

Wastewater Enforcement: U.S. Environmental Protection Agency and Monroe, Michigan Coal-Fired Powerplant Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and DTE Electric Company (“DTE”) entered into a Consent Agreement and Final Order (“CAFO”) addressing alleged violations of Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) Permit. See Docket No. CWA-05-2025-0001.

The CAFO provides that DTE owns and operates the Monroe Power Plant (“MPP”).

MPP is described as a coal-fired power plant located in Monroe, Michigan.

The CAFO alleges the following violations:

- Unlawful Discharge of Pollutants into Lake Erie (on three occasions between March 1, 2022, and January 31, 2023, submission of Discharge Monitoring Reports indicating the discharge of iron and thermal energy from Monitoring Point 001A and Monitoring Point 001H through Outfall 001 into Lake Erie in excess of the NPDES Permit’s daily maximum concentration limits).
- Unmonitored Discharge through Monitoring Point 001B (EPA was stated to observe during a Compliance Evaluation Inspection leaks in the containment wall between the Inactive Bottom Ash Basin and the Discharge Channel, and that the Inactive Bottom Ash Basin was leaking through the containment wall to the Discharge Channel at several locations upstream and downstream of Monitoring Point 001B).
- Preventative Maintenance and Good Housekeeping (chemical totes and hoppers with liquid contents were observed during the Compliance Evaluation Inspection to be stored outside exposed to the elements without structural cover or containment).
- Effluent Sampling (alleged failure to collect water samples for oil and grease analysis using an approved EPA method in violation of 40 C.F.R. Part 136 and the NPDES Permit).

A civil penalty of \$40,489.65 is assessed.

A copy of the CAFO can be downloaded [here](#).