

STATE OF MARYLAND DEPARTMENT OF THE ENVIRONMENT  
WATER MANAGEMENT ADMINISTRATION

NOTICE OF FINAL DETERMINATION TO ISSUE PERMIT  
**General Permit for Stormwater Associated with Construction Activity**

The Maryland Department of the Environment (MDE) has reached a final determination to reissue the General Permit for Stormwater Associated with Construction Activity, MDRC (General Permit).

MDE held a public hearing on Monday, August 12, 2013, to receive comments on the General Permit. MDE also received written comments on the draft General Permit. MDE has reviewed these comments and made minor revisions to the General Permit. The text of the final General Permit as well as additional information of interest to citizens, applicants, and permittees is available at the webpage for the General Permit: <http://go.usa.gov/gFMW>. MDE is also releasing a new electronic system for entities to submit Notices of Intent (NOIs) to MDE, track the status of NOIs and permits, and perform actions like transferring and terminating permits. Applicants can access the system at <https://egov.maryland.gov/mde/npdes/Account/Login> after November 16, 2014. Citizens may review NOIs during the public notification period at <https://egov.maryland.gov/mde/npdes/PublicNotice/Index>.

The permit is necessary to protect water quality and to meet federal and State requirements under Code of Federal Regulations 40 CFR 122.26 and 40 CFR 450, as well as Code of Maryland Regulations COMAR 26.08.04.09A. It replaces all prior General Permits for Stormwater Associated with Construction Activity that have been previously issued. Coverage under all prior General Permits is terminated effective January 1, 2015. All construction activity in Maryland disturbing one or more acres needs to be covered under the 2014 General Permit as of January 1, 2015. The new permit includes numerous changes from previous permits and should be reviewed carefully. MDE made revisions to the draft permit in response to comments and its own review of the draft. These revisions include correction of typographical errors and revisions for clarity, the effective dates of the permit, identification of the permitting process for those transitioning from individual permits, references to other laws and regulations such as those regarding fertilizer use, requiring permittees to post notification of permit coverage on site, and edits to comply with regulatory changes EPA made at 40 CFR 450. Several other key changes from the 2009 General Permit (unchanged from the draft 2014 General Permit) that should be noted are: (1) a change to the public notification period following submission of the NOI before permit coverage is approved; (2) specific requirements to meet federal effluent limitation guidelines at 40 CFR 450; (3) emergency authorization procedures in the event of public emergencies; and (4) several clarifications, including which types of projects and discharges are eligible for coverage under the General Permit.

Fees for permit coverage are proposed to remain the same unless changed in the Code of Maryland Regulations (COMAR). The final General Permit does not require a fee from certain recent permittees under the previous General Permit.

MDE's final determination is subject to judicial review at the request of any person that meets the threshold standing requirements under federal law and is an applicant or participated in the public participation process through the submission of written or oral comments. Requests for judicial review in accordance with §1-601 and §1-605 of the Environment Article must be made to the appropriate circuit court on or before December 1, 2014. The permit record is available for review by contacting the Compliance Program, Water Management Administration, Maryland Department of the Environment, 1800 Washington Blvd., Suite 420, Baltimore, Maryland 21230-1708, or by calling (410) 537-3019.