PERMIT NO. MIG690000

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Dredging Dewatering Water

In compliance with the provisions of the federal Clean Water Act (federal Water Pollution Control Act, 33 U.S.C., Section 1251 *et seq*., as amended); 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 2019-06, dredging dewatering water and other wastewaters of similar quality are authorized to be discharged from facilities specified in individual Certificates of Coverage (COCs) in accordance with effluent limitations, monitoring requirements and other conditions set forth in this general National Pollutant Discharge Elimination System (NPDES) permit (permit).

The applicability of this permit shall be limited to discharges of dredging dewatering water resulting from the removal of sediment from lakes, waterways, harbors, or marinas or as otherwise necessary to provide for boating, and other similar wastewaters appropriately regulated by the conditions of this permit that have been determined by the Michigan Department of Environment, Great Lakes, and Energy (Department) not to need an individual NPDES permit. Discharges that may cause or contribute to a violation of a water quality standard are not authorized by this permit. Discharges to impaired waters or waters with a Total Maximum Daily Load may be excluded from coverage under this permit.

In order to constitute a valid authorization to discharge, this permit must be complemented by a COC issued by the Department. The COC will specify the effective date of the authorization and which sections of the General Permit apply to the permittee based upon an evaluation by the Department of site-specific information submitted in a permit application. The final effluent limitations in Part I.A.1. will be applicable for sites with low levels of contaminants and the final effluent limitations in Part I.A.2. will be applicable for sites with contaminants present at levels of concern. The requirements in Parts I.A.3. through Parts I.A.11. will be applicable if the Department determines these requirements are necessary to ensure compliance with water quality standards.

Unless specified otherwise, all contact with the Department required by this permit shall be to the position indicated in the COC.

This permit takes effect on August 1, 2024. The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term in accordance with applicable laws and rules.

This permit shall expire at midnight on **April 1, 2029**.

Issued: July 29, 2024.

Original signed by Christine Alexander
Christine Alexander, Manager
Permits Section
Water Resources Division

PERMIT FEE REQUIREMENTS

In accordance with Section 324.3120 of the NREPA, the permittee shall make payment of an annual permit fee to the Department for each October 1 the permit is in effect regardless of occurrence of discharge. The permittee shall submit the fee in response to the Department's annual notice. Payment may be made electronically via the Department's MiEnviro Portal system. The MiEnviro Portal website is located at https://MiEnviro.Michigan.gov/ncore/. Payment shall be submitted or postmarked by January 15 for notices mailed by December 1. Payment shall be submitted or postmarked no later than 45 days after receiving the notice for notices mailed after December 1.

CONTESTED CASE INFORMATION

Any person who is aggrieved by this permit may file a sworn petition with the Michigan Administrative Hearing System within the Michigan Department of Licensing and Regulatory Affairs, c/o the Michigan Department of Environment, Great Lakes, and Energy, setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Department of Licensing and Regulatory Affairs may reject any petition filed more than 60 days after issuance as being untimely.

APPLYING FOR PERMIT COVERAGE

In order to obtain permit coverage to discharge dredging dewatering water to surface waters of the state the permittee shall submit a permit application to the Department via the MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/). At a minimum, the permit application shall include the legal name and address of the owner or operator, receiving water, and sediment quality data. Permit application definitions and requirements can be found in Part 21 Wastewater Discharge Permits.

PART I

Section A. Limitations and Monitoring Requirements

1. Tier 1 Final Effluent Limitations

During the period beginning on the effective date of this permit and the effective date of the individual COC and lasting until the expiration date of this permit or termination of the individual COC, the permittee is authorized to discharge dredging dewatering water to the surface waters of the state. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
Total Suspended Solids	---	---	---	---	70	mg/l	See c. below	3-Portion Composite
Turbidity	---	---	---	---	160	NTU	See c. below	See d. below
Outfall Observation	(report)	---	---	---	---	---	Daily	Visual
Equipment Inspection	(report)	---	---	---	---	---	Daily	Visual
				Minimum Daily				
Dissolved Oxygen	---	---	---	4.0	---	mg/l	Daily	Grab
pH	---	---	---	6.5	9.0	S.U.	Daily	Grab

a. Narrative Standard
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural 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 mixing with surface waters of the state or any other waste stream.

c. Monitoring Frequency for Turbidity and Total Suspended Solids
The permittee may determine compliance for total suspended solids and turbidity by monitoring only total suspended solids or monitoring both total suspended solids and turbidity. The method that is used to monitor the discharge will determine the monitoring frequency required for each parameter, as described below.

1) Monitoring Total Suspended Solids Only
If the permittee monitors only total suspended solids, the monitoring frequency shall be daily.

2) Monitoring Total Suspended Solids and Turbidity
If the permittee monitors both total suspended solids and turbidity, the monitoring frequency shall be weekly for total suspended solids and daily for turbidity.

The Department may determine that another monitoring frequency for total suspended solids or turbidity is appropriate. If another monitoring frequency is specified, it will be identified on the COC.

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d. Turbidity Monitoring

The permittee shall obtain a minimum of four (4) turbidity readings daily during discharge, with those readings obtained at equal time intervals over the course of each daily discharge period. For purposes of determining compliance with the daily maximum turbidity effluent limitation, the permittee shall calculate the average of the results from all turbidity readings obtained during a given day and report this average on the Daily tab of the DMRs.

The permittee may choose to demonstrate that an alternate site-specific turbidity effluent limitation is appropriate. Such request and supporting documentation shall be submitted to the Department for review and approval. Supporting documentation shall include a calculation of the correlation between turbidity and total suspended solids. If an alternate site-specific turbidity effluent limitation is approved, the COC shall be modified in accordance with applicable laws and rules to incorporate that limitation.

e. Dissolved Oxygen and pH

The Department may determine that the discharge does not have a reasonable potential to exceed water quality standards for dissolved oxygen and pH. If this determination is made, the individual COC will indicate that dissolved oxygen and pH limitations and monitoring requirements specified in Part I.A.1. shall not apply.

f. Outfall Observation

Outfall observation shall be reported as "yes" or "no." The permittee 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 verbally **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.

g. Equipment Inspection

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

h. Remote Monitoring

Outfall observation and equipment inspection shall be conducted through on-site visual inspection by qualified personnel at the frequency specified in Part I.A.1. of this permit or the Department's approval for reduced monitoring. If qualified personnel will not be on site at this frequency and the treatment system has continuous remote monitoring equipment, the permittee may request, in writing, Department approval to conduct less frequent on-site visual inspections. Upon receipt of written approval and consistent with such approval, the permittee may monitor the treatment system remotely and shall conduct on-site visual inspections at the frequency specified in the Department's approval letter. At a minimum, on-site visual inspections shall be conducted two (2) days per month, approximately once every 14 days. If the remote monitoring equipment becomes temporarily inoperable, outfall observation and equipment inspection shall be conducted through on-site visual inspection by qualified personnel at the frequency specified in either Part I.A.1. of this permit or the Department's approval for reduced monitoring, until the remote monitoring equipment is once again operable. The qualified personnel conducting the monitoring shall identify and record the dates and times of remote monitoring vs. on-site monitoring, and these records shall be retained in accordance with Part II.B.5. of this permit.

PART I

Section A. Limitations and Monitoring Requirements

2. Tier 2 Final Effluent Limitations

During the period beginning on the effective date of this permit and the effective date of an individual COC and lasting until the expiration date of this permit or termination of the individual COC, the permittee is authorized to discharge dredging dewatering water to the surface waters of the state. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**		
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
Total Suspended Solids	---	---	---	(report)	40	mg/l	See c. below	3-Portion Composite
Turbidity	---	---	---	(report)	90	NTU	See c. below	See d. below
Outfall Observation	(report)	---	---	---	---	---	Daily	Visual
Equipment Inspection	(report)	---	---	---	---	---	Daily	Visual
				Minimum Daily	**Maximum Daily**			
Dissolved Oxygen	---	---	---	4.0	---	mg/l	Daily	Grab
pH	---	---	---	6.5	9.0	S.U.	Daily	Grab

a. Narrative Standard
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural 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 mixing with waters of the state or any other waste stream.

c. Monitoring Frequency for Turbidity and Total Suspended Solids
The permittee may determine compliance for total suspended solids and turbidity by monitoring only total suspended solids or monitoring both total suspended solids and turbidity. The method that is used to monitor the discharge will determine the monitoring frequency required for each parameter, as described below.

1) Monitoring Total Suspended Solids Only
If the permittee monitors only total suspended solids, the monitoring frequency shall be daily.

2) Monitoring Total Suspended Solids and Turbidity
If the permittee monitors both total suspended solids and turbidity, the monitoring frequency shall be weekly for total suspended solids and daily for turbidity.

The Department may determine that another monitoring frequency for total suspended solids or turbidity is appropriate. If another monitoring frequency is specified, it will be identified on the COC.

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d. Turbidity Monitoring

The permittee shall obtain a minimum of four (4) turbidity readings daily during discharge, with those readings obtained at equal time intervals over the course of each daily discharge period. For purposes of determining compliance with the daily maximum turbidity effluent limitation, the permittee shall calculate the average of the results from all turbidity readings obtained during a given day and report this average on the Daily tab of the DMRs.

The permittee may choose to demonstrate that an alternate site-specific turbidity effluent limitation is appropriate. Such request and supporting documentation shall be submitted to the Department for review and approval. Supporting documentation shall include a calculation of the correlation between turbidity and total suspended solids. If an alternate site-specific turbidity effluent limitation is approved, the COC shall be modified in accordance with applicable laws and rules to incorporate that limitation.

e. Dissolved Oxygen and pH

The Department may determine that the discharge does not have a reasonable potential to exceed water quality standards for dissolved oxygen and pH. If this determination is made, the individual COC will indicate that dissolved oxygen and pH limitations and monitoring requirements specified in Part I.A.2. shall not apply.

f. Outfall Observation

Outfall observation shall be reported as "yes" or "no." The permittee 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 verbally **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.

g. Equipment Inspection

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

h. Remote Monitoring

Outfall observation and equipment inspection shall be conducted through on-site visual inspection by qualified personnel at the frequency specified in Part I.A.2. of this permit or the Department's approval for reduced monitoring. If qualified personnel will not be on site at this frequency and the treatment system has continuous remote monitoring equipment, the permittee may request, in writing, Department approval to conduct less frequent on-site visual inspections. Upon receipt of written approval and consistent with such approval, the permittee may monitor the treatment system remotely and shall conduct on-site visual inspections at the frequency specified in the Department's approval letter. At a minimum, on-site visual inspections shall be conducted two (2) days per month, approximately once every 14 days. If the remote monitoring equipment becomes temporarily inoperable, outfall observation and equipment inspection shall be conducted through on-site visual inspection by qualified personnel at the frequency specified in either Part I.A.2. of this permit or the Department's approval for reduced monitoring, until the remote monitoring equipment is once again operable. The qualified personnel conducting the monitoring shall identify and record the dates and times of remote monitoring vs. on-site monitoring, and these records shall be retained in accordance with Part II.B.5. of this permit.

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3. Additional Final Effluent Limitations for Total Phosphorus

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or treatment limitations, the following additional final effluent limitations shall apply and the discharge shall be limited and monitored by the permittee as specified below. Such a determination will be indicated on the COC.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
Parameter	Monthly	Daily	Units	Monthly	Daily	Units		
Total Phosphorus	---	---	---	1.0	(report)	mg/l	Weekly	Grab

a. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to mixing with surface waters of the state or any other waste stream.

4. Additional Final Effluent Limitations for Total Mercury

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or treatment limitations, the following additional final effluent limitations shall apply and the discharge shall be limited and monitored by the permittee as specified below. Such a determination will be indicated on the COC.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
Parameter	Monthly	Daily	Units	Monthly	Daily	Units		
Total Mercury								
Corrected	---	---	---	1.3	(report)	ng/l	Weekly	Calculation
Uncorrected	---	---	---	---	(report)	ng/l	Weekly	Grab
Field Duplicate	---	---	---	---	(report)	ng/l	Weekly	Grab
Field Blank	---	---	---	---	(report)	ng/l	Weekly	Preparation
Laboratory Method Blank		---	---	---	(report)	ng/l	Weekly	Preparation

a. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to mixing with surface waters of the state or any other waste stream.

b. Total Mercury Testing and Additional Reporting Requirements
The analytical protocol for total mercury shall be in accordance with EPA Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry," EPA-821-R-02-019, August 2002. The quantification level for total mercury shall be 0.5 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.

The use of clean technique sampling procedures is required unless the permittee can demonstrate to the Department that an alternate sampling procedure is representative of the discharge. Guidance for clean technique sampling is set forth in EPA Method 1669, “Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels (Sampling Guidance),” EPA-821-R96-001, July 1996. Information and data documenting the permittee's sampling and analytical protocols and data acceptability shall be submitted to the Department upon request.

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In order to demonstrate compliance with EPA Method 1631E and EPA Method 1669, the permittee shall report on the daily sheet, the analytical results of all field blanks and field duplicates collected in conjunction with each sampling event, as well as laboratory method blanks when used for blank correction. The permittee shall collect at least one (1) field blank and at least one (1) field duplicate per sampling event. If more than 10 samples are collected during a sampling event, the permittee shall collect at least one (1) additional field blank AND field duplicate for every 10 samples collected. A "sampling event" shall be defined herein as all sampling for total mercury conducted on the same day, provided the same sampling team collected all samples using the same sampling methods, procedures, and equipment on that day. Only field blanks or laboratory method blanks may be used to calculate a concentration lower than the actual sample analytical results (i.e., a blank correction). Only one (1) blank (field OR laboratory method) may be used for blank correction of a given sample result, and only if the blank meets the quality control acceptance criteria. If blank correction is not performed on a given sample analytical result, the permittee shall report under "Total Mercury – Corrected" the same value reported under "Total Mercury – Uncorrected." The field duplicate is for quality control purposes only; its analytical result shall not be averaged with the sample result.

c. Monitoring Frequency

The monitoring frequency for total mercury shall be weekly unless the Department determines that another monitoring frequency is appropriate. If another monitoring frequency is specified, it will be identified on the COC. The Department may also require a reporting requirement in place of effluent limitations; this determination will be identified on the COC.

d. Best Available Technology Treatment

The permittee may use multi-stage activated carbon treatment or a similar treatment process. If the best available technology treatment is utilized, the Department may determine that influent and intermediate stage monitoring and reporting is required. If this determination is made, monitoring and reporting requirements for influent stage, or influent and intermediate stage will be identified on the COC.

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5. Additional Final Effluent Limitations for Polychlorinated Biphenyls (PCBs)

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or treatment limitations, the following additional final effluent limitations shall apply and the discharge shall be limited and monitored by the permittee as specified below. Such a determination will be indicated on the COC.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	Monthly	Daily	Units	Monthly	Daily	Units	Frequency	Type
PCB Aroclor 1016	---	---	---	---	(report)	ug/l	Weekly	Grab
PCB Aroclor 1221	---	---	---	---	(report)	ug/l	Weekly	Grab
PCB Aroclor 1232	---	---	---	---	(report)	ug/l	Weekly	Grab
PCB Aroclor 1242	---	---	---	---	(report)	ug/l	Weekly	Grab
PCB Aroclor 1248	---	---	---	---	(report)	ug/l	Weekly	Grab
PCB Aroclor 1254	---	---	---	---	(report)	ug/l	Weekly	Grab
PCB Aroclor 1260	---	---	---	---	(report)	ug/l	Weekly	Grab
				Maximum PCB Aroclor				
PCB Aroclor (See b. below)	---	---	---	<0.1	---	ug/l	Weekly	See b. below

a. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to mixing with surface waters of the state.

b. Limits Below Quantification – PCBs
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for PCBs shall be in accordance with EPA Method 608. Upon approval from the Department, the permittee may use alternate analytical methods (for parameters with methods specified in 40 CFR, Part 136, the alternate methods are restricted to those listed in 40 CFR, Part 136). The maximum acceptable quantification level shall be 0.1 ug/l unless a higher level is appropriate because of sample matrix interference. Justification for a higher quantification level shall be submitted to the Department **within 30 days** of such determination.
The discharge of any individual aroclor at or above the quantification level of 0.1 ug/l is a specific violation of this permit. If concentrations of all aroclors representing a monitoring period are less than their quantification levels, the permittee will be considered to be in compliance with the permit for the monitoring period that the analyses represent, provided that the permittee is also in full compliance with Part I.A.9. and Part I.A.13. of this permit. For the purpose of reporting on the Daily tab of the DMR, individual aroclor results less than the quantification level shall be reported as "<0.1." For the purpose of reporting on the Summary tab of the DMR, the value reported under PCB Aroclor shall be the highest individual aroclor concentration observed during the monitoring period. For additional guidance including examples, see the document entitled “Reporting Results Below Quantification,” available at: https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/WRD/MiEnviro/results-below-quantification.pdf

This permit condition does not authorize the discharge of PCBs at levels that are injurious to the designated uses of the waters of the state or that constitute a threat to the public health or welfare.

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c. Monitoring Frequency
The monitoring frequency for PCBs shall be weekly unless the Department determines that another monitoring frequency is appropriate. If another monitoring frequency is specified, it will be identified on the COC. The Department may also require a reporting requirement in place of effluent limitations; this determination will be identified on the COC.

d. Best Available Technology Treatment
The permittee may use multi-stage activated carbon treatment or a similar treatment process. If the best available technology treatment is utilized, the Department may determine that influent and intermediate stage monitoring and reporting is required. If this determination is made, monitoring and reporting requirements for influent stage, or influent and intermediate stage will be identified on the COC.

6. Additional Final Effluent Limitations for Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or treatment limitations, the following additional final effluent limitations shall apply and the discharge shall be limited and monitored by the permittee as specified below. Such a determination will be indicated on the COC.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
INFLUENT MONITORING AND REPORTING								
Perfluorooctanoic Acid (PFOA)	---	---	---	---	(report)	ng/l	Weekly	Grab
Perfluorooctane Sulfonate (PFOS)	---	---	---	---	(report)	ng/l	Weekly	Grab
Perfluorobutanesulfonate (PFBS)	---	---	---	---	(report)	ng/l	Weekly	Grab
INTERMEDIATE-STAGE MONITORING AND REPORTING								
PFOA	---	---	---	---	(report)	ng/l	Weekly	Grab
PFOS	---	---	---	---	(report)	ng/l	Weekly	Grab
PFBS	---	---	---	---	(report)	ng/l	Weekly	Grab
EFFLUENT LIMITATIONS, MONITORING, AND REPORTING								
Tank Rotation and Replacement	(report)	---	---	---	---	---	Monthly	Report
PFOA	---	---	---	---	40	ng/l	Weekly	Grab
PFOS	---	---	---	12	15	ng/l	Weekly	Grab
PFBS	---	---	---	---	250	ng/L	Weekly	Grab

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

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b. Best Available Technology Treatment
This COC is based on the permittee providing multi-stage activated carbon treatment or a similar treatment process. If treatment other than multi-stage activated carbon is proposed, the permittee shall amend the application. This permit may then be modified or reissued as an individual permit to include additional effluent limitations to protect water quality in accordance with applicable rules and regulations.

c. Tank Rotation and Replacement
Tank rotation and replacement shall be reported as "yes" or "no."' The permittee shall record "yes" on the days the carbon units are rotated and replaced on the DMRs and "yes" on the DMR summary page. If the tanks were not rotated and replaced during the month, the permittee shall report "no" once on the daily DMR report and once on the DMR summary page. The permittee shall operate the multi-stage activated carbon treatment system such that rotation and replacement of the carbon tanks shall occur prior to compromising the treatment effectiveness of the last activated carbon unit. Upon request from the permittee, the Department may approve an alternate schedule for the rotation and replacement of the carbon units.

d. Monitoring Frequency
The monitoring frequency for PFAS shall be weekly unless the Department determines that another monitoring frequency is appropriate. If another monitoring frequency is specified, it will be identified on the COC. The Department may also require a reporting requirement in place of effluent limitations; this determination will be identified on the COC. If use of the best available technology treatment is not required, the Department may waive influent and intermediate stage monitoring and reporting. If this determination is made, it will be identified on the COC.

7. Additional Final Effluent Limitations for Polycyclic Aromatic Hydrocarbons (PAHs)

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or treatment limitations, the following additional final effluent limitations shall apply and the discharge shall be limited and monitored by the permittee as specified below. Such a determination will be indicated on the COC.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	Monthly	Daily	Units	Monthly	Daily	Units	Frequency	Type
Acenaphthene	---	---	---	---	5	ug/l	Weekly	Grab
Acenaphthylene	---	---	---	---	5	ug/l	Weekly	Grab
Anthracene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(a)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(a)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(b)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(g,h,i)Perylene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(k)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Chrysene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Dibenzo(a,h)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Fluoranthene	---	---	---	1.6	5	ug/l	Weekly	Grab
Fluorene	---	---	---	---	5	ug/l	Weekly	Grab

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	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	Monthly	Daily	Units	Monthly	Daily	Units	Frequency	Type
Indeno(1,2,3-c,d)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Naphthalene	---	---	---	---	5	ug/l	Weekly	Grab
Phenanthrene	---	---	---	1.7	5	ug/l	Weekly	Grab
Pyrene	---	---	---	---	5	ug/l	Weekly	Grab

a. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to mixing with surface waters of the state or any other waste stream.

b. Monitoring Frequency
The monitoring frequency for PAHs shall be weekly unless the Department determines that another monitoring frequency is appropriate. If another monitoring frequency is specified, it will be identified on the COC. The Department may also specify on the COC that only specific parameters listed above are applicable.

c. Best Available Technology Treatment
The permittee may use multi-stage activated carbon treatment or a similar treatment process. If the best available technology treatment is utilized, the Department may determine that influent and intermediate stage monitoring and reporting is required. If this determination is made, monitoring and reporting requirements for influent stage, or influent and intermediate stage will be identified on the COC.

8. Additional Final Effluent Limitations for Dioxins and Furans

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or treatment limitations, the following additional final effluent limitations shall apply and the discharge shall be limited and monitored by the permittee as specified below. Such a determination will be indicated on the COC.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	Monthly	Daily	Units	Monthly	Daily	Units	Frequency	Type
2,3,7,8-Tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD)				<10	(report)	pg/l	Weekly	Grab
2,3,7,8-TCDD Toxicity Equivalence Concentration (TEC)					(report)	pg/l	Weekly	Calculation
1,2,3,7,8-Pentachlorodibenzo-p-dioxin (1,2,3,7,8-PeCDD)					(report)	pg/l	Weekly	Grab
1,2,3,4,7,8-Hexachlorodibenzo-p-dioxin (1,2,3,4,7,8-HxCDD)					(report)	pg/l	Weekly	Grab
1,2,3,6,7,8-Hexachlorodibenzo-p-dioxin (1,2,3,6,7,8-HxCDD)					(report)	pg/l	Weekly	Grab
1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin (1,2,3,7,8,9-HxCDD)					(report)	pg/l	Weekly	Grab
1,2,3,4,6,7,8-Heptachlorodibenzo-p-dioxin (1,2,3,4,6,7,8-HpCDD)					(report)	pg/l	Weekly	Grab
1,2,3,4,6,7,8,9-Octachlorodibenzo-p-dioxin (OCDD)					(report)	pg/l	Weekly	Grab
2,3,7,8-Tetrachlorodibenzofuran (2,3,7,8-TCDF)					(report)	pg/l	Weekly	Grab
1,2,3,7,8-Pentachlorodibenzofuran (1,2,3,7,8-PeCDF)					(report)	pg/l	Weekly	Grab
2,3,4,7,8-Pentachlorodibenzofuran (2,3,4,7,8-PeCDF)					(report)	pg/l	Weekly	Grab

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	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
Parameter	Monthly	Daily	Units	Monthly	Daily	Units		
1,2,3,4,7,8-Hexachlorodibenzofuran (1,2,3,4,7,8-HxCDF)					(report)	pg/l	Weekly	Grab
1,2,3,6,7,8-Hexachlorodibenzofuran (1,2,3,6,7,8-HxCDF)					(report)	pg/l	Weekly	Grab
2,3,4,6,7,8-Hexachlorodibenzofuran (2,3,4,6,7,8-HxCDF)					(report)	pg/l	Weekly	Grab
1,2,3,7,8,9-Hexachlorodibenzofuran (1,2,3,7,8,9-HxCDF)					(report)	pg/l	Weekly	Grab
1,2,3,4,6,7,8-Heptachlorodibenzofuran (1,2,3,4,6,7,8-HpCDF)					(report)	pg/l	Weekly	Grab
1,2,3,4,7,8,9-Heptachlorodibenzofuran (1,2,3,4,7,8,9-HpCDF)					(report)	pg/l	Weekly	Grab
1,2,3,4,6,7,8,9-Octachlorodibenzofuran (OCDF)					(report)	pg/l	Weekly	Grab

a. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to mixing with surface waters of the state or any other waste stream.

b. Limits below the Quantification Level – Dioxins and Furans
Dioxin and furan congener sampling, preservation, and handling procedures shall be in accordance with EPA Method 1613, Revision B. Analyses shall include the 17 congeners identified herein. The maximum acceptable quantification levels for these congeners shall be as shown in the table below unless higher levels are appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department **within 30 days** of such determination. Also shown in the table below are the toxicity equivalency factors (TEFs) and bioaccumulation equivalency factors (BEFs) needed to calculate and report the 2,3,7,8-TCDD TEC:

Congener	Quantification Level (pg/l)	TEF	BEF
2,3,7,8-TCDD	10	1.0	1.0
1,2,3,7,8-PeCDD	50	0.5	0.9
1,2,3,4,7,8-HxCDD	50	0.1	0.3
1,2,3,6,7,8-HxCDD	50	0.1	0.1
1,2,3,7,8,9-HxCDD	50	0.1	0.1
1,2,3,4,6,7,8-HpCDD	50	0.01	0.05
OCDD	100	0.001	0.01
2,3,7,8-TCDF	10	0.1	0.8
1,2,3,7,8-PeCDF	50	0.05	0.2
2,3,4,7,8-PeCDF	50	0.5	1.6
1,2,3,4,7,8-HxCDF	50	0.1	0.08
1,2,3,6,7,8-HxCDF	50	0.1	0.2
2,3,4,6,7,8-HxCDF	50	0.1	0.7
1,2,3,7,8,9-HxCDF	50	0.1	0.6
1,2,3,4,6,7,8-HpCDF	50	0.01	0.01
1,2,3,4,7,8,9-HpCDF	50	0.01	0.4
OCDF	100	0.001	0.02

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Section A. Limitations and Monitoring Requirements

Any monthly average concentration of the 2,3,7,8-TCDD congener at or above the quantification level of 10 pg/l is a specific violation of this permit. If the monthly average concentration of 2,3,7,8-TCDD representing a monitoring period is less than the quantification level, the permittee will be considered to be in compliance with this permit for the monitoring period that the concentration represents, provided that the permittee is also in full compliance with Part I.A.10. and Part I.A.13. of this permit. For the purpose of reporting on the Daily tab of the DMR, individual congener results less than the analyzing laboratory's quantification level for that congener shall be reported as "<" that quantification level. For additional guidance including examples, see the document entitled "Reporting Results Below Quantification," available at: https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/WRD/MiEnviro/results-below-quantification.pdf

For the purpose of calculating the 2,3,7,8-TCDD TEC and only for this purpose, a value of zero shall be used in the calculation in place of any individual congener result less than the analyzing laboratory's quantification level for that congener. The equation for calculating the TEC value for each sample is as follows:

$(TEC)_{TCDD} = \Sigma(C)_x(TEF)_x(BEF)_x$, where:

$(TEC)_{TCDD}$ = 2,3,7,8-TCDD toxicity equivalence concentration in the discharge
$(C)_x$ = the concentration of congener x in the discharge
$(TEF)_x$ = toxicity equivalency factor for congener x (see table above)
$(BEF)_x$ = bioaccumulation equivalency factor for congener x (see table above)

This permit does not authorize the discharge of any dioxin or furan at levels which are injurious to the designated uses of the surface waters of the state or which constitute a threat to the public health or welfare.

c. Monitoring Frequency
The monitoring frequency for dioxin and furan congeners shall be weekly unless the Department determines that another monitoring frequency is appropriate. If another monitoring frequency is specified, it will be identified on the COC.

d. Best Available Technology Treatment
The permittee may use multi-stage activated carbon treatment or a similar treatment process. If the best available technology treatment is utilized, the Department may determine that influent and intermediate stage monitoring and reporting is required. If this determination is made, monitoring and reporting requirements for influent stage, or influent and intermediate stage will be identified on the COC.

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Section A. Limitations and Monitoring Requirements

9. Pollutant Minimization Program for PCBs

If it is determined by the Department that final effluent limitations for PCBs shall apply, the following condition shall be developed by the permittee as specified below. Such a determination will be indicated on the COC. **Within 30 days from the effective date of the COC**, the permittee shall submit to the Department an approvable Pollutant Minimization Program for PCBs designed to proceed toward the goal of maintaining the effluent concentration of all PCB aroclors below the quantification level set forth in Part I.A.5. The Pollutant Minimization Program shall be implemented upon approval by the Department. This requirement establishes the program necessary to comply with the final effluent limitations for PCBs. Within the expected duration of the proposed activity, the permittee shall develop and implement this Pollutant Minimization Program in accordance with the following schedule:

The Pollutant Minimization Program shall include the following:

a. an annual review and semi-annual monitoring of potential sources of PCBs entering the wastewater collection system;

b. a program for quarterly monitoring of influent for PCBs; and

c. implementation of reasonable cost-effective control measures when sources of PCBs are discovered. Factors to be considered include significance of sources, economic considerations, and technical and treatability considerations.

On or before **March 1 of each year** following Department approval of the Pollutant Minimization Program for PCBs, the permittee shall submit a status report to the Department that includes 1) the monitoring results for the previous year, 2) an updated list of potential sources, and 3) a summary of all actions taken to reduce or eliminate identified sources of PCBs.

Any information generated as a result of the Pollutant Minimization Program set forth in this permit may be used to support a request to modify the approved program or may demonstrate that the Pollutant Minimization Program requirement has been completed satisfactorily.

A request for modification of the approved program and supporting documentation shall be submitted in writing to the Department for review and approval. The Department may approve modifications to the approved program (approval of a program modification does not require a permit modification).

The permittee may choose to demonstrate that the program is complete and request removal of the program from the permit. Such request and supporting documentation demonstrating that the water quality-based effluent limits are being achieved shall be submitted in writing to the Department. If the Department determines that the request is approvable, this permit may be modified in accordance with applicable laws and rules to remove this requirement.

This permit may be modified in accordance with applicable laws and rules to include additional conditions and/or limitations as necessary.

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Section A. Limitations and Monitoring Requirements

10. Pollutant Minimization Program for Dioxins and Furans

If it is determined by the Department that final effluent limitations for 2,3,7,8-TCDD shall apply, the following condition shall be developed by the permittee as specified below. Such a determination will be indicated on the COC. **Within 30 days from the effective date of the COC**, the permittee shall submit to the Department an approvable Pollutant Minimization Program for 2,3,7,8-TCDD designed to proceed toward the goal of maintaining the effluent concentration of dioxin and furan congeners below the quantification levels set forth in Part I.A.8. The Pollutant Minimization Program shall be implemented upon approval by the Department. This requirement establishes the program necessary to comply with the final effluent limitations for 2,3,7,8-TCDD. Within the expected duration of the proposed activity, the permittee shall develop and implement this Pollutant Minimization Program in accordance with the following schedule:

a. an annual review and semi-annual monitoring of potential sources of dioxins and furans entering the wastewater collection system;

b. a program for quarterly monitoring of influent for dioxins and furans; and

c. implementation of reasonable cost-effective control measures when sources of dioxins and furans are discovered. Factors to be considered include significance of sources, economic considerations, and technical and treatability considerations.

On or before **March 31 of each year** following Department approval of the Pollutant Minimization Program, the permittee shall submit a status report to the Department that includes 1) the monitoring results for the previous year, 2) an updated list of potential sources, and 3) a summary of all actions taken to reduce or eliminate identified sources of dioxins and furans.

Any information generated as a result of the Pollutant Minimization Program set forth in this permit may be used to support a request to modify the approved program or may demonstrate that the Pollutant Minimization Program requirement has been completed satisfactorily.

A request for modification of the approved program and supporting documentation shall be submitted in writing to the Department for review and approval. The Department may approve modifications to the approved program (approval of a program modification does not require a permit modification).

The permittee may choose to demonstrate that the program is complete and request removal of the program from the permit. Such request and supporting documentation demonstrating that the water quality-based effluent limits are being achieved shall be submitted in writing to the Department. If the Department determines that the request is approvable, this permit may be modified in accordance with applicable laws and rules to remove this requirement.

This permit may be modified in accordance with applicable laws and rules to include additional conditions and/or limitations as necessary.

11. Additional Monitoring

The Department may determine that additional monitoring and/or effluent limitations are necessary to ensure adequate operation of the treatment system and/or to ensure that the discharge will not cause or contribute to a violation of water quality standards. If such a determination is made, the additional monitoring requirements or effluent limitations will be specified on the COC.

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Section A. Limitations and Monitoring Requirements

12. Treatment

Authorization to discharge dredging dewatering water is based on the permittee using the dredging and treatment systems described in the application. The permittee shall maximize the performance of the planned treatment system through appropriate use of the selected treatment methods. Treatment methods may include, but are not limited to, sedimentation basins, Geotubes, sand filtration, granular activated carbon or resin filtration, mechanical processing (including pressing or tilling), hydroclone dewatering, or use of Best Management Practices (BMPs) such as berms, silt fences, and hay bales. If the dredged sediment contains PAHs or other petroleum-related pollutants, the permittee shall include BMPs for sheen control. Many of these methods may require the use of a flocculant or other polymer to promote solids removal. If flocculant use is necessary to promote solids removal, or other additives are proposed to be used for treatment, a request for approval to use water treatment additives shall be submitted in accordance with Part I.A.15. of this permit.

An approvable treatment system description shall include, at a minimum, plans for the procedures and control methods that will be followed to minimize the discharge of pollutants; specific plans for treatment system start-up, maintenance (such as the removal of sediment from basins), and disposal of waste solids; and both short-term and long-term response plans that describe the cost-effective treatment methods that may be employed if monitoring shows the persistent exceedance of any applicable effluent limitations. The short-term response plan shall include actions that may be employed immediately to enhance the treatment systems in operation. The long-term response plan shall include actions or treatment processes that may be added to modify or change the treatment system if monitoring demonstrates a persistent problem with the treatment system meeting any of the above specified effluent limitations.

13. Reporting Requirements

Monitoring results shall be reported as specified in Part II.C.2. of this permit unless the Department establishes an alternative or additional method of reporting.

The permittee shall notify the Department in accordance with Part II.C.6. of this permit if monitoring data indicate one (1) or more exceedances of applicable effluent limitations. If data indicate persistent exceedance of applicable effluent limitations, the permittee shall take immediate steps to enhance the effectiveness of the treatment system through implementation of the short-term and/or long-term response plans required as described under Part I.A.11. of this permit.

To address persistent exceedance of applicable effluent limitations, the Department may require the suspension of dredging operations upon notification to the permittee until the permittee can demonstrate that the treatment system has been sufficiently improved and that applicable effluent limitations will be attained, or (if necessary) until the COC is modified or the permittee is issued an individual permit in accordance with Part I.A.19. of this permit. In any case, dredging suspended by the Department may only resume upon receipt of written notification from the Department.

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Section A. Limitations and Monitoring Requirements

14. Monitoring Frequency Reduction

After the submittal of four (4) weeks of data, the permittee may request, in writing, Department approval of a reduction in monitoring frequency for any applicable parameter. This request shall contain an explanation as to why the reduced monitoring is appropriate. A monitoring frequency reduction will only be allowed if effluent concentrations are well below applicable effluent limitations or effluent limitations are being met and there is minimal variability in the effluent concentrations. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency indicated in this permit or the individual COC. The monitoring frequencies for the parameters listed in Parts I.A.1. and I.A.2. shall not be reduced to less than weekly. The monitoring frequencies for the parameters listed in Parts I.A.3. through I.A.8. and Part I.A.11. shall not be reduced to less than quarterly. The Department may revoke the approval for reduced monitoring at any time upon notification to the permittee.

Reissuance or modification of this permit or reissuance or modification of an individual permittee's authorization to discharge shall not affect previous determinations regarding a permittee's monitoring frequency unless the Department provides notification in writing to the permittee.

15. Request for Approval to Use Water Treatment Additives

This permit does not authorize the use of any water treatment additive without prior written approval from the Department. Such approval is authorized under separate correspondence. Water treatment additives include any materials that are added to water used at the facility, or to wastewater generated by the facility, to condition or treat the water. Permittees proposing to use water treatment additives, including a proposed increased concentration of a previously approved water treatment additive, shall submit a request for approval via the Department's MiEnviro Portal system. The MiEnviro Portal website is located at https://MiEnviro.Michigan.gov/ncore/. Instructions for submitting such a request may be obtained at http://www.Michigan.gov/EGLENPDES (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 of approval to use the water treatment additive.

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

a. The Safety Data Sheet (SDS);

b. Ingredient information, including the name of each ingredient, CAS number for each ingredient, and fractional content by weight for each ingredient;

c. The proposed water treatment additive discharge concentration with supporting calculations;

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

e. The outfall(s) and monitoring point(s) from which the water treatment additive is to be discharged;

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

g. The water treatment additive's function (i.e., microbiocide, flocculant, etc.);

h. The SDS shall include a 48-hour LC50 or EC50 for a North American freshwater planktonic crustacean (either *Ceriodaphnia sp.*, *Daphnia sp.*, or *Simocephalus sp.*). The results shall be based on the whole water treatment additive, shall not be results based on a similar product, and shall not be estimated; and

i. The SDS shall include 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. The results shall be based on the whole water treatment additive, shall not be results based on a similar product, and shall not be estimated. Examples of tests that would meet this requirement include a 96-hour LC50 for rainbow trout, bluegill, or fathead minnow.

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Section A. Limitations and Monitoring Requirements

16. Quantification Levels and Analytical Methods for Selected Parameters

Maximum acceptable quantification levels (QLs) are specified for selected parameters in the table below. These QLs apply to all monitoring conducted in compliance with this permit if and when the parameters specified herein are monitored. This includes monitoring conducted to meet the requirements of the application for permit reissuance. These QLs shall be considered the maximum acceptable unless a higher QL is appropriate because of sample matrix interference. Justification for higher QLs shall be submitted to the Department **within 30 days** of such determination.

Where necessary to help ensure that the QLs specified herein can be achieved, analytical methods may also be specified in the table below. The sampling procedures, preservation and handling, and analytical protocol for all monitoring conducted in compliance with this permit, including monitoring conducted to meet the requirements of the application for permit reissuance, shall be in accordance with the methods specified herein, or in accordance with Part II.B.2. of this permit if no method is specified herein, unless an alternate method is approved by the Department. The Department will consider only alternate methods that meet the requirements of Part II.B.2. and whose QLs are at least as sensitive (i.e., low) as those specified herein. **Not all QLs are expressed in the same units in the table below**. The table is continued on the following page:

Parameter	QL	Units	Analytical Method
1,2-Diphenylhydrazine (as Azobenzene)	3.0	ug/l	
2,4,6-Trichlorophenol	5.0	ug/l	
2,4-Dinitrophenol	19	ug/l	
3,3'-Dichlorobenzidine	1.5	ug/l	
4-Chloro-3-Methylphenol	7.0	ug/l	
4,4'-DDD	0.01	ug/l	
4,4'-DDE	0.01	ug/l	
4,4'-DDT	0.01	ug/l	
Acrylonitrile	1.0	ug/l	
Aldrin	0.01	ug/l	
Alpha-Endosulfan	0.01	ug/l	
Alpha-Hexachlorocyclohexane	0.01	ug/l	
Antimony, Total	1	ug/l	
Arsenic, Total	1	ug/l	
Barium, Total	5	ug/l	
Benzidine	0.1	ug/l	
Beryllium, Total	1	ug/l	
Beta-Endosulfan	0.01	ug/l	
Beta-Hexachlorocyclohexane	0.01	ug/l	
Bis (2-Chloroethyl) Ether	1.0	ug/l	
Bis (2-Ethylhexyl) Phthalate	5.0	ug/l	
Boron, Total	20	ug/l	
Cadmium, Total	0.2	ug/l	
Chlordane	0.01	ug/l	
Chloride	1.0	mg/l	
Chromium, Hexavalent	5	ug/l	
Chromium, Total	10	ug/l	
Copper, Total	1	ug/l	
Cyanide, Available	2	ug/l	EPA Method OIA 1677
Cyanide, Total	5	ug/l	
Delta-Hexachlorocyclohexane	0.01	ug/l	

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Parameter	QL	Units	Analytical Method
Dieldrin	0.01	ug/l	
Di-N-Butyl Phthalate	9.0	ug/l	
Endosulfan Sulfate	0.01	ug/l	
Endrin	0.01	ug/l	
Endrin Aldehyde	0.01	ug/l	
Fluoranthene	1.0	ug/l	
Heptachlor	0.01	ug/l	
Heptachlor Epoxide	0.01	ug/l	
Hexachlorobenzene	0.01	ug/l	
Hexachlorobutadiene	0.01	ug/l	
Hexachlorocyclopentadiene	0.01	ug/l	
Hexachloroethane	5.0	ug/l	
Lead, Total	1	ug/l	
Lindane	0.01	ug/l	
Lithium, Total	10	ug/l	
Mercury, Total	0.5	ng/l	EPA Method 1631E
Nickel, Total	5	ug/l	
PCB-1016	0.1	ug/l	
PCB-1221	0.1	ug/l	
PCB-1232	0.1	ug/l	
PCB-1242	0.1	ug/l	
PCB-1248	0.1	ug/l	
PCB-1254	0.1	ug/l	
PCB-1260	0.1	ug/l	
Pentachlorophenol	1.8	ug/l	
Perfluorooctanesulfonic acid (PFOS)	2.0	ng/l	While EPA Method 1633 remains draft, analyses may be performed using that method, or ASTM D7979, or an isotope dilution method (sometimes referred to as Method 537 modified). Once EPA Method 1633 is promulgated, only that method may be used.
Perfluorooctanoic acid (PFOA)			
Perfluorobutanesulfonic acid (PFBS)			
Phenanthrene	1.0	ug/l	
Selenium, Total	1.0	ug/l	
Silver, Total	0.5	ug/l	
Strontium, Total	1000	ug/l	
Sulfate	2.0	mg/l	
Sulfide, Total	20	ug/l	
Thallium, Total	1	ug/l	
Toxaphene	0.1	ug/l	
Vinyl Chloride	1.0	ug/l	
Zinc, Total	10	ug/l	

PART I

Section A. Limitations and Monitoring Requirements

17. Facility Contact

The "Facility Contact" was specified in the application. The permittee 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 permit 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 releases the permittee from properly submitting reports and forms as required by law.

18. Expiration and Reissuance

On or before **October 1, 2028**, a permittee seeking continued authorization to discharge under this permit beyond the permit's expiration date shall submit to the Department an application for reissuance via the Department's MiEnviro Portal system. The MiEnviro Portal website is located at https://MiEnviro.Michigan.gov/ncore/. Without a timely application for reissuance, the permittee's authorization to discharge will expire on **April 1, 2029**. With a timely application for reissuance, the permittee shall continue to be subject to the terms and conditions of the expired permit until the Department takes action on the application, unless this permit is terminated or revoked.

If this permit is terminated or revoked, the Department will notify the permittee in writing and all authorizations to discharge under the permit shall expire on the date of termination or revocation. If this permit is modified, the Department will notify the permittee in writing of any required action. Upon the effective date of the modified permit, the permittee shall be subject to the terms and conditions of the modified permit, unless the Department notifies the permittee otherwise.

If the discharge authorized under this permit is terminated, the permittee shall submit to the Department an NPDES Permit Notice of Termination request via MiEnviro Portal at https://MiEnviro.Michigan.gov/ncore/.

PART I

Section A. Limitations and Monitoring Requirements

19. Requirement to Obtain Individual Permit

The Department may require any person who is authorized to discharge, by a COC and this permit, to apply for and obtain an individual NPDES permit if any of the following circumstances apply:

a. the discharger is a significant contributor to pollution as determined by the Department on a case-by-case basis;

b. the discharger is not complying or has not complied with the conditions of this permit;

c. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of waste applicable to the point source discharge;

d. effluent standards and limitations are promulgated for point source discharges subject to this permit; and/or

e. the Department determines that the criteria under which the COC was issued no longer apply.

Any person may request the Department to take action pursuant to the provisions of Rule 2191 of the Part 21 Rules, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA (R 323.2191 of the Michigan Administrative Code).

20. PFAS Data Reporting Requirements

The permittee shall submit the complete laboratory analysis of each PFAS sample. This may be in addition to required DMR reporting. Submittals shall be made via the MiEnviro Portal using the PFAS Monitoring Report form. Until EPA Method 1633 is promulgated, the complete laboratory analysis of each PFAS sample shall constitute the first 28 analytes identified on the PFAS Monitoring Report form. Following promulgation of EPA Method 1633, the complete laboratory analysis of each PFAS sample shall constitute all 40 analytes identified on the PFAS Non-POTW Effluent Monitoring Report form.

21. Total Maximum Daily Load (TMDL)

The Department has determined that the limitations within this permit meet the wasteload allocation established in the applicable TMDL for pollutants in this discharge. If additional control measures are necessary, the Department will notify the permittee to implement control measures and reduce pollutant loadings or concentrations to consistently meet the assigned wasteload allocation.

22. Continuous Monitoring

If continuous monitoring equipment is used and becomes temporarily inoperable, the permittee shall manually obtain a minimum of three (3) equally spaced grab samples/readings within each 24-hour period for the affected parameter(s). On such days, in the comment field on the Daily tab of the DMR, the permittee shall indicate “continuous monitoring system inoperable,” the date on which the system is expected to become operable again, and the number of samples/readings obtained during each 24-hour period.

PART II

Section A. Definitions

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

Acute toxic unit (TUA) means 100/LC50 where the LC50 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 permit, 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, Soil and Sedimentation Control, 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.

CAFO means concentrated animal feeding operation.

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

Chronic toxic unit (TUC) means 100/MATC or 100/IC25, where the maximum acceptable toxicant concentration (MATC) and IC25 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, Land Application of Biosolids, promulgated under Part 31 of the NREPA. 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

Composite sample is a sample collected over time, either by continuous sampling or by mixing discrete samples. A composite sample represents the average wastewater characteristics present during the compositing period. Various methods for compositing are available and are based on either time or flow-proportioning, the choice of which will depend on the permit requirements.

Continuous monitoring refers to sampling/readings that occur at regular and consistent intervals throughout a 24-hour period and at a frequency sufficient to capture data that are representative of the discharge. The maximum acceptable interval between samples/readings shall be one (1) hour.

Daily concentration
FOR PARAMETERS OTHER THAN pH, DISSOLVED OXYGEN, TEMPERATURE, AND CONDUCTIVITY – Daily concentration is the sum of the concentrations of the individual samples of a parameter taken within a calendar day divided by the number of samples taken within that calendar day. The daily concentration will be used to determine compliance with any maximum and minimum daily concentration limitations. For guidance and examples showing how to report and perform calculations using results below quantification levels, see the document entitled "Reporting Results Below Quantification," available at https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/WRD/MiEnviro/results-below-quantification.pdf

FOR pH, DISSOLVED OXYGEN, TEMPERATURE, AND CONDUCTIVITY – The daily concentration used to determine compliance with maximum daily pH, temperature, and conductivity limitations is the highest pH, temperature, and conductivity readings obtained within a calendar day. The daily concentration used to determine compliance with minimum daily pH and dissolved oxygen limitations is the lowest pH and dissolved oxygen readings obtained within a calendar day.

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 permit, 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 permit, 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 Environment, Great Lakes, and Energy.

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.

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.

PART II

Section A. Definitions

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 permit, 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 permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

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 permit, 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 permit, 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 composite sample is a composite sample in which either a) the volume of each portion of the composite is proportional to the effluent flow rate at the time that portion is obtained; or b) a constant sample volume is obtained at varying time intervals proportional to the effluent flow rate.

General permit means an NPDES permit 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.

PART II

Section A. Definitions

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.

Interference is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts a 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.

MBTU/hr means million British Thermal Units per hour.

MGD means million gallons per day.

PART II

Section A. Definitions

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 permit, 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 permit, 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 permit, 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 POTW as defined in the Code of Federal Regulations at 40 CFR 122.2.

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 Clean Water 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 Clean Water 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.

Nonstructural controls are practices or procedures implemented by employees at a facility to manage storm water or to prevent contamination of storm water.

NPDES means National Pollutant Discharge Elimination System.

PART II

Section A. Definitions

Outfall is the location at which a point source discharge first enters a surface water 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 control activities under Part 615, Supervisor of Wells; Part 631, Reclamation of Mining Lands; or Part 632, Nonferrous Metallic Mineral Mining, of the NREPA, 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 permittee's NPDES permit, or that is not treated to national secondary treatment standards for wastewater, including discharges to surface waters from retention treatment facilities.

PFAS means perfluoroalkyl and polyfluoroalkyl substances.

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, Spillage of Oil and Polluting Materials, promulgated under Part 31 of the NREPA (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

POTW is a publicly owned treatment work.

Predevelopment is the last land use prior to the planned new development or redevelopment.

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.

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.

Qualified Personnel means an individual who meets qualifications acceptable to the Department and who is authorized by an Industrial Storm Water Certified Operator to collect the storm water sample.

PART II

Section A. Definitions

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. Upon request, the Department may approve an alternate definition meeting the condition of a qualifying storm event.

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 (or otherwise defined in the permit). When required by this permit, 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 permittee'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 waters or groundwaters of the 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 permittee 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 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 the 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, Hazardous Waste Management, 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).

Special-use area means storm water discharges for which the Department has determined that additional monitoring is needed from: 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.

PART II

Section A. Definitions

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

Storm water means storm water runoff, snowmelt runoff, surface runoff and drainage, and non-storm water included under the conditions of this permit.

Storm water discharge point is the location where the point source discharge of storm water 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.

Structural controls are physical features or structures used at a facility to manage or treat storm water.

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

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 Clean Water 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 permit, an analytical result, reading, value, or observation shall be reported for that period if a discharge occurs during that period. If the calendar week begins in one month and ends in the following month, the analytical result, reading, value, or observation shall be reported in the month in which monitoring was conducted.

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 permit, 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 permit, 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 permit, 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 permit, 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 and in which the volume of each portion is proportional to the discharge flow rate at the time that portion is taken. A time-proportioned composite sample may be used upon approval from the Department if the permittee 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 Clean Water Act (40 CFR Part 136 – Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless specified otherwise in this permit. **Test procedures used shall be sufficiently sensitive to determine compliance with applicable effluent limitations**. For lists of approved test methods, go to https://www.epa.gov/CWA-Methods to use test procedures not promulgated under 40 CFR Part 136 for pollutant monitoring required by this permit shall be made in accordance with the Alternate Test Procedures regulations specified in 40 CFR 136.4. These requests shall be submitted to the Manager of the Permits Section, Water Resources Division, Michigan Department of Environment, Great Lakes, and Energy, P.O. Box 30458, Lansing, Michigan, 48909-7958. The permittee may use such procedures upon approval.

The permittee 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 permittee's laboratory Quality Assurance/Quality Control program.

3. Instrumentation

The permittee 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 permit, the permittee 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 permit, including all records of analyses performed, 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

The permittee shall notify the Department of start-up if one of the following conditions applies and in accordance with the applicable condition:

a. Non-CAFOs

1) **If this is an individual permit** and the permittee will not discharge during the first 60 days following the effective date of this permit, the permittee shall notify the Department via MiEnviro Portal **within 14 days** following the effective date of this permit, and then again **60 days prior** to commencement of the discharge.

2) **If this is a general permit** and the permittee will not discharge during the first 60 days following the effective date of the Certificate of Coverage (COC) issued under this general permit, the permittee shall notify the Department via MiEnviro Portal **within 14 days** following the effective date of the COC, and then again **60 days prior** to commencement of the discharge.

b. CAFOs

1) **If this is an individual permit** and the permittee will not populate with animals during the first 60 days following the effective date of this permit, the permittee shall notify the Department via MiEnviro Portal **within 14 days** following the effective date of this permit, and then again **60 days prior** to populating with animals.

2) **If this is a general permit** and the permittee will not populate with animals during 60 days following the effective date of the Certificate of Coverage (COC) issued under this general permit, the permittee shall notify the Department via MiEnviro Portal **within 14 days** following the effective date of the COC, and then again **60 days prior** to populating with animals.

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 permittee shall submit self-monitoring data via the Department's MiEnviro Portal system.

The permittee shall utilize the information provided on the MiEnviro Portal website, located at https://MiEnviro.Michigan.gov/ncore/, 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 permittee 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 permit) to conduct retained self-monitoring, the permittee 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 permittee shall certify, in writing, to the Department, on or before **January 10 (April 1 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 permit is based still accurately describes the discharge. With this annual certification, the permittee 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 permittee by notification in writing from the Department. In such cases, the permittee shall submit self-monitoring data in accordance with Part II.C.2., above. Such a denial may

PART II

Section C. Reporting Requirements

be rescinded by the Department upon written notification to the permittee. Reissuance or modification of this permit or reissuance or modification of an individual permittee's authorization to discharge shall not affect previous approval or denial for retained self-monitoring unless the Department provides notification in writing to the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, 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, 1987 PA 96, as amended, for assurance of proper facility operation, shall be submitted as required by the Department.

5. Compliance Dates Notification

Within 14 days of every compliance date specified in this permit, the permittee shall submit a written notification to the Department via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/) 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 permittee 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 permittee accomplishes this, a separate written notification is not required.

6. Noncompliance Notification

Compliance with all applicable requirements set forth in the Clean Water 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 permittee becomes aware of the noncompliance by calling the Department at the number indicated on the second page of this permit (or, if this is a general permit, on the COC). A written submission shall also be provided via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/) **within five (5) days**.

b. Other Reporting
The permittee shall report, in writing via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/), 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 permittee becomes aware of the noncompliance.

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.

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Section C. Reporting Requirements

7. Spill Notification

The permittee shall immediately report any release of any polluting material which occurs to the surface waters or groundwaters of the state, unless the permittee 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 permit (or, if this is a general permit, on the COC); or, if the notice is provided after regular working hours, by calling the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706.

Within 10 days of the release, the permittee shall submit to the Department via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/) a full written explanation as to the cause of the release, the discovery of the release, response measures (clean-up and/or recovery) taken, and preventive measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

8. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee) has occurred, the permittee 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 permittee can identify the specific cause(s) of the upset;

b. that the permitted 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 permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

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 permittee, 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 permittee submitted notices as required under 9.b. or 9.c. below.

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b. Notice of Anticipated Bypass
If the permittee knows in advance of the need for a bypass, the permittee shall submit written notification to the Department before the anticipated date of the bypass. This notification shall be submitted **at least 10 days before** the date of the bypass; however, the Department will accept fewer than 10 days advance notice if adequate explanation for this is provided. The notification shall 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 specified in a. above.

c. Notice of Unanticipated Bypass
As soon as possible but no later than 24 hours from the time the permittee becomes aware of the unanticipated bypass, the permittee shall notify the Department by calling the number indicated on the second page of this permit (or, if this is a general permit, on the COC); or, if notification is provided after regular working hours, call the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706.

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 permittee 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 permittee of any notification responsibilities under Part II.C.11. of this permit.

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 permittee 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.

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11. Notification of Changes in Discharge

The permittee shall notify the Department via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/), as soon as possible but **within no more 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 permit, for the date(s) the complete application was submitted). Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the compliance schedules.

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 written 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 permit; 2) the action or activity will not result in violations of the effluent limitations specified in this permit; 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 written notice, the permit 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 ownership or control of facilities from which the authorized discharge emanates, the following requirements apply: Not less than **30 days prior** to the actual transfer of ownership or control – for non-CAFOs, or **within 30 days** of the actual transfer of ownership or control – for CAFOs, the permittee shall submit to the Department via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/) a written agreement between the current permittee and the new permittee containing: 1) the legal name and address of the new owner; 2) a specific date for the effective transfer of permit 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 permittee is proposing changes in operations, wastewater discharge, or wastewater treatment, the Department may propose modification of this permit in accordance with applicable laws and rules.

PART II

Section C. Reporting Requirements

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: permit 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.

15. Signatory Requirements

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

The Clean Water 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 permit, 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 a permit, 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 permit or COC or in a notice or report required by the terms and conditions of an issued permit 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, permit, 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 permittee shall submit electronically via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/) all such reports or notifications as required by this permit, on forms provided by the Department.

PART II

Section D. Management Responsibilities

1. Duty to Comply

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

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

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

2. Operator Certification

The permittee 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. Permittees 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 permittee shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. 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 permit and prevent unauthorized discharges, the permittee shall either:

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

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

5. Adverse Impact

The permittee 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 permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

6. Containment Facilities

The permittee 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 POTW, these facilities shall be approved under Part 41 of the NREPA.

PART II

Section 40. Management

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 permittee 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 permittee'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 permit; and

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

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Clean Water Act and Rule 2128 (R 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit and required to be submitted to the Department shall be available for public inspection via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/). As required by the Clean Water 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 Clean Water Act and Sections 3112, 3115, 4106 and 4110 of the NREPA.

10. Duty to Provide Information

The permittee shall furnish to the Department via MiEnviro Portal (https://MiEnviro.Michigan.gov/ncore/), **within a reasonable time**, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or the facility's COC, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit 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 Permit

1. Discharge to the Groundwaters

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

4. Oil and Hazardous Substance Liability

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

5. State Laws

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

6. Property Rights

The issuance of this permit 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 permits, including any other Department of Environment, Great Lakes, and Energy permits, or approvals from other units of government as may be required by law.