interruptions in service and minimize sanitary hazards during construction or repairs. Ontonagon does not have an active valve turning program for ensuring all valves are in operating condition. This could lead to interruption of service or cause potential risk to public health during repair or construction activities. To correct this deficiency, develop and implement a routine valve turning program for all valves in the Ontonagon regional water system and submit a copy to EGLE for review by March 31, 2026. Provide annual reports on the progress of implementation of the plan beginning September 31, 2026, and each subsequent year for a period of 5 years.
4. **R 325.11403 Cross connections prohibited:** Rule 1403(1) states that unprotected cross connections between a public water supply and any source, piping, or system that may contain non-potable water are prohibited. Rule 1403(2) states that this rule applies to all customer classes, including single- and multi-family residential accounts. Ontonagon has no residential component to its cross connection program. The Village of Ontonagon has

expressed uncertainty as to their legal authority to carry out a cross connection program for the distribution system outside of the village limits. To correct this deficiency the following actions are required:

- i. Obtain a legal opinion or determine the Village of Ontonagon's authority to implement a cross connection program to the distribution system outside the village limits by January 31, 2026.
 - ii. If necessary, update the service agreements between the Village of Ontonagon and regional communities connected to the Ontonagon distribution system to authorize implementation of a cross connection program for the distribution system outside the Village of Ontonagon village limits by March 31, 2026.
 - iii. An updated cross connection program and ordinance shall be implemented by the Village of Ontonagon that includes provision for addressing all customer classes including residential. The updated cross connection program shall be submitted to EGLE for review by June 30, 2026. Not later than September 30 of each year, until directed otherwise, submit a written update to EGLE, indicating the number of cross connection inspections and re-inspections conducted during the year for each customer class for the entire regional area served by Ontonagon.
 - iv. Failure to meet the due dates outlined in the above items may result in referral for escalated enforcement.
5. **R 325.11603 General Plans; Updating requirements:** Per Rule 1603, upon receiving written notice from the department, public water supplies shall provide an updated general plan within 6 months. An updated general plan was requested by the department on February 1, 2022, and has not been provided. Ontonagon has indicated that an updated general plan is being developed by a consulting engineering firm. To correct this deficiency, submit a copy of the updated general plan to EGLE by February 28, 2026.
6. **R 325.11203 Study of water supply requirements for type I public water supply:** Per Rule 1203 (2) the study shall be updated every 5 years. An updated Reliability Study was requested by the department on February 1, 2022, and has not been provided and has not been updated for greater than 5 years. Ontonagon has indicated that an updated reliability study is being developed by a consulting engineering firm. To correct this deficiency, submit a copy of the updated reliability study by February 28, 2026.
7. **R 325.11112 Storage tanks generally:** Per Rule 1112(c), storage tanks shall have no unprotected openings. Per Recommended Standards for Water Works (Ten States' Standards) Section 7.1.7, tank overflows shall be protected against insect intrusion using 24-mesh non-corrodible screen, a 24-mesh-fitted flap valve, a weighted flap valve with interior 24-mesh screen, or a duckbill valve.

The overflow outlets for the Ontonagon Tower is outdoor with a solid flapper and no insect screen. The Water Treatment Plant Clearwell is indoor and does not have any screen or cover. To correct these deficiencies, install adequate protective measures on the overflow outlets for the Ontonagon Tower and Water Treatment Plant Clearwell and provide documentation to EGLE by June 30, 2026.

Per Ten States' Standards Section 7.1.9, vents shall be fitted with twenty-four mesh non-corrodible screen in combination with an automatically resetting pressure-vacuum relief

mechanism. The Ontonagon Tower vent was reported by Dixon engineering to lack an appropriately fine screen mesh to prevent insect intrusion to the wet interior. To correct this deficiency, install an adequate 24-screen mesh non-corrodible screen by June 30, 2026.

8. **R 325.10611 Filtration and disinfection:** Per Rule 611, a water system shall install and properly operate water treatment processes to reliably achieve the applicable microbial contaminant removal or inactivation percentages. Preventative maintenance ensures that the WTP will continue to function as designed and meet regulatory requirements. Due to a lack of preventative maintenance, the sludge vacuum control system for removing solids accumulated from the sedimentation basins has been damaged, and the sludge vacuum removal system is not operational. The controls and sludge vacuum system must be repaired by June 30, 2026. To ensure settling treatment performance, manual sludge removal shall be carried out by plant staff to remove accumulated solids until the repairs are complete as needed. Ontonagon should also evaluate current staffing levels at the plant, additional staff may be necessary to carry out adequate preventative maintenance.

Reminders and Other Follow Up:

The reminders and actions below are not deficiencies but failure to complete them could result in potential deficiencies or significant deficiencies.

1. During the survey it could not be confirmed what disinfection standard the distribution system staff follow for watermain repairs and replacement. Provide confirmation that a copy of AWWA C651 or equivalent written disinfection standard is maintained by Ontonagon by January 31, 2026.
2. An updated Bacteriological Sampling Site Plan is needed that includes a designated back up certified lab. Please submit an update Bacteriological Sampling Plan by February 28, 2026.
3. The 5-year and 20-year capital improvement plan (CIP) is out of date. An updated CIP must be submitted by June 30, 2026.
4. The finished water transmission main from the water plant North along M-64 is over 60 years old has exceeded its anticipated useful life. The single main is a critical bottleneck to the distribution system. Ontonagon should prioritize replacement of this transmission main to minimize potential disruption to providing finished water to the Village of Ontonagon.

Recommendations:

Recommendations should be considered by the public water supply to enhance level of services, and to avoid future deficiencies.

During the Survey, ten recommendations were identified and are listed below:

1. Excessive corrosion was observed in the pretreatment room of the plant. This corrosion has damaged the controls of multiple pieces of equipment throughout the plant's lifetime. Ontonagon should investigate alternative disinfection practices that reduce the residual in the pretreatment processes and operation of air exchangers to reduce the corrosivity of the environment in the pretreatment room of the plant.

2. Chemical feed pumps should be regularly calibrated.
3. Adjust the heights of the sedimentation basin weirs to equalize flow through the effluent troughs.
4. Conduct analysis of the filter bed media to determine the condition of the aging media.
5. Ontonagon experiences high raw water turbidities during spring runoff events. Ontonagon should consider installation of a permanent redundant soda ash feed system that can feed soda ash prior to primary coagulant addition. This configuration would allow for greater operational flexibility and increase treatment efficiency during raw water high turbidity events. This should include intermittent alkalinity monitoring prior to primary coagulant feed.
6. Maintain written records of equipment maintenance activities.
7. Repair the fill valve on the Ontonagon Booster Station.
8. Develop written Standard Operating Procedures (SOPs) for treatment and distribution equipment and processes.
9. The raw water pump station is in poor condition and is oversized due to originally being designed to accommodate the White Pine Mine water demands. To reduce maintenance needs and improve power consumption efficiency, it is recommended that the existing shorewell be equipped with a new raw water pump building adjacent to the existing building, that is sized to meet the current and projected needs of the water system.
10. A spray pond control valve owned by the neighboring mine is damaged and has been reducing the available raw water flow to the treatment plant. Work with the utility to define the utility's water use and repair or cap this valve to ensure adequate raw water quality and quantity to meet the demands of the treatment plant.

EGLE's investigation is considered complete. This significant deficiency begins as of the date of this letter and will continue until Ontonagon completes corrective action. Ontonagon must complete corrective action within 120 days of the date of this letter or comply with a Corrective Action Plan and schedule approved by this office. Please contact EGLE within 30 days of the date of this letter to discuss appropriate corrective action and to provide any factual information for EGLE to consider regarding the Survey findings. You must also notify EGLE, in writing, within 30 days of correcting the significant deficiency.

Please note that any Significant Deficiency (SD) that remains unresolved at the time the annual Consumer Confidence Report (CCR) is distributed, the water supplier is required to provide a Special Notice in its CCR. The water supplier must inform your customers on the details regarding the unresolved SD including the date the SD was identified by EGLE; the EGLE approved plan and schedule for correction along with the current progress toward this approved plan. This Special Notice requirement shall be included in all future CCRs until the SD has been resolved.

If you have any questions, please feel free to contact me at the phone number listed below or by email at RoeserD@Michigan.gov.

Sincerely,

Davis Roeser, PE
Surface Water Engineer
Engineering Section
Drinking Water and Environmental Health Division
989-545-2347

Enclosure

cc: Jeremy Graff, Village of Ontonagon
Bob London, EGLE
Mike Bolf, EGLE
Brian Thurston, EGLE
Brandon Onan, EGLE
Matt Allen, EGLE
Ontonagon County Health Department