



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
GENERAL RULE 97 CERTIFICATION OF APPROVAL
AUTHORIZING BACTERIAL AUGMENTATION IN SURFACE WATERS

In compliance with the provisions of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and R 323.1097 promulgated thereunder, certain bacterial augmentation products are authorized to be applied to surface waters of the state, generally to control sludge/muck build-up, and/or odor, by individuals submitting a complete Notification of Intent to treat under this certification. The Notification of Intent and instructions for its submittal are available from the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, or from on EGLE's [Bacterial Augmentation Web page](http://Michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html) (Michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html). Notifications of Intent must be submitted at least 30 days before planned application.

This certification **does not** authorize any of the following:

- a) The application of bacterial augmentation products other than those listed as approved on the Acceptable Michigan Bacterial Augmentation Products list, available on the [Bacterial Augmentation Web page](http://Michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html) (Michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html).
- b) The application of bacterial augmentation products to waters in a wastewater treatment system covered by a National Pollutant Discharge Elimination System (NPDES) permit; this includes any portion of a storm water system if covered by a NPDES permit.
- c) The application of bacterial augmentation products to control algae, weeds, or other aquatic plant growth. Bacterial products used in tank mixes as adjuvants are not authorized under Rule 97. Apply for adjuvant use under an Aquatic Nuisance Control Permit.
- d) The application of bacterial augmentation products to lotic (flowing) waters, vernal woodland pools, roadside ditches, storm water catch basins, or wetlands.
- e) The application of bacterial augmentation products to lakes, ponds, or retention basins with an outlet, except where noted below. Outlet means any natural or artificially created watercourse or structure that allows passage of water out of a water body into other surface waters of the state, in an intermittent or continuous flow.

1. A complete Notification of Intent must be submitted by one of the following entities:

- a. A person or entity who owns the property to be treated or who is the bottomland owner of the surface water body.

- b. A lake board established under Part 309, Inland Lake Improvements, of the NREPA.
 - c. A state or local government acting under authority of state law.
 - d. A person who has written authorization to act on behalf of an entity in (a), (b), or (c).
2. The application of bacterial augmentation products shall be conducted according to all pertinent label instructions and additional restrictions identified in this certification, including:
 - a. Aqua-prep Enzyme Solution (Applied Biochemists) - maximum allowable dose is 0.124 gallons per acre foot.
3. The application of the bacterial augmentation products shall be for the control of sludge/muck build-up, and/or odor.
4. The bacterial augmentation product must appear on the Acceptable Michigan Bacterial Augmentation Products list, available on the [Bacterial Augmentation Web page](http://Michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html) (Michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html).
5. The entity submitting the Notification of Intent shall retain records identifying treatment locations, dates of treatment, bacterial augmentation product applicator(s) (if applicable), bacterial augmentation products and amounts used at each location, and any written authorization obtained to comply with Item 1 for **five (5) years** from date of treatment. These records shall be available for EGLE inspection upon request.
6. Treatment may not occur during or prior to an anticipated rain event or any other period that may produce high water or a flood condition.
7. Treatment to lakes, ponds, or retention basins that have an outlet to another water body may occur ONLY when there is no observable flow during treatment or a 200-foot (~60 meter) setback from the outlet is observed.
8. Treatment to lakes with nesting loons (*Gavia immer*), a state threatened species, shall NOT occur within 500 feet of loons' nests between April 15 and August 15.
9. Treatment shall NOT occur within six feet of undeveloped shorelines during June and July in the following counties: Alpena, Barry, Branch, Calhoun, Cass, Cheboygan, Gladwin, Hillsdale, Ingham, Ionia, Kalamazoo, Kent, Leelanau, Lenawee, Macomb, Manistee, Mecosta, Montmorency, Newaygo, Oakland, Presque Isle, Shiawassee, St. Clair, Van Buren, Washtenaw, and Wayne.

The issuance of this certification does not authorize violation of any federal, state, or local laws or regulations, nor does it remove the necessity of obtaining such permits, including any other EGLE permits, or approvals from other units of government as may be required by law.

If any condition of this Certificate of Approval may not be met, the applicant shall immediately notify EGLE, Water Resources Division, District Supervisor, responsible for the area where the treatment occurred. A list of EGLE district boundaries, Water

Resources Division District Supervisors, and contact information is provided in Attachment 1.

Upon acknowledgement that a complete Notification of Intent has been received, the applicant is authorized to commence bacterial augmentation product treatment in the water body identified in the Notification of Intent in compliance with this certification. Acknowledgement of receipt of the Notification of Intent can be determined on the [Bacterial Augmentation Web page](https://www.michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html) (Michigan.gov/EGLE/0,9429,7-135-3313_46123_46124---,00.html), then select, "2022 Authorized Bacterial Augmentation Product Applicants," or by contacting Sara Nedrich, Water Toxics Unit, Surface Water Assessment Section, Water Resources Division, at 517-242-4989 or NedrichS@Michigan.gov. Issued this 1st day of April 2022, by EGLE. This Certification of Approval shall become effective on April 1, 2022, and shall expire at midnight, December 31, 2022.



Michael Alexander, Manager
Surface Water Assessment Section
Water Resources Division

Attachment

Attachment 1

District Supervisor or Representative Contacts

DISTRICT	CONTACT	COUNTIES
Cadillac District Office 120 West Chapin Street Cadillac, MI 49601-2158	Brian Jankowski (Supervisor, Surface Water Quality Program) JankowskiB@Michigan.gov 231-429-0982	Benzie, Grand Traverse, Kalkaska, Lake, Leelanau, Manistee, Mason, Missaukee, Osceola, Wexford
Gaylord District Office 22100 West M-32 Gaylord, MI 49735-9282	Joseph Haas HaasJ1@Michigan.gov 517-242-4989	Alcona, Alpena, Antrim, Charlevoix, Cheboygan, Crawford, Emmet, Montmorency, Oscoda, Otsego, Presque Isle, Roscommon
Grand Rapids District Office State Office Building, 5 th Floor 350 Ottawa Avenue NW, Unit 10 Grand Rapids, MI 49503-2341	Audrey Kirk KirkA3@Michigan.gov 616-401-1641	Barry, Ionia, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, Ottawa
Jackson District Office 301 East Louis Glick Highway Jackson, MI 49201-1556	Tiffany Myers MyersT1@Michigan.gov 517-243-4915	Hillsdale, Jackson, Lenawee, Monroe, Washtenaw
Kalamazoo District Office 7953 Adobe Road Kalamazoo, MI 49009-5025	Kyle Alexander AlexanderK7@Michigan.gov 269-568-2681	Allegan, Berrien, Branch Calhoun, Cass, Kalamazoo, St. Joseph, Van Buren
Lansing District Office P.O. Box 30242 Lansing, MI 48909-7742	Mary Vanderlaan VanderlaanM@Michigan.gov 517-243-6948	Clinton, Eaton, Genesee, Gratiot, Ingham, Lapeer, Livingston, Shiawassee
Marquette District Office 1504 West Washington Street Marquette, MI 49855	Ryan McCone McConeR@Michigan.gov 906-869-3154	Alger, Baraga, Chippewa, Delta, Dickenson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft
Saginaw Bay District Office 401 Ketchum Street, Suite B Bay City, MI 48708-5430	Brian Rudolph RudolphB1@Michigan.gov 989-439-6065	Arenac, Bay, Clare, Gladwin, Huron, Iosco, Isabella, Midland, Ogemaw, Sanilac, Saginaw, Tuscola
Warren District Office 27700 Donald Court Warren, MI 48092-2793	Andy Hartz HartzA@Michigan.gov 586-753-3867 248-752-7082	Macomb, Oakland, St. Clair, Wayne