

**CMS LAND APPLIES FOR PERMIT TO TREAT AND  
RELEASE WATER COLLECTED AT EAST PARK AS PART  
OF THE LITTLE TRAVERSE BAY ENVIRONMENTAL PROJECT**

PETOSKEY, Mich., Nov. 19, 2009 – CMS Land has applied for a permit to treat and release water collected at Resort Township’s East Park as part of the Little Traverse Bay Environmental Project.

The National Pollutant Discharge Elimination System (NPDES) application was submitted today to the Michigan Department of Environmental Quality (MDEQ). The water treatment facility proposed in the application is located next to East Park, just north 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 East Park and the Bay Harbor development.

The application proposes to reduce the alkalinity (pH) of up to 35,000 gallons of leachate a day collected at East Park. The treated water would then be mixed with clean ground water collected upgradient of the park before releasing it to Lake Michigan through an existing storm sewer. Analysis indicates that the low concentrations of mercury and other contaminants in the mixed water will meet Water Quality Standards for release to the bay.

David Mengebier, president of CMS Land, said he believes the company’s proposal to locally treat and release the water collected at the project is a sound and appropriate environmental approach.

“We will soon submit a separate NPDES application for the balance of the environmental project that calls for removing about 90 percent of the mercury contained in the collected water by utilizing the best proven technology,” Mengebier said. “We believe that treating, removing as much mercury as possible, and releasing the water locally is clearly superior to the current situation where trucks are driven upwards of 750,000 miles a year for water disposal.”

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

Mengebier said that continued trucking of the water isn't a realistic long-term remedy, because of traffic congestion, safety concerns and high cost.

“We need a local solution to a local concern. CMS is working with the U.S. Environmental Protection Agency, the MDEQ and other stakeholders to identify an acceptable local water disposal option,” Mengebier said.

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

CMS Land submitted 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 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.

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

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For more information about the work done at the Little Traverse Bay Environmental Project, please visit: [www.protectingourbay.com](http://www.protectingourbay.com)