



**GENERAL PERMIT FOR DISCHARGES FROM TANKS, PIPES, OTHER LIQUID
CONTAINMENT STRUCTURES, DEWATERING ACTIVITIES, AND GROUNDWATER
REMEDATION**

DRAFT for INFORMAL COMMENTS (July 2019)

GENERAL DISCHARGE PERMIT NO. 17HT

NPDES PERMIT NO. MDG67

Effective Date: Month Day, 2019

Expiration Date: Month Day, 2024

PART I. PERMIT APPLICABILITY	3
A. Geographic Coverage	3
B. Eligible Discharges	3
C. Limitations on Coverage	4
D. No Permit Required	5
E. Alternative Permit Coverage	5
F. Continuation of an Expired General Permit	5
G. Related Permits	5
PART II. AUTHORIZATION UNDER THIS PERMIT	6
A. How to Obtain Authorization	6
B. Deadlines for Coverage	8
C. Required Signatures	9
D. Failure to Notify	10
E. Changes in Permit Coverage	10
PART III. SPECIAL CONDITIONS FOR DISCHARGES	12
A. Notification Requirements	12
B. Effluent Limitations and Monitoring Requirements	12
C. Narrative Requirements Applicable to All Discharges	13
1. Erosion and Sediment Control	13
2. Pollution Prevention Plan	13
3. Training and/or Use of Contractors	13
4. Use of Chemical Additives for Sediment Control	14
5. Visual Inspection of Discharges	15
PART IV. MONITORING AND REPORTING	16
A. Representative Sampling	16
B. Sampling and Analytical Methods	16
C. Data Recording Requirements	16
D. Monitoring Equipment Maintenance	17
E. Additional Monitoring by Permittee	17
F. Reporting Monitoring Results (DMRs)	17
PART V. STANDARD PERMIT CONDITIONS	19
A. Facility Operation and Maintenance	19

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

B. Submitting Additional or Corrected Information.....	19
C. Adverse Impact	19
D. Bypass	20
E. Conditions Necessary for Demonstration of an Upset.....	20
F. Removed Substances	20
G. Right of Entry.....	20
H. Availability of Reports	21
I. Permit Modification	21
J. Total Maximum Daily Load (TMDL)	21
K. Toxic Pollutants	21
L. Oil and Hazardous Substances Prohibited	21
M. Civil and Criminal Liability.....	21
N. Property Rights/Compliance with Other Requirements	22
O. Severability.....	22
P. Water Construction and Obstruction	22
Q. Compliance with this General Permit and Water Pollution Abatement Statutes	22
R. Action on Violations	22
S. Civil Penalties for Violations of Permit Conditions.....	22
T. Criminal Penalties for Violations of Permit Conditions	22
U. Duty to Provide Information	23
V. Reopener Clause for Permits	23
PART VI. AUTHORITY TO ISSUE GENERAL NPDES PERMITS.....	23

Appendix A – Specific Requirements for Discharge Categories

Appendix B – Definitions, Abbreviations, and Acronyms

PART I. PERMIT APPLICABILITY

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and the provisions of the Federal Clean Water Act (CWA), 33 U.S.C. §1251 et seq. and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Maryland Department of the Environment, hereinafter referred to as the “Department”, hereby authorizes operators located in the state of Maryland, who have submitted a notice of intent (NOI) and received written approval from the Department (where applicable), to discharge wastewater from activities specified and described herein to Waters of this State in accordance with the eligibility requirements and other conditions set forth in this permit and consistent with the permittees’ NOI on file with the Department (where applicable). “You” and “Your” are used in this permit to refer to the permittee or the permit applicant, as the context indicates, and that party’s facility or responsibilities.

A. Geographic Coverage

This permit covers discharges to surface or groundwater located within the territorial boundaries of the state of Maryland.

B. Eligible Discharges

This permit covers the following discharges:

1. **Discharge Category A:** Wastewater from the disinfection (only disinfection agents containing bromide or chloride are authorized) or hydrostatic testing of pipes, pipelines or tanks, excluding sources from potable water systems;
2. **Discharge Category B:** Discharges from potable water systems resulting from the overflow, flushing, disinfection, hydrostatic testing, mechanical cleaning, or dewatering of vessels or structures used to store or convey potable water;
3. **Discharge Category C:** Dewatering from construction activities¹;
4. **Discharge Category D:** Groundwater which has been contaminated by volatile or semi-volatile organics, including that resulting from foundation drainage, which has been treated to remove organic compounds by air stripping, air sparging, activated carbon absorption, or equivalently treated wastewater from groundwater remediation sites not covered by the General Discharge Permit of Treated Ground Water From Oil Contaminated Ground Water Sources to Surface or Ground Waters of the State;
5. **Discharge Category E:** Wastewater from draining or flushing of fire control systems;
6. **Discharge Category F:** Untreated “water” from water storage or distribution systems, including but not limited to hydrogeologic/aquifer/well head yield-testing; where the effluent flow is greater 10,000 gallons per day (as a monthly average)²;

¹ Submission of a Notice of Intent is only required for discharges of uncontaminated dewatering which are not covered under another permit and are either greater than 10,000 gallons per day (as a monthly average) or require the use of chemical additives to meet water quality standards. See the section for Discharge Category C in Appendix A for further details.

² Submission of a Notice of Intent is only required for discharges of untreated “water” where the effluent flow is greater than 100,000 gallons per day (as a monthly average). See the section for Discharge Category F in Appendix A for further details.

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7. **Discharge Category G:** Treated tank bottom wastewater from petroleum (i.e., gasoline, kerosene, fuel oil, 'Number 6 oil' and aviation fuel only) storage tanks to surface waters; and
8. **Discharge Category H:** Stormwater discharges from storage tank containment structures³.
9. **Other allowable discharges:** These types of discharge may be covered under this permit as ancillary discharges, but do not require coverage under this permit as standalone discharges. They are not subject to a category found in Appendix A, but should adhere to all other permit terms, particularly those in Part III.C:
 - a. water used to fight active fires (not from fire system cleaning or testing),
 - b. pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
 - c. landscape watering, only if all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
 - d. routine external wash down of buildings or other structures in the absence of detergent use and where any dislodged paint chips are filtered (so long as the wash water discharges are not influenced by process activities);
 - e. uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - f. irrigation drainage;
 - g. uncontaminated ground water or spring water;
 - h. foundation or footing drains where flows are not contaminated with process materials; and
 - i. emergency discharges of potable water.
10. **Use of Chemical Additives:** Use of any chemical additives for sediment control (defined in Appendix B) requires prior notice, indicating your intent to use them on your NOI and listing the additives and any pertinent associated documentation in your Pollution Prevention Plan. In addition, the use of additives for sediment control is subject to the Department's approval policy as outlined in Part III.C.4 of this permit. Any substances not approved by the Department are prohibited.

C. Limitations on Coverage

The following discharges are not eligible for coverage under this general permit:

1. Discharges of any type from oil terminals;
2. Tank bottom wastewater discharges to groundwater of the state;
3. Wastewater from the washing of the interior of chemical and/or petroleum storage tanks, pipes and pipelines; and
4. Wastewater discharges to groundwater that, before treatment, contain concentrations of benzene, lead, or other substances in excess of Toxicity Characteristic Leaching Procedures (TCLP) concentrations as defined in COMAR 26.13.02.14.

³ Unless specifically directed by the Department, facilities containing no other source of discharges which require coverage under this general permit OR an NPDES permit for industrial stormwater are not required to obtain permit coverage for stormwater discharges from aboveground tank containment structures. See the section for Discharge Category H in Appendix A for additional details.

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D. No Permit Required

No discharge permit is required for the discharge of water from impoundments formed by the damming of natural drainage paths, or for the discharge of any untreated "waters" (see Appendix B for definition) less than 10,000 gallons per day (unless specifically directed by the Department to obtain coverage). No discharge permit is required for discharge of stormwater or groundwater from collection devices such as vaults, manholes, and conduit so long as such discharges have not been impacted by other activities ongoing at the site.

E. Alternative Permit Coverage

The Department may require you to obtain, or you may also request, coverage under an individual permit or registration under another general permit (such as those identified in Part I.G) for reasons including, but not limited to, those described below. If the Department requires you to apply for and obtain an alternative permit and you do not comply, the Department may terminate your coverage under this permit. Permit termination shall be effective at the end of the day that the Department specified as a deadline for the application or Notice of Intent (NOI) to be submitted. After the date of termination, any discharges that were previously covered by this permit are no longer authorized and may be subject to enforcement action.

1. If the Department determines that a discharge may cause water quality standards to be exceeded in the receiving water, then the Department may require additional actions which may include the submission of an individual NPDES discharge permit application. The Department may process an NOI for this permit as an application for an individual permit if the information submitted is deemed sufficient.
2. If site specific conditions, such as proposed discharge(s) to impaired waters or high quality waters, do not allow the facility to be covered under the general permit without compromising water quality, an individual permit may be required.
3. You may request to be excluded from coverage under this permit by applying for an individual state or NPDES discharge permit or submitting an NOI for coverage under another general permit. The Department may grant your request if the Department determines your reasons are adequate. If you are issued an individual NPDES permit or apply for coverage under an industry-specific general permit, the Department may terminate your coverage under this permit.

F. Continuation of an Expired General Permit

Unless your permit or authorization is revoked or terminated by the Department, the terms and conditions of this permit and its authorized dischargers are automatically continued and remain fully effective and enforceable upon expiration of this permit until the date(s) specified under a reissued general permit.

G. Related Permits

1. Construction activities which result in a land disturbance of greater than one acre must obtain coverage under the General Permit for Stormwater Associated with Construction Activities (NPDES Permit Number MDRC, State Permit Number 14GP or its successor), which may include authorization to discharge water from uncontaminated construction dewatering. Information regarding this permit can be found on the MDE website at <https://mdewwp.page.link/CGP>. If the proposed dewatering activities are not eligible for coverage under that permit, you must obtain coverage under Discharge Category C/D
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of this permit or an individual permit.

2. Any person or facility which stores 10,000 gallons or more of oil intended to be used as a motor fuel, lubricant, or fuel source in above ground tanks, who stores 1,000 gallons or more of used oil, which transports oil in or out of Maryland or which operates an oil transfer facility must obtain an Oil Operations Permit. Information regarding the Oil Control Program can be found on the MDE website at <https://mdewwp.page.link/OCPPermits>.
3. Tank bottom discharges to groundwater of the State must be regulated by an individual groundwater discharge permit. Information regarding groundwater permits can be found on the MDE website at <https://mdewwp.page.link/GWDP>.
4. Discharges of treated groundwater which has been impacted only by oil sources (not other volatiles such as TCE, TCA, DCE, etc.) are covered by the Department's General Permit for the Discharge of Treated Ground Water from Oil Contaminated Ground Water Sources to Surface or Ground Waters of the State, which is implemented by MDE's Oil Control Program. Information regarding this permit can be found on the MDE website at <https://mdewwp.page.link/OCPPermits>.
5. If water used is obtained from surface or groundwaters of the State, you may require a water appropriation permit from the Department. For information regarding appropriations permits and/or to determine if you require one, consult the Department's Water Supply Program, found on the MDE website at <https://mdewwp.page.link/Appropriations>.

PART II. AUTHORIZATION UNDER THIS PERMIT

A. How to Obtain Authorization

1. Notice of Intent (NOI) and Transfer Requests

a. Notice of Intent (NOI)

You must complete all information required on this permit's corresponding NOI form (MDE-WMA-PER011), or an equivalent electronic form provided by the Department. Detailed instructions are included on the NOI form. If you operate multiple facilities you must submit an NOI for each noncontiguous site or attach a list of sites which fit the same description as the facility on the original NOI (particularly for large distribution systems). Requiring multiple permits/NOIs for separate sites shall be at the Department's discretion on a case-by-case basis.

When submitting paper forms, a signed copy of the NOI and the required fee, made payable to the Maryland Department of the Environment, must be submitted to the following address:

Maryland Department of the Environment
P.O. Box 2057
Baltimore MD 21203-2057

You are required to provide the following information on the appropriate NOI form:

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- *Owner or Operator Information:* company name, facility contact, telephone number, email address, mailing address, IRS Employer Identification Number (EIN) and Worker's Comp Insurance carrier and policy number.
- *Facility Information:* name of facility, location, including physical address and coordinates in degrees decimal; selection of new or renewal permit and previous 11HT permit number (if applicable), identification of any other NPDES permits for the facility,
- *Discharge Information:* You must identify:
 - *Water characteristics:* Discharge Category(ies) and any applicable associated information (e.g. cleaning methods, disinfection, etc.), estimated volume, frequency, and duration
 - *Receiving Waters:* groundwater or surface water; *if surface water:* name of receiving stream, identification of designated use class, and coordinates in degrees decimal for each outfall.
- *Chemical Additives:* identification of any additives proposed for use, proposed dosing rates, and whether they are anionic or cationic (see Part III.C.4 for more information on the process for additive approval)
- *Permit Fee:* selection of applicable permit fee
- *Certification:* printed name, title, and signature of signatory and date. If the person who prepared the NOI is different from the facility contact, you shall attach the preparer's name, phone number, and email address to the NOI.

You must also attach a site map to the NOI. The map should identify the outfall(s) and/or facilities associated with discharges. The map should provide significant points of reference (i.e. roads, buildings, etc.) near each point of discharge and identify all surface waters within a quarter mile of the discharge location(s). For publicly owned potable water systems, you may provide a map of the entire system bounded by the community with identification of all major discharge points (e.g. storage tanks, wells, etc.). All outfall locations should correspond to those identified on the NOI. The Department may use discretion in determining specific map requirements as needed on a case-by-case basis.

For hydrostatic testing and potable water system discharges, you must include an approximate schedule of discharges (if available) and contact information for a responsible party who can provide updated scheduling information upon request.

For discharges of non-contaminated construction dewatering, you may be asked to submit groundwater testing data which exhibits no contamination or an environmental assessment which indicates there is no reasonable expectation for contamination.

For groundwater remediation, you will be required to either indicate the source of the contamination and/or submit testing results of the untreated groundwater so the Department can identify appropriate limitations for your registration.

b. Transfer of Authorization.

For transfer of ownership, you can complete the Permit Transfer Request Form for General NPDES Permits found on the Department's website at <https://mdewwp.page.link/GPXferForm>. Detailed instructions are included with the form. If you are the owner or operator of multiple permits, you must submit a separate Permit Transfer Request Form for each permit you wish to transfer. The authorization under this permit is not transferable to any person except in

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accordance with this section. Authorization to discharge under this permit may be transferred to another person if:

- The current permittee notifies the Department in writing of the proposed transfer.
- A written agreement, indicating the specific date of the proposed transfer of permit coverage and acknowledging the responsibilities of the current and new permittee for compliance with the terms and conditions of this permit, is submitted to the Department.
- The new permittee either confirms in writing that the type of discharge, number of outfalls, and other information given on the original NOI remain correct or updates this information.
- Neither the current permittee nor the new permittee receives notification from the Department, within 30 days of receipt of items above, of intent to terminate coverage under this permit.

2. Permit Fee

- a. Pursuant to COMAR 26.08.04.09-1(G), persons who intend to obtain coverage under this general permit are subject to an initial permit fee (submitted with the NOI) and an annual fee each additional year the permit is held (billed annually by the Department). Since permittees who are renewing their permit will already be subject to billing for the annual fee for the calendar year of permit issuance, the initial fee for renewals shall be the difference between the “one year fee” and “fee each additional year” as defined in COMAR 26.08.04.09-1(G).
- b. To pay the initial permit fee by check, it must be made payable to the Maryland Department of the Environment and sent with the completed NOI as instructed in Part II.A.1.a of this permit.
- c. If you pay the initial permit fee by a check that does not clear for any reason, you will have 30 calendar days to make proper payment, including any interest and other charges. If payment is not received by the 31st calendar day, your coverage under this permit must be considered void from the outset. You should save the cancelled check, a copy of the completed NOI, and the letter confirming your authorization from the Department. These documents must be provided to the Department upon request.
- d. A new owner of a facility as a result of a transfer of ownership is responsible for any fees unpaid by the former owner.
- e. Any changes in operations that may increase fees are required to give notice as described in Part II.E.1.c.

B. **Deadlines for Coverage**

You will be in violation of state and federal requirements to obtain a permit and subject to enforcement action by the Department if you fail to submit an NOI and fee payment or a transfer request in a timely manner as provided in the following table. Late NOIs will be accepted, but authorization to discharge will not be retroactive.

Category	Coverage Submittal Deadline
<i>Existing Dischargers</i> – in operation as of the effective date of this permit and	Within 6 months after the effective date of this permit. Authorization to discharge

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previously authorized for coverage under 11-HT	under 11-HT continues in the interim.
<i>New Dischargers or New Sources</i>	A minimum of 60 days prior to commencing discharge.
<i>New Owner/Operator of Existing Discharger</i> - transfer of ownership and/or operation of a facility whose discharge is authorized under this permit	A minimum of 30 days prior to date that the transfer will take place to the new owner/operator.
<i>Other Eligible Dischargers</i> – in operation prior to permit effective date, but not covered under the 11-HT or another NPDES permit.	Immediately, to minimize the time discharges from the facility will continue to be unauthorized.

C. Required Signatures

1. Certification

Any person signing documents in accordance with Parts II.C.2 and II.C.3 of this permit must include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

2. Signatories

All applications, including NOIs, transfer requests, and No Exposure Certifications must be signed by a Signatory as follows:

- a. *For a corporation:* By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - i.) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
 - ii.) the manager of one or more properties belonging to the owner, provided the manager is authorized to make management decisions which govern the operation of the regulated facility having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. *For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively

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c. *For a municipality, State, Federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

- i.) the chief executive officer of the agency; or
- ii.) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of the EPA).

3. Report Submission

a. All reports required by permits, and other information requested by the Department shall be signed by a person described in Part II.C.2 of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- i.) The authorization is made in writing by a person described in Part II.C.2;
- ii.) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company; and
- iii.) The written authorization is submitted to the Department.

b. If an authorization under this subsection is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II.C.3.a of this permit must be submitted to the Department prior to or together with any reports, information or applications to be signed by an authorized representative.

D. **Failure to Notify**

If you (1) engage in an activity covered under this permit, (2) fail to notify the Department of your intent (Part II.A) to be covered under this permit within the deadlines established in this permit (Part II.B), and (3) discharge to waters of the state without an individual NPDES discharge permit, then you are in violation of the Federal Clean Water Act and of the Environment Article, Annotated Code of Maryland, and may be subject to penalties.

E. **Changes in Permit Coverage**

Certain planned changes in stormwater discharge or termination of permit coverage, both described below in this section, require notification to the Department's Wastewater Permits Program at this address:

Maryland Department of the Environment
Wastewater Permits Program
1800 Washington Blvd, Ste 455
Baltimore, MD 21230

1. Changes in Discharge

- a.** All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a level in excess of that authorized shall constitute a violation of the terms and conditions of this permit. You must submit a revised NOI to the Department if there are anticipated facility expansions, additional or relocated outfalls, or facility modifications which will result in new categories of discharge, change in potential pollutants, or increased concentrations of pollutants. The revised NOI should be submitted a minimum of 90 days prior to commencement of the changed discharges.
- b.** Based upon its evaluation of the revised NOI, the Department may:
- i.)* Continue to authorize the discharge under your current registration, or
 - ii.)* Issue a modification to your registration under this permit, or
 - iii.)* Require you to apply for an individual permit
- c.** Facility changes which have not altered or will not alter the type or quality of the discharge, but alter the average daily discharge volume do not require submission of a revised NOI, unless specifically requested by the Department. You must provide written notice of any volume change which has occurred or will occur if it corresponds with an increase of the annual permit fee pursuant to COMAR 26.08.04.09-1(G). Facilities with a flow exceeding one million gallons per day must submit a written update any time their flow increases by 25% or greater.

2. Termination of Permit Coverage**a. Submitting a Notice of Termination**

To terminate permit coverage, you must submit a complete and accurate Notice of Termination (NOT), found at <https://mdewwp.page.link/GPNOT>, to the Wastewater Permits Program. Your authorization to discharge under this permit terminates at midnight of the day that a complete Notice of Termination is processed and acknowledged by the Department. If you submit a Notice of Termination without meeting one or more of the conditions identified in Part II.E.2.b of this permit, then your Notice of Termination is not valid. You are responsible for meeting the terms of this permit until your authorization is terminated.

b. When to Submit a Notice of Termination

You must submit a Notice of Termination within 30 days after one or more of the following conditions have been met:

- i.)* All discharges at your facility that are covered by your registration under this permit have permanently ceased; or
 - ii.)* For Discharge Category H, all product has been permanently removed from storage tanks and any residual contamination in the containment structure has been removed; or
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- iii.) You move your operation to a new location (after submitting an NOT you must then apply for coverage at the new location per Part II.A through II.C of this permit); or
 - iv.) A new owner or operator has taken over responsibility for the facility; or
 - v.) You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit, unless the Department has required that you obtain such coverage under Part I.E, in which case coverage under this permit will terminate automatically.
- c. The Department may terminate your coverage under this general permit if the Department finds good cause to do so.

PART III. SPECIAL CONDITIONS for DISCHARGES

A. Notification Requirements

1. Notification for Large Discharges

If the total wastewater discharge from any single discharge event will exceed 100,000 gallons within a 24-hour period, you shall notify the Water and Science Administration's Compliance Program by phone at 410-537-3510 no later than 48 hours prior to the first discharge. For unanticipated discharges (e.g. water main breaks) which exceed or are expected to exceed 100,000 gallons, notification shall be provided as soon as possible.

2. Notification of the Discharge of a Pollutant Not Limited in This Permit

You shall notify the Department as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at or above levels specified in 40 CFR Part 122.42. This notification requirement may be modified by the Department at its discretion.

3. Submittal of Notifications

All notifications shall be made to the Water and Science Administration Compliance Program at 410-537-3510 or, where permissible, in writing to:

Maryland Department of the Environment
WSA – Compliance Program
1800 Washington Blvd., Suite 425
Baltimore, MD 21230

B. Effluent Limitations and Monitoring Requirements

Discharges which are permitted by this permit have been categorized by type, as specified in Part I.B. Numerical limits, monitoring requirements, and narrative criteria which apply specifically to one category of discharge have been outlined in Appendix A. Once your registration is approved for discharges under a given Discharge Category, you must follow all terms of this permit, including those presented in each applicable section of Appendix A. Applicable technology-based limits for each

discharge category must be met prior to dilution/commingling with a discharge from a different category.

C. Narrative Requirements Applicable to All Discharges

1. Erosion and Sediment Control

You must minimize erosion a) consistent with the facility's approved erosion and sediment control (E&SC) plan or b) by stabilizing exposed soils at your facility in order to minimize pollutant discharges and placing flow velocity dissipation devices at discharge locations to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. Any gullying greater than six inches in depth should be considered excessive erosion. These requirements include timeframes for the temporary and permanent stabilization of all inactive, disturbed areas; which are either identified on your E&SC plan or if you don't have an approved E&SC plan, stabilization is to be completed within three (3) calendar days for perimeter sediment controls and slopes steeper than 3:1 and seven (7) calendar days for all other areas not under active grading. You must also use structural and non-structural control measures to minimize the discharge of sediment. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the Department's Soil Erosion & Sediment Control resources (<https://mdewwp.page.link/ESCRegs>).

2. Pollution Prevention Plan

You must develop a Pollution Prevention Plan (PPP) for any discharges which are subject to numeric effluent limitations, may pollute via erosion (discharge across land), or have a reasonable potential to cause an in-stream exceedance of a water quality standard. The PPP must include a description of any means of wastewater treatment (including a list of any chemical additives and corresponding Safety Data Sheets, if applicable), instructions on operation of the treatment system, a description of any erosion and sediment controls (if not already required by an E&SC plan), and any other information relative to pollution prevention specific to your site.

You are responsible for keeping the plan current, including identifying any lapses in pollution controls, responses to any exceedances, and changes to the overall process, if applicable. An updated copy of the PPP must be kept on site and made available upon request of any Department personnel.

3. Training and/or Use of Contractors

It is the responsibility of the permittee to ensure that the personnel who is working on the site where discharges are occurring are trained properly in implementation of the PPP. Training records should be maintained by the permittee to document as such.

Should the permittee desire to hire a contractor to perform any such work, it is at the discretion of the permittee as to whether to allow said contractor to operate under the terms of the permittee's registration under this permit or to require said contractor to obtain a separate registration. Should the permittee allow a contractor to operate under the permittee's registration, it is the permittee's responsibility to train said contractor on proper implementation of the PPP and make said contractor aware of all permit requirements. Terms of which registration a contractor is operating under should be clear in any agreement between parties.

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4. Use of Chemical Additives for Sediment Control

If you are using chemical additives (defined in Appendix B) for control of sediment (such as polymers or flocculants) at your site, you must comply with the requirements identified in this section. You shall refer to the most current version of *Standards for Use of Chemical Additives for Sediment Control* document available on the Department's website at <https://mdewwp.page.link/ChemAddStandards> for specific instructions on information which must be included in your PPP, additional requirements, and assistance in applying for additive use.

- The use of chemical additives for sediment control should only be considered in the event that water quality standards cannot be met using conventional best management practices.
 - Should the use of chemical additives be necessary, you must utilize conventional best management practices for erosion and sediment controls prior to and after the application of chemical additives.
 - Additives may only be applied where treated stormwater is directed to a sediment control (e.g., sediment basin, perimeter control) prior to discharge. This permit intends to authorize additives used to create flocculation of suspended materials in stormwater or groundwater.
 - Chemical additives must be approved by the Department prior to use. The Department maintains a current list of pre-approved polymers/flocculants including approved application method and maximum allowable dosage concentration or application rate on its website (<https://mdewwp.page.link/MDFlocs>).
 - If you wish to use a chemical additive which is not found on the approved list, you must request approval according to *Procedures for Review of Chemical Additives for Sediment Control* (<https://mdewwp.page.link/ChemAddReview>). You may not begin use of any chemical additive absent from the pre-approved list until you receive express written approval for that additive from the Department.
 - You are required to identify all additives you will be using on your Notice of Intent (pursuant to Part II.A.1 of this permit). Any initial approval of additives shall be expressly identified in your permit registration letter and you may not commence use of additives absent such approval.
 - If you wish to change or add another preapproved anionic chemical, you shall provide notification to the Industrial and General Permits Division within 30 days of commencing the use of the new pre-approved additive. If you wish to change or add another preapproved cationic chemical, you must obtain express written approval for that specific cationic additive prior to use.
 - You must minimize exposure of stored chemicals to stormwater.
 - You must comply with relevant local requirements affecting the use of chemical additives. If requested by the E&SC plan approval authority, provide an SDS with your E&SC plan.
 - You must use chemical additives and chemical treatment systems in
-

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accordance with good engineering practices, and with dosing specifications and sediment removal design specifications provided by the provider/supplier of the applicable chemicals, or document specific departures from these practices or specifications and how they reflect good engineering practice. Selection of additives and dosing rates should be determined based on site-specific test results. Documentation of the chemical selection process and dosing rate determination shall be included in your PPP. Dosing rates cannot exceed those found on the Department's list of pre-approved additives.

- Ensure that all persons who handle and use chemical additives at the site are provided with appropriate, product-specific training. Among other things, the training must cover proper dosing requirements and safe handling practices.
- If you plan to use cationic chemical additives (as defined in Appendix B), you are ineligible for coverage under this permit unless you notify the Department's Industrial and General Permits Division at least 30 days in advance and the Department authorizes coverage under this permit. To receive authorization under this permit, you must identify in your PPP appropriate controls and implementation procedures (including where the chemical is applied, description of active treatment systems required, dosing, filtering, pH monitoring, etc.) designed to ensure that your use of cationic additives chemicals will not lead to a violation of water quality standards. See the *Standards for Use of Chemical Additives for Sediment Control* document (<https://mdewwp.page.link/ChemAddStandards>) for additional instructions for completing your PPP and requesting use of cationic chemical additives. A copy of the PPP section regarding use of cationic chemical additives must be submitted along with the NOI and *Request for Use of Cationic Chemical Additives* form (<https://mdewwp.page.link/CationicForm>). You are required to comply with all such requirements if you have been authorized to use cationic chemicals at your site by the Department.
- Depending on the additive selected for use, you may be required to sample discharges and test for residuals or other components. Any such monitoring requirement will be laid out in your registration letter. Results of required monitoring shall be maintained with the PPP and made available if requested by Department personnel.

Authorization is conditioned on your compliance with additional requirements necessary to ensure that the use of such chemicals will not cause an exceedance of water quality standards. If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose in your PPP.

5. Visual Inspection of Discharges

You shall visually inspect discharges as frequently as possible, but a minimum of once daily when discharges are occurring. You shall log results of visual monitoring events in the PPP. The Department maintains a standard form for logging of visual monitoring on its website at <https://mdewwp.page.link/VisualForm>. Discharges of oil sheen, floating solids, visible plumes of sediment or color, and/or persistent foam are prohibited and shall be reported to the Water and Science Administration Compliance Program, pursuant to Part IV.H.1 of this permit.

PART IV. MONITORING and REPORTING

A. Representative Sampling

1. Sample Collection

Required samples and measurements shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods. Where effluent authorized by this general permit mingles with other permitted discharges of wastewaters or waters, the time and place of sampling shall be chosen to uniquely represent the effluent authorized by this permit.

2. Flow Estimation

If flow measurement equipment is not present at a given outfall, you may estimate flows and submit the following information with the corresponding discharge monitoring report:

- a. a description of the methodology used to estimate flow (for each applicable outfall);
- b. documentation appropriate to the methodology utilized which provides information necessary to support the validity of the reported flow estimate. If actual measurements or observations are made, a description of typical sampling times, locations, and persons performing the measurements/observations should be provided; and
- c. a description of the factors (e.g. batch discharges, intermittent operation, etc.) which cause flow at the outfall to fluctuate significantly from the estimate provided.

B. Sampling and Analytical Methods

The sampling and analytical methods used shall conform to procedures for the analysis of pollutants as identified in 40 CFR 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants" unless otherwise specified.

C. Data Recording Requirements

For each sample taken to satisfy requirements of this permit, you must record the following information:

1. The exact place, date, and time of sampling or measurement;
 2. The person(s) who performed the sampling or measurement;
 3. The dates and times the analyses were performed;
 4. The person(s) who performed the analyses;
 5. The analytical techniques or methods used; and
 6. The results of all required analyses.
-

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D. Monitoring Equipment Maintenance

You must periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to insure accuracy of measurements.

E. Additional Monitoring by Permittee

If you choose to monitor any pollutant more frequently than required by this permit, you shall use approved analytical methods as specified in Part IV.B of this permit, and shall report the results of such monitoring, including the increased frequency, in the calculation and reporting of the values as specified in Part IV.F of this permit (for parameters which reporting is already applicable under that section)..

F. Reporting Monitoring Results (DMRs)

This section is only applicable if you are subject to numerical limits or monitoring (including "REPORT" parameters) or submission of reports/documents which the Department specifies are to be submitted as attachments to DMRs.

1. Discharge Monitoring Reports (DMRs) Submitted via NetDMR

Unless a different reporting mechanism is specified, you must submit all monitoring results electronically using NetDMR once you are granted access to this tool, unless you demonstrate a reasonable basis that precludes the use of NetDMR. Specific requirements regarding submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

- a.** NetDMR is a U.S. EPA tool allowing regulated Clean Water Act permittees to submit monitoring reports electronically via a secure Internet application. You must apply for access to NetDMR at www.epa.gov/netdmr and register for a NetDMR Webinar. Before you can submit official DMRs using NetDMR, you must attend a training Webinar and successfully set-up and submit test monitoring results electronically. You must complete all requirements to gain access to NetDMR within one (1) month of authorization under this permit.
- b.** You may be eligible for a temporary waiver by MDE from NPDES electronic reporting requirements if the permittee has no current internet access and is physically located in a geographic area (i.e., zip code) that is identified as under-served for broadband internet access in the most recent National Broadband Map from the Federal Communications Commission (FCC); or if the permittee can demonstrate that such electronic reporting of the monitoring data and reports would pose an unreasonable burden or expense to the NPDES-permitted facility. Waiver requests must be submitted in writing to the Department for written approval at least 120 days prior to the date the permittee would be required under this permit to begin using NetDMR. This demonstration shall be valid for one (1) year from the date of the Department approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to the Department unless the permittee submits a renewed waiver request and such request is approved by the Department. The application form for a waiver from electronic reporting requirements can be found at <https://mdewwp.page.link/eReportWaiver>. All subsequent hardcopy DMRs shall be sent to the following address:

Attention: DMRs
Maryland Department of the Environment

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

WSA – Compliance Program
1800 Washington Blvd., Suite 425
Baltimore, MD 21230-1708

- c. You must report the data at least quarterly, with submissions received no later than 28 days following the final month of the given quarter (March, June, September, or December).
- d. At a minimum, each category of discharge shall be assigned its own “Outfall Number” for simple tracking. If one category of discharge is planned to occur across several locations, monitoring shall occur at each discharge (as specified in the appropriate category in Appendix A), with the absolute maximums, minimums, and averages reported as a single Outfall Number. Individual monitoring results shall be included as an attachment to each submission in NetDMR and shall also document the time, date, and location of each discharge.

For example, if you are performing hydrostatic testing of new piping at five different locations in the course of a quarter, you shall complete the required monitoring for Discharge Category A in Appendix A at each event (flow, TSS, pH). On your quarterly DMR, you will report the maximum and average flows in gallons per day, the maximum TSS concentration in mg/L, and the minimum and maximum pH as measured across all five events for that quarter. Then, you shall include an attachment to the quarterly DMR which includes monitoring results for flow, TSS, and pH for each of the five individual events – and this attachment shall also specify date, time, and location of each individual event.

2. Laboratory Identification

You shall submit the name and address of any laboratory which you use to perform analyses (including your own laboratory, if applicable) as an attachment to your first DMR submission. If you change or add laboratories during the permit term, the Department shall be notified by attaching a letter identifying the change with the ensuing DMR submission.

G. **Records Retention**

You must retain all records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation, and original recordings from continuous monitoring instrumentation, for a minimum of five (5) years. This period shall be extended automatically during the course of litigation, or when requested by the Department.

H. **Non-compliance with Discharge Limitations**

The discharge of any pollutant identified in this permit at a level in excess of the level authorized shall constitute a violation of the terms and conditions of this permit.

1. If, for any reason, you do not comply with or will be unable to comply with any of the effluent limitations in this permit, you shall notify, within 24 hours of discovery of the noncompliance, the Water and Science Administration Compliance Program at:

Maryland Department of the Environment
WSA – Compliance Program
1800 Washington Boulevard, Suite 420

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

Baltimore MD 21230
Phone: (410) 537-3510 Fax: (410) 537-4883

2. Within five calendar days, you shall provide the Department with the following information in writing at the above address:
 - a. A description of the noncompliant discharge, including the date and time of its occurrence and its impact on the receiving water;
 - b. The cause of the noncompliance;
 - c. The anticipated time the cause of the noncompliance is expected to continue, or, if the condition has been corrected, the duration of the period of the noncompliance;
 - d. Steps taken by the permittee to eliminate the noncompliant discharge;
 - e. Steps planned and implemented by the permittee to prevent the recurrence of the noncompliance; and
 - f. A description of the permittee's accelerated or additional monitoring to determine the nature and impact of the noncompliant discharge.
3. You shall take all reasonable steps to minimize or prevent any adverse impact to the waters of this state or to human health from noncompliance with any effluent limitations specified in this permit.

PART V. STANDARD PERMIT CONDITIONS

A. Facility Operation and Maintenance

You must at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used to achieve compliance with the conditions of the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or a similar system that you have installed only when the operation is necessary to achieve compliance with the conditions of the permit.

B. Submitting Additional or Corrected Information

When you become aware that you failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Department, you must submit the facts or information to the Department within 30 days.

C. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State or to human health resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

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D. Bypass

Any bypass of treatment facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited unless:

1. the bypass is unavoidable to prevent a loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources;
2. there are no feasible alternatives;
3. notification is received by the Department within 24 hours (if orally notified, then followed by a written submission within five calendar days of the permittee's becoming aware of the bypass). Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten calendar days before the date of bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days; and
4. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effects.

E. Conditions Necessary for Demonstration of an Upset

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based effluent limitations only if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

1. an upset occurred and that the permittee can identify the specific cause(s) of the upset;
2. the permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
3. the permittee submitted a 24-hour notification of upset in accordance with the reporting requirements of Corrective Actions above;
4. the permittee submitted, within five (5) calendar days of becoming aware of the upset, documentation to support and justify the upset; and
5. the permittee complied with any remedial measures required to minimize adverse impact.

F. Removed Substances

Wastes such as solids, sludges, or other pollutants removed from or resulting from treatment or control of wastewaters or facility operations, must be disposed of in a manner to prevent any wastes or runoff from wastes from contacting waters of the State.

G. Right of Entry

You must permit the Secretary of the Department, the Regional Administrator for the EPA, or their authorized representatives, upon the presentation of credentials, to:

1. enter upon your premises where a discharges' source is located or where any records are required to be kept under the terms and conditions of this permit;
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2. access and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
3. inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;
4. inspect, at reasonable times, any collection, treatment, pollution management, or discharge facilities required under this permit;
5. sample, at reasonable times, any discharge of pollutants; and
6. take photographs (which may require direction for reasons of national security).

H. Availability of Reports

Except for data determined to be confidential under the Maryland Public Information Act and/or Section 308 of the Clean Water Act, 33 U.S.C. § 1318, all submitted data must be available for public inspection at the offices of the Department and the Regional Administrator of the Environmental Protection Agency.

I. Permit Modification

The Department may revoke this permit or modify this permit to include different limitations and requirements, in accordance with the procedures contained in COMAR 26.08.04.10 and 40 C.F.R. §§ 122.62, 122.63, 122.64 and 124.5.

J. Total Maximum Daily Load (TMDL)

The permit may be reopened in accordance with Maryland's Administrative Procedures Act to incorporate future Total Maximum Daily Load requirements.

K. Toxic Pollutants

You must comply with effluent standards or prohibitions for toxic pollutants established under the Federal Clean Water Act, or under Section 9-314 and Sections 9-322 to 9-328 of the Environment Article, Annotated Code of Maryland. You must be in compliance within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

L. Oil and Hazardous Substances Prohibited

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve you from any responsibility, liability, or penalties to which the permittee may be subject under Section 311 of the Clean Water Act (33 U.S.C. § 1321), or under the Annotated Code of Maryland.

M. Civil and Criminal Liability

Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve you from any civil or criminal responsibilities, liabilities, and/or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local or other state law or regulation.

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N. Property Rights/Compliance with Other Requirements

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

O. Severability

The provisions of this permit are severable. If any provisions of this permit must be held invalid for any reason, the remaining provisions must remain in full force and effect. If the application of any provision of this permit to any circumstances is held invalid, its application to other circumstances must not be affected.

P. Water Construction and Obstruction

This permit does not authorize you to construct or place physical structures, facilities, or debris or undertake related activities in any waters of the State.

Q. Compliance with this General Permit and Water Pollution Abatement Statutes

You must comply at all times with the terms and conditions of this permit, the provisions of the Environment Article, Title 7, Subtitle 2 and Title 9, Subtitles 2 and 3 of the Annotated Code of Maryland, and the Clean Water Act, 33 U.S.C. § 1251 et seq. Any noncompliance with any of the requirements of this permit constitutes a violation of the Clean Water Act.

R. Action on Violations

The issuance or reissuance of this permit does not constitute a decision by the State not to proceed in an administrative, civil, or criminal action for any violations of State law or regulations occurring before the issuance or re-issuance of this permit, nor a waiver of the State's right to do so.

S. Civil Penalties for Violations of Permit Conditions

In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that any person who violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed \$37,500 per day for each violation. Statutory penalties of the CWA are subject to the Civil Monetary Penalty Inflation Adjustment Rule (40 CFR 19.4).

T. Criminal Penalties for Violations of Permit Conditions

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that:

1. Any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act,
-

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is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one (1) year, or by both.

2. Any person who knowingly violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than three (3) years, or by both.
3. Any person who knowingly violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than \$250,000 or imprisonment of not more than fifteen (15) years, or both. A person that is a corporation, must, upon conviction, be subject to a penalty of not more than \$1,000,000.
4. Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under the Act, is subject to a fine of not more than \$10,000 or by imprisonment for not more than two (2) years, or by both.

U. Duty to Provide Information

You must provide within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit to the Department. You must also provide copies of records required to be kept by this permit to the Department, upon request.

V. Reopener Clause for Permits

This permit must be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301, 304, and 307 of the Clean Water Act [33 USCS §§ 1311, 1314, 1317] if the effluent standard or limitation issued or approved:

1. contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or
2. controls any pollutant not limited in this permit. This permit, as modified or reissued under this section, must also contain any other requirements of the Act then applicable.

Part VI. AUTHORITY TO ISSUE GENERAL NPDES PERMITS

On September 5, 1974, the Administrator of the EPA approved the proposal submitted by the State of Maryland for the operation of a permit program for discharges into navigable waters under Section §402 of the federal Clean Water Act, 33 U.S.C. §Section 1342.

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On September 30, 1990, the Administrator of the EPA approved the proposal submitted by the State of Maryland for the operation of a general permit program.

Under the approvals described above, this general discharge permit is both a State of Maryland general discharge permit and an NPDES general discharge permit.

D. Lee Currey, Director
Water and Science Administration

DRAFT

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

DRAFT for INFORMAL COMMENTS

Appendix A: Specific Requirements for Discharge Categories

Table of Contents

TABLE OF CONTENTS A-1

**DISCHARGE CATEGORY A: DISINFECTION OR HYDROSTATIC TESTING OF TANKS,
PIPES OR PIPELINES A-2**

DISCHARGE CATEGORY B: DISCHARGES FROM POTABLE WATER SYSTEMS A-5

DISCHARGE CATEGORY C: DEWATERING FROM CONSTRUCTION ACTIVITIES A-9

DISCHARGE CATEGORY D: GROUNDWATER REMEDIATION A-11

DISCHARGE CATEGORY E: DRAINING OR FLUSHING OF FIRE CONTROL SYSTEMS A-18

DISCHARGE CATEGORY F: UNTREATED “WATER” DISCHARGES A-21

DISCHARGE CATEGORY G: TANK BOTTOM WASTEWATER..... A-23

**DISCHARGE CATEGORY H: STORMWATER DISCHARGES FROM ABOVEGROUND TANK
CONTAINMENT A-26**

You must comply with Appendix A discharge-category-specific requirements associated with each discharge category applicable to your facility. These requirements are in addition to any requirements specified elsewhere in this permit, particularly those specified in Part III.C.

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Discharge Category A: Disinfection or Hydrostatic Testing of Tanks, Pipes or Pipelines

Eligible Discharges:

Wastewater from disinfection (using only chlorine or bromine as a disinfecting agent) or hydrostatic testing of new or used tanks, pipes, or pipelines. This section does not include potable water systems operations (refer to Category B).

Notice of Intent Requirements:

All dischargers under this category are required to submit a Notice of Intent (see Part II.A).

Numerical Limitations (Applicable for Discharges to Surface Waters or Groundwater Under this Category):

The following numerical limitations are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit. Limitations presented in each table below are applicable only if the condition in the heading (i.e. chlorinated test water) has occurred for the wastewater being discharged. Should you have a quarter where you are discharging, but some limitations are not applicable (i.e. you did not use chlorinated test water those instances), you should report “NODI 9” for the parameters not required.

NOTE: Discharges under this category which occur to groundwater only are exempt from all numerical limits, monitoring, and reporting except for flow and oil & grease (where applicable).

Requirements for all discharges of hydrostatic test water under this category:

Parameter	Daily Minimum	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Discharge	Measured	(1)
Total Suspended Solids		60		mg/L	See Note 2	Grab	(2)
pH	6.0	9.0		s.u.	See Note 2	Grab	(2)

Additional requirements for discharges from tanks previously used to store oils (i.e. animal or vegetable oils, petroleum products, natural gas):

Parameter	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
Oil & Grease	15	mg/L	See Note 2	Grab	(2)

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Additional requirements if test or disinfection water is chlorinated or comes from a chlorinated water supply:

Parameter	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
Total Residual Chlorine (salt)	13	µg/L	See Note 2	Grab	(2) (3)
Total Residual Chlorine (fresh)	19	µg/L	See Note 2	Grab	(2) (4)

Additional requirements if test or disinfection water is chemically dechlorinated⁽⁵⁾:

Parameter	Daily MINIMUM	Units	Monitoring Frequency	Sample Type	Notes
Dissolved Oxygen (Class I, I-P, II)	5.0	mg/L	See Note 2	Grab	(2) (6)
Dissolved Oxygen (Class III, III-P, IV, IV-P)	6.0	mg/L	See Note 2	Grab	(2) (7)

Additional requirements if discharges occur into Class III, III-P, IV, or IV-P water, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B. (Required only from May through October)

Parameter	Daily Minimum	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
Temperature		REPORT	°F	2/Discharge	i-s	(8)
Temperature Difference	0		°F	2/Discharge	i-s	(8) (9)

Notes (for all tables)

- (1) Total volume of flow shall be measured and divided by the time over which the entire discharge occurred.
- (2) Required monitoring frequencies shall be based on volume of hydrostatic testing event as follows:
 - If effluent is 2,500 gallons or less for the event, minimum monitoring frequency shall be 1/discharge.
 - If effluent is 2,501-50,000 gallons for the event, minimum monitoring frequency shall be 2/discharge.
 - If effluent is 50,001 gallons or more for the event, minimum monitoring frequency shall be 3/discharge.
- (3) Limit is applicable if the receiving stream for the discharges is salt water. The minimum quantification level for total residual chlorine is 0.10 mg/L. Report results below 0.10 mg/L as "NODI B" in NetDMR.
- (4) Limit is applicable if the receiving stream for the discharges is fresh water. The minimum quantification level for total residual chlorine is 0.10 mg/L. Report results below 0.10 mg/L as "NODI B" in NetDMR.
- (5) For the purposes of this permit, the use of dechlorination tablets does not constitute chemical dechlorination. See Appendix B for the full definition.
- (6) Limit is applicable if the receiving stream for the discharges is Class I, I-P, or II, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.

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- (7) Limit is applicable if the receiving stream for the discharges is Class III, III-P, IV, or IV-P, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
- (8) Two grab samples required: one at the beginning of discharge and one approximately midway through the discharge.
- (9) "Temperature Difference" is the arithmetic result of subtracting the water quality standard temperature or the ambient stream temperature upstream of the discharges (whichever is higher) from the effluent temperature or the temperature at the edge of a 50-foot mixing zone from the point of discharge. The water quality standard temperature is 68°F for Class III and III-P streams and 75°F for Class IV and IV-P streams. (Note: If the effluent temperature is below the water quality standard temperature, no in-stream measurements would be required to demonstrate compliance.)

Narrative Limitations:

1. **Cleaning of Used Vessels:** All used tanks, pipes, or pipelines shall be cleaned before being filled with test water. All wastewater and removed solids resulting from cleaning operations shall be properly disposed in a manner which will not result in a discharge to waters of the State.
 2. **Appropriations:** If you are utilizing surface or ground waters of the State to perform hydrostatic testing, note the potential for additional requirements outlined in Part I.G.5 of this permit.
 3. **Treatment Systems:** If discharges are directed into an oil/water separator, settling basin, or any other treatment system, the rate of discharge shall not exceed the design capacity of the treatment system.
-

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Discharge Category B: Discharges from Potable Water Systems

Eligible Discharges:

Wastewater discharged from potable water utilities, including those from overflow, draining, or dewatering of reservoirs, vessels, or structures used to store or convey potable water for consumption. This category includes standing water and water from flushing, hydrostatic testing, mechanical cleaning (as defined in Appendix B), water main breaks, leaks, or other releases, as well as flushing of fire hydrants.

Discharges under this category that do not require effluent monitoring per the tables below are subject to narrative criteria found in this section and in other applicable sections of the permit.

Notice of Intent Requirements:

All dischargers under this category are required to submit a Notice of Intent (see Part II.A).

Numerical Limitations for Discharges to Surface Waters Under this Category:

The following numerical limitations are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit. Limitations presented in each table below are applicable only if the condition in the heading (i.e. mechanical cleaning) has occurred for the wastewater being discharged. Should you have a quarter where you are discharging, but some limitations are not applicable (i.e. you did not execute mechanical cleaning during that quarter), you should report “NODI 9” for the parameters not required.

NOTE: Discharges under this category which occur to groundwater only are exempt from all numerical limits, monitoring, and reporting.

Requirements for potable water sources where mechanical cleaning has occurred:

Parameter	Daily Minimum	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Discharge	Measured	(1)
Total Suspended Solids		60		mg/L	3/Discharge	Grab	(2)
pH	6.0	9.0		s.u.	3/Discharge	Grab	(2)

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

Requirements for potable water sources which have been super chlorinated:

Parameter	Daily Minimum	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Discharge	Measured	(1)
pH	6.0	9.0		s.u.	3/Discharge	Grab	(2)
Total Residual Chlorine (salt)		13		µg/L	3/Discharge	Grab	(2) (3)
Total Residual Chlorine (fresh)		19		µg/L	3/Discharge	Grab	(2) (4)

Requirements for potable water sources which have been chemically dechlorinated⁽⁵⁾:

Parameter	Daily Minimum	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
pH	6.0	9.0	s.u.	3/Discharge	Grab	(2)
Dissolved Oxygen (Class I, I-P, II)	5.0		mg/L	3/Discharge	Grab	(2) (6)
Dissolved Oxygen (Class III, III-P, IV, IV-P)	6.0		mg/L	3/Discharge	Grab	(2) (7)

Notes (for all tables)

- (1) Total volume of flow shall be measured and divided by the time over which the entire discharge occurred.
- (2) Three grab samples shall be collected at approximate even intervals and analyzed separately.
- (3) Limit is applicable if the receiving stream for the discharges is salt water. The minimum quantification level for total residual chlorine is 0.10 mg/L. Report results below 0.10 mg/L as "NOD1 B" in NetDMR.
- (4) Limit is applicable if the receiving stream for the discharges is fresh water. The minimum quantification level for total residual chlorine is 0.10 mg/L. Report results below 0.10 mg/L as "NOD1 B" in NetDMR.
- (5) For the purposes of this permit, the use of dechlorination tablets does not constitute chemical dechlorination. See Appendix B for the full definition.
- (6) Limit is applicable if the receiving stream for the discharges is Class I, I-P, or II, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
- (7) Limit is applicable if the receiving stream for the discharges is Class III, III-P, IV, or IV-P, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.

Narrative Requirements:

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

1. **Pollution Prevention Plan.** While all discharge categories under this permit are required to develop and implement a Pollution Prevention Plan (PPP) in accordance with Part III.B.2, the PPP for this category are subject to specific inclusions (mostly due to the likelihood of multiple discharge points), such as:
 - a. **Discharge Inventory:** The PPP must include a list of anticipated discharges which identifies type (flushing, line maintenance, etc.), expected quantity, quality, and location of each discharge.
 - b. **Potential Alternatives:** Identification of any alternative to surface discharge, such as sanitary sewer disposal, overland flow, storm sewer discharge or any other possible alternative.
 - c. **Prior Data:** Identification of any data regarding quality of previous discharges at the point of discharge and/or the point of entry into surface waters which may provide guidance for future activities.
 - d. **Treatment Options:** Identification of treatment options for different discharge types and locations.
 - e. **Receiving Stream Information:** Stream designated uses, relevant TMDLs, or other in-stream information which may reflect on impact of these discharges on waters of the State.
 - f. **Protective of Water Quality:** The permittee is responsible for ensuring that their PPP includes practices sufficient enough for receiving waters to meet conditions associated with COMAR 26.08.03.06. If the Department identifies deficiencies in the PPP, the permittee shall have 90 days after receiving such a notification to update the PPP and provide written certification of such updates to the Department.
 2. **Chlorine:** Per COMAR 26.08.03.06, discharges to surface waters cannot contain chlorine or chlorine-containing compounds except in nondetectable levels, which is less than 0.1 mg/L as determined using either the DPD titrimetric or colorimetric method or an alternate method approved by the Department. In order to comply with this requirement, you may consider dechlorination via chemical addition, absorption onto activated carbon, and/or control of discharge rates/holding of the effluent to that chlorine residuals naturally dissipate. Any other removal technology must be approved by the Department prior to use.

While monitoring and reporting of chlorine is not required for all types of discharges under this category, you remain responsible for ensuring that your discharges meet the terms of this narrative condition. You must be prepared to demonstrate that your best management practices (BMPs) and treatment technologies are sufficient to meet the requirements of this condition if requested by the Department. All BMPs, treatment methods, and any monitoring results collected to demonstrate compliance with this narrative condition must be documented in your PPP.
 3. **Notification:** Dischargers under this category should take particular note of notification requirements in Part III.A for discharges exceeding 100,000 gallons and Part IV.H regarding permit non-compliance. Part IV.H of this permit is applicable to non-compliance with narrative effluent limitations in addition to numerical, so discharges of chlorinated water outside the spec of COMAR 26.08.03.06 (per narrative condition #2 of this category, above) shall be reported.
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Discharge Category C: Dewatering from Construction Activities

Eligible Discharges:

Wastewater discharges from construction dewatering activities and foundation drainage, so long as the water being discharged is uncontaminated (such as by organics or metallic elements in the groundwater - contaminated groundwater may be eligible for coverage under Discharge Category D at the Department's discretion). Groundwater may be pumped out via a well-point system or removed from the excavation. Commingled stormwater is also permissible under this permit. Dewatering from basins consisting of solely stormwater may be regulated under this section if activities are beyond the scope of a different stormwater permit (i.e. flocculant use). (Unless otherwise directed by the Department on a case-by-case basis, dewatering of sediment basins containing stormwater only does not require permit coverage under any permit if there is less than one acre of land disturbance and you are not using additives for treatment.)

Notice of Intent Requirements:

Submission of a Notice of Intent for discharges under Discharge Category C shall only be required if you:

- a) discharge greater than 10,000 gallons per day,
- b) use a chemical additive as part of your management practices for erosion and sediment control (pursuant to Part III.C.4 of this permit), OR

All other dischargers under this category shall meet the narrative effluent limitations for this category (as well as the other applicable portions of the permit), but are not subject to submission of an NOI. Dischargers which are not required to submit an NOI are automatically authorized to discharge in compliance with the requirements of this permit. **NOTE:** This does not absolve the need to obtain and adhere to the terms other permits including but not limited to the General Permit for Stormwater Associated with Construction Activities or other permits identified in Part I.G of this permit where applicable.

Numerical Limitations for Discharges Under this Category:

There are no applicable numerical limitations for this category. Please note the monitoring provisions for pH identified in the narrative requirements below.

Narrative Requirements:

1. **Monitoring for Flow and pH:** All dischargers to surface water under this category are required to monitor flow and pH a minimum of once per week. For discharges which are not subject to the numerical limitations/monitoring/reporting above, you are required to document flow measurements/estimations and pH measurements as part of your Pollution Prevention Plan (PPP). Should pH be outside the range of 6.0 to 9.0 for two consecutive weeks, you must implement a corrective action to restore pH
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to the range specified. All necessary corrective actions shall be documented in the PPP.

2. **Erosion and Sediment Control:** Take particular note of Parts III.C.1 and III.C.3 of this permit regarding requirements for management of erosion and sediment. Also take note of Part III.C.4 regarding the use of chemical additives (if applicable). Discharges which cause a noticeable sediment plume in the receiving waters are not permitted. If such a condition is observed, you shall cease discharge as soon as possible and implement a corrective action.
 3. **Concrete/Cement Use:** If raw materials for concrete or cement are present on site and/or you are actively utilizing concrete or cement in your construction, you shall minimize contact with stormwater or groundwater. During such times, the monitoring for pH required under Narrative Requirement #1 in this section shall be increased to a minimum of once daily and the sample collected must be representative of when the concrete/cement materials are present. Any result outside of the range of 6.0 to 9.0 shall require follow-up monitoring every 30 minutes until the pH returns to a range of 6.0 to 9.0. If an excursion occurs for longer than three consecutive hours, you shall cease discharge and implement a corrective action. Discharge may resume again once pH is between 6.0 and 9.0. Documentation of concrete/cement use, appropriate controls, and monitoring results shall be maintained in your PPP.
 4. **Organics/Metals Monitoring:** If you are discharging to surface water, as part of your application for registration under this general permit, you must indicate if there is any cause for belief that the groundwater to be discharged has a reasonable potential to contain volatile organic compounds, metallic elements, or any other pollutant other than sediment. Any data which you have obtained or know to exist from environmental assessments or well point monitoring must be included as part of your application. If no data is available, the Department may require additional monitoring upon commencement of discharge (or before, if accessible) if it is deemed necessary by a best professional judgment analysis.
 5. **Conclusion of Construction Dewatering Activities:** Once you conclude activities at the site which lead to discharges from dewatering, you may terminate coverage under this permit. Until you terminate coverage, you will continue to be responsible for submission of required discharge monitoring reports via NetDMR (if applicable), even if you are reporting “No Discharge.”
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Discharge Category D: Groundwater Remediation

Eligible Discharges:

Discharges of groundwater which has been contaminated by volatile or semi-volatile organics, including that from foundation drainage, which has been treated using air stripping, air sparging, or carbon absorption to remove volatile organic compounds.

Discharges of groundwater which is contaminated solely by petroleum-based contaminants shall be covered under the General Discharge Permit of Treated Ground Water from Oil Contaminated Ground Water Sources to Surface or Ground Waters of the State, which is administered by the Department's Oil Control Program (see Part I.G.4).

Notice of Intent Requirements:

All dischargers under this category are required to submit a Notice of Intent (see Part II.A).

Numerical Limitations for Discharges to Surface Waters Not Classified for Drinking Water:

The following numerical limitations apply to discharges to Class I, II, III, and IV streams (as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B) and are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit.

Discharges of groundwater remediated to adjust pH

Parameter	Daily Minimum	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Month	Measured	(1)
pH	6.0	9.0		s.u.	See Note 2	Grab	(2)

All discharges of remediated groundwater impacted by organics

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow	REPORT	REPORT	gpd	1/Month	Measured	(1)
Total Volatile Organics	100	REPORT	µg/L	See Note 2	Grab	(2) (3)

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

Discharges which include contamination by all gasoline, leaded or unleaded (among other contaminants)

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
BTEX	100	REPORT	µg/L	See Note 2	Calculated	(2) (4)
Benzene	22	REPORT	µg/L	See Note 2	Grab	(2)
Toluene	REPORT	REPORT	µg/L	See Note 2	Grab	(2)
Ethylbenzene	REPORT	REPORT	µg/L	See Note 2	Grab	(2)
Xylene	REPORT	REPORT	µg/L	See Note 2	Grab	(2)

Discharges which include contamination by leaded gasoline (among other contaminants)

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Total Lead (fresh)	REPORT	2.5	µg/L	See Note 2	Calculated	(2) (5)
Total Lead (salt)	REPORT	8.1	µg/L	See Note 2	Grab	(2) (6)

Discharges which include contamination by petroleum-based products other than gasoline (among other constituents)

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Total Petroleum Hydrocarbons	15	REPORT	mg/L	See Note 2	Grab	(2) (7)
MTBE	REPORT	REPORT	µg/L	See Note 2	Grab	(2)
Naphthalene	REPORT	REPORT	µg/L	See Note 2	Grab	(2)

Discharges which include contamination by other organics

Parameter	CAS No. ⁴	STORET ⁵	Daily Max	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Benzene	71-43-2	34030	58	REPORT	µg/L	See Note 2	Grab	(2)

⁴ CAS Number is a unique number identifier assigned by the Chemical Abstracts Service to every chemical substance. They have been provided to avoid confusion due to naming variations of organics.

⁵ The STORET code is an EPA identifier for use by WSA Compliance in assembling reporting spreadsheets.

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Bromodichloromethane	75-27-4	32101	27	REPORT	µg/L	See Note 2	Grab	(2)
Chlorodibromomethane	124-48-1	32105	21	REPORT	µg/L	See Note 2	Grab	(2)
Carbon Tetrachloride	56-23-5	32102	5	REPORT	µg/L	See Note 2	Grab	(2)
1,3-Dichlorobenzene	541-73-1	34566	10	REPORT	µg/L	See Note 2	Grab	(2)
1,2-Dichloropropane	78-87-5	34541	31	REPORT	µg/L	See Note 2	Grab	(2)
1,1,1,2-Tetrachloroethane	79-34-5	34516	3	REPORT	µg/L	See Note 2	Grab	(2)
Tetrachloroethene	127-18-4	34475	29	REPORT	µg/L	See Note 2	Grab	(2)
1,1,2-Trichloroethane	79-00-5	34511	8.9	REPORT	µg/L	See Note 2	Grab	(2)
Trichloroethylene	79-01-6	39180	7	REPORT	µg/L	See Note 2	Grab	(2)
1,2,4-Trichlorobenzene	120-82-1	34551	0.03	REPORT	µg/L	See Note 2	Grab	(2)
Vinyl chloride	75-01-4	39175	1.6	REPORT	µg/L	See Note 2	Grab	(2)

Numerical Limitations for Discharges to Surface Waters Classified for Drinking Water or Discharges to Groundwater:

The following numerical limitations apply to discharges to Class I-P, II-P, III-P, and IV-P streams (as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B) and are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit.

Discharges of groundwater remediated to adjust pH

Parameter	Daily Minimum	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Month	Measured	(1)

All discharges of remediated groundwater impacted by organics

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow	REPORT	REPORT	gpd	1/Month	Measured	(1)
Total Volatile Organics	100	REPORT	µg/L	See Note 2	Grab	(2) (3)

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

Discharges which include contamination by all gasoline, leaded or unleaded (among other contaminants)

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
BTEX	100	REPORT	µg/L	See Note 2	Calculated	(2) (4)
Benzene	22	REPORT	µg/L	See Note 2	Grab	(2)
Toluene	57	REPORT	µg/L	See Note 2	Grab	(2)
Ethylbenzene	68	REPORT	µg/L	See Note 2	Grab	(2)
Xylenes	REPORT	REPORT	µg/L	See Note 2	Grab	(2)

Discharges which include contamination by leaded gasoline (among other contaminants)

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Total Lead (fresh)	4.10	2.04	µg/L	See Note 2	Grab	(2) (5)
Total Lead (salt)	13.28	6.62	µg/L	See Note 2	Grab	(2) (6)
Total Lead (ground)	30.15	15	µg/L	See Note 2	Grab	(2) (7)
1,2-Dichloroethane	5	REPORT	µg/L	See Note 2	Grab	(2)
Ethylene dibromide	0.05	REPORT	µg/L	See Note 2	Grab	(2)

Discharges which include contamination by petroleum-based products other than gasoline (among other constituents)

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Total Petroleum Hydrocarbons	15	REPORT	mg/L	See Note 2	Grab	(2) (8)
MTBE	REPORT	REPORT	µg/L	See Note 2	Grab	(2)
Naphthalene	REPORT	REPORT	µg/L	See Note 2	Grab	(2)

Discharges which include contamination by other organics

Parameter	CAS No.	STORET	Daily Max	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
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Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

Benzene	71-43-2	34030	2.1	REPORT	µg/L	See Note 2	Grab	(2)
Bromoform	75-25-2	32104	7	REPORT	µg/L	See Note 2	Grab	(2)
Bromodichloromethane	75-27-4	32101	0.95	REPORT	µg/L	See Note 2	Grab	(2)
Chlorodibromomethane	124-48-1	32105	0.8	REPORT	µg/L	See Note 2	Grab	(2)
Chloroform	67-66-3	32106	60	REPORT	µg/L	See Note 2	Grab	(2)
Bromomethane	74-83-9	34413	47	REPORT	µg/L	See Note 2	Grab	(2)
Carbon Tetrachloride	56-23-5	32102	0.4	REPORT	µg/L	See Note 2	Grab	(2)
1,3-Dichlorobenzene	541-73-1	34566	7	REPORT	µg/L	See Note 2	Grab	(2)
1,2-Dichloroethane	107-06-2	34531	5	REPORT	µg/L	See Note 2	Grab	(2)
1,1-Dichloroethylene	75-35-4	34501	7	REPORT	µg/L	See Note 2	Grab	(2)
1,2-Dichloropropane	78-87-5	34541	0.9	REPORT	µg/L	See Note 2	Grab	(2)
Ethyl benzene	100-41-4	34371	68	REPORT	µg/L	See Note 2	Grab	(2)
Methylene chloride	75-09-2	34423	20	REPORT	µg/L	See Note 2	Grab	(2)
1,1,2,2-Tetrachloroethane	79-34-5	34516	0.2	REPORT	µg/L	See Note 2	Grab	(2)
Tetrachloroethene	127-18-4	34475	5	REPORT	µg/L	See Note 2	Grab	(2)
Toluene	108-88-3	34010	57	REPORT	µg/L	See Note 2	Grab	(2)
1,1,2-Trichloroethane	79-00-5	34511	0.55	REPORT	µg/L	See Note 2	Grab	(2)
Trichloroethylene	79-01-6	39180	0.6	REPORT	µg/L	See Note 2	Grab	(2)
1,2,4-Trichlorobenzene	120-82-1	34551	0.03	REPORT	µg/L	See Note 2	Grab	(2)
Vinyl chloride	75-01-4	39175	0.022	REPORT	µg/L	See Note 2	Grab	(2)

Notes (for all tables)

- (1) Total volume of flow shall be measured and divided by the time over which the entire discharge occurred.
- (2) Required monitoring frequencies shall be based on volume of treated effluent as follows:

If effluent is 25,000 gallons or less per month, minimum monitoring frequency shall be 1/month.
 If effluent is 25,001-500,000 gallons per month, minimum monitoring frequency shall be 2/month.
 If effluent is 500,001 gallons or more per month, minimum monitoring frequency shall be 1/week.

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The frequency shall be determined based on an expected typical month, not necessarily each month on its own. For example, if you routinely treat 50,000 gallons each month, but happen to treat only 24,000 in a given month, you should still monitor twice that month and each month going forward until you're routinely treating less than 25,000 each month.

- (3) "Total Volatile Organics" is the sum of all parameters measured by EPA Test Method 624. You shall attach a complete list of monitoring results for all parameters of Method 624 for each sample result when submitting results in NetDMR.
- (4) "Total BTEX" is the sum of benzene, toluene, ethyl benzene, and xylenes.
- (5) Limit is applicable if the receiving stream for the discharges is fresh water.
- (6) Limit is applicable if the receiving stream for the discharges is salt water.
- (7) Limit is applicable if the discharges are to groundwater.
- (8) "Total Petroleum Hydrocarbons" is the sum of all parameters measured by EPA Test Method 8015B.

Narrative Requirements:

1. **Treatment Method:** The technology-based limitations for this category are based on what the Department has determined is achievable for air stripping, air sparging, and/or carbon adsorption. You must maintain a full description of your treatment system in your PPP, including a log of system inspections and/or repairs.

If you desire to use a different treatment method, you must submit system specifications and certifications which demonstrate to the Department that the system is capable of meeting all applicable numerical limits for the wastewater at your site. Documents which complete this demonstration must be attached to the NOI. The Department reserves the right to require an individual permit if it is not satisfied that the technology is sufficient.

2. **Additional Application Requirement:** In addition to a completed Notice of Intent (NOI), dischargers under this category must collect a minimum of one sample of the water to be discharged prior to any treatment and submit the results using EPA Form 3510-2C. Sampling results must be included for all parameters listed in Form 3510-2C Part V.B (except radioactivity parameters) and the "Metals, Cyanide, and Total Phenols" and "Volatile Compounds" section of Part V.C at a minimum. Parameters which are below the detection limits for their respective test method must indicate the value of the detection limit. Any parameters not tested as a result of the permittee believing there is no reasonable potential must be marked as "Believed Absent."

The complete, signed EPA Form 3510-2C shall be attached to the Notice of Intent upon submission. Analysis reports from the laboratory are not required for attachment unless requested by Department personnel. The Department reserves the right to require additional testing beyond what is submitted if it has reason to believe there is reasonable potential for any pollutants not included in the sampling analysis.

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Discharge Category E: Draining or Flushing of Fire Control Systems

Eligible Discharges:

Wastewater from draining or flushing of fire control or fire suppression systems. This section does not include the flushing of fire hydrants, which are permitted under Discharge Category B of this permit.

Notice of Intent Requirements:

All dischargers under this category are required to submit a Notice of Intent (see Part II.A).

Numerical Limitations for Discharges to Surface Waters Under this Category:

The following tables list requirements which are to be monitored as directed, with results maintained on site along with the permit registration letter and to be made available upon request of Department personnel.

NOTE: Discharges under this category which occur to groundwater only are exempt from all numerical limits, monitoring, and reporting.

Requirements for all discharges under this category:

Parameter	Daily Minimum	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Discharge	Measured	(1)
Total Residual Chlorine		ND		mg/L	2/Discharge	Grab	(2) (3) (4)
Temperature		REPORT		°F	2/Discharge	i-s	(3)
Temperature Difference	0			°F	2/Discharge	i-s	(3) (5)

Requirements for discharges which either exceed 100,000 gpd or half the flow of the receiving stream (Required only from May through October):

Parameter	Daily Minimum	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
Temperature		See Note 5	°F	See Note 5	i-s	(6)

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Requirements for potable water sources which have been chemically dechlorinated⁽⁷⁾:

Parameter	Daily Minimum	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
Dissolved Oxygen (Class I, I-P, II)	5.0		mg/L	2/Discharge	Grab	(3) (8)
Dissolved Oxygen (Class III, III-P, IV, IV-P)	6.0		mg/L	2/Discharge	Grab	(3) (9)

Notes (for all tables)

- (1) Total volume of flow shall be measured and divided by the time over which the entire discharge occurred.
- (2) Testing for total residual chlorine is only required when the source water has been chlorinated. If sampling is not applicable, report "NODI 9" on your discharge monitoring report.
- (3) Two grab samples required: one at the beginning of discharge and one approximately midway through the discharge.
- (4) The limitation is identified as "ND," which indicates that chlorine must be below the minimum quantification level, which for total residual chlorine is 0.10 mg/L using either the DPD titrimetric or colorimetric method (or an alternative method, if approved by the Department). Report results below 0.10 mg/L as "NODI B" in NetDMR.
- (5) "Temperature Difference" is the arithmetic result of subtracting the water quality standard temperature or the ambient stream temperature upstream of the discharges (whichever is higher) from the effluent temperature or the temperature at the edge of a mixing zone which extends 50-feet radially from the outfall and, in flowing water, 50-feet in the direction of flow. The water quality standard temperature is 68°F for Class III and III-P streams, 75°F for Class IV and IV-P streams, and 90°F for Class I, I-P, and II streams. (Note: If the effluent temperature is below the water quality standard temperature, no in-stream measurements would be required to demonstrate compliance.)
- (6) For large volumes, you must verify compliance with the water quality standard by measuring temperature of the water to be discharged within thirty minutes prior to commencing discharge. If the temperature exceeds the water quality standard for the receiving stream (68°F for Class III and III-P; 75°F for Class IV and IV-P; and 90°F for Class I, I-P, and II), then during the discharge, you must monitor temperatures in even intervals (at least three measurements) at the edge of the 50-foot mixing zone, as identified in Note 4, above.
- (7) For the purposes of this permit, the use of dechlorination tablets does not constitute chemical dechlorination. See Appendix B for the full definition.
- (8) Limit is applicable if the receiving stream for the discharges is Class I, I-P, or II, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
- (9) Limit is applicable if the receiving stream for the discharges is Class III, III-P, IV, or IV-P, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.

Narrative Requirements:

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

1. **Chlorine:** Per COMAR 26.08.03.06, discharges cannot contain chlorine or chlorine-containing compounds except in nondetectable levels. In order to comply with the numerical limitation outlined above, you may consider dechlorination via chemical addition (subject to numerical limitations above) or the use of dechlorination tablets, absorption onto activated carbon, and/or control of discharge rates/holding of the effluent to that chlorine residuals naturally dissipate. Any other removal technology must be approved by the Department prior to use.
2. **Temperature:** The above numeric limitations on temperature are designed to prevent discharges from causing an in-stream exceedance of water quality standards. If your discharge is causing such an exceedance, you shall either reduce flows or decrease effluent temperatures to a level where in-stream dilution is sufficient for the water quality standards to be met at the edge of the allowable mixing zone.

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Discharge Category F: Untreated “Water” Discharges

Eligible Discharges:

Discharges of untreated “water” in excess of 10,000 gallons per day (as a monthly average), or untreated “water” otherwise specifically required for coverage by the Department on a case-by-case basis from water storage or distribution systems, including but not limited to hydrogeologic/aquifer/well head yield testing. This category is designed primarily to cover discharges of raw water overflows from intakes or aqueducts. This category excludes any water sources which have been chlorinated.

Notice of Intent Requirements:

Submission of a Notice of Intent for discharges under Discharge Category F shall only be required if flow is in 100,000 gallons per day or greater (as a monthly average). All other dischargers under this category shall meet the numerical (if applicable) and narrative effluent limitations for this category (as well as other applicable portions of the permit), but are not subject to submission of an NOI. Dischargers which are not required to submit an NOI are automatically authorized to discharge in compliance with the requirements of this permit.

Numerical Requirements:

The following table and associated language identifies temperature requirements which is to be monitored as directed, during the months of May through October. Monitoring results shall be maintained on site (along with the permit registration letter – if applicable) and to be made available upon request of Department personnel. *This Discharge Category is not subject to submission of discharge monitoring reports via NetDMR.*

Requirements for discharges which either exceed 100,000 gpd or half the flow of the receiving stream (Required only from May through October):

Parameter	Daily Minimum	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
Temperature		See Below	°F	See Below	i-s	

You must verify compliance with the water quality standard by measuring temperature of the water to be discharged within thirty minutes prior to commencing discharge. If the temperature exceeds the water quality standard for the receiving stream (68°F for Class III and III-P; 75°F for Class IV and IV-P; and 90°F for Class I, I-P, and II), then during the discharge, you must monitor temperatures in even intervals (at least three measurements) at the edge of a mixing zone which extends 50-feet radially from the outfall and, in flowing water, 50-feet in the direction of flow.

If an in-stream exceedance is occurring outside of the mixing zone, you shall take corrective action(s) such as decreasing the flow to meet water quality standards or ceasing discharge until cooler temperatures exist. You shall note any corrective actions taken in a log and maintain such log alongside the required monitoring results.

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

Narrative Requirements:

Discharges which create a visual plume of sediments or noticeably alter the color of the receiving stream are not permitted.

You shall reference the requirements of Part III.C.1 regarding erosion and sediment control, particularly if discharges comprise a significant portion of the receiving stream and/or typically occur over dry land or into shallow standing or flowing waters.

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Discharge Category G: Tank Bottom Wastewater

Eligible Discharges:

Treated tank bottom wastewater from petroleum (i.e. gasoline, kerosene, fuel oil, 'No. 6 oil,' and aviation fuel only) storage tanks to surface waters. "Tank bottoms" is a term used to describe the combination of water, contaminated water, and sediments that collect on the bottom of storage tanks.

Notice of Intent Requirements:

All dischargers under this category are required to submit a Notice of Intent (see Part II.A).

Numerical Limitations:

The following numerical limitations are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit.

Parameter	Daily Maximum	Monthly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow	REPORT	REPORT	gpd	1/Discharge	Measured	(1)
Oil & Grease	15	REPORT	mg/L	3/Discharge	Grab	(2)
BTEX	100	REPORT	µg/L	3/Discharge	Calculated	(2) (3)
Benzene	22	REPORT	µg/L	3/Discharge	Grab	(2)
Toluene	REPORT	REPORT	µg/L	3/Discharge	Grab	(2)
Ethylbenzene	REPORT	REPORT	µg/L	3/Discharge	Grab	(2)
Xylene	REPORT	REPORT	µg/L	3/Discharge	Grab	(2)
Total Suspended Solids (TSS)	60	REPORT	mg/L	3/Discharge	Grab	(2)

Notes

- (1) Total volume of flow shall be measured and divided by the time over which the entire discharge occurred.
- (2) Three grab samples shall be collected at approximate even intervals and analyzed separately.
- (3) BTEX is the sum of benzene, toluene, ethylbenzene, and xylene concentrations.

Narrative Limitations:

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

1. **Biomonitoring:** You may only discharge tank bottoms wastewater after confirming via biomonitoring (subject to the testing terms in item 2 of this section, below) that each batch is not acutely toxic. Results from biomonitoring must be submitted to and approved by the Department prior to commencement of discharges.
2. **Biomonitoring Plan Approval:** Within three months after registration for Discharge Category G under this permit, you must submit a study plan for evaluation of effluent toxicity by using biomonitoring, accounting for the following terms at a minimum:
 - a. The study plan should discuss (1) sample and sample handling, (2) source and age of test organisms, (3) source of dilution water, (4) testing procedure/experimental design, (5) data analysis, (6) quality control/quality assurance, and (7) report preparation.
 - b. The testing program shall consist of one definitive acute testing event. This testing shall not be performed before the Department's acceptance of the study plan, as indicated by written approval.
 - i. The testing event shall include a 48-hour static renewal test using fathead minnow and a 48-hour static renewal test using a daphnid species.
 - ii. If the receiving water is estuarine, you may substitute estuarine species for those species specified above. Approved estuarine species for acute testing are sheepshead minnows, silversides, grass shrimp, and mysid shrimp. In all cases, testing must include one vertebrate species and one invertebrate species.
 - c. The sample used for biomonitoring shall be collected in the same manner and location as the samples analyzed for the effluent limitations and monitoring requirements for this outfall, and shall not be chlorinated. Testing shall be conducted in accordance with the procedures described in the EPA's Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, October 2002 and further revisions found on the EPA's website (<https://mdewwp.page.link/acuteWET>).
 - d. Test results shall be submitted to the Department within one month of completion.
 - e. Test results shall be reported in accordance with MDE/WMA "Reporting Requirements for Effluent Biomonitoring Data".
 - f. If testing is not performed in accordance with MDE-approved study plan, additional testing may be required by the Department.
 - g. If the test results indicate that the effluent is toxic, the discharge will not be authorized by this permit.
 - h. Submit all biomonitoring-related materials to:

Maryland Department of the Environment
WSA - Compliance Program
1800 Washington Boulevard, Suite 420

Provides discharge authorization only upon Maryland Department of the Environment notification of registration.

Baltimore, Maryland 21230
Attn: Biomonitoring

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Discharge Category H: Stormwater Discharges from Aboveground Tank Containment

Eligible Discharges:

Discharges of stormwater from within dikes, berms, walls, or any other containment structure for sites of actively-used aboveground storage tanks which are not already covered by a different NPDES permit. This permit does not authorize discharges resulting from a spill event including any spilled material or stormwater which is impacted by any spilled material.

The presence of a containment structure for aboveground tanks does not in and of itself trigger a requirement for coverage under this or any other discharge permit.⁶ If your facility seeks coverage under this permit for other types of discharges and your facility has tanks within a containment structure, you must also obtain coverage under this section for discharges of stormwater from that containment structure for the duration of time you hold this general permit.

Notice of Intent Requirements:

All dischargers registering for coverage under this category are required to submit a Notice of Intent (see Part II.A).

Visual Monitoring:

If no known spill or leak has occurred within the containment area since the time of the most recent prior stormwater discharge, the permittee shall visually inspect collected stormwater prior to opening the valve to the outfall. If a visible oily sheen is observed on the surface of the water, the following sampling and numerical monitoring is required. If any other product which had been previously contained in the tank is visible or otherwise detected, the permittee should defer to Narrative Criteria below.

If a known spill or leak has occurred within the containment area since the time of the most recent prior stormwater discharge, the sampling and numerical monitoring presented below are automatically required regardless of the findings resulting from visual monitoring.

Requirement #4 under Narrative Monitoring, below, regards logging of visual monitoring results.

Numerical Monitoring:

The following numerical limitations are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit.

⁶ Unless specifically directed by the Department, facilities containing no other source of discharges which require coverage under this general permit or an NPDES permit for industrial stormwater are not required to obtain permit coverage for stormwater discharges from aboveground tank containment structures. Such facilities are, however, advised to follow the requirements of this section and implement good housekeeping to ensure protection of receiving waters.

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Sampling and numerical testing is required only if either a known spill has occurred within the containment area since the prior discharge or if an oil sheen is visually detected on the stormwater. Sampling and testing shall continue once per discharge until compliance with the limitations has been met for three separate, consecutive discharge events. If monitoring is not required in a given quarter because one of the above conditions has not occurred, then you should report “NODI 9” on your discharge monitoring reports in NetDMR.

Requirements for stormwater from all petroleum tank containment structures

Parameter	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
Oil & Grease	15	mg/L	1/Discharge	Grab	

Additional requirements for tanks containing gasoline:

Parameter	Daily Maximum	Units	Monitoring Frequency	Sample Type	Notes
BTEX	100	µg/L	1/Discharge	Calculated	(1)
Benzene	22	µg/L	1/Discharge	Grab	
Toluene	REPORT	µg/L	1/Discharge	Grab	
Ethylbenzene	REPORT	µg/L	1/Discharge	Grab	
Xylene	REPORT	µg/L	1/Discharge	Grab	

Notes (for all tables):

(1) BTEX is the sum of benzene, toluene, ethylbenzene, and xylene concentrations.

Narrative Requirements:

- 1. Notification:** Notification must be provided to the Water and Science Administration’s Compliance Program prior to commencing the initial discharge from stormwater containment after clean up has occurred following a spill event.
- 2. Water Quality Limitations:** In addition to meeting any applicable numerical limitations specified for this Discharge Category, your discharge must be controlled as necessary to meet applicable water quality standards, as specified in COMAR 26.08.02. If at any time you become aware, or the Department determines, that your discharge causes or contributes to an exceedance of applicable water quality standards, then you must (1) notify the Department in accordance with Part IV.H of this permit, (2) develop a corrective action plan to prevent future discharges from exceeding water quality standards, and (3) report corrective actions to the Department. The Department reserves the right the impose water quality-based limitations on a site-specific basis (based on criteria

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in COMAR 26.08.02.03) or require you to obtain coverage under an individual permit if necessary for the protection of water quality standards.

3. **Outfall Valve:** The outlet from all containment structures must be maintained in the closed position at all times, except during deliberate stormwater drainage operations.
 4. **Inspections/Logbook:** You shall inspect the containment area a minimum of once per month and shall maintain a logbook of observations, particularly noting any observed spills or leaks. Any spilled or leaked product shall be properly cleaned up and removed as soon as possible. The logbook shall also contain results from all visual inspections prior to discharge of stormwater, as required in the “Visual Monitoring” section above. At a minimum, the log shall include the name of the person performing the inspection, date and time, and a brief description of observations of the containment area.
 5. **Spill Prevention and Response Procedures:** You must minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. These procedures are complementary to and do not replace any requirements of RCRA (42 U.S.C. §6901), the Department’s Land and Materials Administration Oil Control Program, NFPA 30 Flammable and Combustible Liquids Code or the Spill Prevention, Control and Countermeasure (SPCC) Plan (as a requirement of 40 CFR § 112), At a minimum, you must implement:
 - a. Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
 - b. Quarterly inspection procedures for containers that are susceptible to spillage or leakage (e.g., used oil) to ensure the containment structures have no leaks/cracks, and that the outlets are properly sealed. Check that plugs are properly affixed, that valves are in working condition, and that neither are leaking;
 - c. Procedure for the discharge of any stormwater from a containment structure, requiring that a sample is taken to ensure that no visible or odorous pollutants are discharged. If a sample contains a visible sheen, floating solids or a noxious smell, then you must discharge the remaining wastewater as directed by the “Numerical Monitoring” section above (for oily sheen) or to a sanitary sewer system or haul it to a recycler or TSDF (Treatment Storage & Disposal Facilities) or disposal facility;
 - d. Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
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- e. Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of your stormwater pollution prevention team as described in Part III.C.1; and
- f. Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you must notify the Department's Emergency Spill Response number at (866) 633-4686 and EPA's National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC, metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the discharge. Local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available

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Appendix B: Definitions, Abbreviations, and Acronyms

Additive or Chemical additive - waste water treatment chemicals or products added to water prior to discharge, such as polymers or flocculants. Additives are added to the water so that the discharge water is in compliance with the permit limits.

Bypass - the intentional diversion of wastes from any portion of a treatment facility.

CFR - Code of Federal Regulations

Chemical dechlorination – refers to the use of an additive (e.g. sodium bisulfite, sodium thiosulfate) which, if overadded, may cause scavenging of dissolved oxygen. Specifically, for the purposes of this permit, this does not include the use of dechlorination tablets..

COMAR - Code of Maryland Regulations

Construction Activities – earth-disturbing activities, such as the clearing, grading, and excavation of land, and other construction activities (e.g. stockpiling of fill material, placement of raw materials at the site) that could lead to the generation of pollutants.

Control measure – refers to any BMP or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the State.

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

Corrective action – for the purposes of the permit, any action taken, or required to be taken, to (1) repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

Daily determination of concentration - one analysis performed on any given sample representing flow during a calendar day, with one number in mg/L or other appropriate units as an outcome.

Daily maximum effluent concentration - the highest reading of any daily determination of concentration.

Daily maximum temperature - the highest temperature observed during a 24-hour period, or if flows are of shorter duration, during the operating day.

Department - the Maryland Department of the Environment. Unless stated otherwise, all submissions to the Department shall be directed to the attention of the Wastewater Permits Program.

Dewatering – the act of draining rainwater and/or ground water from building foundations, vaults, and trenches

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Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a pollutant – any addition of any "pollutant" or combination of pollutants to "waters of this State" from any "point source," or any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of this State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge-related activities – activities that cause, contribute to, or result in stormwater and allowable non-stormwater point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Disinfectant - any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone, added to the water in any part of the treatment or distribution process that is intended to inactivate pathogenic microorganisms. For the purposes of this permit, this shall be identified as a post washing activity.

Drawdown - the draining of a pool or spa in its entirety.

DMR – Discharge Monitoring Report, which is a report submitted by a permittee to the Department summarizing the effluent monitoring results obtained by the permittee over periods of time as specified in the permit.

Effluent limitation - any restriction or prohibition that:

- Is established under federal law or a law of this State;
- Specifies quantities, rates or concentrations of chemical, physical, biological, or other constituents that are discharged into the waters of this State; and
- Includes parameters for the discharge of toxic and nontoxic substances and standards of performance for new sources.

EPA – U. S. Environmental Protection Agency

Estimated flow – a calculated volume or discharge rate that is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters, and batch discharge volumes.

Existing discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES "point source" (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Federal Act or Federal Clean Water Act - the federal Water Pollution Control Act (33 U.S.C. §1251 et seq.), its amendments, and all rules and regulations adopted under the Act.

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Flushing - the rinsing of pipes, tanks, or reservoirs with untreated “water” or with potable water to remove solids that have accumulated during construction or from settling. Flushing does not include any introduction of cleaners or chemicals into the pipes or tanks.

GPD or gpd - an abbreviation for gallons per day, and is used as unit of measurement for flow.

Grab sample - an individual sample collected in less than 15 minutes. Grab samples for pH and total residual chlorine shall be analyzed within 15 minutes of sample collection.

Groundwater - underground water in a zone of saturation.

Impaired Water (or “Water Quality Impaired Water”) – a body of water identified by the Department or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established. Impaired waters compilations are included in Maryland’s most current List of Impaired Surface Waters as Category 4a, 4b, 4c or 5 waterbodies.

Includes or including - includes or including by way of illustration and not by way of limitation.

Mechanical cleaning – cleaning of a vessel, pipe, or tank using either manual force by scrubbing or force from pressurized washing. Spraying with a typical garden hose does not constitute mechanical cleaning.

Minimize – to reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice

Monthly average – The arithmetic average of all sample results collected in a given month.

NetDMR – a nationally-available electronic reporting tool, initially designed by states and later adapted for national use by EPA, which can be used by NPDES-regulated facilities to submit discharge monitoring reports (DMRs) electronically to EPA through a secure Internet application over the National Environmental Information Exchange Network (NEIEN). EPA can then share this information with authorized states, tribes, and territories.

NOI – Notice of Intent to be covered by this permit (see Part II.A.1.a of this permit).

NPDES – National Pollutant Discharge Elimination System

Operator – means that person or those persons with responsibility for the management and performance of each facility.

Outfall – locations where collected and concentrated stormwater flows are discharged from the facility, including pipes, ditches, swales, and other structures that transport stormwater.

Owner - a person who has a legal interest in the facility or in the property on which the facility is located, or the owner’s agent.

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Permittee - the person holding a permit issued by the Department, or authorized for coverage under a general permit by the department.

Persistent Foam - foam that does not dissipate within one half-hour of point of discharge and: forms objectionable deposits on the receiving water; forms floating masses producing a nuisance; produces objectionable color or odor; or interferes with a designated use of the water body. It does not mean foaming of the receiving water body caused by natural conditions.

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

Point source – any discernible, confined and discrete conveyance, including any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, large animal feeding operation, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are, or may be, discharged.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Pollution – means any contamination or other alteration of the physical, chemical, or biological properties of any waters of this State, including a change in temperature, taste, color, turbidity, or odor of the waters or the discharge or deposit of any organic matter, harmful organism, or liquid, gaseous, solid, radioactive, or other substance into any waters of this State that will render the waters harmful, or detrimental to

- (a) public health, safety, or welfare;
- (b) domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses;
- (c) livestock, wild animals, birds; or
- (d) fish or other aquatic life.

Sewage – water-carried human, domestic and other wastes and includes all human and animal excreta from residences, buildings, industrial establishments, or other places.

State discharge permit - the discharge permit issued under the Environment Article, Title 9, Subtitle 3, Annotated Code of Maryland.

Super chlorination - the addition of chlorine resulting in levels exceeding four parts per million (4ppm).

Surface waters - all waters of this State which are not groundwaters.

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Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Total Residual Chlorine (TRC) - the total amount of chlorine present in a sample. This is the sum of the free chlorine residual and the combined available chlorine residual.

Upset - the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Wastewater - any:

- liquid waste substance derived from industrial, commercial, municipal, residential, agricultural, recreational, or other operations or establishments; and
- other liquid waste substance containing liquid, gaseous or solid matter and having characteristics that will pollute any waters of the State.

Water or Untreated water – the liquid substance which is derived from a groundwater source, a surface water source, or any combination of these sources, and which will be discharged, without change in quality, into waters of this state, with the exception of storm water runoff.

Water quality standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. The Department as promulgated in COMAR 26.08.02 and EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

Waters of this State – includes both surface and underground waters within the boundaries of this State subject to its jurisdiction, including that part of the Atlantic Ocean within the boundaries of this State, the Chesapeake Bay and its tributaries, and all ponds, lakes, rivers, streams, tidal and nontidal wetlands, public ditches, tax ditches, and public drainage systems within this State, other than those designed and used to collect, convey, or dispose of sanitary sewage; and the flood plain of free-flowing waters determined by the Department of Natural Resources on the basis of the 100-year flood frequency.
