

Allegan County
MS4 NPDES Permit

Construction Storm Water Runoff Control Program

In Allegan County, the Part 91 County Enforcing Agency is the Allegan County Health Department (ACHD). The Allegan County Drain Commissioner (ACDC) is an Authorized Public Agency with one (1) certified storm water operators (CSWO) on staff. ACDC projects with Soil Erosion and Sedimentation Control (SESC) measures are inspected by an ACDC CSWO, and any soil or sediment discharge into an MS4 will be documented on the SESC inspection report indicating the date, location, type of failure, corrective action needed, date of notification, and completion date. Corrective actions will be completed by the contractor within 24 hours of notification.

When ACDC is notified of a soil erosion or sediment discharge to an MS4, a CSWO will investigate within 24 hours of notification and investigate and document the complaint as described in the previous paragraph. For projects undertaken within ACDC right of way by entities other than ACDC, permits are to be obtained through the ACHD, and ACHD rules and procedures will apply. If a soil or sediment discharge has occurred into an MS4, the ACHD area sanitarian will be contacted by the CSWO to begin enforcement procedures. Other County agencies receiving complaints related to Part 91 permitted sites will refer the complaint to the ACHD. Pursuant to Section 803 of the Allegan County Soil Erosion and Sedimentation Control Ordinance, the ACHD office will send written notice to the responsible party and require that proper soil erosion and sedimentation control measures be implement and maintained within five (5) days. If the responsible party has not corrected the violation within the five (5) days, then the ACHD may enter and implement the required corrections, provided that they are under \$10,000 in total cost, and seek reimbursement from the responsible party.

When it is perceived that a significant discharge of material (*i.e.* an amount which will degrade water quality) has occurred from construction activity, the Michigan Department of Environmental Quality (MDEQ) will be contacted. The CSWO will contact the ACHD area sanitarian and ACHD Environmental Health Services Manager, who will contact the MDEQ notifying of the discharge and corrective action taken.

Construction activity one acre or greater in total earth disturbance requires an SESC permit through the ACHD. Any planned construction site that discharges to an MS4 requires site plan approval from ACDC. Refer to the SESC Ordinance and Site Development Rules. (Attachment 6 and Attachment 7).

For planned construction activity by private land owner that will impact ACDC right of way, the ACDC engineer reviews the plans. The review letter by the ACDC engineer will indicate as a condition of approval, a part 91 SESC review is required from the ACHD to comply with the State of Michigan Permit by Rule (Rule 323.2190). The ACHD and township shall be copied with the ACDC review.