

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION**

NOTICE OF TENTATIVE DETERMINATION

General Permit for Discharges from Stormwater Associated with Industrial Activities

General Discharge Permit No. 12SW (NPDES No. MDR00) applies to stormwater discharges from various federal discharge categories of industrial facilities in the state of Maryland. The Department proposes to reissue the state/NPDES (National Pollution Discharge Elimination System) General Permit for Discharges from Stormwater Associated with Industrial Activities with significant revisions to the previously issued permit (No. 02SW) as summarized below.

The required application, called a notice of intent or NOI, now requires more detailed information relevant to the permit conditions (local stream impairments or TMDLs, calculated area of impervious surfaces, etc.). Also required is an electronic version of a Stormwater Pollution Prevention Plan (SWPPP) including a site map illustrating discharge locations and other information regarding activities of the applicant to protect waters of the state, submitted via email, posting online or another form of electronic submission. The permit requires specific control measures in the SWPPP based on facility type. When the permit is formally adopted, industries currently covered by the 02SW permit will have 90 days to file an NOI, fee payment and SWPPP to the Department to obtain coverage under the reissued permit.

This updated permit requires restoration of impervious surfaces using the updated Maryland Stormwater Design Manual, or equivalent actions, in order to address Maryland requirements for the Chesapeake Bay and local TMDLs and to maintain the quality and protect against future impairments to local receiving waters. The requirement mandates that permittees treat 20% of the impervious surfaces not currently treated to the standards of the Department's Design Manual by the fifth year of the permit term. In cases where onsite restoration isn't possible, offsite restoration is an allowed option. An implementation plan and yearly updates are required to be submitted to the Department.

Another important change in this permit are new monitoring requirements. The proposed permit allows the Department to require monitoring and on-line electronic submission of Discharge Monitoring Reports in specific cases where local discharge is to an impaired water body. Furthermore, it requires monitoring without limits for benchmark parameters for the following industrial sectors. The results of this monitoring must be submitted electronically to the Department.

1. Agricultural Chemicals (SIC 2873-2879), subsector under Chemical and Allied Products Manufacturing, and Refining - Nitrate plus Nitrite Nitrogen at 0.68 mg/L, Total Lead at 0.014, Total Iron at 1.0 mg/L, Total Zinc at 0.04 mg/L and Phosphorus at 2.0 mg/L.
2. Automobile Salvage Yards - Total Suspended Solids (TSS) at 100 mg/L, Total Aluminum at 0.75 mg/L, Total Iron at 1.0 mg/L, and Total Lead at 0.014 mg/L.
3. Scrap Recycling and Waste Recycling Facilities - Chemical Oxygen Demand (COD) at 120 mg/L, Total Suspended Solids (TSS) at 100 mg/L, Total Recoverable Aluminum at 0.75 mg/L, Total Recoverable Iron at 1.0 mg/L, Total Recoverable Lead at 0.014 mg/L, Total Zinc at 0.04 mg/L, and Total Recoverable Copper at 0.0038 mg/L.
4. Fabricated Metal Products - Nitrate plus Nitrite Nitrogen at 0.68 mg/L, Total Zinc at 0.04 mg/L.

There are also requirements for inspection and reporting. Quarterly visual examinations of stormwater discharges are required to evaluate the effectiveness of the SWPPP. The Quarterly Visual Monitoring Form summarizing these self-performed examinations and must be maintained on-site with the SWPPP. An annual report maintained on-site will also be required.

Finally the permit includes several clarifications on the types of eligible discharges authorized by the permit and updates various permit conditions. The updated permit conditions include, but

are not limited to: requirements to obtain coverage under an individual permit, as necessary; termination of coverage under a permit; continuation of an expired general permit; corrective action requirements and triggers; the definitions for stormwater associated with industrial activity, restoration of impervious surfaces, impaired water, total maximum daily load (TMDL) and other terms; facility operation and maintenance; permit modification; and civil penalties for violations of permit conditions.

The Department will hold public hearings concerning the tentative determination on **Monday, November 26, 2012 at 1pm** and **Friday, November 30, 2012 at 1pm** in the Terra Conference Room at the Maryland Department of the Environment, 1800 Washington Blvd, Baltimore, MD 21230.

Any hearing impaired person may request an interpreter at the hearing by contacting Tyrone Hill, Office of Fair Practices at (410) 537-3964 at least ten working days prior to the scheduled hearing date. TTY users should contact the Maryland Relay Service at 1-800-201-7165.

The draft permit is available on MDE's website (www.mde.state.md.us) and can be found at the Wastewater Permits website (<http://www.mde.state.md.us/waterpermits>) under "Water Applications and Other Forms" and then "Industrial Sources that Discharge Stormwater Only", or by searching "stormwater.aspx" in the right hand corner search engine during the comment period. Any questions regarding this tentative determination, including the draft permit and fact sheet should be directed to Michael Richardson at the Maryland Department of the Environment, Water Management Administration, at mrichardson@mde.state.md.us, by telephone at 410-537-3654 between the hours from 8:00 a.m. to 5:00 p.m., Monday through Friday. Copies of the document may be obtained at a cost of \$0.36 per page. Written comments concerning the tentative determination will also be considered in the preparation of a final determination if received by Michael Richardson at the above address, on or before **Friday, January 4, 2013**. This comment period already incorporates the additional 60-day period provided in § 1-601(D)(I)(2) of the Environment Article.