

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION
WASTEWATER PERMITS PROGRAM**

**INVITATION TO COMMENT ON SUBJECTS RELATED TO THE PENDING RENEWAL OF
GENERAL DISCHARGE PERMIT NO. 17HT (NPDES No. MDG67)**

General Permit for Discharges from Tanks, Pipes, Other Liquid Containment Structures, Dewatering Activities, and Groundwater Remediation

On August 3, 2018, the Department published notice of its tentative determination to renew the State/NPDES (National Pollution Discharge Elimination System) permit 11HT (NPDES No. MDG67) as the new 17HT. The 11HT permit's full title was the General Discharge Permit from Tanks, Pipes, and Other Liquid Containment Structures. The 17HT will be known as the General Discharge Permit from Tanks, Pipes, Other Liquid Containment Structures, Dewatering Activities, and Groundwater Remediation. The 17HT permit applies to discharges of wastewater from hydrostatic testing, potable water systems, construction dewatering, groundwater remediation, flushing of fire control systems, and tank bottoms, and stormwater from storage tank containment structures in the state of Maryland. The comment period for the proposed permit closed on September 13, 2018. The previous comment period satisfied the tentative permit requirements for public participation. The Department is preparing a final permit determination and is now informally seeking comments limited to the specific items detailed below prior to issuing a final permit. The Department may choose at any time to withdraw this request for comments and proceed with a final permit determination.

1. The Department is considering revising the proposed language regarding the use of chemical additives for sediment control in order to provide more specific details of requirements to gain approval for additive use. The updated approval procedures would provide a list of pre-approved additives on the Department's website, identify a specific procedure for requesting additional of a new additive to the pre-approved list, specifically require written approval as part of the permit registration letter, outline necessary information regarding additive selection and usage procedures to be followed and documented in the facility's Pollution Prevention Plan, and require more extensive application requirements for cationic polymers. Additionally, the Department is considering amending the eligible dischargers under Discharge Category C (construction dewatering) such that all operators proposing to use additives for sediment control may be covered under the 17HT if the use of additives is outside the scope of other applicable permits.
2. The Department is considering revising the permit regarding who must submit a Notice of Intent (NOI) for coverage under Discharge Category C (construction dewatering). Updated language would only require submission of an NOI if discharges are greater than 10,000 gallons per day or if the applicant/permittee is proposing to use chemical additives for sediment control. The remainder of dischargers under this category would be automatically authorized to discharge in compliance with permit requirements.
3. The Department is considering modifying the numerical monitoring requirements under Discharge Category C (construction dewatering) for discharges in the presence of fresh concrete. Updated language would denote pH monitoring as a narrative requirement and require corrective actions when discharges are beyond the technology standard of 6.0 to 9.0. This change would better align the 17HT permit requirements with those in other general permits which allow construction dewatering discharges.
4. The Department is considering revising the permit regarding who must be covered and who must submit a Notice of Intent (NOI) for coverage under Discharge Category F ("untreated water"). Updated language would provide coverage for all dischargers greater than 10,000 gallons per day but only require an NOI be submitted when dischargers exceed 100,000 gallons per day. Those dischargers which are below 100,000 gallons per day would be automatically authorized to discharge in compliance with permit requirements.
5. The Department is considering restoring language from the prior 11-HT which exempted groundwater dischargers of hydrostatic test water, potable water sources, and fire suppression system wastewater from numerical monitoring. This language was intended to remain in the permit but was mistakenly omitted from the tentative determination.
6. The Department plans to clarify that submission for coverage to discharge stormwater from containment areas is only necessary if other types of discharge which require an NPDES permit are present at the site or if the Department specifically directs an operator to obtain coverage.

7. The Department is considering adding language which expresses that no permit is required for discharges of water from vaults, manholes, and other such collection devices so long as the water is uncontaminated by site activities.
8. The Department is considering removal of the requirement to notify the Water and Science Administration Compliance Program in the event that a discharge exceeds half the flow of the receiving stream. Notification would remain a requirement for discharges in excess of 100,000 gallons. The Department is also considering clarifying language which notes that unanticipated discharges (e.g. water main breaks) over 100,000 gallons should be reported as soon as possible.
9. The Department intends to revise permit language regarding reserving the right to require submission of monitoring data or site assessments for proposed dischargers from construction dewatering activities. Such assessments would not be automatically required but determinations would be made on a case-by-case basis using best professional judgment. This does not represent a change from the intent of the tentative determination, but is intended to provide clarity regarding the requirement.

This notice and copies of the draft permit and responses to comments may be downloaded from the Department's website for the HT permit at <https://mdewwp.page.link/HTGP>. Written comments concerning these potential changes may be considered in the preparation of a final determination if received by Michael Richardson, Division Chief of the Industrial and General Permits Division by no later than 5:00 p.m. on August 19, 2019. Comments may be submitted by email to michael.richardson@maryland.gov, by mail at Maryland Department of the Environment, Wastewater Permits Program, c/o Michael Richardson, 1800 Washington Blvd., Suite 455, Baltimore, MD 21230-1708, or by fax to 410-537-3163. Any questions regarding this request for comments should be directed to Jonathan Rice at the Maryland Department of the Environment, Water and Science Administration, at jonathan.rice@maryland.gov, or by telephone at 410-537-3323.