

To: Jeremy Fruk, NM Mi Health Department Environmental Director

October 7, 2022

Cc: Mike Jones, NW Mi H.D. Environmental Health District Supervisor
Deb Graber, Eveline Township Zoning Coordinator
Ken Visser, Tonnadoonah Association Sewer Committee President
Brad Jeffers, Mackinac Environmental Technology
Caroline Keson, Tipp of the Mitt Watershed Council

From: Hal Wolff, 07645 Cedar Lane (Eveline Twp.) Property Owner

Re: Cease and Desist Directive for Septic System on Wolff property dated September 17, 2021

Dear Mr. Fruk – pursuant to the phone conversation we had in July (which also included Mr. Jones) I wish to inform you of a number of issues and updates regarding my property situation.

1) I object to the Cease & Desist order that was placed on my property's septic system. To reiterate a bit of the property history, there has been a usage-appropriately-sized system maintained on our property for over 6 decades. Although it was never registered, registration was not a requirement when my family purchased the property in 1967, nor was the requirement that it be registered known to me. Of current interest, I have recently done significant investigative work this fall with the support of Brad Jeffers of Mackinac Environmental Tech. and Caroline Keson of Tipp of the Mitt Watershed Council.

2) Brad did boring and analysis of the soil constituents and water table height under my septic drain field. His data indicates the data obtained by your agency was in error, and there is adequate separation with the drain field and the water table. (56" was measured, exceeding 48" required – *report is attached.*) *(The wells are still in place, so if any data is desired by the NW Mi HD, that can be accommodated.)*

3) Caroline conducted extensive ground water analysis including lake water and ground water samples from the wells bored by MET that Brad left in place. Health Metric E.coli tests were conducted from both wells (S2 & S3) - all tests (2 from each well) were negative. Further lab testing for E. coli was performed on the lake water which revealed an undetectable level (<1.0) for E. coli at the lakeshore. (She also took readings using a Terramar Dualem device around the property which records soil conductivity. Additional conductivity readings from the lake water along the shore were taken.)

4) Based on the data gathered so far, it appears abundantly clear that the septic system on the Wolff property is functioning properly, with no detrimental effects to the environment.

I must also state, I have a number of issues with the process that your department implemented, and I am disappointed with the manner the intervention occurred which subjected me to harsh public ridicule. I am prepared to discuss the Cease & Desist order with you, and if need be, challenge the ruling again with the Sanitary Code Board of Appeals (w/the new data) and as a means of last resort, in the 33rd Circuit Court.

Mr. Mark Hilal, my attorney, will contact you soon to try to set up a meeting with you and your staff to discuss the matter and see if an outcome that is equitable to all can be reached without further external intervention. Please feel free to contact Mark or myself with any comments, questions, or any other considerations germane to this unfortunate situation. I look forward resolving this issue soon. Sincerely,

Hal Wolff
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cc: Mark Hilal
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e-mail: markhilal@gmail.com