

Rouge pollution needs regional solution, judge says

BY TIM RICHARD
STAFF WRITER

A federal judge wants Wayne, Oakland and Washenaw county officials to consider a regional approach to stopping non-point pollution of the Rouge River.

Judge John Feikens said they should look at Chapter 21 of the state Drain Code in setting up a watershed authority. The approval of federal funds "favors the development of a regional approach to the remedial efforts in southeastern Michigan," Feikens said in a letter to area officials and lawyers.

He said a regional approach "takes a risk reduction/mass balance approach to pollution control as opposed to independently negotiated permits governing only end-of-pipe-type controls."

So far Feikens has met once with top officials in his Detroit

courtroom and has another hearing set for May 7.

"A lot of people feared a Chapter 21 (consortium) would be imposed, but the court can't impose it," James Murray, Wayne County public works director, told the Southeast Michigan Council of Governments April 28. "County Executive Ed McNamara and (Detroit Mayor Dennis) Archer say the communities must support it," Murray said.

He added that communities favor the watershed approach only for planning and monitoring water management. Communities would have to petition for a Chapter 21 consortium, he added.

Murray said the consensus is that management practices - "how you keep pollutants out of the system" is a better approach than trying to clean up pollutants.

Guilty forces are such non-point runoff as herbicides, pesticides and algalides.

Feikens advocates a regional approach because "The Rouge River basin alone consists of 427 miles of watershed and 126 miles of river channel. It is the home of more than 1.5 million people located in 47 different municipal corporations. The price tag for CSO (combined sewer overflow) and storm water control in the Rouge Basin alone is estimated at up to \$2.6 billion," he wrote.

Feikens also quoted federal law to show the U.S. Congress favors a regional approach to correcting CSO problems. Combined sewers mix sanitary sewage with storm water.

In heavy rains, they become flooded and discharge their overflow into the Rouge. To study the Chapter 21 watershed idea, Feikens

one has called in McNamara, Murray and counsel Thomas Noenan from Wayne County; Oakland Executive L. Brooks Patterson and Drain Commissioner George Kuhn; Washenaw Drain Commissioner Janis Bobrin; Dr. Jonathan Bulkley, the court-appointed master in the Detroit sewage treatment plant case and representatives of the U.S. Environmental Protection Agency and Michigan Department of Environmental Quality.

Murray quoted state Sen. R. Robert Geake, R-Northville, as asking Feikens during the first hearing: "How clean is clean?" Feikens didn't have an immediate answer.

The Rouge case has been tacked onto an old, familiar case the U.S. EPN's 1977 suit against Detroit's sewerage department. In

the Detroit portion of the suit, Feikens appointed then-Mayor Coleman Young as a virtual czar over the system.

The result was billions of federal aid to expand and improve

the Detroit sewage treatment plant, which serves more than 100 suburban communities. Members of SEMCOG's executive committee received Murray's report without question or comment.

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