

State of Michigan Industrial Storm Water Program

Determining if a Facility is Required to Obtain Permit Coverage

Michigan Department of Environmental Quality (DEQ)
Water Resources Division (WRD)
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Federal regulation (Title 40, Code of Federal Regulations, Part 122.26) requires that a regulated facility apply for industrial storm water permit coverage if storm water runoff exposed to industrial materials and/or industrial activities discharges to surface waters of the state. This requirement also includes facilities that discharge storm water runoff to a private or municipal separate storm sewer system which conveys storm water to surface waters of the state. Surface waters of the state include rivers, lakes, streams, and wetlands.

Facilities must perform a 3 step process to determine if storm water permit coverage is applicable. The 3 steps are:

Step 1: Is the primary Standard Industrial Classification (SIC) code federally regulated?

SIC codes, prepared by the Federal Office of Management and Budget, describe the primary industrial activity at a facility. The federally regulated SIC code list can be viewed at the DEQ-WRD industrial storm water website (www.michigan.gov/deqstormwater) then click on Industrial Program). A

facility's SIC code can be found on the corporate tax returns under Schedule K listed as either "Business Activity Code" or "Manufacturers Identity Code." If a facility cannot locate their SIC Code but instead uses an NAICS Code, a conversion website is available. Please see the link on the Industrial Program website.

Storm Water

Michigan's Storm Water Program

The goal of Michigan's Storm Water Program is to protect and preserve Michigan's water resources. We strive to accomplish this goal through a two step process. First of all, we have been delegated the regulatory authority to implement a storm water discharge permit program for the state of Michigan. Secondly, we have developed and implemented an educational component of our permitting process.

This page can be accessed as www.mi.gov/deqstormwater.

Information

- [Municipal Program / MS4 Compliance Assistance](#)
- [MS4 Frequently Asked Questions PDF](#)
- [Construction Site Program](#)
- [Industrial Program](#)
- [Summary of NPDES Fees for storm water discharges PDF](#)
- [Storm Water Staff Contact Information](#)

Step 2: Where does the storm water go?

Most industrial properties are set up and graded to shed rain water and snow melt, with a discharge to either ground water or surface water. Storm sewer systems, ditches, pipes, etc. are conveyance systems that are designed to shed rain water and snow melt. If the storm water conveyance system at a regulated facility is designed to direct the rain water and snow

melt to a surface waters of the state or to a separate storm sewer system that discharges to a surface water of the state, further evaluation is needed to determine if a permit is necessary.

Step 3: Are industrial materials and/or activities exposed to storm water runoff?

Industrial materials include but are not limited to material handling equipment (bins, boxes, pallets, racking, etc.), industrial machinery, raw materials, intermediate products, by-products, final products, and waste products. Industrial activities include but are not limited to storage, loading and unloading, transportation or conveyance of raw, intermediate, final, or waste products.

Summary:

If all three items above are applicable then industrial storm water permit coverage is required. A new facility can obtain coverage by submitted a complete Notice of Intent (NOI) to the DEQ-WRD. An existing facility which has been operating without required industrial storm water permit coverage must also enter into an Administrative Consent Order under the Certificate of Entry process. In order to submit a complete NOI the facility must first:

- Obtain the services of an Industrial Storm Water Certified Operator. This can be an employee at the facility or a consultant who has completed the DEQ-WRD Industrial Storm Water Certified Operator Training and has received a certification number.
- Develop a Storm Water Pollution Prevention Plan (SWPPP), preferably using the DEQ-WRD SWPPP template available at the DEQ-WRD industrial storm water website.
- Implement the nonstructural controls as described in the SWPPP.
- Complete construction and put into operation all structural controls as described in the SWPPP.
- Certify the facility has no unauthorized discharges.

Permit Evaluation Scenarios:

- If Step 1 does not apply, then no permit is needed.
- If Step 1 applies but not Step 2, then no is permit needed.
- If Step 1 and Step 2 apply, but not Step 3, then No Exposure Certification (NEC) conditional permit exclusion may be applicable. Complete and submit the NEC Form. See the DEQ-WRD industrial storm water website for more information on the conditions of NEC.