



Livingston County Drain Commissioners Office

Soil Erosion and Sedimentation Control (SESC) Division

Under the Provisions of Part 91 of Act 451 as Amended,
and the Livingston County SESC Ordinance

2300 E. Grand River Ave., Suite 105, Howell, MI 48843

Phone: 517-546-0040 Website: www.livgov.com/drain E-mail: drain@livgov.com

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) NPDES PERMIT PROCESS

*The following information is from the MDEQ Water Department Website
and is provided for your convenience.*

The MDEQ's Water Resources Division has responsibility for processing NPDES permits under the authority of the Federal Water Pollution Control Act, and Part 31 of the Natural Resources and Environmental Protection Act, 1994 Pa 451, as amended. The purpose of this permit is to control the discharge of pollutants into surface waters of the State to protect the environment.

Construction Storm Water Program

Construction activities which disturb one or more acres of land and have a point source discharge of storm water to waters of the state (streams, rivers, lakes, and wetlands) are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit from the DEQ WRD.

The WRD has adopted a process called "Permit-by Rule" (Rule 2190, promulgated under Part 31, NREPA) for issuing the necessary storm water coverage. Permit-by Rule "streamlines" the permitting process and is dependent upon the applicant first obtaining Part 91 coverage, i.e., obtaining an SESC permit from the appropriate Part 91 permitting agency or being designated an APA.

For sites disturbing one to five acres, the applicant/permittee receives automatic storm water coverage upon the applicant obtaining a Part 91 permit (or undertaking the project as an APA). Although the coverage is automatic, the permittee must comply with the requirements of Permit by Rule.

For sites disturbing five or more acres, the applicant/permittee must obtain a Part 91 permit (or undertake the project as an APA) and submit an application for Notice of coverage (NOC) to the DEQ WRD. Along with the NOC application, the applicant/permittee must submit a copy of the SESC permit, approved SESC plan, site location map, and the \$400 permit fee.

The permittee must follow the requirements of Permit by Rule. Permit-by Rule requires compliance with the SESC permit issued under Part 91 and also requires SESC measures to be inspected weekly and within 24 hours of a significant rain event by a certified storm water operator. The certification materials and testing are available in most WRD district office.

How to Apply for an NPDES permit

*** IMPORTANT NOTICE ***

The DEQ's Water Resources Division (WRD), has launched a new information system called MiWaters <https://miwaters.deq.state.mi.us/miwaters>. MiWaters is a state-of-the-art, comprehensive, Web-based permitting and compliance database. The system will replace over 25 applications and databases currently used by the WRD, some of which are over 30 years old.

MiWaters establishes a streamlined electronic permitting process, allowing Michigan to fulfill federal electronic reporting requirements and providing an online component for access to public information. The focus of MiWaters is permitting and compliance, including National Pollutant Discharge Elimination System (NPDES)

Permits (including storm water permits) and Groundwater Discharge Permits. It will also include electronic reporting of untreated or partially treated sanitary wastewater.

One of our focuses in developing MiWaters is to create a system that makes it easier for the WRD to communicate with, and provide services electronically to, our regulated community. Below is a list of some of the functions and features that MiWaters provides:

- Permit applications will be submitted electronically.
- The Electronic Environmental Discharge Monitoring Reporting (e-DMR) system is replaced with a more sophisticated system that will provide additional validation and feedback to permittees, and help detect and prevent errors prior to submittal.
- All permit-required submittals will be submitted electronically.
- Those with a MiWaters account will be able to manage permissions, deciding who can view, edit, and submit applications or submittals.
- Wastewater treatment plants will manage biosolids application sites online. Requests may be submitted through MiWaters with notification sent upon approval.
- MiWaters will provide near real-time notifications, to the permittee, of any violations determined by the system or by staff, providing permittees with an early "heads up" and opportunity to correct problems.

Paper applications for NPDES permits are no longer be accepted now that MiWaters is implemented.

Permit applications for discharges to surface water must be submitted to the Permits Section in Lansing at least 180 days before the permit is needed. The application then proceeds through the standard permit review and development process.

The issuance of an NPDES permit or certificate of coverage does not authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other DEQ permits, or approvals from other units of government as may be required by law.

If you have questions regarding NPDES permits, please contact Mr. Tarek Buckmaster at 517-284-5584, or Kelly Ploehn at 517-284-6861, or Karen Gutting at 517-284-5588.