MIU990027

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

SUBSTANTIVE REQUIREMENTS DOCUMENT (SRD)
FOR THE
DEPARTMENT OF DEFENSE - WURTSMITH AIR FORCE BASE (WAFB)

Authorization to (hereinafter referred to as the "discharger"):

Department of Defense
Air Force Civil Engineering Center (AFCEC)
154 Development Drive, Suite G
Limestone, Maine 04750

is authorized to discharge from **three treatment facilities** at the former WAFB in Oscoda, Michigan 48750, located at

Benzene Plant Pump and Treat System
5890 North Huron Avenue

Mission Street Pump and Treat System
5811 North Mission Street

Arrow Street Pump and Treat System
4070 East Missile Street

designated as USAF-Wurtsmith AFB

In accordance with Section 121(d) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*; "CERCLA") and the Superfund Amendments and Reauthorization Act (Public Law No. 99-499, "SARA"), the Water Resources Division of the Michigan Department of Environmental Quality, in compliance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1251 *et seq.*, as amended; the "Federal Act"); Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); Part 41, Sewerage Systems, of the NREPA; and Michigan Executive Order 2011-1, which are legally applicable or relevant and appropriate requirements (ARARs), herein establishes substantive requirements for a discharge of treated groundwater to Van Etten Creek and the Au Sable River.

These substantive requirements are based on information (hereinafter referred to as the "application") received on **January 21, 2016, as amended through March 18, 2016,** which provided a description of the wastewater characteristics and proposed treatment. If new information is received subsequent to the date of this document, these substantive requirements may be revised if necessary to protect the receiving waters consistent with the Act and the NREPA.

Unless specified otherwise, all contact with the Michigan Department of Environmental Quality (the "Department") required by this document shall be made to the Saginaw Bay District Supervisor of the Water Resources Division. The Saginaw Bay District Office is located at 401 Ketchum Street, Suite B, Bay City, Michigan 48708-5430, Telephone: 989-894-6200, Fax: 989-891-9237.

This document is not a National Pollutant Discharge Elimination System (NPDES) permit. An NPDES permit is not currently required for this on-site remedial action associated with a CERCLA cleanup, however, an NPDES permit shall be required to authorize any discharges from this site under any circumstances not exempted by CERCLA Section 121(e)(1). On the date this document is signed, this document shall supersede NPDES Permit No. MI0042285 and SRD No. MIU990021, which are hereby revoked.

Date: October 7, 2016

Phil Argiroff P.E.
Philip Argiroff, Chief
Permits Section
Water Resources Division

PART I

Section A. Effluent Limitations And Monitoring Requirements

1. Final Effluent Limitations, Monitoring Point 001A – Benzene Plant Pump and Treat System

This document is based on the discharge of a maximum of 0.5 million gallons per day of treated groundwater from Monitoring Point 001A through Outfall 001. Outfall 001 discharges to Van Etten Creek. Such discharge shall be limited and monitored by the discharger as specified below.

Parameter	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
	Monthly	Daily	Units	Monthly	Daily	Units		
INFLUENT MONITORING AND REPORTING (Upon start of operation of treatment system)								
Perfluorooctane Sulfonate (PFOS)	---	---		(report)	(report)	ng/l	Weekly	Grab
Perfluorooctanoic Acid (PFOA)	---	---		(report)	(report)	ng/l	Weekly	Grab
Total BETX (benzene, ethylbenzene, toluene, and xylene)				(report)	(report)	µg/l	Biweekly	Grab
Trichloroethylene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
1,2,4-Trimethylbenzene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
INTERMEDIATE STAGE MONITORING AND REPORTING (Upon start of operation of treatment system)								
PFOS	---	---	---	(report)	(report)	ng/l	Weekly	Grab
PFOA	---	---	---	(report)	(report)	ng/l	Weekly	Grab
Total BETX	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
Trichloroethylene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
DISCHARGE LIMITATIONS, MONITORING AND REPORTING								
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
PFOS								
Until start of operation of treatment system		---	---	---	(report)	ng/l	Monthly	Grab
Upon start of operation of treatment system		---	---	(report)	15	ng/l	Weekly	Grab
PFOA								
Until start of operation of treatment system		---	---	---	(report)	ng/l	Monthly	Grab
Upon start of operation of treatment system		---	---	(report)	40	ng/l	Weekly	Grab
Total BETX								
Until start of operation of treatment system		---	---	---	(report)	µg/l	Monthly	Grab
Upon start of operation of treatment system		---	---	---	20	µg/l	Biweekly	Grab
Trichloroethylene								
Until start of operation of treatment system		---	---	---	(report)	µg/l	Monthly	Grab
Upon start of operation of treatment system		---	---	---	1.5	µg/l	Biweekly	Grab
1,2,4-Trimethylbenzene								
Until start of operation of treatment system		---	---	---	(report)	µg/l	Monthly	Grab
Upon start of operation of treatment system		---	---	---	5	µg/l	Biweekly	Grab

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Parameter	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
	Monthly	Daily	Units	Monthly	Daily	Units		
Equipment Inspection (Upon start of operation of treatment system)	(report)	---	---	---	---	---	3× Weekly	Visual
Outfall Observation	(report)	---	---	---	---	---	3× Weekly	Visual
				Minimum Daily				
pH	---	---	---	6.5	9.0	S.U.	Monthly	Grab

a. Narrative Standard
The receiving water shall contain no unnatural turbidity, color, oil films, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge in quantities which are or may become injurious to any designated use.

b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to treatment for all influent monitoring, between the carbon stages for intermediate stage monitoring, and after treatment but prior to mixing with any other waste stream for all effluent monitoring.

c. Monitoring Requirements
Upon SRD issuance and until start of operation of a treatment system, the discharger shall only monitor in accordance with the requirements specified for the discharge limitations and monitoring stage; the discharger is not required to monitor in accordance with the requirements specified for the influent and intermediate stages. Upon the start of operation of a treatment system, the monitoring requirements and effluent limitations for the influent and discharge stages shall be in effect. If multi-stage activated carbon or another similar system is utilized for treatment, the monitoring requirements for the intermediate stage shall also be in effect. The Department may approve an alternate monitoring system and revise the monitoring requirements in this SRD.

d. Outfall Observation
Outfall observation shall be reported as "yes" or "no." The discharger shall report "yes" if this requirement was completed and "no" if this requirement was not completed. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

e. Equipment Inspection
Equipment inspection shall be reported as "yes" or "no." The discharger shall report "yes" if this requirement was completed and "no" if this requirement was not completed. The discharger shall inspect the treatment systems used to achieve compliance with the terms of the document. The discharger shall immediately implement any corrective action for the treatment system that is noted during the inspection.

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Section A. Effluent Limitations And Monitoring Requirements

f. BAT Treatment
This document is based on the discharger providing multi-stage activated carbon treatment, or another treatment methodology which will achieve the discharge limitations, by December 31, 2017. If treatment other than multi-stage activated carbon is proposed, the discharger shall amend the application received on January 21, 2016, as amended through March 18, 2016. If the Department deems it necessary, this document may then be modified to revise the effluent limitations and monitoring requirements to protect water quality in accordance with applicable rules and regulations.

g. Proper Operation and Maintenance
If a multi-stage activated carbon treatment system is used, the discharger shall operate the treatment system so that rotation and replacement of the carbon tanks shall occur prior to compromising the treatment effectiveness of the second activated carbon unit. The discharger shall record when the carbon units are rotated and replaced and this information shall be maintained and provided to the Department upon request.

h. Monitoring Frequency Reduction
Upon the start of operation of the treatment system, the influent, intermediate stage, and discharge shall be monitored and sampled at the frequency indicated in Part I.A.1. of this document. After six months of treatment, if the activated carbon burn rate and/or operational procedures have been established and steady state conditions have been achieved, the discharger may request a reduction in monitoring frequency to that necessary to monitor the burn rate and rotation of the activated carbon tanks or other operational requirements. This request shall be submitted to the Department along with all data collected both for the treatment system and local monitoring wells since the start-up of operations of the treatment system. Upon receipt of written approval and consistent with such approval, the discharger may reduce the monitoring frequency indicated in Part I.A.1. of this document. The monitoring frequencies for PFOS and PFOA shall not be reduced to less than once per month; the influent and effluent monitoring frequencies for total BETX, trichloroethylene, and 1,2,4-trimethylbenzene shall not be reduced to less than quarterly. The intermediate stage monitoring for total BETX, trichloroethylene, and 1,2,4-trimethylbenzene may be eliminated if any of these parameters are not monitored for treatment system operation. The Department may revoke the approval for reduced monitoring at any time upon notification to the discharger.

i. Water Treatment Additives
This document does not authorize the discharge of water additives without approval from the Department. Approval of water additives is authorized under separate correspondence. Water additives include any material that is added to water used at the facility or to a wastewater generated by the facility to condition or treat the water. In the event a discharger proposes to discharge water additives, including an increased discharge concentration of a previously approved water additive, the discharger shall submit a request to the Department for approval. See Part I.A.4. for information on requesting water treatment additive use.

j. Analytical Methods and Quantification Levels
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for perfluorinated compounds shall be in accordance with U.S. EPA Test Method 537 (modified). Analysis for benzene, ethylbenzene, toluene, xylene, trichloroethylene, and 1,2,4-trimethylbenzene shall be in accordance with U.S. EPA approved methods. The quantification levels shall be below a level sufficient to determine compliance with the discharge criteria specified in Part I.A.1. (the current method detection limit achieved for perfluorinated compounds is about 8.3 ng/l), unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination. Upon approval from the Department, the discharger may use alternate analytical methods.

PART I

Section A. Effluent Limitations And Monitoring Requirements

2. Final Effluent Limitations, Monitoring Point 002A – Mission Street Pump and Treat System

This document is based on the discharge of a maximum of 0.6 million gallons per day of treated groundwater from Monitoring Point 002A through Outfall 002. Outfall 002 discharges to the Au Sable River via a storm sewer and drainage ditch. Such discharge shall be limited and monitored by the discharger as specified below.

Parameter	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
	Monthly	Daily	Units	Monthly	Daily	Units		
INFLUENT MONITORING AND REPORTING (Upon start of operation of treatment system)								
Perfluorooctane Sulfonate (PFOS)	---	---		(report)	(report)	ng/l	Weekly	Grab
Perfluorooctanoic Acid (PFOA)	---	---		(report)	(report)	ng/l	Weekly	Grab
Perfluorohexane Sulfonate (PFHxS)	---	---		(report)	(report)	ng/l	Weekly	Grab
Trichloroethylene	---	---	---	---	(report)	µg/l	Biweekly	Grab
INTERMEDIATE STAGE MONITORING AND REPORTING (Upon start of operation of treatment system)								
PFOS	---	---	---	(report)	(report)	ng/l	Weekly	Grab
PFOA	---	---	---	(report)	(report)	ng/l	Weekly	Grab
PFHxS	---	---	---	(report)	(report)	ng/l	Weekly	Grab
Trichloroethylene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
DISCHARGE LIMITATIONS, MONITORING AND REPORTING								
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
PFOS								
Until start of operation of treatment system	---	---		---	(report)	ng/l	Monthly	Grab
Upon start of operation of treatment system	---	---		(report)	15	ng/l	Weekly	Grab
PFOA								
Until start of operation of treatment system	---	---		---	(report)	ng/l	Monthly	Grab
Upon start of operation of treatment system	---	---		(report)	40	ng/l	Weekly	Grab
Trichloroethylene								
Until start of operation of treatment system	---	---		---	(report)	µg/l	Monthly	Grab
Upon start of operation of treatment system	---	---		---	1.5	µg/l	Biweekly	Grab
PFHxS								
Until start of operation of treatment system	---	---		---	(report)	ng/l	Monthly	Grab
Upon start of operation of treatment system	---	---		(report)	(report)	ng/l	Weekly	Grab
Equipment Inspection (Upon start of operation of treatment system)	(report)	---	---	---	---	---	3× Weekly	Visual
Outfall Observation	(report)	---	---	---	---	---	3× Weekly	Visual
				Minimum Daily				
pH	---	---	---	6.5	9.0	S.U.	Monthly	Grab

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Section A. Effluent Limitations And Monitoring Requirements

a. Narrative Standard
The receiving water shall contain no unnatural turbidity, color, oil films, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge in quantities which are or may become injurious to any designated use.

b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to treatment for all influent monitoring, between the carbon stages for intermediate stage monitoring, and after treatment but prior to mixing with any other waste stream for all effluent monitoring.

c. Monitoring Requirements
Upon SRD issuance and until start of operation of a treatment system, the discharger shall only monitor in accordance with the requirements specified for the discharge limitations and monitoring stage; the discharger is not required to monitor in accordance with the requirements specified for the influent and intermediate stages. Upon the start of operation of a treatment system, the monitoring requirements and effluent limitations for the influent and discharge stages shall be in effect. If multi-stage activated carbon or another similar system is utilized for treatment, the monitoring requirements for the intermediate stage shall also be in effect. The Department may approve an alternate monitoring system and revise the monitoring requirements in this SRD.

If the discharger is able to successfully demonstrate that treatment is not required, the discharge shall be monitored for the parameters as specified above with the monitoring frequencies reduced to monthly for the parameters PFOS, PFOA, trichloroethylene, and PFHxS; monitoring would not be required for the influent and intermediate stages.

d. Outfall Observation
Outfall observation shall be reported as "yes" or "no." The discharger shall report "yes" if this requirement was completed and "no" if this requirement was not completed. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

e. Equipment Inspection
Equipment inspection shall be reported as "yes" or "no." The discharger shall report "yes" if this requirement was completed and "no" if this requirement was not completed. The discharger shall inspect the treatment systems used to achieve compliance with the terms of the document. The discharger shall immediately implement any corrective action for the treatment system that is noted during the inspection.

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Section A. Effluent Limitations And Monitoring Requirements

f. BAT Treatment

This document is based on the discharger providing multi-stage activated carbon treatment or another treatment methodology which will achieve the discharge limitations. If treatment other than multi-stage activated carbon is proposed, the discharger shall amend the application received on January 21, 2016, as amended through March 18, 2016. If the Department deems it necessary, this document may then be modified to revise the effluent limitations and monitoring requirements to protect water quality in accordance with applicable rules and regulations.

The discharger may also submit information demonstrating that treatment is not required for the discharge from this outfall. If the Department approves this demonstration, no treatment would be required for the discharge and only the discharge monitoring requirements specified above would be in effect. The Department may revoke the approval for this demonstration and notify the discharger that treatment is required for the discharge at any time upon notification to the discharger.

g. Proper Operation and Maintenance

If a multi-stage activated carbon treatment system is used, the discharger shall operate the treatment system so that rotation and replacement of the carbon tanks shall occur prior to compromising the treatment effectiveness of the second activated carbon unit. The discharger shall record when the carbon units are rotated and replaced and this information shall be maintained and provided to the Department upon request.

h. Monitoring Frequency Reduction

Following the issuance of this document, the discharge shall be monitored as indicated in Part I.A.2. of this document. If the discharger successfully demonstrates that treatment is not required, after three years of monthly sampling, if sampling results are consistent and do not show an increase in concentration over time, the discharge may request a monitoring frequency reduction; the monitoring frequency shall not be reduced to less than quarterly.

If the discharger is unable to demonstrate that treatment is not required, after six months of treatment, if the activated carbon burn rate and/or operational procedures have been established and steady state conditions have been achieved, the discharger may request a reduction in monitoring frequency to that necessary to monitor the burn rate and rotation of the activated carbon tanks or other operational requirements. This request shall be submitted to the Department along with all data collected both for the treatment system and local monitoring wells since the start-up of operations of the treatment system. Upon receipt of written approval and consistent with such approval, the discharger may reduce the monitoring frequency indicated in Part I.A.2. of this document. The monitoring frequency shall not be reduced to less than once per month. The intermediate stage monitoring for trichloroethylene may be eliminated if this parameter is not monitored for treatment system operation. The Department may revoke the approval for reduced monitoring at any time upon notification to the discharger.

i. Water Treatment Additives

This document does not authorize the discharge of water additives without approval from the Department. Approval of water additives is authorized under separate correspondence. Water additives include any material that is added to water used at the facility or to a wastewater generated by the facility to condition or treat the water. In the event a discharger proposes to discharge water additives, including an increased discharge concentration of a previously approved water additive, the discharger shall submit a request to the Department for approval. See Part I.A.4. for information on requesting water treatment additive use.

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j. Analytical Methods and Quantification Levels
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for perfluorinated compounds shall be in accordance with U.S. EPA Test Method 537 (modified). Analysis for trichloroethylene shall be in accordance with U.S. EPA approved methods. The quantification levels shall be below a level sufficient to determine compliance with the discharge criteria specified in Part I.A.2. (the current method detection limit achieved for perfluorinated compounds is about 8.3 ng/l), unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination. Upon approval from the Department, the discharger may use alternate analytical methods.

3. Final Effluent Limitations, Monitoring Point 007A – Arrow Street Pump and Treat System

This document is based on the discharge of a maximum of 1.73 million gallons per day of treated groundwater from Monitoring Point 007A through Outfall 007. Outfall 007 discharges to Van Etten Creek. Such discharge shall be limited and monitored by the discharger as specified below.

Parameter	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
	Monthly	Daily	Units	Monthly	Daily	Units		
INFLUENT MONITORING AND REPORTING (Upon start of operation of treatment system)								
Perfluorooctane Sulfonate (PFOS)		---	---	(report)	(report)	ng/l	Weekly	Grab
Perfluorooctanoic Acid (PFOA)		---	---	(report)	(report)	ng/l	Weekly	Grab
Trichloroethylene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
1,2,4-Trimethylbenzene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
Total BETX (benzene, ethylbenzene, toluene, and xylene)				(report)	(report)	µg/l	Biweekly	Grab
INTERMEDIATE STAGE MONITORING AND REPORTING (Upon start of operation of treatment system)								
PFOS	---	---	---	(report)	(report)	ng/l	Weekly	Grab
PFOA	---	---	---	(report)	(report)	ng/l	Weekly	Grab
Trichloroethylene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
1,2,4-Trimethylbenzene	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
Total BETX	---	---	---	(report)	(report)	µg/l	Biweekly	Grab
DISCHARGE LIMITATIONS, MONITORING AND REPORTING								
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
PFOS								
Until start of operation of treatment system		---	---	---	(report)	ng/l	Monthly	Grab
Upon start of operation of treatment system		---	---	(report)	15	ng/l	Weekly	Grab

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Parameter	Maximum Limits for Quantity or Loading: Monthly	Daily	Units	Maximum Limits for Quality or Concentration: Monthly	Daily	Units	Monitoring Frequency	Sample Type
PFOA								
Until start of operation of treatment system	---	---		---	(report)	ng/l	Monthly	Grab
Upon start of operation of treatment system	---	---		(report)	40	ng/l	Weekly	Grab
Trichloroethylene								
Until start of operation of treatment system	---	---		---	(report)	µg/l	Monthly	Grab
Upon start of operation of treatment system	---	---		---	1.5	µg/l	Biweekly	Grab
1,2,4-Trimethylbenzene								
Until start of operation of treatment system	---	---		---	(report)	µg/l	Monthly	Grab
Upon start of operation of treatment system	---	---		---	5	µg/l	Biweekly	Grab
Total BETX								
Until start of operation of treatment system	---	---		---	(report)	µg/l	Monthly	Grab
Upon start of operation of treatment system	---	---		---	20	µg/l	Biweekly	Grab
Equipment Inspection (Upon start of operation of treatment system)	(report)	---	---	---	---	---	3× Weekly	Visual
Outfall Observation	(report)	---	---	---	---	---	3× Weekly	Visual
				Minimum Daily				
pH	---	---	---	6.5	9.0	S.U.	Monthly	Grab

a. Narrative Standard
The receiving water shall contain no unnatural turbidity, color, oil films, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge in quantities which are or may become injurious to any designated use.

b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to treatment for all influent monitoring, between the carbon stages for intermediate stage monitoring, and after treatment but prior to mixing with any other waste stream for all effluent monitoring.

c. Monitoring Requirements
Upon SRD issuance and until start of operation of a treatment system, the discharger shall only monitor in accordance with the requirements specified for the discharge limitations and monitoring stage; the discharger is not required to monitor in accordance with the requirements specified for the influent and intermediate stages. Upon the start of operation of a treatment system, the monitoring requirements and effluent limitations for the influent and discharge stages shall be in effect. If multi-stage activated carbon or another similar system is utilized for treatment, the monitoring requirements for the intermediate stage shall also be in effect. The Department may approve an alternate monitoring system and revise the monitoring requirements in this SRD.

d. Outfall Observation
Outfall observation shall be reported as "yes" or "no." The discharger shall report "yes" if this requirement was completed and "no" if this requirement was not completed. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

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e. Equipment Inspection

Equipment inspection shall be reported as "yes" or "no." The discharger shall report "yes" if this requirement was completed and "no" if this requirement was not completed. The discharger shall inspect the treatment systems used to achieve compliance with the terms of the document. The discharger shall immediately implement any corrective action for the treatment system that is noted during the inspection.

f. BAT Treatment

This document is based on the discharger providing multi-stage activated carbon treatment, or another treatment methodology which will achieve the discharge limitations, by December 31, 2017. If treatment other than multi-stage activated carbon is proposed, the discharger shall amend the application received on January 21, 2016, as amended through March 18, 2016. If the Department deems it necessary, this document may then be modified to revise the effluent limitations and monitoring requirements to protect water quality in accordance with applicable rules and regulations.

g. Proper Operation and Maintenance

If a multi-stage activated carbon treatment system is used, the discharger shall operate the treatment system so that rotation and replacement of the carbon tanks shall occur prior to compromising the treatment effectiveness of the second activated carbon unit. The discharger shall record when the carbon units are rotated and replaced and this information shall be maintained and provided to the Department upon request.

h. Monitoring Frequency Reduction

Upon the start of operation of the treatment system, the influent, the intermediate stage, and the effluent shall be monitored and sampled at the frequency indicated in Part I.A.3. of this document. After six months, if the activated carbon burn rate and/or operational procedures have been established and steady state conditions have been achieved, the discharger may request a reduction in monitoring frequency to that necessary to monitor the burn rate and rotation of the activated carbon tanks or other operational requirements. This request shall be submitted to the Department along with all data collected both for the treatment system and local monitoring wells since the start-up of operations of the activated carbon treatment system. Upon receipt of written approval and consistent with such approval, the discharger may reduce the monitoring frequency indicated in Part I.A.3. of this document. The monitoring frequencies for PFOS and PFOA shall not be reduced to less than once per month; the monitoring frequencies for trichloroethylene, 1,2,4-trimethylbenzene, and total BETX shall not be reduced to less than quarterly. The intermediate stage monitoring for trichloroethylene, 1,2,4-trimethylbenzene, and total BETX may be eliminated if any of these parameters are not monitored for treatment system operation. The Department may revoke the approval for reduced monitoring at any time upon notification to the discharger.

i. Water Treatment Additives

This document does not authorize the discharge of water additives without approval from the Department. Approval of water additives is authorized under separate correspondence. Water additives include any material that is added to water used at the facility or to a wastewater generated by the facility to condition or treat the water. In the event a discharger proposes to discharge water additives, including an increased discharge concentration of a previously approved water additive, the discharger shall submit a request to the Department for approval. See Part I.A.4. for information on requesting water treatment additive use.

j. Analytical Methods and Quantification Levels

The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for perfluorinated compounds shall be in accordance with U.S. EPA Test Method 537 (modified). Analysis for benzene, ethylbenzene, toluene, xylene, trichloroethylene, and 1,2,4-trimethylbenzene shall be in accordance with U.S. EPA approved methods. The quantification levels shall be below a level sufficient to determine compliance with the discharge criteria specified in Part I.A.3. (the current method detection limit achieved for perfluorinated compounds is about 8.3 ng/l), unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination. Upon approval from the Department, the discharger may use alternate analytical methods.

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4. Request for Discharge of Water Treatment Additives

Prior to discharge of any water treatment additive, written approval shall be obtained by the discharger. Requests for such approval shall be submitted via the Department's MiWaters system. The MiWaters website is located at https://miwaters.deq.state.mi.us. Instructions for submitting such a request may be obtained at http://www.michigan.gov/deqnpdes (near the bottom of that page, click on one or both of the links located under the Water Treatment Additives banner). Additional monitoring and reporting may be required as a condition for the approval to discharge the additive.

A request to discharge water treatment additives shall include all of the following usage and discharge information for each water treatment additive proposed to be discharged:

a. Safety Data Sheet (formerly known as Material Safety Data Sheet);

b. the proposed water treatment additive discharge concentration with supporting calculations;

c. the discharge frequency (i.e., number of hours per day and number of days per year);

d. the monitoring point from which the product is to be discharged;

e. the type of removal treatment, if any, that the water treatment additive receives prior to discharge;

f. product function (i.e. microbiocide, flocculant, etc.);

g. a 48-hour LC_{50} or EC_{50} for a North American freshwater planktonic crustacean (either *Ceriodaphnia sp., Daphnia sp., or Simocephalus sp.*); and

h. the results of a toxicity test for one (1) other North American freshwater aquatic species (other than a planktonic crustacean) that meets a minimum requirement of R 323.1057(2) of the Water Quality Standards.

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Section A. Effluent Limitations And Monitoring Requirements

5. Facility Contact

The "Facility Contact" was specified in the application. The discharger may replace the facility contact at any time, and shall notify the Department in writing within 10 days after replacement (including the name, address and telephone number of the new facility contact).

a. The facility contact shall be (or a duly authorized representative of this person):
- for a corporation, a principal executive officer of at least the level of vice president; or a designated representative if the representative is responsible for the overall operation of the facility from which the discharge originates, as described in the application or other NPDES form,
- for a partnership, a general partner,
- for a sole proprietorship, the proprietor, or
- for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other duly authorized employee.

b. A person is a duly authorized representative only if:
- the authorization is made in writing to the Department by a person described in paragraph a. of this section; and
- the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the facility (a duly authorized representative may thus be either a named individual or any individual occupying a named position).

Nothing in this section obviates the discharger from properly submitting reports and forms as required by law.

6. Reopener Clause

The Department may determine that the discharge authorization, monitoring requirements, and treatment technology-based effluent limitations of this document require reassessment and reopen the document. In that case, the Department may modify this document, issue an individual National Pollutant Discharge Elimination System (NPDES) permit, or incorporate the requirements of this document into another document in accordance with applicable laws and rules.

7. Discharge to the Groundwaters

This site is a known source of groundwater pollution. The reissuance of this document does not authorize any discharge to the groundwaters or venting of contaminated groundwaters to the surface waters, nor does it constitute a release of liability for any groundwater contamination at or around the site. The state reserves its rights to seek remedies to abate any groundwater contamination.

PART I

Section A. Effluent Limitations And Monitoring Requirements

8. Updates to Ensure Protection of Waters of State

The discharger is implementing a response plan under CERCLA for the remediation actions to address perfluorinated chemical (PFC) contamination at the site of the former Wurtsmith Air Force Base in Iosco County. The Water Resources Division (WRD) wants to emphasize that ongoing response actions shall meet water quality standards and protect all designated uses, including fish consumption (as determined by elimination of fish consumption advisories due to PFCs), in the waters of the state adjacent to the former Wurtsmith Air Force Base which include, but are not limited to, the Au Sable River, Clark's Marsh, Van Etten Creek, and Van Etten Lake.

On or before December 31, 2017, the discharger shall report to the Saginaw Bay District Supervisor of the WRD in in a meeting, or alternatively in a written report, the following items:

- a summary of the actions proposed for the three direct discharges to the surface waters authorized by this document,
- a summary of the actions proposed for the two authorized existing ground water discharges, and any other plume identified as contributing to ground water/surface water interface (GSI) exceedances for PFC contamination,
- an evaluation of all of the existing groundwater extraction systems and any future systems at the site to determine if they are sufficiently sized and operated to capture and control PFC migration in the plumes, and
- a schedule for a complete risk-based, site-assessment to both fully characterize the known plumes causing GSI exceedances and to identify and characterize any unknown plumes as they are discovered. This schedule may build on the actions in the response plan under CERCLA and note any pertinent actions by reference.

In addition, on or before December 31st of each subsequent year, the discharger shall provide an annual update in a meeting or a written report to the Saginaw Bay District Supervisor of the WRD, on the above items.

Upon notification, the WRD may revise this SRD, other SRDs, or state-issued discharge permits if the WRD determines that the discharger is not adequately proceeding to meet water quality standards and protecting all designated uses of waters of the state.

PART II

Part II may include terms and /or conditions not applicable to discharges covered under this document.

Section A. Definitions

Acute toxic unit (TU_A) means $100/LC_{50}$ where the LC_{50} is determined from a whole effluent toxicity (WET) test which produces a result that is statistically or graphically estimated to be lethal to 50% of the test organisms.

Annual monitoring frequency refers to a calendar year beginning on January 1 and ending on December 31. When required by this document, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Authorized public agency means a state, local, or county agency that is designated pursuant to the provisions of section 9110 of Part 91 of the NREPA to implement soil erosion and sedimentation control requirements with regard to construction activities undertaken by that agency.

Best management practices (BMPs) means structural devices or nonstructural practices that are designed to prevent pollutants from entering into storm water, to direct the flow of storm water, or to treat polluted storm water.

Bioaccumulative chemical of concern (BCC) means a chemical which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor of more than 1000 after considering metabolism and other physiochemical properties that might enhance or inhibit bioaccumulation. The human health bioaccumulation factor shall be derived according to R 323.1057(5). Chemicals with half-lives of less than 8 weeks in the water column, sediment, and biota are not BCCs. The minimum bioaccumulation concentration factor (BAF) information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the biota-sediment accumulation factor (BSAF) methodology. The minimum BAF information needed to define an inorganic chemical as a BCC, including an organometal, is either a field-measured BAF or a laboratory-measured bioconcentration factor (BCF). The BCCs to which these rules apply are identified in Table 5 of R 323.1057 of the Water Quality Standards.

Biosolids are the solid, semisolid, or liquid residues generated during the treatment of sanitary sewage or domestic sewage in a treatment works. This includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a derivative of the removed scum or solids.

Bulk biosolids means biosolids that are not sold or given away in a bag or other container for application to a lawn or home garden.

Certificate of Coverage (COC) is a document, issued by the Department, which authorizes a discharge under a general permit.

Chronic toxic unit (TU_C) means 100/MATC or $100/IC_{25}$, where the maximum acceptable toxicant concentration (MATC) and IC_{25} are expressed as a percent effluent in the test medium.

Class B biosolids refers to material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PSRP) in accordance with the Part 24 Rules. Processes include aerobic digestion, composting, anaerobic digestion, lime stabilization and air drying.

Combined sewer system is a sewer system in which storm water runoff is combined with sanitary wastes.

PART II

Section A. Definitions

Daily concentration is the sum of the concentrations of the individual samples of a parameter divided by the number of samples taken during any calendar day. If the parameter concentration in any sample is less than the quantification limit, regard that value as zero when calculating the daily concentration. The daily concentration will be used to determine compliance with any maximum and minimum daily concentration limitations (except for pH and dissolved oxygen). When required by the document, report the maximum calculated daily concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the Discharge Monitoring Reports (DMRs).

For pH, report the maximum value of any *individual* sample taken during the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs and the minimum value of any *individual* sample taken during the month in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. For dissolved oxygen, report the minimum concentration of any *individual* sample in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

Daily loading is the total discharge by weight of a parameter discharged during any calendar day. This value is calculated by multiplying the daily concentration by the total daily flow and by the appropriate conversion factor. The daily loading will be used to determine compliance with any maximum daily loading limitations. When required by the document, report the maximum calculated daily loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs.

Daily monitoring frequency refers to a 24-hour day. When required by this document, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Department means the Michigan Department of Environmental Quality.

Detection level means the lowest concentration or amount of the target analyte that can be determined to be different from zero by a single measurement at a stated level of probability.

Discharge means the addition of any waste, waste effluent, wastewater, pollutant, or any combination thereof to any surface water of the state.

Discharge point is the location where the point source discharge is directed to surface waters of the state or to a separate storm sewer. It includes the location of all point source discharges where storm water exits the facility, including *outfalls* which discharge directly to surface waters of the state, and *points of discharge* which discharge directly into separate storm sewer systems.

EC_{50} means a statistically or graphically estimated concentration that is expected to cause 1 or more specified effects in 50% of a group of organisms under specified conditions.

Fecal coliform bacteria monthly
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a discharge event. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the document, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR. If the period in which the discharge event occurred was partially in each of two months, the calculated monthly value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a reporting month. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the document, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

PART II

Section A. Definitions

Fecal coliform bacteria 7-day
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days of discharge during a discharge event. If the number of daily concentrations determined during the discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the document, report the maximum calculated 7-day geometric mean value for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. If the 7-day period was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days in a reporting month. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the document, report the maximum calculated 7-day geometric mean for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. The first calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

Flow-proportioned sample is a composite sample with the sample volume proportional to the effluent flow.

General permit means a National Pollutant Discharge Elimination System permit issued authorizing a category of similar discharges.

Geometric mean is the average of the logarithmic values of a base 10 data set, converted back to a base 10 number.

Grab sample is a single sample taken at neither a set time nor flow.

IC_{25} means the toxicant concentration that would cause a 25% reduction in a nonquantal biological measurement for the test population.

Illicit connection means a physical connection to a municipal separate storm sewer system that primarily conveys non-storm water discharges other than uncontaminated groundwater into the storm sewer; or a physical connection not authorized or permitted by the local authority, where a local authority requires authorization or a permit for physical connections.

Illicit discharge means any discharge to, or seepage into, a municipal separate storm sewer system that is not composed entirely of storm water or uncontaminated groundwater. Illicit discharges include non-storm water discharges through pipes or other physical connections; dumping of motor vehicle fluids, household hazardous wastes, domestic animal wastes, or litter; collection and intentional dumping of grass clippings or leaf litter; or unauthorized discharges of sewage, industrial waste, restaurant wastes, or any other non-storm water waste directly into a separate storm sewer.

Individual permit means a site-specific NPDES permit.

Inlet means a catch basin, roof drain, conduit, drain tile, retention pond riser pipe, sump pump, or other point where storm water or wastewater enters into a closed conveyance system prior to discharge off site or into waters of the state.

PART II

Section A. Definitions

Interference is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or, of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act. [This definition does not apply to sample matrix interference].

Land application means spraying or spreading biosolids or a biosolids derivative onto the land surface, injecting below the land surface, or incorporating into the soil so that the biosolids or biosolids derivative can either condition the soil or fertilize crops or vegetation grown in the soil.

LC_{50} means a statistically or graphically estimated concentration that is expected to be lethal to 50% of a group of organisms under specified conditions.

Maximum acceptable toxicant concentration (MATC) means the concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic test. A lower chronic limit is the highest tested concentration that did not cause the occurrence of a specific adverse effect. An upper chronic limit is the lowest tested concentration which did cause the occurrence of a specific adverse effect and above which all tested concentrations caused such an occurrence.

Maximum extent practicable means implementation of best management practices by a public body to comply with an approved storm water management program as required by a national permit for a municipal separate storm sewer system, in a manner that is environmentally beneficial, technically feasible, and within the public body's legal authority.

MGD means million gallons per day.

Monthly concentration is the sum of the daily concentrations determined during a reporting period divided by the number of daily concentrations determined. The calculated monthly concentration will be used to determine compliance with any maximum monthly concentration limitations. Days with no discharge shall not be used to determine the value. When required by the document, report the calculated monthly concentration in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

For minimum percent removal requirements, the monthly influent concentration and the monthly effluent concentration shall be determined. The calculated monthly percent removal, which is equal to 100 times the quantity [1 minus the quantity (monthly effluent concentration divided by the monthly influent concentration)], shall be reported in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

Monthly loading is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during a reporting period. The calculated monthly loading will be used to determine compliance with any maximum monthly loading limitations. Days with no discharge shall not be used to determine the value. When required by the document, report the calculated monthly loading in the "AVERAGE" column under "QUANTITY OR LOADING" on the DMR.

Monthly monitoring frequency refers to a calendar month. When required by this document, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Municipal separate storm sewer means a conveyance or system of conveyances designed or used for collecting or conveying storm water which is not a combined sewer and which is not part of a publicly-owned treatment works as defined in the Code of Federal Regulations at 40 CFR 122.2.

PART II

Section A. Definitions

Municipal separate storm sewer system (MS4) means all separate storm sewers that are owned or operated by the United States, a state, city, village, township, county, district, association, or other public body created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law, such as a sewer district, flood control district, or drainage district, or similar entity, or a designated or approved management agency under Section 208 of the Federal Act that discharges to the waters of the state. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

National Pretreatment Standards are the regulations promulgated by or to be promulgated by the Federal Environmental Protection Agency pursuant to Section 307(b) and (c) of the Federal Act. The standards establish nationwide limits for specific industrial categories for discharge to a POTW.

No observed adverse effect level (NOAEL) means the highest tested dose or concentration of a substance which results in no observed adverse effect in exposed test organisms where higher doses or concentrations result in an adverse effect.

Noncontact cooling water is water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product or finished product.

Nondomestic user is any discharger to a POTW that discharges wastes other than or in addition to water-carried wastes from toilet, kitchen, laundry, bathing or other facilities used for household purposes.

Outfall is the location at which a point source discharge enters the surface waters of the state.

Part 91 agency means an agency that is designated by a county board of commissioners pursuant to the provisions of section 9105 of Part 91 of the NREPA; an agency that is designated by a city, village, or township in accordance with the provisions of section 9106 of Part 91 of the NREPA; or the Department for soil erosion and sedimentation activities under Part 615, Part 631, or Part 632 pursuant to the provisions of section 9115 of Part 91 of the NREPA.

Part 91 permit means a soil erosion and sedimentation control permit issued by a Part 91 agency pursuant to the provisions of Part 91 of the NREPA.

Partially treated sewage is any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that is treated to a level less than that required by the document, or that is not treated to national secondary treatment standards for wastewater, including discharges to surface waters from retention treatment facilities.

Point of discharge is the location of a point source discharge where storm water is discharged directly into a separate storm sewer system.

Point source discharge means a discharge from any discernible, confined, discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, or rolling stock. Changing the surface of land or establishing grading patterns on land will result in a point source discharge where the runoff from the site is ultimately discharged to waters of the state.

Polluting material means any material, in solid or liquid form, identified as a polluting material under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

POTW is a publicly owned treatment work.

Pretreatment is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.

PART II

Section A. Definitions

Public (as used in the MS4 individual permit) means all persons who potentially could affect the authorized storm water discharges, including, but not limited to, residents, visitors to the area, public employees, businesses, industries, and construction contractors and developers.

Public body means the United States; the state of Michigan; a city, village, township, county, school district, public college or university, or single-purpose governmental agency; or any other body which is created by federal or state statute or law.

Qualifying storm event means a storm event causing greater than 0.1 inch of rainfall and occurring at least 72 hours after the previous measurable storm event that also caused greater than 0.1 inch of rainfall.

Quantification level means the measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calculated at a specified concentration above the detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant.

Quarterly monitoring frequency refers to a three month period, defined as January through March, April through June, July through September, and October through December. When required by this document, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Regional Administrator is the Region 5 Administrator, U.S. EPA, located at R-19J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

Regulated area means the discharger's urbanized area, where urbanized area is defined as a place and its adjacent densely-populated territory that together have a minimum population of 50,000 people as defined by the United States Bureau of the Census and as determined by the latest available decennial census.

Secondary containment structure means a unit, other than the primary container, in which significant materials are packaged or held, which is required by State or Federal law to prevent the escape of significant materials by gravity into sewers, drains, or otherwise directly or indirectly into any sewer system or to the surface or ground waters of this state.

Separate storm sewer system means a system of drainage, including, but not limited to, roads, catch basins, curbs, gutters, parking lots, ditches, conduits, pumping devices, or man-made channels, which is not a combined sewer where storm water mixes with sanitary wastes, and is not part of a POTW.

Significant industrial user is a nondomestic user that: 1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or 2) discharges an average of 25,000 gallons per day or more of process wastewater to a POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the discharger as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Significant materials Significant Materials means any material which could degrade or impair water quality, including but not limited to: raw materials; fuels; solvents, detergents, and plastic pellets; finished materials such as metallic products; hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (see 40 CFR 372.65); any chemical the facility is required to report pursuant to Section 313 of Emergency Planning and Community Right-to-Know Act (EPCRA); polluting materials as identified under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code); Hazardous Wastes as defined in Part 111 of the NREPA; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.

Significant spills and significant leaks means any release of a polluting material reportable under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

PART II

Section A. Definitions

Special-use area means secondary containment structures required by state or federal law; lands on Michigan's List of Sites of Environmental Contamination pursuant to Part 201, Environmental Remediation, of the NREPA; and/or areas with other activities that may contribute pollutants to the storm water for which the Department determines monitoring is needed.

Stoichiometric means the quantity of a reagent calculated to be necessary and sufficient for a given chemical reaction.

Storm water means storm water runoff, snow melt runoff, surface runoff and drainage, and non-storm water included under the conditions of this document.

SWPPP means the Storm Water Pollution Prevention Plan prepared in accordance with this document.

Tier I value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier I toxicity database.

Tier II value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier II toxicity database.

Total maximum daily loads (TMDLs) are required by the Federal Act for waterbodies that do not meet water quality standards. TMDLs represent the maximum daily load of a pollutant that a waterbody can assimilate and meet water quality standards, and an allocation of that load among point sources, nonpoint sources, and a margin of safety.

Toxicity reduction evaluation (TRE) means a site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity.

Water Quality Standards means the Part 4 Water Quality Standards promulgated pursuant to Part 31 of the NREPA, being R 323.1041 through R 323.1117 of the Michigan Administrative Code.

Weekly monitoring frequency refers to a calendar week which begins on Sunday and ends on Saturday. When required by this document, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

WWSL is a wastewater stabilization lagoon.

WWSL discharge event is a discrete occurrence during which effluent is discharged to the surface water up to 10 days of a consecutive 14 day period.

3-portion composite sample is a sample consisting of three equal-volume grab samples collected at equal intervals over an 8-hour period.

PART II

Section A. Definitions

7-day concentration
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily concentrations determined. If the number of daily concentrations determined during the WWSL discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations. When required by the document, report the maximum calculated 7-day concentration for the WWSL discharge event in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days in a reporting month divided by the number of daily concentrations determined. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations in the reporting month. When required by the document, report the maximum calculated 7-day concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

7-day loading
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily loadings determined. If the number of daily loadings determined during the WWSL discharge event is less than 7 days, the number of actual daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations. When required by the document, report the maximum calculated 7-day loading for the WWSL discharge event in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred

FOR ALL OTHER DISCHARGES – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days in a reporting month divided by the number of daily loadings determined. If the number of daily loadings determined is less than 7, the actual number of daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations in the reporting month. When required by the document, report the maximum calculated 7-day loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

24-hour composite sample is a flow-proportioned composite sample consisting of hourly or more frequent portions that are taken over a 24-hour period. A time-proportioned composite sample may be used upon approval of the Department if the discharger demonstrates it is representative of the discharge.

PART II

Section B. Monitoring Procedures

1. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304(h) of the Federal Act (40 CFR Part 136 – Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless specified otherwise in this document. **Test procedures used shall be sufficiently sensitive to determine compliance with applicable effluent limitations**. Requests to use test procedures not promulgated under 40 CFR Part 136 for pollutant monitoring required by this document shall be made in accordance with the Alternate Test Procedures regulations specified in 40 CFR 136.4. These requests shall be submitted to the Chief of the Permits Section, Water Resources Division, Michigan Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan, 48909-7958. The discharger may use such procedures upon approval.

The discharger shall periodically calibrate and perform maintenance procedures on all analytical instrumentation at intervals to ensure accuracy of measurements. The calibration and maintenance shall be performed as part of the discharger's laboratory Quality Control/Quality Assurance program.

3. Instrumentation

The discharger shall periodically calibrate and perform maintenance procedures on all monitoring instrumentation at intervals to ensure accuracy of measurements.

4. Recording Results

For each measurement or sample taken pursuant to the requirements of this document, the discharger shall record the following information: 1) the exact place, date, and time of measurement or sampling; 2) the person(s) who performed the measurement or sample collection; 3) the dates the analyses were performed; 4) the person(s) who performed the analyses; 5) the analytical techniques or methods used; 6) the date of and person responsible for equipment calibration; and 7) the results of all required analyses.

5. Records Retention

All records and information resulting from the monitoring activities required by this document including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Department.

PART II

Section C. Reporting Requirements

1. Start-up Notification

If the discharger will not discharge during the first 60 days following the effective date of this document, the discharger shall notify the Department within 14 days following the effective date of this document, and then 60 days prior to the commencement of the discharge.

2. Submittal Requirements for Self-Monitoring Data

Part 31 of the NREPA (specifically Section 324.3110(7)); and R 323.2155(2) of Part 21, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA, allow the Department to specify the forms to be utilized for reporting the required self-monitoring data. Unless instructed on the effluent limitations page to conduct "Retained Self-Monitoring," the discharger shall submit self-monitoring data via the Department's MiWaters system.

The discharger shall utilize the information provided on the MiWaters website, located at https://miwaters.deq.state.mi.us, to access and submit the electronic forms. Both monthly summary and daily data shall be submitted to the Department no later than the 20th day of the month following each month of the authorized discharge period(s). The discharger may be allowed to submit the electronic forms after this date if the Department has granted an extension to the submittal date.

3. Retained Self-Monitoring Requirements

If instructed on the effluent limits page (or otherwise authorized by the Department in accordance with the provisions of this document) to conduct retained self-monitoring, the discharger shall maintain a year-to-date log of retained self-monitoring results and, upon request, provide such log for inspection to the staff of the Department. Retained self-monitoring results are public information and shall be promptly provided to the public upon request.

The discharger shall certify, in writing, to the Department, on or before January 10th (April 1st for animal feeding operation facilities) of each year, that: 1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained; and 2) the application on which this document is based still accurately describes the discharge. With this annual certification, the discharger shall submit a summary of the previous year's monitoring data. The summary shall include maximum values for samples to be reported as daily maximums and/or monthly maximums and minimum values for any daily minimum samples.

Retained self-monitoring may be denied to a discharger by notification in writing from the Department. In such cases, the discharger shall submit self-monitoring data in accordance with Part II.C.2., above. Such a denial may be rescinded by the Department upon written notification to the discharger. Reissuance or modification of this document or reissuance or modification of an individual discharger's authorization to discharge shall not affect previous approval or denial for retained self-monitoring unless the Department provides notification in writing to the discharger.

4. Additional Monitoring by Discharger

If the discharger monitors any pollutant at the location(s) designated herein more frequently than required by this document, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

Monitoring required pursuant to Part 41 of the NREPA or Rule 35 of the Mobile Home Park Commission Act (Act 96 of the Public Acts of 1987) for assurance of proper facility operation shall be submitted as required by the Department.

PART II

Section C. Reporting Requirements

5. Compliance Dates Notification

Within 14 days of every compliance date specified in this document, the discharger shall submit a *written* notification to the Department indicating whether or not the particular requirement was accomplished. If the requirement was not accomplished, the notification shall include an explanation of the failure to accomplish the requirement, actions taken or planned by the discharger to correct the situation, and an estimate of when the requirement will be accomplished. If a written report is required to be submitted by a specified date and the discharger accomplishes this, a separate written notification is not required.

6. Noncompliance Notification

Compliance with all applicable requirements set forth in the Federal Act, Parts 31 and 41 of the NREPA, and related regulations and rules is required. All instances of noncompliance shall be reported as follows:

a. 24-Hour Reporting
Any noncompliance which may endanger health or the environment (including maximum and/or minimum daily concentration discharge limitation exceedances) shall be reported, verbally, within 24 hours from the time the discharger becomes aware of the noncompliance. A written submission shall also be provided within five (5) days.

b. Other Reporting
The discharger shall report, in writing, all other instances of noncompliance not described in a. above at the time monitoring reports are submitted; or, in the case of retained self-monitoring, within five (5) days from the time the discharger becomes aware of the noncompliance.

Written reporting shall include: 1) a description of the discharge and cause of noncompliance; and 2) the period of noncompliance, including exact dates and times, or, if not yet corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

7. Spill Notification

The discharger shall immediately report any release of any polluting material which occurs to the surface waters or groundwaters of the state, unless the discharger has determined that the release is not in excess of the threshold reporting quantities specified in the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated on the second page of this document (or, if this is a general permit, on the COC); 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 discharger 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.

PART II

Section C. Reporting Requirements

8. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology based effluent limitations because of factors beyond the reasonable control of the discharger) has occurred, the discharger who wishes to establish the affirmative defense of upset, shall notify the Department by telephone within 24 hours of becoming aware of such conditions; and within five (5) days, provide in writing, the following information:

a. that an upset occurred and that the discharger can identify the specific cause(s) of the upset;

b. that the wastewater treatment facility was, at the time, being properly operated and maintained (note that an upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation); and

c. that the discharger has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this document.

No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

In any enforcement proceedings, the discharger, seeking to establish the occurrence of an upset, has the burden of proof.

9. Bypass Prohibition and Notification

a. Bypass Prohibition
Bypass is prohibited, and the Department may take an enforcement action, unless:

1) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass; and

3) the discharger submitted notices as required under 9.b. or 9.c. below.

b. Notice of Anticipated Bypass
If the discharger knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least ten (10) days before the date of the bypass, and provide information about the anticipated bypass as required by the Department. The Department may approve an anticipated bypass, after considering its adverse effects, if it will meet the three (3) conditions listed in 9.a. above.

c. Notice of Unanticipated Bypass
The discharger shall submit notice to the Department of an unanticipated bypass by calling the Department at the number indicated on the second page of this document (if the notice is provided after regular working hours, use the following number: 1-800-292-4706) as soon as possible, but no later than 24 hours from the time the discharger becomes aware of the circumstances.

PART II

Section C. Reporting Requirements

d. Written Report of Bypass
A written submission shall be provided within five (5) working days of commencing any bypass to the Department, and at additional times as directed by the Department. The written submission shall contain a description of the bypass and its cause; the period of bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass; and other information as required by the Department.

e. Bypass Not Exceeding Limitations
The discharger may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of 9.a., 9.b., 9.c., and 9.d., above. This provision does not relieve the discharger of any notification responsibilities under Part II.C.11. of this document.

f. Definitions

1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

10. Bioaccumulative Chemicals of Concern (BCC)

Consistent with the requirements of R 323.1098 and R 323.1215 of the Michigan Administrative Code, the discharger is prohibited from undertaking any action that would result in a lowering of water quality from an increased loading of a BCC unless an increased use request and antidegradation demonstration have been submitted and approved by the Department.

11. Notification of Changes in Discharge

The discharger shall notify the Department, in writing, as soon as possible but no later than 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of: 1) detectable levels of chemicals on the current Michigan Critical Materials Register, priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, or the Pollutants of Initial Focus in the Great Lakes Water Quality Initiative specified in 40 CFR 132.6, Table 6, which were not acknowledged in the application or listed in the application at less than detectable levels; 2) detectable levels of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information; or 3) any chemical at levels greater than five times the average level reported in the complete application (see the first page of this document, for the date(s) the complete application was submitted). Any other monitoring results obtained as a requirement of this document shall be reported in accordance with the compliance schedules.

PART II

Section C. Reporting Requirements

12. Changes in Facility Operations

Any anticipated action or activity, including but not limited to facility expansion, production increases, or process modification, which will result in new or increased loadings of pollutants to the receiving waters must be reported to the Department by a) submission of an increased use request (application) and all information required under R 323.1098 (Antidegradation) of the Water Quality Standards or b) by notice if the following conditions are met: 1) the action or activity will not result in a change in the types of wastewater discharged or result in a greater quantity of wastewater than currently authorized by this document; 2) the action or activity will not result in violations of the effluent limitations specified in this document; 3) the action or activity is not prohibited by the requirements of Part II.C.10.; and 4) the action or activity will not require notification pursuant to Part II.C.11. Following such notice, the document or, if applicable, the facility's COC may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

13. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the discharger shall submit to the Department 30 days prior to the actual transfer of ownership or control a written agreement between the current discharger and the new discharger containing: 1) the legal name and address of the new owner; 2) a specific date for the effective transfer of document 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 discharger is proposing changes in operations, wastewater discharge, or wastewater treatment, the Department may propose modification of this document in accordance with applicable laws and rules.

14. Operations and Maintenance Manual

For wastewater treatment facilities that serve the public (and are thus subject to Part 41 of the NREPA), Section 4104 of Part 41 and associated Rule 2957 of the Michigan Administrative Code allow the Department to require an Operations and Maintenance (O&M) Manual from the facility. An up-to-date copy of the O&M Manual shall be kept at the facility and shall be provided to the Department upon request. The Department may review the O&M Manual in whole or in part at its discretion and require modifications to it if portions are determined to be inadequate.

At a minimum, the O&M Manual shall include the following information: monitoring standards; descriptions and operation information for all equipment; staffing information; laboratory requirements; record keeping requirements; a maintenance plan for equipment; an emergency operating plan; safety program information; and copies of all pertinent forms, as-built plans, and manufacturer's manuals.

Certification of the existence and accuracy of the O&M Manual shall be submitted to the Department at least sixty days prior to start-up of a new wastewater treatment facility. Recertification shall be submitted sixty days prior to start-up of any substantial improvements or modifications made to an existing wastewater treatment facility.

PART II

Section C. Reporting Requirements

15. Signatory Requirements

All applications, reports, or information submitted to the Department in accordance with the conditions of this document and that require a signature shall be signed and certified as described in the Federal Act and the NREPA.

The Federal Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this document, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

The NREPA (Section 3115(2)) provides that 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 the document, COC, or order issued or rule promulgated under this part, or who intentionally makes a false statement, representation, or certification in an application for or form pertaining to a document or COC or in a notice or report required by the terms and conditions of an issued document or COC, 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, document, or COC 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.

16. Electronic Reporting

Upon notice by the Department that electronic reporting tools are available for specific reports or notifications, the discharger shall submit electronically all such reports or notifications as required by this document.

PART II

Section D. Management Responsibilities

1. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this document. The discharge of any pollutant identified in this document, more frequently than, or at a level in excess of, that authorized, shall constitute a violation of the document.

It is the duty of the discharger to comply with all the terms and conditions of this document. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this document constitutes a violation of the NREPA and/or the Federal Act and constitutes grounds for enforcement action; for document termination, revocation and reissuance, or modification; or denial of an application for document renewal.

It shall not be a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of this document.

2. Operator Certification

The discharger 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 NREPA. Dischargers authorized to discharge storm water shall have the storm water treatment and/or control measures under direct supervision of a storm water operator certified by the Department, as required by Section 3110 of the NREPA.

3. Facilities Operation

The discharger shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the discharger to achieve compliance with the terms and conditions of this document. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

4. Power Failures

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

a. provide an alternative power source sufficient to operate facilities utilized by the discharger to maintain compliance with the effluent limitations and conditions of this document; or

b. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the discharger to maintain compliance with the effluent limitations and conditions of this document, the discharger shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this document.

5. Adverse Impact

The discharger shall take all reasonable steps to minimize or prevent any adverse impact to the surface waters or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this document including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

PART II

Section D. Management Responsibilities

6. Containment Facilities

The discharger shall provide facilities for containment of any accidental losses of polluting materials in accordance with the requirements of the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code). For a Publicly Owned Treatment Work (POTW), these facilities shall be approved under Part 41 of the NREPA.

7. Waste Treatment Residues

Residuals (i.e. solids, sludges, biosolids, filter backwash, scrubber water, ash, grit, or other pollutants or wastes) removed from or resulting from treatment or control of wastewaters, including those that are generated during treatment or left over after treatment or control has ceased, 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 NREPA, 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.

8. Right of Entry

The discharger shall allow the Department, any agent appointed by the Department, or the Regional Administrator, upon the presentation of credentials and, for animal feeding operation facilities, following appropriate biosecurity protocols:

a. to enter upon the discharger's premises where an effluent source is located or any place in which records are required to be kept under the terms and conditions of this document; and

b. at reasonable times to have access to and copy any records required to be kept under the terms and conditions of this document; to inspect process facilities, treatment works, monitoring methods and equipment regulated or required under this document; and to sample any discharge of pollutants.

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Act and Rule 2128 (R 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this document, shall be available for public inspection at the offices of the Department and the Regional Administrator. As required by the Federal Act, 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 Section 309 of the Federal Act and Sections 3112, 3115, 4106 and 4110 of the NREPA.

10. Duty to Provide Information

The discharger shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this document or the facility's COC, or to determine compliance with this document. The discharger shall also furnish to the Department, upon request, copies of records required to be kept by this document.

Where the discharger becomes aware that it failed to submit any relevant facts in a document application, or submitted incorrect information in a document application or in any report to the Department, it shall promptly submit such facts or information.

PART II

Section E. Activities Not Authorized by This Document

1. Discharge to the Groundwaters

This document does not authorize any discharge to the groundwaters. Such discharge may be authorized by a groundwater discharge permit issued pursuant to the NREPA.

2. POTW Construction

This document does not authorize or approve the construction or modification of any physical structures or facilities at a POTW. Approval for the construction or modification of any physical structures or facilities at a POTW shall be by permit issued under Part 41 of the NREPA.

3. Civil and Criminal Liability

Except as provided in document conditions on "Bypass" (Part II.C.9. pursuant to 40 CFR 122.41(m)), nothing in this document shall be construed to relieve the discharger from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond the discharger's control, such as accidents, equipment breakdowns, or labor disputes.

4. Oil and Hazardous Substance Liability

Nothing in this document shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger may be subject under Section 311 of the Federal Act except as are exempted by federal regulations.

5. State Laws

Nothing in this document shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Federal Act.

6. Property Rights

The issuance of this document 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 documents, including any other Department of Environmental Quality documents, or approvals from other units of government as may be required by law.