

## **CMS LAND APPLIES FOR PERMIT TO TREAT WATER COLLECTED AT BAY HARBOR DEVELOPMENT**

PETOSKEY, Mich., Jan. 7, 2010 – CMS Land Company has applied for a permit to treat and release water collected at the Bay Harbor development as part of the Little Traverse Bay Environmental Project.

The National Pollutant Discharge Elimination System (NPDES) permit application calls for using the best commercially available technology to remove 90 percent of the mercury and other contaminants contained in the collected water and then releasing the water to Lake Michigan.

The application was submitted in December to the Michigan Department of Environmental Quality (MDEQ). The water treatment facility proposed in the application is located just east of Camp Daggett road, on the north side of U.S. 31.

The application is part of CMS Land's on-going efforts to identify a remedy to locally dispose of water collected as part of its environmental efforts at Resort Township's East Park and the Bay Harbor development.

The application proposes to reduce the alkalinity (pH) and remove 90 percent of the mercury, metals and other suspended solids contained in up to 190,000 gallons of water a day collected at the Bay Harbor development. Mercury would be reduced from about 110 parts per trillion (ppt) to about 10 ppt. The reduction would be accomplished by adding a material to the water that causes dissolved mercury and other contaminants to form solids and then sending the water through a system to filter out the solids.

The treated water would then be released to Lake Michigan through a location yet to be determined in the Bay Harbor development.

David Mengebier, president of CMS Land, said he believes the permit is the best environmental option available to safely dispose of the water collected at the project.

“We have spent several years and considerable resources aggressively researching technology that will remove mercury from the collected water,” Mengebier said. “We believe we have identified the best available technology to effectively treat the water and provide environmental protection. We believe, and hope that the public and regulatory

# Cleaning our shore. Protecting our bay.

LITTLE TRAVERSE BAY ENVIRONMENTAL PROJECT

agencies agree, that treating, removing as much mercury as possible, and releasing the water locally is clearly superior to the current situation where large tanker trucks are driven upwards of 750,000 miles a year for water disposal.”

The project collects, treats and ships up to 310,000 gallons of water a day. After treatment, the water is trucked – up to 27 tankers a day – to licensed disposal sites in Johannesburg and Traverse City.

While the proposed permit will remove 90 percent of the mercury and other contaminants, regulators will need to approve a variance because technology is not available to reduce all contaminants to state discharge standards, specifically the mercury standard of 1.3 ppt. Variances have been commonly issued because of the difficulty in meeting the stringent state standards. For comparison, the federal government has set the safe drinking water standard for mercury at 2,000 ppt. An additional benefit of this water disposal method is that NPDES permits must be reviewed every five years and require that contaminant reduction measures are implemented if required and possible.

Other local water disposal options under review include sending the water to the City of Petoskey’s water treatment system for treatment and release to the lake, and investigating the viability of a local deep injection well.

CMS Land submitted a separate NPDES application for the water collected at East Park on Nov. 19 and an application for a local deep injection well on Oct. 30 to the MDEQ.

CMS Land has spent about \$90 million over the past five years on the Little Traverse Bay Environmental Project and achieved significant environmental progress.

The company has installed a variety of remedies to stop groundwater with high alkalinity from reaching the Little Traverse Bay. Those remedies, which have been tested and proven effective at other similar sites, have produced excellent environmental results.

East Park and Bay Harbor were reclaimed from the site of an abandoned limestone quarry and cement factory covering 1,200 acres and five miles of Lake

# Cleaning our shore. Protecting our bay.

LITTLE TRAVERSE BAY ENVIRONMENTAL PROJECT

Michigan shoreline. The brownfield site was redeveloped in 1994 and was the largest reclamation project in North America.

Although no longer a partner in the project that redeveloped the abandoned site, CMS Land agreed to address certain environmental issues associated with the cement dust left behind by the cement plant.

CMS Land is a subsidiary of CMS Energy. CMS Energy is a Michigan-based company that has an electric and natural gas utility, Consumers Energy, as its primary business and also owns and operates independent power generation businesses.

CMS Land is separate from Consumers Energy and no utility funds are used to pay for the Little Traverse Bay Environmental Project.

# # #