

**MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT
WATER BUREAU**

**GROUNDWATER DISCHARGE GENERAL PERMIT
2215-10-4**

This general permit is issued under the provisions of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, being Sections 324.3101 through 324.3119 of the Compiled Laws of Michigan, and the Administrative Rules promulgated thereunder. This general permit does not relieve the discharger from obtaining and complying with any other permits required under local, state, or federal law.

Authorization:	Rule 2215
Type of Operation:	Gravel, Sand, Limestone or Dolomite
Discharge Category:	Washwater Without Additives
Type of Wastewater:	Process
Method of Disposal:	Groundwater or Ground
Issue Date:	April 1, 2010
Expiration Date:	April 1, 2015

Authorization to Discharge in accordance with the limitations and conditions as set forth in this permit as authorized pursuant to **R 323.2215**.

The Michigan Department of Natural Resources and Environment (Department) has determined that gravel, sand, limestone or dolomite mining facilities discharging only washwater without additives, into the groundwater or onto the ground of the state are appropriately and adequately controlled by a general permit. Pursuant to this general permit, a discharge may begin as soon as the conditions of the general permit have been met.

In accordance with Section 324.3122 of the Michigan Act, the permittee shall make payment of an annual permit fee to the Department for each December 15 the permit is in effect regardless of occurrence of discharge. The permittee shall submit the fee in response to the Department's annual notice. The fee shall be postmarked by March 1 for notices mailed by January 15. The fee is due no later than 45 days after receiving the notice for notices mailed after January 15. Fees paid in accordance with the Michigan Act are not refundable.

This general permit supersedes all Permits and Exemptions for discharges of Washwater Without Additives issued by the Department to facilities with the same or substantially similar types of operation.

All construction, maintenance, operations, and monitoring of this facility must comply with the conditions set forth in this general permit by the Department. Failure to comply with the terms and provisions of this general permit may result in civil and/or criminal penalties as provided in Part 31.

James R. Janiczek, Chief
Groundwater Permits Unit
Water Bureau
Department of Natural Resources and Environment

A. Authorization Conditions

1. No discharge can occur until the discharger requests a certificate of coverage on a form approved by the Department and obtains a certificate of coverage authorizing the discharge.
2. The discharge shall only consist of washwater without additives. Washwater without additives is defined as wastewater which results from cleaning operations, to which no detergents, surfactants, or other chemicals have been added to enhance, accelerate or improve the cleaning process. The washwater shall be used to wash and sort uncontaminated gravel, sand, limestone or dolomite, and to remove general inert substances such as uncontaminated soils from gravel, sand, limestone or dolomite, where the washing process does not add significant additional contaminants to the water.
3. The source of the washwater shall be from a municipal water supply or a water supply meeting state or federal criteria for use as potable water or another source of water meeting the standards of R 323.2222 or another source of water approved by the Department as meeting the conditions of R 323.2204.
4. The discharge of washwater shall only be on property owned by the discharger unless the discharger has written authorization from the landowner for such a discharge.
5. Effluent shall not be applied within 100 feet of property lines unless the Department specifically approves a lesser distance.
6. All treatment or control facilities or systems installed or used to achieve compliance with this general permit shall be maintained in good working order and operated as efficiently as possible.
7. The discharger shall maintain, on site, a log detailing the daily discharge volume of washwater without additives. The log shall be available for inspection and submitted to the Department upon request. Records shall be retained for a period of three years unless otherwise required by the Department. The Department may approve alternative monitoring frequencies.

B. Transfer of Ownership

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall submit to the Department 30 days prior to the actual transfer of ownership or control a written agreement between the current permittee and the new permittee containing: 1) the legal name and address of the new owner; 2) a specific date for the effective transfer of permit responsibility, coverage and liability; and 3) a certification of the continuity of or any changes in operations, wastewater discharge, or wastewater treatment.

If the new permittee is proposing changes in operations, wastewater discharge, or wastewater treatment, the Department may propose modification of this permit in accordance with applicable laws and rules.

C. Change or Modification of Treatment or Discharge

If at any time the discharge fails to meet a qualifying condition of this general permit, the general permit and any specific certificate of coverage no longer applies, and the discharger must obtain an appropriate authorization.

D. By-Passing

Any diversion from or bypass of treatment facilities is prohibited, except where unavoidable to prevent loss of life, personal injury, or severe property damage. The discharger shall immediately notify the Department of any such occurrence by telephone at 1-800-292-4706. Such notice shall be supplemented by a written report within ten days detailing the cause of such diversion or bypass and the corrective actions taken to minimize adverse impact and eliminate the need for future diversion or bypass.

E. Cessation of Discharge-Related Activities

If all or any portion of the authorized treatment facilities and discharge areas are intended to be eliminated, the discharger shall comply with the requirements of R323.2226.

F. Reporting Requirements

Except as provided in Section D, all notices, reports, and other submissions required by and pursuant to this general permit shall be submitted to:

Groundwater Permits Unit
Water Bureau
Department of Natural Resources and Environment
P.O. Box 30273
Lansing, Michigan 48909-8130 Telephone: 517-373-8148

G. Spill Notification

The permittee shall immediately report any release of any polluting material which occurs to the surface waters or groundwater of the state, unless the permittee has determined that the release is not in excess of the threshold reporting quantities specified in the Part 5 Rules (Rules 324.2001 through 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated in the certificate of coverage, or if the notice is provided after regular working hours call the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706 (calls from out-of-state dial 1-517-373-7660).

Within ten (10) days of the release, the permittee shall submit to the Department a full written explanation as to the cause of the release, the discovery of the release, response (clean-up and/or recovery) measures taken, and preventative measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

H. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this permit and the facility's certificate of coverage (COC). The discharge of any pollutant identified in this permit and/or the facility's COC more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit and the facility's COC. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit or the facility's COC constitutes a violation of the Michigan Act and constitutes grounds for enforcement action; for COC termination, revocation and reissuance, or modification; or denial of an application for permit or COC renewal.

I. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified at the appropriate level for the facility certification by the Department, as required by Sections 3110 and 4104 of the Michigan Act.

J. Power Failures

In order to maintain compliance with the effluent limitations of this permit and prevent unauthorized discharges, the permittee shall either:

1. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or
2. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

K. Waste Treatment Residues

Residuals (i.e. solids, sludges, biosolids, filter backwash, scrubber water, ash, grit or other pollutants) removed from or resulting from treatment or control of wastewaters, shall be disposed of in an environmentally compatible manner and according to applicable laws and rules. These laws may include, but are not limited to, the Michigan Act, Part 31 for protection of water resources, Part 55 for air pollution control, Part 111 for hazardous waste management, Part 115 for solid waste management, Part 121 for liquid industrial wastes, Part 301 for protection of inland lakes and streams, and Part 303 for wetlands protection. Such disposal shall not result in any unlawful pollution of the air, surface waters or groundwaters of the state.

L. Right of Entry

The permittee shall allow the Department, any agent appointed by the Department, upon the presentation of credentials:

1. to enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
2. at reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect process facilities, treatment works, monitoring methods and equipment regulated or required under this permit; and to sample any discharge of pollutants.

M. Availability of Reports

Except for data determined to be confidential under Rule 2128 (Rule 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Sections 3112, 3115, 4106 and 4110 of the Michigan Act.

N. Civil and Criminal Liability

Except as provided in permit conditions on "Bypass", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond the permittee's control, such as accidents, equipment breakdowns, or labor disputes.

O. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

P. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits or approvals as may be required by law.