



Department of Environmental Quality, Water Bureau  
**LARGE QUANTITY WATER WITHDRAWAL PERMIT**  
 Issued under Part 327  
 Great Lakes Preservation, Natural Resources and Environmental Protection Act  
 1994 PA 451, as amended

In accordance with Part 327, Great Lakes Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), authority is hereby given, to withdraw water from the waters of the State of Michigan as described herein. This permit is issued in reliance on information supplied in the corresponding application and other information as may have been supplied by the permit applicant in support of that application.

PERMIT NUMBER: **2008-001**

DATE ISSUED: **3/11/2008**

Permittee Name and Address: **St. Mary's Cement, Inc.**  
**16000 Bells Bay Road**  
**Charlevoix, Michigan 49720**

Location Information

County where Water Withdrawal is Located: **Charlevoix**  
Township Name, Town, Range and Section: **Charlevoix Township, 34N08W, Section 33**

**The activity authorized by this permit is subject to the following conditions and limitations:**

**Section A. Authorizations and Coverage Provisions**

**1. Water Withdrawal is restricted to the following sources, locations and rates:**

<b>Water Withdrawal Source</b>	<b>Latitude and Longitude (degrees)</b>	<b>Withdrawal Rate (GPM)</b>
Quarry Dewatering – Groundwater	45.30496, -85.29262	17,361

**2. Approval Conditions (if applicable)**

The permittee is herein advised that the issuance of this large quantity water withdrawal permit does not absolve St. Mary's Cement Incorporated of any present or future liability under Part 317, Aquifer Protection and Dispute Resolution, of the NREPA.

## **Section B. Reporting and Record Keeping**

### **1. Environmental Impacts**

The permittee is required to immediately contact the DEQ, Water Bureau, at 517-241-1415 if an Adverse Resource Impact (ARI) occurs in association with the water withdrawal authorized by this permit. An ARI is defined by section 32701 of the NREPA as 1) decreasing the flow of a stream by part of the index flow such that the streams ability to support characteristic fish populations is functionally impaired, or 2) decreasing the level of a body of surface water such that the body of surface water's ability to support characteristic fish populations is functionally impaired.

### **2. Water Use Report**

All registered large quantity water users will receive a Water Use Reporting form and/or invoice from the State of Michigan each year. The Water Use Report, reporting fee (if applicable), and invoice must be returned to the DEQ no later than April 1<sup>st</sup> of each year.

## **Section C. Liability**

### **1. Noncompliance**

Commencing with the water withdrawal authorized herein confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit. Noncompliance with these terms and conditions, and/or the initiation of other regulated activities not specifically authorized by this permit, shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the DEQ may initiate criminal and/or civil proceedings to correct deficiencies, protect natural resource values, and secure compliance with law.

### **2. Limitations**

This permit does not convey property rights in water, or other real or personal property, authorize any injury to private property or invasion of public or private rights, or waive the necessity of obtaining any other applicable federal, state or local permit or approval.

### **3. Indemnification**

The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representatives of the permittee, undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.

Steven E. Chester, Director  
Department of Environmental Quality

By: \_\_\_\_\_  
Wm. Elgar Brown