

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION**

NOTICE OF FINAL DETERMINATION

Baltimore County

Application for State Discharge Permit, 19DP3782, NPDES Permit MD0071587:

Days Cove Reclamation Company, 6425 Days Cove Rd., White Marsh, MD 21162, submitted an application for a permit to discharge an average of 12,500 gallons per day of treated leachate from a rubble fill located at 6425 Days Cove Rd., White Marsh, MD, to a swale leading to Gunpowder River via Gunpowder Falls (Use II).

The Department published a tentative permit determination on July 9, 2025 and July 16, 2025. A public hearing was requested and the Department agreed to an extension of the comment period. The hearing was held on September 16, 2025 and the extended written comment period closed on October 22, 2025. At the hearing, the Department received written comments regarding the proposed draft permit. After considering all comments received, the Department has made a final determination to issue the permit with the following changes from the tentative determination:

1. The monthly average ammonia limit for the months of November through April was revised from 2.9 mg/l to 2.4 mg/l.
2. Composite sampling was added as the sampling method for the parameters of total phosphorus, ammonia (water-quality based limit only), and total nitrogen.
3. The annual average flow has been amended to 12,500 gallons per day. This is consistent with the annual average flow that was in the previous iteration of the permit.
4. Recycling was removed as a path for attaining compliance with permit limits.
5. Land application requirements for reuse of treated effluent for dust suppression were added to Special Condition P.
6. Language was added to Special Condition S to address stratification of dissolved oxygen in the immediate receiving waters.
7. Biomonitoring will be required in the final determination based on public input and the nature of the facilities' discharge.

8. Updated Special Condition N to be consistent with the recent U.S. Supreme Court ruling in San Francisco v. EPA.

9. Updated PFAs monitoring condition to the most current language. PFAs monitoring was required in the TD and this change is to make sure the final permit monitoring language is in line with the EPA's most current PFAs testing method. The testing method was changed to reflect EPA changes (1633 to 1633A).

10. The "False Statement" clause was added to the general conditions. This change is to ensure the permittee understands the consequences of providing false data.

11. TMDL loading limits, consistent with the Bay TMDL, were added for total suspended solids and phosphorus. These limits were added to comply with the Bay TMDL.

12. Special Condition O was updated to reflect the TMDL loading limits for TSS and TP.

13. Deleted provision related to estimated flow data, because the site already provides MDE with measured flow data. Special Condition G has been marked reserved.

14. Added iron monitoring. This monitoring was added in response to commenters' concerns about potential iron in the effluent; monitoring this parameter will help determine if it is present in the discharge.

15. The daily maximum limit for p-cresol was changed from 0.25 mg/l in the TD to 0.025 mg/l in the FD. This change was made to correct a typographical error that was made in the previous iteration of this permit (12DP3782) and the tentative determination of the renewal permit.

All other terms and conditions remain unchanged from the tentative determination.

Per MD Environmental Article § 1-602(a)(2), an EJ score was calculated for this facility. The EJ Score is 71. This score has been calculated considering a combination of the following factors: Pollution Burden Exposure Percentile, Pollution Burden Environmental Effects Percentile, and Sensitive Population Percentile. For more information on how the score was calculated, launch the MDEnviroScreen tool from this website- https://mde.maryland.gov/Environmental_Justice/Pages/MDEnviroScreen.aspx.

A copy of the final permit and response to comments, as well as some other documents, may be downloaded from the Department's website at

<https://mdewwp.page.link/wwpportal>. At that webpage, search for State Number 19DP3782, click "More Info," and then select the desired document(s) to download.

Persons wishing to review the proposed final permit may do so by contacting the **Maryland Department of the Environment, Water and Science Administration, 1800 Washington Blvd., Baltimore, Maryland 21230-1708, Attn.: Mr. Paul Hlavinka, Chief, Industrial Stormwater Permits Division** or by calling (410) 537-3631 or emailing Mr. Hlavinka at paul.hlavinka@maryland.gov to make an appointment. Copies of documents may be obtained for \$0.36 per page.

Any person adversely affected by this final determination may petition for judicial review. Petitions for judicial review of a final determination or permit decision subject to judicial review must be filed per § 1-605 of the Environment Article no later than 30 days following publication by the Department of this notice of final determination. They must be filed in the county's circuit court, where the permit application states that the proposed activity will occur. Petitions for judicial review must conform to the Maryland Rules of Civil Procedure. Failure to file a petition for judicial review by **May 28, 2026** will constitute a waiver of any right to a judicial review of this final determination.

To Be Published on: **April 21 and 28, 2026**

Newspaper: **The Sun**