

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION**

NOTICE OF FINAL DETERMINATION

**Modification of the General Permit For Discharges of Stormwater Associated With
Industrial Activity No. 12SW-A, NPDES Permit MDR00**

The Department is modifying the state/NPDES (National Pollution Discharge Elimination System) General Permit for Discharges of Stormwater Associated with Industrial Activities with revisions to the restoration requirements. General Discharge Permit No. 12SW (NPDES No. MDR00) regulates stormwater discharges from various federal discharge categories of industrial facilities in the state of Maryland.

A public notice on the tentative determination to modify the discharge permit was published on June 22, 2018 in the Maryland Register and June 18, 2018 in newspapers throughout Maryland. The Department held a public hearing concerning the tentative determination on **Tuesday, July 24, 2018 at 1pm** in the Terra Conference Room at the Maryland Department of the Environment, 1800 Washington Blvd, Baltimore, MD 21230, and received comments through **5:00 PM on Wednesday, September 19, 2018**. After considering all comments received either in writing or through oral testimony during the comment period, the Department has made a final determination to issue the modified permit.

Listed below are the revisions to the tentative determination now included in the Department's final determination:

1. Language excluding an MS4 from generating credits under the permit has been added.
2. The Department removed the language related to extending the deadline for restoration.
3. The method for credit calculation has been revised to be consistent with the trading program regulation and is now referenced in the final permit.
4. The original infeasibility requirement in the 12SW has been retained.
5. The trading option is available only when on-site work is infeasible.
6. A requirement to submit a copy of the comprehensive annual report to the Department has been added to Appendix G of the permit, and other non-significant edits were made for consistency.
7. Deadlines for reporting have been reinstated as a result of not extending the restoration deadline, however the administrative extension eligibility requirement was removed consistent with the tentative determination.
8. The period of time for completing a trade and posting on the registry has now been limited to no longer than 3 months after the end of the applicable calendar year.
9. Several cross reference errors were corrected, minor clarifications were provided and in several areas the original permit text was restored.

To view and print the final permit and response documents, you may use this link <http://9nl.at/MD-SWGP>. Persons seeking to review the hardcopy final permit and associated file may do so by contacting Mr. Hlavinka to make an appointment. Copies of documents may be obtained at a cost of \$0.36 per page.

Any questions regarding this final determination should be directed to Paul Hlavinka or Michael Richardson at the Maryland Department of the Environment, Water and Science Administration, at paul.hlavinka@maryland.gov or michael.richardson@maryland.gov, respectively or by telephone at 410-537-3323 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Any person adversely affected by this final determination may file a petition for judicial review. Petitions for judicial review of a final determination or permit decision subject to judicial review must be filed in accordance with §1-605 of the Environment Article within **30** days after publication of a notice of final determination, and must be filed in a circuit court in Maryland. Petitions for judicial review must conform to the applicable Maryland Rules of Civil Procedure. Failure to file a petition for judicial review by within **30** days will constitute a waiver of any right to a judicial review of this final determination.

Publication Dates: 1st Published in various newspapers state-wide between the dates of December 7 and December 13, 2018