

Certificate of Entry Non-Storm Water, Surface Water Discharges Guidance Document 3 of 4

National Pollutant Discharge Elimination System (NPDES) Non-Storm Water, Surface Water Discharges

Are you discharging wastewater to a separate storm sewer, river, lake or stream without a necessary wastewater discharge permit?

The Michigan Department of Environmental Quality (DEQ) is offering a quick process for coming into compliance for dischargers who may be releasing wastewater or storm water to the ground or surface waters of the state without necessary permit coverage to resolve violations of law and avoid enforcement actions. The goal is to encourage facility owners to comply with state and federal water quality laws, especially Section 324.3112 of the Natural Resources Environmental Protection Act, 1994 PA 451, as amended. Facilities that have never had a permit and are discharging wastewater or non-storm water without necessary permit coverage may address past violations as they voluntarily submit a Certificate of Entry of the General Administrative Consent Order for Unpermitted Discharges, pay the applicable permit fee and penalty, and meet all eligibility requirements for the permit selected. After an inspection by DEQ staff determines the facility is eligible, the facility owners must submit all of the following: a Certificate of Entry of the General Administrative Consent Order that resolves the past violations for discharging without a permit, the annual applicable permit fee, a monetary penalty equal to two times the applicable permit fee, and a complete permit application within sixty days of submission of the Certificate of Entry. This waiver of violation does not extend to any damage to surface water, storm water or groundwater quality that may have occurred as a result of current or past discharges. If the DEQ discovers a facility discharging without the necessary permit authorization, the facility owner or discharger will be subject to the enforcement provisions contained in the statute.

There are two usual ways that facilities obtain coverage under the NPDES permit program for industrial wastewaters, specifically an individual permit or a general permit. An individual NPDES permit is site specific. The limitations and requirements in an individual permit are based on the permittee's discharge type, the amount of discharge, facility operations (if applicable), and receiving stream characteristics.

A general permit is available to permittees with certain similar operations and/or types of discharge. Coverage under a general permit will only be granted when the general permit provides the needed level of protection for the receiving water. Wastewater discharges at certain locations may require an individual permit based upon site-specific concerns. Facilities that are determined to be eligible for coverage under a general permit receive a Certificate of Coverage (COC) from the Water Bureau (WB) usually within four to six weeks of submitting a complete application. Some general permits include: Public Swimming Pool Wastewater, Sand and Gravel Mining Wastewater, Wastewater from Cleanup of Water Contaminated by Gasoline and Related Petroleum Products, Noncontact Cooling Water, and Hydrostatic Pressure Test Water.

To apply for coverage, the following must be submitted in accordance with the instructions provided therein:

- A notarized Certificate of Entry form, which states you agree to the terms of the General Administrative Consent Order (ACO),
- Annual [permit fee](#) determined by the criteria provided herein, which is determined based upon wastewater characteristics. The Appendix provides the applicable permit fee information.
- A monetary penalty equal to two times the applicable permit fee

The Certificate of Entry form will require a permit application to be filed within 60 days of entry. In addition to the permit application, an application fee and penalty based on two times the permit fee must

be included with the application. [Applications](#) for discharge permits are available from the WB Lansing office (517) 241-1300 or your local WB district office or on the Internet. You can get help filling out your application by contacting either of these offices. Additional information is also available on the Internet at www.michigan.gov/deqwater (select "Surface Water" then "NPDES Permits). If you need assistance finding a staff contact, then you can also contact our Environmental Assistance Center at 1-800-662-9278.

Appendix

SUMMARY OF NPDES FEES FOR DISCHARGES OTHER THAN STORM WATER

SB 252 OF 2004

Permit Application Fees

EPA major facility, individual permit	\$750.00
EPA minor facility individual permit, CSO permit, or	\$400.00
Wastewater stabilization lagoon individual permit	
EPA minor facility, general permit	\$75.00

Annual Permit Fees

EPA Major Facility Fees

Industrial-Commercial facilities	\$8,700.00
Municipal 500 MGD or greater	\$213,000.00
Municipal 50 MGD to less than 500 MGD	\$20,000.00
Municipal 10 MGD to less than 50 MGD	\$13,000.00
Municipal less than 10 MGD	\$5,500.00

EPA Minor Facility Fees

Industrial-Commercial General Permit, high-flow	\$400.00
Industrial-Commercial General Permit, low-flow	\$150.00
Industrial-Commercial Individual Permit, high-flow	\$3,650.00
Industrial-Commercial Individual Permit, low-flow	\$1,650.00
Municipal, 10 MGD or greater	\$3,775.00
Municipal, 1 MGD to less than 10 MGD	\$3,000.00
Municipal, less than 1 MGD	\$1,950.00
Municipal, General Permit, high-flow	\$600.00
Municipal, General Permit, low-flow	\$400.00
Municipal CSO	\$6,000.00
Wastewater Stabilization Lagoon	\$1,525.00

Agricultural Purpose Fees

Individual or General Permits	\$600.00
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Unless the facility is an:

EPA Major Facility (excluding Farmers' Cooperative Corporations)	\$8,700.00
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Or an

EPA Minor Facility (must qualify for a low-flow general permit)	\$150.00
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Definitions

MGD = 1,000,000 gallons per day
 High Flow = 1 MGD or greater
 Low Flow = Less than 1 MGD