

Agency: Department of Natural Resources and Environment

Individual Rule 97 Certification of Approval

All projects involving the application of materials to waters of the state for water resource management purposes require a Rule 97 Certification of Approval from the Department of Natural Resources and Environment.

Rule 97 of the Michigan Water Quality Standards states:

The application of materials for water resource management projects pursuant to state statutory provisions is not subject to the standards prescribed by these rules, but all projects shall be reviewed and approved by the department before application.

Water resource management projects historically covered by Rule 97 include, but are not limited to: sea lamprey control treatments with TFM and Bayer 73; fish reclamation projects using piscicides (i.e., rotenone) by state agencies, local organizations, and private individuals; blackfly and mosquito control treatments using biological (i.e., *Bacillus thuringiensis israelensis* (Bti) and methoprene) and chemical products (i.e., larvaciding oils and monomolecular surface films); mixing zone mapping and time of passage, and discharge point location studies using tracer dyes, sodium chloride, reaeration gases, and elemental materials (e.g., labeled nitrate, phosphate, ammonium, and bromide); alum treatments in lakes and reservoirs; fish assessment studies using mineral salts; and water intake treatments with biocides to control zebra mussels. The authorization to conduct water resource management projects other than those covered in the General Rule 97 Certifications (Certification R97-/001, Certification R97-/002, Certification R97-/003, and Certification R97-/004) requires an Individual Rule 97 Certification of Approval.

The following items must accompany any individual Rule 97 Approval request:

1. Description and purpose of the proposed water resource management project. A copy of any relevant Standard Operating Procedures should be provided, if available.
2. Name of the water body(ies) potentially affected by the proposed project.
3. Geographic location(s) of the specific stream segment(s) or lake/wetland area(s) potentially affected by the proposed project. Township/Range/Section data should be included to identify the affected site(s) location.
4. Name of the material(s) to be applied to the surface water. A Material Safety Data Sheet for the product should also be included. If bacteria are being used in the treatment, all bacterial strains, other ingredients, and any trade name formulations should be listed.
5. Specific time period when the project will occur. It is acceptable for a single request to cover multiple material applications scheduled over an extended time period (e.g., ten treatments of the water body(ies) planned from April to November with a spacing of three to four weeks between treatments).
6. Total load(s) and dosage concentration(s) of the material(s) to be applied to the water body(ies). If the proposed dosage deviates from dosage recommendations on the manufacturer's label, a brief explanation should be provided.

7. The surface area of the water body(ies) that will potentially be affected by the treatment.
8. The name and contact information for the company selling the material to the applicant.
9. Lake ownership information, whether public or private. If private, what individual, group, or company has ownership.

The requests for approval to apply materials under Rule 97 should be submitted for review to: Ms. Diana Klemans, Chief, Surface Water Assessment Section, Water Bureau, Department of Natural Resources and Environment, P.O. Box 30273, Lansing, Michigan 48909-7773, or e-mail at: klemansd@michigan.gov.

By providing the information described in Items 1-9 above, we will be able to provide an expeditious review of the request.