APPENDIX A –

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM)

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' National Geodetic Vertical Datum of 1929 (NGVD29). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Michigan State Plane South zone 6401 (FIPSZONE 2113). The **horizontal datum** was NAD83. Differences in datum, spheroid, projection or state plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the National Geodetic Vertical Datum of 1929. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov/ or contact the National Geodetic Survey at the following address:

Spatial Reference System Division
National Geodetic Survey, NOAA
Silver Spring Metro Center
1315 East-West Highway
Silver Spring, Maryland 20910
(301) 713-3191

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713-3242**, or visit its website at http://www.ngs.noaa.gov/.

Base Map information shown on this FIRM was provided in digital format by Berrien County Planning and GIS Mapping. This information was photogrammetrically compiled at a scale of 1:24000 feet from aerial photography dated Spring 1996.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables may reflect stream channel distances that differ from what is shown on this map.

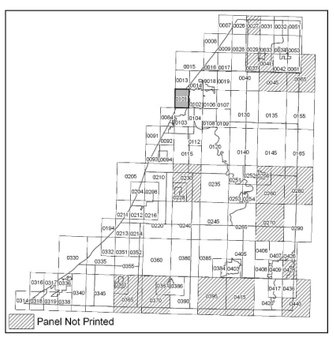
Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at http://www.msc.fema.gov/.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call **1-877-FEMA MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/.

PANEL INDEX



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100 year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard may include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Area of special flood hazard formerly protected from the 1% annual chance flood event by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X	Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X	Areas determined to be outside of the 0.2% annual chance floodplain.
ZONE D	Areas in which flood hazards are undetermined, but possible.

COSTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway Boundary
- Zone D Boundary
- CBRS and OPA boundary
- Boundary Dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL 10) — Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the National Geodetic Vertical Datum of 1929

- A — A — Cross section line
- 23 — 23 — Transect line
- -85° 03' 45.0" , 41° 24' 22.5" — Geographic coordinates referenced to the North American Datum of 1983 (NAD83)
- 45 87 000 M — 1000-meter Universal Transverse Mercator grid values, zone 16
- 2250000 FT — 5000-foot grid ticks: Michigan State Plane South Coordinate System, 6401 zone (FIPSZONE 2113) Lambert Conformal Conic
- KA0015 — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 — River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
APRIL 17, 2006

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800- 638-6620.

MAP SCALE 1" = 500'
250 0 500 1000 FEET
150 0 150 300 METERS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0101C

FIRM
FLOOD INSURANCE RATE MAP

BERRIEN COUNTY, MICHIGAN
(ALL JURISDICTIONS)

PANEL 101 OF 440
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BENTON HARBOR, CITY OF	260032	0101	C
ST. JOSEPH, CITY OF	260044	0101	C
ST. JOSEPH, TOWNSHIP OF	260045	0101	C

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
26021C0101C

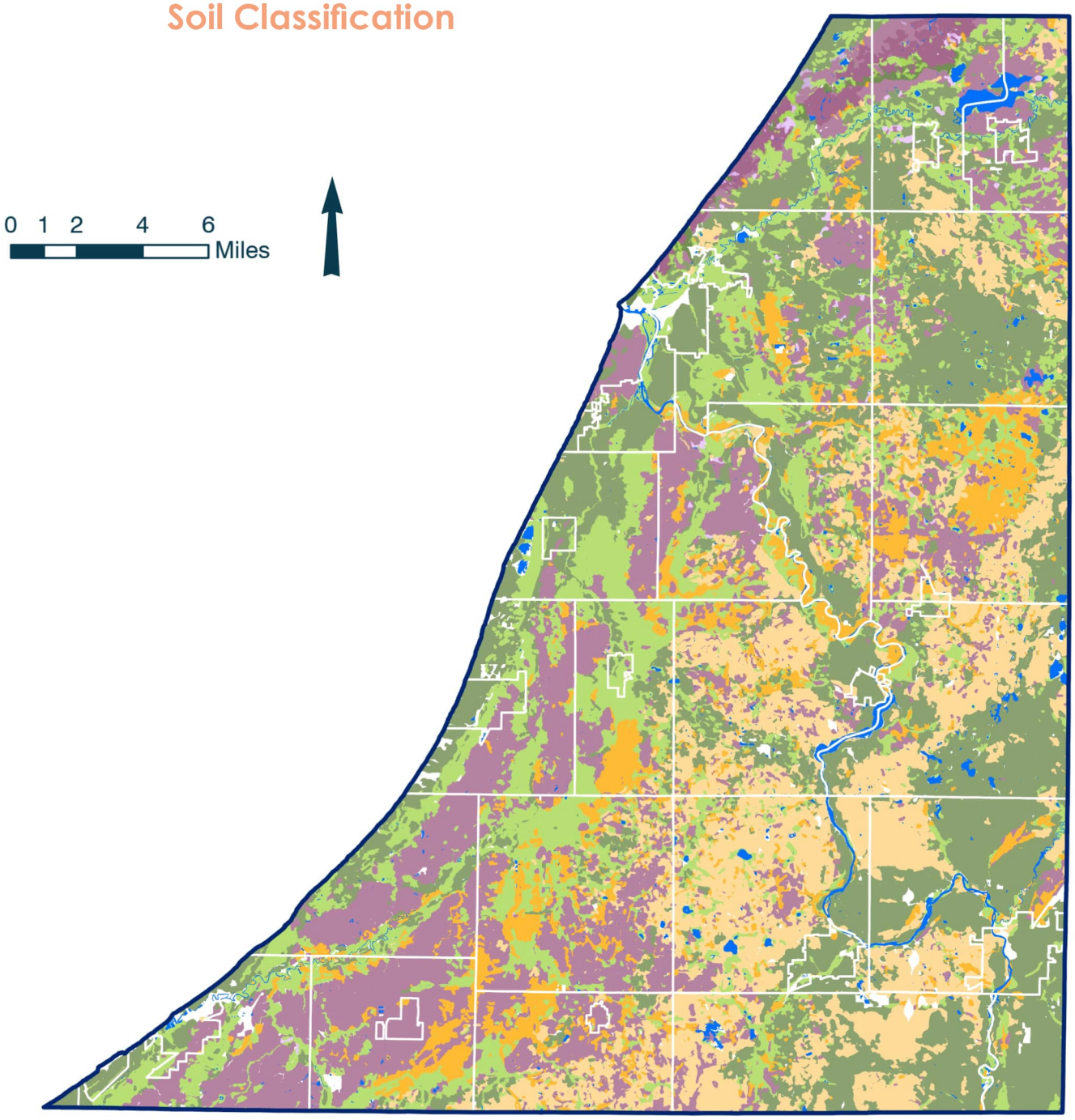
EFFECTIVE DATE
APRIL 17, 2006

Federal Emergency Management Agency

APPENDIX B –

Soil classification map for Berrien County

Soil Classification



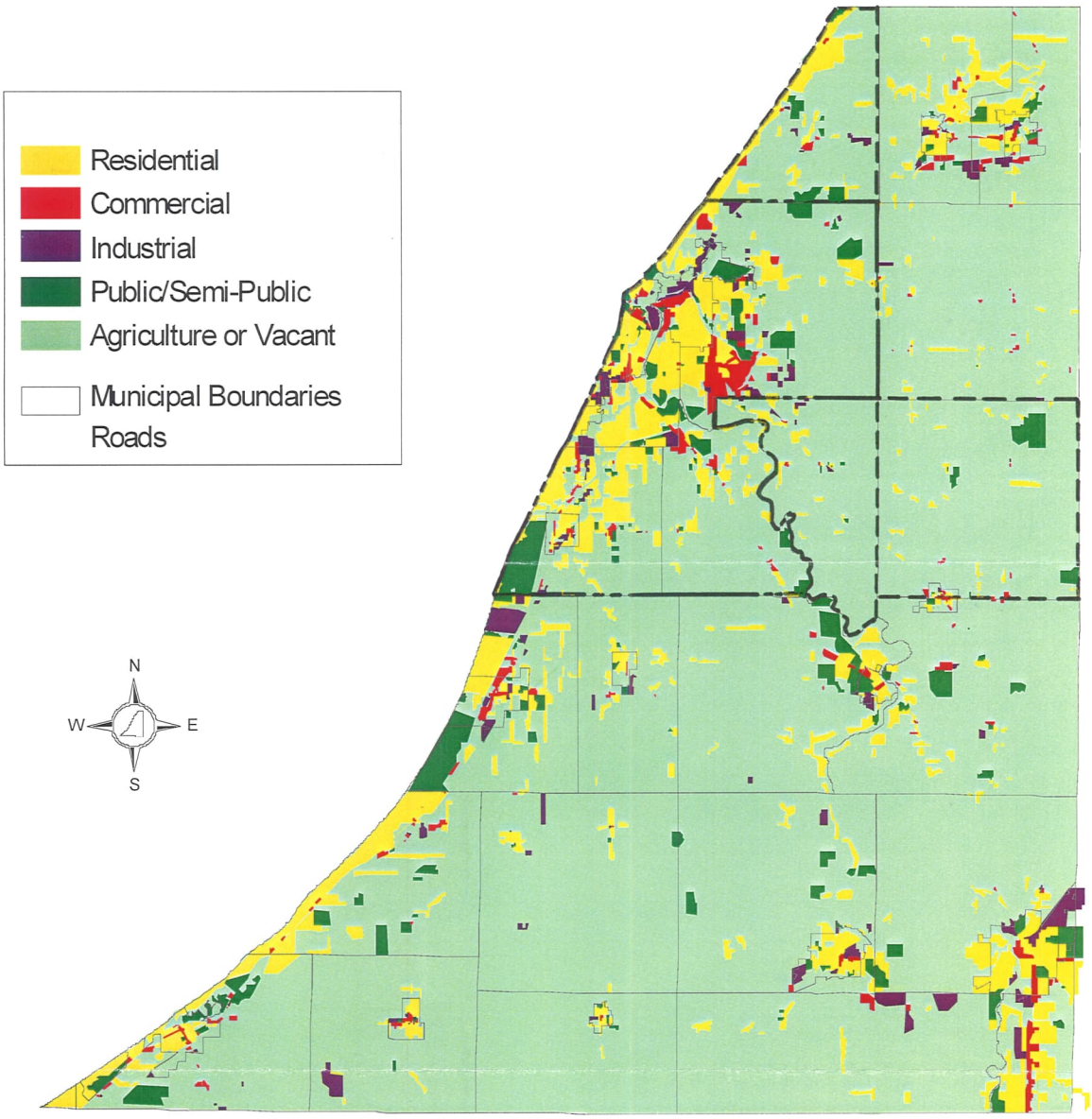
Data Sources: Soil Survey Geographic Database (SSURGO).

Group A
Group A/D
Group B
Group B/D
Group C
Group C/D
Lakes & Rivers

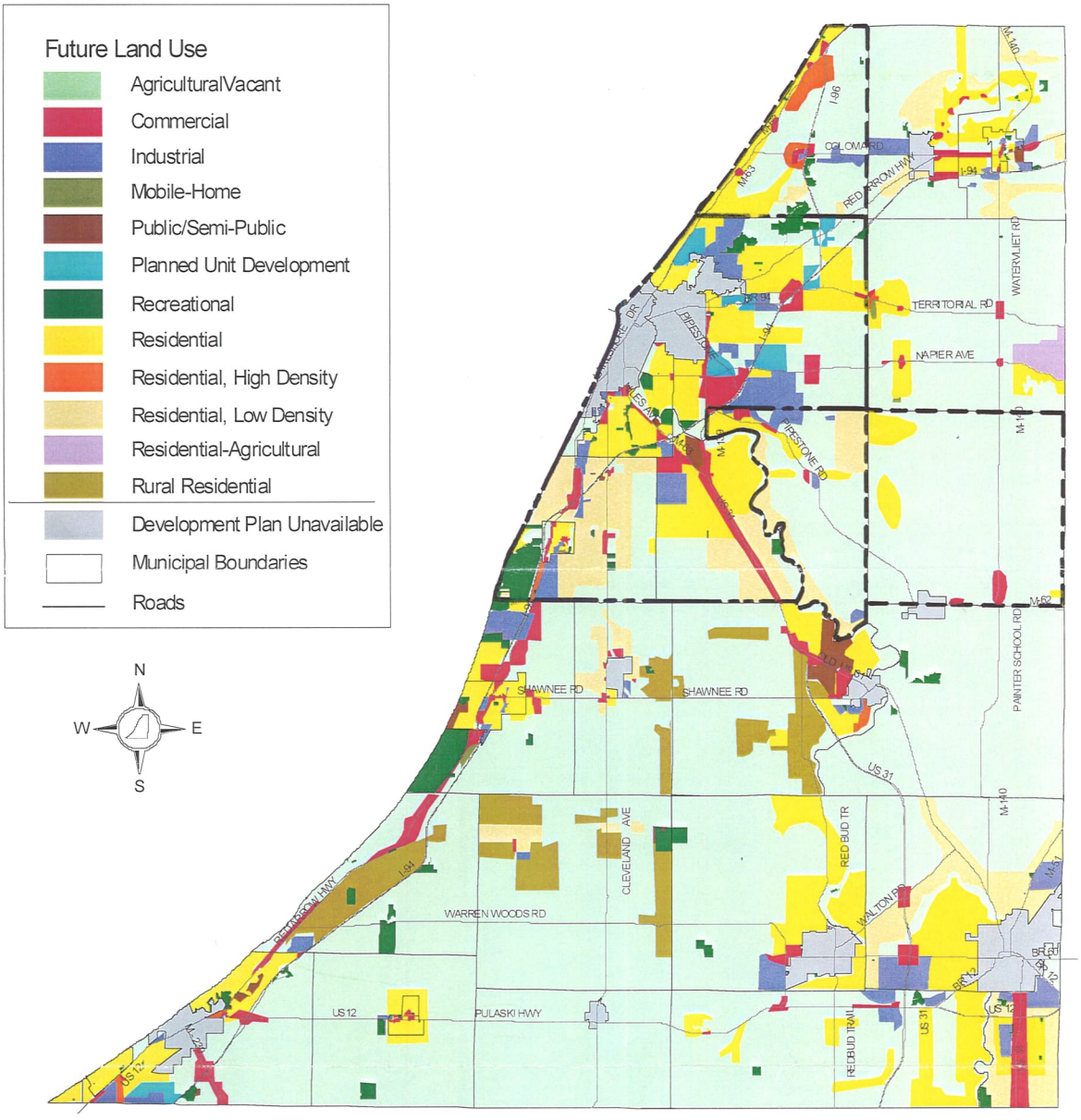
APPENDIX C –

Existing and future land use maps from the Berrien County 2000 Master Plan

Land Use Map
Year 2000



Composite Future Land Use Map
Year 2020



EXISTING SERVICE AREA BOUNDARY ——— - - ———

POTENTIAL FUTURE SERVICE AREAS — — — — — — — — — — —

APPENDIX D –

National Pollutant Discharge Elimination System (NPDES) permit

PERMIT NO. MI0022322

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, 33 U.S.C., Section 1251 *et seq*., as amended; Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); Part 41, Sewerage Systems, of the NREPA; and Michigan Executive Order 2011-1,

Benton Harbor-St. Joseph Joint Board of Commissioners
269 Anchors Way
Saint Joseph, MI 49085

is authorized to discharge from the **Benton Harbor-St Joseph Wastewater Treatment Plant** located at

269 Anchors Way
Saint Joseph, MI 49085

designated as **Benton Harbor-St Joseph WWTP**

to the receiving water named the St. Joseph River in accordance with effluent limitations, monitoring requirements, and other conditions set forth in this permit.

This permit is based on a complete application submitted on April 3, 2017, as amended through June 26, 2017.

This permit takes effect on May 1, 2019. 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. On its effective date, this permit shall supersede National Pollutant Discharge Elimination System (NPDES) Permit No. MI0022322 (expiring October 1, 2017).

This permit and the authorization to discharge shall expire at midnight on **October 1, 2022**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit an application that contains such information, forms, and fees as are required by the Michigan Department of Environmental Quality (Department) by **April 4, 2022**.

Issued: March 27, 2019.

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

PERMIT FEE REQUIREMENTS

In accordance with Section 324.3120 of the NREPA, the permittee shall make payment of an annual permit fee to the Department for each October 1 the permit is in effect regardless of occurrence of discharge. The permittee shall submit the fee in response to the Department's annual notice. The fee shall be postmarked by January 15 for notices mailed by December 1. The fee is due no later than 45 days after receiving the notice for notices mailed after December 1.

Annual Permit Fee Classification: Municipal Major, 10 MGD to less than 50 MGD (Individual Permit)

In accordance with Section 324.3132 of the NREPA, the permittee shall make payment of an annual biosolids land application fee to the Department if the permittee land applies biosolids. In response to the Department's annual notice, the permittee shall submit the fee, which shall be postmarked no later than January 31 of each year.

CONTACT INFORMATION

Unless specified otherwise, all contact with the Department required by this permit shall be made to the Kalamazoo District Office of the Water Resources Division. The Kalamazoo District Office is located at 7953 Adobe Road, Kalamazoo, MI 49009-5025, Telephone: 269-567-3500, Fax: 269-567-9440.

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 Environmental Quality, 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.

PART I

Section A. Limitations and Monitoring Requirements

1. Final Effluent Limitations, Monitoring Point 001A

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge treated municipal wastewater from Monitoring Point 001A through Outfall 001. Outfall 001 discharges to the St. Joseph River at Latitude 42.10333, Longitude -86.46801. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading				Maximum Limits for Quality or Concentration				Monitoring	Sample
Parameter	**Monthly**	**7-Day**	**Daily**	**Units**	**Monthly**	**7-Day**	**Daily**	**Units**	**Frequency**	**Type**
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Carbonaceous Biochemical Oxygen Demand ($CBOD_5$)	3200	5100	(report)	lbs/day	25	40	(report)	mg/l	Daily	24-Hr Composite
Total Suspended Solids (TSS)	3800	5700	(report)	lbs/day	30	45	(report)	mg/l	Daily	24-Hr Composite
Ammonia Nitrogen (as N)										
May – September										
-Through April 30, 2020	(report)	---	(report)	lbs/day	(report)	---	(report)	mg/l	Daily	24-Hr Composite
-Beginning May 1, 2020	3800	---	(report)	lbs/day	30	---	(report)	mg/l	Daily	24-Hr Composite
October – April	(report)	---	(report)	lbs/day	(report)	---	(report)	mg/l	Weekly	24-Hr Composite
Total Phosphorus (as P)	130	---	(report)	lbs/day	1.0	---	(report)	mg/l	5x Weekly	24-Hr Composite
Fecal Coliform Bacteria	---	---	---	---	200	400	(report)	cts/100 ml	Daily	Grab
Total Residual Chlorine	---	---	---	---	---	---	38	ug/l	Daily	Grab
Perfluorooctane sulfonate (PFOS)	(report)	---	(report)	lbs/day	(report)	---	(report)	ng/l	2x Annually	Grab
Perfluorooctanoic acid (PFOA)	(report)	---	(report)	lbs/day	(report)	---	(report)	ng/l	2x Annually	Grab
Acute Toxicity	---	---	---	---	---	---	1.0	TU_A	2x Annually	24-Hr Composite
							Individual Chronic Value			
Chronic Toxicity	---	---	---	---	(report)	---	(report)	TU_C	2x Annually	24-Hr Composite
Total Mercury										
Corrected	(report)	---	(report)	lbs/day	(report)	---	(report)	ng/l	Quarterly	Calculation
Uncorrected	---	---	---	---	---	---	(report)	ng/l	Quarterly	Grab
Field Duplicate	---	---	---	---	---	---	(report)	ng/l	Quarterly	Grab
Field Blank	---	---	---	---	---	---	(report)	ng/l	Quarterly	Preparation
Laboratory Method Blank	---	---	---	---	---	---	(report)	ng/l	Quarterly	Preparation
	12-Month Rolling Avg				**12-Month Rolling Avg**					
Total Mercury	0.00038	---	---	lbs/day	3.0	---	---	ng/l	Quarterly	Calculation

PART I

Section A. Limitations and Monitoring Requirements

Parameter					Minimum % Monthly		Minimum % Daily	Units	Monitoring Frequency	Sample Type
$CBOD_5$ Minimum % Removal	---	---	---	---	85	---	(report)	%	Monthly	Calculation
TSS Minimum % Removal	---	---	---	---	85	---	(report)	%	Monthly	Calculation
					Minimum Daily		Maximum Daily			
pH	---	---	---	---	6.5	---	9.0	S.U.	Daily	Grab
Dissolved Oxygen	---	---	---	---	3.0	---	---	mg/l	Daily	Grab

The following design flow was used in determining the above limitations, but is not to be considered a limitation or actual capacity: 15.3 MGD.

a. Narrative Standard
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.

b. Sampling Locations
Samples for Carbonaceous Biochemical Oxygen Demand ($CBOD_5$), Total Suspended Solids (TSS), Ammonia Nitrogen (as N), Total Phosphorus (as P), and Acute Toxicity shall be taken prior to disinfection. Samples for Fecal Coliform Bacteria, Total Residual Chlorine, Total Mercury, pH, and Dissolved Oxygen shall be taken after disinfection. The Department may approve alternate sampling locations that are demonstrated by the permittee to be representative of the effluent.

c. Quarterly and 2x Annual Monitoring
Quarterly samples shall be taken during the months of January, April, July, and October. 2x Annual samples shall be taken during the months of April and October. If the facility does not discharge during these months, the permittee shall sample the next discharge occurring during the period in question. If the facility does not discharge during the period in question, a sample is not required for that period. For any month in which a sample is not taken, the permittee shall enter "*G" on the Discharge Monitoring Report (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).

d. Total Residual Chlorine (TRC)
Compliance with the TRC limit shall be determined on the basis of one or more grab samples. If more than one (1) sample per day is taken, the additional samples shall be collected in near equal intervals over at least eight (8) hours. The samples shall be analyzed immediately upon collection and the average reported as the daily concentration. Samples shall be analyzed in accordance with Part II.B.2. of this permit.

e. Percent Removal Requirements
These requirements shall be calculated based on the monthly (30-day) effluent $CBOD_5$ and TSS concentrations and the monthly influent concentrations for approximately the same period.

PART I

Section A. Limitations and Monitoring Requirements

f. Final Effluent Limitation for Total Mercury

The final limit for total mercury is the Discharge Specific Level Currently Achievable (LCA) based on a multiple discharger variance from the WQBEL of 1.3 ng/l, pursuant to Rule 1103(9) of the Water Quality Standards. Compliance with the LCA shall be determined as a 12-month rolling average, the calculation of which may be done using blank-corrected sample results. The 12-month rolling average shall be determined by adding the present monthly average result to the preceding 11 monthly average results then dividing the sum by 12. For facilities with quarterly monitoring requirements for total mercury, quarterly monitoring shall be equivalent to three (3) months of monitoring in calculating the 12-month rolling average. Facilities that monitor more frequently than monthly for total mercury must determine the monthly average result, which is the sum of the results of all data obtained in a given month divided by the total number of samples taken, in order to calculate the 12-month rolling average. If the 12-month rolling average for any quarter is less than or equal to the LCA, the permittee will be considered to be in compliance for total mercury for that quarter, provided the permittee is also in full compliance with the Pollutant Minimization Program for Total Mercury, set forth in Part I.A.4. of this permit.

g. Total Mercury Testing and Additional Reporting Requirements

The analytical protocol for total mercury shall be in accordance with EPA Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry." The quantification level for total mercury shall be 0.5 ng/l, unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination.

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

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

PART I

Section A. Limitations and Monitoring Requirements

h. Whole Effluent Toxicity Final Requirements

Test species shall include fathead minnow **and** *Ceriodaphnia dubia*. Testing and reporting procedures shall follow procedures contained in EPA-821-R-02-013, "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" (Fourth Edition). When the effluent ammonia nitrogen (as N) concentration is greater than 3 mg/l, the pH of the toxicity test shall be maintained at a pH of 8 Standard Units. The acute toxic unit (TU_A) value and chronic toxic unit (TU_C) value for **each species tested** shall be reported on the DMR. If multiple chronic toxicity tests for the same species are performed during the month, the maximum TU_A value and monthly average TU_C value for the species shall be reported. For **each species not tested**, the permittee shall enter **"*W"** on the DMR. (For purposes of reporting on the Daily tab of the DMR, the permittee shall enter "*W" on the first day of the month only). Completed toxicity test reports for each test conducted shall be retained by the permittee in accordance with the requirements of Part II.B.5. of this permit and shall be available for review by the Department upon request. After 12 months of toxicity testing and upon approval from the Department, the monitoring frequency may be reduced to no less than annually if the test data indicate that the toxicity requirements of R 323.1219 of the Michigan Administrative Code are consistently being met. After one (1) year of toxicity testing and upon approval from the Department, the chronic toxicity tests may be performed using the more sensitive species identified in the chronic toxicity results collected to date. If a more sensitive species cannot be identified, the chronic toxicity tests shall be performed with both species. Toxicity test data acceptability is contingent upon validation of the test method by the testing laboratory. Such validation shall be submitted to the Department upon request.

1) When monitoring shows persistent exceedance of the the 1.0 TU_A limit for effluent toxicity, the Department will determine whether the permittee must implement the toxicity control program requirements specified in 2), below.

2) Upon written notification by the Department, the following conditions apply. Within 90 days of the notification, the permittee shall implement a Toxicity Reduction Evaluation (TRE). The objective of the TRE shall be to reduce the toxicity of the final effluent from Monitoring Point 001A to <1.0 TU_A. The following documents are available as guidance to reduce toxicity to acceptable levels: Phase I, EPA/600/6-91/005F (chronic), EPA/600/6-91/003 (acute); Phase II, EPA/600/R-92/080 (acute and chronic); Phase III, EPA/600/R-92/081 (acute and chronic); and Publicly Owned Treatment Works (POTWs), EPA/833B-99/002. Annual reports shall be submitted to the Department within 30 days of the completion of the last test of each annual cycle.

i. Monitoring Frequency Reduction for Perfluorooctane Sulfonate (PFOS) and/or Perfluorooctanoic Acid (PFOA)

After the submittal of at least 10 equally spaced data points over a minimum of 3 months, the permittee may request, in writing, Department approval of a reduction in monitoring frequency for PFOS and/or PFOA. This request shall contain an explanation as to why the reduced monitoring is appropriate. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency indicated in Part I.A.1. of this permit. The monitoring frequency for PFOS and/or PFOA, shall not be reduced to less than annually. The Department may revoke the approval for reduced monitoring at any time upon notification to the permittee.

PART I

Section A. Limitations and Monitoring Requirements

2. Quantification Levels and Analytical Methods for Selected Parameters

Quantification levels (QLs) are specified for selected parameters in the table below. These QLs shall be considered the maximum acceptable unless a higher QL is appropriate because of sample matrix interference. Justification for higher QLs shall be submitted to the Department within 30 days of such determination. Where necessary to help ensure that the QLs specified 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 in the table below, or in accordance with Part II.B.2. of this permit if no method is specified in the table below, unless an alternate method is approved by the Department. With the exception of total mercury, all units are in ug/l. The table is continued on the following page:

Parameter	QL	Units	Analytical Method
1,2-Diphenylhydrazine (as Azobenzene)	3.0	ug/l	
2,4,6-Trichlorophenol	5.0	ug/l	
2,4-Dinitrophenol	19	ug/l	
3,3'-Dichlorobenzidine	1.5	ug/l	EPA Method 605
4,4'-DDD	0.05	ug/l	EPA Method 608
4,4'-DDE	0.01	ug/l	EPA Method 608
4,4'-DDT	0.01	ug/l	EPA Method 608
Acrylonitrile	1.0	ug/l	
Aldrin	0.01	ug/l	EPA Method 608
Alpha-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Antimony, Total	1	ug/l	
Arsenic, Total	1	ug/l	
Barium, Total	5	ug/l	
Benzidine	0.1	ug/l	EPA Method 605
Beryllium, Total	1	ug/l	
Beta-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Bis (2-Chloroethyl) Ether	1.0	ug/l	
Boron, Total	20	ug/l	
Cadmium, Total	0.2	ug/l	
Chlordane	0.01	ug/l	EPA Method 608
Chromium, Hexavalent	5	ug/l	
Chromium, Total	10	ug/l	
Copper, Total	1	ug/l	
Cyanide, Available	2	ug/l	EPA Method OIA 1677
Cyanide, Total	5	ug/l	
Delta-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Dieldrin	0.01	ug/l	EPA Method 608
Di-N-Butyl Phthalate	9.0	ug/l	
Endosulfan I	0.01	ug/l	EPA Method 608
Endosulfan II	0.01	ug/l	EPA Method 608
Endosulfan Sulfate	0.01	ug/l	EPA Method 608
Endrin	0.01	ug/l	EPA Method 608
Endrin Aldehyde	0.01	ug/l	EPA Method 608
Fluoranthene	1.0	ug/l	
Heptachlor	0.01	ug/l	EPA Method 608
Heptachlor Epoxide	0.01	ug/l	EPA Method 608

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Parameter	QL	Units	Analytical Method
Hexachlorobenzene	0.01	ug/l	EPA Method 612
Hexachlorobutadiene	0.01	ug/l	EPA Method 612
Hexachlorocyclopentadiene	0.01	ug/l	EPA Method 612
Hexachloroethane	5.0	ug/l	
Lead, Total	1	ug/l	
Lindane	0.01	ug/l	EPA Method 608
Lithium, Total	10	ug/l	
Mercury, Total	0.5	**ng/l**	EPA Method 1631E
Nickel, Total	5	ug/l	
PCB-1016	0.1	ug/l	EPA Method 608
PCB-1221	0.1	ug/l	EPA Method 608
PCB-1232	0.1	ug/l	EPA Method 608
PCB-1242	0.1	ug/l	EPA Method 608
PCB-1248	0.1	ug/l	EPA Method 608
PCB-1254	0.1	ug/l	EPA Method 608
PCB-1260	0.1	ug/l	EPA Method 608
Pentachlorophenol	1.8	ug/l	
Perfluorooctane sulfonate (PFOS)	2.0	ng/l	ASTM D7979 or an isotope dilution method (sometimes referred to as Method 537 modified)
Perfluorooctanoic acid (PFOA)	2.0	ng/l	ASTM D7979 or an isotope dilution method (sometimes referred to as Method 537 modified)
Phenanthrene	1.0	ug/l	
Selenium, Total	1.0	ug/l	
Silver, Total	0.5	ug/l	
Strontium, Total	1000	ug/l	
Sulfides, Dissolved	20	ug/l	
Thallium, Total	1	ug/l	
Toxaphene	0.1	ug/l	EPA Method 608
Vinyl Chloride	0.25	ug/l	
Zinc, Total	10	ug/l	

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3. Additional Monitoring Requirements

As a condition of this permit, the permittee shall monitor the discharge from monitoring point 001A for the constituents listed below. This monitoring is an application requirement of 40 CFR 122.21(j), effective December 2, 1999. Testing shall be conducted in August 2019, May 2020, March 2021, and October 2021. Grab samples shall be collected for total mercury, available cyanide, total phenols, and the Perfluoroalkyl and Polyfluoroalkyl Substances, and Volatile Organic Compounds identified below. For all other parameters, 24-hour composite samples shall be collected.

The results of such additional monitoring shall be submitted with the application for reissuance (see the cover page of this permit for the application due date). The permittee shall notify the Department within 14 days of completing the monitoring for each month specified above in accordance with Part II.C.5. Additional reporting requirements are specified in Part II.C.11. The permittee shall report to the Department any whole effluent toxicity test results greater than 1.0 TU_A or 1.0 TU_C within five (5) days of becoming aware of the result. If, upon review of the analysis, it is determined that additional requirements are needed to protect the receiving waters in accordance with applicable water quality standards, the permit may then be modified by the Department in accordance with applicable laws and rules.

Hardness
calcium carbonate

Perfluoroalkyl and Polyfluoroalkyl Substances
Perfluorooctane Sulfonate (PFOS) Perfluorooctanoic Acid (PFOA)

Metals (Total Recoverable), Cyanide and Total Phenols

antimony	arsenic	available cyanide	barium
beryllium	boron	cadmium	chromium
copper	lead	nickel	selenium
silver	thallium	zinc	
total phenolic compounds			

Volatile Organic Compounds

acrolein	acrylonitrile	benzene	bromoform
carbon tetrachloride	chlorobenzene	chlorodibromomethane	chloroethane
2-chloroethylvinyl ether	chloroform	dichlorobromomethane	1,1-dichloroethane
1,2-dichloroethane	trans-1,2-dichloroethylene	1,1-dichloroethylene	1,2-dichloropropane
1,3-dichloropropylene	ethylbenzene	methyl bromide	methyl chloride
methylene chloride	1,1,2,2-tetrachloroethane	tetrachloroethylene	toluene
1,1,1-trichloroethane	1,1,2-trichloroethane	trichloroethylene	vinyl chloride

Acid-Extractable Compounds

4-chloro-3-methylphenol	2-chlorophenol	2,4-dichlorophenol	2,4-dimethylphenol
4,6-dinitro-o-cresol	2,4-dinitrophenol	2-nitrophenol	4-nitrophenol
Pentachlorophenol	phenol	2,4,6-trichlorophenol	

Base/Neutral Compounds

acenaphthene	acenaphthylene	anthracene	benzidine
benzo(a)anthracene	benzo(a)pyrene	3,4-benzofluoranthene	benzo(ghi)perylene
benzo(k)fluoranthene	bis(2-chloroethoxy)methane	bis(2-chloroethyl)ether	bis(2-chloroisopropyl)ether
bis(2-ethylhexyl)phthalate	4-bromophenyl phenyl ether	butyl benzyl phthalate	2-chloronaphthalene
4-chlorophenyl phenyl ether	chrysene	di-n-butyl phthalate	di-n-octyl phthalate
dibenzo(a,h)anthracene	1,2-dichlorobenzene	1,3-dichlorobenzene	1,4-dichlorobenzene
3,3'-dichlorobenzidine	diethyl phthalate	dimethyl phthalate	2,4-dinitrotoluene
2,6-dinitrotoluene	1,2-diphenylhydrazine	fluoranthene	fluorene
Hexachlorobenzene	hexachlorobutadiene	hexachlorocyclo-pentadiene	hexachloroethane
indeno(1,2,3-cd)pyrene	isophorone	naphthalene	nitrobenzene
n-nitrosodi-n-propylamine	n-nitrosodimethylamine	n-nitrosodiphenylamine	phenanthrene
pyrene	1,2,4-trichlorobenzene		

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4. Pollutant Minimization Program for Total Mercury

The goal of the Pollutant Minimization Program is to maintain the effluent concentration of total mercury at or below 1.3 ng/l. The permittee shall continue to implement the Pollutant Minimization Program approved on September 12, 2005, and modifications thereto, to proceed toward the goal. The Pollutant Minimization Program includes the following:

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

b. a program for quarterly monitoring of influent and periodic monitoring of sludge for mercury; and

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

On or before March 31 of each year, the permittee shall submit a status report for the previous calendar year to the Department that includes 1) the monitoring results for the previous year, 2) an updated list of potential mercury sources, and 3) a summary of all actions taken to reduce or eliminate identified sources of mercury. Any information generated as a result of the Pollutant Minimization Program set forth in this permit may be used to support a request to modify the approved program or to demonstrate that the Pollutant Minimization Program requirement has been completed satisfactorily.
A request for modification of the approved program and supporting documentation shall be submitted in writing to the Department for review and approval. The Department may approve modifications to the approved program (approval of a program modification does not require a permit modification), including a reduction in the frequency of the requirements under items a. and b.

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

5. Pollutant Minimization and Source Evaluation Program for Perfluorooctane Sulfonate (PFOS) and/or Perfluorooctanoic Acid (PFOA)

The goal of the Pollutant Minimization and Source Evaluation Program is to identify and address sources of perfluorooctane sulfonate (PFOS) and/or perfluorooctanoic acid (PFOA) and to reduce and maintain the effluent concentrations of PFOS and/or PFOA at or below the water quality-based effluent limits (WQBELs). The WQBELs are 11 ng/L for PFOS and 11 ug/l for PFOA.

Within 90 days of written notification by the Department or after the permittee notifies the Department that the final effluent concentration of PFOS and/or PFOA has exceeded the WQS, the permittee shall submit to the Department an approvable Pollutant Minimization and Source Evaluation Program for PFOS and/or PFOA to proceed toward the goal. The Pollutant Minimization and Source Evaluation Program shall continue work under the IPP Interim Initiative and shall include the following at a minimum:

a. Identification of and strategies to identify any additional potential and probable PFOS and/or PFOA sources

b. Monitoring plan for the permitted facility's influent and effluent and effluent from potential sources

c. Implemented measures thus far to eliminate, reduce, and/or control sources, and an assessment of the degree of success and the strategies used to measure success

d. Proposed measures and implementation schedules for elimination, control, and/or reduction of the identified sources (prioritizing highest loadings and concentrations), and the strategies that will be used to measure success

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The Pollutant Minimization and Source Evaluation Program shall be implemented upon approval by the Department.

On or before May 1 of each year following Pollutant Minimization and Source Evaluation Program implementation, the permittee shall submit to the Department a status report for the previous calendar year. Upon written notification by the Department, the permittee may be required to submit more frequent status reports. Status reports at a minimum shall include:

a. Complete listing of PFOS and/or PFOA sources

b. Summary of influent and effluent monitoring data

c. Summary of monitoring data from known or potential sources

d. History and compliance status for sources

e. Implemented measures to eliminate, reduce, or control sources, (prioritizing highest loadings and concentrations), and an assessment of the degree of success and the strategies used to measure success

f. Proposed measures and schedules for elimination, control, or reduction of any newly identified PFOS and/or PFOA sources (prioritizing highest loadings and concentrations), and the strategies that will be used to measure success

g. Barriers to implementation and revisions to the implementation schedule

h. Laboratory reports, if not previously supplied

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

A request for modification of the approved Pollutant Minimization and Source Evaluation Program shall be submitted in writing to the Department along with supporting documentation for review and approval. The Department may approve modifications to the approved Pollutant Minimization and Source Evaluation Program, including a reduction in the frequency of the influent and known or potential source monitoring requirements. Approval of a Pollutant Minimization and Source Evaluation Program modification does not require a permit modification.

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

6. Untreated or Partially Treated Sewage Discharge Reporting and Testing Requirements

In accordance with Section 324.3112a of the NREPA, if untreated sewage, including sanitary sewer overflows (SSO) and 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.

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The permittee shall also annually contact municipalities, including the superintendent of a public drinking water supply with potentially affected intakes, whose waters may be affected by the permittee's discharge of combined sewage, and if those municipalities wish to be notified in the same manner as specified above, the permittee shall provide such notification. Such notification shall also include a daily newspaper in the county of the affected municipality.

At the conclusion of the discharge, written notification shall be submitted in accordance with and on the "Report of Discharge Form" available via the internet at: http://www.deq.state.mi.us/csosso/ , or, alternatively for combined sewer overflow discharges, in accordance with notification procedures approved by the Department.

In addition, in accordance with 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 *Escherichia 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 to the Department. The testing shall be done at locations specified by each affected local county health department but shall not exceed 10 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.

7. Facility Contact

The "Facility Contact" was specified in the application. The permittee may replace the facility contact at any time, and shall notify the Department in writing within 10 days after replacement (including the name, address and telephone number of the new facility contact).

a. The facility contact shall be (or a duly authorized representative of this person):
   - for a corporation, a principal executive officer of at least the level of vice president; or a designated representative if the representative is responsible for the overall operation of the facility from which the discharge originates, as described in the permit application or other NPDES form,
   - for a partnership, a general partner,
   - for a sole proprietorship, the proprietor, or
   - for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other duly authorized employee.

b. A person is a duly authorized representative only if:
   - the authorization is made in writing to the Department by a person described in paragraph a. of this section; and
   - the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the facility (a duly authorized representative may thus be either a named individual or any individual occupying a named position).

Nothing in this section releases the permittee from properly submitting reports and forms as required by law.

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8. Monthly Operating Reports

Part 41 of Act 451 of 1994 as amended, specifically Section 324.4106 and associated R 299.2953, requires that the permittee file with the Department, on forms prescribed by the Department, operating reports showing the effectiveness of the treatment facility operation and the quantity and quality of liquid wastes discharged into waters of the state.

Within 30 days of the effective date of this permit, the permittee shall submit to the Department a revised treatment facility monitoring program to address monitoring requirement changes reflected in this permit, or submit justification explaining why monitoring requirement changes reflected in this permit do not necessitate revisions to the treatment facility monitoring program. The permittee shall implement the revised treatment facility monitoring program upon approval from the Department. Applicable forms and guidance are available on the Department's web site at http://www.michigan.gov/deq/0,1607,7-135-3313_44117---,00.html. The permittee may use alternate forms if they are consistent with the approved treatment facility monitoring program. Unless the Department provides written notification to the permittee that monthly submittal of operating reports is required, operating reports that result from implementation of the approved treatment facility monitoring program shall be maintained on site for a minimum of three (3) years and shall be made available to the Department for review upon request.

9. Asset Management

The permittee shall at all times properly operate and maintain all facilities (i.e., the sewer system and treatment works as defined in Part 41 of the NREPA), and control systems installed or used by the permittee to operate the sewer system and treatment works and achieve and maintain compliance with the conditions of this permit (also see Part II.D.3 of this permit). The requirements of an Asset Management Program function to achieve the goals of effective performance, adequate funding, and adequate operator staffing and training. Asset management is a planning process for ensuring that optimum value is gained for each asset and that financial resources are available to rehabilitate and replace those assets when necessary. Asset management is centered on a framework of five (5) core elements: the current state of the assets; the required sustainable level of service; the assets critical to sustained performance; the minimum life-cycle costs; and the best long-term funding strategy.

a. Asset Management Program Requirements

The permittee shall submit to the Department as soon as possible for review and approval, the Asset Management Plan required by the previous permit which expired on October 1, 2017, to be submitted by July 1, 2015. An approvable Asset Management Plan shall contain a schedule for the development and implementation of an Asset Management Program that meets the requirements outlined below in 1) – 4). A copy of any Asset Management Program requirements already completed by the permittee should be submitted as part of the Asset Management Plan. Upon approval by the Department the permittee shall implement the Asset Management Plan. (The permittee may choose to include the Operation and Maintenance Manual required under Part II.C.14. of this permit as part of their Asset Management Program).

1) *Maintenance Staff.* The permittee shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit. The level of staffing needed shall be determined by taking into account the work involved in operating the sewer system and treatment works, planning for and conducting maintenance, and complying with this permit.

2) *Collection System Map.* The permittee shall complete a map of the sewer collection system it owns and operates. The map shall be of sufficient detail and at a scale to allow easy interpretation. The collection system information shown on the map shall be based on current conditions and shall be kept up-to-date and available for review by the Department. **Note: Items below referencing combined sewer systems are not applicable to separate sewer systems.** Such map(s) shall include but not be limited to the following:

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a) all sanitary sewer lines and related manholes;

b) all combined sewer lines, related manholes, catch basins and CSO regulators;

c) all known or suspected connections between the sanitary sewer or combined sewer and storm drain systems;

d) all outfalls, including the treatment plant outfall(s), combined sewer treatment facility outfalls, untreated CSOs, and any known SSOs;

e) all pump stations and force mains;

f) the wastewater treatment facility(ies), including all treatment processes;

g) all surface waters (labeled);

h) other major appurtenances such as inverted siphons and air release valves;

i) a numbering system which uniquely identifies manholes, catch basins, overflow points, regulators and outfalls;

j) the scale and a north arrow;

k) the pipe diameter, date of installation, type of material, distance between manholes, and the direction of flow; and

l) the manhole interior material, rim elevation (optional), and invert elevations.

3) *Inventory and assessment of fixed assets.* The permittee shall complete an inventory and assessment of operations-related fixed assets. Fixed assets are assets that are normally stationary (e.g., pumps, blowers, and buildings). The inventory and assessment shall be based on current conditions and shall be kept up-to-date and available for review by the Department.

a) The fixed asset inventory shall include the following:

(1) a brief description of the fixed asset, its design capacity (e.g., pump: 120 gallons per minute), its level of redundancy, and its tag number if applicable;

(2) the location of the fixed asset;

(3) the year the fixed asset was installed;

(4) the present condition of the fixed asset (e.g., excellent, good, fair, poor); and

(5) the current fixed asset (replacement) cost in dollars for year specified in accordance with approved schedules;

b) The fixed asset assessment shall include a “Business Risk Evaluation” that combines the probability of failure of the fixed asset and the criticality of the fixed asset, as follows:

(1) Rate the probability of failure of the fixed asset on a scale of 1-5 (low to high) using criteria such as maintenance history, failure history, and remaining percentage of useful life (or years remaining);

(2) Rate the criticality of the fixed asset on a scale of 1-5 (low to high) based on the consequence of failure versus the desired level of service for the facility; and

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(3) Compute the Business Risk Factor of the fixed asset by multiplying the failure rating from (1) by the criticality rating from (2).

4) *Operation, Maintenance & Replacement (OM&R) Budget and Rate Sufficiency for the Sewer System and Treatment Works.* The permittee shall complete an assessment of its user rates and replacement fund, including the following:

a) beginning and end dates of fiscal year;

b) name of the department, committee, board, or other organization that sets rates for the operation of the sewer system and treatment works;

c) amount in the permittee's replacement fund in dollars for year specified in accordance with approved schedules;

d) replacement fund strategy of all assets with a useful life of 20 years or less;

e) expenditures for maintenance, corrective action and capital improvement taken during the fiscal year;

f) OM&R budget for the fiscal year; and

g) rate calculation demonstrating sufficient revenues to cover OM&R expenses. If the rate calculation shows there are insufficient revenues to cover OM&R expenses, the permittee shall document, within three (3) fiscal years after submittal of the Asset Management Plan, that there is at least one rate adjustment that reduces the revenue gap by at least 10 percent. The permittee may prepare and submit an alternate plan, subject to Department approval, for addressing the revenue gap. The ultimate goal of the Asset Management Program is to ensure sufficient revenues to cover OM&R expenses.

b. Annual Reporting

The permittee shall develop a written report that summarizes asset management activities completed during the previous year and planned for the upcoming year. The written report shall be submitted to the Department on or before October 31 of each year. The written report shall include:

1) a description of the staffing levels maintained during the year;

2) a description of inspections and maintenance activities conducted and corrective actions taken during the previous year;

3) expenditures for collection system maintenance activities, treatment works maintenance activities, corrective actions, and capital improvement during the previous year;

4) a summary of assets/areas identified for inspection/action (including capital improvement) in the upcoming year based on the five (5) core elements and the Business Risk Factors;

5) a maintenance budget and capital improvement budget for the upcoming year that take into account implementation of an effective Asset Management Program that meets the five (5) core elements;

6) an updated asset inventory based on the original submission; and

7) an updated OM&R budget with an updated rate schedule that includes the amount of insufficient revenues, if any.

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Section A. Limitations and Monitoring Requirements

10. Discharge Monitoring Report – Quality Assurance Study Program

The permittee shall participate in the Discharge Monitoring Report – Quality Assurance (DMR-QA) Study Program. The purpose of the DMR-QA Study Program is to annually evaluate the proficiency of all in-house and/or contract laboratory(ies) that perform, on behalf of the facility authorized to discharge under this permit, the analytical testing required under this permit. In accordance with Section 308 of the Clean Water Act (33 U.S.C. § 1318); and R 323.2138 and R 323.2154 of Part 21, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA, participation in the DMR-QA Study Program is required for all major facilities, and for minor facilities selected for participation by the Department.

Annually and in accordance with DMR-QA Study Program requirements and submittal due dates, the permittee shall submit to the Michigan DMR-QA Study Program state coordinator all documentation required by the DMR-QA Study. DMR-QA Study Program participation is required only for the analytes required under this permit and only when those analytes are also identified in the DMR-QA Study.

If the permitted facility's status as a major facility should change, participation in the DMR-QA Study Program may be reevaluated. Questions concerning participation in the DMR-QA Study Program should be directed to the Michigan DMR-QA Study Program state coordinator.

All forms and instructions required for participation in the DMR-QA Study Program, including submittal due dates and state coordinator contact information, can be found at http://www.epa.gov/compliance/discharge-monitoring-report-quality-assurance-study-program.

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Section B. Storm Water Pollution Prevention

Section B. Storm Water Pollution Prevention is not required for this permit.

PART I

Section C. Industrial Waste Pretreatment Program

1. Federal Industrial Pretreatment Program

a. The permittee shall implement the Federal Industrial Pretreatment Program (FIPP) approved on April 10, 1985, and any subsequent modifications approved up to the issuance of this permit. Approval of substantial program modifications after the issuance of this permit shall be incorporated into this permit by minor modification in accordance with 40 CFR 122.63.

b. The permittee shall comply with R 323.2301 through R 323.2317 of the Michigan Administrative Code (Part 23 Rules), the General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR Part 403), and the approved FIPP.

c. The permittee shall have the legal authority and necessary interjurisdictional agreements that provide the basis for the implementation and enforcement of the approved FIPP throughout the service area. The legal authority and necessary interjurisdictional agreements shall include, at a minimum, the authority to carry out the activities specified in R 323.2306(a).

d. The permittee shall develop procedures which describe, in sufficient detail, program commitments which enable implementation of the approved FIPP, 40 CFR Part 403, and the Part 23 Rules in accordance with R 323.2306(c).

e. The permittee shall establish an interjurisdictional agreement (or comparable document) with all tributary governmental jurisdictions. Each interjurisdictional agreement shall contain, at a minimum, the following:

1) identification of the agency responsible for the implementation and enforcement of the approved FIPP within the tributary governmental jurisdiction's boundaries; and

2) the provision of the legal authority which provides the basis for the implementation and enforcement of the approved FIPP within the tributary governmental jurisdiction's boundaries.

f. The permittee shall prohibit discharges that:

1) cause, in whole or in part, the permittee's failure to comply with any condition of this permit or the NREPA;

2) restrict, in whole or in part, the permittee's management of biosolids;

3) cause, in whole or in part, operational problems at the treatment facility or in its collection system;

4) violate any of the general or specific prohibitions identified in R 323.2303(1) and (2);

5) violate categorical standards identified in R 323.2311; and

6) violate local limits established in accordance with R 323.2303(4).

g. The permittee shall maintain a list of its nondomestic users that meet the criteria of a significant industrial user as identified in R 323.2302(cc).

h. The permittee shall develop an enforcement response plan which describes, in sufficient detail, program commitments which will enable the enforcement of the approved FIPP, 40 CFR Part 403, and the Part 23 Rules in accordance with R 323.2306(g).

i. The Department may require modifications to the approved FIPP which are necessary to ensure compliance with 40 CFR Part 403 and the Part 23 Rules in accordance with R 323.2309.

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Section C. Industrial Waste Pretreatment Program

j. The permittee shall not implement changes or modifications to the approved FIPP without notification to the Department. Any substantial modification shall be subject to Department public noticing and approval in accordance with R 323.2309.

k. The permittee shall maintain an adequate revenue structure and staffing level for effective implementation of the approved FIPP.

l. The permittee shall develop and maintain, for a minimum of three (3) years, all records and information necessary to determine nondomestic user compliance with 40 CFR Part 403, Part 23 Rules and the approved FIPP. This period of retention shall be extended during the course of any unresolved enforcement action or litigation regarding a nondomestic user or when requested by the Department or the United States Environmental Protection Agency. All of the aforementioned records and information shall be made available upon request for inspection and copying by the Department and the United States Environmental Protection Agency.

m. The permittee shall evaluate the approved FIPP for compliance with the 40 CFR Part 403, Part 23 Rules and the prohibitions stated in item f. above. Based upon this evaluation, the permittee shall propose to the Department all necessary changes or modifications to the approved FIPP no later than the next Industrial Pretreatment Program Annual Report due date (see item o. below).

n. The permittee shall develop and enforce local limits to implement the prohibitions listed in item f above. Local limits shall be based upon data representative of actual conditions demonstrated in a maximum allowable headworks loading analysis. An evaluation of whether the existing local limits need to be revised shall be submitted to the Department by May 1, 2020. The submittal shall provide a technical evaluation of the basis upon which this determination was made which includes information regarding the maximum allowable headworks loading, collection system protection criteria, and worker health and safety, based upon data collected since the last local limits review.

The following pollutants shall be evaluated:

1) Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Silver, and Zinc;

2) Pollutants that are subject to limits or monitoring in this permit;

3) Pollutants that have an existing local limit; and,

4) Other pollutants of concern which would reasonably be expected to be discharged or transported by truck or rail or otherwise introduced into the POTW.

o. On or before April 1st of each year, the permittee shall submit to the Department, as required by R 323.2310(8), an Industrial Pretreatment Program Annual Report on the status of program implementation and enforcement activities. The reporting period shall begin on January 1st and end on December 31st. At a minimum, the Industrial Pretreatment Program Annual Report shall include:

1) the Pretreatment Program Reports data identified in Appendix A to 40 CFR Part 127 – NPDES Electronic Reporting;

2) a summary of changes to the approved FIPP that have not been previously reported to the Department;

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Section C. Industrial Waste Pretreatment Program

3) a summary of results of all the sampling and analyses performed of the wastewater treatment plant's influent, effluent, and biosolids conducted in accordance with approved methods during the reporting period. The summary shall include the monthly average, daily maximum, quantification level, and number of samples analyzed for each pollutant. At a minimum, the results of analyses for all locally limited parameters for at least one monitoring event that tests influent, effluent and biosolids during the reporting period shall be submitted with each report, unless otherwise required by the Department. Sample collection shall be at intervals sufficient to provide pollutant removal rates, unless the pollutant is not measurable; and

4) any other relevant information requested by the Department.

p, The permittee is required under this permit and R 323.2303(4) of the Michigan Administrative Code to review and update their local limits when:

1) New pollutants are introduced.

2) New pollutants that were previously unevaluated are identified

3) New water quality or biosolids standards are established or additional information becomes available about the nature of pollutants, such as removal rates and accumulation in biosolids.

Substantial increases of pollutants are proposed as required in the notification of new or increased uses in accordance with the provisions of 40 CFR 122.42.

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Section D. Residuals Management Program

1. Residuals Management Program for Land Application of Biosolids

The permittee is authorized to land-apply bulk biosolids or prepare bulk biosolids for land application in accordance with the permittee's approved Residuals Management Program (RMP) approved on February 1, 2001, and approved modifications thereto, in accordance with the requirements established in R 323.2401 through R 323.2418 of the Michigan Administrative Code (Part 24 Rules). The approved RMP, and any approved modifications thereto, are enforceable requirements of this permit. Incineration, landfilling and other residual disposal activities shall be conducted in accordance with Part II.D.7. of this permit. The Part 24 Rules can be obtained via the internet (http://www.michigan.gov/deq/ and on the left side of the screen click on Water, Biosolids & Industrial Pretreatment, Biosolids then click on Biosolids Laws and Rules Information which is under the Laws & Rules banner in the center of the screen).

a. Annual Report

On or before October 30 of each year, the permittee shall submit an annual report to the Department for the previous fiscal year of October 1 through September 30. The report shall be submitted electronically via the Department's MiWaters system at https://miwaters.deq.state.mi.us. At a minimum, the report shall contain:

1) a certification that current residuals management practices are in accordance with the approved RMP, or a proposal for modification to the approved RMP; and

2) a completed Biosolids Annual Report Form, available at https://miwaters.deq.state.mi.us.

b. Modifications to the Approved RMP

Prior to implementation of modifications to the RMP, the permittee shall submit proposed modifications to the Department for approval. The approved modification shall become effective upon the date of approval. Upon written notification, the Department may impose additional requirements and/or limitations to the approved RMP as necessary to protect public health and the environment from any adverse effect of a pollutant in the biosolids.

c. Record Keeping

Records required by the Part 24 Rules shall be kept for a minimum of five years. However, the records documenting cumulative loading for sites subject to cumulative pollutant loading rates shall be kept as long as the site receives biosolids.

d. Contact Information

RMP-related submittals shall be made to the Department.

PART II

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

Section A. Definitions

Acute toxic unit (TU_A) means $100/LC_{50}$ where the LC_{50} is determined from a whole effluent toxicity (WET) test which produces a result that is statistically or graphically estimated to be lethal to 50% of the test organisms.

Annual monitoring frequency refers to a calendar year beginning on January 1 and ending on December 31. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Authorized public agency means a state, local, or county agency that is designated pursuant to the provisions of section 9110 of Part 91 of the NREPA to implement soil erosion and sedimentation control requirements with regard to construction activities undertaken by that agency.

Best management practices (BMPs) means structural devices or nonstructural practices that are designed to prevent pollutants from entering into storm water, to direct the flow of storm water, or to treat polluted storm water.

Bioaccumulative chemical of concern (BCC) means a chemical which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor of more than 1000 after considering metabolism and other physiochemical properties that might enhance or inhibit bioaccumulation. The human health bioaccumulation factor shall be derived according to R 323.1057(5). Chemicals with half-lives of less than 8 weeks in the water column, sediment, and biota are not BCCs. The minimum bioaccumulation concentration factor (BAF) information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the biota-sediment accumulation factor (BSAF) methodology. The minimum BAF information needed to define an inorganic chemical as a BCC, including an organometal, is either a field-measured BAF or a laboratory-measured bioconcentration factor (BCF). The BCCs to which these rules apply are identified in Table 5 of R 323.1057 of the Water Quality Standards.

Biosolids are the solid, semisolid, or liquid residues generated during the treatment of sanitary sewage or domestic sewage in a treatment works. This includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a derivative of the removed scum or solids.

Bulk biosolids means biosolids that are not sold or given away in a bag or other container for application to a lawn or home garden.

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

Chronic toxic unit (TU_C) means 100/MATC or $100/IC_{25}$, where the maximum acceptable toxicant concentration (MATC) and IC_{25} are expressed as a percent effluent in the test medium.

Class B biosolids refers to material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PSRP) in accordance with the Part 24 Rules. Processes include aerobic digestion, composting, anaerobic digestion, lime stabilization and air drying.

Combined sewer system is a sewer system in which storm water runoff is combined with sanitary wastes.

PART II

Section A. Definitions

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. The 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 (DMRs).

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 loading is the total discharge by weight of a parameter discharged during any calendar day. This value is calculated by multiplying the daily concentration by the total daily flow and by the appropriate conversion factor. The daily loading will be used to determine compliance with any maximum daily loading limitations. When required by the permit, report the maximum calculated daily loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs.

Daily monitoring frequency refers to a 24-hour day. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Department means the Michigan Department of Environmental Quality.

Detection level means the lowest concentration or amount of the target analyte that can be determined to be different from zero by a single measurement at a stated level of probability.

Discharge means the addition of any waste, waste effluent, wastewater, pollutant, or any combination thereof to any surface water of the state.

EC_{50} means a statistically or graphically estimated concentration that is expected to cause 1 or more specified effects in 50% of a group of organisms under specified conditions.

Fecal coliform bacteria monthly
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a discharge event. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR. If the period in which the discharge event occurred was partially in each of two months, the calculated monthly value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a reporting month. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

PART II

Section A. Definitions

Fecal coliform bacteria 7-day
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days of discharge during a discharge event. If the number of daily concentrations determined during the discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the permit, report the maximum calculated 7-day geometric mean value for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. If the 7-day period was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days in a reporting month. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the permit, report the maximum calculated 7-day geometric mean for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. The first calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

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

General permit means a National Pollutant Discharge Elimination System permit issued authorizing a category of similar discharges.

Geometric mean is the average of the logarithmic values of a base 10 data set, converted back to a base 10 number.

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

IC_{25} means the toxicant concentration that would cause a 25% reduction in a nonquantal biological measurement for the test population.

Illicit connection means a physical connection to a municipal separate storm sewer system that primarily conveys non-storm water discharges other than uncontaminated groundwater into the storm sewer; or a physical connection not authorized or permitted by the local authority, where a local authority requires authorization or a permit for physical connections.

Illicit discharge means any discharge to, or seepage into, a municipal separate storm sewer system that is not composed entirely of storm water or uncontaminated groundwater. Illicit discharges include non-storm water discharges through pipes or other physical connections; dumping of motor vehicle fluids, household hazardous wastes, domestic animal wastes, or litter; collection and intentional dumping of grass clippings or leaf litter; or unauthorized discharges of sewage, industrial waste, restaurant wastes, or any other non-storm water waste directly into a separate storm sewer.

Individual permit means a site-specific NPDES permit.

Inlet means a catch basin, roof drain, conduit, drain tile, retention pond riser pipe, sump pump, or other point where storm water or wastewater enters into a closed conveyance system prior to discharge off site or into waters of the state.

PART II

Section A. Definitions

Interference is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or, of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act. [This definition does not apply to sample matrix interference].

Land application means spraying or spreading biosolids or a biosolids derivative onto the land surface, injecting below the land surface, or incorporating into the soil so that the biosolids or biosolids derivative can either condition the soil or fertilize crops or vegetation grown in the soil.

LC_{50} means a statistically or graphically estimated concentration that is expected to be lethal to 50% of a group of organisms under specified conditions.

Maximum acceptable toxicant concentration (MATC) means the concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic test. A lower chronic limit is the highest tested concentration that did not cause the occurrence of a specific adverse effect. An upper chronic limit is the lowest tested concentration which did cause the occurrence of a specific adverse effect and above which all tested concentrations caused such an occurrence.

Maximum extent practicable means implementation of best management practices by a public body to comply with an approved storm water management program as required by a national permit for a municipal separate storm sewer system, in a manner that is environmentally beneficial, technically feasible, and within the public body's legal authority.

MGD means million gallons per day.

Monthly concentration is the sum of the daily concentrations determined during a reporting period divided by the number of daily concentrations determined. The calculated monthly concentration will be used to determine compliance with any maximum monthly concentration limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly concentration in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

For minimum percent removal requirements, the monthly influent concentration and the monthly effluent concentration shall be determined. The calculated monthly percent removal, which is equal to 100 times the quantity [1 minus the quantity (monthly effluent concentration divided by the monthly influent concentration)], shall be reported in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

Monthly loading is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during a reporting period. The calculated monthly loading will be used to determine compliance with any maximum monthly loading limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly loading in the "AVERAGE" column under "QUANTITY OR LOADING" on the DMR.

Monthly monitoring frequency refers to a calendar month. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Municipal separate storm sewer means a conveyance or system of conveyances designed or used for collecting or conveying storm water which is not a combined sewer and which is not part of a publicly-owned treatment works as defined in the Code of Federal Regulations at 40 CFR 122.2.

PART II

Section A. Definitions

Municipal separate storm sewer system (MS4) means all separate storm sewers that are owned or operated by the United States, a state, city, village, township, county, district, association, or other public body created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law, such as a sewer district, flood control district, or drainage district, or similar entity, or a designated or approved management agency under Section 208 of the Federal Act that discharges to the waters of the state. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

National Pretreatment Standards are the regulations promulgated by or to be promulgated by the Federal Environmental Protection Agency pursuant to Section 307(b) and (c) of the Federal Act. The standards establish nationwide limits for specific industrial categories for discharge to a POTW.

No observed adverse effect level (NOAEL) means the highest tested dose or concentration of a substance which results in no observed adverse effect in exposed test organisms where higher doses or concentrations result in an adverse effect.

Noncontact cooling water is water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product or finished product.

Nondomestic user is any discharger to a POTW that discharges wastes other than or in addition to water-carried wastes from toilet, kitchen, laundry, bathing or other facilities used for household purposes.

Outfall is the location at which a point source discharge enters the surface waters of the state.

Part 91 agency means an agency that is designated by a county board of commissioners pursuant to the provisions of section 9105 of Part 91 of the NREPA; an agency that is designated by a city, village, or township in accordance with the provisions of section 9106 of Part 91 of the NREPA; or the Department for soil erosion and sedimentation activities under Part 615, Part 631, or Part 632 pursuant to the provisions of section 9115 of Part 91 of the NREPA.

Part 91 permit means a soil erosion and sedimentation control permit issued by a Part 91 agency pursuant to the provisions of Part 91 of the NREPA.

Partially treated sewage is any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that is treated to a level less than that required by the permittee's National Pollutant Discharge Elimination System permit, or that is not treated to national secondary treatment standards for wastewater, including discharges to surface waters from retention treatment facilities.

Point of discharge is the location of a point source discharge where storm water is discharged directly into a separate storm sewer system.

Point source discharge means a discharge from any discernible, confined, discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, or rolling stock. Changing the surface of land or establishing grading patterns on land will result in a point source discharge where the runoff from the site is ultimately discharged to waters of the state.

Polluting material means any material, in solid or liquid form, identified as a polluting material under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

POTW is a publicly owned treatment work.

PART II

Section A. Definitions

Pretreatment is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.
Public (as used in the MS4 individual permit) means all persons who potentially could affect the authorized storm water discharges, including, but not limited to, residents, visitors to the area, public employees, businesses, industries, and construction contractors and developers.

Public body means the United States; the state of Michigan; a city, village, township, county, school district, public college or university, or single-purpose governmental agency; or any other body which is created by federal or state statute or law.

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

Qualifying storm event means a storm event causing greater than 0.1 inch of rainfall and occurring at least 72 hours after the previous measurable storm event that also caused greater than 0.1 inch of rainfall. Upon request, the Department may approve an alternate definition meeting the condition of a qualifying storm event.

Quantification level means the measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calculated at a specified concentration above the detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant.

Quarterly monitoring frequency refers to a three month period, defined as January through March, April through June, July through September, and October through December. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Regional Administrator is the Region 5 Administrator, U.S. EPA, located at R-19J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

Regulated area means the permittee's urbanized area, where urbanized area is defined as a place and its adjacent densely-populated territory that together have a minimum population of 50,000 people as defined by the United States Bureau of the Census and as determined by the latest available decennial census.

Secondary containment structure means a unit, other than the primary container, in which significant materials are packaged or held, which is required by State or Federal law to prevent the escape of significant materials by gravity into sewers, drains, or otherwise directly or indirectly into any sewer system or to the surface or ground waters of this state.

Separate storm sewer system means a system of drainage, including, but not limited to, roads, catch basins, curbs, gutters, parking lots, ditches, conduits, pumping devices, or man-made channels, which is not a combined sewer where storm water mixes with sanitary wastes, and is not part of a POTW.

Significant industrial user is a nondomestic user that: 1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or 2) discharges an average of 25,000 gallons per day or more of process wastewater to a POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the permittee as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

PART II

Section A. Definitions

Significant materials Significant Materials means any material which could degrade or impair water quality, including but not limited to: raw materials; fuels; solvents, detergents, and plastic pellets; finished materials such as metallic products; hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (see 40 CFR 372.65); any chemical the facility is required to report pursuant to Section 313 of Emergency Planning and Community Right-to-Know Act (EPCRA); polluting materials as identified under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code); Hazardous Wastes as defined in Part 111 of the NREPA; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.

Significant spills and significant leaks means any release of a polluting material reportable under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

Special-use area means secondary containment structures required by state or federal law; lands on Michigan's List of Sites of Environmental Contamination pursuant to Part 201, Environmental Remediation, of the NREPA; and/or areas with other activities that may contribute pollutants to the storm water for which the Department determines monitoring is needed.

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

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

Storm water discharge point is the location where the point source discharge of storm water is directed to surface waters of the state or to a separate storm sewer. It includes the location of all point source discharges where storm water exits the facility, including *outfalls* which discharge directly to surface waters of the state, and *points of discharge* which discharge directly into separate storm sewer systems.

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

Tier I value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier I toxicity database.

Tier II value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier II toxicity database.

Total maximum daily loads (TMDLs) are required by the Federal Act for waterbodies that do not meet water quality standards. TMDLs represent the maximum daily load of a pollutant that a waterbody can assimilate and meet water quality standards, and an allocation of that load among point sources, nonpoint sources, and a margin of safety.

Toxicity reduction evaluation (TRE) means a site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity.

Water Quality Standards means the Part 4 Water Quality Standards promulgated pursuant to Part 31 of the NREPA, being R 323.1041 through R 323.1117 of the Michigan Administrative Code.

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

WWSL is a wastewater stabilization lagoon.

WWSL discharge event is a discrete occurrence during which effluent is discharged to the surface water up to 10 days of a consecutive 14 day period.

PART II

Section A. Definitions

3-portion composite sample is a sample consisting of three equal-volume grab samples collected at equal intervals over an 8-hour period.

7-day concentration
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily concentrations determined. If the number of daily concentrations determined during the WWSL discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations. When required by the permit, report the maximum calculated 7-day concentration for the WWSL discharge event in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days in a reporting month divided by the number of daily concentrations determined. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations in the reporting month. When required by the permit, report the maximum calculated 7-day concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

7-day loading
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily loadings determined. If the number of daily loadings determined during the WWSL discharge event is less than 7 days, the number of actual daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations. When required by the permit, report the maximum calculated 7-day loading for the WWSL discharge event in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days in a reporting month divided by the number of daily loadings determined. If the number of daily loadings determined is less than 7, the actual number of daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations in the reporting month. When required by the permit, report the maximum calculated 7-day loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

24-hour composite sample is a flow-proportioned composite sample consisting of hourly or more frequent portions that are taken over a 24-hour period. A time-proportioned composite sample may be used upon approval of the Department if the permittee demonstrates it is representative of the discharge.

PART II

Section B. Monitoring Procedures

1. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304(h) of the Federal Act (40 CFR Part 136 – Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless specified otherwise in this permit. **Test procedures used shall be sufficiently sensitive to determine compliance with applicable effluent limitations**. Requests to use test procedures not promulgated under 40 CFR Part 136 for pollutant monitoring required by this permit shall be made in accordance with the Alternate Test Procedures regulations specified in 40 CFR 136.4. These requests shall be submitted to the Manager of the Permits Section, Water Resources Division, Michigan Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan, 48909-7958. The permittee may use such procedures upon approval.

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

3. Instrumentation

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

4. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information: 1) the exact place, date, and time of measurement or sampling; 2) the person(s) who performed the measurement or sample collection; 3) the dates the analyses were performed; 4) the person(s) who performed the analyses; 5) the analytical techniques or methods used; 6) the date of and person responsible for equipment calibration; and 7) the results of all required analyses.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Department.

PART II

Section C. Reporting Requirements

1. Start-up Notification

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.

2. Submittal Requirements for Self-Monitoring Data

Part 31 of the NREPA (specifically Section 324.3110(7)); and R 323.2155(2) of Part 21, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA, allow the Department to specify the forms to be utilized for reporting the required self-monitoring data. Unless instructed on the effluent limitations page to conduct "Retained Self-Monitoring," the permittee shall submit self-monitoring data via the Department's MiWaters system.

The permittee shall utilize the information provided on the MiWaters website, located at https://miwaters.deq.state.mi.us, to access and submit the electronic forms. Both monthly summary and daily data shall be submitted to the Department no later than the 20th day of the month following each month of the authorized discharge period(s). The permittee may be allowed to submit the electronic forms after this date if the Department has granted an extension to the submittal date.

3. Retained Self-Monitoring Requirements

If instructed on the effluent limits page (or otherwise authorized by the Department in accordance with the provisions of this permit) to conduct retained self-monitoring, the permittee shall maintain a year-to-date log of retained self-monitoring results and, upon request, provide such log for inspection to the staff of the Department. Retained self-monitoring results are public information and shall be promptly provided to the public upon request.

The permittee shall certify, in writing, to the Department, on or before January 10th (April 1st for animal feeding operation facilities) of each year, that: 1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained; and 2) the application on which this permit is based still accurately describes the discharge. With this annual certification, the permittee shall submit a summary of the previous year's monitoring data. The summary shall include maximum values for samples to be reported as daily maximums and/or monthly maximums and minimum values for any daily minimum samples.

Retained self-monitoring may be denied to a permittee by notification in writing from the Department. In such cases, the permittee shall submit self-monitoring data in accordance with Part II.C.2., above. Such a denial may be rescinded by the Department upon written notification to the permittee. Reissuance or modification of this permit or reissuance or modification of an individual permittee's authorization to discharge shall not affect previous approval or denial for retained self-monitoring unless the Department provides notification in writing to the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

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

PART II

Section C. Reporting Requirements

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. Noncompliance Notification

Compliance with all applicable requirements set forth in the Federal Act, Parts 31 and 41 of the NREPA, and related regulations and rules is required. All instances of noncompliance shall be reported as follows:

a. 24-Hour Reporting
Any noncompliance which may endanger health or the environment (including maximum and/or minimum daily concentration discharge limitation exceedances) shall be reported, verbally, within 24 hours from the time the permittee becomes aware of the noncompliance. A written submission shall also be provided within five (5) days.

b. Other Reporting
The permittee shall report, in writing, all other instances of noncompliance not described in a. above at the time monitoring reports are submitted; or, in the case of retained self-monitoring, within five (5) days from the time the permittee becomes aware of the noncompliance.

Written reporting shall include: 1) a description of the discharge and cause of noncompliance; and 2) the period of noncompliance, including exact dates and times, or, if not yet corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

7. Spill Notification

The permittee shall immediately report any release of any polluting material which occurs to the surface waters or groundwaters of the state, unless the permittee has determined that the release is not in excess of the threshold reporting quantities specified in the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated on the second page of this permit (or, if this is a general permit, on the COC); or, if the notice is provided after regular working hours, call the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706 (calls from **out-of-state** dial 1-517-373-7660).

Within ten (10) 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 preventive measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

PART II

Section C. Reporting Requirements

8. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee) has occurred, the permittee who wishes to establish the affirmative defense of upset, shall notify the Department by telephone within 24 hours of becoming aware of such conditions; and within five (5) days, provide in writing, the following information:

a. that an upset occurred and that the permittee can identify the specific cause(s) of the upset;

b. that the permitted wastewater treatment facility was, at the time, being properly operated and maintained (note that an upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation); and

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

No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

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

9. Bypass Prohibition and Notification

a. Bypass Prohibition
Bypass is prohibited, and the Department may take an enforcement action, unless:

1) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass; and

3) the permittee submitted notices as required under 9.b. or 9.c. below.

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 ten (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 (3) conditions listed in 9.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 on the second page of this permit (if the notice is provided after regular working hours, use the following number: 1-800-292-4706) as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the circumstances.

PART II

Section C. Reporting Requirements

d. Written Report of Bypass
A written submission shall be provided within five (5) working days of commencing any bypass to the Department, and at additional times as directed by the Department. The written submission shall contain a description of the bypass and its cause; the period of bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass; and other information as required by the Department.

e. Bypass Not Exceeding Limitations
The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of 9.a., 9.b., 9.c., and 9.d., above. This provision does not relieve the permittee of any notification responsibilities under Part II.C.11. of this permit.

f. Definitions

1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

10. Bioaccumulative Chemicals of Concern (BCC)

Consistent with the requirements of R 323.1098 and R 323.1215 of the Michigan Administrative Code, the permittee is prohibited from undertaking any action that would result in a lowering of water quality from an increased loading of a BCC unless an increased use request and antidegradation demonstration have been submitted and approved by the Department.

11. Notification of Changes in Discharge

The permittee shall notify the Department, in writing, as soon as possible but no later than 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of: 1) detectable levels of chemicals on the current Michigan Critical Materials Register, priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, or the Pollutants of Initial Focus in the Great Lakes Water Quality Initiative specified in 40 CFR 132.6, Table 6, which were not acknowledged in the application or listed in the application at less than detectable levels; 2) detectable levels of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information; or 3) any chemical at levels greater than five times the average level reported in the complete application (see the first page of this permit, for the date(s) the complete application was submitted). Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the compliance schedules.

PART II

Section C. Reporting Requirements

12. Changes in Facility Operations

Any anticipated action or activity, including but not limited to facility expansion, production increases, or process modification, which will result in new or increased loadings of pollutants to the receiving waters must be reported to the Department by a) submission of an increased use request (application) and all information required under R 323.1098 (Antidegradation) of the Water Quality Standards or b) by notice if the following conditions are met: 1) the action or activity will not result in a change in the types of wastewater discharged or result in a greater quantity of wastewater than currently authorized by this permit; 2) the action or activity will not result in violations of the effluent limitations specified in this permit; 3) the action or activity is not prohibited by the requirements of Part II.C.10.; and 4) the action or activity will not require notification pursuant to Part II.C.11. Following such notice, the permit or, if applicable, the facility's COC may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

13. Transfer of Ownership or Control

In the event of any change in 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: 1) the legal name and address of the new owner; 2) a specific date for the effective transfer of permit responsibility, coverage and liability; and 3) a certification of the continuity of or any changes in operations, wastewater discharge, or wastewater treatment.

If the new permittee is proposing changes in operations, wastewater discharge, or wastewater treatment, the Department may propose modification of this permit in accordance with applicable laws and rules.

14. Operations and Maintenance Manual

For wastewater treatment facilities that serve the public (and are thus subject to Part 41 of the NREPA), Section 4104 of Part 41 and associated Rule 2957 of the Michigan Administrative Code allow the Department to require an Operations and Maintenance (O&M) Manual from the facility. An up-to-date copy of the O&M Manual shall be kept at the facility and shall be provided to the Department upon request. The Department may review the O&M Manual in whole or in part at its discretion and require modifications to it if portions are determined to be inadequate.

At a minimum, the O&M Manual shall include the following information: permit standards; descriptions and operation information for all equipment; staffing information; laboratory requirements; record keeping requirements; a maintenance plan for equipment; an emergency operating plan; safety program information; and copies of all pertinent forms, as-built plans, and manufacturer's manuals.

Certification of the existence and accuracy of the O&M Manual shall be submitted to the Department at least sixty days prior to start-up of a new wastewater treatment facility. Recertification shall be submitted sixty days prior to start-up of any substantial improvements or modifications made to an existing wastewater treatment facility.

PART II

Section C. Reporting Requirements

15. Signatory Requirements

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

The Federal Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

The NREPA (Section 3115(2)) provides that a person who at the time of the violation knew or should have known that he or she discharged a substance contrary to this part, or contrary to a permit, COC, or order issued or rule promulgated under this part, or who intentionally makes a false statement, representation, or certification in an application for or form pertaining to a permit or COC or in a notice or report required by the terms and conditions of an issued permit or COC, or who intentionally renders inaccurate a monitoring device or record required to be maintained by the Department, is guilty of a felony and shall be fined not less than $2,500.00 or more than $25,000.00 for each violation. The court may impose an additional fine of not more than $25,000.00 for each day during which the unlawful discharge occurred. If the conviction is for a violation committed after a first conviction of the person under this subsection, the court shall impose a fine of not less than $25,000.00 per day and not more than $50,000.00 per day of violation. Upon conviction, in addition to a fine, the court in its discretion may sentence the defendant to imprisonment for not more than 2 years or impose probation upon a person for a violation of this part. With the exception of the issuance of criminal complaints, issuance of warrants, and the holding of an arraignment, the circuit court for the county in which the violation occurred has exclusive jurisdiction. However, the person shall not be subject to the penalties of this subsection if the discharge of the effluent is in conformance with and obedient to a rule, order, permit, or COC of the Department. In addition to a fine, the attorney general may file a civil suit in a court of competent jurisdiction to recover the full value of the injuries done to the natural resources of the state and the costs of surveillance and enforcement by the state resulting from the violation.

16. Electronic Reporting

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

PART II

Section D. Management Responsibilities

1. Duty to Comply

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

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

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

2. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified at the appropriate level for the facility certification by the Department, as required by Sections 3110 and 4104 of the NREPA. Permittees authorized to discharge storm water shall have the storm water treatment and/or control measures under direct supervision of a storm water operator certified by the Department, as required by Section 3110 of the NREPA.

3. Facilities Operation

The permittee shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

4. Power Failures

In order to maintain compliance with the effluent limitations of this permit and prevent unauthorized discharges, the permittee shall either:

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

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

5. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to the surface waters or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

PART II

Section D. Management Responsibilities

6. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of polluting materials in accordance with the requirements of the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code). For a Publicly Owned Treatment Work (POTW), these facilities shall be approved under Part 41 of the NREPA.

7. Waste Treatment Residues

Residuals (i.e. solids, sludges, biosolids, filter backwash, scrubber water, ash, grit, or other pollutants or wastes) removed from or resulting from treatment or control of wastewaters, including those that are generated during treatment or left over after treatment or control has ceased, shall be disposed of in an environmentally compatible manner and according to applicable laws and rules. These laws may include, but are not limited to, the NREPA, Part 31 for protection of water resources, Part 55 for air pollution control, Part 111 for hazardous waste management, Part 115 for solid waste management, Part 121 for liquid industrial wastes, Part 301 for protection of inland lakes and streams, and Part 303 for wetlands protection. Such disposal shall not result in any unlawful pollution of the air, surface waters or groundwaters of the state.

8. Right of Entry

The permittee shall allow the Department, any agent appointed by the Department, or the Regional Administrator, upon the presentation of credentials and, for animal feeding operation facilities, following appropriate biosecurity protocols:

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

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

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Act and Rule 2128 (R 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit, shall be available for public inspection at the offices of the Department and the Regional Administrator. As required by the Federal Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Act and Sections 3112, 3115, 4106 and 4110 of the NREPA.

10. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or the facility's COC, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

PART II

Section E. Activities Not Authorized by This Permit

1. Discharge to the Groundwaters

This permit does not authorize any discharge to the groundwaters. Such discharge may be authorized by a groundwater discharge permit issued pursuant to the NREPA.

2. POTW Construction

This permit does not authorize or approve the construction or modification of any physical structures or facilities at a POTW. Approval for the construction or modification of any physical structures or facilities at a POTW shall be by permit issued under Part 41 of the NREPA.

3. Civil and Criminal Liability

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

4. Oil and Hazardous Substance Liability

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

5. State Laws

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

6. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other Department of Environmental Quality permits, or approvals from other units of government as may be required by law.

APPENDIX E –

Collection system letter

BENTON HARBOR – ST. JOSEPH
JOINT WASTEWATER TREATMENT PLANT

Attachment

WASTEWATER DISCHARGE PERMIT APPLICATION

Collection System Information

COMBINED SEWER SYSTEM INFORMATION

A. Estimate the percentage of the collection system that is combined.

RESPONSE: The responsibility of the Benton Harbor -- St. Joseph Joint wastewater Treatment Plant (Joint Plant) is limited to the treatment of wastewater as delivered to its treatment site at 269 Anchors Way, St. Joseph, Michigan. Sewer systems tributary to the Joint Plant originate from multiple local governmental units. Each local governmental unit is responsible for the collection system(s) within its jurisdiction. The Benton Harbor - St. Joseph Joint Wastewater Treatment Plant does not maintain any information or records specific to the type, nature, size, capacity, length or other physical characteristics of the tributary sewer systems. The following local governmental units should be contacted for such information.

City of Benton Harbor
City of Saint Joseph
Benton Charter Township
St. Joseph Charter Township
Lincoln Charter Township
Royalton Township
Village of Stevensville
Village of Shoreham

B. System Map. Provide a map that shows all CSO discharge points.

RESPONSE: The Joint Plant is a treatment facility and has no operational responsibility for the tributary collection systems and therefore cannot provide the requested "System Map." The tributary governmental units should be contacted for information concerning CSO discharge points that may exist within their jurisdictions.

C. System Diagram: The Joint Plant is a treatment facility and has no operational responsibility for the tributary collection systems. The tributary governmental units should be contacted for the requested information.

APPENDIX F –

SCIP Summary and Findings

RECOMMENDED STRATEGIC CAPITAL IMPROVEMENT PLAN

Recommended Capital Improvement Project	Values in 1,000s of $												
	Total Project Cost	Fiscal Year Expenditure											
		16-17	17-18	18-19	19-20	20-21	20-21	21-22	22-23	23-24	24-25	25-26	26-27
1. Influent Pumping Improvements	$1,172		$40	$1,132									
2. Digester Gas for CHP	$443			$40	$202	$201							
3. Primary Settling Improvements	$281				$141	$140							
4. Aeration System Improvements	$4,479	$500	$1,990	$1,989									
5. Bio-P Process Modification	$730						$730						
6. Replace Vertical Type Sump Pumps	$130						$130						
7. Final Settling & RAS/WAS Improvements	$4,042				$42	$2,000	$2,000						
8. Alternate Process for DAF	$1,445							$723	$722				
9. Anaerobic Digester Improvements	$1,575				$500	$1,075							
10. Mechanical Biosolids Dewatering	$2,905									$500	$1,203	$1,202	
11. Cationic Polymer Feed System	$76							$76					
12. Miscellaneous Structural Work	$1,328							$200	$200	$200	$228	$250	$250
13. Miscellaneous Electrical Work	$695			$70	$70	$70	$70	$70	$70	$70	$70	$70	$65
Total	$19,301	$500	$2,030	$3,231	$955	$3,486	$2,930	$1,069	$992	$770	$1,501	$1,522	$315

TABLE 1.2
RECOMMENDED IMPROVEMENTS WITHIN PLANNING PERIOD

Finding ID No.	Recommended Improvement	Condition Class	Discipline	Year Needed		Budget Project Cost Opinion (Approx.)
				Before 2043	After 2043	
A. Headworks/Main Equipment Building						
A.8	Provide odor control for screening and grit removal area, including a cover and repair slab at grit collectors/bar screens and grit building	3	Structural	x		$98,000
A.9	Install Combined Heating & Power (CHP) for use with digester gas	5	Mechanical	x		Included in A.4.a
B. Primary Settling						
B.3	Install odor control measures at pre-aeration	5	Process	x		$93,000
B.7.a	Replace spiral valves with telescoping valves	2	Process	x		$44,000
B.8	Install new primary scum pump station	5	Process	x		$144,000
B.13	Address minor vertical cracks in the walls	5	Structural	x		$225,000
	Address spalling of concrete along walkways	3	Structural	x		
	Address groundwater infiltration through expansion joints	3	Structural	x		
	Inspect steel plates and support angles and replace deteriorated items (Includes C.7)	3	Structural	x		
C. Reareation/Aeration Tanks and Blower Building						
C.1	Replace inlet gates at Reaeration Tanks	5	Process	x		$244,000
C.2.a	Replace inlet gates at Aeration Tanks	5	Process	x		$1,883,779
C.2.b	Replace existing diffusers with fine bubble type	2	Process	x		
C.2.d	Replace mixed liquor effluent meters	2	I&C	x		$230,000
C.4	Replace orifice air flow meters with thermal mass type	3	I&C	x		$75,000
C.5	Replace Blower Nos. 1 & 3 with high-speed turbo units	2	Process	x		$2,878,000
C.5.e	Evaluate operating mode and feasibility of Bio-P process	5	Process	x		$730,000

TABLE 1.2 (CONTINUED)
RECOMMENDED IMPROVEMENTS WITHIN PLANNING PERIOD

Finding ID No.	Recommended Improvement	Condition Class	Discipline	Year Needed		Budget Project Cost Opinion (Approx.)
				Before 2043	After 2043	
C.7	Inspect pipe hanger inserts in tunnels and repair/replace deteriorated items	5	Structural	x		Incl. in B.13
	Address spalling and cracks in the walkways	5	Structural	x		
	Replace vertical type sump pumps with submersible units	2	Mechanical	x		$130,000
C.9.b	Replace MCC P-1 and address leaks	3	Electrical	x		$115,000
D. Overflow Tanks						
D.2	Install FRP stairs and spray wash system	5	Process	x		$23,000
E. Final Settling System						
E.1	Install new final clarifier	5	Process		x	$1,817,000
E.3	Replace collector mechanisms in Tank Nos. 3, 4, and 5	2	Process	x		$3,928,781
E.4	Replace WAS/RAS pumps	2	Process	x		$225,000
E.4	Add VFDs to RAS pumps	5	Electrical	x		$30,000
E.6.b	Replace Scum Ejector Pump	5	Process		x	$64,000
E.8	Replace RAS magnetic flowmeters and flowmeters for Sludge Thickening System (Includes G.4)	2	I&C	x		$195,000
G. Sludge Thickening System						
G.1.a	Consider replacing DAF with alternate process	5	Process	x		$1,445,000
G.2.a, b, c	Replace air saturation tanks, compressors and controllers	3	Process	x		$305,000
G.4	Replace magnetic flowmeters	5	Process	x		Incl. in G.1.a
G.5	Replace Thickener Effluent Recirculation Pumps and valves	2	Process	x		Incl. in G.2.a, b, c
G.7	Evaluate need for additional ventilation	4	Mechanical	x		$120,000
G.8	Replace MCC-P3 (in Equipment Building)	2	Electrical	x		$145,000

TABLE 1.2 (CONTINUED)
RECOMMENDED IMPROVEMENTS WITHIN PLANNING PERIOD

Finding ID No.	Recommended Improvement	Condition Class	Discipline	Year Needed		Budget Project Cost Opinion (Approx.)
				Before 2043	After 2043	
H. Digester Facility						
H.1	Replace mixing pumps for Primary Digester Nos. 1 & 2	2	Process	x		$225,000
H.10	Evaluate feasibility of future mechanical biosolids dewatering	5	Process	x		$2,905,000
	Consider acquiring additional land if it becomes available	5	Process	x		
H.11	Determine source of water on new Digester Control Building stair addition and repair if possible	5	Structural	x		$40,000
H.12	Replace Boiler No. 1 with a dual fuel water tube type	5	Mechanical	x		$600,000
	Evaluate engine jacket water heat exchanger system, incl. hot water piping	5	Mechanical	x		$750,000
H.13	Replace MCC-P5 and consolidate with MCC-2	2	Electrical	x		$130,000
I. Chemical Facilities						
I.3	Replace cationic polymer feed system to shorten pipe run	5	Process	x		$76,000
L. Miscellaneous Building & Grounds						
L.2	Consolidate MCC-3 and MCC-3A	2	Electrical	x		$130,000
	Consider feeding MCC-P2 from Substation No. 3	5	Electrical	x		
	Replace exterior lights on Aeration Gallery Building with high efficiency fixtures	5	Electrical	x		$6,000
L.3	Replace Garage MCC	2	Electrical	x		$150,000
M. Inlet Structures, Meters, Siphons, Miscellaneous Outside Structures						
M.1	Replace St. Joseph-Morrison Channel metering flume level sensor	2	I&C	x		$19,000
M.2	Replace Benton Harbor - St. Joseph metering flume level sensor	2	I&C	x		

TABLE 1.3
RECOMMENDED IMPROVEMENTS TO BE ADDRESSED BY JOINT PLANT STAFF

Finding ID No.	Recommended Improvement	Condition Class	Discipline	Year Needed		Budget Project Cost Opinion (Approx.)
				Before 2043	After 2043	
A. Headworks/Main Equipment Building						
A.8	Clean and paint stairs to grit collection area	5	Structural	x		In-house
	Tuck point south side of Main Equipment Building	5	Structural	x		In-house
A.10	Replace light fixtures with high efficiency type	5	Electrical	x		In-house
B. Primary Settling						
B.9	Check effluent weir levels and adjust	5	Process	x		In-house
C. Reareation/Aeration Tanks and Blower Building						
C.9.e	Replace interior lights in Blower Building	5	In-house	x		In-house
	Replace lights on aeration tank	4	In-house	x		In-house
	Replace exterior lights on Blower Building with high efficiency fixtures	5	In-house	x		In-house
D. Overflow Tanks						
D.2	Replace drain valves	5	Process	x		In-house
E. Final Settling System						
E.1	Install saw tooth weirs in Tank Nos. 1 & 2	5	Process	x		In-house
E.8	Replace walkway lighting	5	Electrical	x		In-house
G. Sludge Thickening System						
	Investigate use of gas fired duct furnaces	5	Mechanical	x		In-house
G.8	Replace exterior lights with high efficiency fixtures	5	Electrical	x		In-house
H. Digester Facility						
H.13	Replace exterior lights with high efficiency fixtures	5	Electrical	x		In-house
I. Chemical Facilities						
I.1	Replace ferrous chloride diaphragm metering pumps and controls	5	Process	x		In-house
I.2	Replace anionic polymer pumps	5	Process	x		In-house

TABLE 1.3 (CONTINUED)
RECOMMENDED IMPROVEMENTS TO BE ADDRESSED BY JOINT PLANT STAFF

Finding ID No.	Recommended Improvement	Condition Class	Discipline	Year Needed		Budget Project Cost Opinion (Approx.)
				Before 2043	After 2043	
K. Electrical Power Feed/Switchgear						
K.1	New 1-line diagram needed	5	Electrical	x		In-house
L. Miscellaneous Building & Grounds						
L.1	Replace exterior lights on Administration Building with high efficiency fixtures	5	Electrical	x		In-house
L.3	Replace exterior lights on Garage with high efficiency fixtures	5	Electrical	x		In-house
M. Inlet Structures, Meters, Siphons, Miscellaneous Outside Structures						
M.2	Add bars to the effluent of St. Joseph-Morrison Channel overflow structure to prevent blocking the flap gate	5	Process	x		In-house
	Repair access hatch locking bars on St. Joseph-Morrison Channel control structure	5	Structural	x		In-house

TABLE 1.4
RECOMMENDED IMPROVEMENTS BEYOND PLANNING PERIOD

Finding ID No.	Recommended Improvement	Condition Class	Discipline	Year Needed		Budget Project Cost Opinion (Approx.)
				Before 2043	After 2043	
C. Reareation/Aeration Tanks and Blower Building						
C.8	Replace gas fired unit heaters with electric units	5	Mechanical		x	--
F. Disinfection System						
F.2	Consider replacing sodium bisulfite feed pumps and piping	5	Process		x	--
	Consider replacing sodium bisulfite leak detection/controls system	5	I&C		x	--

APPENDIX G –

Opinion of Probable Construction Costs (OPCC)

OPINION OF PROBABLE CONSTRUCTION COSTS (OPCC) - BENTON HARBOR - ST. JOSEPH JOINT WWTP
REPLACEMENT OF FINAL SETTLING TANK MECHANISMS

DIVISION	ITEM DESCRIPTION	UNITS	NO.	MATERIAL		LABOR			INSTALLED COST TOTAL	REMARKS
				UNIT COST	TOTAL COST	% MAT COST	UNIT COST	TOTAL COST		
1	GENERAL REQUIREMENTS	LS	1						$135,568.00	5% of Div 2 - 16
2	SITE CONDITIONS									
	Demolition	EA	3	$40,000.00	$120,000.00	Incl			$120,000.00	Estimated
	Cleaning and new bottom grout	EA	3	$10,000.00	$30,000.00	Incl			$30,000.00	Estimated
5	METALS									
	Walkway Extensions & Platforms	LS	3	$78,373.00	$235,119.00	Incl			$235,119.00	Estimated
15	MECHANICAL									
	Final Settling Tanks No. 4 & 5									
	Clarifier Mechanism w/FEDWA influent energy dissipating baffles	EA	2	$233,100.00	$466,200.00	40%	$93,240.00	$186,480.00	$652,680.00	Evoqua 11/16/22
	Pony truss bridges w/ walkway & handrail	EA	2	$36,150.00	$72,300.00	40%	$14,460.00	$28,920.00	$101,220.00	Evoqua 09/19/22
	FRP Dual-Weir & Scum Baffle Panels	EA	2	$25,320.00	$50,640.00	40%	$10,128.00	$20,256.00	$70,896.00	NEFCO 09/12/22
	Effluent Trough Covers	LS	2	$79,860.00	$159,720.00	25%	$19,965.00	$39,930.00	$199,650.00	NEFCO 11/17/22
	Effluent Trough	LS	2	$185,180.00	$370,360.00	40%	$74,072.00	$148,144.00	$518,504.00	NEFCO 09/8/22
	Sludge Level Indicator	EA	2	$12,000.00	$24,000.00	40%	$4,800.00	$9,600.00	$33,600.00	Estimated
	Final Settling Tanks No. 3									
	Clarifier Mechanism w/FEDWA influent energy dissipating baffles	EA	1	$283,700.00	$283,700.00	40%	$113,480.00	$113,480.00	$397,180.00	Evoqua 11/16/22
	Pony truss bridges w/ walkway & handrail	EA	1	$36,150.00	$36,150.00	40%	$14,460.00	$14,460.00	$50,610.00	Evoqua 09/19/22
	FRP Dual-Weir & Scum Baffle Panels	EA	1	$20,020.00	$20,020.00	40%	$8,008.00	$8,008.00	$28,028.00	NEFCO 09/12/22
	Effluent Trough Covers	LS	1	$81,350.00	$81,350.00	25%	$20,337.50	$20,337.50	$101,687.50	NEFCO 11/17/22
	Effluent Trough	LS	1	$0.00	$0.00	40%	$0.00	$0.00	$0.00	
	Sludge Level Indicator	EA	1	$12,000.00	$12,000.00	40%	$4,800.00	$4,800.00	$16,800.00	Estimated
16	ELECTRICAL									
	New Motor Control Center	LS	1	$40,000.00	$40,000.00	40%	$16,000.00	$16,000.00	$56,000.00	Estimated
	Light Pole Light Fixture	EA	3	$12,000.00	$36,000.00	40%	$4,800.00	$14,400.00	$50,400.00	Estimated
	Conduit	LS	1	$20,000.00	$20,000.00	40%	$8,000.00	$8,000.00	$28,000.00	Estimated
	Mics Controls	EA	3	$5,000.00	$15,000.00	40%	$2,000.00	$6,000.00	$21,000.00	Estimated
	SUBTOTAL								$2,846,943.00	**A**
	Contractor OH&P @ 15%								$427,041.00	**B = A X 0.15**
	Subtotal								$3,273,984.00	**A+B**
	Contingency @ 20%								$654,797.00	**C = (A+B) x 0.20**
	Total Engineer's OPCC OPINION								$3,928,781.00	**A+B+C**

OPINION OF PROBABLE CONSTRUCTION COSTS (OPCC) - BENTON HARBOR - ST. JOSEPH JOINT WWTP
CHANNEL AIR SYSTEM EQUIPMENT AND PIPING REAERATION TANK GATE REPLACEMENT

DIVISION	ITEM DESCRIPTION	UNITS	NO.	MATERIAL		LABOR			INSTALLED COST	REMARKS
				UNIT COST	TOTAL COST	% MAT COST	UNIT COST	TOTAL COST	TOTAL	
1	GENERAL REQUIREMENTS	LS	1						$54,560.00	5% of Div 2 - 16
2	SITE CONDITIONS									
	Diffuser Demolition	LS	1	$99,297.00	$99,297.00	Incl			$99,297.00	
	Remove/Replace Grating	LS	1	$30,000.00	$30,000.00	Incl			$30,000.00	
15	MECHANICAL									
	4" Sch 10 Stainless Steel Air Piping	LF	750	$110.00	$82,500.00	100%	$110.00	$82,500.00	$165,000.00	
	4" Butterfly Valves	EA	6	$500.00	$3,000.00	40%	$200.00	$1,200.00	$4,200.00	
	Tie-Ins to Existing Air	LS	1	$100,000.00	$100,000.00	Incl			$100,000.00	
	Diffuser Assemblies	EA	130	$3,600.00	$468,000.00	50%	$1,800.00	$234,000.00	$702,000.00	Red Valve 09/12/2022
	Spare Parts	LS	1	$20,000.00	$20,000.00	Incl			$20,000.00	
	Supports and Miscellaneous	LS	1	$100,000.00	$100,000.00	Incl			$100,000.00	
	Replacement Slide Gates & Operators	EA	4	$15,000.00	$60,000.00	50%	$7,500.00	$30,000.00	$90,000.00	
	SUBTOTAL								$1,365,057.00	**A**
	Contractor OH&P @ 15%								$204,759.00	**B = A X 0.15**
	Subtotal								$1,569,816.00	**A+B**
	Contingency @ 20%								$313,963.00	**C = (A+B) x 0.10**
	Total Engineer's OPCC								$1,883,779.00	**A+B+C**

APPENDIX H –

Project Priority List Scoring Data Form

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Finance Division

PROJECT PRIORITY LIST SCORING DATA FORM

Part 53, Clean Water Assistance, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Instructions

The following information must be completed and submitted alongside a Project Planning Document for the Clean Water State Revolving Fund (CWSRF) or Strategic Water Quality Initiatives Fund (SWQIF). This form should only be completed for items to be included in the upcoming fiscal year project. Include page numbers and appendices of where supporting documentation can be found in the planning document. For traditional wastewater projects, including combined sewer separation, please complete sections 1-4. For projects with only storm water work please complete sections 5-8.

For questions related to wastewater scoring, please contact Charlie Hill at 906-236-3916 or HillC@Michigan.gov. For questions related to storm water scoring, please contact Christe Alwin at 517-420-1501 or AlwinC@Michigan.gov.

Project Information

Applicant: Benton Harbor – St Joseph Joint Wastewater Treatment Plant

Project Location: 269 Anchors Way, St. Joseph, MI

CWSRF/SWQIF Project Number: _____

Applicant Population: 70,619 Population Served by the Project: 70,619

Project Type: ☒ Wastewater (including emerging contaminant projects) ☐ Storm Water

1. Compliance – Wastewater Projects

Does the project have an enforceable construction schedule established by an order, permit, enforcement action, or other document issued by EGLE?

☐ Yes ☒ No

If yes, copy of enforcement action, order, permit, notice, or another document. Pages: _____

2. Public Health – Wastewater Projects

Sanitary Sewer Overflow (SSO)/Bypass. Pages: N/A

☐ Wet weather related SSOs demonstrated not meeting SSO policy.

☐ Operational-related SSOs demonstrated dry weather SSOs due to structural concerns (incorrect pumps, difficult to maintain siphons, etc.).

Combined Sewer Overflow (CSO). Pages: N/A

Based on maximum annual volume reported in the last five years, does the project involve the reduction of annual CSO volumes? Check which volume reduction applies.

☐ Greater than 10MG ☐ 5-10MG ☐ Less than 5MG ☐ N/A

Biosolids scoring for PFOS. Pages: N/A

☐ Meets 20 ppb PFOS as expressed in interim biosolids strategy. Must meet EPA public risk level if issued before 3 years. Must meet interim biosolids strategy if revised in next 3 years.

3. Water Quality – Wastewater Projects

Pre-project conditions, including wastewater collection/treatment deficiencies and water quality problems occurring. Pages: 2; See Table 2.9

☐ Project includes centralized treatment to address failing septic systems in unsewered areas.

Pages: N/A

If you selected this option, please identify the following documentation included below.

☐ Documentation of fecal coliform in surface water resulting from failing septic tanks.

☐ Documented illicit discharges of sanitary sewage to surface water resulting from failing septic tanks.

☐ Documentation of impact to surface water resulting from failing septic tanks (visual indicators or other metrics).

☐ No documentation of impacts to surface water is included.

Post-project conditions, including proposed facilities and water quality improvements.

Pages: N/A

A. Information on Existing Discharge Pages: _____

i. Discharge Method:
☒ Surface Water ☐ Groundwater ☐ No existing discharge

ii. Discharge Type:
☒ Continuous ☐ Seasonal ☐ Intermittent ☐ No existing discharge

iii. Flow (identify MGD or MGY): 8.05 MGD annual average
For facilities that discharge to regional treatment plants and do not file surface water discharge monitoring reports, provide the average daily metered flow.

iv. Receiving Water and Type: St. Joseph River

v. Location (township, range, and section): _____

vi. Existing Treatment:
☐Untreated ☒Secondary ☐Tertiary ☐Combined Sewer Overflow
☐Primary (includes septic systems with tile fields or direct surface water discharge)

vii. Existing Disinfection Process:
☐None ☒Chlorination ☐Alternative, other: _____

viii. Nitrate contamination of public or private wells caused by the discharge of effluent/waste from the treatment system or systems. Pages: N/A

☐ Public well(s) in vicinity contains nitrates > 10 mg/L
☐ Private well(s) in vicinity contains nitrates > 10 mg/L
☐ Monitoring well(s) in vicinity contains nitrates > 10 mg/L
☐ No evidence of nitrate contamination in local wells

Note: If only the total inorganic nitrogen ("TIN" ammonia + nitrite + nitrate) concentration is available, a separate sampling and nitrate analysis should be performed to document the nitrate concentration.

B. Information on Proposed Discharge Pages: N/A

i. Discharge Type:
☐Continuous ☐Seasonal ☐Intermittent

ii. Discharge Points and Receiving Waters:

_____

_____

_____

iii. Average Design Flow (identify MGD or MGY): _____

iv. Identify Receiving Water: _____

v. Location (township, range, and section): _____

vi. Effluent Limits:

Minimum Dissolved Oxygen: _____ $CBOD_5$: _____

Ammonia: _____ Phosphorus: _____

Total Inorganic Nitrogen (TIN) from groundwater permit: _____

vii. Will the proposed facility address documented total residual chlorine (TRC) violations?
☐Yes, proceed to question viii. ☐No

viii. Will the proposed improvements involve either dechlorination or an alternative disinfection technology (e.g., ultraviolet disinfection, ozonation) that eliminates the use of chlorine? ☐Yes ☐No

C. Existing Pre-Project CSO and SSO Discharges

Information must be provided for each outfall directly associated with the proposed project. Note that both tables must be completed for each discharge.

Outfall Number	Receiving Stream	Location (township, range, section)	Estimated Overflow Volume (MG) for 1-year, 1-hour storm event
001			
002			
003			
004			
005			

Outfall Number	Estimated Overflow Duration, in hours	Estimated Annual Overflow Volume (MG)	Tributary Residential Population
001			
002			
003			
004			
005			

D. Future Post-Project CSO and SSO Discharges

List each outfall from Section C. For outfalls which will cease to function as combined sewer outfalls upon the completion of this project, simply enter “Eliminated” under Receiving Stream. List any new outfalls (e.g., for a retention/treatment basin) created by this project and include its associated discharge data. Note that both tables must be completed for each discharge.

Outfall Number	Receiving Stream	Location (township, range, section)	Estimated Overflow Volume (MG) for 1-year, 1-hour storm event
001			
002			
003			
004			
005			

Outfall Number	Estimated Overflow Duration, in hours	Estimated Annual Overflow Volume (MG)	Detention Time Before Discharge for 1-year, 1-hour storm event
001			
002			
003			
004			
005			

4. Improving Infrastructure – Wastewater Projects

Check the following which apply to the proposed project. Pages: 2, See section 2.7.1

☐ Proposed project is part of an approved Asset Management Program.

☐ The purpose of the proposed project is for regionalization of systems.

☒ The proposed project involves resiliency components (e.g., pumping or type of pumps, electrical systems, basement backup protection, etc.)

The following items only apply to storm water projects.

5. Compliance – Storm Water Projects

Is the applicant a Municipal Separate Storm Sewer System (MS4) permittee?

☐ Yes, permit number:_____ ☐ No

Has the applicant received a violation notice identifying violations related to at least one of the following MS4 permit requirements? ☐ Yes, select all that apply below ☐ No

☐ Illicit Discharge Elimination Program

☐ Post-Construction Stormwater Runoff Program

☐ Pollution Prevention and Good Housekeeping Program

☐ Total Maximum Daily Load (TMDL) Implementation Plan

Copy of violation notice. Page:_____

6. Public Health – Storm Water Projects

Does the project result in **all** the following? Pages:_____

☐ Reduced storm water runoff volume for small and large events.

☐ Treatment of the water quality volume.

☐ At least one of the following

- Addresses known flooding issue causing water quality problems or basement backups.
- The design considers projected precipitation for the service life of the project or an increase in precipitation above the current National Oceanic Atmospheric Administration (NOAA) Atlas 14 estimates.

7. Water Quality – Storm Water Projects

Is the project located in an applicable TMDL watershed (i.e., E. coli, biota/sediment, phosphorus, dissolved oxygen, or chloride)?

☐ Yes, TMDL(s) title:_____ ☐ No

Does the project result in a direct reduction of the pollutant(s) causing the TMDL impairment?

☐ Yes ☐ No Pages:_____

Does the project result in reduced storm water runoff volume as a primary focus of the project?

☐ Yes ☐ No Pages:_____

Identify all best management practices (BMPs) and estimate size/quantity of each in the project. Definitions of the BMPs below are included at the end of this document.

Bioretention Basins Pages:_____

Enter the quantity for each size bioretention basin included in the project.

Less than 0.5 acre:_____ 0.5-1.5 acres:_____ Greater than 1.5 acres:_____

Rain Gardens Pages:_____

Enter the quantity for each size rain garden included in the project.

Less than 300ft^2:_____ 300-1000ft^2:_____ Greater than 1000ft^2:_____

Bioswales Pages:_____

Enter the quantity for each size bioswale included in the project.

Less than 1 acre:_____ 1 – 3 acres:_____ Greater than 3 acres:_____

Infiltration Trenches Pages:_____

Enter the quantity for each size infiltration trench included in the project.

Less than 1 acre:_____ 1 – 5 acres:_____ Greater than 5 acres:_____

Pervious Pavement Pages:_____

Select the size of pervious pavement included in the project.

☐ Less than 1 acre ☐ 1 – 5 acres ☐ Greater than 5 acres

Green Roofs Pages:_____

Enter the quantity of green roofs included in the project:_____

Native Revegetation Pages:_____

Select the size area of native revegetation included in the project.

☐ Less than 1 acre ☐ 1 – 5 acres ☐ Greater than 5 acres

Water Storage and Reuse Pages:_____

Select the quantity of water storage and reuse included in the project.

☐ Less than 1,000 gallons ☐ 1,000 – 5,000 gallons ☐ Greater than 5,000 gallons

Tree Cover Pages:_____

Enter the quantity of trees planted as part of the project:_____

Does the project result in increased water quality treatment from an existing discharge?

☐ Yes ☐ No Pages:_____

Does the project result in disconnection of existing impervious surfaces with a quantifiable runoff volume reduction or water quality benefit?

☐ Yes, disconnection area:_____ ☐ No Pages:_____

Does the project result in a new or retrofitted regional BMP(s) to address known local site issues preventing full implementation of the NPDES MS4 post-construction requirements?

☐ Yes ☐ No Pages:_____

Does the regional BMP(s) serve more than one site/parcel?

☐ Yes, number of sites/parcels:_____ ☐ No

8. Improving Infrastructure – Storm Water Projects

Does the project result in implementation of a Stormwater Asset Management Program.

☐ Yes ☐ No Pages:_____

Does the project result in a water quality benefit from the coordination between two or more municipal agencies on stormwater management?

☐ Yes, list municipal entities benefiting from the project ☐ No Pages:_____

_____

_____

_____

BMP Definitions:

Bioretention Basins: Shallow, vegetated basins designed to infiltrate, treat, and temporarily store stormwater. Bioretention basins should be pretreated to optimize water quality performance.

Rain Gardens: Shallow surface depressions planted with native vegetation to capture and treat stormwater runoff. Rain gardens should be pretreated to optimize water quality performance.

Bioswales: Shallow, vegetated stormwater channels designed to slow down runoff and provide infiltration. Check dams may be included to improve performance and maximize infiltration.

Infiltration Trenches: Linear subsurface infiltration structures, typically composed of stone trenches wrapped with geotextile fabric, designed to provide infiltration and conveyance of stormwater.

Green Roof: Rooftops or constructed surfaces that include a thin covering of vegetation or growth media that enables infiltration and evapotranspiration of stormwater.

Native Revegetation: transitioning impervious or previously non-native turfgrass spaces to native plants. Native revegetated spaces may include forest, prairie, meadow, or constructed wetland.

Water Storage and Reuse: structures designed to intercept and store runoff from rooftops and other impervious spaces and allow for its reuse.

Tree Cover: Trees planted specifically for stormwater benefit purposes including stormwater uptake, storage, and evapotranspiration.

APPENDIX I –

Project Useful Life and Cost Analysis Certification Form

EGLE

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Finance Division

PROJECT USEFUL LIFE AND COST ANALYSIS CERTIFICATION FORM

Per Section 602(b)(13) of the Federal Water Pollution Control Act (FWPCA), all Clean Water State Revolving Fund (CWSRF) assistance recipients must certify that they have conducted the studies and evaluations described in 602(b)(13)(A) and (B), collectively known as a cost and effectiveness analysis.

Applicant Name: Benton Harbor – St Joseph Joint Wastewater Treatment Plant CWSRF Project Number: _____

Project Description: Final Settling Tank Replacement and Channel Air Upgrade. Full rebuild of 3 Final Settling Tanks and replacement of Channel Air diffusers with new diffusers.

1) The applicant has studied and evaluated the cost and effectiveness of the processes, materials, techniques, and technologies for carrying out the proposed project or activity for which assistance is sought under the CWSRF; and

2) The applicant has selected, to the maximum extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation, taking into account the cost of:

- constructing the project or activity;
- operating and maintaining the project or activity over the life of the project; and
- replacing the project or activity.

3) The applicant has completed a Project Useful Life analysis for the project or activity and is included in the Project Planning Document or appropriate documentation is attached to this certification.

☒ I certify that requirements (1), (2), and (3) above have been met.

Maria Winegar

Name of Professional Engineer (Please Print or Type)

M Winegar — April 12, 2023

Signature of Professional Engineer — Date

Kevin Pockrandt, Plant Manager

Name and Title of Authorized Representative (Please Print or Type)

Kevin Pockrandt — 4-12-23

Signature of Authorized Representative — Date

APPENDIX J –

Public Meeting Advertisement

The Benton Harbor St. Joseph Joint Wastewater Treatment Plant (BHSJWWTP) will hold a public meeting on the proposed Final Settling Tank Replacement and Channel Air Upgrade project for the purpose of receiving comments from interested persons.

The public meeting will be held at **9:30a.m** on **4/28/23** at **The Benton Harbor St. Joseph Joint Wastewater Treatment Plant (BHSJWWTP)**. The purpose of the project is to completely rebuild three of the Final Settling Tanks and to replace the channel diffusers with new diffusers. Project construction will involve the replacement of aging equipment. Without replacement, there is a risk that the Final Settling Tanks would have to be taken out of service for an extended period if a failure occurs and thus impacting the quality of effluent discharged. The channel air diffusers have been difficult to maintain resulting in inefficient performance and potential solids buildup in the channels that could carry over into the aeration tanks and final settling tanks and adversely impact the treatment processes. The diffusers will be replaced with a newer and more efficient diffuser system.

Construction costs are estimated at approximately $5.8 million with anticipated funding primarily from the Clean Water State Revolving Funds (CWSRF). The Joint Plant will submit a request for determination of Disadvantage Community Status form to EGLE after the public meeting. Upon qualification the CWSRF loans are expected to be obtained in the form of a 30-year loan at an interest rate of 2.125%. Principal and interest payments would begin at the next EGLE cycle after initiation of operation. If no CWSRF is available the average monthly increase per user would be $.78/month for the average user.

Copies of the Project Plan, detailing the proposed project, are available for inspection at the Benton Harbor St. Joseph Joint WWTP Administration Building (located at 269 Anchors Way, St. Joseph, MI 49085). Written comments received before 12PM on 4/27/23, as well as comments received at the public hearing, will receive responses in the final Project Plan. Written comments should be clearly labeled as "CWSRF – Public Meeting to Fund Final Settling Tank Replacement and Channel Air Upgrade" and sent to:

Mr. Kevin Pockrandt, Plant Manager
269 Anchors Way
St. Joseph, Michigan 49085
Phone: 269.983.7719
Email: kpockrandt@bhsjwwtp.com

APPENDIX K –

Public Meeting Summary

to be provided when available

APPENDIX L –

Adoption of the Project Plan

to be provided when available