



## WATER BUREAU POLICY AND PROCEDURES

**NUMBER:** WB-021  
**SUBJECT:** CLASSIFICATION OF WASTEWATER TREATMENT FACILITIES  
**EFFECTIVE DATE:** JANUARY 15, 2010 **PAGE:** 1 OF 16  
**REVISION DATE:** (5-YEAR REVIEW FREQUENCY)

### ISSUE:

Parts 31, Water Resources Protection, and 41, Sewerage Systems, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, (NREPA) require the classification of every waste treatment or control facility with a discharge to surface waters or groundwaters of the state. A classification system for public water supplies is also established under the Michigan Safe Drinking Act, 1976 PA 399, as amended (Act 399). The Water Bureau procedure for Classification of Public Water Supplies (WB-013) was issued on October 12, 2007.

The classification requirements of Part 31 (industrial and commercial facilities) and Part 41 (treatment facilities that serve the public) exist to ensure that the certified operator has the minimum qualifications necessary to ensure proper operation and/or supervision of the treatment facility. Based on the Department of Environmental Quality's (Department) classification of the facility, a certified operator, who is properly qualified to operate the facility, must be designated by the facility and reported to the Department.

This policy provides guidance to Water Bureau staff in the National Pollutant Discharge Elimination System (NPDES) (non-storm water) and Groundwater Discharge Permit Programs so that facility classifications are appropriately determined and applied consistently.

### **Section I – Part 41: Treatment Facilities that Serve the Public**

#### AUTHORITY:

Section 324.4104 of Part 41 requires the Department to classify sewage treatment facilities that serve the public and ensure that the person (superintendent) in charge of the sewerage system has the necessary qualifications to successfully operate the treatment facility. Condos and subdivisions (private systems serving the public) are subject to Part 41 and are, therefore, subject to the Part 41 classification process.

Treatment facilities are to be classified into seven classes: A, B, C, D, L1, L2 and SC. The L1 and L2 classifications are used for lagoon systems and are based on the presence or absence of mechanical devices. The Special Classification (SC) is used for small systems that require minimal operation and control such as septic tank/tile fields and recirculating sand filters. Classes A, B, C, D are based primarily on the population size of the service area, but may be placed in a higher classification due to the following special conditions:

- Special features of design or characteristics more difficult to operate than usual
- A particularly difficult type of sewage (wastewater characteristics)
- Stream conditions (receiving waters)

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Rule 299.2912(1) of Part 41 also provides the necessary authority to change the classification of a treatment facility after notice and opportunity for a hearing on the proposed action not less than 60 days before the classification change.

Additional details concerning the classification process are presented later in this document. More information on classification and operator certification for facilities that serve the public can be found at: [www.michigan.gov/degoperatortraining](http://www.michigan.gov/degoperatortraining).

**DEFINITIONS\*:**

“Sewerage system” (Part 41 Statute) - A system of pipes and structures including pipes, channels, conduits, manholes, pumping stations, sewer or waste treatment works, diversion and regulatory devices, outfall structures, and appurtenances, collectively or severally, actually used or intended for use by the public for the purpose of collecting, conveying, transporting, treating, or otherwise handling sanitary sewage or other industrial liquid wastes that are capable of adversely affecting the public health.

“Sewerage system” – A sewer system and treatment facility that are used to collect, transport, and treat domestic and industrial wastes.

“Sewer system” - The pipes, channels and conduits, manholes, pumping stations, and appurtenances, collectively or severally, actually used or intended for use by the public for the purpose of collecting, conveying, or transporting domestic and industrial wastes to a treatment facility.

“Superintendent” - An individual who is in charge of and responsible for the operation of a treatment facility and in whom is vested the authority and responsibility for the establishment and execution of the specific practices and procedures controlling the operations of the treatment facility in accordance with the policies of the owner of the facility and the department.

“Treatment facility” – Structures, equipment, and appurtenances, collectively or severally, actually used or intended for use by the public for the purpose of treatment or otherwise handling domestic and industrial wastes.

“Treatment works” – A treatment facility.

*\*Unless otherwise stated, the definitions are from the Part 41 rules*

**POLICY:**

Treatment facilities that serve the public are subject to the classification and certification requirements of Part 41 of the NREPA.

New systems serving the public should be classified at (or shortly after) issuance of the Part 41 permit. By the time construction is 50 percent complete, facility classification should have been made. The superintendent (certified operator) of that system should be an integral part of

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construction and start-up activities. Familiarity with the treatment units will facilitate smooth start-up operations.

Classification of existing treatment facilities should be reviewed and updated, as needed, at each permit reissuance (every five years) or when modifications are made to the treatment facility.

Considering Rule 323.2210 of Part 22 and Section 4104 of Part 41, the Department has determined that unless specific site conditions exist that warrant facility classification, a facility that is not required to obtain a discharge authorization or permit under Part 31 is not required to be classified or have a certified operator. An example of this type of facility is one which discharges less than 6000 gallons per day of sanitary wastewater using a subsurface disposal system, and is designed and constructed in accordance with the provisions of the Michigan Criteria for Subsurface Sewage Disposal (see Rule 323.2210 of Part 22). These discharges are exempt from needing a groundwater permit because they are generally not considered to be potentially prejudicial to the public health.

**PROCEDURE:**

1. Each treatment facility serving the public is tentatively placed into a Class (A, B, C, D) based on the population of the service area (including all contributing municipalities). Tentatively classify a lagoon system as a L1 or L2 or a small system with minimal operation and control (such as a septic tank/tile field) as SC.
2. Determine if there are special conditions associated with the treatment facility that may warrant placement in a higher classification. The following special conditions need to be considered:
  - **Special features of design and characteristics that make it more difficult to operate than usual** - Biological phosphorus removal at surface water discharge facilities and groundwater discharge facilities that require nitrification and denitrification are examples of "special features." Complex technologies like membrane filtration and sequencing batch reactors are examples of characteristics that make the facility more difficult to operate than usual. These types of treatment facilities are generally classified at least at the 'B' level because they require a higher level of operational control and very competent operators with a strong working knowledge of mechanical and biological processes.

Lagoon systems may be best classified as a 'C' or 'D' when the treatment facility becomes more complex and requires more process control than is intrinsic to a lagoon system. Additional treatment processes that may result in a higher classification level include a nitrification tower or nitrifying trickling filter, a clarifier for phosphorus removal, and/or equipment for disinfection. *Exception:* Groundwater facilities with lagoons followed by irrigation can be classified as: L1 (no other mechanical devices) or L2 (use of other mechanical equipment not associated with the irrigation system) because only minimal operational control is needed.

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Combined Sewer Overflow Retention and Treatment Basins and other similar or equivalent CSO control structures should generally be classified as 'D' facilities because the treatment is equivalent to primary clarifier operations, which provides physical treatment rather than biological treatment.

- **Wastewater characteristics** – Certain wastes being treated within the facility may require special treatment or operational procedures. For example, the organic loading from a dairy or food processor discharging to a treatment facility may add thousands of residential equivalent units.
  - **Receiving waters** – Conditions of flow or use of the receiving water that requires an unusually high degree of operational control (discharges to trout streams, low flow streams, water bodies with total maximum daily load requirements). For example, you may have a wastewater treatment plant serving a population of 1,500 that would initially place it into a Class D classification, but because it is an advanced wastewater treatment plant with very restrictive effluent limitations discharging to a small stream, the facility should be considered for a higher classification.
3. Determine if the proposed classification gives reasonable assurance that an operator certified at that level will have the necessary experience and has been successfully tested on the skills necessary to properly operate and control the treatment facility. This can be done by discussing the proposed classification with the Operator Training and Certification Unit, supervisors and other Water Bureau coworkers.

***NOTE:** Facilities with special conditions that are classified at levels different than those recommended by this procedure should be discussed with a Field Operations Section Chief prior to classification.*

4. Generate a Basis of Decision memo to document the basis and justification for the classification. The memo will provide specific details if the classification level is increased due to the special conditions identified in the evaluation. Note that this memo is not required when the classification is strictly based on population (Class A, B, C, or D) and the facility has no other feature that was considered in establishing its classification (generally, this would be met for an Class A WWTP, or for an activated sludge secondary WWTP with year-round secondary treatment-based effluent limits). In these cases, the classification letter should clearly state this.
5. Classification letters should be mailed to the City Clerks office, sewer system owner (if a privately owned system) or other appropriate official with a copy to the wastewater treatment plant superintendent and the Operator Training and Certification Unit.

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**Section II – Part 31: Industrial / Commercial Facilities**

**AUTHORITY:**

**Part 31, of the NREPA**, (Section 324.3110) states that each industrial or commercial entity that discharges liquid wastes into any surface water or groundwater or underground or on the ground other than through a public sanitary sewer shall have waste treatment or control facilities under the specific supervision and control of persons who have been certified by the Department as properly qualified to operate the facilities. Minimum education and experience requirements for operator certification are also identified in the Rules.

Additional details concerning the classification process are presented later in this document. A list of the current industrial/commercial classifications and definitions can be found at: [www.michigan.gov/deqoperatortraining](http://www.michigan.gov/deqoperatortraining).

**DEFINITIONS\*:**

“Certificate” – A document issued by the Department attesting that a person is properly qualified to operate or supervise the operation of certain designated waste treatment or control facilities.

“Certified Operator” – An owner shall designate a certified operator to be in responsible charge of the day-to-day operation of each waste treatment facility, and shall inform the Department of the designation. The owner may replace the designated operator with another properly certified operator at any time and shall notify the Department within ten days after the replacement.

“Facility classification” - The process by which the waste treatment or control facilities are identified based on three types: physical (A), chemical (B), and biological (C).

“Waste treatment or control facilities” – Means any disposal system, including disposal wells, or any treatment works, equipment, machinery, or installation constructed, used, or placed in operation for the purpose of reducing or eliminating water pollution caused by industrial waste or any device or equipment for retaining, metering, regulating, or monitoring a wastewater discharge, except that this rule shall not apply to water, gas, or other material which is injected into a well to facilitate production of oil, or gas, or water derived in association with oil or gas production and disposed of in a well, if the well is used either to facilitate production or for disposal purposes and is under permit by the state supervisor of wells.

*\* Definitions taken from the Part 10 rules. The word “commission” in the definition has been replaced by “Department.”*

**POLICY:**

**Industrial/commercial facilities** that discharge to groundwater or surface waters of the state are subject to the facility classification and operator certification requirements of Part 31, of the NREPA, and Part 10 of the Michigan Administrative Code. Classifications for these facilities are based on

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three established types of treatment: physical (A), chemical (B) and biological (C). Each of these three types is further subdivided into at least three subclassifications in accordance with promulgated administrative rules.

Regulated **industrial storm water facilities** with a surface water discharge are subject to the classification and certification requirements of Part 31 of the NREPA, and Part 10 of the Michigan Administrative Code. Industrial storm water facilities are classified as a Storm Water Management-Industrial Site (A-1i) at issuance of the certificate of coverage (COC).

**Municipal Separate Storm Sewer Systems (MS4)** may be subject to the classification and certification requirements of Part 31 of the NREPA, and Part 10 of the Michigan Administrative Code. The MS4 general permits issued in May 2008 require certified operators for fleet maintenance and storage yards (under the watershed permit, the permittee may meet this requirement by implementing other actions specified in the permit). MS4s subject to the certified operator requirements are classified as a Storm Water Management-Industrial Site (A-1i). District staff are responsible for making this determination.

**Storm water discharges from construction activities** are subject to the operator certification requirements of Section 323.2190 of Michigan's Permit-By-Rule (PBR). The PBR requires a certified operator. Construction sites authorized under the PBR and a Notice of Coverage are automatically classified as a Storm Water Management-Construction Site (A-1j), so no further action is needed on the part of the Department.

~~NPDES-permitted Concentrated Animal Feeding Operations (CAFO) facilities~~ are subject to the facility classification and operator certification requirements of Part 31 of the NREPA, and Part 10 of the Michigan Administrative Code. CAFO classifications and certifications are focused on farm management activities. CAFOs are classified with an A-1k classification at issuance of the COC and are given a schedule of compliance to obtain a certified operator.

**Procedure:**

1. Prior to classifying a facility, staff should become familiar with the current list of classifications and definitions approved by the Industrial /Commercial Board of Examiners. They can be found at: [www.michigan.gov/deqoperatortraining](http://www.michigan.gov/deqoperatortraining).
2. The Department must determine what types of treatment facilities are present and being used, the industrial activities that generate the wastewater, and the wastewater characteristics. A site visit and a review of the treatment facility narrative and flow schematic in the permit application should be conducted so staff understand how the wastewater is generated and travels through the facility.
3. For the purposes of assessing adequate operator certification at an industrial or commercial facility, operations should be evaluated from a "systems" approach. For instance, all treatment processes linked to a specific "system" (e.g. an activated sludge plant that includes clarification, disinfection, etc.) should be considered as a whole and there should be one operator that has all

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the certifications for that "system". The majority of facilities have one operator for all systems. However, if the facility has a second independent "system" (e.g. groundwater clean-up system), the second "system" may have a different operator, assuming that operator is properly certified for that "system."

All treatment units must become part of the facility classification if the facility has the ability to use them. This is necessary because some facilities design and construct treatment units specifically for seasonal or intermittent operation (e.g. chemical feed systems for phosphorus removal at a lagoon, dissolved air flotation, tertiary treatment).

4. The following special conditions need to be considered:

- Classifications include only the wastewater being treated, and **do not include solids handling processes**. For instance, a centrifuge, filter press, or dissolved air flotation thickener would only be included in the classification if used to treat the wastewater.
- **Potable water treatment plants** with groundwater or surface water discharges are classified with industrial/commercial classifications. *NOTE:* The operator certification requirements associated with these facilities are typically met if the operator in charge holds the drinking water certification appropriate for that facility. Additional certification requirements may be appropriate if the wastewater treatment and or discharge is particularly complex.
- **Nursing homes, hospitals, Department of Natural Resources facilities (campgrounds), prisons, mobile home parks/communities, public schools and Department of Transportation facilities (rest areas)** are generally not considered "publicly owned" and must be classified using the industrial/commercial classifications.
- The level of classification for **gravel pits** should be determined by permit requirements. If an effluent limitation has been established in the permit, the classification should be Impoundment (A-1d). If the permit only requires monitoring and not treatment, the classification should be Special Classification (A-1a).
- A facility should be classified with **Neutralization** (B-1b) only if the pH is being adjusted to meet a discharge permit limit (e.g. pH adjustment for chemical precipitation, to meet biological requirements, etc. would not be classified as neutralization).
- **Small discharges which occur only occasionally** (e.g. draining swimming pools, swimming pool filter backwash, etc) where minimal or no treatment is required should be classified Special Classification (A-1a).
- The process(es) used to **treat in-plant water** (e.g. ion exchange used to treat boiler make-up water) should not be included in the facility classification.
- **Wastewater that is not a part of the treatment process**, but blends with the final effluent at discharge (e.g. noncontact cooling water) needs to be included in the classification.
- If a facility has **clarifiers with chemical treatment**, the facility classification should include Plain Clarification (A-1b) to cover the operation of the clarifier and Chemical Clarification (B-2a) to cover the addition of chemical.
- Groundwater **discharges that are exempt (Rule 2210)** under the Part 22 rules, except those discharges authorized under Rule 2210(y) do not need to be classified or have a certified operator because they pose little environmental or public health threat (see Appendices). The Department has historically exercised enforcement discretion due to the large number of

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these discharge types and the likelihood they will not cause an environmental problem. If an exempt facility becomes noncompliant with Part 31 or has created an environmental impact, then the Department may classify the facility and subject the facility to the operator certification requirements.

- Determine if the proposed classification gives reasonable assurance that the certified operator will have the necessary experience and has been successfully tested on the skills necessary to properly operate and control the treatment facility. This can be done by discussing the proposed classification with the Operator Training & Certification Unit, supervisors and other Water Bureau coworkers.

NOTE: Facilities with special conditions that are classified at levels different than those recommended by this procedure should be discussed with a Field Operations Section Chief prior to classification.

- Facilities can, and should be, reclassified when the conditions upon which the classification was based changed or when errors are identified with the classification. Reclassification can be done at any time in the permit cycle. The Rules addressing facility classification are not tied to a discharge permit, so changes can be made when appropriate.
- Facility classification should include all treatment processes at a facility whether the discharge is to groundwater, surface water or both. The facility classification should also include the storm water-industrial (A-1i) classification if the facility is authorized to discharge industrial storm water (even though the industrial storm water classification has occurred at issuance of the COC or individual permit).
- Facility classifications are completed by district staff and authorized by the district supervisor; except for industrial storm water covered by COCs, construction storm water, and CAFOs; which are automatically classified at permit issuance.
- Generate a Basis of Decision memo to document the basis and justification for the classification. The memo will provide specific details if the classification level is due to the special conditions identified in the evaluation.
- Classification letters should be mailed to the appropriate official with a copy to the certified operator and the Operator Training and Certification Unit. The Operator Designation Form should be completed by the facility and returned to the District Office.

**REFERENCES:** Part 31 of the NREPA, 1994 PA 451, as amended, being MCL 324.3110 *et seq.*, and the administrative rules promulgated thereunder, being R 323.1251 *et seq.*

Part 41 of the NREPA, being MCL 324.4101 *et seq.*, and the administrative rules promulgated thereunder, being R299.2901 *et seq.*

**REFERENCE TO BUREAU PROGRAMS:** This policy applies to the NPDES (storm water and non-storm water) and Groundwater Discharge Permit Programs.

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**METHOD OF DISTRIBUTION:** The policy will be distributed via e-mail to Field Operations Section staff assigned to the engineers supporting the Part 41 program, and the NPDES (non-storm water) and Groundwater Discharge Permit Programs. The policy will become part of a Compliance Manual that is currently under development and will also be retained on the WB common drive with other Water Bureau policies.

**PROCEDURE:**

**Responsibility**

**Action**

District Staff

1. If a treatment facility serves the public, determine the population, type, size, location and other physical conditions affecting the treatment facility to determine the appropriate facility classification. If an industrial or commercial facility discharges wastewater, determine what treatment units are present and being used.
2. Discuss the specific conditions of the wastewater treatment system or control facilities with others in your district office, if needed. They can help determine the appropriate classification(s).
3. Create the Basis of Decision Memo and the appropriate classification document using the templates provided in NMS.
4. Develop and mail the facility classification document and the Operator Designation Form (after the DS/ADS has signed the document) to the appropriate official.
5. Review the facility classification and certified operator information during each high level inspection or at permit reissuance.
6. Reclassify a facility when the conditions upon which the classification was based changed or when errors are identified with the classification. The effective date of the reclassification must be at least 60 days after the facility is notified.

District Supervisors/Assistant District Supervisor

1. Review and sign facility classification letter.

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APPROVED: William Creal  
William Creal, Chief  
Water Bureau

DATE: 1-15-2010

LAST REVIEWED BY: \_\_\_\_\_  
Name  
Title

DATE: \_\_\_\_\_

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Appendices

**CERTIFIED OPERATOR RESPONSE FORM**

DATE: \_\_\_\_\_

TO: Department of Environmental Quality  
Water Bureau  
State of Michigan

ATTN: <Name>, Supervisor  
<Name> District Office  
Water Bureau

I hereby designate \_\_\_\_\_ as the responsible operator in charge of the waste treatment facilities at \_\_\_\_\_, discharge Permit No. \_\_\_\_\_. He/she has met the requirements of the Department and has been properly certified. The Certificate No. is \_\_\_\_\_, and the license classification(s) are \_\_\_\_\_. The names, certificate number, and license classification(s) of other operators who are employed at the above facilities are listed below.

<u>Name</u>	<u>Certificate No.</u>	<u>License Classification(s)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Company

Send this form to: <Name>, Supervisor, <Name> District Office  
Water Bureau  
Department of Environmental Quality  
<Address of District Office>

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**BASIS OF DECISION MEMO**

(Date)

Facility: \_\_\_\_\_

Address: \_\_\_\_\_

NPDES or Groundwater Permit No. \_\_\_\_\_

Determination By: \_\_\_\_\_

**Industrial/Commercial** (Keep or delete)

1. The facility discharges are from: [describe the process(es) which generate the wastewater for each outfall].

(Select one of the following)

2. a The following treatment process(es) are used prior to discharge: (describe for each outfall)

**OR**

2. b Due to the nature of the discharge, no treatment is necessary (e.g. non-contact cooling water).

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**Systems Serving the Public** (Keep or delete)

1. Population served (design population equivalent): \_\_\_\_\_

2. Type of treatment facility: \_\_\_\_\_

3. Wastewater characteristics and volume:

Annual average design flow: \_\_\_\_\_

Percent Sanitary flow: \_\_\_\_\_ Percent Industrial flow: \_\_\_\_\_

Design influent concentrations:

Permit limitations:

BOD \_\_\_\_\_

BOD \_\_\_\_\_

TSS \_\_\_\_\_

TSS \_\_\_\_\_

NH3-N \_\_\_\_\_

NH3-N \_\_\_\_\_

Phosphorus \_\_\_\_\_

Phosphorus \_\_\_\_\_

4. Use and nature of the receiving water (TMDL reach, trout stream, low-flow stream, water intake):

**Explanation of Determination** [Identify the special condition(s) or circumstance(s) that justifies a higher or lower level classification]:

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Rule 323.2210 of Part 22 – Items to be discharged without permit.

Rule 2210. A person may discharge the following without a permit that would otherwise be required by part 31 if the discharge meets the requirements of R 323.2204:

(a) Sanitary sewage in either of the following circumstances if the sanitary sewage is not mixed with other waste:

(i) The discharge is less than 1,000 gallons per day and the disposal system is approved by the county, district, or city health department that has jurisdiction in accordance with either the requirements of the local sanitary code or the provisions of the publication entitled "Michigan Criteria for Subsurface Sewage Disposal," April 1994. Copies of the publication may be obtained without charge at the time of adoption of these rules from the Michigan Department of Environmental Quality, Drinking Water and Radiological Protection Division, P.O. Box 30630, Lansing, Michigan 48909.

(ii) The discharge is less than 6,000 gallons per day, the disposal system is designed and constructed in accordance with the provisions of the publication entitled "Michigan Criteria for Subsurface Sewage Disposal," April 1994, and the system is approved by the county, district, or city health department that has jurisdiction. Copies of the publication may be obtained without charge at the time of adoption of these rules from the Michigan Department of Environmental Quality, Drinking Water and Radiological Protection Division, P.O. Box 30630, Lansing, Michigan 48909.

(b) Controlled application of any of the following:

(i) An authorized substance to suppress dust. The following are authorized substances:

(A) Water.

(B) Calcium chloride.

(C) Lignosulfate products.

(D) Emulsified asphalt or resin stabilizers.

(E) Vegetable by-products.

(ii) A deicing substance.

(iii) A substance for a natural resource or right-of-way maintenance program.

(iv) A substance for a domestic activity.

(v) A commercially manufactured pesticide or fertilizer for its intended use.

(c) Stormwater, other than from a secondary containment facility, when discharged through surface infiltration.

(d) Stormwater from a secondary containment facility that does not contain leaks or spills if the stormwater is inspected to ensure it meets the standards established in R 323.2222.

(e) Water from a well used temporarily for dewatering at a construction site if the water pumped does not create a site of environmental contamination under part 201.

(f) A discharge from an animal feeding operation that has less than 5,000 animal units if the discharge is determined by the director of the department of agriculture or his or her designated representative, to be in accordance with generally accepted agricultural and management practices, as defined in Act No. 93 of the Public Acts of 1981, as amended, being §§286.471 to 286.474 of the Michigan Compiled Laws, and known as the Michigan right to farm act. For purposes of this rule, 5,000 animal units is equal to 5,000 head of slaughter or feeder cattle, 3,500 mature dairy cattle, 12,500 swine weighing more than 25 kilograms or approximately 55 pounds, 50,000 sheep or lambs, 2,500 horses, 275,000 turkeys, 150,000 laying hens or broilers, or 25,000 ducks. An animal feeding operation is a lot or facility, or series of lots or facilities under 1 ownership which are adjacent to one

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another or which use a common area or system for the disposal of wastes, that meets both of the following conditions:

- (i) Animals, other than aquatic animals, have been, are, or will be stabled or confined and fed or maintained for a total of 45 calendar days or more in any 12-month period.
- (ii) Crops, vegetation, forage growth, or postharvest residues are not sustained in the normal growing season over the portion of the lot or facility where animals are confined.
- (g) Less than 50 gallons of wastewater per day from a commercial animal care facility.
- (h) Observation or monitoring well development or evacuation water.
- (i) Potable water used for a domestic or domestic equivalent activities other than sanitary sewage disposal.
- (j) Step test or pump test water from any of the following:
  - (i) A potable well or well used to develop a potable water supply.
  - (ii) A well producing water that meets state or federal criteria for use as potable water.
  - (iii) A test well where the quality of the test well discharge water is equal to or better than the background groundwater quality of the aquifer receiving the discharge.
- (k) Exfiltration from sanitary sewer collection systems.
- (l) Wastewater from a heat pump that has a heat exchange capacity of 300,000 Btu per hour or less if there is no chemical additive to the system.
- (m) Wastewater from a portable power washer when used in either of the following circumstances:
  - (i) By the occupant of a household for washing buildings, vehicles, or other surfaces associated with the domestic occupation of the household.
  - (ii) By a commercial operator or in a commercial or industrial setting to remove nonpolluting substances from vehicles or surfaces when no additives are used and the washing process does not add significant pollutants to the water.
- (n) Swimming pool drainage and backwash water discharged in accordance with sections 12521 to 12534 of Act No. 368 of the Public Acts of 1978, as amended, being §§333.12521 to 333.12534 of the Michigan Compiled Laws.
- (o) Water treatment filter backwash water if disposal is in accordance with plans and specifications approved by the department under Act No. 399 of the Public Acts of 1976, as amended, being §325.1001 et seq. of the Michigan Compiled Laws, and known as the safe drinking water act.
- (p) Carpet cleaning wastewater discharged by a noncommercial operator or by a commercial operator at a site receiving wastewater from not more than 1 location where carpet cleaning has occurred.
- (q) Less than 10,000 gallons per day of noncontact cooling water that does not contain additives if the source of the cooling water is any of the following:
  - (i) A municipal water supply.
  - (ii) A water supply meeting state or federal criteria for use as potable water.
  - (iii) Another source of water meeting the standards of R 323.2222.
  - (iv) Another source approved by the department.
- (r) Land application of process sludge from a wastewater treatment facility treating sanitary sewage when applied in accordance with applicable state and federal law.
- (s) Land application of process sludge from an industrial or commercial wastewater treatment facility when authorized under R 299.4101 to R 299.4922, the administrative rules implementing part 115.

*This policy provides guidance to staff regarding the implementation and interpretation of laws administered by the DEQ. It is merely explanatory, does not affect the rights of or procedures and practices available to the public, and it does not have the force and effect of law.*

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(t) Placement of other solid waste on the ground when authorized under part 115. This provision does not apply to the disposal of wastewater generated through the operation of a facility licensed under part 115.

(u) Wastewater associated with an environmental response activity described in any of the following paragraphs if the discharge is to the plume of groundwater contamination, including an area 100 feet hydraulically upgradient of the edge of the plume, and any additive used in the treatment process that is not part of the contamination plume meets the standards of R 323.2222:

(i) A pump test discharge that does not change the physical dimensions of the plume in groundwater or, if the dimensions are changed, the changes are accounted for in the design of the final groundwater remediation plan.

(ii) A remedial investigation, feasibility study, or remedial action discharge that is at or below the residential criteria authorized by section 20101a(1)(a) of the act, if applicable, or section 21304(a) of the act, if applicable.

(iii) A discharge for a remedial investigation, feasibility study, or remedial action above the residential criteria authorized by section 20101a(1)(a) of the act, if applicable, or section 21304(a) of the act, if applicable, if a remediation investigation, feasibility study, or remediation plan has been approved by the department division that has compliance oversight. The remediation plan shall indicate that the treatment system is designed and will be operated so that contaminated groundwater will eventually meet the appropriate land use-based cleanup criteria authorized by section 20120a(1)(a) to (d) of the act, if applicable, or section 21304(a) of the act, if applicable.

(v) Precipitation and snow melt drainage off vehicles discharged through a general purpose floor drain in a parking structure in which maintenance activities do not occur.

(w) A discharge that has been specifically authorized by the department under a permit if the permit was not issued under this part.

(x) A discharge that occurs as the result of placing waste materials on the ground in compliance with a designation of inertness issued under part 115 or leaving contaminated materials in place in compliance with part 201 or 213.

(y) A discharge that has been determined by the department to have an insignificant potential to be injurious based on volume and constituents. In making the determination, the department shall follow the public notice and comment procedures of R 323.2117 and R 323.2119. The department may establish criteria, limitations, or conditions applicable to the discharge to ensure that it meets the terms of this subdivision.

History: 1979 ACS 3, Eff. Aug. 30, 1980; 1999 MR 8, Eff. Sep. 30, 1999.