From: Khatun, Amina (EGLE)
Sent: 10/30/2025 5:27:39 PM
To: "'rwilson@midmichiganmaterials.com'" <rwilson@midmichiganmaterials.com>
Cc: "'schweighoeferk@washtenaw.org'" <schweighoeferk@washtenaw.org>; "Benson, Brent (EGLE)" <BensonB1@michigan.gov>; "'lnelson@haleyaldrich.com'" <lnelson@haleyaldrich.com>; "'jjvaughn@midmichiganmaterials.com'" <jjvaughn@midmichiganmaterials.com>; "'jwilson@midmichiganmaterials.com'" <jwilson@midmichiganmaterials.com>; "'drodgers@midmichiganmaterials.com'" <drodgers@midmichiganmaterials.com>; "'nkoch@midmichiganmaterials.com'" <nkoch@midmichiganmaterials.com>
Subject: AMC-WSG LLC - EGLE Draft COC for Public Notice
Attachments: GW COC-DRAFT for PN_AMC-WSG LLC.pdf, GW Public Notice Document.pdf, Basis for Decision-PN_AMC-WSG LLC.pdf, GW General Permit-DIA FINAL_Mining GSLD.pdf

Hello Rob,

Attached is the draft groundwater discharge Certificate of Coverage (COC) prepared under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), for the discharge of mining process wastewater from AMC-WSG LLC.

The public notice documentation for the proposed discharge is also attached (public notice document, basis for decision memo, and General Permit). The public notice will be posted online on the MiEnviro Portal from **October 31, 2025** through **November 14, 2025**.

*Please note that the public notice process has recently changed, and the facility is no longer required to physically post the public notice document within the facility's vicinity.

Comments or objections to the draft COC received by November 14, 2025, will be considered in the final decision to issue the permit. Please contact me if you have any questions concerning this process.

[Washtenaw County Health Department- For Your Information]

Sincerely,

Amina Khatun
Environmental Engineer
Groundwater Permits Unit
Water Resources Division
Michigan Department of Environment, Great Lakes, and Energy
517-290-5336| KhatunA1@michigan.gov

ATTACHMENT NAME:

GW COC-DRAFT for PN_AMC-WSG LLC.pdf

ATTACHMENT TYPE:

Adobe Portable Document Format (PDF) compound image

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

WATER RESOURCES DIVISION
GROUNDWATER DISCHARGE
Authorized by Part 22 promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as Amended

CERTIFICATE OF COVERAGE
UNDER GENERAL PERMIT NO. GW1540000
GROUNDWATER GENERAL PERMIT

COC No.: GW1540096
Designated Facility Name: AMC-WSG LLC
Permittee Name: AMC-WSG, LLC
Facility Owner Address: 6966 Fisher Road, Jeddo, MI 48032

This COC authorizes the permittee to discharge mining process wastewater without additives from 4984 Earhart Road, Ann Arbor, Michigan 48105, in Washtenaw County. Discharge must be consistent with the criteria and requirements established in General Permit Number GW1540000 (General Permit).

All sections of the General Permit are applicable to this facility **EXCEPT** the following: Part 1.A.2., Part 1.A.3., Part 1.A.4.

Below are the effluent sampling requirements as specified in the General Permit:

Parameter	Minimum Daily Limit	Maximum Daily Limit	Units	Monitoring Frequency	Sample Type
Flow (Daily)		(report)	GPD	Monthly	Direct Measurement
Flow (Annually)		(report)	GPY	Annually	Calculation

Unless specified otherwise, all contact with the Department required by this general permit shall be made to the Jackson District Office of the Water Resources Division. The Jackson District Office is located at 301 East Louis Glick Highway, Jackson, MI 49201-1535; Telephone: (517) 780-7690; Fax: (517) 780-7855.

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

In accordance with Section 324.3122 of the NREPA, the permittee shall make payment of an annual permit fee to the Department for each December 15 the permit is in effect regardless of occurrence of discharge. The permittee shall submit the fee in response to the Department's annual notice. The fee shall be postmarked by March 1 for notices mailed by January 15. The fee is due no later than 45 days after receiving the notice for notices mailed after January 15.

The issuance of this COC does not 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.

This COC is based upon the information submitted in the application received by the Department of Environment, Great Lakes, and Energy (EGLE), on September 30, 2024, and any subsequent amendments. The permittee is subject to the conditions specified in General Permit No. GW1540000, issued August 1, 2025, expiring August 1, 2030.

The COC may be modified, terminated, reissued, or revoked as allowed for in General Permit No GW1540000 (expiring August 1, 2030). On its effective date, this COC shall supersede COC No. GW1540096 (expired on April 1, 2025). In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit an application which contains such information, forms, and fees as are required by the Department by February 2, 2030.

This COC takes effect on **DRAFT (December 1, 2025)**.

Issued: DRAFT.

_____

Kristine Rendon, Supervisor
Groundwater Permits Unit
Permits Section
Water Resources Division

ATTACHMENT NAME:

GW Public Notice Document.pdf

ATTACHMENT TYPE:

Adobe Portable Document Format (PDF) compound image

PUBLIC NOTICE

Date: October 31, 2025
Permit No.: GW1540096
Designated Site Name: AMC-WSG LLC

The Department of Environment, Great Lakes, and Energy (EGLE/Department), Water Resources Division (WRD), proposes to reissue a permit for a wastewater discharge to AMC-WSG, LLC for the AMC-WSG LLC facility located at 4984 Earhart Road, Ann Arbor, Washtenaw County, Michigan 48105. The applicant proposes to discharge mining process wastewater without additives only to the ground and groundwater. The permit is pursuant to Rule 2215 Authorization of the Part 22 Rules, Groundwater Quality, promulgated under Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 P451, as amended (NREPA), being Sections 324.3101 through 324.3119 of the Michigan Compiled Laws, and the administrative rules promulgated thereunder.

The draft permit includes the following modifications to the previously issued permit: Permit language has been revised to incorporate updated references and terminology. The following new conditions have been added to the draft permit: Monthly discharge monitoring reports (DMR) shall be submitted annually whether or not there has been a discharge. DMRs shall be submitted via the Department's MiEnviro portal. The facility shall report the maximum daily flow for each month in which the facility is in operation. For any month in which a discharge is not made, the permittee shall select the "No Discharge" box on the DMR. Please refer to the updated 2215 Mining General Permit (GW1540000), which became effective on August 1, 2025.

Copies of the permit application, Public Notice, Basis for Decision Memo, and draft permit may be obtained via the Internet at https://mienviro.michigan.gov/ncore/external/home (select 'Public Notice Search,' enter the permit number into the search field, and then click 'Search'), or at the WRD's Jackson District Office located at 301 East Louis Glick Highway, Jackson, MI 49201-1535, telephone: (517) 780-7690.

Persons wishing to submit comments or request a public hearing should go to https://mienviro.michigan.gov/ncore/external/home, select 'Public Notice Search,' search for this public notice by entering the permit number into the search field, click 'Search,' click 'View,' click 'Add Comment,' enter information into the fields, and then click 'Submit.' Comments or objections to the draft permit received by **November 14, 2025**, will be considered in the final decision to issue the permit, as will comments made at a public hearing should one be held by the Department on the draft permit.

Any person may request the Department to hold a public hearing on the draft permit. The request should include specific reasons for the request, indicating which portions of the draft permit constitute the need for a hearing. If submitted comments indicate significant public interest in the draft permit or if useful information may be produced, the Department may, at its discretion, hold a public hearing on the draft permit.

If a public hearing is scheduled, public notice of the hearing will be provided at least 30 days in advance. The hearing will normally be held in the vicinity of the discharge. Inquiries should be directed to Amina Khatun, Permits Section, WRD, EGLE, P.O. Box 30458, Lansing, Michigan 48909-7958; telephone: (517) 290-5336; or e-mail: khatuna1@michigan.gov.

ATTACHMENT NAME:

Basis for Decision-PN_AMC-WSG LLC.pdf

ATTACHMENT TYPE:

Adobe Portable Document Format (PDF) compound image

GROUNDWATER BASIS FOR DECISION MEMO

Permit Processor: Amina Khatun
Date: October 10, 2025
Permit No. GW1540096
Facility's Designated Name: AMC-WSG LLC

Monitoring Point: EQ-1

Parameter	Monthly Average	Maximum Limit (Quantity)		Minimum/Maximum Limit (Concentration)					
		Maximum	Units	Minimum	Maximum	Units	Monitoring Frequency	Sample Type	Basis for Limits
Flow (Daily)		**(report)**	**GPD**				**Monthly**	**Direct Measurement**	**PWJ**
Flow (Annually)		**(report)**	**GPY**				**Annually**	**Calculation**	**PWJ**

NOTES:

- This is a groundwater discharge permit reissuance for AMC-WSG LLC under Rule 2215, General Permit No. GW1540000.
- Site information:
  - This site is an active sand and gravel mining operation that functions seasonally, primarily based on temperature. Operations typically occur from April through December. Current activities include the production of various sand and gravel products. Material is mechanically extracted using excavators or front-end loaders and transported to the on-site processing plant, where it is processed into marketable products. The finished materials are then stockpiled on-site and transported off-site by truck for distribution.
  - The on-site processing of sand and gravel requires water for washing and separating materials. This water is sourced from on-site ponds, which are naturally fed by groundwater. It is pumped to the gravel and wash plants for use in material processing, generating wastewater in the process. The wastewater is directed to an on-site settling pond, where it is treated and recirculated back to the wash plant for continued use.
  - The discharge consists of mining process wastewater without additives.
  - The previously authorized discharge volumes were up to 8,352,000 gallons per day (GPD) and 3,048,480,000 gallons per year (GPY). The current permit application proposes the same discharge limits. There have been no changes to the facility’s operations or the characterization of the wastewater since the last permit was issued.
  - No contaminated sites within ¼ mile of the discharge area.

- The facility is located within designated provisional or traditional wellhead protection areas and WSSN's numbers are 2032781, 06074, 2053881, 2053881, 2053881.

- Certificate of Coverage (COC)
  - The Certificate of Coverage (COC) will be reissued to AMC-WSG LLC for the discharge of mining process wastewater without additives. The COC is being issued as a site-specific authorization that pulls applicable requirements from the reissuance of the 2215 Gravel, Sand, Limestone, and Dolomite Mining General Permit.
  - Monthly discharge monitoring reports (DMR) shall be submitted annually whether or not there has been a discharge. Each month should reflect the maximum discharge day for the month. DMRs shall be submitted via the Department's MiEnviro portal. For any month in which a discharge is not made, the permittee shall select the "No Discharge" box on the DMR.
  - Sampling of the source water will not be required at this time since this is a permit reissuance. Only new use applications are required to submit a Source Water Report (SWR) at this time.

Limit Change Key
Normal Type = existing requirement - carried over from previous version of permit
Bold Type = new requirement - not in previous version of permit
Italic = deleted requirement - not carried over from previous version of permit

Basis for Limits Key
PWJ - Permit Writer's Judgment

ATTACHMENT NAME:

GW General Permit-DIA FINAL_Mining GSLD.pdf

ATTACHMENT TYPE:

Adobe Portable Document Format (PDF) compound image

GENERAL PERMIT NO. GW1540000

STATE OF MICHIGAN

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

GROUNDWATER DISCHARGE PERMIT

This groundwater discharge general permit (permit) is issued under the provisions of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); and Michigan Executive Order 2019-06. Process wastewater without additives from Gravel, Sand, Limestone, or Dolomite mining is authorized to be discharged into the groundwater of the state from facilities specified in individual Certificates of Coverage (COC), in accordance with effluent limitations, monitoring requirements, and other conditions set forth in this permit. Those facilities producing process wastewater without additives from gravel, sand, limestone, or dolomite mining are collectively defined in this permit as "Mining Operations". This permit does not relieve the discharger from obtaining and complying with any other permits required under local, state, or federal law.

Authorization:	**Rule 2215**
Type of operation	**Mining of Gravel, Sand, Limestone, or Dolomite**
Discharge Category:	**Wastewater without Additives**
Type of Wastewater:	**Process Wastewater**
Effective Date:	**August 1, 2025**
Expiration Date:	**August 1, 2030**

"Mining process wastewater" is defined as all water used by mine material processing. This includes groundwater and storm water that is comingled with process wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of the wastewater.

Discharges with additives or using the following treatment systems are specifically excluded from coverage under this general permit: crushed stone flotation process, construction sand and gravel heavy liquid separation process, industrial sand flotation process, and industrial sand acid leaching process.

In order to constitute a valid authorization to discharge, this permit must be accompanied by a COC issued by the Department of Environment, Great Lakes, and Energy (Department). The COC issued will specify which sections of this permit are applicable to the facility.

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

This permit supersedes all permits and exemptions issued by the Department to facilities with the same or substantially similar types of operation.

All construction, operations, maintenance, and monitoring of facilities permitted hereunder must comply with the conditions set forth in this permit. Failure to comply with the terms and provisions of this permit may result in civil and/or criminal penalties as provided in the NREPA.

This permit originally took effect on **August 1, 2025**, this permit modified by a Department Initiated Action (DIA) takes effect on **September 8, 2025**. 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.

Issued: July 31, 2025. Based on a Department Initiated Permit Action submitted on August 29, 2025, this permit was modified on September 8, 2025.

Kristine Rendon, Supervisor
Groundwater Permits Unit
Permits Section
Water Resources Division

PERMIT FEE REQUIREMENTS

In accordance with Section 324.3122 of the NREPA, the permittee shall make payment of an annual permit fee to the Department for each December 15 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 March 1 for notices mailed by January 15. Payment shall be submitted or postmarked no later than 45 days after receiving the notice for notices mailed after January 15.

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.

CYBERSECURITY INFORMATION

Cybersecurity is becoming increasingly important as cyberattacks present an imminent and substantial risk to wastewater systems. Many wastewater systems have gaps in their existing cybersecurity practices that leave them vulnerable to potentially disabling attacks. The Department encourages the permittee to identify cybersecurity gaps in their wastewater system (e.g. changing default passwords in operational technology) and eliminate those vulnerabilities. The United States Environmental Protection Agency, the Cybersecurity and Infrastructure Security Agency, and the state of Michigan offer guidance and technical assistance for conducting cybersecurity risk assessments, developing and implementing a risk mitigation plan, and implementing cybersecurity controls. Applicable resources can be located at https://www.epa.gov/waterresilience/epa-cybersecurity-water-sector,https://www.cisa.gov/resources-tools/resources/top-cyber-actions-securing-water-systems, and https://www.michigan.gov/dtmb/services/cybersecurity.

PART I

A. Limitations and Monitoring Requirements

1. Effluent Limitations, EQ-1

During the period beginning on the effective date of this permit and the effective date of an individual COC and lasting until the expiration of this permit or termination of the individual COC, the permittee is authorized to discharge mining process wastewater without additives as specified in the certificate of coverage (COC). Such discharge shall be limited and monitored by the permittee as specified below. The monitoring location shall be identified by GPS coordinates in the individual COC.

Parameter	Minimum Daily	Maximum Daily	Units	Monitoring Frequency	Sample Type
Flow (Daily)		(report)	GPD	Monthly	Direct Measurement
Flow (Annually)		(report)	GPY	Annually	Calculation
pH	6.5	9.0	S.U.	Monthly	Reading

a. *Flow Measurement Devices*
The discharge shall be monitored by a flow measurement device or alternative measurement method approved by the Department.

b. *Sample Collection and Analytical Methods*
The permittee shall perform all sampling in accordance with Part II.C.8 of this permit.

c. *Discharge Monitoring Reports (DMR)*
Monthly discharge monitoring reports (DMR) shall be submitted annually whether or not there has been a discharge. DMRs shall be submitted via the Department's MiEnviro portal. For any month in which a discharge is not made, the permittee shall select the "No Discharge" box on the DMR.

d. *pH Monitoring*
The discharge shall be limited and monitored for pH if the facility's operations include limestone mining. If facility operations do not include limestone mining, then the pH monitoring and limitations are not required. If the facility does not discharge during the period in question, a sample is not required for that period. For any period in which a sample is not taken, the permittee shall enter "*G" on the DMR. (For purposes of reporting on the Daily tab of the DMR, the permittee shall enter "*G" on the first day of the month only.) The requirement for this condition will be identified in the individual COC.

2. New Source Water

This condition is required if specified in the individual COC. The intent of this requirement is to demonstrate that facility operations do not have the potential to transfer contaminants from one hydrostratigraphic unit to another for new sources of wash water. New sources of wash water shall not be discharged until the following schedule is completed.

A. **On or before 180 days before the start-up of the system**, the permittee shall submit to the department for review, a Source Water Report (SWR). The SWR shall identify if either Part I.A.2.A.i or Part I.A.2.A.ii can be met:

i. For a new source water obtained from a groundwater well:

a. The proposed groundwater well(s) will be installed at a maximum of 50 feet below the groundwater table and does not go through a confining layer.

ii. For a new source water obtained solely from a constructed water body (no intermittent filling by a groundwater well). At a minimum, one of the following must be met:

a. Any water body receiving mining process wastewater (that may or may not be in a settling series) is located within 500 feet of the constructed source water body.

b. The water body receiving the mining process wastewater and constructed source water body are one water body without a series of settling ponds in between and are not connected by a ditch or pipe.

c. The constructed source water body and any water body receiving mining process wastewater are not constructed within two or more different hydro-stratigraphic units.

B. If the SWR determines that any of the above requirements listed under Part I.A.2.A.i or Part I.A.2.A.ii cannot be met, then on or before 30 days after the SWR submittal, the permittee shall submit to the Department for review and approval either a source water body or source water well evaluation in accordance with Part I.A.3 or Part I.A.4. of this permit.

3. Source Water Well Evaluation

On or before 365 days after the start-up of the system, the permittee shall submit to the Department for review and approval a minimum of one sample for the parameters listed below. This requirement is to demonstrate the source water being utilized is in accordance with Part 31 of the NREPA, Groundwater Quality Administrative Rules (Part 22 Rules) and Part 1.A.5(e) of this General Permit. The following conditions shall apply unless previously satisfied or otherwise approved by the Department. Previously satisfied requirements shall not be included in the individual COC.

Field Parameter	Daily Concentration	Units	Sample Type
pH	(report)	S.U.	Reading
Specific Conductance	(report)	mg/L	Reading
Dissolved oxygen	(report)	mg/L	Reading
Turbidity	(report)	NTUs	Grab

Parameter	Daily Concentration	Units	Sample Type
Total Inorganic Nitrogen (TIN)	(report)	mg/L	Calculation
Ammonia Nitrogen	(report)	mg/L	Grab
Nitrate Nitrogen	(report)	mg/L	Grab

Nitrite Nitrogen	(report)	mg/L	Grab
Sodium	(report)	mg/L	Grab
Chloride	(report)	mg/L	Grab
Total Iron	(report)	mg/L	Grab
Dissolved Iron	(report)	ug/L	Grab
Total Aluminum	(report)	ug/L	Grab
Dissolved Aluminum	(report)	ug/L	Grab
Total Manganese	(report)	ug/L	Grab
Dissolved Manganese	(report)	ug/L	Grab
Total Arsenic	(report)	ug/L	Grab
Dissolved Arsenic	(report)	ug/L	Grab

a. *Groundwater Sampling*
It is recommended the permittee perform low flow sampling of the well as described by (USEPA, Office of Research and Development, Office of Solid Waste and Emergency Responses, EPA/540/S-95/504, April 1996, USEPA Ground Water Issue, Low-Flow (Minimal Drawdown) Ground-Water Sampling Procedures, Robert Puls and Michael Barcelona) or complete the following steps prior to obtaining a groundwater sample from a well:

1. Measure the water level and the total depth of the well to determine the volume of water in the well.
2. Purge stagnant water from the well casing prior to obtaining a groundwater sample. If no stagnant water is found in the well casing, purging is not required.
3. Measure field parameters on-site prior to collection of laboratory samples.
4. It is recommended the permittee not complete sampling of any groundwater monitoring well until the well has achieved sufficient stability of water quality parameters and adequately low turbidity. Turbidity is recommended to be at or below 10 Nephelometric Turbidity Units (NTUs) prior to the collection of laboratory samples.

b. *Analytical Methods*
The permittee shall perform all analytical methods in accordance with Part II.C.8 of this permit.

c. *Department Notification*
Within 30 days of written notification from the Department that the source water evaluation exceeds groundwater quality standards as described in R.323.2204 the permittee shall submit to the Department a major permit modification request that includes an alternative source water work plan. The purpose of this work plan is to assure groundwater quality protection in compliance with R.323.2204 and how exceedances will be monitored and restricted from leaving the property. The alternative source water work plan may include, but is not limited to, a plan for an alternative source water, additional sampling of the source water, a plan to monitor the groundwater with the installation of groundwater monitoring wells, time schedules, and staff, as appropriate, to achieve the stated purpose.

The permit modification request shall be submitted via the Department's MiEnviro Portal. The MiEnviro Portal website is located at http://mienviro.michigan.gov/. The request shall be made on the form titled "Groundwater Discharge Permit Major Modification Request".

4. Source Water Body Evaluation

On or before 365 days after the start-up of the system, the permittee shall submit to the Department for review and approval a minimum of one sample for the parameters listed below. This requirement is to demonstrate the source water being utilized is in accordance with Part 31 of the NREPA, Groundwater Quality Administrative Rules (Part 22 Rules) and Part 1.A.5(e) of this General Permit. The following conditions shall apply unless previously satisfied or otherwise approved by the Department. Previously satisfied requirements shall not be included in the individual COC.

Parameter	Daily Concentration	Units	Sample Type
pH	(report)	S.U.	Reading
Specific Conductance	(report)	mg/L	Reading
Dissolved oxygen	(report)	mg/L	Reading
Total Inorganic Nitrogen (TIN)	(report)	mg/L	Calculation
Ammonia Nitrogen	(report)	mg/L	Grab
Nitrate Nitrogen	(report)	mg/L	Grab
Nitrite Nitrogen	(report)	mg/L	Grab
Sodium	(report)	mg/L	Grab
Chloride	(report)	mg/L	Grab
Total Iron	(report)	mg/L	Grab
Dissolved Iron	(report)	ug/L	Grab
Total Aluminum	(report)	ug/L	Grab
Dissolved Aluminum	(report)	ug/L	Grab
Total Manganese	(report)	ug/L	Grab
Dissolved Manganese	(report)	ug/L	Grab
Total Arsenic	(report)	ug/L	Grab
Dissolved Arsenic	(report)	ug/L	Grab

a. *Sample Collection and Analytical Methods*
The permittee shall perform all sampling in accordance with Part II.C.8 of this permit.

b. *Department Notification*
Within 30 days of written notification from the Department that the source water evaluation exceeds groundwater quality standards as described in R.323.2204 the permittee shall submit to the Department a major permit modification request that includes for review and approval an alternative source water work plan. The purpose of this work plan is to assure groundwater quality protection in compliance with R.323.2204 and how exceedances will be monitored and restricted from leaving the property. The alternative source water work plan may include, but is not limited to, a plan for an alternative source water, additional sampling of the source water, a plan

to monitor the groundwater with the installation of groundwater monitoring wells, time schedules, and staff, as appropriate, to achieve the stated purpose.

The permit modification request shall be submitted via the Department's MiEnviro Portal. The MiEnviro Portal website is located at http://mienviro.michigan.gov/. The request shall be made on the form titled "Groundwater Discharge Permit Major Modification Request".

5. General Conditions

a. The permittee shall comply with the requirements of R 323.2204 of the Part 22 Rules. This includes, but is not limited to, the following:

1. The discharge shall not be, or not be likely to become, injurious to the protected uses of the waters of the state.
2. The discharge shall not cause runoff to, ponding on, or flooding of adjacent property, shall not cause erosion, and shall not cause nuisance conditions.
3. The point of discharge shall be located not less than 100 feet inside the boundary of the property where the discharge occurs unless a lesser distance is specifically authorized in writing by the Department, unless the discharge is authorized under R 323.2210, R 323.2211, or R 323.2213 of the Part 22 Rules or unless a lesser distance is specifically approved by the Department in the permit.
4. For a discharge authorized under R 323.2211, R 323.2213, R 323.2215, R 323.2216(2), or R 323.2216(4) of the Part 22 Rules the discharge shall be a minimum of 200 feet from a Type I or Type IIa water supply well, 75 feet from a Type IIb and Type III water supply well, and 50 feet from any domestic well. The Department may authorize and specify in the COC a lesser or greater isolation distance in an individual case based on groundwater flow direction, volume, and constituents of the discharge; geological, surface, and other site conditions; and the degree of threat to the well or wells.

Well Classification	Isolation Distance
Type I and Type IIA	200 feet
Type IIB and Type III	75 feet
Private	50 feet

5. The discharge shall not create a facility as defined in Part 201, Environmental Response, of the NREPA.

b. The discharge of treated mining process wastewater shall only be on property owned by the discharger unless the discharger has written authorization from the landowner for such a discharge.

c. All treatment or control facilities or systems installed or used to achieve compliance with this general permit shall be maintained in good working order and operated as efficiently as possible.

d. The discharge only consists of wash water without additives used to wash and sort uncontaminated gravel, sand, limestone, or dolomite and to remove general inert substances such as uncontaminated soils from gravel, sand, limestone, or dolomite, where the washing process does not add significant additional contaminants to the water.

e. The source of wash water shall be from one of the following

1. A municipal water supply
2. A water supply meeting state or federal criteria for use as potable water
3. Another source of water meeting the standards of R 323.2222
4. Another source approved by the Department

f. All treatment or control facilities or systems installed or used to achieve compliance with this general permit shall be maintained in good working order and operated as efficiently as possible.

g. This general permit does not authorize a discharge of mining process wastewater to surface water.

6. Compliance Requirements

Compliance with all applicable requirements set forth in Parts 31 of the NREPA and related regulations and rules is required. All instances of noncompliance with concentration limitations of effluent or groundwater shall be reported as follows:

a. If the facility is in a wellhead protection area, within 48 hours from the time the permittee becomes aware of the noncompliance, the permittee shall report noncompliance to the public water supply manager.

b. Within seven (7) days from the time the permittee becomes aware of the noncompliance, the permittee shall report, in writing, all instances of noncompliance. Written reporting shall include all of the following: (1) the name of the substance(s) for which a limit was exceeded; (2) the concentration at which the substance was found; and (3) the location(s) at which the limit was exceeded.

c. Within 14 days from the time the permittee becomes aware of the noncompliance, the permittee shall resample the monitoring point at which the limit was exceeded for the substance for which a limit was exceeded.

d. Within 60 days from the time the permittee becomes aware of the noncompliance, the permittee shall submit a written report that shall include all of the following: (1) the results of the confirmation sampling; (2) an evaluation of the cause for the limit being exceeded and the impact of that event to the groundwater; and (3) a proposal detailing steps taken or to be taken to prevent recurrence.

e. In accordance with applicable rules, the Department may require additional activities including, but not limited to, the following:

i. Change the monitoring program, including increasing the frequency of effluent monitoring or groundwater sampling, or both.

ii. Develop and implement a groundwater monitoring program if one is not in place.

iii. If the discharge is in a designated wellhead protection area, assess the effects of the discharge on the public water supply system.

iv. Review the operational or treatment procedures, or both, at the facility.

v. Define the extent to which groundwater quality exceeds the applicable criteria that would designate the site as a facility under Part 201 of the NREPA.

vi. Revise the operational procedures at the facility.

vii. Change the design or construction of the wastewater operations at the facility.

viii. Initiate an alternative method of waste treatment or disposal.

ix. Remediate contamination to comply with the terms of Part 201 of the NREPA, if applicable.

f. If the Department determines there is a change in groundwater quality from a normal operating baseline that indicates the concentration of a substance in groundwater may exceed an applicable limit, then the discharger shall take the following actions if required by the Department:

i. Change the monitoring program, including increasing the frequency of effluent sampling or groundwater sampling, or both.

ii. Review the operational or treatment procedures, or both, at the facility.

7. Treatment System Closure

a. In the event that discharges from a treatment system are planned to be eliminated, the permittee shall:
   1. Not later than five (5) days after use of the facility has ceased, eliminate all physical threats associated with discharge-related facilities.
   2. Not less than 75 days before cessation of discharge-related activities, characterize any wastewater, sediments, and sludges related to the discharge, in accordance with R 323.2226(4)(a)(i-iii).

b. Within 30 days of completing the characterization, the permittee shall submit a closure plan to the Department for review and approval that describes how the wastewater, sediments, and sludges associated with the discharge will be handled in accordance with Part 31, Part 111, Part 115, or Part 201 of the NREPA, as appropriate.

c. Closure activities must be initiated within 30 days of Department approval of the Closure Plan and must be completed within one (1) year of approval of the Closure Plan.

d. If the groundwater exceeds a standard established by the Department that would result in the site qualifying as a facility under Part 201 of the NREPA, the permittee shall comply with the requirements of Part 201, as applicable.

e. The Department may require post closure monitoring activities to evaluate the effectiveness of the closure activities. Any wastewater or residual disposal inconsistent with the approved plan shall be considered a violation of this permit. After proper closure of the treatment system, this permit may be terminated.

f. The permittee must certify completion of the approved closure plan. Certification shall be by a qualified person described as follows:
   1. An engineer licensed under Public Act 299 of 1980, as amended, being §339.101 et seq. of the Michigan Compiled Laws and known as the Occupational Code.
   2. A professional geologist certified by the American Institute of Professional Geologists, 7828 Vance Drive, Suite 103, Arvada, Colorado 80003.
   3. A professional hydrologist certified by the American Institute of Hydrology, 2499 Rice Street, Suite 135, St. Paul, Minnesota 55113.
   4. A groundwater professional certified by the National Ground Water Association, Association of Groundwater Scientists and Engineers Division, 601 Dempsey Road, Westerville, Ohio 43081.
   5. Another groundwater professional certified by an organization approved by the Department.

8. Expiration, Reissuance, Termination

On or before **February 2, 2030**, 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 system. The MiEnviro website is located at https://mienviro.michigan.gov/ncore/external/home. Without a timely application for reissuance, the permittee's authorization to discharge will expire on **August 1, 2030**. 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 a Groundwater Notice of Termination request via MiEnviro at https://mienviro.michigan.gov/ncore/external/home.

9. 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 permit if any of the following circumstances apply:

a. The discharger is not complying or has not complied with the conditions of this permit.
b. A change has occurred in the availability of demonstrated technology or practices for the control or abatement of waste applicable to the discharge; and/or
c. The Department determines that the criteria under which the permit was issued no longer apply.

PART II

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

A. Definitions

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.

Additive means a substance added to water to enhance its effectiveness for uses such as, but not limited to, cleaning, disinfecting, heating, and cooling. A substance may be added to water directly or indirectly by being added to a process in such a way that it becomes a constituent of the water.

Annual Monitoring Frequency refers to a calendar year beginning on January 1 and ending on December 31.

For effluent monitoring, when required by this permit, an analytical result, reading, value, or observation must be reported for that period if a discharge occurs during that period.

For groundwater monitoring, when required by this permit, an analytical result, reading, value, or observation must be reported for that period regardless if the discharge occurs during that period.

Best Management Practices means structural devices or nonstructural practices that are designed to prevent pollutants from entering groundwater.

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.

By-Pass means any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit.

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

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 Administrative Rules, Land Application of Biosolids, of 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 sewage.

Daily Concentration is the sum of the concentrations of the individual samples of a parameter divided by the number of samples taken during any calendar day. They daily concentration will be used to determine compliance with any maximum and minimum daily concentration limitations (except for pH and dissolved oxygen). When required by the permit, report the maximum calculated daily concentration for the month in the “MAXIMUM” column under “QUALITY OR CONCENTRATION” on the Discharge Monitoring Reports (DMR). If the parameter concentration in any sample is less than the quantification limit, regard that value as zero when calculating the daily concentration.

For pH, report the maximum value of any individual sample taken during the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs and the minimum value of any individual sample taken during the month in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. For dissolved oxygen, report the minimum concentration of any individual sample in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

Daily Monitoring Frequency refers to a 24-hour period. When required by this permit, an analytical result, reading, value or observation must 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 groundwaters of the state.

Domestic Equivalent Wastewater means wastewater that falls outside the definition of sanitary sewage, but which has similar wastewater characteristics and is amenable to on-site wastewater treatment and subsurface soil disposal.

Effluent means waste or wastewater during or subsequent to treatment but before discharge.

Flow-proportioned Sample is a composite sample with the sample volume proportional to the effluent flow.

Furrow Stream is the volume, in gallons per unit time, usually per minute, of wastewater discharged into the furrow.

General Permit means a groundwater permit that is designed to cover permittees with similar operations or types of discharge.

GPD means gallons per day.

GPY means gallons per year.

Grab Sample is a single sample taken at neither a set time nor flow.

Individual Permit means a site-specific Groundwater permit.

Interference means a discharge, alone or in conjunction with a discharge or discharges from other sources, to which both of the following provisions apply: (1) the discharge inhibits or disrupts the publicly owned treatment works (POTW), its treatment processes or operations, or its sludge processes, use, or disposal; and (2) the discharge is a cause of a violation of any requirement of the POTW 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.

Land Application means spraying or spreading waste, waste effluent, or wastewater onto the land surface or incorporating into the soil to be treated by the plants, soil surface, and/or the soil matrix.

Biosolids or a biosolids derivative sprayed or spread onto the land surface or incorporated into the soil can either condition the soil or fertilize crops or vegetation grown in the soil.

MGD means million gallons per day.

Mg/L is a unit of measurement and means milligrams per liter.

Monitoring Well means a well that is specifically designed and located to allow for the collection of hydrogeologic data and representative samples in order to measure the impact of a discharge on groundwater.

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.

Monthly Monitoring Frequency refers to a calendar month.

For effluent monitoring, when required by this permit, an analytical result, reading, value, or observation must be reported for that period if a discharge occurs during that period.

For groundwater monitoring, when required by this permit, an analytical result, reading, value, or observation must be reported for that period regardless if the discharge occurs during that period.

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.

POTW is a publicly owned treatment work.

Nondomestic Users means an industry, commercial establishment, or other entity that discharges wastewater to a POTW other than, or in addition to, sanitary sewage.

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.

For effluent monitoring, when required by this permit, an analytical result, reading, value, or observation must be reported for that period if a discharge occurs during that period.

For groundwater monitoring, when required by this permit, an analytical result, reading, value, or observation must be reported for that period regardless if the discharge occurs during that period.

Rapid Infiltration is the application of wastewater to areas of moderately to highly permeable soil. The majority of applied wastewater percolates through the soil, and the treated effluent drains naturally to groundwater.

Report means there is no limit associated with the individual substance for the medium that is being sampled; the permittee must only report the result of the laboratory analysis.

Sanitary Sewage means treated or untreated wastes containing only human metabolic wastes or wastes generated and discharged as a result of domestic or restaurant activities.

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 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)].

Slow-Rate Land Treatment is the application of wastewater to a vegetated land surface with the applied wastewater being treated as it flows through the plant and soil matrix. A portion of the flow is expected to percolate to the groundwater while the remainder is utilized by plants or lost through evaporation.

Wastewater means liquid waste discharged directly or indirectly into the waters of the state or onto the ground that results from industrial and commercial processes or municipal operations, including liquid or water-carried process waste, cooling and condensing waters, and sanitary sewage.

Weekly Monitoring Frequency refers to a calendar week that begins on Sunday and ends on Saturday. When required by this permit, an analytical result, reading, value, or observation must be reported for that period if a discharge occurs during that period.

PART II

B. Design Requirements

1. General Prohibitions

The permittee shall comply with the requirements of R 323.2204 of the Part 22 Rules. This includes, but is not limited to, the following:

a. The discharge shall not be, or not be likely to become, injurious to the protected uses of the waters of the state.

b. The discharge shall not cause runoff to, ponding on, or flooding of adjacent property, shall not cause erosion, and shall not cause nuisance conditions.

c. The point of discharge shall be located not less than 100 feet inside the boundary of the property where the discharge occurs unless a lesser distance is specifically authorized in writing by the Department, unless the discharge is authorized under R 323.2210, R 323.2211, or R 323.2213 of the Part 22 Rules or unless a lesser distance is specifically approved by the Department in the permit.

d. For a discharge authorized under R 323.2211, R 323.2213, R 323.2215, R 323.2216(2), or R 323.2216(4) of the Part 22 Rules the discharge shall be a minimum of 200 feet from a Type I or Type IIa water supply well, 75 feet from a Type IIb and Type III water supply well, and 50 feet from any domestic well. For a discharge authorized under R 323.2218 or R 323.2216(3) of the Part 22 Rules, the discharge shall be a minimum of 2,000 feet from a Type I or Type IIa water supply well, 800 feet from a Type IIb or Type III water supply well, and 300 feet from a domestic well. The Department may authorize a lesser or greater isolation distance in an individual case based on groundwater flow direction, volume, and constituents of the discharge; geological, surface, and other site conditions; and the degree of threat to the well or wells.

e. The discharge shall not create a facility as defined in Part 201, Environmental Response, of the NREPA.

2. Land Application Design Requirements

The permittee shall design, construct, and operate any land treatment system in accordance with R 323.2233(4) of the Part 22 Rules, which shall include, at a minimum, the following requirements:

a. The system shall be designed and constructed to prevent surface runoff from either entering or exiting the system.

b. The system shall be designed and constructed to provide even distribution of wastewater during application. A header ditch, where used, shall be designed and constructed to allow for complete drainage after each wastewater loading or shall be lined to prevent seepage.

c. If vegetative cover is utilized and is considered part of the overall treatment system, then the design and construction of the system shall allow for the mechanical harvesting of vegetative cover.

d. The system shall be designed, constructed, and operated to allow an appropriate loading cycle. An appropriate loading cycle allows time between loadings for all of the following:

   i. Soil organisms to biologically decompose organic constituents in the wastewater.

   ii. Organic solids on the soil surface to decompose.

   iii. The soil to become aerated.

   iv. Vegetative cover to utilize available nutrients provided through the application of the wastewater.

v. Soil conditions to become unsaturated and aerobic.

vi. Harvesting operations to occur at appropriate times.

e. The design hydraulic loading or application rate, whether daily, monthly, or annual, shall not be more than one of the following:

i. Three percent of the permeability of the most restrictive soil layer within the solum over the area of the discharge when determined by either the cylinder infiltration method or air entry permeameter test method.

ii. Seven percent of the permeability of the most restrictive soil layer within the solum over the area of the discharge as determined by the saturated hydraulic conductivity method.

iii. Twelve percent of the permeability of the most restrictive soil layer within the solum over the area of the discharge as determined by the basin infiltration method.

iv. If published information is utilized, the permittee shall determine the methodology used to measure the reported hydraulic conductivity. If the hydraulic conductivity is given as a range of expected values, then a permittee shall use the minimum value given the most restrictive soil layer within the solum when calculating the hydraulic loading or application rate.

f. The system shall be designed, constructed, and operated to prevent the development of sodic conditions within the solum of the discharge area. Sodic conditions are considered to exist in the solum when the exchangeable sodium percentage, which is the percentage of the cation exchange capacity of a soil occupied by sodium, is more than 15 percent.

g. If phosphorus adsorption within the solum or unsaturated soil column is part of the overall treatment process, then the system shall be designed as follows:

i. The available phosphorus adsorption capacity (PAC) of the solum or unsaturated soil column from within the discharge area shall be sufficient to provide the necessary treatment to ensure that the applicable limit established in this permit is not exceeded for the duration of the permit.

ii. The loading cycle shall be designed so as to provide the necessary contact time within the solum, or unsaturated soil column required for phosphorus to be removed from the applied wastewater through adsorption processes.

iii. The available PAC of the discharge area shall be determined through either of the following methods:

(a) By subtracting phosphorus levels of the unsaturated soil column, determined through on-site Bray-P1 analysis, from published PAC data for the solum found within the discharge area.

(b) By subtracting phosphorus levels of the unsaturated soil column, as determined through on-site Bray-P1 analysis, from the phosphorus adsorption maximum as determined through Langmuir isotherm analysis of on-site soils, after adjustments for the concentration of phosphorus in the effluent and fraction of utilization within the solum are made.

h. All of the following operation and maintenance requirements shall be met:

i. Portions of the wastewater distribution system shall be capable of being taken out of service for maintenance and other operational activities and to provide rest to portions of the irrigation area without disrupting applications to other areas of the system.

ii. All areas within a system shall be accessible for maintenance equipment.

iii. For slow rate and overland flow treatment systems, the pH of the plow layer within the discharge area shall be maintained between 6.0 and 7.5 standard units.

vii. The discharge to a land treatment system shall be limited so that the discharge volume combined with the precipitation from a 10-year frequency, 24-hour duration rainfall event does not overflow the designed discharge area.

3. Lagoon Construction

Lagoon construction shall be consistent with R 323.2237 of the Part 22 Rules and shall consist of a composite liner composed of a base and flexible membrane liner unless the conditions set forth in R 323.2237(4) are met. Guidance can be found in Guidesheet IV: Wastewater Treatment and Storage Lagoons.

4. Compliance with Sodium and Chloride in Groundwater

If the permittee discharges sodium or chloride, or both, into groundwater that migrates off the property on which the discharge occurred and that discharge directly causes the groundwater concentration of sodium or chloride, or both, to exceed the levels of 230 milligrams per liter (mg/l) and 250 mg/l, respectively, provided under Part 31, Section 324.3109(e)(2) of the NREPA, the permittee shall do all of the following:

a. Initiate a sampling program approved by the Department to monitor downgradient water supply wells for the levels of sodium or chloride, or both, in the water supply.

b. If the concentration of sodium in a downgradient water supply exceeds the level provided under Section 324.3109(e)(2), the permittee shall provide and maintain, for each affected downgradient water supply, free of charge, a point-of-use treatment system approved by the Department that will remove sodium from the water supply to be in compliance with the level provided under Section 324.3109(e)(2).

c. If the concentration of chloride in a downgradient water supply exceeds the level provided under Section 324.3109(e)(2), provide to each affected water supply owner a notice of aesthetic impact with respect to chloride levels.

If the discharge from the facility is otherwise in compliance with the sodium and chloride limitations specified in Part 31, Section 324.3109e(1) of the NREPA, the permittee shall not be subject to response activities under Part 201, Environmental Remediation, of the NREPA with respect to the discharge of sodium and chloride.

PART II

C. Monitoring Procedures

1. Permit Monitoring Requirements

Pursuant to R 323.2223(1) of Part 22 Rules, the Department may modify the effluent or groundwater monitoring parameters or frequency requirements of this permit. The permittee may request a modification of the parameters or frequency of monitoring of this permit with adequate supporting documentation.

2. Instrumentation

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring instrumentation at intervals to ensure the accuracy of measurements.

3. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to either SW-846, 3rd Edition, September 1986, "Test Methods for the Evaluation of Solid Waste, Physical-Chemical Methods," or Section 304(h) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), 40 CFR, Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, unless specified otherwise in this permit. Requests to use test procedures not defined here shall be submitted to the Department for review and approval.

The permittee shall periodically calibrate and perform maintenance procedures on all analytical instrumentation at intervals to ensure the accuracy of measurements. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Assurance/Quality Control (QA/QC) Program.

4. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. Guidance on how to collect representative samples is contained in Guidesheet III, "Characterization of Wastewater."

5. Recording Results

The permittee shall record the following information for each measurement or sample taken pursuant to the terms and conditions of this permit:

a. The exact place, date, and time of measurement or sampling.
b. The person(s) who performed the measurement or sample collection.
c. The dates the analyses were performed.
d. The person(s) who performed the analyses.
e. The analytical techniques or methods used.
f. The date of and person responsible for equipment calibration.
g. The results of all required analyses.

6. **Records Retention**
   The permittee shall maintain records of all groundwater-related activities. All such records and information resulting from the monitoring activities required by this permit shall be retained for three years. This includes, but is not limited to, all records of analyses performed, facility operation and maintenance logs, calibration and maintenance of instrumentation, and recordings from continuous monitoring instrumentation.

7. **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 DMR. Such increased frequency shall also be indicated.

   Monitoring required pursuant to Part 41, Sewerage Systems, of the NREPA or Rule 35 of the Mobile Home Park Commission Act (1987 PA 96) for assurance of proper facility operation shall be submitted as required by the Department.

8. **Sampling and Analytical Methods**
   Maximum acceptable quantification levels (QLs) are specified for 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 unless otherwise approved in the permittee's SAP in accordance with Part I.C.1. of this permit. 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 or identified in the permittee's SAP.

   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 the permittee's SAP approved by the Department. The Department will consider only alternate methods whose QLs are at least as sensitive (i.e., low) as those specified herein.

Non-Metals	Chemical Abstract Service Number	Quantification Level Limits (ug/L)	EPA Analytical Method or SW-846
Alkalinity		20,000	310.2
Alkalinity, Bicarbonate		10,000	2320B
Alkalinity, Carbonate		10,000	2320B
Ammonia	7664417	10	350.1
BOD-5 Day, Carbonate		2000	5210B
BOD-5 Day, Total		2000	5210B
Chloride	168870006	1000	325.2/4500CL-E
COD		5000	410.4
Specific Conductance		1.0 umhos/cm	120.1/2510B
Cyanide, Total	57125	5	ASTM D7284
Cyanide, Available	57125	5	ASTM7511-09/D6888-09

Dissolved Oxygen		100	4500-O
Hardness (Ca2CO3)		1000	2340B
Nitrate	14797558	10	353.2
Nitrate + Nitrite		10	353.2
Nitrite	14797650	10	353.2
Nitrogen, Kjeldahl		200	351.2
Ortho-Phosphate		10	365.1
pH		0.1 s.u.	4500-H/9045/150.1
Phenols	108952	10	420.4/9066
Phosphorus, Total	7723140	10	365.4/365.1
Residue (TDS)		20,000	2540C
Residue (TSS)		4000	2540D
Sulfate	14808798	5000	375.2

Metals	**Chemical Abstract Service Number**	**Quantification Level Limits (ug/L)**	**EPA Analytical Method or SW-846**
Total Aluminum	7429905	5	200.8/6020A
Total Antimony	7440360	1	200.8/6020A
Total Arsenic	7440382	1	200.8/6020A
Total Barium	7740393	5	200.8/6020A
Total Beryllium	7440417	1	200.8/6020A
Total Boron	7740428	20	200.7/6010C
Total Cadmium	7740439	0.2	200.8/6020A
Total Calcium	8047594	1000	200.7/6010C
Total Chromium	7740473	1	200.8/6020A
Total Cobalt	7740484	5	200.8/6020A
Total Copper	7740508	1	200.8/6020A
Total Iron	7439896	20	200.7/6010C
Total Lead	7439921	1	200.8/6020A
Total Lithium	7439932	10	200.7/6010C
Total Magnesium	7439954	500	200.7/6010C
Total Manganese	7439965	5	200.8/6020A
Total Mercury	7439976	0.2	245.1/7470A, 7471A
Total Molybdenum	7439987	5	200.8/6020A
Total Nickel	7440020	2	200.8/6020A
Total Potassium	7440097	200	200.7/6010C
Total Selenium	7782492	1	200.8/6020A
Total Silver	7440224	0.2	200.8/6020A
Total Sodium	17341252	1000	200.7/6010C
Total Strontium	7740246	5	200.8/6020A
Total Thallium	7740280	2	200.8/6020A
Total Titanium	7440326	5	200.8/6020A
Total Vanadium	7740622	2	200.8/6020A
Total Zinc	7740666	5	200.8/6020A

Volatile Organics	Chemical Abstract Service Number	Quantification Level Limits (ug/L)	EPA Analytical Method or SW-846
1,1,1-Trichloroethane	71556	1	624/8260B
1,1,2,2-Tetrachloroethane	79345	1	624/8260B
1,1,2-Trichloroethane	79005	1	624/8260B
1,1-Dichloroethane	75343	1	624/8260B
1,1-Dichloroethylene	75354	1	624/8260B
1,2,3-Trichlorobenzene	87616	5	624/8260B
1,2,3-Trichloropropane	96184	1	624/8260B
1,2,3-Trimethylbenzene	526738	1	624/8260B
1,2,4-Trichlorobenzene	120821	5	624/8260B
1,2,4-Trimethylbenzene	95636	1	624/8260B
1,2-Dibromo-3- chloropropane	96128	5	624/8260B
1,2-Dibromoethane (EDB)	80977	1	624/8260B
1,2-Dichlorobenzene	95501	1	624/8260B
1,2-Dichloroethane	107062	1	624/8260B
1,2-Dichloroethlyene (cis)	156592	1	624/8260B
1,2-Dichloroethlyene (trans)	156605	1	624/8260B
1,2-Dichloropropane	78875	1	624/8260B
1,3,5-Trimethylbenzene (Mesitylene)	108678	1	624/8260B
1,3-Dichlorobenzene	541731	1	624/8260B
1,3-Dichloropropene (cis)	542756	1	624/8260B
1,3-Dichloropropene (trans)	99614025	1	624/8260B
1,4-Dichloro-2-butene (trans)	764410	5	624/8260B
2-Butanone (MEK)	78933	5	624/8260B
2-Hexanone	591786	5	624/8260B
2-Methylnaphthalene	91576	5	624/8260B
2-Propanone (Acetone)	67641	20	624/8260B
4-Methyl-2-pentanone (MIBK)	108101	5	624/8260B
Acrylonitrile	107131	5(2.0)	624/8260B
t-Amyl Methyl Ether (TAME)	994058	5	624/8260B
Benzene	71432	1	624/8260B
Bromobenzene	108864	1	624/8260B
Bromochloromethane	83847498	1	624/8260B
Bromodichloromethane	75274	1	624/8260B
Bromoform	75252	1	624/8260B
Bromomethane	74839	5	624/8260B
t-Butyl Alcohol	75650	50	624/8260B
n-Butylbenzene	104518	1	624/8260B
sec-Butylbenzene	135988	1	624/8260B
t-Butylbenzene	98066	1	624/8260B
Carbon Disulfide	75150	1	624/8260B

Carbon Tetrachloride	56235	1	624/8260B
Chlorobenzene	108907	1	624/8260B
Chloroethane	75003	5	624/8260B
Chloroform	67663	1	624/8260B
Chloromethane	74873	5	624/8260B
Cyclohexane	108941	5	624/8260B
Dibromochloromethane	124481	1	624/8260B
Dibromomethane	74953	1	624/8260B
Dichlorodifluoromethane	75718	5	624/8260B
Diethyl Ether	60297	5	624/8260B
Diisopropyl Ether	108203	5	624/8260B
Ethylbenzene	100414	1	624/8260B
Ethyl-t-Butyl Ether (ETBE)	637923	5	624/8260B
Hexachloroethane	67721	5	624/8260B
Hexane	110543	1	624/8260B
Isopropyl Benzene	98828	1	624/8260B
p-Isopropyl Toluene (p-Cymene)	99876	1	624/8260B
Methyl Iodide (Iodomethane)	74884	1	624/8260B
Methyl-t-Butyl Ether (MTBE)	1634044	1	624/8260B
Methylene Chloride	75092	5	624/8260B
Naphthalene	91203	5	624/8260B
n-Propylbenzene	103651	1	624/8260B
Styrene	100425	1	624/8260B
Tetrachloroethylene	127184	1	624/8260B
Tetrahydrofuran	109999	5	624/8260B
Toluene	108883	1	624/8260B
Trichloroethylene	79016	1	624/8260B
Trichlorofluoromethane	75694	1	624/8260B
Vinyl Chloride	75014	1	624/8260B
m & p-Xylene	1330207	2	624/8260B
o-Xylene	1330207	1	624/8260B

PART II

D. Reporting Requirements

1. Designated Wellhead Protection Area

The permittee shall do all of the following if the discharge is located within a designated wellhead protection area:

a. Provide to the public water supply system manager a copy of each monitoring report provided to the Department.

b. Notify the pertinent public water supply system manager when a discharge has exceeded an applicable standard. The notification shall be made within 48 hours of a determination by the permittee that an applicable standard has been exceeded.

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, allow the Department to specify the forms to be utilized for reporting the required self-monitoring data. The permittee shall submit self-monitoring data via the Department's MiEnviro Portal.

The permittee shall utilize the information provided on the MiEnviro Portal to access and submit the electronic forms. Annual, 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) unless a reporting due date specified in this permit. 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. Electronic Reporting

Upon notice by the Department that electronic reporting tools are available for specific reports or notifications, the permittee shall submit all such reports or notifications as required by this permit, electronically.

4. Start-Up Notification

If the permittee will not discharge during the first 60 days following the effective date of this permit, the permittee shall notify the Department within 14 days following the effective date of this permit and then 60 days prior to the commencement of the discharge.

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 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. Notification of Changes in Discharge, Treatment, or Facility Operations

If proposing to modify the quantity or effluent characteristics of the discharge or the treatment process for the discharge, the permittee shall notify the Department of the proposed modification prior to its occurrence. Significant modifications require the permittee to submit an application. A permit modification shall be processed in accordance with applicable rules and laws prior to implementation of the modification.

7. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall submit to the Department 30 days prior to the actual transfer of ownership or control a written agreement between the current permittee and the new permittee containing the following:

a. The legal name and address of the new owner.

b. A specific date for the effective transfer of permit responsibility, coverage, and liability.

c. 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.

8. Spill Notification

The permittee shall immediately report any release of any polluting material that occurs to the surface waters or groundwater of the state, unless the permittee has determined that the release is not in excess of the threshold reporting quantities specified in R 324.2001 through 324.2009 of the Part 5 Rules, Spillage of Oil and Polluting Materials, promulgated under Part 31, by calling the Department at the number indicated in the Contact Information section of this permit. If the notice is provided after regular working hours, call the Department's 24-hour Pollution Emergency Alerting System at 1-800-292-4706.

Within ten days of the release, the permittee shall submit to the Department a full written explanation as to the cause of the release, the discovery of the release, response (clean-up and/or recovery) measures taken, and preventative measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

9. 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 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.
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.

In any enforcement proceedings, the permittee seeking to establish the occurrence of an upset has the burden of proof.

10. Bypass Prohibition and Notification

a. *Bypass Prohibition*

Bypass is prohibited and the Department may take enforcement action, unless:

i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.

ii. 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.

iii. The permittee submitted notices as required under 10.b. or 10.c., below.

b. *Notice of Anticipated Bypass*
If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass, and 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 conditions listed in 10.a., above.

c. *Notice of Unanticipated Bypass*
The permittee shall submit notice to the Department of an unanticipated bypass by calling the Department at the number indicated in the Contact Information section of this permit as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the circumstances. If the notice is provided after regular working hours, call the Department's 24-hour Pollution Emergency Alerting System at 1-800-292-4706.

d. *Written Report of Bypass*
A written submission shall be provided to the Department within five working days of commencing any bypass, 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 that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of 10.a., 10.b., 10.c., and 10.d., above. This provision does not relieve the permittee of any notification responsibilities under Part II.D.9, of this permit.

11. Untreated or Partially Treated Sewage Discharge Requirements

In accordance with Part 31, Section 324.3112a of the NREPA, if untreated sewage, including sanitary sewer overflows (SSO), combined sewer overflows (CSO), or partially treated sewage is directly or indirectly discharged from a sewer system onto land or into the waters of the state, the entity responsible for the sewer system shall immediately, but not more than 24 hours after the discharge begins, notify by telephone, the Department, local health departments, a daily newspaper of general circulation in the county in which the permittee is located, and a daily newspaper of general circulation in the county or counties in which the municipalities whose waters may be affected by the discharge are located that the discharge is occurring.

At the conclusion of the discharge, written notification shall be submitted in accordance with and on the "CSO/SSO/RTB/Other Discharge Event" form available in the

Department's MiEnviro Portal (after logging into MiEnviro, navigate to facility's Dashboard section and open the As Needed tab to find the submittal).

In addition, in accordance with Part 31, Section 324.3112a of the NREPA, each time a discharge of untreated sewage or partially treated sewage occurs, the permittee shall test the affected waters for *E. coli* to assess the risk to the public health as a result of the discharge and shall provide the test results to the affected local county health departments and the Department. The testing shall be done at locations specified by each affected local county health department but shall not exceed ten tests for each separate discharge event. The affected local county health department may waive this testing requirement if it determines that such testing is not needed to assess the risk to the public health as a result of the discharge event. The results of this testing shall be submitted with the written notification required above, or if the results are not yet available, submit them as soon as they become available. This testing is not required if the testing has been waived by the local health department or if the discharge(s) did not affect surface waters.

Permittees accepting sanitary or municipal sewage from other sewage collection systems are encouraged to notify the owners of those systems of the above reporting and testing requirements.

12. Availability of Reports

Except for data determined to be confidential under Section 323.2128 of Part 21, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. 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 Part 31 Sections 324.3112, 324.3115 and Part 41, Sections 324.4106, and 324.4110 of the NREPA.

13. Modification of Monitoring Well Network

If proposing to modify any part of the monitoring well network including, but not limited to, installation, replacement, redevelopment, or abandonment of any monitoring well, the permittee shall request approval from the Department of the proposed modification prior to its occurrence. Such modifications require the permittee to submit a major modification application. A permit modification shall be processed in accordance with applicable rules and laws prior to implementation of the modification. Modification of the monitoring well network shall not occur until review and approval by the Department.

PART II

E. Management Responsibilities

1. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision and control of an operator certified at the appropriate level for the facility certification by the Department, as required by Part 31, Section 324.3110 and, as applicable, Part 41, Section 324.4104 of the NREPA.

2. Facility Contact

The "Facility Contact" was specified in the application. The permittee may replace the facility contact at any time. Within 10 days of taking such action, the permittee shall notify the Department in writing and update the Facility Contact in the MiEnviro Portal, including the name, physical address, email address, and telephone number of the new facility contact. (Log in, select the site from the left-site menu, click on Details, click on Contacts from the top menu, click Add Contact, fill out the required fields, and select "Facility Contact" from the list of roles).

a. The facility contact shall be (or a duly authorized representative of this person):
   i. 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 described in the permit application or other groundwater form originates;
   ii. For a partnership, a general partner;
   iii. For a sole proprietorship, the proprietor; or
   iv. 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 duly authorized representative only if:
   i. The authorization is made in writing to the Department by a person described in subpart a. of this section; and
   ii. 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 obviates the permittee from properly submitting reports and forms as required by law.

3. Discharge to the Surface Waters

This permit does not authorize any discharge to the surface waters. The permittee is responsible for obtaining any permits required by federal or state laws or local ordinances.

4. 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.

5. **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 or approvals as may be required by law.

6. **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 this 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, conditions, or terms of this permit constitutes a violation of the NREPA and constitutes grounds for enforcement action; for permit termination, revocation, reissuance, or modification; or denial of an application for permit renewal.

7. **Civil and Criminal Liability**
   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.

8. **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 include adequate laboratory controls and appropriate quality assurance procedures.

9. **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.

   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.

10. **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). For a POTW, these facilities shall be approved under Part 41 of the NREPA.

11. **Waste Treatment Residues**
    Residuals (i.e., solids, sludges, biosolids, filter backwash, scrubber water, ash, grit, or other pollutants) removed from or resulting from treatment or control of wastewaters, 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, Part 31, Water Resources Protection; Part 55, Air Pollution Control; Part 111, Hazardous Waste Management; Part 115, Solid Waste Management; Part 121, Liquid Industrial By-

Products; Part 301, Inland Lakes and Streams; and Part 303, Wetlands Protection, of the NREPA. Such disposal shall not result in any unlawful pollution of the air, surface waters, or groundwater of the state.

12. Treatment System Closure

a. In the event that discharges from a treatment system are planned to be eliminated, the permittee shall do the following:

   i. Eliminate all physical threats associated with discharge-related facilities not later than five days after use of the facility has ceased.

   ii. Not less than 75 days before cessation of discharge-related activities, characterize any wastewater, sediments, and sludges related to the discharge, pursuant to Part 22, Section 323.2226(4)(a)(i-iii).

b. Within 30 days of completing the characterization, the discharger shall submit a closure plan to the Department for review and approval that describes how the wastewater, sediments, and sludges associated with the discharge will be handled in accordance with Part 31, Part 111, Part 115, or Part 201 of the NREPA, as appropriate.

c. Closure activities must be initiated within 30 days of Department approval of the Closure Plan and must be completed within one year of approval of the Closure Plan.

d. If the groundwater exceeds a standard established by the Department that would result in the site qualifying as a facility under Part 201 of the NREPA, then the permittee shall comply with the requirements of Part 201, as applicable.

e. The Department may require post-closure monitoring activities to evaluate the effectiveness of the closure activities. Any wastewater or residual disposal inconsistent with the approved plan shall be considered a violation of this permit. After proper closure of the treatment system, this permit may be terminated.

f. The permittee must certify the completion of the approved closure plan. Certification shall be by a qualified person described as follows:

   i. An engineer licensed under Public Act 299 of 1980, as amended, being §339.101 et seq. of the Michigan Compiled Laws and known as the Occupational Code (Act 299).

   ii. A professional geologist certified by the American Institute of Professional Geologists, 7828 Vance Drive, Suite 103, Arvada, Colorado 80003.

   iii. A professional hydrologist certified by the American Institute of Hydrology, 2499 Rice Street, Suite 135, St. Paul, Minnesota 55113.

   iv. A groundwater professional certified by the National Ground Water Association, Association of Groundwater Scientists and Engineers Division, 601 Dempsey Road, Westerville, Ohio 43081.

   v. Another groundwater professional certified by an organization approved by the Department.

13. Right of Entry

The permittee shall allow the Department, or any agent appointed by the Department, upon the presentation of credentials:

a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit.

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 effluent discharge, discharge of pollutants, and groundwater monitoring wells and soils associated with the discharge.

14. Construction Certification

On or before 30 days following the completion of construction of any new wastewater treatment facilities after issuance of this permit, pursuant to Part 22, Section 323.2218(4)(a), the permittee shall submit a certification that a QA/QC Program was utilized, and the facilities constructed were built consistent with standard construction practices to comply with the permit and the NREPA. This certification shall be by an engineer licensed under Act 299.

15. Termination

This permit shall remain in full force and effect until terminated by a written termination notice issued by the Department. Prior to the issuance of a written termination notice, the permittee shall submit a request to the Department for termination of this permit via the MiEnviro Portal.