



**CONESTOGA-ROVERS  
& ASSOCIATES**

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[www.CRAworld.com](http://www.CRAworld.com)

February 19, 2015

Reference No. 058502

Ms. Liz Theile  
Michigan Department of Environmental Quality  
Water Resources Division  
401 Ketchum Street, Suite B  
Bay City 48708

Dear Ms. Theile:

Re: Joint Permit Application  
EPA ID #MID 041 793 340  
RACER Saginaw Nodular Iron Industrial Land - Saginaw, Michigan

Conestoga-Rovers & Associates (CRA) on behalf of Revitalizing Auto Communities Environmental Response (RACER) has prepared the following cover letter to support the Joint Permit Application for the work proposed in the North Ditch at RACER's Nodular Industrial Land (Site) in Saginaw, Michigan. The following Attachments are included as part of RACER's application.

Attachment A – Fully executed Joint Permit Application  
Attachment B – Maps and Drawings  
Attachment C – Photograph log of the North Ditch  
Attachment D – Receipt of payment for Joint Permit Application  
Attachment E – Easements and Other Permits  
Attachment F – Design Brief – Fill Volume Calculations

Additional information has been provided for the following sections of the Joint Permit Application to provide additional detail where there is insufficient space in the application.

### ***Section 2 – Applicant and Agent Information***

The extent of the proposed work identified on Drawing 1 provided in Attachment B encroaches on adjacent property owners land and as such letters of authorization and access agreements are being executed but have yet to be completed. Copies of the letters of authorization will be provided to the Michigan Department of Environmental Quality (MDEQ) upon execution.



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### ***Section 3 – Project Description***

One of the activities associated with the proposed work is dewatering the North Ditch. The North Ditch will be dewatered by discharging water to Outfall 022, which is the catchbasin located at the south end of the North Ditch or to the Secondary Pond which has a controlled outlet (Outfall 021). Water discharged from the Site will be sampled in accordance with the NPDES permit (MI0059042) and MDEQ letter dated January 28, 2015, which modified the frequency of analysis. Copies of the NPDES permit and MDEQ letter are included in Attachment E. The amount of sediment in the discharges from the secondary pond will be limited by utilizing a floating pump intake, filter sac, or equivalent.

### ***Section 10A – Projects Requiring Fill***

With regards to the source of clean fill, there is a large source of clay located on-Site that will be utilized for the majority of the backfill (see Figure 1). The remaining clean fill material will be peastone gravel and topsoil, however, the source for this material has yet to be identified as a contractor has yet to be selected to complete the work. The source of peastone gravel and topsoil will be provided to the MDEQ once the contractor has been selected and identified the source of peastone gravel and topsoil.

### ***Section 12 – Activities That May Impact Wetlands***

During the Site walk on October 1, 2015, MDEQ identified that there was a small area of wetlands located on the north edge of the small pond, which forms part of the North Ditch (see Drawing 1). RACER is not proposing to complete any work in the wetland area and it is our understanding based on discussions at the Site meeting and confirmed in a follow-up call on October 31, 2014 with you that Section 12 did not need to be filled out.

### ***Section 13 – Floodplain Activities***

Please refer to Attachment F which is a design brief describing how the fill volumes were calculated.



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Should you have any questions on the information provided or require additional information, please do not hesitate to call.

Yours truly,

CONESTOGA-ROVERS & ASSOCIATES

John-eric Pardys

JP/kf/1

Encl.

cc: Dave Favero, RACER  
Michael Tomka, CRA

# **Attachment A**

**Fully Executed Joint Permit Application**



## Joint Permit Application

For Work in Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams,  
 High Risk Erosion Areas and Critical Dune Areas

[www.mi.gov/jointpermit](http://www.mi.gov/jointpermit)

<p><b>What is the purpose of the Joint Permit Application?</b></p>	<p>This Joint Permit Application was developed to facilitate the state and federal permit application process administered by the Michigan Department of Environmental Quality (DEQ) and the U.S. Army Corps of Engineers (USACE).</p> <p>The Joint Permit Application is a multi-purpose application used to describe and quantify proposed activities regulated by the DEQ and/or the USACE. This application is for those activities regulated by the following Parts of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended by the State of Michigan.</p> <ul style="list-style-type: none"> <li>• Part 301, Inland Lakes and Streams</li> <li>• Part 325, Great Lakes Submerged Lands</li> <li>• Part 303, Wetlands Protection</li> <li>• Floodplain Regulatory Authority found in Part 31, Water Resources Protection</li> <li>• Part 315, Dam Safety</li> <li>• Part 323, Shorelands Protection and Management (High Risk Erosion Areas)</li> <li>• Part 353, Sand Dunes Protection and Management (Critical Dune Areas)</li> </ul> <p>The regulated activities are summarized in Appendix D. The statutes and rules are available at <a href="http://www.mi.gov/jointpermit">www.mi.gov/jointpermit</a>.</p> <p>This application is also for those activities regulated by the USACE within the waters of the United States under Section 10, Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404, Clean Water Act of 1977 (33 U.S.C. 1344).</p> <p><u>Preapplication Meeting:</u> This is an optional service available for activities proposed in inland lakes and streams (Part 301), wetlands (Part 303), and critical dune areas (Part 353). A preapplication meeting can answer many questions regarding whether or not a permit is required and the review process. The application form and fee schedule are available at <a href="http://www.mi.gov/jointpermit">www.mi.gov/jointpermit</a>.</p>
<p><b>How do I complete the Joint Permit Application?</b></p> <p><i>An accurate and complete application package is required for processing; inaccurate or missing information will delay processing.</i></p>	<p><b>There are three parts to a complete Joint Permit Application package:</b></p> <ol style="list-style-type: none"> <li>1. Application Form</li> <li>2. Maps and Drawings</li> <li>3. Fee</li> </ol> <p>Follow the checklists on the following page for each part of the application package.</p> <p><b>When you have questions or need assistance in completing the application package refer to the following information on our website <a href="http://www.mi.gov/jointpermit">www.mi.gov/jointpermit</a> or you may contact the appropriate district office, page iii, or through the website link “Who to Contact.”</b></p> <ul style="list-style-type: none"> <li>• Joint Permit Application Training Manual</li> <li>• EZ Guides for small projects</li> <li>• Acronyms in Appendix A</li> <li>• Sample drawings in Appendix B</li> <li>• Minor Project and General Permit Categories in Appendix C</li> <li>• Fee schedule in Appendix C</li> <li>• State and Federal Authority and Penalties in Appendix D</li> <li>• Glossary in Appendix E</li> </ul>



## Application Checklist

The following website will provide township, range, section, latitude and longitude information:

[www.mcgi.state.mi.us/wetlands/](http://www.mcgi.state.mi.us/wetlands/)

[www.geocoder.us](http://www.geocoder.us)

In each section check all boxes that apply to your project.

Show and label property lines on the site plan.

Label existing and proposed contours, dimensions, excavation and/or fill on the site plans and cross sections.

Provide tables for multiple impact areas.

### 1. Application Form

- Complete Sections 1 through 9 of the application form.
- An authorization letter from the property owner if someone other than the property owner is signing the application.
- Complete those Sections 10 through 20 that apply to your project. Follow the instructions at the beginning of each section. For additional information, the instructions for each sample drawing in Appendix B indicate the application sections you will most likely need to complete. Complete the application form as much as possible before adding attachments. Label each attachment with the applicant's name.
- Stake or flag the area for site inspection including the property corners, proposed road or driveway centerlines, and areas of proposed impacts. The site must be flagged when the application is submitted.

### 2. Maps and Drawings (See Attachment B)

- All maps and drawings must be black and white, legible, reproducible, and sized to 8.5" x 11". Aerial photographs do not substitute for site plans. If larger drawings or blueprints are required to show adequate detail for review, you may also submit one full size copy.
- Vicinity Map: A map to the proposed project location that includes ALL streets, roads, intersections, highways, or cross-roads to the project. Do not assume review staff knows your project location.
- Project Site Plan: Overhead drawings to scale or with dimensions, length and width, of the proposed project are required. Show and label property lines on the site plan.
- Cross-section drawings are required. Provide the cross-sections and profile views to scale or with dimensions, length, width, and height.
- Elevation data must include a description of the reference point or benchmark used and its corresponding elevation. For projects on the Great Lakes or Section 10 Waters, elevations must be provided in IGLD 85. For observed Great Lake water elevations in IGLD, visit the USACE website under "water levels". If elevations are from still water, provide the observation date and water elevation. On inland sites, elevations can use NGVD 29, NAVD 88, a local datum or an assumed bench mark.
- Provide descriptive photographs of the proposed work site showing vegetation if wetlands are involved or the shoreline for shore protection projects. All photographs must be labeled with your name and the date of the photograph, indicate what they show, and be referenced to the site plan. Proposed activities or structure(s) may be indicated directly on the photographs using indelible markers or ink pens. Provide aerial photographs 1:400 or larger for major projects. (See Attachment C)

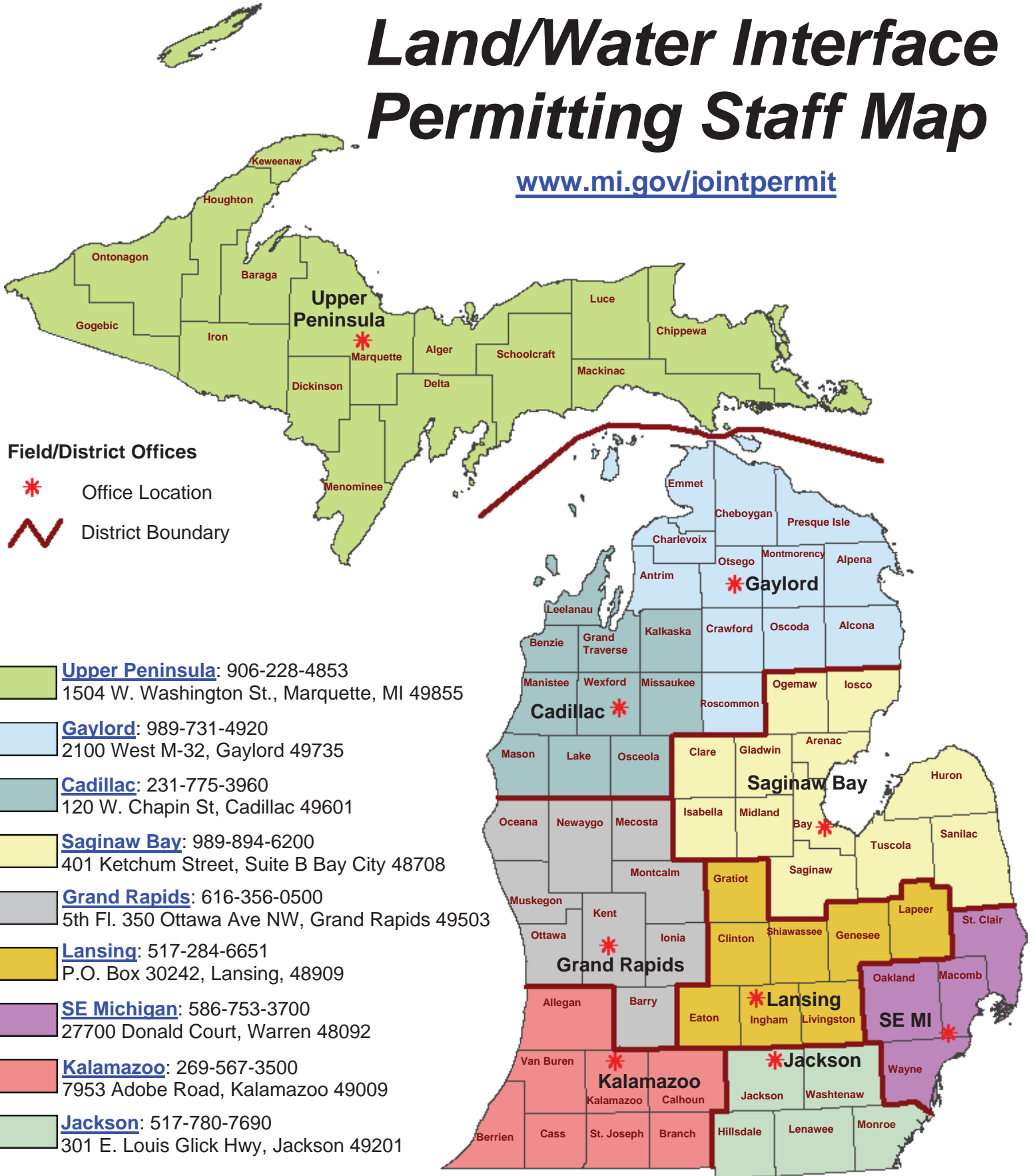
### 3. Fee (See Attachment D)

- Payment to the **State of Michigan**. Fees typically range from \$50 to \$4,000 depending on the type of project. Refer to Appendix C of the application and/or visit [www.mi.gov/jointpermit](http://www.mi.gov/jointpermit) to determine the appropriate fee for your project and for directions to pay by credit card or electronic fund transfer payment.
- Applications should be sent directly to the district offices. Please refer to page iii, or refer to [www.mi.gov/jointpermit](http://www.mi.gov/jointpermit) "who to contact" for address and/or phone number. Applications that cross county boundaries should be sent to the district containing the primary work effort.
- Applications for dams regulated under Part 315 or from public agencies eligible to receive federal and/or state transportation funding for a project involving public roadways, non-motorized paths, airports, or related facilities should be mailed to: DEQ, WRD, P.O. BOX 30458, LANSING, MI 48909-7958.



# Land/Water Interface Permitting Staff Map

[www.mi.gov/jointpermit](http://www.mi.gov/jointpermit)



### Field/District Offices

\* Office Location

~ District Boundary

**Upper Peninsula:** 906-228-4853  
1504 W. Washington St., Marquette, MI 49855

**Gaylord:** 989-731-4920  
2100 West M-32, Gaylord 49735

**Cadillac:** 231-775-3960  
120 W. Chapin St, Cadillac 49601

**Saginaw Bay:** 989-894-6200  
401 Ketchum Street, Suite B Bay City 48708

**Grand Rapids:** 616-356-0500  
5th Fl. 350 Ottawa Ave NW, Grand Rapids 49503

**Lansing:** 517-284-6651  
P.O. Box 30242, Lansing, 48909

**SE Michigan:** 586-753-3700  
27700 Donald Court, Warren 48092

**Kalamazoo:** 269-567-3500  
7953 Adobe Road, Kalamazoo 49009

**Jackson:** 517-780-7690  
301 E. Louis Glick Hwy, Jackson 49201



Water Resources Division

517-284-5567



## APPENDICES

<b>Appendix A:</b>	Acronyms and Abbreviations.....	A-1
<b>Appendix B:</b>	Sample Drawings	
	1. General Instructions for all Drawings and Sample Site Location Maps .....	B-1
	2. Inland Lake Shore Protection .....	B-2
	3. Bulkhead/Seawall .....	B-2
	4. Pond Construction .....	B-3
	5. Floodplain Fill.....	B-3
	6. Wetland Boardwalk.....	B-4
	7. Dredging .....	B-4
	8. Driveway Across Wetland.....	B-5
	9. Residential Wetland Fill and Boardwalk Construction .....	B-5
	10. Docks - Piers - Mooring Piles .....	B-6
	11. Beach Sanding .....	B-6
	12. Pipe/Utility Crossings in a Trench.....	B-7
	13. Pipe/Utility Crossings using Directional Bore.....	B-7
	14. Bridge or Culvert (4 drawings).....	B-8
	15. Dam Construction .....	B-12
	16. Water Intake .....	B-12
	17. Great Lakes Shore Protection .....	B-13
	18. Maintenance Dredge Channel.....	B-13
	19. Proposed Residence in a High Risk Erosion Area .....	B-14
	20. Proposed Residence in a Critical Dune Area .....	B-14
	21. Marina Site Plan .....	B-15
	22. Outlet Pipe.....	B-16
	23. Temporary Logging Road Crossing.....	B-16
<b>Appendix C:</b>	Fees and Categories for Minor Project and General Permit for Minor Activities .....	C-1
<b>Appendix D:</b>	State Authority, Federal Authority, Privacy Act Statement, and State and Federal Penalties.....	D-1
<b>Appendix E:</b>	Glossary (listed words are italicized in the application package) .....	E-1

Application status can be viewed on the Water Resources Division (WRD) website at [www.deq.state.mi.us/CIWPIS](http://www.deq.state.mi.us/CIWPIS). During the application period, if any information is missing from the application or if any clarification is needed regarding materials provided, the application is incomplete and staff will request the information from the applicant/agent by letter, email, fax or phone call. If a complete response is not provided within 30 days, the application will be closed. Some regulatory parts allow extensions if requested within the 30 day time frame. Once the WRD has received the information necessary for review of the project, including a thoroughly completed application, consistent drawings that have adequate detail for review and the full application fee, the file will be reviewed for final processing. A mailed postcard or a public notice will provide the file number and the telephone number of the office where the application is being processed. The review time to determine if an application is complete for processing ranges from 15 to 30 days. Technical processing times, after the application is administratively complete, may range from 60 to 90 days. Processing times will be longer if a public hearing is held. Staff from your local District/Field Office may visit the project site and may request additional information prior to a decision on the application. Application fees are not refundable or transferable.

**If a federal permit will also be required, a copy of the permit application will be sent to the Detroit District Office, USACE, for processing at the federal level.** Additional copies of this application form can be downloaded from the WRD website at [www.mi.gov/jointpermit](http://www.mi.gov/jointpermit) or can be photocopied from the original. If you have any questions about the permitting process or if you need to modify your application, you can contact the WRD by phone or fax at the addresses on the previous page, or email at [DEQ-WRD-jointpermit@michigan.gov](mailto:DEQ-WRD-jointpermit@michigan.gov).



AGENCY USE	Previous USACE File Number	Date Received	DEQ File Number
	USACE File Number		Fee received \$

Validate that all parts of this checklist are submitted with the application package. Fill out application and additional pages as needed.

- All items in Sections 1 through 9 are completed.
- Project-specific Sections 10 through 20 are completed.
- Dimensions, volumes, and calculations are provided for all impact areas.
- All information contained in the headings for the appropriate Sections (1-20) are addressed, and identified attachments (➔) are included.
- Map, site plan(s), cross sections; one set must be black and white on 8 ½ by 11 inch paper; photographs.
- Application fee is attached.

**1 Project Location Information** For Latitude, Longitude, and TRS info anywhere in Michigan see [www.mcgi.state.mi.us/wetlands/](http://www.mcgi.state.mi.us/wetlands/)

Project Address (road, if no street address) <b>2100 Veterans Memorial Parkway</b>	Zip Code <b>48601</b>	Municipality (Township/Village/City) <b>Saginaw</b>	County <b>Saginaw</b>
Property Tax Identification Number(s) <b>21 4333 00000</b>	Latitude <b>43.6214 N</b>	Township/Range/Section (TRS) T <b>12</b> N or S; R <b>5</b> E or W;	
Subdivision/Plat and Lot Number	Longitude <b>- 83 908383 W</b>	Sec <b>8</b> OR Private Claim # _____	

**2 Applicant and Agent Information**

Owner/Applicant (individual or corporate name) <b>RACER Properties LLC, c/o Dave Favero</b>	Agent/Contractor (firm name and contact person) <b>Conestoga-Rovers &amp; Associates, Inc. c/o John-eric Pardys</b>
Mailing Address <b>500 Woodward Avenue, Suite 1500</b>	Mailing Address <b>651 Colby Drive</b>
City <b>Detroit</b> State <b>MI</b> Zip Code <b>48226</b>	City <b>Waterloo</b> State <b>ON</b> Zip Code <b>N2V 1C2</b>
Contact Phone Number Fax <b>734-879-9525</b>	Contact Phone Number Fax <b>519-884-0510 519-884-0525</b>
Email <b>dfavero@racertrust.org</b>	E-mail <b>jpardys@croworld.com</b>
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is the applicant the sole owner of all property on which this project is to be constructed and all property involved or impacted by this project? ➔ If no, attach letter(s) of authorization from all property owners including the owner of the disposal site.	
Property Owner's Name (If different from applicant)	Mailing Address
Contact Phone Number	City State Zip Code

**3 Project Description**

Project Name <b>Nodular Facility - North Ditch Stabilization</b>	Preapplication File Number <b>14 - 73 - 0037-P</b>
Name of Water body <b>Saginaw River</b>	Date project staked/flagged <b>NA</b>
The proposed project is on, within, or involves (check all that apply)	
<input type="checkbox"/> an inland lake (5 acres or more) <input checked="" type="checkbox"/> a pond (less than 5 acres) <input checked="" type="checkbox"/> a stream, river, ditch or drain <input type="checkbox"/> a legally established County Drain Date Drain was established <input type="checkbox"/> a channel/canal <input checked="" type="checkbox"/> 500 feet of an existing water body	<input type="checkbox"/> a Great Lake or Section 10 Waters <input type="checkbox"/> a wetland <input checked="" type="checkbox"/> a 100-year floodplain <input type="checkbox"/> a dam <input type="checkbox"/> a designated high risk erosion area <input type="checkbox"/> a designated critical dune area <input type="checkbox"/> a designated environmental area
Project Use	
<input checked="" type="checkbox"/> private <input type="checkbox"/> commercial <input type="checkbox"/> public/government <input type="checkbox"/> project is receiving federal/state transportation funds <input type="checkbox"/> Wetland Restoration <input checked="" type="checkbox"/> other <b>Industrial</b>	

Indicate the type of permit being applied for:  General Permit  Minor Project  Individual (All other projects.) ➔ See Appendix C.


Written Summary of All Proposed Activities **Cover impacted sediments and grade ditch to drain to new catchbasin**

Construction Sequence and Methods **Clear and grub vegetation surrounding the North Ditch, remove water from the ditch, install catchbasin within ditch approximately 80 feet from existing manholes, install geotextile fabric over sediment, sling pea gravel over the geotextile, then fill ditch with clean backfill, once ditch is backfilled grade swales to direct water along the former ditch to the catch basin, seed**



<b>4 Project Purpose, Use and Alternatives</b> <i>Attach additional sheets as necessary.</i>					
Describe the purpose of the project and its intended use; include any new development or expansion of an existing land use. <b>Purpose of the work is to stabilize minor impacts in sediments in the North Ditch, while improving the stormwater drainage for the area.</b>					
Describe the alternatives considered to avoid or minimize resource impacts. Include factors such as, but to limited to, alternative locations, project layout and design, and construction technologies. For utility crossings include alternative routes and construction methods. <b>Alternatives evaluated included: Alternative 1 - install catchbasin, cover sediment with geotextile, then pea stone, then backfill. Alternative 2 - remove and dispose of sediment off-Site, install catchbasin, then backfill.</b>					
<b>5 Locating Your Project Site</b> <i>Attach a legible black and white map with a North arrow.</i>					
Names of roads of closest intersection <b>North Washington Road and Veterans Memorial Parkway</b>					
Directions from main intersection to the project site, with distances from the best and nearest visible landmark and water body <b>Site work is located approximately 0.8 miles north of the closest intersection (third driveway on the right)</b>					
Description of buildings on the site ( <i>color; 1 or 2 story, other</i> ) <b>None</b>			Description of adjacent landmarks or buildings ( <i>address; color; etc</i> ) <b>Site is immediately south of the Saginaw Wastewater Treatment Plant (2406 Veterans Memorial Pkwy)</b> <b>Site is immediately north and west of Tri-Cap Building (brown-red brick)</b> <b>Site is north of Manufacturing Building - white metal siding)</b>		
How can your site be identified if there is no visible address? <b>See figure 1</b>					
<b>6 Easements and Other Permits</b>					
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Is there a conservation easement or other easement, deed restriction, lease, or other encumbrance upon the property? ➔ If yes, attach a copy. Provide copies of court orders and legal lake levels if applicable. <b>See Attachment E for Easements and Other Permits</b>					
List all other federal, interstate, state, or local agency authorizations including required assurances for Critical Dune Area projects.					
<b>Agency</b>	<b>Type of Approval</b>	<b>Number</b>	<b>Date Applied</b>	<b>Date approved /denied</b>	<b>Reason for denial</b>
<b>MDEQ</b>	<b>NPDES</b>	<b>MI0059042</b>	<b>April 4, 2012</b>	<b>Approved: Aug. 24, 2012</b>	
<b>U.S. EPA</b>	<b>Recommendation for Stabilization</b>	<b>NA</b>	<b>February 26, 2014</b>	<b>Approved: May 7, 2014</b>	
<b>U.S. Army Corp.</b>	<b>Not U.S. Army Corp. jurisdiction</b>	<b>LRE-2014-00776-20</b>	<b>August 13, 2014</b>	<b>October 27, 2014</b>	
<b>7 Compliance</b>					
If a permit is issued, when will the activity begin? (M/D/Y) <b>Summer 2015</b>			Proposed completion date (M/D/Y) <b>Fall 2015</b>		
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Has any construction activity commenced or been completed in a regulated area? ➔ If Yes, identify the portion(s) underway or completed on drawings or attach project specifications and give completion date(s).					
<input type="checkbox"/> No <input type="checkbox"/> Yes Were the regulated activities conducted under a DEQ and/or USACE permit? ➔ If Yes, list the permit numbers					
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Are you aware of any unresolved violations of environmental law or litigation involving the property? ➔ If Yes, attach explanation. <b>Complaint File Number 14-73-0002V</b>					
<b>8 Adjoining Property Owners</b> <i>Provide current mailing addresses. Attach additional sheets/labels for long lists.</i>					
<input type="checkbox"/> Established Lake Board	Contact Person	Mailing Address	City	State and Zip Code	
<input type="checkbox"/> Lake Association					
List all adjoining property owners. If you own the adjoining lot, provide the requested information for the first adjoining parcel that is not owned by you.					
Property Owner's Name	Mailing Address	City	State and Zip Code		
<b>Tri-Cap</b>	<b>2300 Veterans Memorial Parkway</b>	<b>Saginaw</b>	<b>Mi, 48601</b>		
<b>Saginaw Wastewater Treatment Plant</b>	<b>2406 Veterans Memorial Parkway</b>	<b>Saginaw</b>	<b>MI, 48601</b>		
<b>Corvus International</b>	<b>HQ - 118 East Maple Road (owner of 2220 Veterans Memorial Parkway)</b>	<b>Birmingham</b>	<b>MI, 48009</b>		
<b>Michigan Department of Transportation</b>	<b>5859 Sherman Road</b>	<b>Saginaw</b>	<b>MI, 48604</b>		
<b>Fahrner Asphalt Sealers</b>	<b>2224 Veterans Memorial Parkway</b>	<b>Saginaw</b>	<b>MI, 48601</b>		



<b>9 Applicant's Certification</b>		<i>Read carefully before signing.</i>	
<p>I am applying for a permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application; that it is true and accurate; and, to the best of my knowledge, that it is in compliance with the State Coastal Zone Management Program. I understand that there are penalties for submitting false information and that any permit issued pursuant to this application may be revoked if information on this application is untrue. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I agree to allow representatives of the DEQ, USACE, and/or their agents or contractors to enter upon said property in order to inspect the proposed activity site before and during construction and after the completion of the project. I understand that I must obtain all other necessary local, county, state, or federal permits and that the granting of other permits by local, county, state, or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the activity. I understand that the payment of the application fee does not guarantee the issuance of a permit.</p>			
<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Agent/Contractor <input type="checkbox"/> Corp. or Public Agency / Title	Printed Name <b>David Favero</b>	Signature 	Date <b>February 17, 2015</b>



**10 Projects Impacting Inland Lakes, Streams, Great Lakes, Wetlands or Floodplains**

- Complete only those sections A through M applicable to your project.
- If your project impacts wetlands also complete Section 12. If your project impacts regulated floodplains also complete Section 13.
- To calculate volume in cubic yards (cu yd), multiply the average length in feet (ft) times the average width (ft) times the average depth (ft) and divide by 27. Example: (25 ft long x 10 ft wide x 2 feet deep) / 27 = 18.5 cubic yards
- Some projects on the Great Lakes require an application for conveyance prior to Joint Permit Application completeness.
  - ➔ Provide a black and white overall site plan, with cross-section and profile drawings. Show existing lakes, streams, wetlands, and other water features; existing structures; and the location of all proposed structures, land change activities and soil erosion and sedimentation control measures. Review Appendix B and EZ Guides for aid in providing complete site-specific drawings.
  - ➔ Provide tables for multiple impact areas or multiple activities such as multiple fill areas or multiple culverts. Include your calculations.

**Water Level Elevation**  
 On inland waters  NGVD 29  NAVD 88  other Observed water elevation (ft) **584.68** date of observation (M/D/Y) **8/7/2014**  
 On a Great Lake  IGLD 85  surveyed  converted from observed still water elevation.

**A. PROJECTS REQUIRING FILL** (See All Sample Drawings)  
 ➔ Attach a site plan and cross-section views to scale showing maximum and average fill dimensions with calculations.  
 ➔ For multiple impact areas on a site provide a table with location, dimensions and volumes for each fill area.

Purpose	<input type="checkbox"/> bioengineered shore protection	<input type="checkbox"/> boat ramp	<input type="checkbox"/> boat well	<input type="checkbox"/> bridge or culvert	<input type="checkbox"/> crib dock
	<input type="checkbox"/> riprap	<input type="checkbox"/> seawall	<input type="checkbox"/> swim area	<input checked="" type="checkbox"/> other <b>infill ditch</b>	
Dimensions of fill (ft) Length <b>1,315ft</b> Width <b>62ft</b> Maximum Depth <b>6ft</b>	Total volume (cubic yards) <b>3,826</b>	Volume below OHWM (cubic yards) <b>3,353</b>			
Maximum water depth in fill area (ft) <b>6ft</b>	Area filled (sq ft) <b>60,000</b>	Will filter fabric be used under proposed fill? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If Yes, type) <b>geotextile</b>			

Fill will extend **NA** feet into the water from the shoreline and upland **NA** feet out of the water.

Type of clean fill  peastone **5%**  sand %  gravel %  other **clay 85% and topsoil 10%**  
 Source of clean fill  commercial  on-site ➔ If on-site, show location on site plan.  
 other ➔ If other, attach description of location.

**B. PROJECTS REQUIRING DREDGING OR EXCAVATION** (See Sample Drawings)  
 • Refer to [www.mi.gov/jointpermit](http://www.mi.gov/jointpermit) for spoils disposal and authorization requirements.  
 ➔ Attach a site plan and cross-section views to scale showing maximum and average dredge or excavation dimensions with calculations.  
 ➔ For multiple impact areas on a site provide a table with location, dimensions and volumes for each dredge/excavation area.

Purpose	<input type="checkbox"/> boat ramp	<input type="checkbox"/> boat well	<input type="checkbox"/> bridge or culvert	<input type="checkbox"/> maintenance dredge
	<input type="checkbox"/> navigation	<input type="checkbox"/> pond/basin	<input type="checkbox"/> other	
Dimensions (ft) Length Width Maximum Depth	Total volume (cu yds)	Volume below OHWM (cu yds)		
Has this same area been previously dredged?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If Yes, provide date and permit number:		
Will the previously dredged area be enlarged?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If Yes, when and how much?		
Is long-term maintenance dredging planned?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If Yes, how often?		

Dredge or Excavation Method  Hydraulic  Mechanical  other

Spoils Disposal	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines. ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.
	For volumes less than 5,000 cu yards, has proposed dredge material been tested for contaminants within the past 10 years? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ If Yes, provide test results with a map of sampling locations.

**C. PROJECTS REQUIRING RIPRAP** (See Sample Drawings 2, 3, 8, 12, 14, 22, and 23)

Riprap water ward of the ordinary high water mark: dimensions (ft) length width depth	Volume(cu yd)
Riprap landward of the ordinary high water mark: dimensions (ft) length width depth	Volume(cu yd)
Type and size of riprap (inches) <input type="checkbox"/> field stone <input type="checkbox"/> angular rock <input type="checkbox"/> other	Will filter fabric or pea stone be used under proposed riprap? <input type="checkbox"/> No <input type="checkbox"/> Yes, Type



<input type="checkbox"/> <b>D. SHORE PROTECTION PROJECTS</b> (See EZ Guides and Sample Drawings 2, 3, and 17. Complete Sections 10A, B, and/or C.)			
➔ For bioengineering projects include the list of native plants/seeds, if available.			
Type and length (ft)	<input type="checkbox"/> bioengineering (ft)	<input type="checkbox"/> revetment (ft)	<input type="checkbox"/> riprap (ft) <input type="checkbox"/> seawall/bulkhead (ft)
Structure is <input type="checkbox"/> new <input type="checkbox"/> repair <input type="checkbox"/> replacement of an existing structure		Will the existing structure be removed? <input type="checkbox"/> No <input type="checkbox"/> Yes	
Proposed Toe Stone (linear feet)		Distance of project from adjacent property lines (ft)	
Distance of project from an obvious fixed structure (example - 50 ft from SW corner of house)			
For bioengineering projects indicate the structure type <input type="checkbox"/> brush bundles <input type="checkbox"/> coir log <input type="checkbox"/> live stakes <input type="checkbox"/> tree revetment <input type="checkbox"/> other			
<input type="checkbox"/> <b>E. DOCK - PIER – MOORING PILINGS</b> (See Sample Drawing 10)			
➔ Attach a copy of the property legal description, mortgage survey, or a property boundary survey report.			
Dock Type <input type="checkbox"/> open pile <input type="checkbox"/> filled <input type="checkbox"/> crib <input type="checkbox"/> floating <input type="checkbox"/> cantilevered <input type="checkbox"/> spring piles <input type="checkbox"/> piling clusters <input type="checkbox"/> other			
Is the structure within the applicant's riparian area interest area? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ Show parcel property lines on the site plan.			
Proposed structure dimensions (ft) length width		Use <input type="checkbox"/> private <input type="checkbox"/> public <input type="checkbox"/> commercial	
Dimensions of nearest adjacent structures (ft) length width		Distance of dock from adjacent property lines (ft)	
<input type="checkbox"/> <b>F. BOAT WELL</b> (See EZ Guide. Complete Sections 10A and 10B)			
Dimensions (ft) length width depth		Number of boats	
Type of sidewall stabilization <input type="checkbox"/> concrete <input type="checkbox"/> riprap <input type="checkbox"/> steel <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other			
Volume of backfill behind sidewall stabilization (cu yd)		Distance of boat well from adjacent property lines (ft)	
<input type="checkbox"/> <b>G. BOAT RAMP</b> (See EZ Guide. Complete sections 10A, 10B, and 10C for mattress and pavement fill, dredge, and riprap)			
Type <input type="checkbox"/> new <input type="checkbox"/> existing <input type="checkbox"/> maintenance/improvement		Use <input type="checkbox"/> private <input type="checkbox"/> public <input type="checkbox"/> commercial	
Existing overall boat ramp dimensions (ft) length width depth		Type of construction material <input type="checkbox"/> concrete <input type="checkbox"/> wood <input type="checkbox"/> stone <input type="checkbox"/> other	
Proposed overall ramp dimensions (ft) length width depth		Proposed ramp dimensions (ft) below ordinary high water mark length width depth	
Number of proposed skid piers	Proposed skid pier dimensions (ft) length width		Distance of ramp from adjacent property lines (ft)
<input type="checkbox"/> <b>H. BOAT HOIST – ROOFS</b> (See EZ Guide)			
Type <input type="checkbox"/> cradle <input type="checkbox"/> side lifter <input type="checkbox"/> other		Located on <input type="checkbox"/> seawall <input type="checkbox"/> dock <input type="checkbox"/> bottomlands	
Hoist dimensions, including catwalks (ft) length width			
Area occupied, including cat walks (sq ft)		Distance of hoist from adjacent property lines (ft)	
Permanent Roof <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ If Yes, how is the roof supported?		Maximum Roof Dimensions (ft): length width height	
<input type="checkbox"/> <b>I. BOARDWALKS and DECKS in WETLANDS or FLOODPLAINS</b> (See Sample Drawings 5 and 6. Complete Sections 12 and/or 13)			
➔ Provide a table for multiple boardwalks and decks proposed in one project; include locations and dimensions.			
<b>Wetlands</b>		<b>Floodplains</b>	
Boardwalk <input type="checkbox"/> on pilings <input type="checkbox"/> on fill	Deck <input type="checkbox"/> on pilings <input type="checkbox"/> on fill	Boardwalk <input type="checkbox"/> on pilings <input type="checkbox"/> on fill	Deck <input type="checkbox"/> on pilings <input type="checkbox"/> on fill
Dimensions (ft) length width	Dimensions (ft) length width	Dimensions (ft) length width	Dimensions (ft) length width
<input checked="" type="checkbox"/> <b>J. INTAKE PIPES</b> (See Sample Drawing 16) or <b>OUTLET PIPES</b> (See Sample Drawing 22)			
If outlet pipe, discharge is to <input type="checkbox"/> inland lake <input type="checkbox"/> stream, drain or river <input type="checkbox"/> overland flow <input type="checkbox"/> Great Lake <input type="checkbox"/> wetland <input checked="" type="checkbox"/> other <b>existing storm sewer</b>			
Number of pipes <b>1</b>	Pipe diameters and invert elevations <b>6" PVC Inv. 582.68 at new CB and Inv. 582.04 at existing CB</b>	Does pipe discharge below the OHWM?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
		Is the water treated before discharge?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Type <input type="checkbox"/> headwall <input checked="" type="checkbox"/> end section <input type="checkbox"/> other		Dimensions of headwall OR end section (ft) length width height	



<input type="checkbox"/> <b>K. MOORING and NAVIGATION BUOYS</b> (See EZ Guide for Sample Drawing)			
<ul style="list-style-type: none"> <li>➔ Provide a site plan showing the distances between each buoy and from the shore to each buoy, and depth (ft) of water at each location.</li> <li>➔ Provide cross-section drawing(s) showing anchoring system(s) and dimensions.</li> </ul>			
Purpose of buoy <input type="checkbox"/> mooring <input type="checkbox"/> navigation <input type="checkbox"/> scientific structures <input type="checkbox"/> swimming <input type="checkbox"/> other			
Number of buoys	Dimensions of buoys (ft)		Boat Lengths
	width	height	swing radius
			chain length
Buoy Location: Latitude    .    N    Longitude    --    .    W. ➔ Provide a table for multiple buoys.			
Do you own the property along the shoreline?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If No, attach an authorization letter from the property owner(s).
Do you own the bottomlands?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If No, attach an authorization letter from the property owner(s).
<input type="checkbox"/> <b>L. FENCES</b>			
<ul style="list-style-type: none"> <li>➔ Provide an overall site plan showing the proposed fencing through streams, wetlands or floodplains.</li> <li>➔ Provide a drawing of fence profile showing the design, dimension, post spacing, mesh, and distance from ground to bottom of fence.</li> </ul>			
Purpose of fence <input type="checkbox"/> Airport <input type="checkbox"/> Cervidae <input type="checkbox"/> Livestock <input type="checkbox"/> Residential <input type="checkbox"/> Security <input type="checkbox"/> Other			
Total length (ft) of fence through		Fence height (ft)	Fence type and material
streams    wetlands    floodplains			
<input type="checkbox"/> <b>M. OTHER</b> - e.g., structure removal, maintenance or repair, aerator, dry fire hydrant, gold prospecting, habitat structures, scientific measuring devices, soil borings, or survey activities.			
Structure description, dimensions and volumes. Complete Sections 10A-C as applicable.			
<b>11 Expansion of an Existing or Construction of a New Lake or Pond</b> (See Sample Drawings 4 and 15)			
<ul style="list-style-type: none"> <li>➔ Complete Section 10J for outlets and Section 17 for water control structures.</li> <li>➔ Provide elevations, cross-sections and profiles of outlets, dams, dikes, water control structures and emergency spillways to nearest water bodies.</li> </ul>			
Which best describes your proposed water body use (check all that apply)			
<input type="checkbox"/> mining <input type="checkbox"/> recreation <input type="checkbox"/> storm water retention basin <input type="checkbox"/> wastewater basin <input type="checkbox"/> wildlife <input type="checkbox"/> other			
Water source for lake/pond			
<input type="checkbox"/> groundwater <input type="checkbox"/> natural springs <input type="checkbox"/> Inland Lake or Stream <input type="checkbox"/> storm water runoff <input type="checkbox"/> pump <input type="checkbox"/> sewage <input type="checkbox"/> other			
Location of the lake/basin/pond <input type="checkbox"/> floodplain <input type="checkbox"/> wetland <input type="checkbox"/> stream (inline) <input type="checkbox"/> upland			
Maximum dimensions (ft)		Maximum Area: <input type="checkbox"/> acres <input type="checkbox"/> sq ft	
length    width    depth			
Has the there been a hydrologic study performed on the site?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy.
Has the DEQ conducted a wetland assessment for this parcel?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy or WIP number:
Has a professional wetland delineation been conducted for this parcel?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy with data sheets.
<b>Spoils Disposal</b>	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site		
	For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines.		
	➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.		



**12 Activities That May Impact Wetlands** (See Sample Drawings 8 & 9). Complete other Sections as applicable.

- Locate your site and wetland information with the DEQ Wetlands Map Viewer at [www.mcgi.state.mi.us/wetlands/](http://www.mcgi.state.mi.us/wetlands/)
- For information on the DEQ's Wetland Identification Program (WIP) visit [www.mi.gov/wetlands](http://www.mi.gov/wetlands).
  - ➔ Provide a detailed site plan with labeled property lines, upland and wetland areas, and dimensions and volumes of wetland impacts.
  - ➔ Complete the wetland dredge and wetland fill dimension information below for each impacted wetland area.
  - ➔ Attach tables for multiple impact areas or activities.
  - ➔ Attach at least one cross-section for each wetland dredge and/or fill area; show wetland and upland boundaries on the cross-section.

Has the DEQ conducted a wetland assessment for this parcel?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy or WIP number:
Has a professional wetland delineation been conducted for this parcel?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy with data sheets
Is there a recorded DEQ easement on the property?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide the easement number
Did the applicant purchase the property before October 1, 1980?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide documentation.
Is any grading or mechanized land clearing proposed?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, label the locations on the site plan.
Has any of the proposed grading or mechanized land clearing been completed?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, label the locations on the site plan

Proposed Activity	<input type="checkbox"/> boardwalk or deck (Section 10I)	<input type="checkbox"/> bridges and culverts (Section 14)	<input type="checkbox"/> designated environmental area
	<input type="checkbox"/> dewatering	<input type="checkbox"/> draining surface water	<input type="checkbox"/> driveway / road
	<input type="checkbox"/> fences (Section 10L)	<input type="checkbox"/> fill or dredge	<input type="checkbox"/> restoration
	<input type="checkbox"/> septic system	<input type="checkbox"/> stormwater discharge (Section 10J)	<input type="checkbox"/> other

<b>FILL</b>	Dimensions maximum length (ft) maximum width (ft)	Area <input type="checkbox"/> acres <input type="checkbox"/> sq ft	Average depth (ft)	Volume (cu yd)
<b>DREDGE</b>	Dimensions maximum length (ft) maximum width (ft)	Area <input type="checkbox"/> acres <input type="checkbox"/> sq ft	Average depth (ft)	Volume (cu yd)

Spoils Disposal	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site			
	For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines. ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.			

Septic System	The proposed project will be serviced by: <input type="checkbox"/> public sewer <input type="checkbox"/> private septic system ➔ Show system on plans.	If a private septic system is proposed, has an application for a permit been made to the County Health Department? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, has a permit been issued? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ Provide a copy of the permit.
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Describe the wetland impacts, the proposed use or development, and the alternatives considered:

Does the project impact more than 1/3 acre of wetland?  No  Yes  
➔ If Yes, submit a Mitigation Plan with the type and amount of mitigation proposed. For more information go to [www.mi.gov/wetlands](http://www.mi.gov/wetlands)

Describe how impacts to waters of the United States will be avoided and minimized:

Describe how the impact to waters of the United States will be compensated. OR Explain why compensatory mitigation should not be required for the proposed impacts.

**13 Floodplain Activities** (See Sample Drawing 5 and others. Complete other applicable sections.)

- For more information go to [www.mi.gov/floodplainmanagement](http://www.mi.gov/floodplainmanagement). This site also lists the projects and requirements for an expedited floodplain review under "Expedited Review Information for Minor Floodplain Projects."
- Examples of projects proposed within the non-floodway portions of the 100-year-floodplain which may qualify for an expedited review: Open pile decks and boardwalks; residences, commercial/industrial facilities, garages and accessory structures; parking lots; pavilions, gazebos, large community playground structures; residential swimming pools
- Examples of projects proposed within the floodway portions of the floodplain which may qualify for an expedited review: Open pile decks and boardwalks, (non-enclosed) that are anchored to prevent floatation and that do not extend over the bed and bank of a watercourse; parking lots constructed at grade or resurfacing that is no more than 4 inches above the existing grade; dry hydrants that do not require fill placement; scientific structure such as staff gauges, water monitoring devices, water quality testing devices, and core sampling devices which meet specific design criteria and fish structures that meet specific design criteria.
- For expedited review include:
  - Photographs of the work site labeled to identify what is being shown and with the direction of the photo clearly indicated. Include photographs of any river or stream adjacent to the project.
  - A letter or statement from the local unit of government acknowledging your proposed application. See the website for sample wording.
- A hydraulic analysis or hydrologic analysis may be required to fully assess floodplain impacts.
- The state building code requires an Elevation Certificate for any building construction or addition in a floodplain. A sample form can be found at [www.fema.gov/nfip/elvinst.shtm](http://www.fema.gov/nfip/elvinst.shtm).
  - Attach additional sheets or tables for multiple proposed floodplain activities and provide hydraulic calculations.
  - Show reference datum used on plans.

Proposed Activity	<input checked="" type="checkbox"/> fill <input type="checkbox"/> excavation or cut <input type="checkbox"/> other	100-year floodplain elevation (ft) (if known) <b>589.3</b> Datum <input checked="" type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> other
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Site is 0-5 feet above  ordinary high water mark (OHWM) OR  observed water level. Date of observation (M/D/Y)

Fill volume below the 100-year floodplain elevation (cu yds) <b>Total Fill - 3,826 cy, Fill above DHWM - 473 cy</b>	Compensating cut volume below the 100-year floodplain elevation (cu yds) <b>574 cy</b>
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<b>Buildings and/or Additions</b>	Type of construction is <input type="checkbox"/> residential <input type="checkbox"/> garage/pole barn <input type="checkbox"/> non residential <input type="checkbox"/> other	
	Construction is <input type="checkbox"/> new <input type="checkbox"/> addition    AND    Serviced by <input type="checkbox"/> public sewer <input type="checkbox"/> private septic <input type="checkbox"/> other	
	Lowest adjacent grade (ft): existing                      proposed datum <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> other	
	<b>Existing Structure Information</b>	<b>Proposed Structure Information</b>
	Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab on grade <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other	Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab on grade <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other
	Foundation floor elevation (ft)	Foundation floor elevation (ft)
	Height of crawl space/basement from finished foundation floor to bottom of floor joists (ft)	Height of crawl space/basement from finished foundation floor to bottom of floor joists (ft)
	Elevation of 1st floor above basement floor/crawl space (ft)	Elevation of 1st floor above basement floor/crawl space (ft)
	For enclosed areas below the flood elevation, such as a crawl space, garages and accessory structures: Area of proposed foundation (sq ft) Elevation of proposed enclosed area (ft)                      datum <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> other	
	Number of flood vents                      net opening of each vent (sq inches)                      lowest elevation of flood vents (ft)	



<b>14</b>	<b>Bridges and Culverts</b> Including Foot and Cart Bridges. (See EZ Guides and Sample Drawings 5, 14A, 14B, 14C, 14D.)			
<ul style="list-style-type: none"> <li>• Complete other applicable Sections, including 10A-C.</li> <li>• A hydraulic analysis or hydrologic analysis may be required to fully assess impacts. ➔ Attach hydraulic calculations.</li> <li>• High Water Elevation - describe reference point and highest known water level above or below reference point and date of observation.               <ul style="list-style-type: none"> <li>➔ Attach additional sheets for multiple bridges and/or culverts.</li> <li>➔ Provide detailed site-specific drawings of existing and proposed Plan and Elevation View at a scale adequate for detailed review.</li> <li>➔ Provide all information in the boxes below; do not write in a reference to plan sheets. Show reference datum used on plans.</li> </ul> </li> </ul>				
<b>Stream Information</b>	The site has a high water elevation (ft) <input type="checkbox"/> above or <input type="checkbox"/> below the Reference Point of _____ Date observed _____			
	Reference datum used <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> IGLD 85 (Great Lakes coastal areas) <input type="checkbox"/> other			
	Average stream width (ft) at the ordinary high water mark (OHWM) outside the influence of any ponding or scour holes around the structure		Upstream _____ Downstream _____	
	Cross-sectional area of primary channel (sq ft) _____ (See Sample Drawing 14C for more information)			
	The width of the stream where the water begins to overflow its banks. Bankfull width (ft)			
	The invert of the stream 100-feet from structure (ft)		Upstream _____ Downstream _____	
	Is the existing culvert perched? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, provide a profile of the channel bottom at the high and low points for a distance of 200 feet upstream and downstream of the culvert.			
<b>Complete this form for each bridge / culvert location.</b>			<b>Existing</b>	<b>Proposed</b>
<b>Bridge</b>	Number of bridge spans			
	Bridge type (concrete box beam, concrete I-beam, timber, etc.)			
	Bridge span ( length perpendicular to stream) (ft)			
	Bridge width (parallel to stream) (ft)			
	Bottom of bridge beam (ft)		Upstream _____ Downstream _____	
	Stream invert elevation at bridge (ft)		Upstream _____ Downstream _____	
	Bridge rise from bottom of beam to streambed (ft)			
	<b>Culvert</b>	Number of culverts		
Culvert type (arch, bottomless, box, circular, elliptical, etc.)				
Culvert material (concrete, corrugated metal, plastic, etc.)				
Culvert length (ft)				
Culvert <input type="checkbox"/> width <input type="checkbox"/> diameter (ft)				
Culvert height prior to any burying (ft)				
Depth culvert will be buried (ft)				
Elevation of culvert crown (ft)		Upstream _____ Downstream _____		
Higher elevation of <input type="checkbox"/> culvert invert OR <input type="checkbox"/> streambed within culvert (ft)		Upstream _____ Downstream _____		
<b>Complete for both Bridges and Culverts</b>		Entrance design (mitered, projecting, wingwalls, etc.)		
	Total structure waterway opening above streambed (sq ft)			
	Total structure waterway area below the 100-year elevation (sq ft) (if known)			
	Elevation of road grade at structure (ft)			
	Elevation of low point in road (ft)			
	Distance from low point of road to mid-point of bridge crossing (ft)			
	Length of approach fill from edge of bridge/culvert to existing grade (ft)			
	<p>A Licensed Professional Engineer may certify that your project will not cause a harmful interference for a range of flood discharges up to and including the 100-year flood discharge. The "Required Certification Language" is found under "forms" on the "maps, forms and documents" link from the <a href="http://www.mi.gov/jointpermit">www.mi.gov/jointpermit</a> page or a copy may be requested by phone, email, or mail. A hydraulic report supporting this certification may also be required.</p> <p>Is Certification Language attached? <input type="checkbox"/> No <input type="checkbox"/> Yes</p>			



**15 Stream, River, or Drain Construction , Relocation and Enclosure Activities**

- Complete Section 10C for riprap activities.
- If side casting or other proposed activities will impact wetlands or floodplains, complete Sections 12 and 13, respectively.
  - Provide a scaled overall site plan showing existing lakes, streams, wetlands, and other water features; existing structures; and the location of all proposed structures and land change activities.
  - Provide scaled cross-section (elevation) drawings necessary to clearly show existing and proposed conditions.
  - For activities on legally established county drains, provide original design and proposed dimensions and elevations.

Stream Information	Water elevation (ft) datum <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> IGLD 85 (Great Lakes coastal areas) <input type="checkbox"/> other ➤ Show elevation on plans with description.	
	Dimensions (ft) of existing stream/drain channel (ft)	length width depth
	Existing channel average water depth in a normal year (ft)	
Proposed Activity <input type="checkbox"/> enclosure <input type="checkbox"/> improvement <input type="checkbox"/> maintenance <input type="checkbox"/> new drain <input type="checkbox"/> relocation <input type="checkbox"/> wetlands <input type="checkbox"/> other		
If an enclosed structure is proposed, check material type <input type="checkbox"/> concrete <input type="checkbox"/> corrugated metal <input type="checkbox"/> plastic <input type="checkbox"/> other		
Dimensions (ft) of the structure: diameter length		Volume of fill (cu yds)
Will old/enclosed stream channel be backfilled to top of bank grade? <input type="checkbox"/> No <input type="checkbox"/> Yes		
Length of channel to be abandoned (ft)		Volume of fill (cu yds)
Dimensions (ft) of improved, maintained, new, relocated or wetland stream/drain channel. length width depth		Volume of dredge/excavation (cu yds)
How will slopes and bottom be stabilized?		Proposed side slopes (vertical / horizontal)
Spoils Disposal	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site For disposal, provide a ➤ Detailed spoils disposal area location map and site plan with property lines. ➤ Letter of authorization from property owner of spoils disposal site, if disposed off-site.	

**16 Drawdown of an Impoundment**

- If wetlands will be impacted, complete Section 12.

Type of drawdown <input type="checkbox"/> over winter <input type="checkbox"/> temporary <input type="checkbox"/> one-time event <input type="checkbox"/> annual event <input type="checkbox"/> permanent (dam removal) <input type="checkbox"/> other		
Reason for drawdown		
Has there been a previous drawdown? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, provide date (M/D/Y)		Previous DEQ permit number, if known
Does waterbody have established legal lake level? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Sure		Dam ID Number, if known
Extent of vertical drawdown (ft)	Impoundment design head (ft)	Number of adjoining or impacted property owners
Date drawdown would start (M/D/Y)	Date drawdown would stop (M/D/Y)	Rate of drawdown ( ft/day)
Date refilling would start (M/D/Y)	Date refill would end (M/D/Y)	Rate of refill (ft/day)
Type of outlet discharge structure to be used <input type="checkbox"/> surface <input type="checkbox"/> bottom <input type="checkbox"/> mid-depth	Impoundment area at normal water level (acres)	Sediment depth behind impoundment discharge structure (ft)



**17 Dam, Embankment, Dike, Spillway, or Control Structure Activities** (See Sample Drawing 15)

- For more information go to [www.mi.gov/damsafety](http://www.mi.gov/damsafety). If wetlands will be impacted, complete Section 12.
- Information on removing a dam is available at [www.mi.gov/damsafety](http://www.mi.gov/damsafety) and following the Related Link –Dam Management.
  - ➔ Attach detailed signed and sealed engineering plans for a Part 315 dam repair, dam alteration, dam abandonment, or dam removal.
  - ➔ Part 315 Dam Safety application fees are added to all other application fees.
  - ➔ Mail applications for dams regulated under Part 315 to DEQ, WRD, P.O. BOX 30458, LANSING, MI 48909-7958, attention Dam Safety.

Proposed Activity	<input type="checkbox"/> abandonment	<input type="checkbox"/> alteration	<input type="checkbox"/> enlargement of an existing dam
	<input type="checkbox"/> removal	<input type="checkbox"/> repair	<input type="checkbox"/> reconstruction of a failed dam
	<input type="checkbox"/> new dam construction	<input type="checkbox"/> other	

Dam ID Number, if known	Type of outlet discharge structure <input type="checkbox"/> surface <input type="checkbox"/> bottom <input type="checkbox"/> mid-depth
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Will proposed activities require a drawdown of the waterbody to complete the work?  No  Yes ➔ If Yes, complete Section 16.

Structural height (difference between embankment top elevation and streambed elevation at downstream embankment toe) (ft) \_\_\_\_\_

Hydraulic Height (difference between design flood elevation and streambed elevation at downstream embankment toe) (ft) _____	Impoundment size at design flood elevation (acres)
--	--

Does dam meet the criteria for regulation under Part 315? (i.e. hydraulic height of 6 feet or more and an impoundment size at the design flood of 5 surface acres or more)  No  Yes

Dredging/excavation volume (cu yd)	Fill volume (cu yd)	Riprap volume (cu yd)
------------------------------------	---------------------	-----------------------

Will a water diversion during construction be required?  No  Yes

If Yes, describe how the stream flow will be controlled through the dam construction area during the proposed project activities:

Complete the following for a new dam, reconstruction of a failed dam or enlargement of an existing dam

For Part 315 regulated dams, the following must be attached:

- ➔ Site-specific conceptual plans of the dam for resource impact review (An engineering report and detailed engineering plans are not required until the project has been determined to be permitable).
- ➔ A description and evaluation of the loss of natural resources associated with the project.
- ➔ A description of the natural resources that are associated with or created by the impoundment and how they offset the natural resources lost by the creation of the impoundment.
- ➔ An assessment of all known existing and potential adverse effects within the scope of the project.

Embankment dimensions	length (ft)	top width (ft)	bottom width (ft)	slopes (vertical / horizontal)	Upstream Downstream
-----------------------	-------------	----------------	-------------------	--------------------------------	------------------------

Have soil borings been taken at dam location?  No  Yes ➔ If Yes, attach results.

Do you have flowage rights to all proposed flooded property at the design flood elevation?  No  Yes ➔ If No, provide a letter of authorization from the property owner.

Applications for Part 315 regulated dam removal projects must also include the following:

- An evaluation of the capacity of the remaining structure to pass flood flows.
- An evaluation of the quantity and quality of the sediments behind the impoundment.
- A description of the methods to be employed to control sediments.
- An assessment of all known existing and potential adverse impacts within the scope of the project.



**18 Utility Crossings** (See Sample Drawings 12 and 13, and EZ Guide)

- If side casting is proposed, complete Sections 10A and 10B. If spoils will be placed in or impact wetlands, complete Section 12.
  - ➔ Attach additional sheets or tables with the requested information as needed for multiple crossings.
  - ➔ For wetland crossings using the open trench method show clay plugs at the wetland/upland boundaries on the plans.

Crossing of  Inland Lake or Stream  floodplain  Great Lake  wetlands (also complete Section 12)

What method will be used to construct the crossings?  directional boring  jack and bore  open trench  plow / knife  flume

Utility Type	Number of lake or stream crossings	Number of wetland crossings	Pipe diameter with casing (in)	Pipe length per crossing (ft)	Distance below streambed or wetland (in)	Trench width (ft)
<input type="checkbox"/> sanitary sewer						
<input type="checkbox"/> storm sewer						
<input type="checkbox"/> watermain						
<input type="checkbox"/> cable						
<input type="checkbox"/> electric						
<input type="checkbox"/> fiber optic cable						
<input type="checkbox"/> oil/gas pipeline						

**19 Marina Construction, Expansion and Reconfiguration** (See Sample Drawing 21)

- For more information go to [www.mi.gov/marinas](http://www.mi.gov/marinas)
- Marinas located on the Great Lakes, including Lake St. Clair, may be required to secure leases or conveyances from the state of Michigan to place structures on the bottomlands. If a conveyance is necessary, an application must be submitted before the Joint Permit Application can be determined complete.
  - ➔ Fully complete Section 10 E. For multiple structures provide a table with the requested information.
  - ➔ Enclose a copy of any current pump-out agreement with another marina facility, if on-site sanitary pump out facilities are not available.
  - ➔ Attach a copy of the property legal description, mortgage survey, or a property boundary survey to your application.
  - ➔ The WRD may require a riparian interest area (RIA) estimate survey, sealed by a licensed surveyor, in order to determine whether the proposed project will adversely impact riparian rights. Include any available sealed RIA estimate survey and/or written authorizations from affected adjoining riparian owners with your application.

Proposed Marina Activity  New construction  Expansion  Reconfiguration

Do you have an existing Great Lake Conveyance?  No  Yes For more information visit [www.mi.gov/deqgreatlakes](http://www.mi.gov/deqgreatlakes).

Are sanitary pump-out facilities available?  No  Yes Is there a pump out agreement?  No  Yes If Yes, provide a copy.

Marina Description	Current Count	Final Count
Number of boat slips/wells (do not include broadside dockage or mooring buoys)		
Lineal feet of broadside dockage		
Maximum number of boats at broadside dockage		
Number of mooring buoys		
Number of launch ramps/lanes		



**20 Critical Dune Areas and High Risk Erosion Areas** (See Sample Drawings 19 and 20)

**Critical Dune Areas (See Sample Drawing 20)**

- Although not required, submitting **PHOTOGRAPHS** of the site may provide for a faster application review.
- For more information go to [www.mi.gov/jointpermit](http://www.mi.gov/jointpermit), select "Sand Dune Protection" under "Related Links."
- All property boundaries and proposed structure corners, including decks, septic systems, water wells, driveways, grading, and terrain alteration locations must be staked before the WRD site inspection.
- Scaled overhead and cross-section plans must include all property boundaries, locations, and dimensions of all existing structures and impacted areas, and all proposed structures, terrain alterations, and construction access. Cross-sections must show existing and proposed grades, including foundations.
- Construction in critical dune areas on slopes greater than 33 percent (1 vertical: 3 horizontal) is prohibited without a special exception.
- Construction in critical dune areas on slopes that measure from 25 percent (1 vertical: 4 horizontal) to less than 33 percent requires sealed plans prepared by a registered architect or licensed professional engineer.

**High Risk Erosion Areas (See Sample Drawing 19)**

- For more information go to [www.mi.gov/jointpermit](http://www.mi.gov/jointpermit), select "HREA" under "Related Links."
- All property boundaries, proposed structure corners, and septic system locations must be staked before the WRD site inspection.
- Scaled overhead plans must include all property boundaries, and the location and dimensions of all structures and septic systems must be included.
- Additional information, including the building construction plans, may be required to complete the application review.

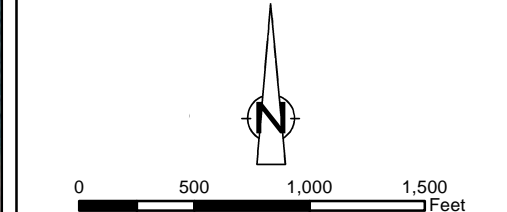
<b>Critical Dune Areas</b>	Parcel dimensions (ft) width          depth		Date project staked (M/D/Y)	
	Property is a <input type="checkbox"/> platted lot <input type="checkbox"/> unplatted parcel		Year current property boundaries created	
	Dune habitat present in Building Site and access route (check all that apply): <input type="checkbox"/> Wooded <input type="checkbox"/> Open Dune <input type="checkbox"/> Shrubs <input type="checkbox"/> Bare Sand <input type="checkbox"/> Lakefront Lot <input type="checkbox"/> MNFI Community if known: _____			
	Type of construction activities <input type="checkbox"/> addition <input type="checkbox"/> driveway <input type="checkbox"/> garage <input type="checkbox"/> new home <input type="checkbox"/> renovation <input type="checkbox"/> septic <input type="checkbox"/> deck(s) <input type="checkbox"/> other			
	<input type="checkbox"/> Provide a sand relocation plan with location and dimensions of disposal area. Indicate <input type="checkbox"/> on-site OR <input type="checkbox"/> off-site If on-site show location and how the disposal site will be accessed on the plans. Indicate the depth of the disposed sand on the plans.			
	<input type="checkbox"/> Provide the permit or letter from the County Enforcing Agent stating the project complies with Part 91 (Soil Erosion and Sedimentation Control).			
	The proposed project will be serviced by <input type="checkbox"/> public sewer <input type="checkbox"/> private septic system. ➔ On the plans, show the location and dimensions of the private septic system. If a private septic system is proposed, has a permit been issued by the health department? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ If Yes, provide a copy of the permit for all Critical Dune Area projects.			
	<input type="checkbox"/> Provide a copy of the vegetation assurance letter. <input type="checkbox"/> Provide a re-vegetation plan, including # _____ of trees to be removed and # _____ of trees to be replanted.			
	<b>Proposed Utility Installation</b>		<b>Proposed New Construction</b>	
	Utility Installation Method <input type="checkbox"/> directional bore <input type="checkbox"/> plowing in <input type="checkbox"/> open trench <input type="checkbox"/> other		Foundation type <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other	
	➔ Show utility locations and dimensions on the site plan.		Area of existing structure (sq ft)	
	➔ Show construction access route on the site plan.		Area of proposed structure (sq ft)	
	➔ Show existing and proposed grades on the cross-section.		Area of existing deck (sq ft)	
	➔ Show locations of vegetation to be removed on the site plan.		Area of proposed deck (sq ft)	
Provide the following information for special use projects: (a) Lot size, width, density, and front and side setbacks. (b) Storm water drainage that provides for disposal of drainage water without serious erosion. (c) Methods for controlling erosion from wind and water. (d) Re-stabilization plan. (e) Environmental Impact Statement.				



<b>High Risk Erosion Areas</b>	Parcel dimensions (ft) width      depth		Date project staked (M/D/Y)	
	<b>Existing Structure Information</b>		<b>Proposed New Construction</b>	
	Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other		Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other	
	Material above foundation wall <input type="checkbox"/> block <input type="checkbox"/> log <input type="checkbox"/> stud frame <input type="checkbox"/> other		Material above foundation wall <input type="checkbox"/> block <input type="checkbox"/> log <input type="checkbox"/> stud frame <input type="checkbox"/> other	
	Siding material <input type="checkbox"/> block <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other		Siding material <input type="checkbox"/> block <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other	
	Area of the foundation, excluding attached garage (sq ft)		Area of the foundation, excluding attached garage (sq ft)	
	Area of the garage foundation (sq ft)		Area of the garage foundation (sq ft)	
	If renovating or restoring an existing structure, indicate the renovation or restoration cost \$			
	Current structure replacement value \$			
	Tax assessed value of existing structure excluding land value \$		Assessment Year	
Provide the number of individual living units in the proposed building				

# **Attachment B**

## **Maps and Drawings**



- LEGEND**
- APPROXIMATE LIMITS OF RACER PROPERTY
  - ▨ PROPOSED SITE WORK (NORTH DITCH)

Coordinate System  
MICHIGAN STATE PLANE SOUTH, NAD 83 USING INTERNATIONAL FEET, NAVD 88

REVITALIZING AUTO COMMUNITIES  
ENVIRONMENTAL RESPONSE (RACER)  
SAGINAW NODULAR INDUSTRIAL LAND

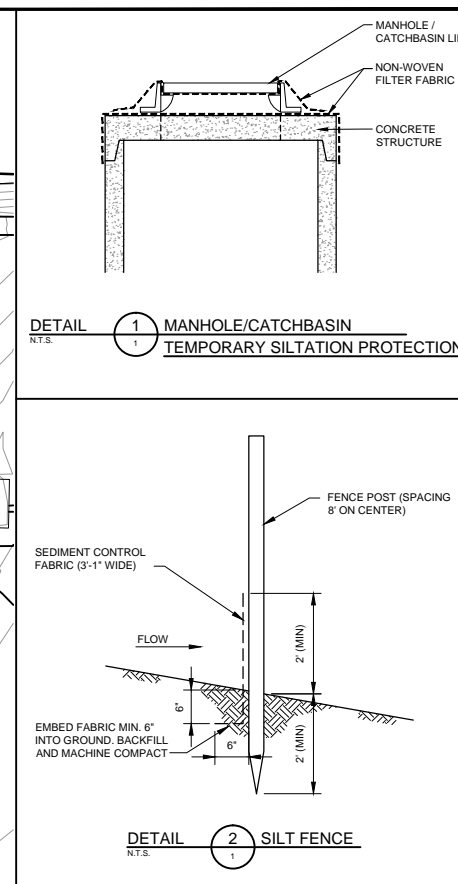
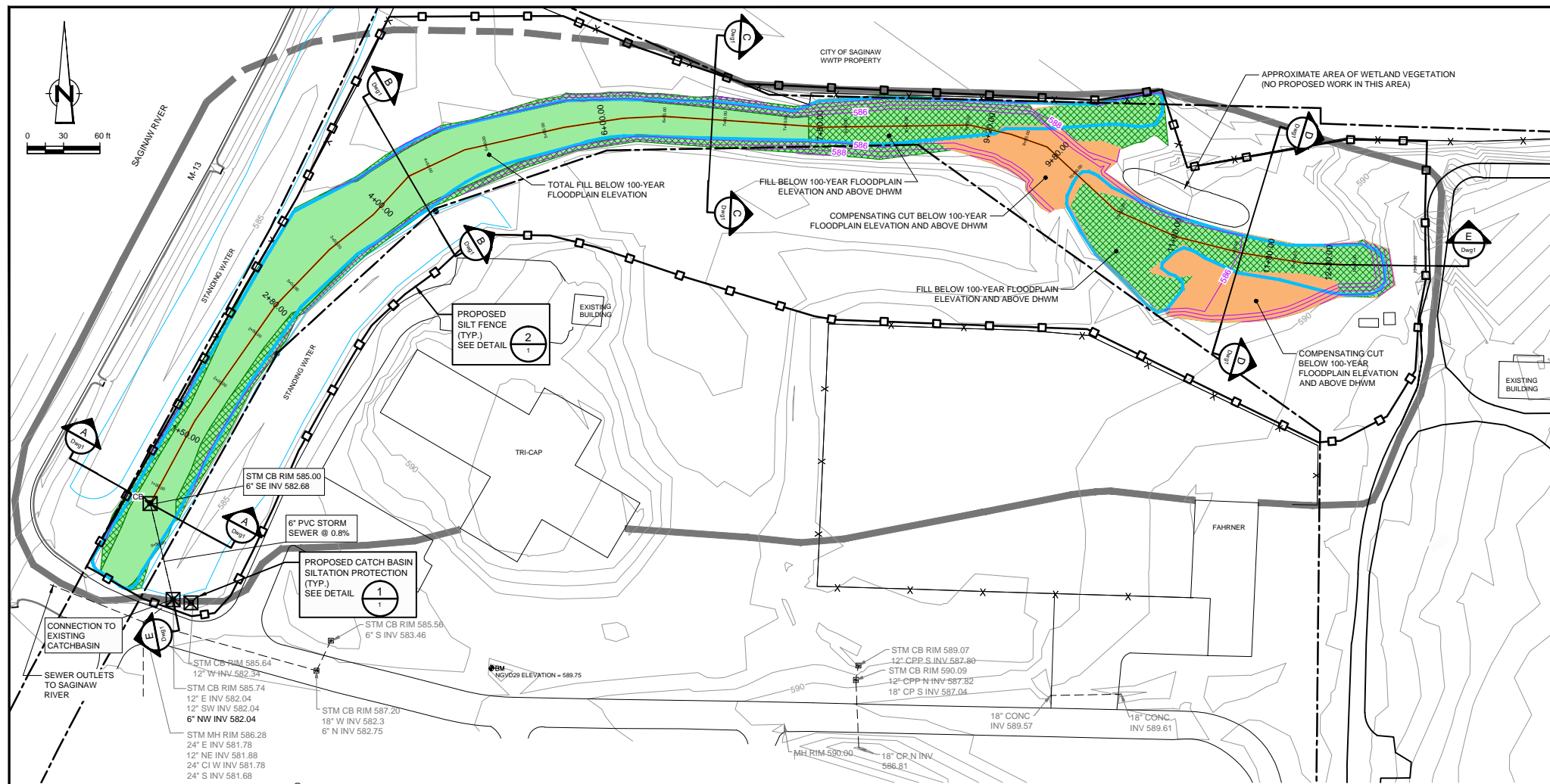
SAGINAW, MICHIGAN

SITE VICINITY MAP



Source Reference  
MAGERY - 2014 SAGINAW COUNTY NAIP PROVIDED BY USDA  
STREETS - PROCESSED TIGER 2010 STREETS, U.S. CENSUS BUREAU

Project Manager M.T.	Reviewed By J.E.P.	Date FEBRUARY 2015
Scale 1:10,000	Project No. 58502-T02	Memo No. 012
		Drawing No. 1



NO	Revision	Date	Initial

- LEGEND**
- EXISTING GROUND CONTOUR
  - EXISTING DITCH
  - RACER PROPERTY BOUNDARY
  - FENCE
  - APPROXIMATE CATCHMENT BOUNDARY
  - EXISTING STORM SEWER
  - CENTER LINE OF PROPOSED SWALE
  - PROPOSED SWALE CONTOUR
  - PROPOSED CATCHBASIN
  - EXISTING CATCHBASIN
  - 100-YEAR FLOODPLAIN
  - ELEVATION - 589.3 FT AMSL (NGVD29)
  - DESIGN HIGH WATER MARK (DHWM)
  - ELEVATION - 585.64 FT AMSL
  - TOTAL FILL BELOW 100-YEAR FLOODPLAIN ELEVATION
  - FILL BELOW 100-YEAR FLOODPLAIN ELEVATION AND ABOVE DHWM
  - COMPENSATING CUT BELOW 100-YEAR FLOODPLAIN ELEVATION AND ABOVE DHWM
  - CATCHBASIN/MANHOLE SILTATION PROTECTION
  - PROPOSED SILT FENCE

- SEDIMENT AND EROSION CONTROL NOTES:**
- THE SELECTED CONTRACTOR WILL OBTAIN A SOIL EROSION AND SEDIMENTATION CONTROL (SESC) PERMIT THROUGH THE COUNTY OF SAGINAW AND COMPLETE THE WORK IN ACCORDANCE WITH THE SESC PERMIT. THE SESC MEASURES INCLUDED ON THIS DRAWING ARE EXPECTED TO MEET THE REQUIREMENTS OF THE COUNTY OF SAGINAW, HOWEVER, THE SPECIFIC DETAILS WILL BE INCLUDED IN THE PERMIT.
  - SESC MEASURES WILL BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
  - SESC MEASURES WILL BE INSPECTED AND MAINTAINED THROUGHOUT THE DURATION OF THE CONSTRUCTION ACTIVITIES AND UNTIL THE SITE IS FULLY STABILIZED.
  - DISCHARGE OF WATER FROM THE NORTH DITCH WILL BE CONDUCTED IN ACCORDANCE WITH THE NPDES PERMIT (M00059042) FOR THE SITE.
  - A FLOATING PUMP INTAKE, FILTER SAC, OR AN APPROVED EQUIVALENT WILL BE USED TO LIMIT THE AMOUNT OF SEDIMENT IN DISCHARGES FROM THE NORTH DITCH.

NOTE: BENCHMARK (BM): ARROW ON HYDRANT SOUTH OF TRI-CAP BUILDING ALONG ASPHALT DRIVE NGVD29 ELEVATION = 589.75.

PARAMETER	UNIT	QUANTITY
LENGTH OF EXISTING DITCH	FEET	1315
MAXIMUM WIDTH OF EXISTING DITCH	FEET	62
TOTAL VOLUME OF FILL TO BE PLACED	CUBIC YARDS	3826
TOTAL VOLUME OF FILL ABOVE DHWM	CUBIC YARDS	473
COMPENSATING CUT VOLUME	CUBIC YARDS	574
NET RESULT (CUT ABOVE DHWM)	CUBIC YARDS	101

**SCALE VERIFICATION**

THIS BAR MEASURES 1" ON ORIGINAL. ADJUST SCALE ACCORDINGLY.

Approved

DRAWING STATUS

Status	Date	Initial

**REVITALIZING AUTO COMMUNITIES ENVIRONMENTAL RESPONSE (RACER)**

SAGINAW, MICHIGAN

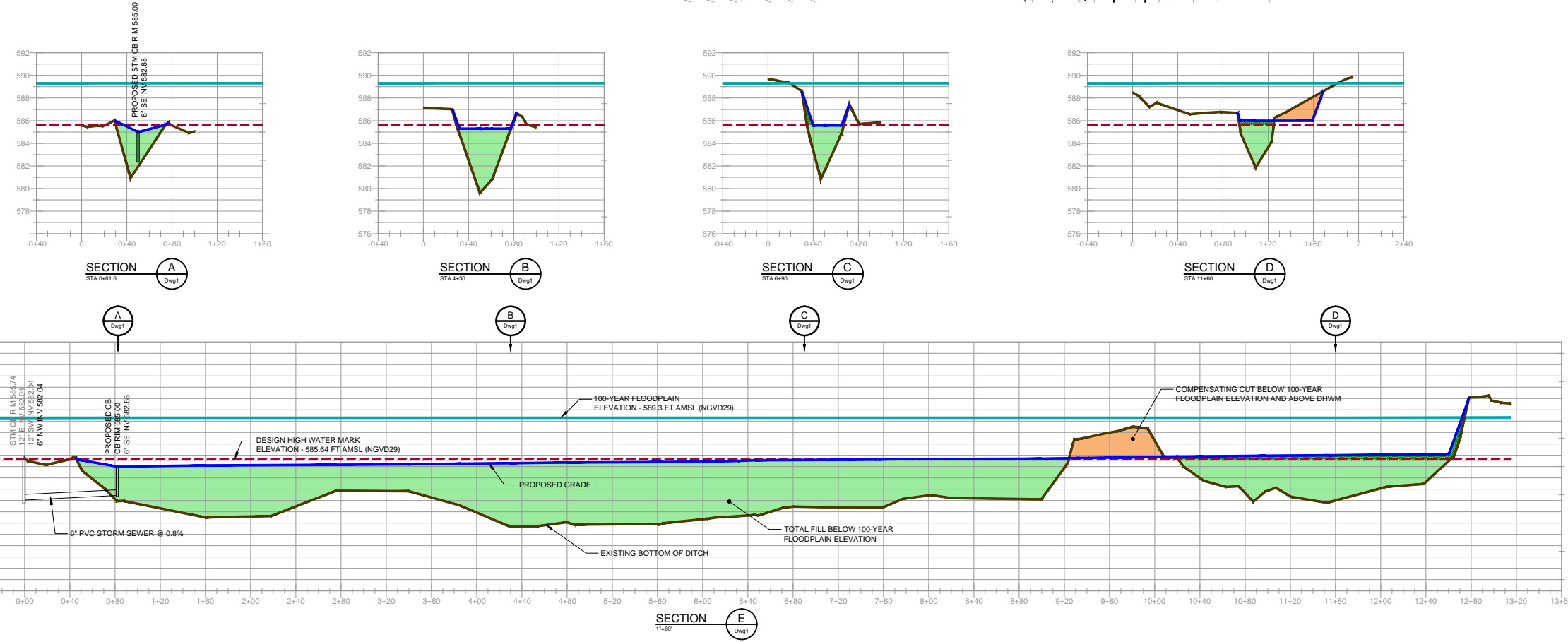
**NORTH DITCH PLAN AND PROFILE**

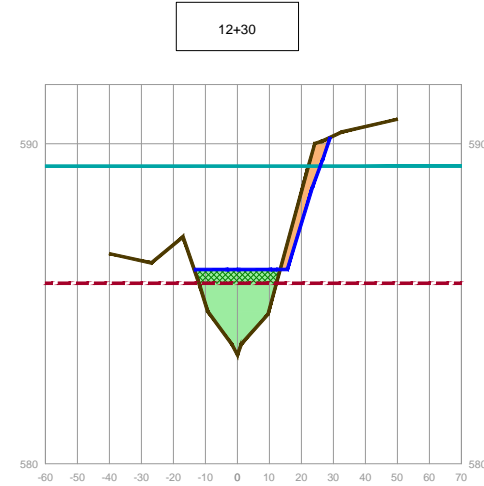
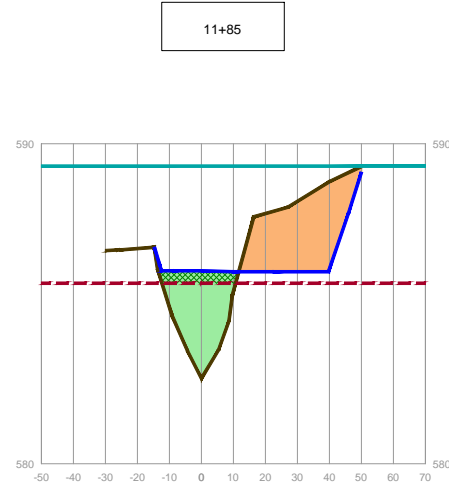
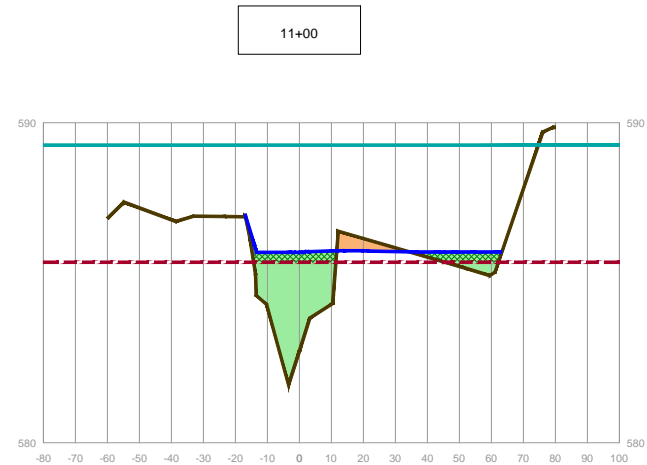
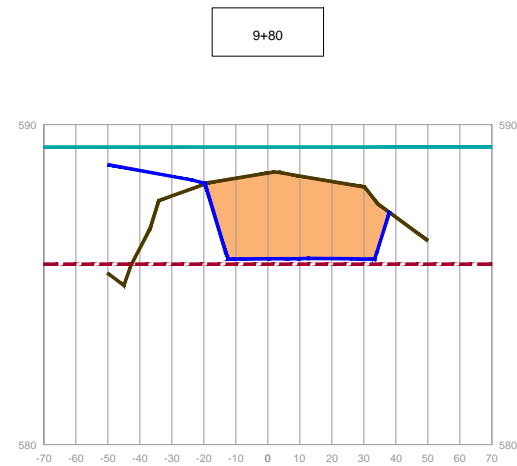
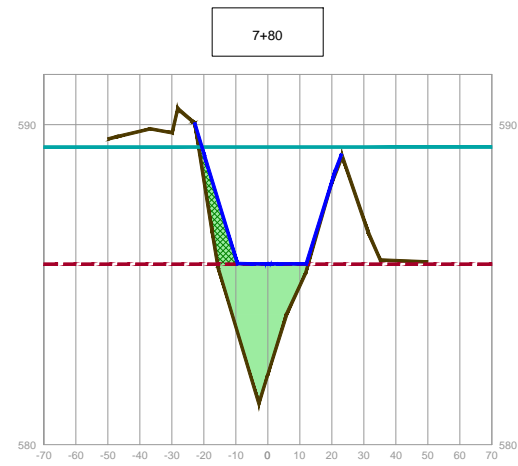
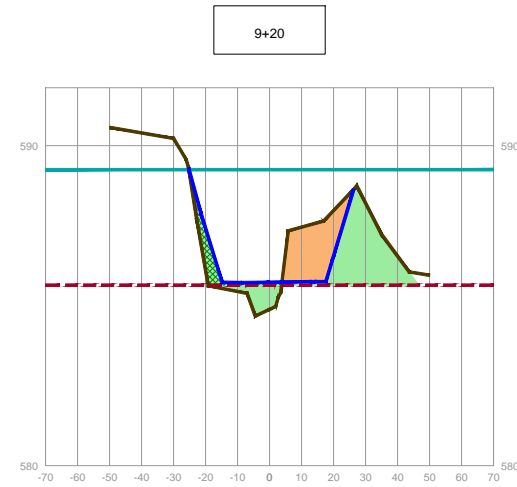
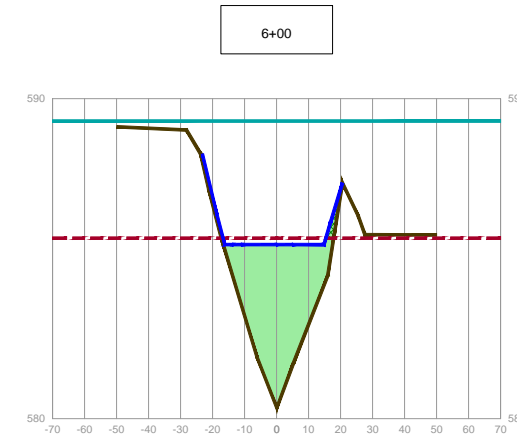
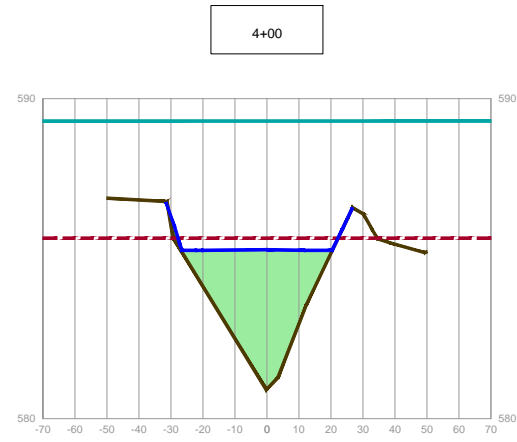
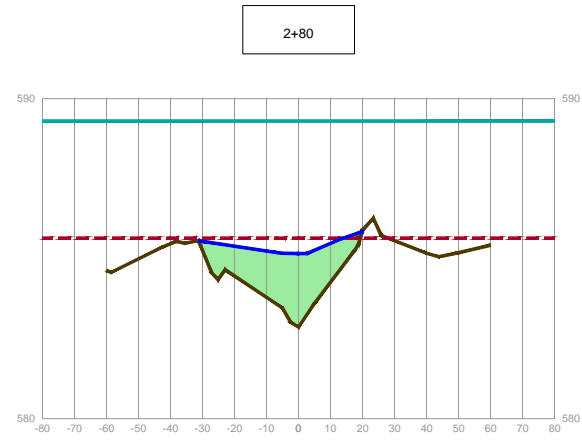
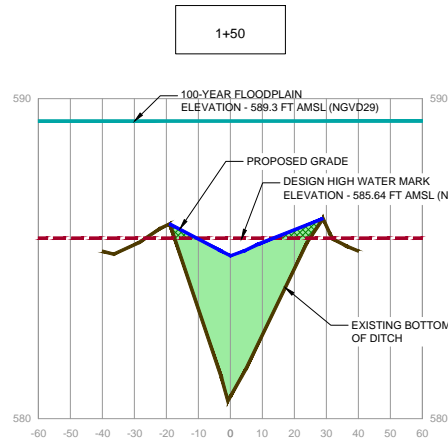
**CRA CONESTOGA-ROVERS & ASSOCIATES**

Source Reference: 58502-00(C3D-MEMO005)GN-WA003

Project Manager: M.TOMKA | Reviewed By: J.PARDYS | Date: FEBRUARY 2015

Scale: HORZ 1"=60' | VERT 1"=6' (10X VERT EX) | Project No: 58502-T02 | Report No: MEMO012 | Drawing No: Dwg1





NO	Revision	Date	Initial

- LEGEND**
- 100-YEAR FLOODPLAIN  
ELEVATION - 589.3 FT AMSL (NGVD29)
  - - - DESIGN HIGH WATER MARK (DHWM)  
ELEVATION - 585.64 FT AMSL (NGVD)
  - PROPOSED GRADE
  - EXISTING BOTTOM OF DITCH
  - TOTAL FILL BELOW 100-YEAR FLOODPLAIN  
ELEVATION
  - FILL BELOW 100-YEAR FLOODPLAIN  
ELEVATION AND ABOVE DHWM
  - COMPENSATING CUT BELOW 100-YEAR  
FLOODPLAIN ELEVATION AND ABOVE DHWM

**SCALE VERIFICATION**  
THIS BAR MEASURES 1" ON ORIGINAL. ADJUST SCALE ACCORDINGLY.

Approved

**DRAWING STATUS**

Status	Date	Initial

**REVITALIZING AUTO COMMUNITIES  
ENVIRONMENTAL RESPONSE (RACER)**  
SAGINAW, MICHIGAN  
**NORTH DITCH  
SECTIONS**



Source Reference: 58502-00(C3D-MEMO005)GN-WA003

Project Manager: M.TOMKA	Reviewed By: J.PARDYS	Date: DECEMBER 2014
Scale: HORZ 1"=30' VERT 1"=3' (10X VERT EX)	Project N°: 58502-T02	Report N°: MEMO012 Drawing N°: Dwg2



# **Attachment C**

## **Photograph Log of the North Ditch**

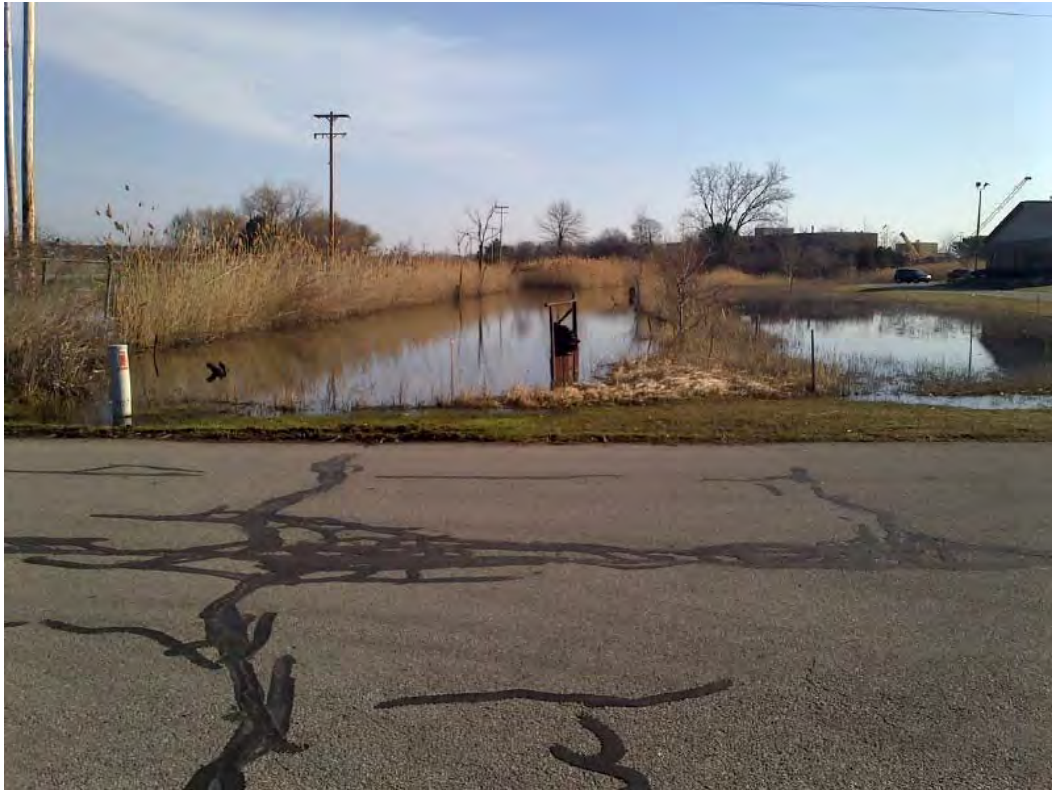


PHOTO 1: NORTH DITCH - LOOKING NORTHEAST FROM DRIVEWAY (4/2013)



PHOTO 2: NORTH DITCH – MIDDLE (4/2013)

SITE PHOTOGRAPHS  
NORTH DITCH  
NODULAR INDUSTRIAL LAND  
**SAGINAW, MI**



PHOTO 3: NORTH DITCH LOOKING NORTH FROM TRICAP PARKING LOT (4/2013)



PHOTO 4: NORTH DITCH FROM SECONDARY POND LANE LOOKING WEST (4/2013)

SITE PHOTOGRAPHS  
NORTH DITCH  
NODULAR INDUSTRIAL LAND  
**SAGINAW, MI**



PHOTO 5: NORTH DITCH (7/2013)



PHOTO 6: NORTH DITCH NEAR SECONDARY POND (7/2013)

SITE PHOTOGRAPHS  
NORTH DITCH  
NODULAR INDUSTRIAL LAND  
**SAGINAW, MI**



PHOTO 7: NORTH DITCH - LOOKING NORTHEAST FROM DRIVEWAY (9/2013)



PHOTO 8: NORTH DITCH – OUTFALL 22 DISCHARGE LOCATIONS (5/2014)

SITE PHOTOGRAPHS  
NORTH DITCH  
NODULAR INDUSTRIAL LAND  
**SAGINAW, MI**

## **Attachment D**

**Receipt of payment for Joint Permit Application**

**Receipt****DEQ Joint Permit Ap****Payment Receipt****PRINT**

---

**Merchant:** DEQ Joint Permit Ap  
**Merchant City/State:** Lansing, MI  
**Merchant Location Code:** 00001  
**Payment Status:** Success  
**Payment Date:** 02/19/2015  
**Confirmation Number:** 15021961225954  
**Billing Address:** JOHN ERIC PARDYS  
396 LAKEVIEW DRIVE  
WATERLOO  
ON N2L4Z6  
CA  
519-342-6419  
**E-Mail Address:** jpardys@craworld.com  
**Total Amount:** 100.00 USD  
**Convenience Fee Amount:** 2.00 USD  
**Card Type:** MC  
**Account #:** x2565  
**Authorization Code:** 02436B  
**Reference:** Dave Favero,500 Woodward  
Avenue,Detroit,MI,48226  
**Disclaimer:** There is a processing fee of 2% for the use of  
this online payment function. You will be  
charged the application fee plus the 2%  
processing fee as a single transaction.

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Survey](#)

All trademarks, service marks and trade names  
used in this material are the property of their  
respective owners.

# **Attachment E**

## **Easements and Other Permits**

# **Attachment E.1**

## **North Ditch Easement**



2011007474

L-2615 P-1508 RES Page 1 of 11

OFFICIAL SEAL Saginaw County, Michigan  
Mildred M. Dodak Register Of Deeds  
March 29, 2011 10:29 AM

**EASEMENT AGREEMENT**

(Pond Drainage Easement)

THIS EASEMENT AGREEMENT (the "Agreement") is made as of March 8, 2010 between **MOTORS LIQUIDATION COMPANY**, a Delaware corporation formerly known as General Motors Corporation ("Grantor"), and **GENERAL MOTORS LLC**, a Delaware limited liability company formerly known as General Motors Company ("Grantee").

**RECITALS**

A. Grantor is the owner of that certain real property situated in Buena Vista Township, Saginaw County, Michigan and legally described on Exhibit A attached hereto and made a part hereof (the "Grantor Property").

B. Grantee is the owner of that certain real property situated in Buena Vista Township, Saginaw County, Michigan and legally described on Exhibit B attached hereto and made a part hereof (the "Grantee Property"; together with the Grantor Property, the "Property").

C. Grantee has requested that Grantor provide Grantee an easement over the portion of the Grantor Property legally described on Exhibit C attached hereto and made a part hereof (the "Easement Area"). The Easement Area is depicted on Exhibit D attached hereto and made a part hereof.

D. Grantor is willing to provide Grantee the easement pursuant to the terms of this Agreement.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions contained herein, and for and in consideration of Ten and no/100ths Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged, the Grantor and Grantee hereby agree as follows:

1. **RECITALS**. The foregoing recitals are acknowledged to be accurate and are incorporated herein by reference.

**COMMERCIAL**  
35443697 umw

11129-4400

Little Source Line  
1450 E. Long Lake Rd.  
Hoy, Me 48098

MAR 29 11 AM 9:57

2. **GRANT OF EASEMENTS.** Grantor does hereby grant, bargain and convey unto Grantee, its successors and assigns, for the benefit of Grantee and the Grantee Property, a permanent and perpetual exclusive easement in, on, under, over and through the Easement Area for the right to discharge water into and through the Easement Area and to install, construct, repair, replace, operate, use, inspect and maintain improvements necessary for such discharge together with the right to access the Easement Area in connection with the foregoing purposes from time to time.

3. **AGREEMENTS REGARDING EASEMENTS.**

(a) **Restrictions on Building.** Grantor and Grantee hereby agree that no buildings or other structures, except as permitted by this Agreement or otherwise as is necessary for the Grantee's use of the easements in accordance with Paragraph 2 hereof, shall at any time be placed anywhere on the Easement Area without Grantee's prior written consent, which consent Grantee may withhold in its sole and absolute discretion.

(b) **Incidental Rights.** The easements and rights of use created by this Agreement include the creation of all incidental rights reasonably necessary for the use and enjoyment of such easements and rights for their intended purpose. Grantor shall not impede or restrict Grantee's ingress and egress at any time to, on, over and through the Easement Area. If necessary to protect the Easement Area or the public's safety or if required by law, Grantee may fence or otherwise enclose all or any portion of the Easement Area, and Grantee shall have the full and exclusive right to restrict and control access to, entry upon and use of all or any part of the Easement Area. Notwithstanding the foregoing, Grantor shall have the right to enter upon the Easement Area if (a) Grantor notifies Grantee in writing not less than forty-eight (48) hours in advance of such entry (except in case of emergency in which case no notice shall be necessary, but Grantor shall notify Grantee promptly after such entry), and (b) at Grantee's option, a representative of Grantee shall accompany Grantor and/or its representatives through the Easement Area at all times.

(c) **Maintenance of Easement Area.** Grantee shall maintain the Easement Area as is necessary for Grantee's use thereof and shall repair all damage to the Grantor Property caused by Grantee or Grantee's employees, contractors, representatives or agents, provided that Grantor shall be responsible for repairing any damage to the Grantor Property caused by Grantor or Grantor's employees, contractors, representatives or agents.

(d) **Supervision.** Grantee shall be solely responsible during the term of this Agreement for all work performed by or at Grantee's direction in connection with its use of the Easement Area, and Grantee shall take reasonably necessary precautions in the interest of public safety and for the safety of any persons working on or traveling upon or in any way using the Easement Area at Grantor's direction.

(e) **Conformity with Laws.** Grantee's use of the Easement Area shall at all times be in compliance with all local, state, and federal laws, statutes, rules, and regulations pertaining thereto. Grantee shall be solely responsible for obtaining and maintaining any and all permits or other licenses required for Grantee to use the Easement Area in accordance with this Agreement.

(I) **Protection from Liens.** Grantee shall keep the Easement Area and the Grantor Property and every part thereof free and clear of any and all liens and encumbrances for work performed by Grantee, or on Grantee's behalf, on the Easement Area, provided that Grantee may contest any such liens in good faith using appropriate legal proceedings and further provided that, if any such lien attaches or if a notice or claim therefor is asserted during any period of time in which Grantor has notified Grantee that Grantor has entered into a contract to sell the Grantor Property, as a condition precedent to the right to contest, Grantee shall bond over or otherwise provide security (as permitted by applicable law in such proceeding), the effect of which is to prevent such lien from attaching to Grantor's title in the Grantor Property or any proceeds accruing from the sale thereof.

4. **SUCCESSORS AND ASSIGNS; COVENANTS RUNNING WITH LAND.** This Agreement shall bind and inure to the benefit of the respective successors and assigns of the parties hereto. The terms and provisions of this Agreement shall be deemed to be "covenants running with the land" and shall benefit and bind each respective successor-in-title to the parties hereto.

5. **FURTHER ASSURANCES.** The parties agree, at any time and from time to time, at the requesting party's expense, to execute, acknowledge where appropriate, and deliver such further instruments and documents and to take such other action as either party may reasonably request in order to carry out the intent and purpose of this Agreement.

6. **GOVERNING LAW.** This Agreement shall be governed by, and construed in accordance with, the laws of the state in which the Property is located, without regard to its conflicts of laws provisions.

7. **NOTICES.** All notices and other communications required or permitted to be given hereunder shall be in writing and shall be mailed by certified or registered mail, postage prepaid, or nationally recognized overnight courier, and shall be considered given upon receipt, addressed as follows:

If to Grantee:                   General Motors LLC  
  c/o Real Estate and Facilities Group  
  300 Renaissance Center  
  Mail Code #482-B30-C96  
  Detroit, Michigan 48265  
  Attn: Director, Real Estate and Facilities Group

With a copy to:                General Counsel  
  General Motors LLC  
  P.O. Box 300  
  Mail Code #482-C25-D81  
  Detroit, Michigan 48265  
  Attn: Attorney - Transaction Process

If to Grantor:           Motors Liquidation Company  
                                  401 S. Old Woodward Avenue  
                                  Suite 370  
                                  Birmingham, MI 48009  
                                  Attn: President

Either party may change the name of the person or address to which notices and other communications are to be given by so notifying the other party.

8.     **SEVERABILITY**. If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

9.     **HEADINGS**. The section headings herein are inserted for convenience only and shall not affect construction of this Agreement.

10.    **ENTIRE AGREEMENT; MODIFICATION**. This Agreement constitutes and contains the entire and only existing and binding agreement between Grantor and Grantee concerning the subject matter hereof, and supersedes all prior and contemporaneous negotiations, agreements, proposed agreements, and understandings, if any, between the parties concerning the subject matter of this agreement. Any amendment or modification hereof, in order to become effective, shall be made by written instrument and, in each instance, executed by each party hereto.

11.    **NO PUBLIC DEDICATION**. Nothing contained in this Agreement will be deemed to be a gift or dedication of any portion of the Property to the general public or for any public purpose whatsoever, it being the intention of the parties hereto that this Agreement will be strictly limited to the purposes expressed herein.

12.    **NO PARTNERSHIP**. No party hereto in any way or for any purpose shall be deemed by reason of this Agreement to be a partner of any other party hereto in the conduct of their respective businesses or a joint venturer or a member of a joint enterprise with such other party.

13.    **EASEMENT SUPERIOR**. This Agreement and the rights, privileges and easements of the parties hereto with respect to the other parties and the Property shall in all events be superior and senior to any lien placed upon any portion of the Property, including the lien of any mortgages now or hereafter existing or encumbering the Property.

14.    **COUNTERPART EXECUTION**. This Agreement may be executed in any number of counterparts and by each of the parties hereto in separate counterparts, all such counterparts together constituting but one and the same instrument.

15.    **FORCE MAJEURE**. If either party hereto shall be delayed, hindered in or prevent from the performance of its obligations hereunder by reason of strikes, lockouts, labor troubles,

failure of power, riots, insurrection, war, acts of God or other reasons of a like nature (a "**Force Majeure Event**") beyond the reasonable control of either party, such party shall be excused for the period of time equivalent to the delay caused by such Force Majeure Event as long as the party so affected shall have delivered written notice to the other party of such Force Majeure Event within ten (10) business days after such event.

**[SIGNATURE PAGE FOLLOWS]**

Prepared by:  
Frank Eichenlaub, Esq.  
Jenner & Block  
353 North Clark Street  
Chicago, IL 60654

Return to:

Title Source Inc.  
1450 W Long Lake Rd.  
Suite 400  
Troy, MI 48098

IN WITNESS WHEREOF, the Grantor and Grantee have caused this Agreement to be executed as of the date first above written.

**GRANTOR:**

**MOTORS LIQUIDATION COMPANY,**  
a Delaware corporation formerly known as  
General Motors Corporation

By: [Signature]  
Name: Kyle Bracken  
Its: VP & Secretary

STATE OF Michigan )  
COUNTY Oakland ) SS

I, Tracie Nichols, a Notary Public in and for the said county, in the state aforesaid, DO HEREBY CERTIFY that Kyle Bracken, the VP & Secretary, of Motors Liquidation Company, a Delaware corporation formerly known as General Motors Corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as VP & Secretary of said corporation, as his/her own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2nd day of March, 2011.

[Signature]  
Notary Public

My Commission Expires: 3/19/17

**[GRANTEE SIGNATURE PAGE FOLLOWS]**

TRACIE L. NICHOLS  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 03-19-2017  
Acting in the County of Oakland



Exhibit A – Legal Description of Grantor Property

Legal description as shown on Spicer Group Survey, PLOT DATE 02/76/07, JOB# SI 13644.07, DWG#A-26082

SURVEY OF: (AS PROVIDED BY CLIENT)

A parcel of land in the Northwest 1/4 of Section 8, T.12 N. - R.5 E., City of Saginaw, Saginaw County, Michigan, Beginning at a point on the North and South 1/4 line of said Section, 800.00 feet Southerly of North Section line; thence Westerly parallel to North Section line, 450.00 feet; thence Northwesterly to a point on Easterly line of M-13 which is 705.75 feet from said North Section line; thence Southerly along East line of M-13 to a point that is 1718.07 feet Southerly of North Section line as measured at right angles more or less from North and South 1/4 line; thence S.89°-45'-40"E., 47.17 feet, to a point on a curve to the right having a radius of 2719.79 feet; thence Northeasterly on the arc of said curve 507.93 feet; said arc being subtended by a chord bearing N.23°-09'-25"E., 507.20 feet; thence N.29°-10'-49"E., 282.72 feet; thence N.47°-31'-03"E., 176.12 feet; thence N.71°-15'-34"E., 149.97 feet; thence N.88°-56'-30"E., 256.67 feet; thence S.54°-30'-01"E., 408.48 feet to North and South 1/4 line, thence Northerly along 1/4 line of said Section, 265.23 feet to place of beginning.

Tax ID: 21-4333-00500

Exhibit B – Grantee Property

LEGAL DESCRIPTION OF PROPOSED LANDFILL PARCEL:

PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWN 12 NORTH, RANGE 5 EAST, BUENA VISTA TOWNSHIP, SAGINAW COUNTY, MICHIGAN; DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION; THENCE N00°02'00"W 313.43 FEET TO THE POINT OF BEGINNING; THENCE S40°49'28"W 406.25 FEET; THENCE N88°42'22"W 1397.64 FEET; THENCE N19°49'03"W 1729.07 FEET; THENCE N71°48'13"E 384.20 FEET; THENCE N82°11'16"E 203.32 FEET; THENCE N89°00'10"E 967.66 FEET; THENCE S75°52'26"E 130.59 FEET; THENCE S45°59'32"E 160.63 FEET; THENCE S35°52'45"E 287.47 FEET; THENCE S53°09'33"E 139.38 FEET; THENCE S82°25'28"E 194.04 FEET; THENCE S00°02'00"E 1029.72 FEET TO THE POINT OF BEGINNING. CONTAINING 75.63 ACRES.

Tax ID: 10-12-5-05-4001-000

Exhibit C – Legal Description of Easement Area

Legal description as shown on Spicer Group Survey, PLOT DATE 02/76/07, JOB# SI 13644.07, DWG#A-26082

SURVEY OF: (AS PROVIDED BY CLIENT)

A parcel of land in the Northwest 1/4 of Section 8, T.12 N. - R.5 E., City of Saginaw, Saginaw County, Michigan, Beginning at a point on the North and South 1/4 line of said Section, 800.00 feet Southerly of North Section line; thence Westerly parallel to North Section line, 450.00 feet; thence Northwesterly to a point on Easterly line of M-13 which is 705.75 feet from said North Section line; thence Southerly along East line of M-13 to a point that is 1718.07 feet Southerly of North Section line as measured at right angles more or less from North and South 1/4 line; thence S.89°-45'-40"E., 47.17 feet, to a point on a curve to the right having a radius of 2719.79 feet; thence Northeasterly on the arc of said curve 507.93 feet; said arc being subtended by a chord bearing N.23°-09'-25"E., 507.20 feet; thence N.29°-10'-49"E., 282.72 feet; thence N.47°-31'-03"E., 176.12 feet; thence N.71°-15'-34"E., 149.97 feet; thence N.88°-56'-30"E., 256.67 feet; thence S.54°-30'-01"E., 408.48 feet to North and South 1/4 line, thence Northerly along 1/4 line of said Section, 265.23 feet to place of beginning.

Tax ID 21-4333-00500

# Exhibit D - Easement Area

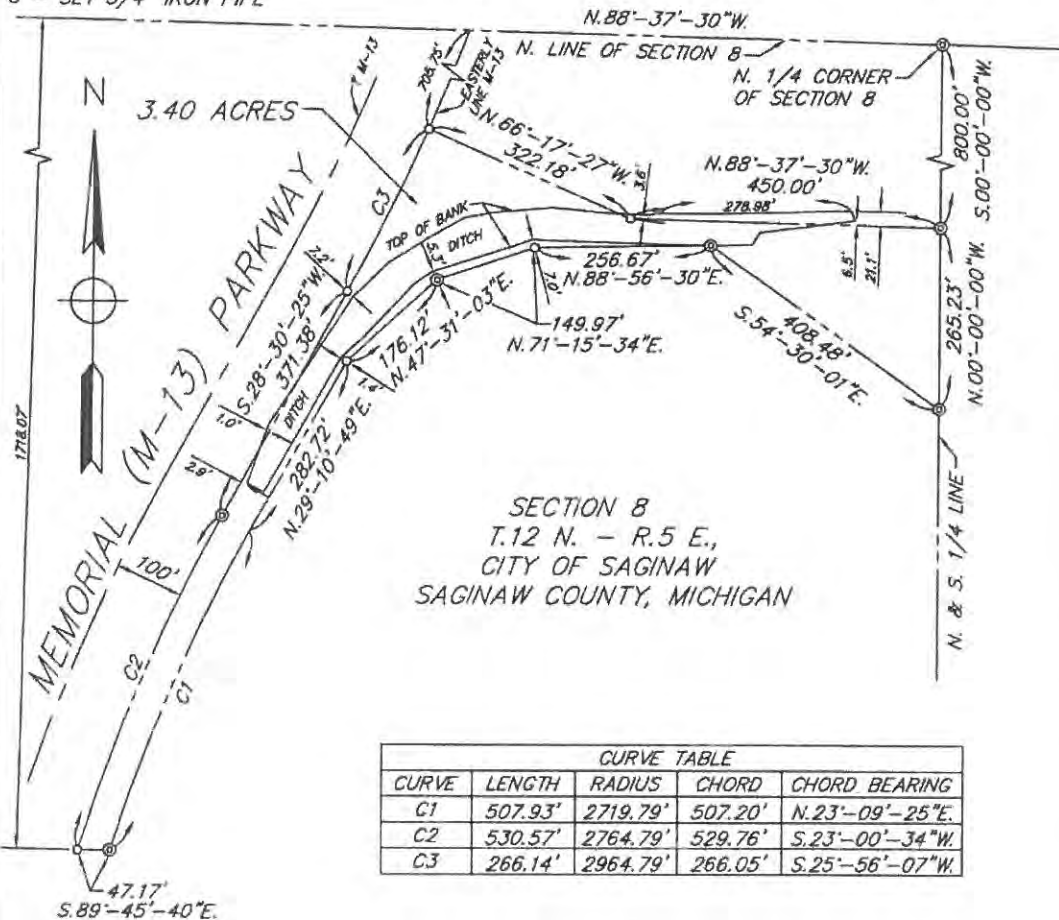


Spicer Group  
 230 S. Washington Avenue  
 P.O. Box 1689  
 Saginaw, MI 48605-1689  
 TEL (989) 754-4717  
 FAX (989) 754-4440

SCALE: 1" = 200'

⊙ - FOUND SURVEY CORNER  
 ○ - SET 3/4" IRON PIPE

DWG. NO.: A-26082



SECTION 8  
 T.12 N. - R.5 E.,  
 CITY OF SAGINAW  
 SAGINAW COUNTY, MICHIGAN

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	507.93'	2719.79'	507.20'	N.23°-09'-25"E.
C2	530.57'	2764.79'	529.76'	S.23°-00'-34"W.
C3	266.14'	2964.79'	266.05'	S.25°-56'-07"W.

SURVEY FOR: Survey America, Inc.  
 815 John Street  
 Evansville, IN 47713

DATE: February 16, 2007

SURVEY OF: (AS PROVIDED BY CLIENT)

A parcel of land in the Northwest 1/4 of Section 8, T.12 N. - R.5 E., City of Saginaw, Saginaw County, Michigan, Beginning at a point on the North and South 1/4 line of said Section, 800.00 feet Southerly of North Section line; thence Westerly parallel to North Section line, 450.00 feet; thence Northwesterly to a point on Easterly line of M-13 which is 705.75 feet from said North Section line; thence Southerly along East line of M-13 to a point that is 1718.07 feet Southerly of North Section line as measured at right angles more or less from North and South 1/4 line; thence S.89°-45'-40"E., 47.17 feet, to a point on a curve to the right having a radius of 2719.79 feet; thence Northeasterly on the arc of said curve 507.93 feet; said arc being subtended by a chord bearing N.23°-09'-25"E., 507.20 feet; thence N.29°-10'-49"E., 282.72 feet; thence N.47°-31'-03"E., 176.12 feet; thence N.71°-15'-34"E., 149.97 feet; thence N.88°-56'-30"E., 256.67 feet; thence S.54°-30'-01"E., 408.48 feet to North and South 1/4, thence Northerly along 1/4 line of said Section, 265.23 feet to place of beginning.

I hereby certify that I have surveyed the parcel of land hereon shown and described.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Roger P. Mahoney  
 Professional Surveyor No. 41105


DRAWN BY: MJE CHECKED BY: RPM	PLOT DATE: 02/16/07 14:44 SHEET 1 OF 1	JOB#: S113644.07 DWG#: A-26082
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## **Attachment E.2**

**NPDES permit (MI0059042)**

PERMIT NO. MI0059042

**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, as amended, (33 U.S.C. 1251 *et seq.*) (the "Federal Act"), Michigan Act 451, Public Acts of 1994, as amended (the "Michigan Act"), Parts 31 and 41, and Michigan Executive Order 2011-1,

**Revitalizing Auto Communities Environmental Response (RACER) Trust**

2930 Ecorse Road  
Ypsilanti, Michigan 48198

is authorized to discharge from the **RACER-Saginaw Nodular Industrial Land** located at

2100 Veterans Memorial Parkway  
Saginaw, Michigan 48601

designated as **RACER-Saginaw Nodular Indust**


to the receiving waters named the Saginaw River and an unnamed tributary to the Saginaw 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 4, 2012, as amended through May 11, 2012.

**This permit for a new use takes immediate effect on the date of issuance.** The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term in accordance with applicable laws and rules.

This permit and the authorization to discharge shall expire at midnight, **October 1, 2016**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit an application which contains such information, forms, and fees as are required by the Department of Environmental Quality (Department) by **April 4, 2016**.

Issued August 24, 2012

  
Philip Argiroff, Chief  
Permits Section  
Water Resources Division

## PERMIT FEE REQUIREMENTS

In accordance with Section 324.3120 of the Michigan Act, 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:** Industrial-Commercial Minor, high-flow (Individual Permit)

In accordance with Section 324.3118 of the Michigan Act, the permittee shall make payment of an annual storm water fee to the Department for each January 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 March 15 for notices mailed by February 1. The fee is due no later than 45 days after receiving the notice for notices mailed after February 1.

## ANTIDEGRADATION

The Department has determined that the permittee's Antidegradation Demonstration/Exemption, based on information required by Subrule (4) of R323.1098, shows that lowering of water quality is necessary to support the identified important social and economic development in the area. This determination is solely for purposes of satisfying state water quality regulations and is not intended to supplant local requirements, including land use or zoning laws. It is not, and should not be construed as, a finding by the Department that the proposed development meets local requirements or ordinances.

## CONTACT INFORMATION

Unless specified otherwise, all contact with the Department required by this permit shall be made to the Saginaw Bay District Supervisor of the Water Resources Division. The Saginaw Bay District Office is located at 401 Ketchum Street, Suite B, Bay City, Michigan 48708-5430, Telephone: 989-894-6200, Fax: 989-891-9237.

## CONTESTED CASE INFORMATION

Any person to whom this permit is not acceptable may file a sworn petition with the Office of Regulatory Reintervention within the Michigan Department of Licensing and Regulatory Affairs, 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 021A**

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 a maximum of 1.63 MGD of previously accumulated wastewater from a former foundry process combined with storm water from Monitoring Point 021A through Outfall 021. Outfall 021 discharges to an unnamed tributary to the Saginaw River. Such discharge shall be limited and monitored by the permittee as specified below.

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>			<u>Maximum Limits for Quality or Concentration</u>			<u>Monitoring Frequency</u>	<u>Sample Type</u>																		
	<u>Monthly</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>Daily</u>	<u>Units</u>																				
Flow	(report)	(report)	MGD	---	---	---	Daily*	Report Total Daily Flow																		
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )																										
May – September	---	---	---	---	7.2	mg/l	Daily*	Grab																		
October – November	---	---	---	---	13	mg/l	Daily*	Grab																		
December – March	---	---	---	---	28	mg/l	Daily*	Grab																		
April	---	---	---	---	39	mg/l	Daily*	Grab																		
Ammonia Nitrogen (as N)																										
May – September	---	---	---	---	2.5	mg/l	Daily*	Grab																		
October – November	---	---	---	---	5.8	mg/l	Daily*	Grab																		
December – March	---	---	---	---	10	mg/l	Daily*	Grab																		
April	---	---	---	---	(report)	mg/l	Daily*	Grab																		
Total Suspended Solids	---	---	---	35	70	mg/l	See Part I.A.1.c.	3-Portion Composite																		
Turbidity (See Part I.A.1.d.)	---	---	---	80	160	NTU	See Part I.A.1.c.	Grab																		
Outfall Observation	(report)	---	yes/no	---	---	---	Daily*	Visual																		
<table border="0" style="width:100%; border:none;"> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align:center;"><u>Minimum</u></td> <td style="text-align:center;"><u>Maximum</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align:center;"><u>Daily</u></td> <td style="text-align:center;"><u>Daily</u></td> <td></td> <td></td> <td></td> </tr> </table>													<u>Minimum</u>	<u>Maximum</u>								<u>Daily</u>	<u>Daily</u>			
				<u>Minimum</u>	<u>Maximum</u>																					
				<u>Daily</u>	<u>Daily</u>																					
pH	---	---	---	6.5	9.0	S.U.	Daily*	Grab																		
Dissolved Oxygen	---	---	---	6.0	---	mg/l	Daily*	Grab																		

\* During discharge

- a. Narrative Standard  
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.
- b. Monitoring Location  
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to the unnamed tributary to the Saginaw River.

## PART I

## Section A. Limitations and Monitoring Requirements

- c. **Frequency of Analysis for Turbidity and Total Suspended Solids**  
The permittee may determine compliance for the total suspended solids effluent limitations either by direct measurement or by a combination of direct and indirect methods. The method that is used to measure compliance will determine the frequency of analysis required for each parameter, as described below.
- 1) **Direct Measurement**  
If the permittee only monitors total suspended solids by direct measurement, the monitoring frequency shall be daily during discharge, unless otherwise specified in accordance with Part I.A.3. of this permit. Turbidity requirements will **not** be in effect.
  - 2) **Combination of Direct and Indirect Measurement**  
If the permittee monitors total suspended solids using a combination of direct and indirect methods, the permittee shall monitor turbidity as an indirect, partial substitute for monitoring total suspended solids. The monitoring frequency shall be daily during discharge for turbidity and weekly during discharge for total suspended solids, unless otherwise specified in accordance with Part I.A.3. of this permit. Any exceedance of the turbidity limitations shall be considered an exceedance of the total suspended solids limitations.
- d. **Monitoring Requirements for Turbidity**  
The monitoring requirements for turbidity are in effect only if the permittee uses turbidity to indirectly determine compliance for total suspended solids as described in Part I.A.1.c. If the permittee does not indirectly determine compliance with the monitoring requirements, the permittee is not required to monitor for turbidity.
- Monitoring for turbidity shall be conducted daily during periods of discharge, shall be representative of the discharge, and shall be analyzed using EPA approved methods. A minimum of four turbidity samples are required daily. All turbidity samples shall be collected at equal intervals over the discharge period for that day. An average of the results from all of the turbidity monitoring conducted during the day shall be used to determine compliance with the daily maximum effluent limitation. All daily averages for the month shall be averaged to determine compliance with the monthly average effluent limitation.
- The permittee may choose to demonstrate that an alternate site-specific turbidity effluent limitation is appropriate. Such request and supporting documentation shall be submitted to the Department. Supporting documentation shall include a calculation of the correlation between turbidity and total suspended solids. If an alternate site-specific turbidity effluent limitation is approved, the permit shall be modified in accordance with applicable laws and rules to incorporate the alternate site-specific turbidity effluent limitation.
- e. **Outfall Observation**  
Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.
- f. **Water Treatment Additives**  
This permit does not authorize the discharge of water additives without approval from the Department. Approval of water additives is authorized under separate correspondence. Water additives include any material that is added to water used at the facility or to a wastewater generated by the facility to condition or treat the water. In the event a permittee proposes to discharge water additives, including an increased discharge concentration of a previously approved water additive, the permittee shall submit a request to the Department for approval. See Part I.A.4. for information on requesting water treatment additive use.

PART I

Section A. Limitations and Monitoring Requirements

2. Final Effluent Limitations, Monitoring Point 022A

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 an unspecified amount of storm water from Monitoring Point 022A through Outfall 022. Outfall 022 discharges to the Saginaw River. Such discharge shall be limited and monitored by the permittee as specified below.

Parameter	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring Frequency	Sample Type
	Monthly	Daily	Units	Monthly	Daily	Units		
Flow	(report)	(report)	MGD	---	---	---	Daily*	Report Total Daily Flow
Total Suspended Solids	---	---	---	35	70	mg/l	see Part I.A.2.c.	3-Portion Composite
Turbidity (see Part I.A.2.d.)	---	---	---	80	160	NTU	see Part I.A.2.c.	Grab
Outfall Observation	(report)	---	yes/no	---	---	---	Daily*	Visual
pH	---	---	---	<u>Minimum Daily</u> 6.5	<u>Maximum Daily</u> 9.0	S.U.	Daily*	Grab

\* During discharge

- a. Narrative Standard  
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.
- b. Monitoring Location  
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to the Saginaw River.
- c. Frequency of Analysis for Turbidity and Total Suspended Solids  
The permittee may determine compliance for the total suspended solids effluent limitations either by direct measurement or by a combination of direct and indirect methods. The method that is used to measure compliance will determine the frequency of analysis required for each parameter, as described below.
  - 1) Direct Measurement  
If the permittee only monitors total suspended solids by direct measurement, the monitoring frequency shall be daily during discharge, unless otherwise specified in accordance with Part I.A.3. of this permit. Turbidity requirements will **not** be in effect.
  - 2) Combination of Direct and Indirect Measurement  
If the permittee monitors total suspended solids using a combination of direct and indirect methods, the permittee shall monitor turbidity as an indirect, partial substitute for monitoring total suspended solids. The monitoring frequency shall be daily during discharge for turbidity and weekly during discharge for total suspended solids, unless otherwise specified in accordance with Part I.A.3. of this permit. Any exceedance of the turbidity limitations shall be considered an exceedance of the total suspended solids limitations.

## PART I

### Section A. Limitations and Monitoring Requirements

d. Monitoring Requirements for Turbidity

The monitoring requirements for turbidity are in effect only if the permittee uses turbidity to indirectly determine compliance for total suspended solids as described in Part I.A.2.c. If the permittee does not indirectly determine compliance with the monitoring requirements, the permittee is not required to monitor for turbidity.

Monitoring for turbidity shall be conducted daily during periods of discharge, shall be representative of the discharge, and shall be analyzed using EPA approved methods. A minimum of four turbidity samples are required daily. All turbidity samples shall be collected at equal intervals over the discharge period for that day. An average of the results from all of the turbidity monitoring conducted during the day shall be used to determine compliance with the daily maximum effluent limitation. All daily averages for the month shall be averaged to determine compliance with the monthly average effluent limitation.

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

e. Outfall Observation

Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

f. Water Treatment Additives

This permit does not authorize the discharge of water additives without approval from the Department. Approval of water additives is authorized under separate correspondence. Water additives include any material that is added to water used at the facility or to a wastewater generated by the facility to condition or treat the water. In the event a permittee proposes to discharge water additives, including an increased discharge concentration of a previously approved water additive, the permittee shall submit a request to the Department for approval. See Part I.A.4. for information on requesting water treatment additive use.

### 3. Monitoring Frequency Reduction

After the submittal of six months of data, the permittee may request, in writing, Department approval of a reduction in monitoring frequency. This request shall contain an explanation as to why the reduced monitoring is appropriate. A reduction will only be allowed if effluent concentrations are well below the discharge limitations or there is minimal variability in the effluent concentrations. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency indicated in this permit. The monitoring frequency for every parameter shall not be reduced to less than weekly during discharge. 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

## 4. Request for Discharge of Water Treatment Additives

In the event a permittee proposes to discharge water additives, the permittee shall submit a request to discharge water additives to the Department for approval. Such requests shall be sent to the Permits Section, Water Resources Division, Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan 48909, with a copy to the Department contact listed on the cover page of this permit. Instructions to submit a request electronically may be obtained via the Internet (<http://www.michigan.gov/deqnpdes>; then click on Applicable Rules and Regulations which is under the Information banner and then click on Water Treatment Additive Discharge Application Instructions). Written approval from the Department to discharge such additives at specified levels shall be obtained prior to discharge by the permittee. Additional monitoring and reporting may be required as a condition for the approval to discharge the additive.

A request to discharge water additives shall include all of the following water additive usage and discharge information:

- a. Material Safety Data Sheet;
- b. the proposed water additive discharge concentration with supporting calculations;
- c. the discharge frequency (i.e., number of hours per day and number of days per year);
- d. the monitoring point from which the product is to be discharged;
- e. the type of removal treatment, if any, that the water additive receives prior to discharge;
- f. product function (i.e. microbiocide, flocculant, etc.);
- g. a 48-hour LC<sub>50</sub> or EC<sub>50</sub> for a North American freshwater planktonic crustacean (either *Ceriodaphnia sp.*, *Daphnia sp.*, or *Simocephalus sp.*); and
- h. the results of a toxicity test for one other North American freshwater aquatic species (other than a planktonic crustacean) that meets a minimum requirement of Rule 323.1057(2) of the Water Quality Standards.

Prior to submitting the request, the permittee may contact the Permits Section by telephone at 517-241-1346 or via the Internet at the address given above to determine if the Department has the product toxicity data required by items g. and h. above. If the Department has the data, the permittee will not need to submit product toxicity data.

**PART I****Section A. Limitations and Monitoring Requirements****5. Storm Water Pollution Prevention Plan**

The permittee is authorized to discharge storm water associated with industrial activities as defined in 40 CFR 122.26(b)(14)(i-ix). These storm water discharges shall be controlled in accordance with the requirements of this special condition. The permittee has developed and implemented a Storm Water Pollution Prevention Plan (SWPPP). The permittee shall continue implementation of the SWPPP for maximum control of significant materials (as defined in Part II.A.) so that storm water discharges will not cause a violation of the Water Quality Standards. The SWPPP shall be routinely reviewed and updated in accordance with the requirements of this section.

Storm water discharges are a violation of this permit if:

The receiving water will contain unnatural turbidity, color, oil films, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge; or

The permittee has not implemented an acceptable SWPPP.

a. Source Identification

To identify potential sources of significant materials that can pollute storm water and subsequently be discharged from the facility, the SWPPP shall, at a minimum, include the following:

- 1) A site map identifying the following: buildings and other permanent structures; storage or disposal areas for significant materials; secondary containment structures and descriptions of what is contained in the primary containment structures; storm water discharge outfalls (numbered or otherwise labeled for reference); location of storm water and non-storm inlets (catch basins, roof drains, conduits, drain tiles, retention pond riser pipes, and sump pumps) (numbered or otherwise labeled for reference) contributing to each outfall; location of NPDES permitted discharges other than storm water; outlines of the drainage areas contributing to each outfall; structural runoff controls or storm water treatment facilities; areas of vegetation (with brief description such as lawn, old field, marsh, wooded, etc); areas of exposed and/or erodible soils and gravel lots; impervious surfaces (roofs, asphalt, concrete); name and location of receiving water(s); and areas of known or suspected impacts on surface waters as designated under Part 201 (Environmental Response) of the Michigan Act;
- 2) A list of all significant materials that could pollute storm water. For each material listed, the SWPPP shall include each of the following descriptions:
  - a) ways in which each type of significant material has been or has reasonable potential to become exposed to storm water (e.g., spillage during handling; leaks from pipes, pumps, and vessels; contact with storage piles, contaminated materials, or soils; waste handling and disposal; deposits from dust or overspray, etc.);
  - b) an evaluation of the reasonable potential for contribution of significant materials to runoff from at least the following areas or activities: loading, unloading, and other significant material handling operations; outdoor storage, including secondary containment structures; outdoor manufacturing or processing activities; significant dust or particulate generating processes; discharge from vents, stacks and air emission controls; on-site waste treatment, storage, and disposal practices; maintenance and cleaning of vehicles, machines and equipment; sites of exposed and/or erodible soil; Sites of Environmental Contamination listed under Part 201 (Environmental Response) of the Michigan Act; waste management units and areas of concern subject to corrective action under Part 111 (Hazardous Waste Management) or Part 115 (Solid Waste Management) of the Michigan Act; areas of significant material residues; areas where animals congregate (wild or domestic) and deposit wastes; and other areas where storm water may contact significant materials;

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- c) identification of the outfall(s) and the inlet(s) contributing the significant material to each outfall through which the significant material may be discharged if released;
  - d) a listing of significant spills and significant leaks of polluting materials that occurred at areas that are exposed to precipitation or that otherwise discharge to a point source at the facility. The listing shall include spills that occurred over the three (3) years prior to the completion of the SWPPP or latest update of the SWPPP; the date, volume and exact location of release; and the action taken to clean up the material and/or prevent exposure to storm water runoff or contamination of surface waters of the state. Any release that occurs after the SWPPP has been developed shall be controlled in accordance with the SWPPP and is cause for the SWPPP to be updated as appropriate within 14 calendar days of obtaining knowledge of the spill or loss; and
  - e) the permittee shall determine whether its facility discharges storm water to a water body for which the Department has established a Total Maximum Daily Load (TMDL). If so, the permittee shall assess whether the TMDL requirements for the facility's discharge are being met through the existing SWPPP controls or whether additional control measures are necessary. The permittee's assessment of whether the TMDL requirements are being met shall focus on the effectiveness, adequacy, and implementation of the permittee's SWPPP controls; and
- 3) A summary of existing storm water discharge sampling data (if available) describing pollutants in storm water discharges at the facility. This summary shall be accompanied by a description of the suspected source(s) of the pollutants detected.
- b. Preventive Measures and Source Controls, Non-Structural  
To prevent significant materials from contacting storm water at the source, the SWPPP shall, at a minimum, include the following non-structural controls:
- 1) A program which includes a schedule for routine preventive maintenance. The preventive maintenance program shall consist of routine inspections and maintenance of storm water management and control devices (e.g., cleaning of oil/water separators and catch basins, routine housekeeping activities, etc.) as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to the storm sewer system or the surface waters of the state. The routine inspection shall include areas of the facility in which significant materials have the reasonable potential to contaminate runoff. A written report of the inspection and corrective actions shall be maintained on file by the permittee, and shall be retained in accordance with Record Keeping, below;
  - 2) Good housekeeping procedures to maintain a clean, orderly facility. Good housekeeping procedures shall include routine inspections that focus on the areas of the facility that have a reasonable potential to contaminate storm water runoff from the property. The routine housekeeping inspections may be combined with the routine inspections for the preventive maintenance program. A written report of the inspection and corrective actions shall be retained in accordance with Record Keeping, below;
  - 3) Regularly scheduled comprehensive site inspections. The inspections shall include, but not be limited to, the structural controls in use at the facility and the areas and equipment identified in the preventive maintenance program and good housekeeping procedures. The inspections shall also include a review of the routine preventive maintenance reports, good housekeeping inspections reports, and any other paperwork associated with the SWPPP. The comprehensive site inspection shall be conducted by the Certified Storm Water Operator at least quarterly. The permittee may request Department approval of an alternate schedule for comprehensive site inspections. A written report of the inspection and corrective actions shall be retained in accordance with Record Keeping, below. Included in the report shall be a certification that the facility is in compliance with this permit and the SWPPP;

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- 4) Material handling procedures and storage requirements for significant materials. Equipment and procedures for cleaning up spills shall be identified in the SWPPP and made available to the appropriate personnel. The procedures shall identify measures to prevent the spilled materials or material residues from contaminating storm water runoff from the property. The SWPPP shall include language describing what a reportable spill or release is and the appropriate reporting requirements in accordance with Part II.C.6. and Part II.C.7. of the permit. The SWPPP may include, by reference, requirements of either a Pollution Incident Prevention Plan (PIPP) prepared in accordance with the Part 5 Rules (Rules 324.2001 through 324.2009 of the Michigan Administrative Code); a Hazardous Waste Contingency Plan prepared in accordance with 40 CFR 264 and 265 Subpart D, as required by Part 111 of the Michigan Act; or a Spill Prevention Control and Countermeasure (SPCC) plan prepared in accordance with 40 CFR 112;
- 5) Measures used to control soil erosion and sedimentation including identification of the areas that, due to topography, activities, or other factors, have a high potential for significant soil erosion. Gravel lots are to be included;
- 6) A description of the employee training program which will be implemented on an annual basis to inform appropriate personnel at all levels of their responsibility as it relates to the components and goals of the SWPPP. The SWPPP shall identify periodic dates for the employee training program. Records of the employee training program shall be retained in accordance with Record Keeping, below; and
- 7) Actions being taken to limit the discharge of significant materials in order to comply with TMDL requirements.

The SWPPP shall identify significant materials expected to be present in storm water discharges following implementation of non-structural preventative measures and source controls.

- c. **Structural Controls for Prevention and Treatment**  
Where implementation of the measures required by Preventive Measures and Source Controls, Non-Structural; above; does not control storm water discharges in accordance with Water Quality Standards, below, the SWPPP shall provide a description of the location, function, design criteria, and installation/construction schedules of structural controls for prevention and treatment. Structural controls may be necessary:

- 1) To prevent uncontaminated storm water from contacting or being contacted by significant materials, and/or
- 2) If preventive measures are not feasible or are inadequate to keep significant materials at the site from contaminating storm water.

Structural controls shall be used to treat, divert, isolate, recycle, reuse, or otherwise manage storm water in a manner that reduces the level of significant materials in the storm water and provides compliance with the Water Quality Standards, below.

- d. **Keeping SWPPPs Current**
  - 1) The permittee and/or the Certified Storm Water Operator shall review the SWPPP annually after it is developed and maintain a written report of the review in accordance with Record Keeping, below. Based on the review, the permittee or the Certified Storm Water Operator shall amend the SWPPP as needed to ensure continued compliance with the terms and conditions of this permit. The written report shall be submitted to the department on or before January 10<sup>th</sup> of each year.
  - 2) The SWPPP developed under the conditions of a previous permit shall be amended as necessary to ensure compliance with this permit.

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3) The SWPPP shall be updated or amended whenever changes at the facility have the potential to increase the exposure of significant materials to storm water, significant spills at the facility occur, or when the SWPPP is determined by the permittee or the Department to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Updates based on increased activity at the facility shall include a description of how the permittee intends to control any new sources of significant materials or respond to and prevent spills in accordance with the requirements of Source Identification; Preventive Measures and Source Controls, Non-Structural; and Structural Controls for Prevention and Treatment; above.

4) The Department or authorized representative may notify the permittee at any time that the SWPPP does not meet minimum requirements. Such notification shall identify why the SWPPP does not meet minimum requirements. The permittee shall make the required changes to the SWPPP within 30 days after such notification from the Department or authorized representative and shall submit to the Department a written certification that the requested changes have been made.

5) Amendments to the SWPPP shall be signed and retained on-site pursuant to Record Keeping, below.

e. **Certified Storm Water Operator Requirements**

A Certified Storm Water Operator certified by the Department is required by Section 3110 of the Michigan Act. The Certified Storm Water Operator shall have supervision over the facility's storm water treatment and control measures included in the SWPPP. The names and certification numbers of the Certified Storm Water Operators shall be included in the SWPPP.

If the Certified Storm Water Operator is changed or an additional Certified Storm Water Operator is added, the permittee shall provide the name and certification number of the new Certified Storm Water Operator to the Department. If a facility has multiple Certified Storm Water Operators, the names and certification numbers of the Certified Storm Water Operators shall be included in the SWPPP.

f. **Signature and SWPPP Review**

1) The SWPPP shall be signed by the Certified Storm Water Operator and by either the permittee or an authorized representative in accordance with 40 CFR 122.22. The SWPPP and associated records shall be retained on-site at the facility which generates the storm water discharge.

2) The permittee shall make SWPPPs, reports, log books, storm water discharge sampling data (if collected), and items required by Record Keeping, below, available upon request to the Department or authorized representative.

g. **Record Keeping**

The permittee shall maintain records of all SWPPP related inspection and maintenance activities. Records shall also be kept describing incidents such as spills or other discharges that can affect the quality of storm water runoff. All such records shall be retained for three (3) years.

h. **Water Quality Standards**

At the time of discharge, there shall be no violation of the Water Quality Standards in the receiving waters as a result of the storm water discharge. This requirement includes, but is not limited to, the following conditions:

1) In accordance with Rule 323.1050 of the Water Quality Standards, the receiving waters shall not have any of the following unnatural physical properties as a result of this discharge in quantities which are or may become injurious to any designated use: turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits;

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### Section A. Limitations and Monitoring Requirements

2) Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be reported within 24 hours to the Department followed by a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition; and

3) Any pollutant for which a level of control is specified to meet a TMDL established by the Department shall be controlled at the facility so that its discharge is reduced by/to the amount specified in the TMDL.

i. Prohibition of Non-storm Water Discharges

Discharges of material other than storm water shall be in compliance with an NPDES permit issued for the discharge. Storm water shall be defined to include the following non-storm water discharges provided pollution prevention controls for the non-storm water component are identified in the SWPPP: discharges from fire hydrant flushing, potable water sources including water line flushing, water from fire system testing and fire fighting training without burned materials or chemical fire suppressants, irrigation drainage, lawn watering, routine building wash down which does not use detergents or other compounds, pavement wash water where toxic or hazardous materials have not occurred (unless all contamination by toxic or hazardous materials have been removed) and where detergents are not used, air conditioning condensate, springs, uncontaminated groundwater, foundation or footing drains where flows are not contaminated with process materials such as solvents, and discharges from fire fighting activities. Discharges from fire fighting activities are exempted from the requirement to be identified in the SWPPP.

## 6. 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 described in the permit application or other NPDES form originates,
- 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 obviates the permittee from properly submitting reports and forms as required by law.

## PART II

### Section A. Definitions

This list of definitions may include terms not applicable to this permit.

**Acute toxic unit (TU<sub>A</sub>)** 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.

**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.

**Chronic toxic unit (TU<sub>C</sub>)** 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.

**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. If the parameter concentration in any sample is less than the quantification limit, regard that value as zero when calculating the daily concentration. 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.

**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.

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### Section A. Definitions

**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.

**EC<sub>50</sub>** 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** is the geometric mean of the samples collected in a calendar month (or 30 consecutive days). 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 DMRs. FOR SEASONAL LAGOON DISCHARGES ONLY: If the period in which the discharge occurred was partially in each of two months, the monthly average shall be reported on the DMR of the month in which the last day of discharge occurred.

**Fecal coliform bacteria 7-day** is the geometric mean of the samples collected in any 7-day period. 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 concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. FOR SEASONAL LAGOON DISCHARGES ONLY: If the seven day period was partially in each of two months, the seven day average shall be reported on the DMR of the month in which the last day of discharge occurred.

**Flow Proportioned sample** is a composite sample with the sample volume proportional to the effluent flow.

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

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

**IC<sub>25</sub>** means the toxicant concentration that would cause a 25% reduction in a nonquantal biological measurement for the test population.

**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<sub>50</sub>** 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.

**MGD** means million gallons per day.

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### Section A. Definitions

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

**Monthly concentration** is the sum of the daily concentrations determined during a reporting month (or 30 consecutive days) divided by the number of daily concentrations determined. The calculated monthly concentration will be used to determine compliance with any maximum monthly concentration limitations. When required by the permit, report the calculated monthly concentration in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMRs. FOR SEASONAL LAGOON DISCHARGES ONLY: If the period in which the discharge occurred was partially in each of two months, the monthly average shall be reported on the DMR of the month in which the last day of discharge occurred.

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 in the reporting month (or 30 consecutive days). The calculated monthly loading will be used to determine compliance with any maximum monthly loading limitations. When required by the permit, report the calculated monthly loading in the "AVERAGE" column under "QUANTITY OR LOADING" on the DMRs. FOR SEASONAL LAGOON DISCHARGES ONLY: If the period in which the discharge occurred was partially in each of two months, the monthly average shall be reported on the DMR of the month in which the last day of discharge occurred.

**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.

**NTU** means nephelometric turbidity unit.

**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.

**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.

**Pretreatment** is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.

**POTW** is a publicly owned treatment works.

**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.

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### Section A. Definitions

**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 must 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.

**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 wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the permittee as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

**Significant Materials** 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 (Rules 324.2001 through 324.2009 of the Michigan Administrative Code); Hazardous Wastes as defined in Part 111 of the Michigan Act; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.

**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 Act No. 451 of the Public Acts of 1994, as amended, being Rules 323.1041 through 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 must be reported for that period if a discharge occurs during that period.

**Yearly 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 must be reported for that period if a discharge occurs during that period.

**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.

## 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** 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. 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 month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. FOR SEASONAL LAGOON DISCHARGES ONLY: If the seven day period was partially in each of two months, the seven day average shall be reported on the DMR of the month in which the last day of discharge occurred.

**7-day loading** is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during any 7 consecutive days in a reporting month. 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 month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs. FOR SEASONAL LAGOON DISCHARGES ONLY: If the seven day period was partially in each of two months, the seven day average shall be reported on the DMR of the month in which the last day of discharge occurred.

## 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. 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 Chief of the Permits Section, Water Resources Division, Michigan Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan, 48909-7773. 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 Act 451 of 1994, as amended, specifically Section 324.3110(3) and Rule 323.2155(2) of Part 21 allows 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 Electronic Environmental Discharge Monitoring Reporting (e2-DMR) system.

The permittee shall utilize the information provided on the e2-Reporting website @ <https://secure1.state.mi.us/e2rs/> to access and submit the electronic forms. Both monthly summary and daily data shall be submitted to the department no later than the **20<sup>th</sup> 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 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 Water Resources Division, Michigan Department of Environmental Quality. 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 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 years 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.

**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 Michigan Act 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.

**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.

**PART II****Section C. Reporting Requirements****6. Noncompliance Notification**

Compliance with all applicable requirements set forth in the Federal Act, Parts 31 and 41 of the Michigan Act, 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 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 (Rules 324.2001 through 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated on the second page of this permit, 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 preventative measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

**8. Upset Noncompliance Notification**

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

- a. that an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. that the permitted wastewater treatment facility was, at the time, being properly operated; and
- c. that the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

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

**PART II****Section C. Reporting Requirements****9. Bypass Prohibition and Notification**

- a. Bypass Prohibition - Bypass is prohibited 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.
- 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 assure 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.10. 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.

## PART II

### Section C. Reporting Requirements

#### 10. Notification of Changes in Discharge

The permittee shall notify the Department, in writing, within 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.

#### 11. 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 Rule 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.12.; and 4) the action or activity will not require notification pursuant to Part II.C.10. Following such notice, the permit may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

#### 12. Bioaccumulative Chemicals of Concern (BCC)

Consistent with the requirements of Rules 323.1098 and 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.

#### 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.

## 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 Michigan Act and/or the Federal Act and constitutes grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of an application for permit 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 Michigan Act. 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 Michigan Act.

#### 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 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 (Rules 324.2001 through 324.2009 of the Michigan Administrative Code). For a Publicly Owned Treatment Work (POTW), these facilities shall be approved under Part 41 of the Michigan Act.

#### 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 Michigan Act, 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:

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

**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 Michigan Act.

**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 must be by permit issued under Part 41 of the Michigan Act.

**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.

## **Attachment E.3**

**MDEQ letter dated January 28, 2015 – Response to Request to Reduce NPDES Monitoring**



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SAGINAW BAY DISTRICT OFFICE



DAN WYANT  
DIRECTOR

January 28, 2015

Mr. Grant Trigger  
Michigan Cleanup Manager  
RACER Trust  
2930 Ecorse Road  
Ypsilanti, Michigan 48198

Dear Mr. Trigger:

SUBJECT: National Pollutant Discharge Elimination System (NPDES)  
Permit No. MI0059042  
Designated Name: RACER-Saginaw Nodular Indust

Per Part I. Section A.3. of NPDES Permit No. MI0059042 Conestoga Rovers & Associates on behalf of RACER submitted a request for reduced monitoring via an email on January 8, 2015. The Department of Environmental Quality, Water Resources Division (WRD) staff has evaluated the Revitalizing Auto Communities Environmental Response (RACER) reduced monitoring request. Discharge Monitoring Report (DMR) data, file information, and other site-specific information were considered during this review.

Based on this evaluation, the WRD agrees to reduce the monitoring frequencies at outfall 022A of the Flow, Total Suspended Solids, Turbidity, outfall observation and pH in accordance with the following:

Flow	From daily to weekly
Total Suspended Solids	From daily to weekly
Turbidity	From daily to weekly
Outfall Observation	From daily to weekly
pH	From daily to weekly

Based on this evaluation, the WRD agrees to reduce the monitoring frequencies at outfall 021A of the Flow, Total Suspended Solids, Turbidity, Ammonia Nitrogen and outfall observation in accordance to the following:

Flow	From daily to weekly
Total Suspended Solids	From daily to weekly
Turbidity	From daily to weekly
Ammonia Nitrogen	From daily to weekly
Outfall Observation	From daily to weekly

The new monitoring frequencies are effective as of March 1, 2015. The monitoring frequency reduction approval may be revoked or modified at any time upon notification by the Saginaw Bay District Supervisor.

Mr. Grant Trigger  
Page 2  
January 28, 2015

Based on this evaluation, the WRD denies the request to reduce the monitoring frequencies at outfall 021A of the Carbonaceous Biochemical Oxygen Demand (CBOD5), pH and Dissolved Oxygen. The request is denied because the effluent concentrations for these parameters were above or near the discharge limitations listed in Permit No. MI0059042.

All other provisions of the MI0059042 remain unaffected. If you have any questions regarding this authorization, please contact Mr. Keith Noble of this office at 989-894-6282.

Sincerely,



Charles Bauer  
Saginaw Bay District Supervisor  
Water Resources Division

cc: Mr. Mike Tomka, [mtomka@croworld.com](mailto:mtomka@croworld.com)  
Mr. John-Eric Pardys, Conestoga Rovers & Associates, [jpardys@croworld.com](mailto:jpardys@croworld.com)  
Mr. Dave Favero, Racer, [dfavero@racertrust.org](mailto:dfavero@racertrust.org)  
Ms. Christine Alexander, Permits Section (electronic)  
Mr. Jeffery Jones, PCS (electronic)

## **Attachment E.4**

**U.S. EPA email dated May 27, 2014 – Approval of Alternative 1 – North Ditch**

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**From:** Nemani, Nate [<mailto:nemani.nate@epa.gov>]

**Sent:** Tuesday, May 27, 2014 2:44 PM

**To:** Dave Favero

**Subject:** North Ditch Stabilization Alternatives--Evaluation/Recommendation RACER- SNI site.

I have reviewed the Memorandum dated February 26, 2014 relating to the subject issue, namely, Evaluation and subsequent Recommendation for addressing the North Ditch overflow and flooding issue. Alternative #1 was recommended based on evaluation of Criteria for both Alternatives 1 and 2 and comparing their cost-effectiveness etc.

Based on my review of the Alternatives against the Corrective Measures Evaluation Criteria presented, I hereby concur with the recommendation to select Alternative #1 for addressing the issue.

If there are any questions, please let me know.

N Nemani.

NATE NEMANI, P.E.  
RCRA CORRECTIVE ACTION PROJECT MANAGER  
LAND AND CHEMICALS DIVISION  
REMEDIATION AND REUSE BRANCH,  
U. S.EPA, REGION 5,  
77 W JACKSON Blvd, CHICAGO, ILLINOIS, 60604, Mail Code: LU-9J  
(312) 886-3224 (PHONE)  
(312) 692-2176 (FAX)  
[nemani.nate@epa.gov](mailto:nemani.nate@epa.gov) (e-mail address)

## **Attachment E.5**

**US Army Corp letter dated October 27, 2014 – Determination on Proposed North Ditch Work**



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
DETROIT DISTRICT, CORPS OF ENGINEERS  
REGULATORY OFFICE  
BAY CITY FIELD OFFICE  
1501 NORTH HENRY STREET- ROOM 126  
BAY CITY, MICHIGAN 48706-3561

October 27, 2014

Engineering & Technical Services  
Regulatory Office  
File No. LRE-2014-00776-20

Dave Favero  
RACER Trust  
500 Woodward Avenue, Suite 1500  
Saginaw, Michigan 48601

Dear Mr. Favero:

This is in response to your e-mail regarding the Corps of Engineers' (Corps) jurisdiction on property at 2100 Veterans Memorial Parkway in Saginaw, Michigan.

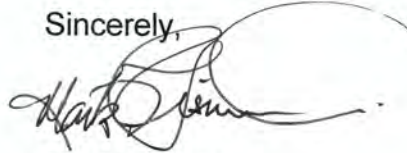
In 1984 a portion of the Corps' regulatory responsibilities was assumed by the Michigan Department of Environmental Quality (MDEQ). This project site is within the assumed area. Unless otherwise notified, a separate authorization from the Corps is not required; however, you may need to obtain a permit from the MDEQ. Therefore, we recommend that you contact MDEQ, Saginaw Bay District office at (989) 894-6200 for a determination of State permit requirements.

Should you have any questions, please contact me at the above address, by E-Mail at [Mark.T.Lesinski@usace.army.mil](mailto:Mark.T.Lesinski@usace.army.mil), or by telephone at 989-684-5969. In all communications, please refer to File Number LRE-2014-00776-20.

We are interested in your thoughts and opinions concerning your experience with the Detroit District, Corps of Engineers Regulatory Program. If you are interested in letting us know how we are doing, you can complete an electronic Customer Service

Survey from our web site at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=136:4:0](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0).  
Alternatively, you may contact us and request a paper copy of the survey that you may complete and return to us by mail or fax. Thank you for taking the time to complete the survey, we appreciate your feedback.

Sincerely,

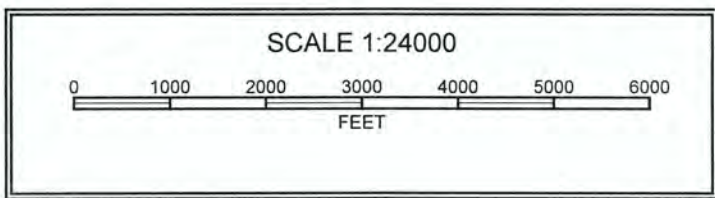
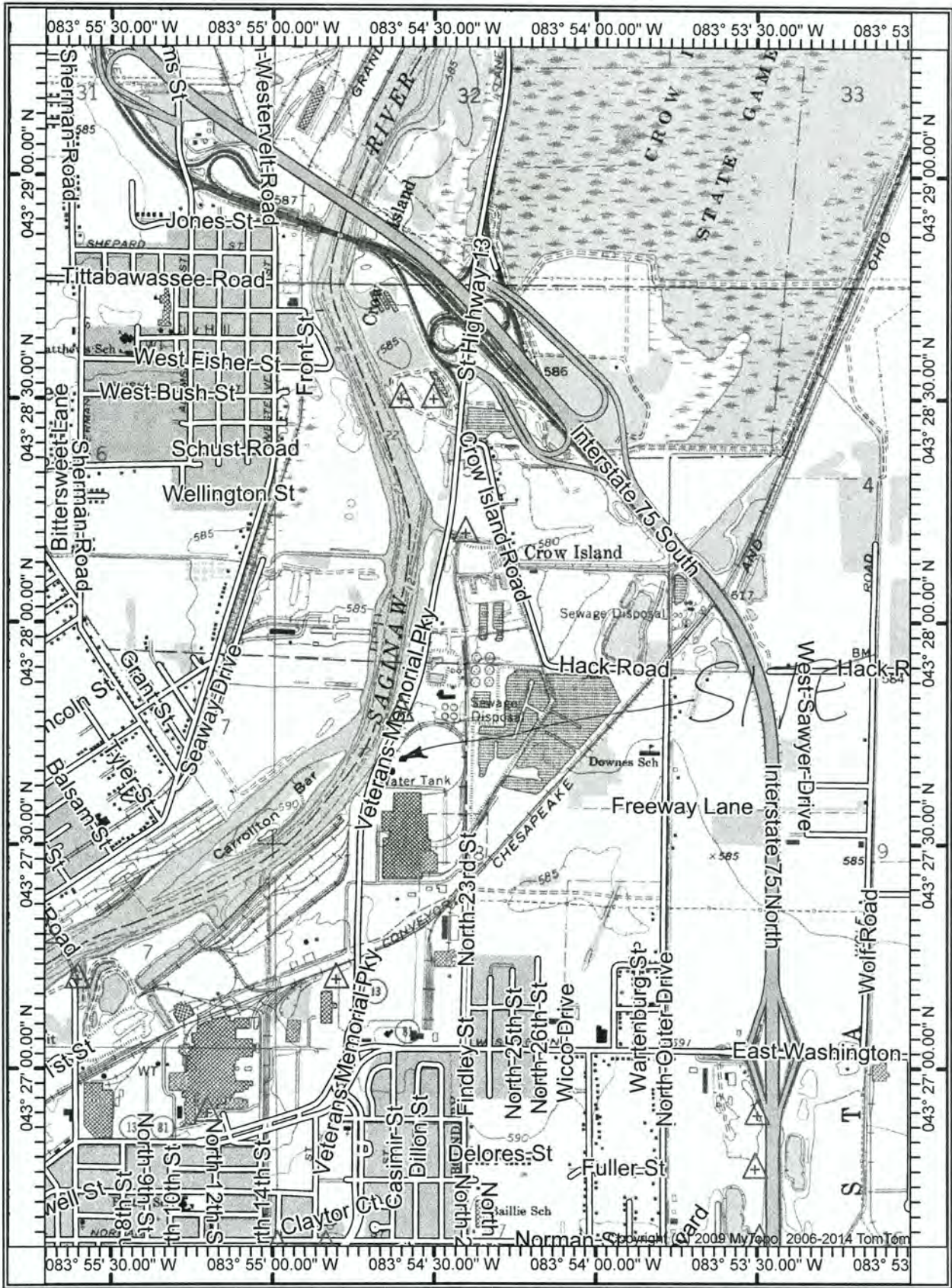
A handwritten signature in black ink, appearing to read "Mark Lesinski", written over a large, light-colored circular mark.

Mark Lesinski  
Regulatory Project Manager  
Bay City Field Office

Enclosure

Copy Furnished

John-Eric Pardys (Conestoga-Rovers & Associates)  
MDEQ,  
NOAA





Proposed Site Work

# **Attachment F**

## **Design Brief – Fill Volume Calculations**



## MEMORANDUM

To: MDEQ *J.E.P.* REF. No.: 058502

FROM: John-eric Pardys/kf/12 DATE: February 19, 2015

RE: **Design Brief – Fill Volume Calculations  
North Ditch Stabilization  
Saginaw Nodular Industrial Land, Saginaw, MI**

Conestoga-Rovers & Associates (CRA) has prepared the following memorandum to provide supplemental information for the fill volumes included in Sections 10 and 13 of the Joint Permit Application associated with the work proposed in the North Ditch at the RACER's Nodular Industrial Land (Site) in Saginaw, Michigan.

To determine the amount of fill proposed for placement in the North Ditch, an existing surface and a proposed surface were created in AutoCAD Civil 3D 2014 using available survey data and proposed elevations. The existing surface was generated utilizing points surveyed by Wilcox (a licensed surveyor) on March 15, 2012 as presented on Drawing 3 included in Attachment B. The survey included numerous cross-sections through the North Ditch.

The proposed surface was generated by introducing proposed points within the North Ditch. All proposed elevations relate back to the elevation set for the proposed catchbasin located within the southern portion of the North Ditch, just north of the entrance off of M-13. The proposed catchbasin will act as the only controlled outlet for the North Ditch; therefore, all storm water that falls within the North Ditch catchment area will be graded towards the proposed catchbasin. A shallow grade of 0.1 percent was projected along the entire length of the North Ditch, since the area has very little topographic relief. Along the width of the North Ditch the proposed elevation will remain flat, except for either edge of the North Ditch where a maximum 3:1 slope from the existing top of bank was utilized. The proposed contours are presented on Drawing 1 in Attachment B in plan view and profiles through various sections of the North Ditch are presented on Drawing 1 and Drawing 2 in Attachment B. The total cut/fill volume was calculated by comparing the existing and proposed surfaces in AutoCAD Civil 3D 2014.

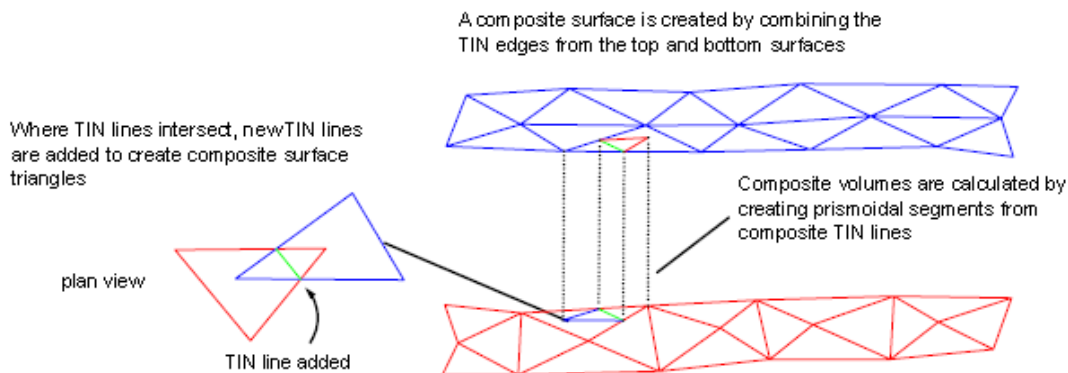
The following excerpt is from the AutoCAD Civil 3D 2014 program which states how composite volumes are created:

## About Composite Volumes

The composite method triangulates a new surface, based on points from both surfaces.

This method uses the points from both surfaces, as well as any location where the edges of the triangles between the two surfaces intersect to create prismatical segments from composite TIN lines.

The new composite surface elevations are calculated based on the difference between the elevations of the two surfaces, as follows:



This method gives accurate volume measurements between the two surface definitions.

Composite surface triangles for the volumes generated between the existing and proposed surfaces is presented on Drawing 3 in Attachment B.

A third surface was generated to determine the volume of fill below the 100-year floodplain and above the Design High Water Mark (DHWM) for which a compensating cut volume is required to ensure the capacity of the floodplain is not compromised with the proposed work. The DHWM is based on the elevation of a catchbasin located just north of the driveway to Tri-cap off of M-13, which is the only outlet for the North Ditch. Conservatively, CRA assumed that the DHWM applied to the entire North Ditch, including the small pond at the eastern edge of the North Ditch. To evaluate our assumption, a staff gauge (SG-2) was installed in the small pond on January 19, 2015. Measurements from SG-2 will be compared with an existing staff gauge (SG-3) at the most southerly point of the North Ditch. Both staff gauges were surveyed on January 30, 2015 and the first water level readings were 584.2 feet above mean sea level (ft AMSL) at SG-2 and 584.4 ft AMSL at SG-3. Additional measurements will be collected in the spring and shared with the MDEQ when the water levels in the North Ditch are expected to be high as a result of the spring melt. The third surface was created by modifying the existing surface by replacing points within the North Ditch with the DHWM elevation. The total cut/fill volumes below the 100-year floodplain elevation and above the DHWM was calculated by comparing the modified existing surface and proposed surfaces in AutoCAD Civil 3D.