

ESLA President Supports DEQ Action to Rectify Discharges into Elk Lake

Background

The basis of this complaint centers around discharges from the Burnette Foods, Inc. spray irrigation site alleging that adjacent wetlands, a downstream creek and Elk lake are being adversely affected. The resulting investigation by the DEQ revealed saturated soils, ponded effluent vegetation stained black (from the effluent), standing water, and surface water runoff anaerobic soil conditions reflecting waste water runoff too high for the existing site. The DEQ issued an official violation confirming the leaching and discharge of wastewater into the wetlands, creek and Elk Lake. This discharge was being done without the benefit of a current permit, since Burnette Foods had allowed a previous permit to expire. Even with a permit, the level of discharge and the soil saturation at the surface and subsurface level are greater than what would be considered acceptable by any standard, potentially impacting area well water systems and the leaching discharge into the watershed. Burnette Foods has been ordered by the Michigan DEQ to cease and desist any further discharge and pursue actions to determine the reason and extent of the release and to conduct clean-up activities.

Letter Submitted to DEQ by Peter DiMercurio President, Elk-Skegemog Lakes Association

Department of Environmental Quality
October 13, 2008
Attn: Janice Lee Heuer
Senior Environmental Engineer
Water Bureau
Cadillac District Office
120 West Chapin St
Cadillac, MI 49601-2158

Ms. Heuer,

Subject: Violation Notice 003677 - Burnette Foods, Elk Rapids, Antrim County

1. I have recently been apprised of the above Violation Notice (VN). As the President of the Elk-Skegemog Lakes Association, I was disappointed in the resulting need to issue a VN to Burnette Foods and the fact that this issue has, apparently, been ongoing for too long. It has clearly impacted the complainants quality of life, his property investment as a riparian owner and ultimately, the pristine water of the Elk-Skegemog watershed.

2. I thank you for your quick action to date. I will speak to the complainant and pledge our assistance, in accordance with the extent of our by-laws, in any way that we can, particularly as this violation affects him as a riparian owner on Elk Lake.

3. It is clearly in the interests of the Elk-Skegemog Lakes Association to promote an understanding of the rights of riparian owners, which the complainant

has exercised, and to assist in the protection and preservation of the environment of the Elk Skegemog watershed and wetlands that are impacted by the identified VN.

4. We, again, thank you for your oversight and response to date on behalf of the complainant, Elk-Skegemog Lakes Association, Department of Environmental Quality and the state of Michigan.

5 The water quality, preservation and protection of the Elk Skegemog watershed is paramount to the mission of the Elk-Skegemog Lakes Association.

6. I would ask that you apprise us on any updates/ongoing actions and, ultimately, any resolution (hopefully favorable to the complainant and the wetlands/waters of the Elk Skegemog watershed) as a consequence of this VN.

Respectfully,

Peter N. DiMercurio
President
Elk-Skegemog Lakes Association

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