

# NOVI

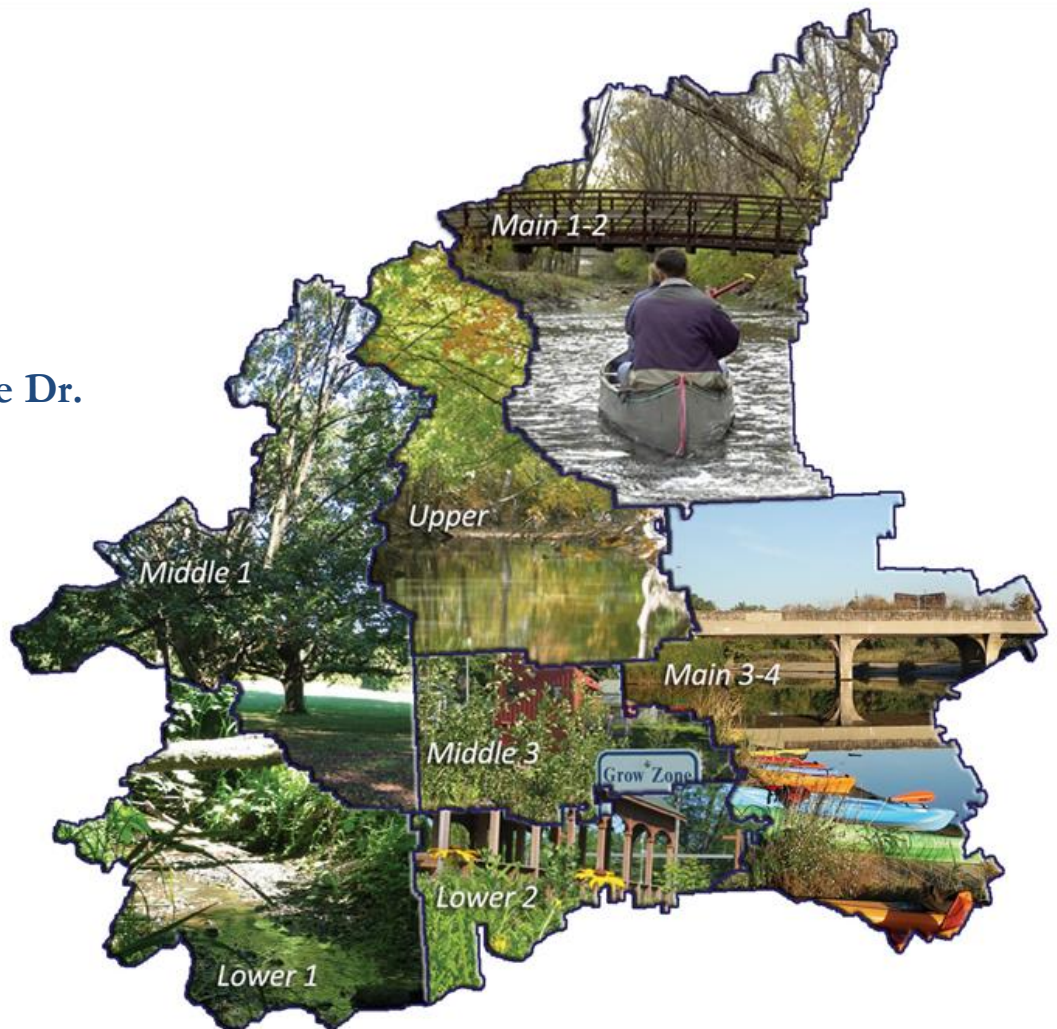
## Stormwater Management Plan (SWMP)

Permit No: MI0060049

Submitted by:



City of Novi  
26300 Lee BeGole Dr.  
Novi, MI 48375  
248-735-5640



*In collaboration with:*



46036 Michigan Ave., Suite 126  
Canton, Michigan 48188  
[www.allianceofrougecommunities.com](http://www.allianceofrougecommunities.com)

April 1, 2023  
Revised August 20, 2024

# **Introduction**

The City of Novi is regulated by a municipal separate storm sewer system (MS4) permit issued by the State of Michigan. The permit regulates the quality of stormwater that discharges from the City's stormwater system. The permit is effective city-wide.

This Stormwater Management Plan (SWMP) has been developed for the city as required by the MS4 permit. It includes the following sections:

APPENDIX A: Outfall and Point of Discharge Information

APPENDIX B: Enforcement Response Procedure

APPENDIX C: Public Participation/Involvement Program (PPP)

APPENDIX D: Public Education Program (PEP)

APPENDIX E1: Illicit Discharge Elimination Program (IDEP)

APPENDIX E2: Illicit Discharge Elimination Ordinance

APPENDIX F: Construction Stormwater Runoff Control

APPENDIX G: Post-Construction Stormwater Runoff Program

APPENDIX H: Pollution Prevention and Good Housekeeping

APPENDIX H2: Spill Response

APPENDIX I: Total Maximum Daily Load (TMDL) Implementation Plan

Novi participates in the Alliance of Rouge Communities' collaborative plans for the PPP, PEP, IDEP and TMDL requirements of the permit.

**APPENDIX A**  
**Outfall and Point of Discharge Information**

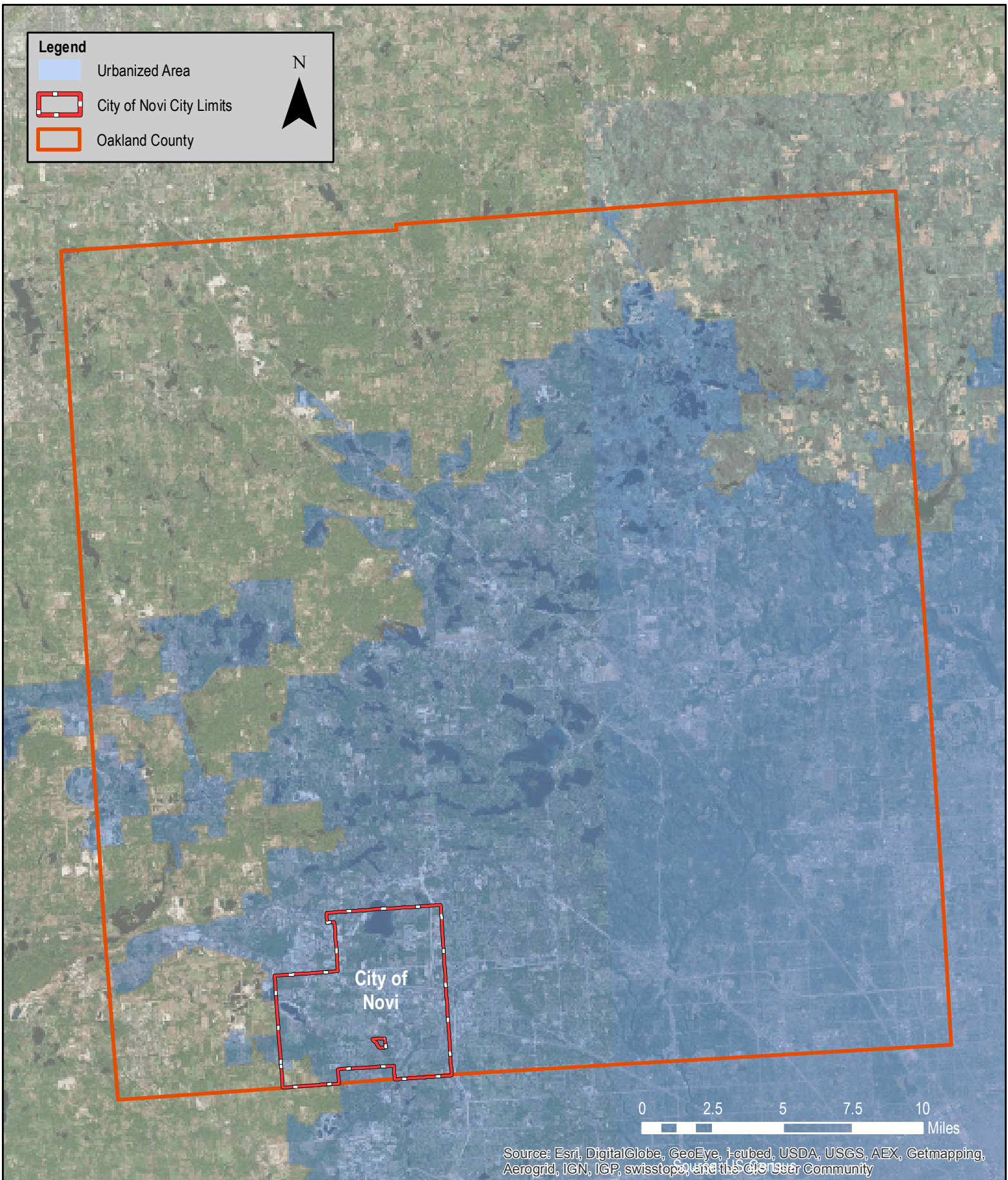
**Legend**

Urbanized Area

City of Novi City Limits

Oakland County

N



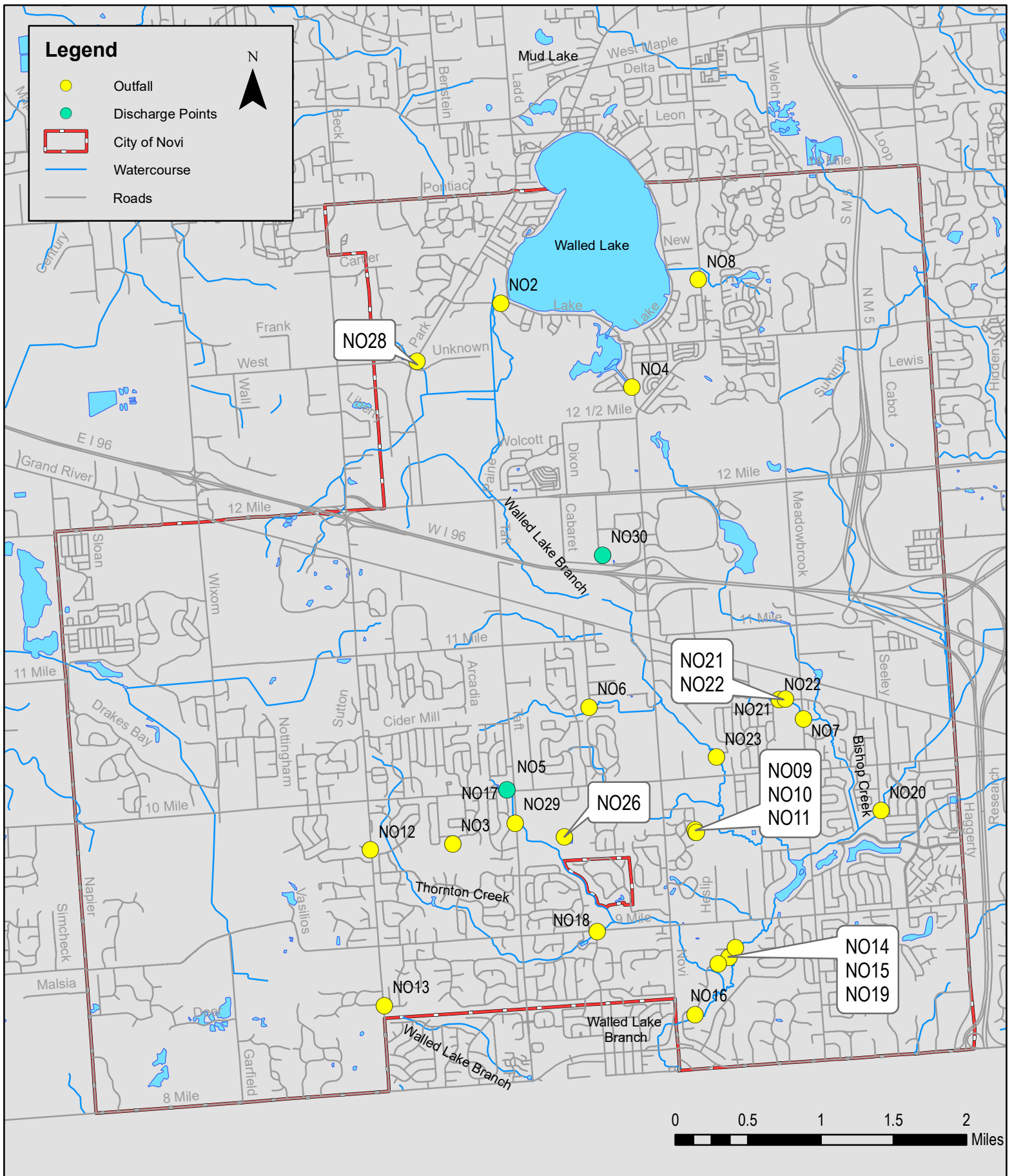
# City of Novi - Urbanized Area

Detroit Area Cluster  
Alliance of Rouge Communities

Alliance  
of Rouge  
Communities

**OURS TO PROTECT**

Working together, restoring the river



# City of Novi - Outfall Location Map

Alliance of Rouge Communities



ID	Type	Receiving
NO2	Outfall	Walled Lake Branch
NO3	Outfall	Thornton Creek Trib
NO4	Outfall	Walled Lake
NO6	Outfall	Walled Lake Branch Trib
NO7	Outfall	Bishop Creek
NO8	Outfall	Walled Lake
NO9	Outfall	Walled Lake Branch
NO10	Outfall	Walled Lake Branch
NO11	Outfall	Walled Lake Branch
NO12	Outfall	Thornton Creek
NO13	Outfall	Walled Lake Branch Trib
NO14	Outfall	Walled Lake Branch
NO15	Outfall	Thornton Creek
NO16	Outfall	Walled Lake Branch
NO17	Discharge Point	Thornton Creek Trib
NO18	Outfall	Thornton Creek
NO19	Outfall	Walled Lake Branch
NO20	Outfall	Walled Lake Branch Trib
NO21	Outfall	Bishop Creek
NO22	Outfall	Bishop Creek
NO23	Outfall	Walled Lake Branch
NO26	Outfall	Thornton Creek Trib
NO28	Outfall	Walled Lake Branch Trib
NO29	Outfall	Thornton Creek Trib
NO30	Discharge Point	Bishop Creek

**APPENDIX B**  
**Enforcement Response Procedure**

# STANDARD OPERATING PROCEDURE ENFORCEMENT RESPONSE

PREPARED FOR:

THE CITY OF NOVI  
45175 W 10 MILE ROAD, NOVI, MICHIGAN 48375



APRIL 2016

## SECTION A – PURPOSE

The Michigan Department of Environmental Quality (MDEQ) National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II Stormwater Discharge Permit Application requires a procedure for Enforcement Response to address violations of the ordinances or regulatory mechanism identified in the Stormwater Management Plan.

## SECTION B – GENERAL PENALTY

Section 1.11 of Chapter 1 General Provision of the City of Novi Code of Ordinances defines the penalties levied by the City for ordinance violations. The section specifically defines penalties for misdemeanors or civil infractions and continuing violations.

### B.1 Section 1.11c – General penalty

*(c) Penalties, sanctions and remedies for Code violations.*

*(1) Penalties for misdemeanors.*

*a. A person convicted of violating an ordinance provision punishable as a misdemeanor shall be guilty of a misdemeanor, and shall be sentenced by the court for a period not to exceed ninety (90) days in jail and/or ordered to pay a fine not to exceed five hundred dollars (\$500.00), unless the ordinance corresponds to a violation of state law that is a misdemeanor for which the maximum period of imprisonment is ninety-three (93) days, in which case the sentence of the court shall be for a period not to exceed ninety (93) days in jail and/or a fine not to exceed five hundred dollars (\$500.00).*

*b. Continuing offense. Each act of violation, and each day upon which any such violation shall occur, shall constitute a separate offense.*

*c. Penalties not exclusive. In addition to any penalties provided for in a city ordinance, any equitable or other remedies available may be sought.*

*(2) Penalties for municipal civil infraction.*

*a. The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular ordinance provision:*

*1. First offense. A civil fine for a first offense violation shall be in an amount of two hundred dollars (\$200.00), plus costs and other sanctions, for each offense.*

*2. Repeat offense. A civil fine for any offense which is a repeat offense shall not exceed five hundred dollars (\$500.00), plus costs and other sanctions, for each offense.*

*b. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages, and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of, the ordinance.*

*c. Continuing offense. Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.*

- d. Remedies not exclusive. In addition to any remedies provided for by city ordinance, any equitable or other remedies available may be sought.*
- e. The judge or magistrate shall also be authorized to impose costs, damages and expenses as provided by law.*

*(3) Exclusion. A municipal civil infraction shall not be a lesser included offense of a criminal offense or of an ordinance violation which is not a civil infraction.*

## **SECTION C – PART 91 MUNICIPAL ENFORCEMENT AGENCY**

The City of Novi is an approved Municipal Enforcement Agency under the Part 91 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as Amended. As an enforcing agency, the City is responsible for implementing and enforcing their Grading and Soil Erosion Control Ordinance.

### **C.1 Section 29.19 – Jurisdiction**

*“Unless otherwise provided by law, the administration and enforcement of this article shall be as follows:*

- (a) The department of building and safety shall be the municipal enforcing agency and shall have jurisdiction throughout the city in the administration and enforcement of this ordinance, Part 91 and Rules, including all amendments adopted unless otherwise specifically stated, except with regard to earth changes by an authorized public agency who is approved under Section 9110 of Part 91.*
- (b) Those authorized for administering this article, Part 91 and the Rules and who also have decision making authority shall have current certificates of training pursuant to MCL 324.9123.”*

### **C.2 Section 29.47 – Violations**

- (a) “A person shall not maintain or undertake an earth change governed by Part 91 or the rules promulgated under Part 91, or this article, except in accordance with Part 91, the rules promulgated under Part 91 or this article, and pursuant to any required SESC plan or SESC permit approved by the department of building and safety.*
- (b) Except in accordance with or otherwise allowed by the provisions of this article, Part 91, or the rules promulgated under Part 91 and pursuant to any required plan or permit(s), a person shall not, by act or omission, maintain any condition, or cause, contribute or engage in any activity that results in accelerated soil erosion or sedimentation of adjacent properties, infrastructure, or the waters of the state and city wetlands.*
- (c) Unless otherwise required or provided by this article, Part 91, the rules promulgated thereunder, or pursuant to any approved plan or permit, a person shall*

*not remove, destroy, alter, molest, damage, or tamper with any soil erosion or sediment control measure or devise nor shall any person knowingly impede, prevent, obstruct, or harass any person lawfully engaged in implementing any soil erosion or sediment control measures.*

*(d) A notice of erosion control deficiency will be sent for violations of Part 91 rules or this article. Upon reinspection if it is found that non-compliance still exists, a "recommendation to show cause" will be issued and determination for the department of building and safety may issue a cease and desist order, stop work order and/or revoke a permit upon its finding that there is a violation of Part 91, the rules promulgated pursuant to Part 91 or this article, or a finding that there is a violation of a soil erosion and sedimentation control permit or an approved soil erosion and sedimentation control plan.*

*(e) If the department of building and safety determines that soil erosion or sedimentation of adjacent properties, infrastructure, or to the waters of the state or city wetlands has or will reasonably occur from land in violation of Part 91 or the rules promulgated under Part 91 or this article, the department of building and safety may seek to enforce a violation by notifying any person who violates this article, Part 91 or the rules promulgated under Part 91, or the person who owns or possesses the land, by mail, with return receipt requested, of its determination. The notices shall contain a description of the violation and what must be done to remedy the violation with a compliance time of five (5) days.*

*(f) After a notice of violation has been issued under subsection (e), a landowner or any person who causes, contributes, maintains, or commits a violation of Part 91, the rules promulgated under Part 91 or this article shall implement and maintain soil erosion and sedimentation control measures in conformance with Part 91, the rules promulgated under Part 91 or this article.*

*(g) Except as otherwise provided in this subsection, not sooner than five (5) days after notice of violation of Part 91, the rules promulgated under Part 91 or this article has been mailed, if the condition of the land, in the opinion of the department of building and safety, may result in or contribute to accelerated soil erosion or sedimentation contributing to adjacent properties, infrastructures or to the waters of the state or city wetlands, and if soil erosion and sedimentation control measures in conformance with Part 91, the rules promulgated under Part 91 or this article are not in place, the department of building and safety or its designated representative may enter upon the land and construct, implement, and maintain soil erosion and sedimentation control measures in conformance with Part 91, the rules promulgated under Part 91 or this article. However, the department of building and safety shall not expend more than ten thousand dollars (\$10,000.00) for the cost of the work, materials, labor, and administration without prior written notice in the notice provided in subsection (e) for the person who owns the land or commits any violation under this article that the*

*expenditure of more than ten thousand dollars (\$10,000.00) may be made. If more than ten thousand dollars (\$10,000.00) is to be expended under this section, then the work shall not begin until at least ten (10) days after the notice of violation has been mailed.”*

**C.3 Section 29.48 – Enforcement, expenses and liens for expenses**

*(a) “All expenses including all administrative, attorney or other professional fees incurred by the MEA to construct, implement, and maintain soil erosion and sedimentation control measures to bring land into conformance with Part 91, the rules promulgated under Part 91 or this article shall be reimbursed to the city by the person who owns the land.*

*(b) The city shall have a lien against nonconforming property for the expenses incurred for bringing the land into conformance with Part 91, the rules promulgated under Part 91 or this article. Or, the city may draw on any guarantee to obtain reimbursement for any and all expenses. However, with respect to single family or multi-family residential property, the lien for such expenses shall have priority over all liens and encumbrances filed or recorded after the date of such expenditure. With respect to all other property, the lien for such expenses shall be collected and treated in the same manner as provided for property tax liens under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.*

*(c) A person who knowingly violates Part 91, the rules promulgated under Part 91 or this article is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than two thousand five hundred dollars (\$2,500.00) in addition to any further remedies authorized by law including injunctive, equitable and declaratory relief including abatement of the conditions or activities giving rise to any violation.*

*(d) A person who knowingly violates Part 91, the rules promulgated under Part 91 or this article or knowingly makes a false statement in an application for a permit or in a soil erosion and sedimentation control plan is responsible for the payment of a civil fine of not more than ten thousand dollars (\$10,000.00) for each day of violation.*

*(e) A person who knowingly violates Part 91, the rules promulgated under Part 91 or this article after receiving a notice of determination under subsection (e) is responsible for the payment of a civil fine of not less than two thousand five hundred dollars (\$2,500.00) or more than twenty-five thousand dollars (\$25,000.00) for each day of violation.*

*(f) Civil fines collected under this section shall be deposited with the city in the city's general fund. If necessary, the city reserves the right to review fines periodically and adopt a fee schedule by resolution.*

*(g) A default in the payment of a civil fine or costs ordered under this article or an installment of the fine or costs may be remedied by any means authorized under the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to 600.9948.*

*(h) In addition to a fine assessed under this article, a person who violates Part 91 or the rules promulgated under Part 91 is liable to the state for damages for injury to, destruction of, or loss of natural resources resulting from the violation. The court may order a person who violates Part 91, the rules promulgated under Part 91 or this article to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation or otherwise order abatement of the conditions and activities giving rise to any violation.*

*(i) This section of the article applies to the city, in addition to other persons. This section of the article does not apply to the department of building and safety with respect to its administration and enforcement of Part 91, the rules promulgated under Part 91 or this article.*

*(j) In addition to any sanctions or remedies expressly authorized under this article, any penalties, sanctions or remedies authorized by The Revised Judicature Act, as amended, Chapter 87, MCL 600.8701, et seq., may be imposed as well including injunctive, equitable and declaratory relief.”*

## **SECTION D – ENFORCEMENT TRACKING**

City will track all violations and issued permits. The following information will be collected and used for tracking records for each violation that is imposed by the City.

1. Name of responsible party (Business, Agency, Organization as applicable)
2. Date of initial violation
3. Location of the Violation (address, cross streets, parcel number, etc.)
4. Description of the Violation
5. Applicable Correspondence (written or verbal)
6. Follow-up Actions
7. Key Dates
8. Descriptions of the City’s Enforcement Response
9. Schedules for Achieving Compliance
10. Date the Violation was Resolved per City Staff

## **SECTION E – PROCESS FOR REVISION**

Any questions on this policy and procedure should be directed to the Stormwater Manager or the Director of Community Development. This procedure shall be reviewed once per permit cycle by the Stormwater Manager for any updates to streamline the requirements.

Sec. 1-11. - General penalty.

(a) *Definitions.* Municipal civil infraction shall mean a violation of a provision of any city ordinance for which the remedy and/or penalty is prescribed to be a civil fine, or other sanction other than a criminal penalty. A municipal civil infraction is not a lesser included offense of a criminal offense or of an ordinance violation that is not a civil infraction.

*Municipal civil infraction determination* shall mean a determination that a defendant is responsible for a municipal civil infraction by one of the following:

- (1) An admission of responsibility for the municipal civil infraction.
- (2) An admission of responsibility for the municipal civil infraction, "with explanation".
- (3) A preponderance of the evidence at an informal hearing or formal hearing.
- (4) A default judgment for failing to appear at a scheduled appearance.

*Repeat offense* shall mean a determination of responsibility for a second, or a subsequent, municipal civil infraction with regard to the same ordinance provision, committed by the same person within any three-year period, unless some other period is specifically provided with regard to a specific ordinance provision.

*Responsible or responsibility* shall mean a determination entered by a court or magistrate that a person is in violation of a provision of any city ordinance prescribed to be a municipal civil infraction.

*Violation* shall mean any act which is prohibited or made or declared to be unlawful or an offense under any city ordinance, including affirmative acts as well as omissions and/or failures to act where the act is required by this Code.

(b) *Presumption of misdemeanor.* Unless a violation of an ordinance is specifically designated in the text of the ordinance to be a municipal civil infraction, a violation shall be deemed to be a misdemeanor.

(c) *Penalties, sanctions and remedies for Code violations.*

(1) *Penalties for misdemeanors.*

- a. A person convicted of violating an ordinance provision punishable as a misdemeanor shall be guilty of a misdemeanor, and shall be sentenced by the court for a period not to exceed ninety (90) days in jail and/or ordered to pay a fine not to exceed five hundred dollars (\$500.00), unless the ordinance corresponds to a violation of state law that is a misdemeanor for which the maximum period of imprisonment is ninety-three (93) days, in which case the sentence of the court shall be for a period not to exceed ninety (93) days in jail and/or a fine not to exceed five hundred dollars (\$500.00).
- b. Continuing offense. Each act of violation, and each day upon which any such violation shall occur, shall constitute a separate offense.
- c. Penalties not exclusive. In addition to any penalties provided for in a city ordinance, any equitable or other remedies available may be sought.

(2) *Penalties for municipal civil infraction.*

- a.

The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular ordinance provision:

1. *First offense.* A civil fine for a first offense violation shall be in an amount of two hundred dollars (\$200.00), plus costs and other sanctions, for each offense.
  2. *Repeat offense.* A civil fine for any offense which is a repeat offense shall not exceed five hundred dollars (\$500.00), plus costs and other sanctions, for each offense.
  - b. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages, and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of, the ordinance.
  - c. Continuing offense. Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.
  - d. Remedies not exclusive. In addition to any remedies provided for by city ordinance, any equitable or other remedies available may be sought.
  - e. The judge or magistrate shall also be authorized to impose costs, damages and expenses as provided by law.
- (3) Exclusion. A municipal civil infraction shall not be a lesser included offense of a criminal offense or of an ordinance violation which is not a civil infraction.

(d) *Commencement of municipal civil infraction action.*

- (1) A municipal civil infraction action is commenced upon the issuance by an authorized official of a municipal civil infraction citation directing the person alleged to be responsible to appear in court. A notice that the violation exists may be served upon the responsible person before a civil infraction citation is issued.
- (2) The form of citation used to charge municipal civil infraction violations shall be in accordance with state law.
- (3) The basis for issuance of a municipal civil infraction citation shall be as set forth below:
  - a. An authorized official who witnesses a person violate an ordinance, the violation of which is a municipal civil infraction, shall prepare and subscribe, as soon as possible, an original and three (3) copies of a citation.
  - b. An authorized official may issue a citation to a person if, based upon investigation, the official has reasonable cause to believe that a person is responsible for a municipal civil infraction.
  - c. An authorized official may issue a citation to a person if, based upon investigation of a complaint by someone who allegedly witnessed the person violate an ordinance, a violation of which is a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction and if the prosecuting attorney or other attorney for the city for whom the authorized local office is acting approves in writing the issuance of the citation.
- (4) *Citations and infraction notices.* Municipal civil infraction citations and municipal civil infraction notices shall be served in the following manner:
  - a. Except as otherwise provided below, the authorized official shall personally serve a copy of the citation or notice upon the alleged violator.

- b. In a municipal civil infraction action involving the use or occupancy of land or a building or other structure, a copy of the citation need not be personally served upon the alleged violator but may be served upon an owner or occupant of the land, building or structure by posting the copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first class mail to the owner of the land, building or structure at the owner's last known address.
- c. A citation or notice served as provided in subsection b, above, shall be processed in the same manner as a citation or notice served personally upon a defendant.

*(e) Authorized official.*

- (1) The neighborhood services coordinator shall be an authorized official for purposes of carrying out the enforcement of this section.
- (2) A code compliance officer designated and described in section 2-129 of this Code shall be authorized officials for purposes of carrying out the duties of enforcing this section.
- (3) The city council is hereby authorized to appoint by motion or resolution such other person or persons, for such term or terms as may be designated in the motion or resolution, for purposes of carrying out the duties and responsibilities specified in this ordinance for officials charged with the enforcement of the city ordinances specified in the motion or resolution. The council may further, by motion or resolution, remove any person from such office, in the discretion of the council.
- (4) A person appointed by motion or resolution is authorized to enforce all ordinance provisions set forth in the motion or resolution. Where a particular officer is designated in any ordinance provision, that officer's authority shall continue in full force and effect, and shall not be diminished or impaired by the terms of this section, and the authority of the person appointed by motion or resolution shall be in addition and supplementary to the authority granted to such other specific officer.
- (5) The duties of a person appointed herein or by motion or resolution shall include the following: Investigation of designated ordinance violations; issuance and service of municipal civil infraction citations and municipal ordinance violation notices for the designated ordinance violations; appearance in court or other judicial or quasi-judicial proceedings in the administration of the designated city ordinances.

*(Ord. No. 73-61, § 1.01, 9-24-73; Ord. No. 03-61.01, Pt. I, 10-20-03)*

**Charter reference—** Limitation on penalties, § 7.4.

**State law reference—** Limitation on penalties, MCL 117.4i, MSA 5.2082.

Sec. 29-19. - Jurisdiction.

Unless otherwise provided by law, the administration and enforcement of this article shall be as follows:

- (a) The department of building and safety shall be the municipal enforcing agency and shall have jurisdiction throughout the city in the administration and enforcement of this ordinance, Part 91 and Rules, including all amendments adopted unless otherwise specifically stated, except with regard to earth changes by an authorized public agency who is approved under Section 9110 of Part 91.
- (b) Those authorized for administering this article, Part 91 and the Rules and who also have decision making authority shall have current certificates of training pursuant to MCL 324.9123.

(Ord. No. 06-82.05, Pt. I, 4-3-06)

Sec. 29-47. - Violations.

- (a) A person shall not maintain or undertake an earth change governed by Part 91 or the rules promulgated under Part 91, or this article, except in accordance with Part 91, the rules promulgated under Part 91 or this article, and pursuant to any required SESC plan or SESC permit approved by the department of building and safety.
- (b) Except in accordance with or otherwise allowed by the provisions of this article, Part 91, or the rules promulgated under Part 91 and pursuant to any required plan or permit(s), a person shall not, by act or omission, maintain any condition, or cause, contribute or engage in any activity that results in accelerated soil erosion or sedimentation of adjacent properties, infrastructure, or the waters of the state and city wetlands.
- (c) Unless otherwise required or provided by this article, Part 91, the rules promulgated thereunder, or pursuant to any approved plan or permit, a person shall not remove, destroy, alter, molest, damage, or tamper with any soil erosion or sediment control measure or devise nor shall any person knowingly impede, prevent, obstruct, or harass any person lawfully engaged in implementing any soil erosion or sediment control measures.
- (d) A notice of erosion control deficiency will be sent for violations of Part 91 rules or this article. Upon reinspection if it is found that non-compliance still exists, a "recommendation to show cause" will be issued and determination for the department of building and safety may issue a cease and desist order, stop work order and/or revoke a permit upon its finding that there is a violation of Part 91, the rules promulgated pursuant to Part 91 or this article, or a finding that there is a violation of a soil erosion and sedimentation control permit or an approved soil erosion and sedimentation control plan.
- (e) If the department of building and safety determines that soil erosion or sedimentation of adjacent properties, infrastructure, or to the waters of the state or city wetlands has or will reasonably occur from land in violation of Part 91 or the rules promulgated under Part 91 or this article, the department of building and safety may seek to enforce a violation by notifying any person who violates this article, Part 91 or the rules promulgated under Part 91, or the person who owns or possesses the land, by mail, with return receipt requested, of its determination. The notices shall contain a description of the violation and what must be done to remedy the violation with a compliance time of five (5) days.
- (f) After a notice of violation has been issued under subsection (e), a landowner or any person who causes, contributes, maintains, or commits a violation of Part 91, the rules promulgated under Part 91 or this article shall implement and maintain soil erosion and sedimentation control measures in conformance with Part 91, the rules promulgated under Part 91 or this article.
- (g) Except as otherwise provided in this subsection, not sooner than five (5) days after notice of violation of Part 91, the rules promulgated under Part 91 or this article has been mailed, if the condition of the land, in the opinion of the department of building and safety, may result in or contribute to accelerated soil erosion or sedimentation contributing to adjacent properties, infrastructures or to the waters of the state or city wetlands, and if soil erosion and sedimentation control measures in conformance with Part 91, the rules promulgated under Part 91 or this article are not in place, the department of building and safety or its designated representative may enter upon the land and construct, implement, and maintain soil erosion and sedimentation control measures in conformance

with Part 91, the rules promulgated under Part 91 or this article. However, the department of building and safety shall not expend more than ten thousand dollars (\$10,000.00) for the cost of the work, materials, labor, and administration without prior written notice in the notice provided in subsection (e) for the person who owns the land or commits any violation under this article that the expenditure of more than ten thousand dollars (\$10,000.00) may be made. If more than ten thousand dollars (\$10,000.00) is to be expended under this section, then the work shall not begin until at least ten (10) days after the notice of violation has been mailed.

(Ord. No. 06-82.05, Pt. I, 4-3-06)

Sec. 29-48. - Enforcement, expenses and liens for expenses.

- (a) All expenses including all administrative, attorney or other professional fees incurred by the MEA to construct, implement, and maintain soil erosion and sedimentation control measures to bring land into conformance with Part 91, the rules promulgated under Part 91 or this article shall be reimbursed to the city by the person who owns the land.
- (b) The city shall have a lien against nonconforming property for the expenses incurred for bringing the land into conformance with Part 91, the rules promulgated under Part 91 or this article. Or, the city may draw on any guarantee to obtain reimbursement for any and all expenses. However, with respect to single family or multi-family residential property, the lien for such expenses shall have priority over all liens and encumbrances filed or recorded after the date of such expenditure. With respect to all other property, the lien for such expenses shall be collected and treated in the same manner as provided for property tax liens under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.
- (c) A person who knowingly violates Part 91, the rules promulgated under Part 91 or this article is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than two thousand five hundred dollars (\$2,500.00) in addition to any further remedies authorized by law including injunctive, equitable and declaratory relief including abatement of the conditions or activities giving rise to any violation.
- (d) A person who knowingly violates Part 91, the rules promulgated under Part 91 or this article or knowingly makes a false statement in an application for a permit or in a soil erosion and sedimentation control plan is responsible for the payment of a civil fine of not more than ten thousand dollars (\$10,000.00) for each day of violation.
- (e) A person who knowingly violates Part 91, the rules promulgated under Part 91 or this article after receiving a notice of determination under subsection (e) is responsible for the payment of a civil fine of not less than two thousand five hundred dollars (\$2,500.00) or more than twenty-five thousand dollars (\$25,000.00) for each day of violation.
- (f) Civil fines collected under this section shall be deposited with the city in the city's general fund. If necessary, the city reserves the right to review fines periodically and adopt a fee schedule by resolution.
- (g) A default in the payment of a civil fine or costs ordered under this article or an installment of the fine or costs may be remedied by any means authorized under the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to 600.9948.
- (h) In addition to a fine assessed under this article, a person who violates Part 91 or the rules promulgated under Part 91 is liable to the state for damages for injury to, destruction of, or loss of natural resources resulting from the violation. The court may order a person who violates Part 91, the rules promulgated under Part 91 or this article to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation or otherwise order abatement of the conditions and activities giving rise to any violation.
- (i) This section of the article applies to the city, in addition to other persons. This section of the article does not apply to the department of building and safety with respect to its administration and enforcement of Part 91, the rules promulgated under Part 91 or this article.

(j)

In addition to any sanctions or remedies expressly authorized under this article, any penalties, sanctions or remedies authorized by The Revised Judicature Act, as amended, Chapter 87, MCL 600.8701, et seq., may be imposed as well including injunctive, equitable and declaratory relief.  
(Ord. No. 06-82.05, Pt. I, 4-3-06)

## **APPENDIX C**

**Collaborative Public Participation/Involvement Program (PPP)**

Click [here](#) for link to Collaborative PPP Plan

## **APPENDIX D**

**Collaborative Public Education Program (PEP)**

Click [here](#) for link to Collaborative PEP Plan

## **APPENDIX E**

### **Collaborative Illicit Discharge Elimination Plan (IDEP)**

Click [here](#) for link to Collaborative IDEP

**APPENDIX E2**  
**Collaborative Illicit Discharge Elimination Plan (IDEP)**  
**Ordinance**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO.19-195

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, AT CHAPTER 12, "DRAINAGE AND FLOOD DAMAGE PREVENTION," TO ADD ARTICLE IV, "ILLICIT DISCHARGE ELIMINATION PROGRAM," TO REGULATE NON-STORMWATER DISCHARGE.

**THE CITY OF NOVI ORDAINS:**

**PART I.** That Chapter 12, "Drainage and Flood Prevention," is hereby amended to add Article IV, "Illicit Discharge Elimination Program" which reads as follows:

**SECTION 12-91. SHORT TITLE**

This Section of Chapter 12 Article IV shall be known and cited as the Illicit Discharge Elimination Program.

**SECTION 12-92. STATEMENT OF PURPOSE**

The purpose of this Ordinance is to provide for the health, safety, and general welfare of the citizens of the City through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This Ordinance establishes methods for controlling the introduction of pollutants into the municipal storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this Ordinance are:

- (1) To regulate the contribution of pollutants to the municipal storm sewer system by stormwater discharges by any user.
- (2) To prohibit illicit connections and discharges to the municipal storm sewer system.
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this article.

**SECTION 12-93. DEFINITIONS**

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Authorized enforcement agency** means the City of Novi, through its Public Works Department by its Director of Public Works and his/her authorized representatives,

which shall specifically include all inspectors and code enforcement, and any other individual designated by the City Manager of the City of Novi to enforce this Ordinance. Where applicable the terms may also mean the director of the Michigan Department of Environmental Quality or his/her designated official, and/or the United States EPA Administrator or his/her designated official.

**Best Management Practices (BMPs)** means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

**City** means the City of Novi, a Michigan municipal corporation.

**Clean Water Act** means the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

**County** means the County of Oakland.

**Construction activity** means activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of five acres or more requiring an issued permit and small construction activities impacting one to five acres of land deemed to operate under a national permit. Such activities include, but are not limited to, clearing and grubbing, grading, excavating, and demolition.

**Hazardous materials** means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**Illegal discharge** means any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in Section 12-97 of this Ordinance.

**Illicit connections** mean either of the following:

- (1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited, to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency, or
- (2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

**Industrial activity** means activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26(b)(14).

**MS4** means a municipal separate storm sewer system.

**National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit** means a permit issued by United States Environmental Protection Agency (EPA), or by the State of Michigan under authority delegated pursuant to 33 USC § 1342(b) and codified in the Michigan Natural Resources and Environmental Protection Act Protection at MCL 324.101, et seq., that authorizes the discharge of pollutants to waters of the United States or State of Michigan, whether the permit is applicable on an individual, group, or general area-wide basis.

**Non-stormwater discharge** means any discharge to the storm drain system that is not composed entirely of stormwater.

**Person** means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

**Pollutant** means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

**Premises** means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

**Storm sewer system or storm drainage system** means a publicly owned facility by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

**Stormwater** means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

**Stormwater pollution prevention plan** means a document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

**Wastewater** means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

#### **SECTION 12-94. APPLICABILITY**

This Ordinance shall apply to all water entering the storm drain system generated on any developed or undeveloped lands unless expressly exempted by an authorized enforcement agency.

#### **SECTION 12-95. ENFORCEMENT, RESPONSIBILITY FOR ADMINISTRATION**

This Ordinance shall be enforceable by the City's Code Enforcement Officer at the direction of the Director of Public Works or other authorized enforcement agency.

#### **SECTION 12-96. MINIMUM STANDARDS**

The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore, this Ordinance does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

#### **SECTION 12-97. DISCHARGE PROHIBITIONS**

##### **A. Prohibition of illegal discharges.**

No person shall discharge or cause to be discharged into the storm drain system or watercourses, any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited; however, the following discharges are exempt from prohibition as described:

(1) The discharges and flows from firefighting activities if they are identified as not being a significant source of pollutants to the waters of the state.

(2) Discharges specified in writing by the Director of Public Works as being necessary to protect public health and safety.

(3) Dye testing, when there has been verbal notification to the Director of Public Works and state department of environmental quality procedures have been followed.

(4) Discharges permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

(5) The following discharges or flows if they are identified as not being a significant contributor to violations of water quality standards: water line flushing and discharges from potable water sources; landscape irrigation runoff, lawn watering runoff, and irrigation waters; diverted stream flows and

flows from riparian habitats and wetlands; rising groundwaters and springs; uncontaminated pumped groundwater, except for groundwater cleanups specifically authorized by NPDES permits; foundation drains, water from crawl space pumps, footing drains and basement sump pumps; air conditioning condensation; waters from noncommercial car washing; street wash water; dechlorinated swimming pool water from single-, two- or three-family residences. Other swimming pools shall not be discharged to stormwater or to surface waters of the state without NPDES permit authorization from the MDEQ.

**B. Prohibition of illicit connections.**

(1) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(3) A person is considered to be in violation of this article if the person connects a line conveying sewage to a storm drain system or MS4, or allows such a connection to continue.

**C. Prohibition of Direct Dumping or Disposal of Materials into the MS4.**

(1) The direct dumping of materials or discharges into the MS4 is prohibited except for those illicit discharges identified as not being a significant contributor to violations of water quality standards.

**SECTION 12-98. RIGHT OF ENTRY**

The Director of Public Works and the City's Code Enforcement Officer or other authorized enforcement agency shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing of suspected non-stormwater discharges in accordance with the provisions of this article. Refusal of reasonable access to the Director of Public Works, the City's Code Enforcement Officer, and/or representatives of the authorized enforcement agency to any part of the premises is a violation of this article.

**SECTION 12-99. SUSPENSION OF STORM SEWER SYSTEM ACCESS**

**A. Suspension due to illicit discharges in emergency situations.**

The Code Enforcement Officer at the direction of the Director of Public Works or other authorized enforcement agency may seek immediate injunctive relief to suspend storm sewer system discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the storm sewer system or the Waters of the United States or this state. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the storm sewer system or waters of the United States or this state, or to minimize danger to persons.

**B. Suspension due to the detection of illicit discharge.**

Any person discharging to the storm sewer system in violation of this article may have their storm sewer system access terminated by the order of the District Court if such termination would abate or reduce an illicit discharge. The Code Enforcement Officer or Director of Public Works will notify a violator of the proposed termination of its storm sewer system access.

**SECTION 12-100. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES**

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Director of Public Works prior to the allowing of discharges to the MS4.

**SECTION 12-101. MONITORING OF DISCHARGES**

The Director of Public Works has the right to require non-residential dischargers to install monitoring equipment as necessary, in accordance with Court Order, if a non-stormwater discharge is suspected. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

**SECTION 12-102. REQUIREMENTS TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES**

The Director of Public Works or his designee will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a storm water pollution prevention plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

**SECTION 12-103. NOTIFICATION OF SPILLS**

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or

may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Director of Public Works within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

## **SECTION 12-104. ENFORCEMENT**

### **A. Notice of Violation**

Whenever the Director of Public Works or his designee determines that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the City of Novi may issue a notice of violation to the responsible person and the owner of the property where the violation is occurring- requiring within a period set forth within the notice. Such notice may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit connections or discharges;
- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination of hazards and the restoration of any affected property; and
- (5) Payment of a fine to cover administrative and remediation costs; and
- (6) The implementation of source control or treatment BMPs.

### **B. Abatement of a Violation.**

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall advise that, should the violator fail to remediate or restore within the established deadline, the City may issue a municipal civil infraction citation and may seek an order of the District Court requiring the restoration to be completed within an established deadline and authorizing the City or its designee to complete the work at the violator's expense.

### **C. Penalties.**

Violations of this Article shall be a municipal civil infraction as set forth within Section 1-11 of this Code.

## **SECTION 12-105. COST OF THE ABATEMENT OF THE VIOLATION**

In the event the violator fails to correct the violation as required, and the City undertakes the corrective action in accordance with an order of the District Court, within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The court order may provide that if the amount due is not paid within a timely manner, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Unpaid assessments may be placed on the City's delinquent tax roll and may be collected as unpaid taxes.

## **SECTION 12-106. REMEDIES NOT EXCLUSIVE**

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies, including, but not limited to circuit court actions in law or equity.

**PART II. Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**PART III. Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

**PART IV. Repealer.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PART V. Effective Date: Publication.** The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

Made, Passed and Adopted by the Novi City Council this 25<sup>th</sup> day of November, 2019.



Robert J. Gatt, Mayor



Cortney Hanson, City Clerk

**Certificate of Adoption**

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the 25<sup>th</sup> day of November, 2019.

Courtney Hanson

Courtney Hanson, City Clerk

Adopted: 11/25/2019  
Published: 12/05/2019  
Effective: 12/10/2019

**Certificate of Clerk**

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 26<sup>th</sup> day of November, 2019.

1. Novi City Hall 45175 Ten Mile Road
2. Novi Library 45255 Ten Mile Road

I do further certify that on the 5<sup>th</sup> day of December, 2019 said Ordinance Amendment 19-195 was published in brief in the Novi News, a newspaper published and circulated in said City.

Courtney Hanson

Courtney Hanson, City Clerk

**APPENDIX F**  
**Construction Stormwater Runoff Control**

# STANDARD OPERATING PROCEDURE CONSTRUCTION STORMWATER RUNOFF CONTROL PROGRAM

PREPARED FOR:

THE CITY OF NOVI  
26300 LEE BEGOLE DR., NOVI, MICHIGAN 48375



APRIL 2016

## SECTION A – PURPOSE

The Michigan Department of Environmental Quality (MDEQ) National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II Stormwater Discharge Permit Application requires a description of current and proposed BMPs to meet the minimum control measure requirements for the construction stormwater runoff control program to the maximum extent practicable. The City of Novi administers a Part 91 program and is a designated municipal enforcement agency. The following standard operating procedure provides a description of the procedures the City employs for construction site runoff control that includes notification procedures and ensuring proper permits are obtained by those disturbing greater than one acre of soil.

## SECTION B – APPLICATION PROCEDURE

Prior to any earth disturbance, the City will ensure that construction activity one acre or greater in total earth disturbance with the potential to discharge to the MS4 does obtain a Part 91 Permit and/or a State of Michigan Permit by Rule or is reviewed by an approved Authorized Public Agency through the site plan review process. These requirements are documented in the City's Sedimentation Control Ordinance.

### **B.1 Section 29.41 – Soil erosion and sedimentation control permit required**

*(a) “[Generally. ] It shall be unlawful to permit, authorize or conduct an earth change without first obtaining a SESC permit with approved SESC plans from the department of building and safety unless a permit and/or plans are not required under the provisions of this article, Part 91, or the rules.*

*(b) SESC Permit Requirements. Unless otherwise exempt by this article, Part 91, or the rules, a landowner or designated agent who contracts for, allows, or engages in, an earth change in this city shall obtain a SESC permit from the department of building and safety, which shall be kept current throughout all active earth change operations, before commencing an earth change which:*

*(1) Disturbs one (1) or more acres of land; or*

*(2) Is within five hundred (500) feet of any waters of the state and city wetlands.”*

### **B.2 Section 29.23b-d – Earth change requirements and control plan requirements generally**

*(b) “A person shall conduct an earth change in a manner that will effectively reduce accelerated soil erosion and resulting sedimentation.*

*(c) A person engaged in an earth change that disturbs one (1) or more acres of land or is within five hundred (500) feet of any waters of the state and city wetlands shall:*

*(1) Obtain the permit(s) required by this article and Part 91, and the rules promulgated thereunder; said permit(s) shall be kept current and valid throughout all active earth change operations and until the site passes final inspection by the municipal enforcing agency.*

*(2) Plan, implement, and maintain acceptable soil erosion and sedimentation control measures in conformance with the requirements of this article and Part 91 and the rules promulgated thereunder, including, but not limited to, Rule 323.1703, which effectively reduce accelerated soil erosion and off-site sedimentation.*

*(3) Set forth soil erosion and sedimentation control measures in a plan as prescribed by this article. A person shall make the plan available for inspection at all times at the site of the earth change.*

*(4) Prepare a soil erosion and sedimentation control plan, signed and sealed by a registered engineer designed to effectively reduce accelerated soil erosion and sedimentation that shall identify factors that may contribute to soil erosion or sedimentation, or both.*

*(d) A soil erosion and sedimentation control plan shall conform to the requirements of this Article, as set forth in subsection 29-24(d)(5), Part 91, and the rules promulgated pursuant to Part 91, including, but not limited to, Rule 323.1703."*

### **B.3 Section 29.25 – Review of plans**

*(a) "The soil erosion and sedimentation control plans as previously described in section 29-24, will be reviewed and approved by the department of building and safety or its designated representative who also has Part 91 certification, is current in training and has passed the examination. This review will not commence until such time that, all required fees have been paid as stated in section 29-28.*

*(b) The department of building and safety or its designated representative will approve, disapprove or require a revision to the plans within thirty (30) calendar days following the receipt of the plans and a complete application for an erosion control permit:*

*(1) Notification of approval will be in the form of the actual permit issuance.*

*(2) If disapproved, the applicant will be notified in writing. Reasons for disapproval and the conditions necessary to obtain approval will be stated.*

*(c) Any revisions or changes to the soil erosion and sedimentation control plans, must be submitted as required for review and approval by the MEA. However, to the extent such changes void or otherwise require duplication of engineering time expended in*

*review of the original plan, a supplemental fee will apply which shall be due and payable prior to issuance of the resultant permit.*

*(d) The soil erosion permit, or a copy thereof, along with a complete set of the approved soil erosion and sedimentation control plans, shall be available at the site of the earth change for inspection at all times.*

## **SECTION C – INSPECTIONS/COMPLAINTS**

As the Part 91 regulating authority, the City will inspect active construction sites that have obtained a Soil Erosion and Sedimentation Control Permit from the City.

### **C.1 Section 29.26a – Inspections**

*(a) “Right-of-way entry and inspection. The department of building and safety or its designated representative shall inspect all soil erosion control measures. At any reasonable time, the department of building and safety or its designated representative may enter upon public or private for the purpose of inspecting and investigating conditions or practices that may be in violation of this article, Part 91 or the rules. However, an investigation or inspection under this subsection shall comply with the United States constitution and the state constitution of 1963. No person shall interfere with an employee or its designated representative, of the department of building and safety, nor shall any person molest or resist him or her in the discharge of this duty.”*

Complaints regarding soil erosion and sedimentation issues made by the public will be forward to the City Engineer’s office. At that time, the City Engineer will direct a site inspection to document any violations of the soil erosion and sedimentation/grading permit within 24 to 48 hours and pursue enforcement actions as appropriate. See the Enforcement Response Procedure for a summary of the enforcement protocols to ensure compliance with the City’s Part 91 program.

## **SECTION D – MEASUREABLE GOALS**

To demonstrate the effectiveness of the City’s Part 91 program, the following metrics will be tracked for reporting purposes:

- Number of Part 91 related complaints received.
- Number of Part 91 permits issued by the City.
- Number of enforcement actions taken to achieve compliance with the City’s Part 91 program.

These metrics will be tracked over the reporting cycle that is specified in the City’s Certificate of Coverage for the MS4 Permit.

## **SECTION E – REPORTABLE DISCHARGES**

The City will not report instances of *de minimis* soil discharges to MDEQ. For instances where the discharge of sediment cannot be immediately contained on site, or if there are other pollutants that include pesticides, petroleum derivatives, construction chemicals, and solid waste associated with the discharge in quantities that are consistent with the spill response plan as defined in Appendix H of the Stormwater Management Plan (SWMP), the City will notify the MDEQ through the Pollution Emergency Alert System (PEAS) at 1-800-292-4706.

## **SECTION F –STATE OF MICHIGAN PERMIT BY RULE**

The City shall advise the landowner or recorded easement holder of the State of Michigan Permit by Rule (Rule 323.2190) for storm water discharge from construction activity if the area of the disturbance is greater than 5 acres. These criteria will be identified during the site plan review process and will be included in correspondence with the landowner as appropriate.

## **SECTION G – PROCESS FOR REVISION**

Any questions on this policy and procedure should be directed to the Stormwater Manager or the Director of Community Development. This procedure shall be reviewed once per permit cycle by the Stormwater Manager for any updates to streamline the requirements.

Sec. 29-23. - Earth change requirements and control plan requirements generally.

- (a) The erosion and sedimentation control measures prescribed in this section and the Best Management Practices shall be incorporated into the soil erosion and sedimentation control plans, as described in section 29-24, unless the person preparing the plans demonstrates to the department of building and safety that proposed alternatives to these procedures will be superior in the prevention of accelerated soil erosion and its resulting sedimentation.
- (b) A person shall conduct an earth change in a manner that will effectively reduce accelerated soil erosion and resulting sedimentation.
- (c) A person engaged in an earth change that disturbs one (1) or more acres of land or is within five hundred (500) feet of any waters of the state and city wetlands shall:
  - (1) Obtain the permit(s) required by this article and Part 91, and the rules promulgated thereunder; said permit(s) shall be kept current and valid throughout all active earth change operations and until the site passes final inspection by the municipal enforcing agency.
  - (2) Plan, implement, and maintain acceptable soil erosion and sedimentation control measures in conformance with the requirements of this article and Part 91 and the rules promulgated thereunder, including, but not limited to, Rule 323.1703, which effectively reduce accelerated soil erosion and off-site sedimentation.
  - (3) Set forth soil erosion and sedimentation control measures in a plan as prescribed by this article. A person shall make the plan available for inspection at all times at the site of the earth change.
  - (4) Prepare a soil erosion and sedimentation control plan, signed and sealed by a registered engineer designed to effectively reduce accelerated soil erosion and sedimentation that shall identify factors that may contribute to soil erosion or sedimentation, or both.
- (d) A soil erosion and sedimentation control plan shall conform to the requirements of this Article, as set forth in subsection 29-24(d)(5), Part 91, and the rules promulgated pursuant to Part 91, including, but not limited to, Rule 323.1703.
- (e) A person shall remove sediment caused by accelerated soil erosion from runoff water before it leaves the site of the earth change.
- (f) A person shall design, construct, and complete an earth change in a manner that limits the exposed area of any disturbed land for the shortest possible period of time as determined by the department of building and safety. The department of building and safety shall have the power to require additional soil erosion techniques as needed in order to effectively reduce soil erosion and sedimentation.
- (g) A person shall design a temporary or permanent control measure that is designed and constructed for the conveyance of water around, through, or from the earth change area to limit the water flow to a non-erosive velocity.
- (h) A person shall install temporary soil erosion and sedimentation control measures before or upon commencement of the earth change activity and shall maintain the measures on a daily basis. A person shall remove temporary soil erosion and sedimentation control measures after permanent soil erosion measures are in place and the area is permanently stabilized. A person shall stabilize the area with permanent soil erosion control measures under approved standards and specifications as prescribed below.

- (i) A person shall complete permanent soil erosion control measures for all slopes, channels, ditches, or any disturbed land area within five (5) calendar days after final grading or the final earth change has been completed. If it is not possible to permanently stabilize a disturbed area after an earth change has been completed or if significant earth change activity ceases, then a person shall maintain temporary soil erosion and sedimentation control measures until permanent soil erosion control measures are in place and the area is stabilized.
- (j) A person shall complete all temporary and permanent erosion and sedimentation control measures according to the approved plan.
  - (1) A person shall install and maintain control measures in accordance with the standards and specifications of all of the following:
    - a. The product manufacturer.
    - b. The local conservation district.
    - c. The department.
    - d. The Michigan Department of Transportation.
    - e. The department of building and safety, if applicable and formally adopted.
  - (2) If a conflict exists between the standards and specifications, then the department of building and safety shall determine which specifications are appropriate for the project.
- (k) On construction sites during periods of low precipitation, low humidity, high temperature or high winds, apply dust suppressant to surfaces such as unpaved roadways, soil stockpile areas and general areas with unstabilized or fine soils.
- (l) A landowner of land on which an earth change has been made that may result in or contribute to soil erosion or sedimentation of any infrastructure or adjoining land or the waters of the state shall implement and maintain soil erosion and sedimentation control measures in conformance with the requirements of this article, Part 91 and Rules that will effectively reduce soil erosion or sedimentation from the land on which the earth change has been made.
- (m) During all active earth change operations on land subject to the permit(s) required by this article, Part 91 and Rules, the permittee shall be responsible for:
  - (1) The prevention of soil erosion and sedimentation, or damage to any infrastructure, public utilities or services within the limits of movement or placement of soil and along any routes of travel of equipment.
  - (2) The prevention of sedimentation, erosion or damage to adjacent property. No person shall cause an earth change activity or the movement or placement of soil so close to the property line as to endanger any adjoining public street, sidewalk, or any public or private property without protecting such property from soil erosion or sedimentation or other damage which might result.
  - (3) The prompt removal of all sediment, soil, miscellaneous debris or other materials spilled, applied, dumped or otherwise deposited on public streets, highways, sidewalks or other public thoroughfares or infrastructure resulting from any development related activity or operation.
  - (4) Maintenance and clean out of all sediment basins, ditches traps or other soil erosion measures as needed to ensure their proper function.
  - (5) Clearing, grubbing and any earth changes shall be limited to the phase of development under construction. If there is an earth change request or modification, an updated soil erosion and sedimentation control plan must be resubmitted for review and approval by the MEA.

(Ord. No. 06-82.05, Pt. I, 4-3-06)



Sec. 29-25. - Review of plans.

- (a) The soil erosion and sedimentation control plans as previously described in section 29-24, will be reviewed and approved by the department of building and safety or its designated representative who also has Part 91 certification, is current in training and has passed the examination. This review will not commence until such time that, all required fees have been paid as stated in section 29-28.
- (b) The department of building and safety or its designated representative will approve, disapprove or require a revision to the plans within thirty (30) calendar days following the receipt of the plans and a complete application for an erosion control permit:
  - (1) Notification of approval will be in the form of the actual permit issuance.
  - (2) If disapproved, the applicant will be notified in writing. Reasons for disapproval and the conditions necessary to obtain approval will be stated.
- (c) Any revisions or changes to the soil erosion and sedimentation control plans, must be submitted as required for review and approval by the MEA. However, to the extent such changes void or otherwise require duplication of engineering time expended in review of the original plan, a supplemental fee will apply which shall be due and payable prior to issuance of the resultant permit.
- (d) The soil erosion permit, or a copy thereof, along with a complete set of the approved soil erosion and sedimentation control plans, shall be available at the site of the earth change for inspection at all times.

(Ord. No. 06-82.05, Pt. I, 4-3-06)

Sec. 29-26. - Inspections.

- (a) *Right-of-way entry and inspection.* The department of building and safety or its designated representative shall inspect all soil erosion control measures. At any reasonable time, the department of building and safety or its designated representative may enter upon public or private for the purpose of inspecting and investigating conditions or practices that may be in violation of this article, Part 91 or the rules. However, an investigation or inspection under this subsection shall comply with the United States constitution and the state constitution of 1963. No person shall interfere with an employee or its designated representative, of the department of building and safety, nor shall any person molest or resist him or her in the discharge of this duty.
- (b) *Schedule.* On-site inspections before, during and after any change activity for which a permit required by this article has been issued will be performed as required by the extent and erosion potential of the activity.
- (c) *Notification of department of building and safety.* The permit holder shall notify the department of building and safety at least twenty-four (24) hours before starting any earth change activity for which a permit was issued.
- (d) *Invalidation of permit.* If upon inspection existing site conditions are found not to be as stated in the application on the approved plan and in accordance with soil erosion and sedimentation control specification rules, the permit will be invalidated. No earth disrupting work shall be undertaken, or continued by any person until revised plans have been submitted and a valid permit issued.
- (e) *Field changes.* Minor field changes and/or additional measures may be required or maintenance work shall be performed to assure erosion and sedimentation control. When it is determined by the department of building and safety or its designee that the revision(s) to the site is significant, revised plans must be submitted to (and approved by) the department of building and safety.

(Ord. No. 06-82.05, Pt. I, 4-3-06; Ord. No. 82.06, Pt. IV, 10-23-06)

Sec. 29-41. - Soil erosion and sedimentation control permit required.

- (a) [*Generally.* ] It shall be unlawful to permit, authorize or conduct an earth change without first obtaining a SESC permit with approved SESC plans from the department of building and safety unless a permit and/or plans are not required under the provisions of this article, Part 91, or the rules.
- (b) *SESC Permit Requirements.* Unless otherwise exempt by this article, Part 91, or the rules, a landowner or designated agent who contracts for, allows, or engages in, an earth change in this city shall obtain a SESC permit from the department of building and safety, which shall be kept current throughout all active earth change operations, before commencing an earth change which:
  - (1) Disturbs one (1) or more acres of land; or
  - (2) Is within five hundred (500) feet of any waters of the state and city wetlands.

(Ord. No. 06-82.05, Pt. I, 4-3-06)

**APPENDIX G**  
**Post-Construction Stormwater Runoff Program**

# APPENDIX G

## STANDARD OPERATING PROCEDURE

### POST CONSTRUCTION STORMWATER RUNOFF CONTROL

PREPARED FOR:

THE CITY OF NOVI  
26300 LEE BEGOLE DR, NOVI, MICHIGAN 48375



REVISED: MARCH 2023

## SECTION A – PURPOSE

The MDEQ NPDES Phase II Stormwater Discharge Permit Application requires a description of current and proposed BMPs to meet the minimum control measure requirements for the post-construction stormwater runoff control program to the maximum extent practicable. Post-construction stormwater runoff controls are necessary to maintain or restore stable hydrology in receiving waters by limiting surface runoff rates and volumes and reducing pollutant loadings from sites that undergo development or significant redevelopment.

## SECTION B – ADOPTION OF STORMWATER STANDARDS

The City of Novi is in the process of adopting the Oakland County Stormwater design standards under a new Stormwater Management ordinance under Title V of the City's Code of Ordinances. The Novi Code of Ordinances that will be amended to adhere to the new post construction stormwater standards include [general design](#), [determination of need for on-site detention or retention facilities](#), and [standards for stormwater management plan approval](#).

## SECTION C – MEASURABLE GOALS

To demonstrate the effectiveness of the post construction stormwater runoff control program, the following metrics will be tracked as required by the State for each project that triggers the post construction stormwater management ordinance. The metrics will be reported upon final approval of the site plan:

- (1) Change in impervious area, pervious area by cover type, and total area by site.
- (2) CPVC volume provided at the site.
- (3) Difference between required and provided CPVC volume by site.
- (4) Percent of site in each Hydrologic Soil Group (Type A, B, C, D).
- (5) Site location in geographic information system (GIS) polygon format.
- (6) Site outfalls and points of discharge in GIS point format.
- (7) Site MS4 outfall drainage area in GIS polygon format, including any offsite drainage that passes through the outfall or points of discharge.
- (8) CPRC volume provided at the site.
- (9) Difference between required and provided CPRC volume by site.

These metrics will be reported annually by April 1.

## SECTION D – PROCESS FOR REVISION

This procedure shall be reviewed every two years by the Stormwater Manager for any updates to streamline the requirements.

**APPENDIX H**  
**Pollution Prevention and Good Housekeeping**

# Appendix H1

## STANDARD OPERATING PROCEDURE

### POLLUTION PREVENTION AND GOOD HOUSEKEEPING

#### GENERAL PROCEDURES

PREPARED FOR:

THE CITY OF NOVI  
26300 LEE BEGOLE DR., NOVI, MICHIGAN 48375



REVISED: MARCH 2023

## SECTION A – PURPOSE

The Michigan Department of Environmental Quality (MDEQ) National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II Stormwater Discharge Permit Application requires a description of current and proposed BMPs to meet the minimum control measure requirements for the Pollution Prevention and Good Housekeeping Program to the maximum extent practicable to prevent or reduce the discharge of pollutants from municipal facilities and operations.

## SECTION B – FACILITY ASSESSMENT AND PRIORITIZATION

City of Novi (City) owned and operated facilities have been assessed for their potential to discharge pollutants to the waters of the state. Each facility was evaluated based on the following criteria as outlined in the NPDES permit application:

1. Amount of urban pollutants stored at the site (*e.g.*, sediment, nutrients, metals, hydrocarbons, pesticides, fertilizers, herbicides, chlorides, trash, bacteria, or other site-specific pollutants)
2. Identification of improperly stored materials
3. Potential for polluting activities to be conducted outside (*e.g.*, vehicle washing)
4. Proximity to water bodies
5. Poor housekeeping practices
6. Discharge of pollutants of concern to impaired waters

Based on these criteria, the potential for each facility to discharge pollutants to the waters of the state were rated high, medium, or low. For low priority facilities where no assessment factors are present, catch basin cleaning and street sweeping will be performed as indicated in the applicable procedures for these activities. For medium priority facilities, appropriate BMPs are considered based on the assessment factors present to prevent or minimize the potential for pollutants from entering surface waters of the state. High priority facilities have specific procedures that are included in this document.

## SECTION C – UPDATES AND PRIORITY REVISION

This inventory shall be updated within 120 days as facilities and structural stormwater controls are added, removed, or no longer owned or operated by the applicant. Priority level assessments shall be revised within 120 days of discharging stormwater at a new facility, or when the storage of materials, equipment, or vehicles changes at a facility.

## SECTION D – MUNICIPAL INVENTORY AND ASSESSMENT

The following table identifies the City's owned or operated facilities with a discharge of stormwater to surface waters of the state. **Table 1** includes a list of properties owned or operated by the City that has stormwater controls on site and provides the estimated number of stormwater structural controls (*i.e.* catch basins, detention basins, etc.) at each site, along with the priority level of potential discharge of pollutants to waters of the state. In addition to the

table, the number of neighborhood road catch basins is 2,100 and number of major road catch basins is 870. The total of number of City owed catch basins is 2,970.

**Table 1**

Facility Name	Structural Controls	Priority Level	Assessment Factors	BMP's Implemented
DPW Facility (Including Gun Range)	Catch Basins (10) Storm Manholes (5) Underground Storage Tank (3) Aboveground Storage Tank (1) Dumpsters (7) Material Stockpiles (9) Salt Dome (1) Swirl Concentrator (1) Brine Tanks (2) Bioretention Facility (3)	High	1, 3, 4	See Sections E-P
Civic Center (Including Police Department)	Catch Basins (33) Storm Manholes (15) Detention Basins (3) Ditch (5)	Low	1	Catch basin cleaning Street sweeping Basin Maintenance Ditch Maintenance
Fire Station #1	Catch Basins (9) Storm Manholes (2)	Low	1	Catch basin cleaning Street sweeping
Fire Station #3	Catch Basins (2) Storm Manholes (1)	Low	1	Catch basin cleaning Street sweeping
Fire Station #4	Catch Basins (9) Detention Basin (1)	Low	1	Catch basin cleaning Street sweeping Basin Maintenance
Fuerst Park	Catch Basins (5) Storm Manholes (1)	Low	1	Catch basin cleaning Street sweeping
Novi Ice Arena	Catch Basins (9) Storm Manholes (8) Detention Basins (1) Ice Shavings (1)	Low	1	Catch basin cleaning Street sweeping Basin Maintenance
Lakeshore Park	Catch Basins (7) Dumpsters (1) Detention Basin (1)	Low	1	Catch basin cleaning Basin Maintenance
Rotary Park	Catch Basins (1) Storm Manholes (1) Rain Garden (1)	Low	1, 4	Catch basin cleaning Street sweeping
Novi Senior Center	Catch Basins (17) Detention Basins (1)	Low	1	Catch basin cleaning Street sweeping Basin Maintenance
Community Sports Park	Catch Basins (12) Detention Basins (1) Dumpsters (2) Material Stockpiles (2)	Low	1	Catch basin cleaning Street sweeping Basin Maintenance
Wixom/11 Mile Park	Catch Basins (4)	Low	1	Catch basin cleaning Street sweeping
Pavilion Shore Park/Fire Station #2	Catch Basins (18) Storm Manholes (10)	Low	1	Catch basin cleaning Street sweeping

Facility Name	Structural Controls	Priority Level	Assessment Factors	BMP's Implemented
Bosco Fields	Catch Basins (25) Ditch (5) Dumpster (1)	Low	1	Catch basin cleaning Ditch Maintenance
Various Locations	City-Owned Detention Basins (25)	Low	1	Basin Maintenance

In addition to the properties in **Table 1**, the City also owns additional properties with no structural stormwater controls installed. These properties, which total 98 parcels, are considered a low priority, and include parks and vacant or wooded lots.

## SECTION E –SITE SPECIFIC SOP FOR HIGH PRIORITY SITES

The MDEQ NPDES Phase II Stormwater Discharge Permit Application requires a standard operating procedure (SOP) for identifying the structural and non-structural stormwater controls implemented and maintained to prevent or reduce pollutant runoff at each facility with the high potential for pollutant runoff.

### E.1 Inventory and Description of Materials and Activities

All of the City's Department of Public Works (DPW) operations are conducted at the 26300 Lee BeGole Drive facility. This site is considered a high priority due the following operations:

#### DPW Facility – 26300 Lee BeGole Drive

- Fuel Storage and Use
- Vehicle and Equipment Maintenance and Cleaning
- Salt Storage
- Stockpiled Materials
- Significant Dust or Particulate Generating Activities
- General Refuse and Recyclable Materials
- Automotive Fluids

## SECTION F –PRIORITIZATION CRITERIA OF STREET SWEEPING AND CATCH BASIN INSPECTIONS

The criteria for prioritizing street sweeping and catch basin cleaning activities has been defined as described below.

High Priority streets and catch basins have one or more of the following criteria:

- Immediately adjacent to stockpiles or potentially polluting materials that are not equipped with secondary containment measures or other BMPs;
- Frequently used, City-owned and maintained parking lots that have a high potential for pollutant runoff; and/or
- Receive drainage from unpaved roadways and/or parking lots.

Medium Priority streets and catch basins have one or more of the following criteria:

- Immediately adjacent to stockpiles or potentially polluting materials that have with secondary containment measures or other BMPs;
- Associated with a downtown shopping district;
- Streets within the municipality zoned as industrial with heavy truck traffic; and/or
- City-owned and maintained streets with moderate traffic volumes (speed limit greater than 30 mph).

Low Priority streets and catch basins have one or more of the following criteria:

- City-owned parking lots with no material storage or handling;
- Catch basins located within vegetated areas; and/or
- City-owned and maintained streets with low traffic volumes.

## SECTION G – SCHEDULE OF STREET SWEEPING AND CATCH BASIN INSPECTIONS

The frequency of street sweeping and catch basin inspections associated with each priority level is provided in **Table 2** below.

**Table 2**

Maintenance Activity	Priority Level – Schedule		
	High	Medium	Low
Street Sweeping	2x /year (Spring, Fall)	2x /year	2x /year
Catch Basin Inspections	Monthly	1x /year	1x /3 years

A summary of the municipal properties and streets and their designated priority level is provided in **Table 3** below, followed by the criteria by which the specific priority levels were determined.

**Table 3**

Maintenance Activity	Priority Level – Municipal Properties		
	High	Medium	Low
Street Sweeping	DPW Facility	Terminus of Gravel Roads (9 Mile Road, 12 Mile Road, Taft Road)	All Other City-Owned Streets and Parking Lots
Catch Basin Inspections	DPW Facility	Terminus of Gravel Roads (9 Mile Road, 12 Mile Road, Taft Road)	All Other City-Owned Catch Basins

The DPW Facility is classified a high priority due to the presence of stockpiles, fuel tanks, bulk salt storage, and the storage and use of other polluting materials. The City does not own or operate any major thoroughfares that would be classified a high priority.

Medium priority roadways include the terminus of several gravel roadways located within the City, including portions of 9 Mile Road, 12 Mile Road and Taft Roads.

All other City-owned streets, parking lots and catch basins are classified as low priority due to their limited potential for pollutant runoff or other environmental impacts.

If the DPW receives a complaint, a determination of the area will be made by DPW staff to increase sweeping on a more frequent interval as well as to reclassify the area to a higher priority rating. Catch basins that prompt resident complaints or are subject to isolated instances where structures are plugged or damaged will be maintained and inspected by DPW. At that time, it will be determined if the catch basin will require maintenance on a more frequent interval and warrants a reclassification to a higher priority rating.

In the event a priority rating is changed for catch basin inspections or street sweeping, this procedure will be updated within 120 days.

## **SECTION H – CATCH BASIN INSPECTION, MAINTENANCE, AND CLEANING METHODOLOGY**

Catch basins are visually inspected during normal work activities or if a complaint is registered by a resident. A visual inspection of the structure will identify any structural defects which may include collapse, cracking, frame damage, pipe collapse, blockage, etc. and will be documented using a standardized form. Structural repairs are prioritized based on public safety concerns. During the inspection, if it is determined that the catch basin sump is 50% full of accumulated sediment and debris, it will be cleaned promptly and advanced to the next higher priority inspection level. Catch basins will be serviced using a vacuum truck to remove solids and liquids from the structure. The material is decanted from the vacuum truck into the sanitary sewer system prior to being transported to the DPW facility. At no time is collected sediment and water allowed to be discharged back into the storm sewer system during the cleaning process. Catch basins that are located on private property are not inspected, cleaned, or maintained by the City.

## **SECTION I – STREET SWEEPING METHODOLOGY**

Street sweeping activities are conducted by the City's DPW staff using mechanical sweeping equipment according to the manufacturer's specifications. Collected sediment from street sweeping activities is disposed of as described in Section J. On occasion, the City may retain the services of a licensed contractor to conduct street sweeping for specific areas of the City that are determined on a case by case basis.

## **SECTION J – DISPOSAL OF COLLECTED MATERIAL**

Collected material from street sweeping activities and catch basin cleanout is transported to the City's DPW facility for temporary storage where it dewatered in the vacuor station. Once these waste materials have dried out, they are picked up and transported to an off-site licensed waste disposal facility by a third party.

## **SECTION K – ROAD, PARKING LOT, AND SIDEWALK MAINTENANCE**

Road, parking lot, and sidewalk maintenance activities includes pothole repair, sidewalk repair/replacement, and curb and gutter repair. These services are addressed by DPW field staff as determined in the field on an as needed basis. Materials are purchased in limited quantities to reduce waste. Excess materials are stored in designated stockpiles at the City DPW facility and covered with a tarp. In cases where a contractor is retained to perform these activities, a City representative is on-site to oversee the work and ensure that excess material, concrete washout, and other associated pollutants are disposed of properly. Disposing of concrete washout and other excess repair materials into the storm sewer is strictly prohibited by the City.

### **K.1 Stockpiled Materials**

Designated stockpile areas are located on the east side of the DPW Yard and on the south side of the property adjacent to 11 Mile Road. Materials are infrequently stockpiled at these locations and may include topsoil, sand, gravel, and other inert earthen materials. All stockpiles are equipped with perimeter controls to prevent erosion which are comprised of either earthen berms or precast concrete blocks that are positioned at the rear and sides of the stockpile. The fronts of the concrete bins are left open to provide access for loading and unloading. The DPW Yard is sloped down toward the east-northeast and has a silt fence along that side to control sedimentation and off-site erosion. Stockpiles are temporarily stabilized when left undisturbed for more than 30 days.

## **SECTION L – WINTER OPERATIONS**

The City's DPW field staff applies rock salt and brine as part of their deicing procedures during the winter months. Bulk storage of road salt, brine and other deicing fluids is located at the City's DPW facility.

Several best management practices (BMPs) are employed by DPW personnel to achieve effective deicing with minimized environmental impact. Salt trucks are calibrated once every October to allow monitoring of the amount of deicing salt applied to ensure efficient use of materials and prevent over application. At the commencement of the winter season, it is ensured that DPW personnel can properly calibrate their equipment as part of the new employee training process. When possible, roadways will be treated prior to a forecasted snow event which will help prevent ice from forming and may result in less salt usage overall. Snow storage areas will be designated in locations that enable runoff to be directed to landscaped areas for infiltration, be filtered through a vegetated buffer, or be otherwise treated prior to entering streams, wetlands or the storm sewer system.

### **L.1 Salt Storage and Loading**

The City has one (1) salt storage structure consisting of a domed building, with a floor that is comprised of an impervious cement pad. The salt storage dome is capable of holding up to 1,500 tons of salt. The building is not located within 50 feet of a

lake shore, stream bank, or wetland, nor is it located in a 100-year floodplain. The salt dome is completely enclosed and has a concrete loading pad. The loading area is swept regularly and maintained to be free of salt residue. Perimeter controls are present south and east of the salt dome to prevent off-site discharge of salt to an adjoining, low-lying area. Salt storage, application, and equipment calibration training is provided annually to DPW staff to minimize track-out from loading/unloading operations and to minimize environmental impacts in the City.

## **L.2 Brine/Deicing Fluid Storage and Loading**

The City has five (5) bulk brine and other deicing fluid storage tanks. Three 5,000-gallon poly tanks are located inside the northeast corner of the DPW garage and contain brine and calcium chloride. Two 2,000-gallon poly tanks containing beet juice are located along the east side of the DPW garage and situated within an uncovered impervious containment area. The drain for the secondary containment is maintained in the off position at all times and connected to the sanitary sewer. In the event of a brine spill or release, spilled liquid is confined to the concrete containment area. There are no catch basins or drainage outlets located adjacent to the brine storage tank area.

## **SECTION M – FUEL STORAGE AND FUELING**

The following bulk storage tanks are installed at the City's DPW facility:

- Three 10,00-gallon underground storage tanks (USTs), which two store gasoline and one contains diesel fuel. These are located south of the DPW Garage with three dispenser present in a canopy-covered fueling area. The USTs are provided with an emergency shut-off and an automated leak detection and volume monitoring system. They are filled weekly or on an as-needed basis.
- One 1,000-gallon aboveground storage tank (AST) containing used oil. This AST is located along the eastern exterior wall of the DPW garage. This AST is constructed of single-walled steel and is situated within secondary containment.
- One 1,500-gallon AST containing diesel fuel that is the belly tank of an emergency back-up generator. The tank and generator is located just west of the DPW Garage.
- One 500-gallon used oil AST is installed inside the DPW Garage along the east side. A used oil burner is affixed above the AST. Secondary containment is provided by the building's walls and active containment equipment.

Part 5 Rules indicate that fuel storage areas "shall be designed, constructed, maintained, and operated to prevent the release of polluting materials through sewers, drains, or otherwise directly or indirectly into any public sewer system or to the surface or groundwater's of this state." The City has met this requirement through the proper storage and pollution prevention methods currently in place. These include the following:

- Bulk liquid tanker delivery vehicles will only be allowed on site if contact has been made with properly trained personnel and it has been confirmed that these personnel will be present at the delivery point.

- Properly trained personnel will be in attendance to monitor the entire fuel transfer process. They are authorized to terminate or to order the driver to terminate the transfer and have the driver move the tanker in case of an emergency. Attending personnel will be alert, have an unobstructed view of the cargo tank connections and be within 25 feet of the cargo tank during transfer operations.
- Properly trained DPW staff will direct the tanker for proper positioning, verify, and provide access to the correct fill port. Access to other fill ports or unlocking pipeline caps in anticipation of other delivery vehicles is strictly prohibited.
- Properly trained DPW staff will ensure a potential spill or release cannot enter storm drains by placing a protective barrier on or around affected storm drains (*e.g.*, spill blanket, catch basin mat, absorbent sock).
- Wheel chocks or other approved methods to prevent the tanker from moving during the transfer process or driving off without following proper disconnection practices will be required.
- Inspection of the truck to ensure that there are no leaks will be conducted before and after the transfer operation.
- Hose connections will be reviewed and verified prior to the transfer.
- The available volume of the tank will be verified prior to transfer to prevent over-filling.
- During removal of the transfer lines, trained staff will ensure that excess material is drained into the appropriate receiving tank or receptor to prevent a release of materials to the environment.
- Trained staff will monitor the termination process and inspect the lower most tanker manifold for evidence of leaks or damage prior to the tanker's departure.
- A spill kit will be stationed next to the storage tanks at all times.

A fueling log is maintained to track and record the volume of fuel dispersed for City vehicles and equipment. Completion of these logs is mandatory and used as secondary control to track the volume of fuel stored in the tanks.

All other vehicle fluids, such as new and used oil, coolant/antifreeze, windshield washer fluid and grease, are stored inside the DPW garage in bulk and commodity-sized containers, some equipped with secondary containment. Floor drains within the entire DPW building are connected to the sanitary sewer. Vehicle maintenance and washing activities are conducted inside the garage.

## **SECTION N – VEHICLE WASHING AND MAINTENANCE**

Vehicle maintenance activities are conducted by DPW staff for the City's entire vehicle fleet, except for police vehicles. Maintenance of police vehicles is conducted inside the Police Department on 10 Mile Road. Maintenance activities conducted by City staff include, but are not limited to, oil changes and other vehicle fluids, brakes, tune ups, and general repair tasks. All vehicle maintenance fluids are stored indoors in minimal quantities, and all vehicle maintenance activities are conducted indoors. Floor drains within the DPW garage are connected to an

oil/water separator which discharges into the sanitary sewer system. Floor drains within the Police Department's maintenance are also connected to the sanitary sewer. A maintenance log is maintained to document all vehicle maintenance and repair activities.

Vehicle washing activities are also conducted inside the DPW Garage in a designated wash bay. Vehicle wash water is discharged into floor drains that are connected to the sanitary sewer system. Equipment at ITC Park is only rinsed off with water directly outside the building and no soap or other additives are used.

## **SECTION O – OTHER STRUCTURAL STORMWATER CONTROLS**

In addition to implementing the catch basin maintenance and street sweeping programs, the City also has other structural controls that are located on City-owned and operated properties throughout the City.

### **O.1 Drainage Ditch Inspection/Maintenance**

The routine inspection of drainage ditches located on City owned properties (*e.g.*, parks) consists of visual evaluation of blockages or excessive sedimentation. Inspections occur during the course of daily park operations, or when complaints received by the City warrant an inspection. In most cases, follow up maintenance activities involve the removal of logjams or other debris that has accumulated within the ditch.

### **O.2 Detention Basin Inspection/Maintenance**

Detention basins that are owned and operated by the City are inspected on an annual basis. Inspections shall assess the vegetation, erosion, flow channelization, bank stability, inlet/outlet conditions, embankment, and sediment and debris accumulations. Sediment is removed from the basin forebay when necessary. If it is determined that maintenance activities are needed, the City will document the needed maintenance actions using a standardized inspection form and perform any maintenance corrective actions if necessary.

### **O.3 Swirl Concentrators**

The City currently maintains one (1) swirl concentrator that is located at the DPW facility. At a minimum, inspections occur twice per year in the spring and fall and involve a visual inspection of the amount of sediment that has accumulated in the sump. Cleaning of the unit will be completed when sediment has accumulated to a depth of two feet. Cleaning will be completed during a period of dry weather when no flow is entering the unit. After removing the manhole lid, the sediment can be removed from the unit using a vacuum truck. After all the solids have been removed, the manhole lid is replaced securely to prevent stormwater runoff from entering the unit from above.

### **O.4 Secondary Containment**

The on-site used oil AST is situated within a secondary containment structure to mitigate spills and leaks. Containment measures are comprised of a self-contained, steel tray that

is not equipped with a drainage outlet. Secondary containment measures are inspected over the course of daily operations by DPW staff and during waste disposal operations. If DPW staff observe that the secondary containment structure is nearing capacity (typically from precipitation), a licensed waste hauler is contracted to pump out the structure using a vacuum truck. Collected liquids are transported and disposed at an appropriate wastewater treatment facility by the third party.

### **O.5 Rain Gardens**

Rain gardens will be inspected on an annual basis. Inspections will assess the vegetation, presence of invasive species, erosion, flow channelization, bank stability, inlet/outlet conditions, embankment, and sediment and debris accumulations. The inspections will also determine if the basin is properly dewatering 24-48 hours after a major storm event. Based on the inspections, maintenance tasks may include re-seeding and/or replanting bare areas, removal of accumulated sediment, floatables and litter, and treatment of invasive species will be undertaken if the basin has reduced functional capacity. Debris from maintenance is recycled with yard waste.

### **O.6 Bioretention Facilities**

The three (3) bioretention facilities at the DPW will be inspected on an annual basis. Inspections will assess the vegetation, presence of invasive species, erosion, flow channelization, bank stability, inlet/outlet conditions, embankment, and sediment and debris accumulations. The inspections will also determine if the basin is properly dewatering 24-48 hours after a major storm event. Based on the inspections, maintenance tasks may include re-seeding and/or replanting bare areas, removal of accumulated sediment, floatables and litter, and treatment of invasive species will be undertaken if the basin has reduced functional capacity. Debris from maintenance is recycled with yard waste.

In the event additional structural stormwater controls are constructed, this procedure will be updated and revised to include the new controls within 120 days.

## **SECTION P – NON-STRUCTURAL CONTROLS**

The City of Novi is committed to employing preventive maintenance practices through the use of several nonstructural controls to prevent stormwater pollution. These nonstructural controls are everyday types of activities undertaken by employees at the facility. The non-structural controls implemented at the DPW facility are as follows:

### **P.1 Routine Inspections and Good Housekeeping Procedures**

Preventive maintenance involves the regular inspection, testing, and cleaning of facility equipment, vehicles, and operational systems. DPW foremen meet with field staff on a daily basis to discuss daily assignments and objectives. A routine inspection is conducted by facility staff during site walkthroughs during normal operations activities. The purpose

of these inspections is to identify and prevent conditions that could lead to stormwater pollution. A log of corrective actions will be kept on file using the City's computer system.

Five (5) recycling receptacles maintained by the Recourse Recovery and Recycling Authority of Southern Oakland County (RRRASOC) are located north of the DPW Complex on Lee BeGole Drive. One (1) dumpster for general refuse and one (1) dumpster for scrap metal are kept on-site at the DPW Complex. None of the dumpsters or receptacles is used for the disposal of hazardous materials. When not in use, the lids for both the recycling receptacles and the dumpsters are kept closed.

The City of Novi participates in an annual household hazardous waste day administered by RRRASOC held at the Civic Center Campus (45175 W. Ten Mile Road).

Routine inspections of stormwater management and control structures are conducted to ensure materials and equipment are clean and orderly and to prevent or minimize pollutant runoff. Part 5 rules also require surveillance of polluting materials. The routine inspections will include this information for the salt storage and fueling areas. These routine inspections are conducted and documented on a monthly basis. A monthly routine preventive maintenance and good housekeeping inspection form is provided in this SOP. Completed routine inspection forms are kept on file at the DPW facility.

Staff inspects all vehicles consistent with Commercial Driver's License Procedures, and performs detailed vehicle inspections every month. Completed vehicle maintenance records and fueling logs are kept on file at the DPW facility.

## **P.2 Comprehensive Site Inspections**

The comprehensive site inspection will include the areas and equipment identified in the preventive maintenance program, good housekeeping procedures, a review of the routine preventive maintenance reports, and any other paperwork associated with this SOP. All DPW related activities will be evaluated during the comprehensive inspection. In contrast to the routine inspections, comprehensive inspections will focus on areas that have a reasonable potential for significant materials to contaminate stormwater runoff. The comprehensive site inspection for DPW areas will be conducted every (six) 6 months. Documentation of the comprehensive site inspection results will be prepared and kept on file. A comprehensive stormwater inspection form is provided in this SOP.

## **SECTION Q – NEW APPLICANT OWNED FACILITIES**

In the event the City acquires or constructs new structural stormwater controls, the design of these structures will comply with the stormwater standards that have been established by Oakland County. Site plans will be reviewed by the City, or its consultants, to ensure the appropriate standards are met.

## **SECTION R – CERTIFIED PESTICIDE APPLICATOR**

IT-Facilities has certified pesticide applicators on staff and regularly utilizes pesticides, herbicides, and fertilizers on City owned properties on a regular basis. The City also contracts the services of a pesticide application contractor that possesses a state applicator's license. Any application activities that occur are overseen by a City representative to ensure quality of work and proper application and disposal.

## SECTION S – EMPLOYEE TRAINING

Employee training programs will be implemented to inform appropriate personnel at all levels of responsibility of safety, environmental impacts, and good housekeeping practices. The City participates in training opportunities that are made available by SEMCOG, Wayne County, the Alliance of Rouge Communities, and others as deemed appropriate. Employee training components for the City's DPW staff includes:

Employees Trained	Training Description and Frequency
New Novi DPW Employees	<p>Upon hire, employees will:</p> <ul style="list-style-type: none"> <li>• Read and become familiar with the City of Novi's SOPs</li> <li>• Participate in a job shadow program where new staff is paired with a DPW foreman or grounds crewman for 30 days.</li> </ul>
All Novi DPW Employees	<p>Once per permit cycle:</p> <ul style="list-style-type: none"> <li>• View the Municipal Stormwater Pollution Prevention Storm Watch video (or similar)</li> <li>• Review proper materials storage and handling</li> <li>• Review good housekeeping and pollution prevention practices</li> <li>• Review examples of illicit discharges to the storm sewer system</li> <li>• Review the City's Spill Response procedure</li> <li>• Incorporation of stormwater BMPs into recurring staff meetings (DPW)</li> </ul>
Key staff	Attend relevant training workshops by the Alliance of Rouge Communities, SEMCOG, or others, when available.

## SECTION T – CONTRACT REQUIREMENTS AND OVERSIGHT

The contractors hired by the City to perform municipal operations that potentially impact stormwater are required to follow appropriate pollution prevention BMPs indicated in the City's contract language. All work performed by outside contractors are monitored by City staff through daily observation to ensure quality of work, adherence to the specified contract language, and to ensure that potential impacts to stormwater are minimized.

*Measurable Goals* – To demonstrate the effectiveness of this procedure, the following metrics will be tracked for reporting purposes.

- Number of stormwater pollution related incidents pertaining to activities or work performed by the contractor.
- Number of incidents where the City required corrective action by the contractor.

These metrics will be tracked over the reporting cycle that is specified in the City's Certificate of Coverage.

#### **SECTION U – PROCESS FOR REVISION**

This procedure shall be reviewed once per permit cycle by the Stormwater Manager for any updates to streamline the requirements.

## INSPECTION FORMS

**ROUTINE PREVENTIVE MAINTENANCE  
AND GOOD HOUSEKEEPING INSPECTION FORM**

*\*Complete this inspection every month. It is not necessary to complete this inspection during the same month the Comprehensive Inspection is conducted. Maintain completed copy in site files.*

<b>Name:</b>		<b>Date/Time:</b>		
<b>Title:</b>		<b>Weather:</b>		
<b>Significant Materials / Activity</b>	<b>Location</b>	<b>Status, Corrective Action Needed?</b>		<b>Corrective Action Date, Initials</b>
Fuel Storage and Fueling (Gasoline and Diesel USTs)	Exterior, South of Garage			
Used Oil AST	Exterior, East of Garage			
Diesel Emergency Back-Up Generator	Exterior, West of Garage			
Stockpiled Materials	Exterior, South and East			
Salt Storage Dome, Loading/Unloading Area	Exterior, Southeast			
Brine/Beet Juice Storage Tanks, Containment Area	Exterior, East of Garage			
General Refuse and Recyclable Materials	Exterior			
Street Sweeping/Catch Basin Clean Debris	Exterior			
Storm Water Catch Basins	Exterior			
<b>Other Inspection Notes:</b>				
	<b>YES</b>	<b>NO</b>	<b>Follow-Up Required?</b>	
Are good housekeeping practices being maintained?				
Is all preventive maintenance of equipment performed in areas that will not release pollutant into storm water run-off?				
Do any areas of exposed soil and/or erosion need to be addressed?				
<b>Signature:</b>				

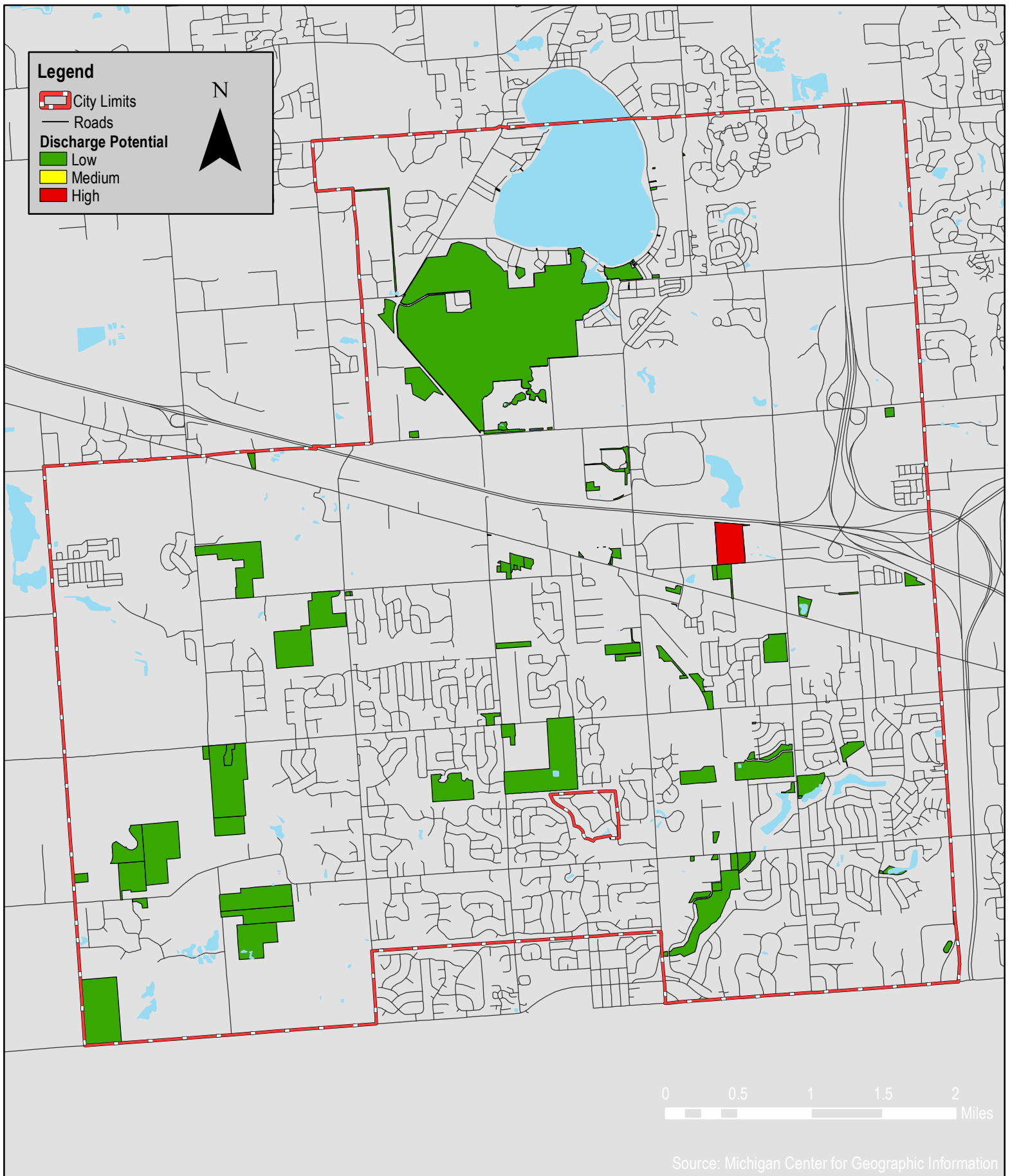
**COMPREHENSIVE SITE INSPECTION  
AND REPORT FORM (EVERY 6 MONTHS)**

*\*Complete this inspection every 6 months. It is not necessary to complete the Routine Preventive Maintenance and Good Housekeeping Inspection during the same month this inspection is conducted. Maintain completed copy in site files.*

<b>Name:</b>		<b>Date/Time:</b>	
<b>Title:</b>		<b>Weather:</b>	
<b>Significant Materials / Activity</b>	<b>Location</b>	<b>Status, Corrective Action Needed?</b>	<b>Corrective Action Date, Initials</b>
Fuel Storage and Fueling (Gasoline and Diesel USTs)	Exterior, South of Garage		
Used Oil AST	Exterior, East of Garage		
Diesel Emergency Back-Up Generator	Exterior, West of Garage		
Stockpiled Materials	Exterior, South and East		
Salt Storage Dome, Loading/Unloading Area	Exterior, Southeast		
Brine/Beet Juice Storage Tanks, Containment Area	Exterior, East of Garage		
General Refuse and Recyclable Materials	Exterior		
Street Sweeping/Catch Basin Clean Debris	Exterior		
Storm Water Catch Basins	Exterior		
Swirl Concentrator	Exterior		
Automotive Fluids, Used Oil Tank (East Side)	Interior, Garage		
Vehicle and Equipment Washing	Interior, Garage		
Brine/Deicing Fluid Tanks (A, B & E)	Interior, Northeast Garage		
<b>Other Inspection Notes:</b>			

**COMPREHENSIVE SITE INSPECTION  
AND REPORT FORM (EVERY 6 MONTHS)**

	YES	NO	Follow-Up Required?
Are good housekeeping practices being maintained?			
Is all preventive maintenance of equipment performed in areas that will not release pollutant into storm water run-off?			
Do records exist of preventive maintenance activities conducted during the past 6 months since the last Comprehensive Inspection?			
Do any areas of exposed soil and/or erosion need to be addressed?			
Are there any non-storm water discharges?			
Has any training been completed in past 6 months concerning stormwater controls and preventive maintenance? If so, what?			
<b><i>I certify that the facility is in compliance with the Pollution Prevention and Good Housekeeping SOP.</i></b>			
<b>Signature:</b>			<b>Date:</b>



# City of Novi Facilities Location Map

Oakland County, Michigan

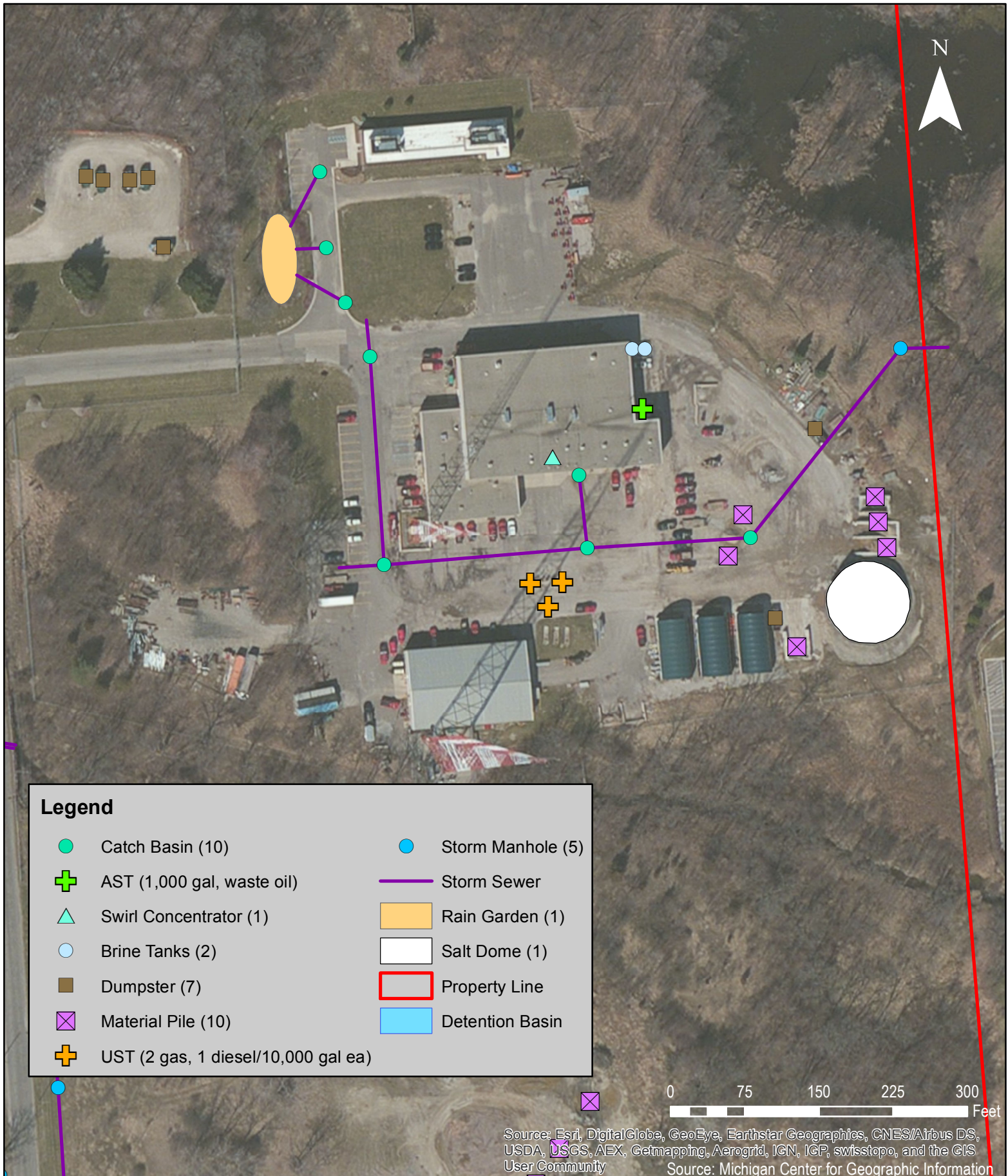




# City of Novi - Department of Public Services

26300 Delwal Dr  
Novi, MI 48375





## City of Novi - Department of Public Services

26300 Delwal Dr  
Novi, MI 48375



# APPENDIX H

## STANDARD OPERATING PROCEDURE

### POLLUTION PREVENTION AND GOOD HOUSEKEEPING

### SPILL RESPONSE

PREPARED FOR:

THE CITY OF NOVI  
26300 LEE BEGOLE DR., NOVI, MICHIGAN 48375



REVISED: MARCH 2023

## SECTION A – PERSONNEL

The following City of Novi personnel have been identified as key staff in charge of spill response planning, implementation and maintenance of the Spill Response Plan.

Name	Phone
Novi Police Dispatch	(248) 348-7100
Jeffery Johnson – Director of EMS & Fire Operations/Spill Coordinator	(248) 347-0504
Jeff Herczeg – Department of Public Works Director	(248) 735-5640
Matt Wiktorowski – Field Operations Senior Manager	(248) 735-5640
Scott Roselle – Water & Sewer Asset Manager	(248) 735-5661
Rob Petty – Facilities Manager	(248) 735-5605
Rebecca Runkel – Stormwater Manager	(248) 735-5694

### A.1 Responsibilities

- The **Spill Coordinator** has primary responsibility for coordinating the response to emergencies, including chemical spills
- **Supervisors** should ensure that employees are familiar with these procedures and receive the necessary training
- **All employees** should follow these procedures in the event of a chemical spill

### A.2 Emergency Contact Numbers

The following telephone numbers should be posted near telephones and in other conspicuous locations:

Name	Affiliation	Phone
Novi Police Dispatch	Novi Police Department	(248) 348-7100
Jeffery Johnson – Director of EMS & Fire Operations	Novi Fire Department	(248) 347-0504
Jeff Herczeg – Department of Public Works Director	Novi DPW	(248) 735-5640
Matt Wiktorowski – Field Operations Senior Manager	Novi Field Operations	(248) 735-5640
Scott Roselle – Water & Sewer Asset Manager	Novi Water & Sewer	(248) 735-5661
Rob Petty – Facilities Manager	Novi Facilities	(248) 735-5605

Name	Affiliation	Phone
Rebecca Runkel – Stormwater Manager	Novi Engineering	(248) 735-5694
Other Emergency Contacts		Phone
MDEQ 24-Hour Pollution Emergency Alerting System (PEAS)		1-800-292-4706
MDEQ Southeast Michigan District Office		(586) 753-3700
City of Detroit Wastewater Treatment Plant		(313) 297-9400
National Response Center		1-800-424-8802

Contact the City of Novi Fire Department at (248) 349-2293 for unknown, unsure, or general assistance.

## SECTION B – CLEAN-UP PROCEDURES

Spilled chemical should be effectively and quickly contained and cleaned up. Employees should clean up spills themselves ***only if properly trained and protected***. Employees who are not trained in spill cleanup procedures should report the spill to the Responsible Person(s) listed above, warn other employees, and leave the area.

The following general guidelines should be followed for evacuation, spill control, notification of proper authorities, and general emergency procedures in the event of a chemical incident in which there is potential for a significant release of hazardous materials.

### B.1 Evacuation

Persons in the immediate vicinity of a spill should *immediately evacuate* the premises (except for employees with training in spill response in circumstances described below). If the spill is of “medium” or “large” size, or if the spill seems hazardous, immediately notify emergency response personnel.

### B.2 Spill Control Techniques

Once a spill has occurred, the employee needs to decide whether the spill is small enough to handle without outside assistance. Only employees with training in spill response should attempt to contain or clean up a spill.

NOTE: If you are cleaning up a spill yourself, make sure you are aware of the hazards associated with the materials spilled, have adequate ventilation, and proper personal protective equipment. Treat all residual chemical and cleanup materials as hazardous waste.

Spill control equipment should be located wherever significant quantities of hazardous materials are received or stored. Material Safety Data Sheets (SDSs), absorbents, over-pack containers, container patch kits, spill dams, shovels, floor dry, acid/base neutralizers, and “caution-keep out” signs are common spill response items.

### **B.3 Spill Response and Clean-up**

Chemical spills are divided into three categories: Small, Medium, and Large. Response and cleanup procedures vary depending on the size of the spill. Persons shall refer to the SDS for detailed spill response directions.

**Small Spills:** Any spill where the major dimension is less than 18 inches in diameter. Small spills are generally handled by internal personnel and usually do not require an emergency response by police or fire department HAZMAT teams.

- Quickly control the spill by stopping or securing the spill source. This could be as simple as up-righting a container and using floor-dry or absorbent pads to soak up spilled material. Wear gloves and protective clothing, if necessary.
- Put spill material and absorbents in secure containers if any are available.
- Consult with the Facility Responsible Person and the SDS for spill and waste disposal procedures.
- Use Dry Cleanup Methods and **never** wash spills down the drain, onto a storm drain or onto the driveway or parking lot.
- Both the spilled material and the absorbent may be considered hazardous waste and must be disposed of in compliance with state and federal environmental regulations.

**Medium Spills:** Spills where the major dimension exceeds 18 inches, but is less than 6 feet. Outside emergency response personnel (police and fire department HAZMAT teams) may be called for medium spills. Common sense, however, will dictate when it is necessary to call them.

- Immediately try to help contain the spill at its source by simple measures only. This means quickly up-righting a container, or putting a lid on a container, if possible. Do not use absorbents unless they are immediately available. Once you have made a quick attempt to contain the spill, or once you have quickly determined you cannot take any brief containment measures, leave the area and alert Emergency Responders at 911. Closing doors behind you while leaving helps contain fumes from spills. Give police accurate information as to the location, chemical, and estimated amount of the spill.
- Evaluate the area outside the spill. Engines and electrical equipment near the spill area must be turned off. This eliminates various sources of ignition in the area. Advise Emergency Responders on how to turn off engines or electrical sources. Do not go back into the spill area once you have left. Help emergency

responders by trying to determine how to shut off heating, air conditioning equipment, or air circulating equipment, if necessary.

- If emergency responders evacuate the spill area, follow their instructions in leaving the area.
- After emergency responders have contained the spill, be prepared to assist them with any other information that may be necessary, such as SDSs and questions about the facility. Emergency responders or trained personnel with proper personal protective equipment will then clean up the spill residue. Do not re-enter the area until the responder in charge gives the all clear. Be prepared to assist these persons from outside the spill area with SDSs, absorbents, and containers.
- Reports must be filed with proper authorities. It is the responsibility of the spiller to inform both his/her supervisor and the emergency responders as to what caused the spill. The response for large spills is similar to the procedures for medium spills, except that the exposure danger is greater.

**Large Spills:** Any spill involving flammable liquid where the major dimension exceeds 6 feet in diameter; and any “running” spill, where the source of the spill has not been contained or flow has not been stopped.

- Leave the area and notify Emergency Responders (911). Give the operator the spill location, chemical spilled, and approximate amount.
- From a safe area, attempt to get SDS information for the spilled chemical for the emergency responders to use. Also, be prepared to advise responders as to any ignition sources, engines, electrical power, or air conditioning/ventilation systems that may need to be shut off. Advise responders of any absorbents, containers, or spill control equipment that may be available. This may need to be done from a remote area, because an evacuation that would place the spiller far from the scene may be needed. Use radio or phone to assist from a distance, if necessary.
- Only emergency response personnel, in accordance with their own established procedures, should handle spills greater than 6 feet in any dimension or that are continuous. Remember, once the emergency responders or HAZMAT team is on the job cleaning up spills or putting out fires, the area is under their control and no one may re-enter the area until the responder in charge gives the all clear.
- Provide information for reports to supervisors and responders, just as in medium spills.

## **SECTION C – REPORTING SPILLS**

All chemical spills, regardless of size, should be reported as soon as possible to the Facility Responsible Person. The Responsible Person will determine whether the spill has the potential to affect the environment outside of the facility and must be reported to local, state, or federal

agencies. Examples of spills that could affect the outside environment include spills that are accompanied by fire or explosion and spills that could reach nearby water bodies.

### **C.1 Reporting Thresholds**

The Spill Coordinator will report spills to MDEQ PEAS for spills that involve the following:

- Salt spills over 50 pounds or 50 gallons of brine onto the ground or into water (required by Part 5 rules)
- Gasoline release of 32 gallons or more onto the ground (required by Part 201)
- Oil release of 50 pounds (approximately 7½ gallons) onto the ground (required by Part 5 rules)
- Any amount of oil or fuel that reaches surface water or shorelines, call MDEQ PEAS and the National Response Center (as required by the Clean Water Act and Part 31)
- Any spill that is in doubt about reporting

### **C.2 Reporting Requirements**

Within ten (10) days of release, submit a written report for the reportable releases to the following:

- MDEQ Water Resources Division Field Operations Chief, PO Box 30273, Lansing, Michigan 48909-7773
- Oakland County Water Resources Commissioner, 1 Public Works Road, Waterford, Michigan 48328 (248) 858-0931

Note: the optional report form EPQ 3465 can be found at:

[http://www.michigan.gov/deg/0,4561,7-135-3307\\_29894\\_5959-20341--,00.html](http://www.michigan.gov/deg/0,4561,7-135-3307_29894_5959-20341--,00.html)

The MDEQ may request other follow-up reports depending on the situation.

## **SECTION D – SPILL KIT INVENTORY**

The following is a list of spill response equipment that will be maintained by the designated spill response coordinators at all locations where fuel products are stored and dispensed.

### **D.1 Minimum Spill Response Equipment**

- 20 pounds of floor dry
- 1 shovel
- 1 broom
- Caution tape
- 2 Absorbent booms
- 20 Absorbent Pads
- Container for clean-up (30 gallons)

- Sample bottles

## **SECTION E – PROCESS FOR REVISION**

This procedure shall be reviewed once per permit cycle by the Stormwater Manager and Spill Coordinator for any updates to streamline the requirements.

**APPENDIX I**  
**Total Maximum Daily Loads (TMDL)**  
Click [here](#) for link to Collaborative TMDL