

State of Michigan

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT APPLICATION FOR COVERAGE OF DISCHARGES FROM
MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)**

“WATERSHED PERMIT”

NPDES GENERAL PERMIT NO. MIG610000

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**WATER BUREAU
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

AUTHORITY

The Part 21 Rules of Michigan Act 451, Public Acts of 1994, as amended, Part 31, provide authority to issue permits for wastewater discharges. The Michigan Department of Environmental Quality (the Department) administers the NPDES permit program in the State of Michigan.

PURPOSE

Anyone discharging or proposing to discharge wastewater to the surface waters of the state shall make application for and obtain a valid NPDES permit or certificate of coverage under a valid general permit from the Department. The NPDES permit is required under Section 402 of the Federal Clean Water Act, as amended (33 U.S.C. 1251 et seq., P.L. 92-500, 95-217), and under Michigan Act 451, Public Acts of 1994, as amended.

General permits which authorize multiple discharges of similar wastewater are issued in accordance with Act 451 of 1994, as amended, Part 31 (the "Michigan Act") and Rule 323.2191 of the Michigan Administrative Code. General Permit No. MIG610000 sets forth the conditions necessary to receive permit coverage for discharges of storm water and certain types of non-storm water from Municipal Separate Storm Sewer Systems (MS4). The applicability of this general permit shall be limited to wastewater discharges which are of this type and which meet the criteria established in this general permit.

This application applies to eligible permittees which are seeking coverage under General Permit No. MIG610000 for the discharge of storm water from an MS4. In order to constitute a valid authorization to discharge, General Permit No. MIG610000 must be complemented by a certificate of coverage issued by the Department.

ELIGIBLE PERMITTEES

Except as excluded below, any governmental entity that has ownership or control of discharges through an MS4 may be eligible for coverage under this general permit including, but not limited to, a county, a city, a village, a township, a county road commission, an entity with jurisdiction under the Drain Code for an inter-county or intra-county drain, a public school district, a public college or university, a department or agency of the state, and a department or agency of the federal government.

A city, village, or township (primary jurisdiction) permittee may have, within its political or territorial boundaries, smaller "nested" MS4s owned or operated by public bodies such as school districts, public universities, or county, state, or federal agencies. If the primary jurisdiction and the nested jurisdiction agree to cooperate in carrying out the responsibilities for control of the MS4, the nested jurisdiction does not need to apply for an MS4 permit. Otherwise, the nested jurisdiction shall apply for a permit.

The Department will determine eligibility on a case-by-case basis. Coverage will be granted only if the Department determines there is a sufficient number of participating watershed partners to ensure implementation of an effective Watershed Management Plan (WMP).

STORM WATER DISCHARGES AUTHORIZED BY THE PERMIT (Part I.A.1.b.)

The following instructions/guidance applies to Item 3 on Page 2 of the Application.

The permit authorizes discharges from an MS4. Authorized discharges are limited to storm water and storm water commingled with discharges authorized under other NPDES permits. Only the discharges from discharge points identified in this Application by specific location and/or category will be authorized to discharge under this permit. The applicant shall identify the location(s) on its MS4 which discharge either into an MS4 owned or operated by another municipality or which discharge directly to a surface water of the state. This requirement may be met by submitting any of the following:

- 1) A map which clearly indicates the location of each discharge point, including a unique identification code or number for each discharge point and the receiving surface water.
- 2) Using Table 1 or a separate spreadsheet, provide a list of all the discharge points where the location is provided by street address; $\frac{1}{4}$, $\frac{1}{4}$, section, town, range; or latitude and longitude. The list shall include a unique identification code or number and the receiving water for each discharge point.
- 3) A complete map of the applicant's MS4.

In addition, the applicant shall include a description of any category, along with the estimated number of discharge points in the category for which discharge authorization is requested under this permit. The description shall contain sufficient detail for the Department to determine the specific areas being authorized. For example; if the category includes roads, the applicant shall provide a list of the roads that constitute the MS4. The certificate of coverage will include a schedule for the applicant to identify specific discharge locations, a unique identification code or number, and the receiving surface water for each discharge point.

Categories are expected to include, but may not be limited to: paved and unpaved roads with curb and gutter or roadside ditches; open or enclosed ditches, conduits, man-made channels; and/or municipally owned parking lots or property.

Examples:

Y County Road Commission is responsible for the operation and maintenance of an MS4, which includes 200 miles of paved roads with curb and gutter, which discharges storm water through an estimated 700 discharge points for which specific location information is not currently available. A list (or map) of the roads in this category is attached to the Application.

Z Drain Commission is responsible for the operation and maintenance of an MS4, which includes 300 miles of open or enclosed ditches, which discharges storm water through an estimated 600 discharge points for which specific location information is not currently available. A map (or list) of the ditches is attached to the Application.

POST-CONSTRUCTION STORM WATER CONTROLS FOR NEW DEVELOPMENTS AND REDEVELOPMENT PROJECTS (Part I.A.4.b.)

The following instructions/guidance applies to Item 6 on Page 2 of the Application.

The permit requires development of storm water runoff quality and quantity controls for newly-developed or redeveloped properties. The applicant shall select one or more of the following options for meeting the post-construction storm water control requirements;

- 1) The applicant will implement the specific post-construction control criteria contained in Part I.A.4.b.4.a (minimum treatment volume standard) and Part I.A.4.b.4.b. (channel protection criteria) of the permit. The applicant shall submit with the Application a fixed date schedule to develop and place in effect the locally enforceable regulatory mechanism.
- 2) The applicant shall submit a copy of an ordinance or a locally enforceable regulatory mechanism in effect at the time of application under which the authority exists to regulate treatment for water quality and criteria for channel protection. This document shall be attached to the Application.
- 3) The applicant has a procedure in place to regulate treatment for water quality and criteria for channel protection which has not been codified as a regulatory mechanism. A copy of the procedure and a fixed date schedule for finalizing a locally enforceable ordinance or regulatory mechanism shall be attached to this Application.
- 4) The applicant intends to request approval of an alternate approach for the post-construction control requirements in the permit. The proposal for the alternate approach shall be submitted with the Application.
- 5) The applicant intends to develop a locally enforceable ordinance or regulatory mechanism which meets the elective option criteria in Part I.A.4.b.4. of the permit. A fixed date schedule for development and finalizing the regulatory mechanism shall be submitted with the Application.

FEE

An annual storm water fee will be assessed each permittee covered under General Permit No. MIG610000 in accordance with Act 451, Public Acts of 1994, as amended, Section 324.3118.

PENALTIES

Federal and State statutes provide penalties for submitting false application information:

Michigan Act 451, Public Acts of 1994, as amended, Part 31, Section 15(2) states: "A person who at the time of the violation knew or should have known that he or she discharged a substance contrary to this part, or contrary to a permit, order, rule, or stipulation of the Department, or who intentionally makes a false statement, representation, or certification in an application for or form pertaining to a permit or in a notice or report required by the terms and conditions of an issued permit, or who intentionally renders inaccurate a

monitoring device or record required to be maintained by the Department, is guilty of a felony and shall be fined not less than \$2,500.00 or more than \$25,000.00 for each violation. The court may impose an additional fine of not more than \$25,000.00 for each day during which the unlawful discharge occurred. If the conviction is for a violation committed after a first conviction of the person under this subsection, the court shall impose a fine of not less than \$25,000.00 per day and not more than \$50,000.00 per day of violation. Upon conviction, in addition to a fine, the court in its discretion may sentence the defendant to imprisonment for not more than 2 years or impose probation upon a person for a violation of this part. With the exception of the issuance of criminal complaints, issuance of warrants, and the holding of an arraignment, the circuit court for the county in which the violation occurred has exclusive jurisdiction. However, the person shall not be subject to the penalties of this subsection if the discharge of the effluent is in conformance with and obedient to a rule, order, or permit of the Department. In addition to a fine, the attorney general may file a civil suit in a court of competent jurisdiction to recover the full value of the injuries done to the natural resources of the state and the costs of surveillance and enforcement by the state resulting from the violation.”

The Federal Clean Water Act of 1977 (P.L. 95-217), as amended, Section 309(c)(4), states: “Any person who knowingly makes false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this act or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this act, shall upon conviction, be punished by a fine not more than \$10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both.”

GENERAL INFORMATION

Although not required, applicants within the same watershed are encouraged to coordinate application preparation and submittal (which may result in significant cost savings by reducing duplicative development efforts).

The permit includes the flexibility which allows the Department to defer development of a WMP until a later date, if appropriate. The Department may defer development of a WMP if broad participation in development of the plan is not expected. For example, a permittee may be situated on two watersheds. One watershed may have a large number of permittees under this permit and may have watershed work underway. The other watershed may have no watershed management activity currently underway or likely in the near future. The permittee's participation in a WMP for the second watershed may be deferred until watershed activity is underway. The WMP shall not be deferred for the permittee's entire urbanized area.

A certificate of coverage (COC) will be issued to each applicant for which coverage under the general permit is granted.

The Michigan Department of Environmental Quality (MDEQ) will not discriminate against any individual or group on the basis of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. Questions or concerns should be directed to the Office of Personnel Services, P.O. Box 30473, Lansing Michigan 48909.



STORM WATER DISCHARGE PERMIT APPLICATION

MDEQ USE ONLY
Tracking Number

PLEASE TYPE OR PRINT
Applications shall include all of the following requested information.

1. APPLICANT NAME AND MAILING ADDRESS		Current COC Number (if applicable)
Additional Applicant Name Information		Watershed Name
Street Address or P.O. Box		e-mail
City or Village	State	ZIP Code
Telephone (with area code)	Fax Number (with area code)	

2. CONTACTS	<input type="checkbox"/> Application Contact <input type="checkbox"/> Storm Water Program Manager <input type="checkbox"/> Storm Water Billing	First Name		Last Name				
		Title		Business				
		Address 1		Address 2				
		City		State	Zip Code			
		Telephone (with area code)	FAX (with area code)		e-mail			
		First Name		Last Name				
	<input type="checkbox"/> Application Contact <input type="checkbox"/> Storm Water Program Manager <input type="checkbox"/> Storm Water Billing	Title		Business				
		Address 1		Address 2				
		City		State	Zip Code			
		Telephone (with area code)	FAX (with area code)		e-mail			
		First Name		Last Name				
		<input type="checkbox"/> Application Contact <input type="checkbox"/> Storm Water Program Manager <input type="checkbox"/> Storm Water Billing	Title		Business			
	Address 1		Address 2					
	City		State	Zip Code				
	Telephone (with area code)		FAX (with area code)		e-mail			

Michigan Department of Environmental Quality- Water Bureau
STORM WATER DISCHARGE PERMIT APPLICATION

3.	Discharge Point Information – Identify the option selected for providing the discharge point locations and the request for authorization by category in accordance with the instructions on Page i of the Application. The required maps, lists, and/or descriptions for each option must be attached to the Application.
4.	Provide a map indicating the applicant's political/territorial boundaries and regulated areas (regulated areas are urbanized areas and areas identified by the applicant to be subject to a watershed planning process). Delineate the watershed boundaries within the applicant's regulated area. For urbanized areas where WMPs are deferred, the map needs only to define the boundaries of the urbanized area within the applicant's political or territorial boundaries.
5.	A primary jurisdiction (city, village, or township) shall submit: a) The name and general description of each nested jurisdictional area or drainage system for which a cooperative agreement has been reached to carry out storm water discharge responsibilities. b) The name and general description of other nested jurisdictional areas or drainage systems within their political or territorial boundaries for which they have information that indicates a separate storm water drainage system permit may be required. Additionally, the primary jurisdiction may submit documentation of its efforts to notify the nested jurisdictions that they need to either obtain their own permits or work cooperatively under one permit. The primary jurisdiction shall be responsible for assuring compliance with this general permit for those nested jurisdictions with which they have entered into an agreement and listed as part of the Application for this permit.
6.	Identify the option or options, from the instructions on Page ii of the Application, by which the permit requirements for Post-Construction Storm Water Control for New Developments and Redevelopment Projects will be met. Attach to this Application all documentation and/or schedules required for the option(s) selected.
7.	CERTIFICATION Rule 323.2114(1-4) of the Part 21 Rules of Michigan Act 451, Public Act of 1994, Part 31, as amended, requires that this Application be signed by either a principal executive officer, the mayor, village president, city or village manager, or other duly authorized employee. <i>"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for having knowledge of violations."</i> I understand that my signature constitutes a legal agreement to comply with the requirements of the appropriate NPDES General Storm Water Permit. I certify under penalty of law that I possess full authority on behalf of the legal owner/permittee to sign and submit this Storm Water Discharge Permit Application. Print Name: _____ Title: _____ Representing: _____ Signature: _____ Date: _____

Please submit this completed Application and attachments to:

**Michigan Department of Environmental Quality
Water Bureau, Permits Section
P.O. Box 30273
Lansing, Michigan 48909-7773**

If you need assistance in completing this Application, contact your District Office. District contact information is available in the Appendix.

Michigan Department of Environmental Quality- Water Bureau
STORM WATER DISCHARGE PERMIT APPLICATION

Table 1

Discharge Point Identification

A unique ID number shall be provided for all discharge points, whether they discharge directly to waters of the state or to another jurisdiction's MS4. If more space is needed, please make copies of this page for submission.

A. Discharge Point #/ Receiving Water:	Discharge Point #	Receiving Water			
B. Street / County:	Street				County
C. State Planar Coordinates:	1/4	1/4	Section	Town	Range
D. Latitude/Longitude:	Latitude			Longitude	

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C. State Planar Coordinates:	1/4	1/4	Section	Town	Range
D. Latitude/Longitude:	Latitude			Longitude	

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B. Street / County:	Street				County
C. State Planar Coordinates:	1/4	1/4	Section	Town	Range
D. Latitude/Longitude:	Latitude			Longitude	

STORM WATER DISCHARGE PERMIT APPLICATION**APPENDIX****LOCAL DISTRICT OFFICE ADDRESSES AND COUNTIES SERVED**

<u>DEQ DISTRICT OFFICES</u>	<u>TELEPHONE #</u>	<u>COUNTIES SERVED</u>		
CADILLAC DISTRICT OFFICE 120 WEST CHAPIN STREET CADILLAC MI 49601-2158	(231) 775-3960	ALPENA ALCONA ANTRIM BENZIE CHARLEVOIX CHEBOYGAN CRAWFORD EMMET	GRAND TRAVERSE KALKASKA LAKE LEELANAU MANISTEE MASON MISSAUKEE	MONTMORENCY OSCEOLA OSCODA OTSEGO PRESQUE ISLE ROSCOMMON WEXFORD
SOUTHEAST MICHIGAN DISTRICT OFFICE 27700 DONALD COURT WARREN, MI 48092	(586) 753-3700	MACOMB OAKLAND	ST. CLAIR	WAYNE
GRAND RAPIDS DISTRICT OFFICE STATE OFFICE BUILDING, SIXTH FLOOR 350 OTTAWA AVENUE, NW, UNIT 10 GRAND RAPIDS, MI 49503	(616) 356-0500	BARRY IONIA KENT	MECOSTA MONTCALM MUSKEGON	NEWAYGO OCEANA OTTAWA
JACKSON DISTRICT OFFICE 301 EAST LOUIS GLICK HIGHWAY JACKSON MI 49201-1556	(517) 780-7690	HILLSDALE JACKSON	LENAWEE MONROE	WASHTENAW
UPPER PENINSULA DISTRICT OFFICE KI SAWYER INTERNATIONAL AIRPORT AND BUSINESS CENTER 420 FIFTH STREET GWINN, MI 49841	(906) 346-8300	ALGER BARAGA CHIPPEWA DELTA DICKINSON	GOGEBIC HOUGHTON IRON KEWEENAW LUCE	MARQUETTE MACKINAC MENOMINEE ONTONAGON SCHOOLCRAFT
KALAMAZOO DISTRICT OFFICE 7953 ADOBE ROAD KALAMAZOO MI 49009-5026	(269) 567-3500	ALLEGAN BERRIEN BRANCH	CALHOUN CASS KALAMAZOO	ST. JOSEPH VAN BUREN
SAGINAW BAY DISTRICT OFFICE 503 NORTH EUCLID AVENUE, SUITE 1 BAY CITY, MI 48706-2965	(989) 686-8025	ARENAC BAY CLARE GLADWIN	HURON IOSCO ISABELLA MIDLAND	OGEMAW SAGINAW SANILAC TUSCOLA
LANSING DISTRICT OFFICE CONSTITUTION HALL 4 TH FLOOR NORTH 525 WEST ALLEGAN P.O. BOX 30242 LANSING, MI 48909	(517) 335-4598	CLINTON EATON GENESEE	GRATIOT INGHAM LAPEER	LIVINGSTON SHIAWASSEE