

Maryland Department of the Environment

July 17, 2024

Attention: Stewart Comstock

1800 Washington Blvd.

Baltimore, MD 21230

Submitted Electronically to: stewart.comstock@maryland.gov

Re: Comments on MDOT's Phase 1 Large MS4 Permit (NPDES Permit #MD0068276/ MDE Permit #24-DP-3313)

Mr. Comstock,

Contech Engineered Solutions LLC (Contech) is a manufacturer of innovative stormwater treatment, pipe, and structure solutions. We appreciate the opportunity to provide comments on the proposed MDOT NPDES MS4 permit as this is a critical time for improving water quality infrastructure across Maryland. It is important that the Agency develops a permit that protects local waters to the maximum extent practicable (MEP) while supporting innovation within the stormwater management field. Innovation drives pollutant removal performance improvements and assists with achieving permit compliance flexibility, which helps reduce overall development lifecycle costs without sacrificing water quality goals. As Maryland continues to experience the effects of climate change, additional innovation is needed to mitigate those stressors.

Contech is generally supportive of the requirements found within the draft permit. Our comment is tailored to a single area where additional clarification may incentivize greater innovation. We offer the following:

E. Stormwater Restoration

Section E.4.a

- 1) MDE requires use of Tables 19 and 20, in addition to Section V.3 Land Cover Conversion BMPs of the 2021 Accounting Guidance. to promote the use of green stormwater infrastructure. Table 19 contains a list of acceptable Chapter 3 and 5 practices, while Table 20 specifies enhanced design features practices must utilize for additional crediting. The guidance does not clarify that MDE has approved several hybrid infrastructure practices (proprietary biofiltration plus infiltration/retention) for full Environmental Site Design (ESD) equivalence. Existing guidance makes no mention of these practices within Table 19 or 20. Fully achieving compliance with ESD to the MEP should include properly considering these practices for use in restoration applications.

Contech Recommendation: To implement ESD to the MEP, MDOT's permit should stipulate all available ESD practices, including hybrid infrastructure ESD equivalents, be evaluated for use before electing to utilize other structural or non-structural practices for restoration compliance credit.

Thank you in advance for your consideration of our comment. Please do not hesitate to contact me if you have any questions.

Sincerely,



Jacob Dorman
Regional Regulatory Manager
Contech Engineered Solutions LLC
757-374-4321
jacob.dorman@conteches.com