



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary
Adam Ortiz, Deputy Secretary

Andrew Paxton, Vice President
Aligned Data Centers (MD) Propco, LLC - Frederick, MD Data Center Campus
2800 Summit Avenue
Plano, TX, 75074

RE: Guidance for Dewatering for Aligned Data Centers under 20-CP-K08WWB

Dear Mr. Paxton:

Aligned Data Centers (MD) Propco, LLC project at the Frederick, MD Data Center Campus is currently covered under registration 20-CP-K08WWB, for the Department's *General Permits for Stormwater Discharge Associated with Construction Activity* ("20-CP"). Part I.D.6 of the 20-CP permit allows the discharge of water from sites managed under Maryland's Land Restoration Program (LRP) so long as the discharges are addressed by the facility's Stormwater Pollution Prevention Plan and the discharge meets terms consistent with requirements stipulated by the Water and Science Administration and the Land and Materials Administration. The goal of this guidance is to put in place a formalized procedure for when you encounter groundwater.

Aligned Data Centers' site is subject to an Environmental Covenant (EC). While the project area borders the EC and some areas within it are considered clean, groundwater management is crucial. Previously, discharges within the EC were only allowed for dust suppression or infiltration back into the ground, provided the water met specific standards outlined in an Environmental Management Plan (EMP). If testing revealed any standards were exceeded, the water could not be discharged on site and would need to be transported to an approved treatment plant.

To discharge water to the surface under the 20-CP, you must demonstrate that the water meets the relevant surface water quality standards. Attached to this letter are the applicable testing parameters for verification and the method for confirming your results to allow discharge. Given the need to direct discharge to surface waters, these criteria are more conservative than those for other operators.

Should you have any questions about the 20-CP permit, please contact Paul Hlavinka, Chief of the Industrial Stormwater Permits Division, at paul.hlavinka@maryland.gov, or Jennifer Nitsch, Natural Resource Planner, at jennifer.nitsch@maryland.gov. Should you have any questions about the Environmental Covenant or other requirements related to site clean-up, please contact Anuradha Mohanty at anuradha.mohanty@maryland.gov.

Regards,

Paul Hlavinka, Chief
Industrial Stormwater Permits Division

cc: Jonathan Rice, Industrial Permits Division
Patrick Noyes, WSA Enforcement Division
Kate Ansalvish, Western Division Compliance
Anuradha Mohanty, LMA

Addendum: Process for Data Analysis and Review - Aligned Data Centers (MD) Propco, LLC

- 1) Pull one single representative sample from each Frac Tank.
- 2) Analyze for full set of analytes expected using detection sufficiently sensitive test methods.
At a minimum test for:

	Criteria
fluoride (c)	4000 ug/l
aluminum (c)	1100 ug/l
Total BTEX (a)	100 ug/l
Benzene (c)	5 ug/l
TPH-GRO & DRO (b)	15 mg/l
benzo(a)pyrene (c)	0.2 ug/l
antimony (c)	6.0 ug/l
nickel (c)	52 ug/l
free cyanide (c)	5.2 ug/l
cadmium (c)	0.72 ug/l
chromium, total (c)	100 ug/l
Total PCB (c)	0.014 ug/l (chronic)
pH (c)	6.5-8.5
VOC - PCE (c)	5 ug/L
lead (c)	2.5 ug/l
copper (c)	9 ug/l

- (a) Total BTEX is defined as the sum of benzene, toluene, ethylbenzene and total xylene concentrations.
- (b) Total petroleum hydrocarbons (TPH) preparation method for gasoline range organics (GRO) = 5030 and for diesel range organics (DRO) = 3510 or 3520
- (c) Test Method specified in Part III.C.8.e of the 20CP.

- 3) The water should have no discernible odor or oil sheen.
- 4) The results should then be reported using Form 2C:

<https://mde.maryland.gov/programs/permits/WaterManagementPermits/Documents/www.mde.state.md.us/assets/document/permit/3510-2C.pdf>

- 5) Upload Completed Form 2C and using the Outfall Number indicate the Frac Tank identifier, to ePermits website.
 - a) Instructions: Upload as an attachment similar to uploading turbidity reports.
 - b) Instructions: email us in permitting to verify it is ready for review.
- 6) The criteria chosen in this table come from pollutants found in groundwater samples within the EC, as well as pollutants addressed by the oil operations permit for water contaminated with petroleum products. The Numerical Criteria for Toxic Substances in Surface Waters are provided in the Code of Maryland Regulations (COMAR) Section 26.08.02.03-2 chronic criteria, from EPA's water quality criteria, from our safe drinking standards for fluoride: <https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations>. DRO, GRO and Total BTEX criteria are found in the oil operations permit for water contaminated with petroleum products.
- 7) MDE will provide you with a confirmation email that this is either uncontaminated (falls below the State's water criteria) or if it is considered contaminated.
 - a) If uncontaminated, you will be able to discharge using the dewatering controls provided in the construction stormwater permit.
 - b) If contaminated, you will need to haul to a treatment plant.
- 8) For dewatering within the LOD of your 20-CP authorization, you should follow this procedure, in addition to any requirements of the MDE Land and Materials Administration and the applicable Environmental Management Plan.