

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

**GROUNDWATER DISCHARGE GENERAL PERMIT
2215-10-3**

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 complying with R323.2201 et seq., and obtaining any other permits required under local, state, or federal law.

Authorization:	Rule 2215
Type of Operation:	Meat processing that does not include slaughter
Discharge Category:	Washwater With Additives (Flow less than 2,000 gallons per day annual average)
Type of Wastewater:	Process Wastewater
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 general permit as authorized pursuant to R 323.2215 .	

The Michigan Department of Natural Resources and Environment (Department) has determined that meat processing facilities that do not slaughter animals discharging less than 2,000 gallons per day annual average of washwater with additives, into the groundwater or onto the ground of the state are appropriately and adequately controlled by a general permit. The conditions for spray irrigation discharges are separated for discharges that occur during the growing season and discharges that occur in the winter. Pursuant to this general permit, a discharge may begin as soon as the conditions of the general permit have been met. The permittee shall meet all effluent criteria described in this general permit by April 1, 2015.

Unless notified otherwise by the Department, facilities that were granted a general permit for washwater with additives prior to April 1, 2010 will continue to have coverage for discharges up to 2,000 gallons per day as described in the April 1, 2005 general permit for slaughterhouses.

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.

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 (COC) on a form approved by the Department and obtains a COC authorizing the discharge.
2. This general permit is for the discharge of washwater with additives. Washwater with additives is defined as wastewater which results from cleaning operations, to which detergents, disinfectants, surfactants, or other chemicals have been added to enhance, accelerate or improve the cleaning process.
3. Soaps, detergents, or other additives must be used in accordance with manufacturer's directions and only for the intended purpose described in the manufacturer's directions. This permit does not authorize the discharge of a product that contains a volatile organic compound, such as a degreaser.
4. Prior to the initiation of construction of any wastewater treatment and disposal facility used in conjunction with this discharge, the discharger must submit plans and specifications to the Department that demonstrate the discharge will meet the requirements of R 323.2204. R 323.2204 prohibits the discharge from being injurious, and cannot cause ponding, pooling, erosion or create nuisance conditions.
5. 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.
6. Subsequent to construction of a wastewater treatment and disposal facility constructed under this general permit, the discharger shall obtain certification by an engineer licensed under Act No. 299 of the Public Acts of 1980, as amended, being § 339.101 et seq. of the Michigan Compiled Laws, and known as the Occupational Code, that the wastewater treatment and disposal facility was constructed in accordance with the approved plans and specifications. The certification shall be available for inspection by the Department unless the requirement for certification is waived at the time that the plans and specifications are approved.
7. 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.
8. The discharge of wastewater shall only be on property owned by the discharger unless the discharger has written authorization from the landowner for such a discharge.
9. By July 1 of each year, the discharger shall submit to the department a report detailing the daily volume of wastewater discharged under this permit. For an irrigation system, the report shall also include the location and application rate for each site utilized. The Department must approve flow measurement devices, and any requests for alternative measurement frequencies.

10. By July 1 of each year, the facility shall submit to the department a chemical analysis of the wastewater at the point of discharge for the following substances:

Biochemical Oxygen Demand
Chloride
Sodium
Ammonia as N
Nitrate as N
Nitrite as N
Total Kjeldahl nitrogen
Phosphorus
Chromium
Copper
Manganese
Zinc

11. Total Inorganic Nitrogen, the sum of ammonia plus nitrate plus nitrite, shall be limited to 35 mg/l or less.

12. If the disposal method includes an irrigation system:

- a. The irrigation seasons shall be defined as follows:

Growing Season: Lower Peninsula, May 1-November 15
Upper Peninsula, May 1-October 15
Winter Season: Lower Peninsula, November 16-April 30
Upper Peninsula, October 16-April 30

- b. During the Growing Season, the following specific conditions apply:

- (i) The land application rate shall not exceed 4,000 gallons per acre per day.
- (ii) The wastewater shall be evenly distributed over the entire discharge area.
- (iii) Effluent shall not be discharged within 100 feet of property lines, homes, commercial buildings or surface water, unless the Department specifically approves a lesser distance. The discharge shall be stopped immediately if aerosol drift is detected beyond the isolation distance specified.
- (iv) Irrigation shall be to areas with sufficiently dense vegetation to prevent erosion and provide adequate nutrient uptake.

- c. During the Winter Season, the following specific conditions apply:

- (i) The application rate shall not exceed 2,000 gallons per acre per week, with a maximum total seasonal discharge of 10,000 gallons per acre.
- (ii) The wastewater shall be evenly distributed over the entire discharge area.
- (iii) Effluent shall not be discharged within 400 feet of property lines, homes, commercial buildings or surface water, unless the Department specifically approves a lesser distance. The discharge shall be stopped immediately if aerosol drift is detected beyond the isolation distance specified.
- (iv) Except as described below, the discharge shall be to a site having a viable vegetative growth, such as a perennial forage crop. If viable vegetative growth capable of utilizing the nutrients supplied by the wastewater is not present at the time the wastewater is applied, an adequately dense crop must be established in the spring as soon after snowmelt as possible.

- (v) The slope of the discharge area shall not exceed two percent, which is a two-foot rise in the land surface over 100 linear feet.
 - d. The wastewater shall be transported in enclosed containers to prevent loss to the environment during transport and delivery to application sites.
 - e. The discharger shall not irrigate crops for human consumption unless the crop requires processing prior to such consumption.
 - f. The facility shall submit the information outlined in the Site Identification Form (SIF), which is included as Attachment A, for each land application site. Once the discharger receives a COC, the discharger shall forward copies of the COC and all SIFs to the appropriate Water Bureau district office and the township supervisor and local/county health department having jurisdiction over the area in which the discharge occurs.
13. If the disposal method includes a lagoon:
- a. The lagoon liner shall be in compliance with Rule 2237 of the Part 22 Rules of Part 31 of Act 451.
 - b. The lagoon system shall be fenced and warning signs placed around its perimeter.
 - c. Any problem that threatens lagoon dike integrity (for example, significant erosion or animal burrowing) shall be reported immediately to the Department. Vegetation shall be kept groomed to discourage animal burrowing.
 - d. A minimum of two feet of freeboard shall be maintained to prevent lagoon overtopping.
14. The permittee is required to develop an Operation and Maintenance Manual. A guidance document is available via the Internet at:
<http://www.deq.state.mi.us/documents/deq-wmd-gwp-Part22GuidshtVI.pdf>.
15. If the treatment and or storage system includes a holding or septic tank or tanks, before the sludge volume occupies 25 percent of the tank capacity, tanks shall be pumped by a liquid industrial waste hauler licensed pursuant to Part 121, Liquid Industrial Wastes, of the NREPA. The wastewater shall be disposed of in accordance with Part 121.

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 COC no longer apply. Any discharge during that time shall be unlawful until the discharger obtains 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 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 use of all or any portion of the authorized treatment facilities and/or discharge areas is intended to be terminated, the discharger shall comply with the requirements of R 323.2226.

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. Request for Discharge of Water Treatment Additives to Groundwater

In the event a permittee proposes to discharge water treatment additives (WTAs) to groundwater, the permittee shall submit a request to discharge the WTAs to the Department for approval. Water treatment additives include such chemicals as herbicides used kill weeds and grasses as part of lagoon maintenance. Such requests shall be sent to the Department of Natural Resources and Environment, Water Bureau, Surface Water Assessment Section, P.O. Box 30273, Lansing, Michigan 48909, with a copy to the Groundwater Permits Unit. Written approval from the Department to discharge such WTAs at specified levels shall be obtained prior to discharge by the permittee. Failure to obtain approval prior to discharging any WTA is a violation of this permit. Additional monitoring and reporting may be required as a condition for the approval to discharge the WTA.

A request to discharge WTAs to groundwater shall include all of the following:

- a. Product information.
 - (i) Name of the product(s) used.
 - (ii) Material Safety Data Sheet for each product.
 - (iii) Product function (e.g., microbiocide, flocculant, etc.).
 - (iv) Specific gravity if the product is a liquid.
 - (v) Annual product use rate, either gallons per year for a liquid or pounds per year for a solid.
- b. Ingredient information per each product.
 - (i) Name of each ingredient
 - (ii) CAS # for each ingredient
 - (iii) Fractional content by weight for each ingredient
- c. The monitoring point from which the product is to be discharged.
- d. The type of removal treatment, if any, that the WTA receives prior to discharge.

- e. Relevant mammalian toxicity studies for the product or all of its constituents (if product toxicity data are submitted, the applicant must also provide information showing that the product tested has the same composition as the product listed under Item a). Preferred studies are subchronic or chronic in duration, use the oral route of exposure, examine a wide array of endpoints and identify a no-observable- adverse-effect-level. Applicants are strongly encouraged to provide the preferred data. If preferred data are not available, then the minimum information needed is an oral rat LD₅₀ study. In addition, an environmental fate analysis that predicts the mobility of the product/ingredients and their potential to migrate to groundwater may be provided.
- f. If the discharge of the WTA to groundwater is within 1000 feet of a surface water body, then the following information must also be provided:
 - (i) The results of a 48-hour LC50 or EC50 toxicity test of the product for a North American freshwater planktonic crustacean (either *Ceriodaphnia sp.*, *Daphnia sp.*, or *Simocephalus sp.*).
 - (ii) The results of a toxicity test of the product for one other North American freshwater aquatic species (other than a planktonic crustacean) that meets a minimum requirement of Rule 323.1057(2) of the Water Quality Standards.

Prior to submitting the request, the permittee may contact the Surface Water Assessment Section at 517-335-6969 or check the MDEQ Internet Web page to determine if the Department has the product toxicity data required by Item f and Item g above. If the Department has the data, the permittee will not need to submit aquatic toxicity information.

H. 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.

I. 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.

J. 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.

K. Power Failures

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

- a. 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
- b. 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.

L. 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.

M. Right of Entry

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

- a. 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
- b. 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.

N. 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.

O. 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.

P. 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.

Q. 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.

ATTACHMENT A

Site Identification Form

The following information must be completed for each land application site and attached to the Rule 2215 application form. After receiving the Certificate of Coverage (COC), the permittee must send copies of the COC and each Site Identification Form to the appropriate Water Bureau district office, the township supervisor and local/county health department having jurisdiction over the area in which the discharge occurs.

NAME OF FACILITY: _____

FACILITY CONTACT PERSON: _____
(person responsible for resolving complaints, problems, etc.)

PHONE NUMBER: _____

DISCHARGE ADDRESS:

COUNTY: _____

TOWNSHIP: _____

SECTION: _____

SITE ACREAGE: _____

SLOPE CLASS _____

LANDOWNER: *

NAME: _____

ADDRESS: _____

Please attach an Agricultural Stabilization and Conservation Service (ASCS) map of each proposed application site with property boundaries, surface waters, dwellings, commercial buildings and discharge location indicated on the map.

* If the landowner is different than the facility, please attach a copy of the written authorization from the landowner to discharge on their property.