

ST. CLAIR COUNTY HEALTH DEPARTMENT (CEA)

CONSTRUCTION STORM WATER RUNOFF CONTROL

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has determined that Part 91 of the Michigan Act and Michigan's Permit-by-Rule (Rule 323.2190) are qualifying local programs for the control of wet weather discharges from construction activities that result in land disturbance of greater than or equal to one (1) acre but less than five (5) acres, or disturb less than one (1) acre that is part of a larger common plan of development or sale. A qualifying local program provides control for soil erosion, off-site sedimentation, and other construction-related wastes, consistent with the Federal Phase II storm water control requirements for Municipal Separate Storm Sewer System (MS4) permittees. *(Please refer to Appendix I for additional Soil Erosion and Sedimentation Control (SESC) measures and NPDES permit guidance.)*

The St. Clair County Health Department (SCCHD-CEA), located at **3415 28th Street, Port Huron, 48060**, is a **County Enforcing Agency (810-987-5306)**, and is responsible for issuing soil erosion and sediment control permits and for the inspection and regulation of erosion and sedimentation problems on all construction projects within St. Clair County. The St. Clair County Public Health Department will enforce the Soil Erosion and Sedimentation Control Program and ensure that permit-related requirements are met.

Procedure A – Notifying Enforcing Agency of Pollutant Discharges

The St. Clair County Public Health Department is the County Enforcing Agency (CEA) for Part 91 of PA 451 of 1994. They will have complete responsibility within their jurisdictional limits to effectively enforce soil erosion and sedimentation control requirements on all construction projects, as well as their own projects, unless projects are enforced by an Authorized Public Agency (i.e. St. Clair County Road Commission- CRC-APA and St. Clair County Drain Commissioner SCCDO-APA). However, they will handle any additional issues that the St. Clair County Road Commission (St. Clair CRC-APA) or St. Clair County Drain Office presents to them for additional enforcement as the CEA.

When pollutants (i.e. sediment, debris, fluids, and petroleum products) are discharged from construction activity in violation of Part 91 and the pollutants enter the MS4, streams, or drainage ditches, the St. Clair County Public Health Department shall be ultimately responsible for enforcing fines/fees, requirements, etc. for compliance to be met and all discharges to be properly removed. If discharges from construction activities are not resolved and additional enforcement is required, the St. Clair County Public Health Department shall notify EGLE. They shall also notify EGLE when other wastes are discharged.

Additionally, the St. Clair County Public Health Department shall notify EGLE within 24 hours of becoming aware of any discharges to or from the MS4, open drain or waters of the state that the County suspects may endanger public health or the environment. The notification should include all known information including the name of the responsible party for the discharge, the location of the discharge, the nature of the discharge and the pollutants (e.g. pesticides, petroleum derivatives, construction chemicals, and solid wastes that may become mobilized when land surfaces are disturbed), and clean-up and recovery measures taken or planned. If possible, obtain photographs also.

Procedure B – Site Plan Review

Prior to construction and before a building permit is issued within a community, construction site plans will be reviewed by the St. Clair County Drain Commissioner, staff, or their designee, to ensure that the site plan adequately allows space for future soil erosion and sedimentation controls.

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There shall be sufficient space allotted for soil erosion and sedimentation controls during construction (temporary control measures) as well as for the implementation of permanent storm water controls in place prior to the conclusion of construction activity. Construction activity one (1) acre or greater in total earth disturbance with the potential to discharge to the St. Clair County Drain Commissioner's MS4 or county drain under the SCCDO's jurisdiction must conform to the requirements of a Part 91 Permit. The construction site developer, contractor, or recorded easement holder shall be subject to SESC control requirements under Part 91 of the Michigan Act (PA 451 of 1994).

Furthermore, the landowner or recorded easement holder of the property where the construction activity will occur will be provided with Michigan's Permit by Rule (Rule 323.2190) Construction Activities Document prior to the final engineering approval of the site plan. *(Please refer to Appendix II for the document in which will be provided.)*

Procedure C – Receipt and Consideration of Complaints

When the St. Clair County Health Department receives a complaint of soil or sediment being discharged to their MS4 or surface waters of the state from a construction activity within their jurisdictional limits, each complaint will be documented, and a cursory investigation will be conducted by their staff within 24 hours of the complaint. Furthermore, if the St. Clair County Health Department's staff should come across soil or sediment being discharged into an MS4, or open drain, or surface water of the state upon inspection of their construction sites, then as a CEA they will determine the appropriate penalties, fees and timeframe for bringing the construction site into compliance along with determining if enforcement or further assessment by EGLE is required. This allows for the receipt and consideration of complaints or other information submitted by the public or identified internally as it relates to construction stormwater runoff control.

Measurable Goals

- Number of SESC permits issued in the St. Clair County Health Department's jurisdictional limits per year.
- Number of complaints received, investigated, and documented by the St. Clair County Health Department's staff- CEA (listed below).

Enforcing Agency Contact Information:

St. Clair County Health Department
3415 28th Street
Port Huron, MI 48060
Phone: (810) 987-5306
Email: sdemick@stclaircounty.org

EGLE – 24-Hour Pollution Emergency Alerting System:
1-800-292-4706

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APPENDIX I

**ST. CLAIR COUNTY HEALTH DEPARTMENT (CEA)
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APPENDIX II