

2.10 SURFACE WATER DISCHARGE PERMIT FOR OIL TERMINALS

- ❑ *Question: Does my company have over 5 million gallons of aboveground oil storage and receive oil by pipeline or marine transfer? If so, does my company discharge storm water or hydrostatic test water to surface or ground waters of the state?*

Why do I need this approval?

The surface water discharge permit for oil terminals combines the requirements of the state discharge permit program and the National Pollutant Discharge Elimination System (NPDES) into one permit for oil terminal facilities that discharge storm water or hydrostatic test water to state surface waters. The permit is designed to meet federal effluent guidelines where applicable and to ensure that the discharge satisfies state water quality standards. Oil terminals receiving oil by pipeline or marine transfer that have over 5 million gallons of storage capacity must apply.

What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act.

STATE: Environment Article, Title 9, Subtitle 3;

COMAR 26.08.01 - .04. and COMAR 26.08.08.

What is the process to get this approval?

- 1) Complete the application form, which includes providing to MDE the Environmental Justice (EJ) score from the Maryland EJ tool for the census tract where the applicant's facility is seeking a permit, and mail it (**without fee**) to:
Maryland Department of the Environment
LMA/Oil Control Program
1800 Washington Blvd, Suite 620
Baltimore, MD 21230-1719
- 2) **Mail fee payment to:**
Maryland Department of the Environment
PO Box 1417
Baltimore, MD 21203-1417
- 3) If the EJ score is greater than the 75th percentile, MDE will instruct the applicant to provide a copy of the application and plans for the proposed facility to the Interested Persons (e.g., community groups, community members); and a statement advising the recipients to direct any comments to MDE within 2 weeks of receipt.
- 4) MDE publishes notice of the application received at applicant's expense and provides stakeholders with an opportunity for an informational meeting.
- 5) MDE develops permit effluent limits.
- 6) MDE publishes a notice of tentative determination at applicant's expense and conducts a public hearing, if requested.
- 7) MDE issues the permit if adverse comments are not received.
- 8) If adverse comments are received, MDE prepares a final determination and publishes additional notice at applicant's expense providing 15 days to request a contested case hearing.
- 9) MDE issues the permit if the final determination is not contested.
- 10) If contested, the administrative procedures for the appeal process are followed.

Is this approval directly related or contingent on other approvals?

This permit may also require any of the following:

- 2.06 Oil Operations Permit
- 1.01, 1.02, 1.05 Air Quality Permits
- 3.15 Water Appropriations and Use Permit

Are there any other requirements?

POST-APPROVAL: Must meet all effluent limits, monitoring requirements and other permit conditions.

How long should I expect it to take to get this approval once I submit a complete application?

12 months.

Once I get this approval, how long will it last?

5 years.

How much will this approval cost?

Type of Fee	Fee
Application fee COMAR 26.08.04.11	\$50 to \$2,000, depending on the volume of discharge.

Do I need to know any additional information?

If the facility stores 5 million gallons or less of oil and does not receive marine or pipeline transfers, you may be eligible to apply for a general discharge permit (2.09).

Bulk storage of products other than oil or performing certain industrial activities at a facility may require you to apply for an industrial discharge permit (3.03).

Who do I contact with additional questions?

The Oil Control Program, AST and Permits Section, at (410) 537-3442.

Related links:

<https://mde.maryland.gov/programs/Land/Pages/landpermits.aspx>
[MDE EJ Screening Tool](#)