



REQUESTING INDIVIDUAL RULE 97 CERTIFICATION OF APPROVAL WATER RESOURCES GUIDANCE

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 Michigan Department of Environment, Great Lakes, and Energy (EGLE).

Rule 97 of the Michigan Water Quality Standards states:

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

Water resource management projects requiring an Individual Rule 97 Certification of Approval include but are not limited to:

- application of products to surface waters of the state to control phosphorus.
- use of explosives to remove ice dams.
- application of rotenone for fish removal.

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

1. Name and type of waterbody(ies) potentially affected by the proposed project.
2. Geographic location(s) of the specific waterbody(ies) potentially affected by the proposed project. Please provide the county, township, and the NAD 83 Latitude and Longitude coordinates.
3. Lake ownership information, whether public or private. If private, what individual, group, or company has ownership.
4. Name of materials to be applied to the waterbody(ies). A safety data sheet (SDS) and product manufacturer’s label should also be included. If a requested material/product has not been previously authorized under Rule 97, full formulary information will be required in addition to product label and SDS. Full formulary information includes identification of all relevant chemicals/components including percentage of material/product composition. Additional testing/monitoring may be required as part of this initial review.

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5. The name and contact information for the company selling the material to the applicant.
6. Description of the proposed water resource management project. The description should include any relevant Standards of Procedure (SOP) (if available) and the following:
 - a. Purpose of the treatment.
 - b. Any available water quality data that supports the necessity of the proposed treatment.
 - c. Whether any water quality parameters will be monitored as part of the project. If so, please describe the monitoring regime and the parameters to be measured.
 - d. Whether the treatment will be full or partial waterbody. If the treatment is partial waterbody, please specify the areas of the waterbody that will be treated (i.e., littoral zone, spot treatments in the pelagic zone, etc.) and the rationale behind it. If possible, please attach a map characterizing the location of the treatments.
 - e. Total surface area of the waterbody that will be potentially affected by the treatment.
 - f. Total load(s) and dosage concentration(s) of the materials to be applied to the waterbody(ies). If the proposed dosage deviates from the dosage recommendations on the manufacturer's label, a brief explanation should be provided.
 - g. Specific time period when the treatment will occur. It is acceptable for a single request to cover multiple treatment applications scheduled over an extended time period (e.g., ten treatments of waterbody(ies) planned from April to November, with a spacing of three to four weeks between treatments).
 - h. Whether alternatives to the application of materials to the waterbody have been explored and implemented (e.g., natural buffer zone or minimizing use of fertilizers). If so, please provide rationale for decisions related to these alternatives. If not, please explain why alternatives could not be considered in this circumstance.

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The requests for approval to apply materials under Rule 97 should be submitted for review to Ashley Hanas, Water Toxics Unit, Great Lakes Watersheds Assessment, Restoration, and Management Section, Water Resources Division, at HanasA1@Michigan.gov or by mail at:

Ashley Hanas
Michigan Department of Environment, Great Lakes, and Energy
Water Resources Division
3rd Floor South
P.O. Box 30458
Lansing, Michigan 48909-7958

By providing the information described in items 1-6, we will be able to provide a prompt review of your request.

Please contact Ashley Hanas at HanasA1@Michigan.gov or 517-855-0199 with any questions.

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