MDE

MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

Shari T. Wilson
Secretary

Robert M. Summers, Ph.D.
Deputy Secretary

October 27, 2008

National Security Agency
9800 Savage Road
Fort Meade, MD 20755

This letter authorizes coverage under "General Permit for Discharges from State and Federal Small Municipal Separate Storm Sewer Systems" for the National Security Agency at Fort Meade under Phase II of the National Pollutant Discharge Elimination System (NPDES). Attached is a copy of the Maryland Department of the Environment (MDE), Water Management Administration's review of the Notice of Intent (NOI) submitted August 11, 2208. Highlights of the six minimum control measures are noted.

MDE received this NOI on August 15, 1008. The public was notified of the NOI's receipt on the department's web site beginning August 29, 2008 and no comments were received during the 45 day comment period. Please note that annual reports must be submitted to MDE updating progress made in relation to the schedule submitted in your NOI beginning a year from the date of this letter.

Thank you for your support of the NPDES permitting program. If there are any questions, please contact Maria Warburton or me at (410) 537-3543.

Sincerely,

L. Kenneth Pensyl III
Program Adminstrator
Sediment, Stormwater and Dam Safety Program

National Pollutant Discharge Elimination System General Permit
Discharges from Small Municipal Separate Storm Sewer Systems

NOTICE OF INTENT REVIEW

Department of Defense, National Security Agency
Fort Meade

In August 2008, the Department of Defense submitted a Notice of Intent (NOI) seeking stormwater permit coverage from the Maryland Department of the Environment (MDE) for the National Security Agency (NSA). NSA intends to be covered by MDE's "General Permit for Discharges from Small Municipal Separate Storm Sewer Systems" under Phase II of the National Pollutant Discharge Elimination System (NPDES) municipal stormwater program. Implementing the activities presented in the NOI is necessary to satisfy the minimum control measures required by the general permit.

Personnel Education and Outreach. NSA has begun training for its personnel in stormwater issues and pollution prevention methods. Campus wide initiatives such as promoting the installation of stormwater best management practices (BMPs) and storm drain inlet stenciling will be undertaken. While these activities are important, additional effort is needed to satisfy this minimal control requirement. Examples mentioned in the permit include training in hazardous materials storage, use, and disposal, and spill handling. In its annual report, NSA should detail specific education activities and progress on program implementation.

Public Participation. Permittees are required to encourage public participation with their respective agency's environmental activities. NSA plans to provide information regarding environmental compliance on its general access website along with links to other groups such at the Environmental Protection Agency and the Chesapeake Bay Foundation. This satisfies the requirements for this minimum control measure. NSA should include implementation dates as well as the identification of any additional public involvement in its annual report.

Illicit Discharge Detection and Elimination. NSA is required to establish a comprehensive program to eliminate illicit discharges. The development of a drain study of the facility is underway, with the plating shop already completed. This study should include the mapping of the entire stormdrain system and points of discharge. Any non-stormwater discharges not authorized by a NPDES permit are to be identified and eliminated. Protocol should be developed describing the steps taken if illicit discharges are discovered as well as procedures for spill reporting and handling. Progress toward these tasks is to be noted in future annual reports.

Construction Site Runoff Control. Maryland has a statewide erosion and sediment control program. The Environment Article, Title 4, Subtitle 1, Annotated Code of Maryland requires erosion and sediment control implementation for earth disturbances

greater than five thousand square feet. Erosion and sediment control plans for State and federal development projects are approved and enforced by MDE. NSA intends to rely on this "qualifying local program" as defined in the general permit to comply with this minimum control measure. MDE believes this is sufficient for general permit compliance and NSA should provide a list of ongoing new construction projects in its annual reports.

Post-construction Runoff Control. Maryland has a statewide stormwater management program. The Environment Article, Title 4, Subtitle 2, Annotated Code of Maryland requires stormwater management implementation for earth disturbances greater than five thousand square feet. Stormwater management plans for State and federal development projects are approved and enforced by MDE. NSA intends to rely on this "qualifying local program" as defined in the general permit to comply with this minimum control measure. NSA plans to promote environmentally sensitive, non-structural design elements into maintenance and redevelopment projects. MDE believes this is sufficient for general permit compliance. In its annual reports, NSA should provide information on the construction and maintenance of stormwater BMPs.

Pollution Prevention and Good Housekeeping. Permittees shall implement and maintain pollution prevention and good housekeeping techniques and procedures to reduce pollutants from all facility operations. NSA has developed standard operating procedures which have been distributed to all applicable personnel, although little detail of the procedures was provided in the NOI. These procedures should include training of personnel and specific inspection instructions for various facilities and stormwater structures, such as fuel storage tanks and oil/grit separators as examples. Additional details and updates are to be included in the annual reports.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT FOR DISCHARGES FROM
STATE AND FEDERAL
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

GENERAL DISCHARGE PERMIT NO. 05-SF-5501
GENERAL NPDES NO. MDR 055501

Effective Date: November 12, 2004

Expiration Date: November 12, 2009

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PART I. COVERAGE UNDER THIS GENERAL PERMIT

A. Permit Area. This National Pollutant Discharge Elimination System (NPDES) permit covers small municipal separate storm sewer systems as defined under 40 Code of Federal Regulations (CFR) 122.26(b)(16) located in certain areas of the State of Maryland. These certain areas include the geographical area within those municipalities defined as "large" or "medium" municipal separate storm sewer systems under 40 CFR 122.26(b)(4) and 40 CFR 122.26(b)(7), respectively, that are permitted currently under an individual NPDES municipal stormwater permit; urbanized areas as determined by the latest Decennial Census by the Bureau of the Census; and any other area designated by the Maryland Department of the Environment (MDE).

B. Eligibility. Small municipal separate storm sewer systems within the "Permit Area" specified in PART I. A. above that are eligible for coverage under this general permit include those that:

1. Are owned, operated, or maintained by the State of Maryland or the United States of America; and
2. Serve developed land area greater than 5 acres.

C. Obtaining Coverage. Owners of regulated small municipal separate storm sewer systems may apply for coverage under this general permit by submitting a Notice of Intent (NOI) to comply with the requirements of PART II. of this general permit using a form provided by MDE. Each NOI submitted shall contain the information specified in PART II. B. below and may represent an application for a specific facility; an application for all storm sewer systems owned, operated, or maintained by a single agency; or an application to develop an Institutional Management Plan (IMP) according to the requirements found in APPENDIX F. A partial list of State and federal facilities and agencies requiring permit coverage is found in APPENDIX A.

PART II. NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification. Government agencies that own, operate, or maintain small municipal separate storm sewer systems in the Permit Area specified in PART I. A. above that seek coverage under this general permit shall submit NOIs with the information outlined in PART II.B. below by January 14, 2005. Government agencies that own, operate, or maintain small municipal separate storm sewer systems designated by MDE according to 40 CFR 122.26(g) shall submit NOIs with the appropriate application information within 180 days of such designation.

B. Contents. NOIs submitted for coverage under this general permit shall represent applications for a specific facility or all of the municipal separate storm sewers owned, operated, or maintained by an individual agency located within the "Permit Area" specified in PART I. A. above. These NOIs shall contain the following information depending on the application option exercised:

1. NOIs submitted seeking coverage under this general permit for specific facilities shall contain:

a) The name and address of the facility;
b) The name, address, telephone number, and, if applicable, the e-mail address of the appropriate contact(s) responsible for compliance under this general permit;
c) The best management practices (BMP) to be implemented and the measurable goals to be used for each of the minimum control measures under PART III. of this general permit. Guidance for both appropriate BMPs and measurable goals is included in Appendix B and C, respectively;
d) A schedule for BMP and stormwater management program implementation;
e) A description of the entities that will implement the BMPs and the stormwater management program components to satisfy each of the minimum control measures under PART III. of this general permit;
f) A fiscal analysis of the anticipated expenditures to implement the minimum control measures; and
g) An authorized signature according to PART VI. N. of this general permit.

2. NOIs submitted seeking coverage under this general permit for all small municipal separate storm sewer systems owned by individual agencies shall contain:

a) The name and address of each facility for which coverage under this general permit is being sought;
b) The name, address, telephone number, and, if applicable, the e-mail address of an appropriate contact for each facility listed in B.2.a. above;
c) A brief description of each facility for which coverage is being sought. This description shall include an approximate site size, a land use type, a description of the stormwater conveyance system that exists for each facility, any existing BMPs, the permits that may have already been issued by MDE for each facility, and any other relevant information for each storm drain system;
d) A general description of the BMPs to be implemented and the measurable goals to be used at all of the agency's facilities to address each of the minimum control measures under PART III. of this general permit. Guidance for both appropriate BMPs and measurable goals is included in Appendix B. and C., respectively;
e) A description of the entities that will implement the BMPs and the other stormwater management program components to satisfy each of the minimum control measures under PART III. of this general permit;
f) An estimate of the anticipated expenditures to implement the minimum control measures at all facilities for which coverage is being sought; and
g) An authorized signature according to PART VI. N. of this general permit.

3. NOIs submitted seeking coverage under this general permit by a specific agency that intends to take advantage of the IMP option shall include those requirements found in APPENDIX F. of this general permit.

C. Where to Submit. State of Maryland and United States of America agencies shall submit NOIs to the following:

Maryland Department of the Environment
Water Management Administration
Sediment, Stormwater, and Dam Safety Program, FL 4, STE 440
1800 Washington Boulevard
Baltimore, Maryland 21230-1708

Public comments and requests for public hearings on NOIs should also be sent to the above address, which is MDE's Baltimore headquarters.

D. Public Availability of NOIs, Public Comments, and Requests for Public Hearings. NOIs will be made available for public review at MDE's headquarters in Baltimore during normal business hours. A listing of agencies submitting NOIs will be maintained on MDE's web site, www.mde.state.md.us. MDE will accept public comments and requests for public hearings on NOIs for a period of 45 days after the NOI is listed. Agencies will be notified in writing when MDE's review of their NOI is complete, and authorization under this general permit will commence concurrent with that notification. That date will also be indicated on MDE's web site. ?

E. Permit Renewal. Upon reissuance of this general permit with new effective and expiration dates, the permittee is required to submit to MDE an updated NOI that contains the information in either PART II. B.1. or 2. as appropriate. NOIs submitted by agencies developing an IMP for a specific facility remain valid for the reissued general permit provided the IMP is updated, kept current, and is approved by MDE.

PART III. MINIMUM CONTROL MEASURES

Permittees shall ensure that the following minimum control measures are implemented in the area served by their small municipal separate storm sewer system. Each agency covered by this general permit shall determine how each minimum control measure will be implemented. Permittees must define appropriate BMPs and develop measurable goals for each measure. Additionally, a list of entities responsible for BMP implementation and a schedule for each control measure shall be provided to MDE according to PART II.B. prior to coverage under this general permit. A list of suggested BMPs and measurable goals is provided in Appendix B and C of this general permit, respectively.

Any of these measures may be implemented by the permittee or another government entity as specified in PART IV.B. and PART IV.C. of this general permit. If the permittee will rely on another government entity to satisfy one or more of the following minimum control measures, the permittee remains responsible for compliance with all conditions of this general permit. For this reason, a legally binding contract, memorandum of understanding (MOU), or other similar means should be executed between the permittee and the other entity to avoid conflicts resulting from noncompliance with this general permit.

A. Personnel Education and Outreach. Permittees shall implement and maintain a personnel education and outreach program to help reduce the discharge of pollutants caused by stormwater runoff. Personnel education and outreach can be coordinated with other portions of the permittee's stormwater management program, developed independent of other pollution control efforts, or implemented by an entity other than the permittee. At a minimum, the personnel education program shall contain information about the impacts of stormwater discharges on receiving waters, why controlling these discharges is important, and what the personnel can do to reduce pollutants in stormwater runoff.

Examples of the information that should be considered by the permittee when developing a personnel education and outreach program include:

1. The types and causes of pollutants found in urban runoff;
2. The consequences of stormwater pollutants;
3. The typical methods of controlling stormwater (e.g., BMPs, ponds, bioretention, etc.);
4. Stormwater BMP maintenance needs; and
5. How personnel can contribute to the permittee's stormwater management program through the following:
    a.) Water conservation;
    b.) Lawn care and landscaping;
    c.) Hazardous material storage, use, and disposal (e.g., herbicides, pesticides, and fertilizers);
    d.) Spill and illegal dumping hotline; and
    e.) Any other components deemed necessary to ensure adequate personnel outreach and education.

B. Public Involvement and Participation. Permittees shall implement and maintain a public involvement and participation program. The permittee or another entity shall, at a minimum, comply with all State and federal public notice requirements in actions or decisions made having to do with stormwater management.

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C. Illicit Discharge Detection and Elimination. Permittees shall develop, implement, and maintain a program to identify and eliminate illicit storm drain system connections and non-stormwater discharges to the maximum extent practicable. The program developed to satisfy this minimum control measure shall contain elements to field screen storm drain system outfalls, inspect the storm

drain system for the purpose of identifying the source of any illicit discharges, eliminate any illegal connection or illicit discharge to the storm drain system, and enforce penalties where appropriate. The illicit discharge program shall also contain components to address illegal dumping and spills.

This minimum control measure may be implemented and maintained by the permittee or by another responsible entity. Additionally, a permittee may coordinate its efforts to identify and eliminate non-stormwater discharges with those of the surrounding County performing similar activities under an individual NPDES municipal separate storm sewer system permit. If the responsibilities for complying with this minimum control measure are to be shared between the permittee and another responsible entity, the relationship and specific duties of all participating entities shall be outlined in the NOI submitted to MDE according to PART II. of this general permit.

At a minimum, a program developed to implement illicit discharge detection and elimination to satisfy this control measure shall contain the following:

1. A map showing the extent of the storm drain system; NO!
2. The legal means to provide for entering onto private property to investigate and eliminate illicit storm drain system discharges;
3. Procedures to field screen storm drain outfalls on a consistent basis;
4. Inspection procedures for identifying the source of any suspected illicit discharges to the storm drain system;
5. Enforcement and penalty procedures;
6. Procedures to address spills and illegal dumping;
7. Means to inform public employees, businesses, and the general public of illegal discharges and improper waste disposal; and
8. Any other components deemed necessary to ensure that non-stormwater discharges to the municipal separate storm sewer system are either permitted by MDE under NPDES or eliminated.

Regardless of whether a permittee develops its own program or relies on another responsible entity to satisfy this minimum control measure, the permittee shall cooperate regarding discharges entering or leaving its jurisdictional boundaries or Waters of the State. The intent of this program is to control non-stormwater discharges to and from municipal separate storm sewer systems. Therefore, it is essential that a permittee covered by this general permit cooperate actively in instances where storm drain systems are interconnected with entities covered under this or any other NPDES stormwater permit.

D. Construction Site Stormwater Runoff Control. The Environment Article, Title 4, Subtitle 1, Annotated Code of Maryland establishes a statewide erosion and sediment control program to control construction site runoff. This statute, coupled with the Code of Maryland Regulations (COMAR), specifies the requirements for any construction activity that disturbs five thousand (5,000) square feet or more of earth or involves 100 cubic yards or more of earth movement. Because Maryland has an

erosion and sediment control program in place that regulates more earth disturbing activities than the NPDES stormwater program, MDE considers compliance with the State statute to be compliance with this minimum control measure, this general permit, and CFR.

COMAR contains procedures for approving proposed construction drawings and erosion and sediment control plans prior to the start of any development. State regulations also define erosion and sediment control plan review and enforcement responsibilities. Typically, erosion and sediment control plans are reviewed and approved by MDE for State and federal construction projects. Enforcement of approved erosion and sediment control plans statewide is MDE's responsibility.

Permittees shall comply with all State and federal laws, regulations, ordinances, and procedures relating to erosion and sediment control. Permittees shall clearly state how this minimum control measure will be implemented in the NOI submitted to MDE according to PART II. of this general permit.

E. Post Construction Stormwater Management. The Environment Article, Title 4, Subtitle 2, Annotated Code of Maryland establishes a statewide stormwater management program. This statute, coupled with COMAR, requires that stormwater management for new development and redevelopment be addressed for any proposed project that disturbs five thousand (5,000) square feet or more of earth. Because Maryland has a stormwater management program in place that regulates new and redevelopment projects, MDE considers compliance with the State statute to be compliance with this minimum control measure, this general permit, and CFR.

COMAR contains procedures for approving proposed construction drawings and stormwater management plans prior to the start of any development. State regulations also define stormwater management plan review and enforcement responsibilities. Typically, stormwater management plans are reviewed and approved by MDE for State and federal construction projects. Enforcement of approved stormwater management plans statewide is MDE's responsibility.

Permittees shall comply with all State and federal laws, regulations, ordinances, and procedures relating to stormwater management. Additionally, permittees must implement and comply with the principles, methods, and practices found in the "2000 Maryland Stormwater Design Manual, Volumes I & II."

F. Pollution Prevention and Good Housekeeping. Permittees shall implement and maintain pollution prevention and good housekeeping techniques and procedures to reduce pollutants from all facility operations. Components of this minimum control measure shall include employee training materials to prevent and reduce pollutant discharges to the storm drain system, runoff controls geared toward fleet yard and building maintenance activities, and ensuring all facility activities are properly permitted under NPDES or any other appropriate State or federal water pollution control program. Permittees shall develop pollution prevention or good housekeeping procedures themselves or rely on another responsible entity to comply with this minimum control measure. If an entity other than the

permittee is to be responsible for this component of the stormwater management program, MDE recommends that an MOU or other binding contract be executed between the two parties. This will clearly define responsible parties should noncompliance become an issue.

PART IV. SPECIAL CONDITIONS

A. Discharge Compliance with Water Quality Standards. This general permit requires, at a minimum, that agencies develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants to the maximum extent practicable. Implementing BMPs as required under the six minimum control measures in PART III. above is considered an acceptable effort to reduce pollutants from the municipal storm drain system to the maximum extent practicable.

B. Qualifying Local Programs (State or local). As specified throughout PART III. of this general permit, permittees may develop programs to comply with all minimum control measures independently or rely on another responsible entity. The separate entity may be responsible for compliance with those minimum control measures specified in the NOI submitted to MDE according to PART II. of this general permit. In some cases (e.g., Maryland's statewide erosion and sediment control program), existing State statutes or local ordinances require the implementation of a program component that satisfies conditions in this general permit independent of the NPDES program. MDE considers a stormwater program component such as this to be a "qualifying local program" for the purposes of complying with this general permit. Therefore, permittees may take advantage of these "qualifying local programs" to help comply with the NPDES municipal stormwater requirements.

C. Sharing Responsibility. If the permittee is relying on another entity to satisfy one or more of the permit obligations, all municipal stormwater permit obligations by all entities shall be noted in the NOI submitted to MDE according to PART II. of this general permit. This other entity shall implement a control measure that is at least as stringent as the corresponding NPDES permit requirement found in NPDES regulations and this general permit. Additionally, the other entity shall agree to implement the minimum control measure on the permittee's behalf.

D. Institutional Management Plans. Comprehensive, watershed wide approaches to control pollutants in stormwater are encouraged through the development and implementation of IMPs. IMPs developed for specific facilities will address many of the minimum control measures found in PART III. above and will contain overall management techniques tailored to the unique hydrologic characteristics of the facilities themselves. Not only will the implementation of IMPs improve water quality more effectively because of the holistic approach that is intended, but it will benefit the agency through compliance with the conditions of this general permit and, moreover, streamline the approval process for new development projects.

Currently, State and federal entities must submit erosion and sediment control and stormwater management plans to MDE for review and approval prior to new development projects beginning construction. The initial effort of developing an IMP and having it reviewed and approved by MDE

streamlines future approval processes for all new construction projects that would have otherwise been reviewed separately.

Agencies intending to exercise this option to comply with this general permit shall:

1. Submit an NOI that contains the information specified in PART II. B.1. above to ensure that coverage under this general permit is provided as an IMP is being developed;
2. Develop an IMP according to the requirements specified in APPENDIX F. of this general permit; and
3. Submit the IMP to MDE for review and approval.

Approval of specific IMPs will constitute compliance with this general permit. During requisite annual reporting exercises, agencies with approved IMPs need not report on the six minimum control measures specified in PART III. above. Annual reports shall address the components of the IMP itself.

PART V. MONITORING, RECORDKEEPING, REPORTING, AND PROGRAM REVIEW

A. Monitoring. A permittee or another responsible entity covered by this general permit shall use any means thought to be necessary to evaluate the effectiveness of the programs and BMPs implemented to comply with this general permit. Careful consideration must be given to the information, BMPs, and measurable goals specified in NOIs submitted to MDE according to PART II. of this general permit. This information shall be submitted in annual reports.

B. Recordkeeping. The permittee shall keep records under this general permit for at least three (3) years after termination of this general permit. Records shall be submitted to MDE only when permittees are specifically asked to do so. The permittee shall make its records and its stormwater management program information available to the public at reasonable times during regular business hours.

C. Reporting. Annually, the permittee shall submit a report to MDE. An annual reporting form is provided in Appendix E and shall include:

1. The status of compliance with permit conditions, an assessment of the appropriateness of the identified BMPs, and the progress toward achieving the identified measurable goals for each of the minimum control measures;
2. Results of information collected and analyzed, including monitoring data, if any, during the annual reporting period;
3. A summary of the stormwater activities the permittee plans to undertake during the next annual reporting period;
4. A change in any identified measurable goals (see APPENDIX C) that apply to the minimum control measures;
5. A description of the coordination efforts with other agencies regarding the implementation of the minimum control measures including the status of any MOU or other agreement

executed between the permittee and another entity; and

6. A fiscal analysis of capital and operating expenditures to implement the minimum control measures. The fiscal analysis shall include only those expenditures by the agency seeking coverage under this general permit and not those for minimum control measures implemented by other entities.

D. Program Review. In order to assess the effectiveness of the permittee's NPDES program for eliminating non-stormwater discharges and reducing the discharge of pollutants to the maximum extent possible, MDE will review program implementation and annual reports. Procedures for the review of local erosion and sediment control and stormwater management programs exist in Maryland's sediment control and stormwater management laws. Additional periodic evaluations may be conducted to determine compliance with permit conditions.

PART VI. STANDARD PERMIT CONDITIONS

A. Duty to Comply. The permittee must comply with all conditions of this general permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and is grounds for enforcement action, permit coverage termination, revocation, or modification. The permittee shall comply at all times with the provisions of the Environment Article, Title 4, Subtitles 1, 2, and 4; Title 7, Subtitle 2; and Title 9, Subtitle 3, Annotated Code of Maryland.

B. Failure to Notify. Agencies engaging in an activity covered under this general permit that fail to notify MDE of their intent to be covered under this general permit as described in PART II. and who discharge to waters of the State without coverage are in violation of the Environment Article, Annotated Code of Maryland and may be subject to penalties.

C. Limitations on Coverage.

1. This general permit authorizes the following non-stormwater discharges when properly managed: landscape irrigation, diverted stream flows, rising groundwater, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, foundation drains, air conditioning condensate, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering runoff, flows from riparian habitats and wetlands, residual street wash water, and discharges or flows from fire fighting activities.
2. Non-stormwater sources, stormwater associated with industrial activity, or discharges associated with construction activities may be authorized to discharge via the municipal separate storm sewer system if such discharges are specifically authorized under an applicable NPDES discharge permit or are identified by and in compliance with this general permit.
3. Only stormwater discharges from municipal separate storm sewer systems located on State or federal property are authorized to discharge under this general permit.

D. Penalties Under the CWA - Civil and Criminal. The CWA provides that any person who

violates any permit condition is subject to a civil penalty not to exceed $27,500 per day for each violation. Any person who negligently violates any permit condition is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more that 1 year, or both. Any person who knowingly violates any permit condition is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both.

E. Penalties Under the State's Environment Article - Civil and Criminal. Nothing in this general permit shall be construed to preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for noncompliance with Title 4, Title 7, and Title 9 of the Environment Article, Annotated Code of Maryland, or any federal, local, or other State law or regulation.

The Environment Article, § 9-342(a), Annotated Code of Maryland, provides that any person who violates a permit condition is subject to a civil penalty not to exceed $10,000 per day.

The Environment Article, § 9-342(b), Annotated Code of Maryland, provides that any person who violates a permit condition is subject to a civil administrative penalty up to $1,000 for each violation, but not exceeding $50,000 total.

The Environment Article, § 9-343(a), Annotated Code of Maryland, provides that any person who willfully or negligently violates a permit condition is subject to a criminal penalty not exceeding $25,000 or imprisonment not exceeding 1 year, or both, for a first offense. Later offenses are subject to a criminal penalty of $50,000 or imprisonment not exceeding 2 years, or both.

The Environment Article, § 9-343(b), Annotated Code of Maryland, provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this general permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or both.

The Environment Article, § 9-343(b), Annotated Code of Maryland, provides that any person who knowingly makes any false statement, representation, or certification in any records or other document submitted or required to be maintained under this general permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or both.

F. Continuation of an Expired General Permit. An expired general permit continues in force and effect until a new general permit is issued or the general permit is revoked or withdrawn.

G. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment and is in violation of this general permit.

H. Duty to Provide Information. The permittee shall furnish to MDE any information which may be requested to determine compliance with this general permit. The permittee shall also furnish to MDE,

upon request, copies of records required to be kept by this general permit.

I. Other Information. When the permittee becomes aware that it failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to MDE, it shall promptly notify MDE of the facts or information.

J. Requiring an Individual Permit.

1. MDE may require any agency to apply for and/or obtain an individual NPDES permit. When MDE requires the permittee to apply for an individual NPDES permit, MDE will provide notification in writing that an application is required. This notification shall include a brief statement of the reasons for the decision, an application form, and a deadline for filing the application. Additionally, MDE shall inform the permittee that on the effective date of the individual NPDES permit, coverage under this general permit shall automatically terminate. Applications must be submitted to MDE. MDE may grant additional time to submit an application upon request of the applicant. If an individual permit application required by MDE under this paragraph is not submitted in a timely manner, then coverage under this general permit to the agency may be terminated.
2. Any agency eligible for coverage under this general permit may request to be excluded from the coverage of this general permit by applying for an individual permit. In such cases, the agency must submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to MDE.
3. When an individual NPDES permit is issued to an agency eligible for coverage under this general permit, the applicability of this general permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit. When an individual NPDES permit is denied to an agency otherwise subject to this general permit, then coverage under this general permit may be terminated by MDE.

K. Property Rights. The issuance of this general permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of federal, State, or local laws or regulations.

L. Severability. The provisions of this general permit are severable. If any provision of this general permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this general permit to any circumstances is held invalid, its application to other circumstances shall not be affected.

M. Permit Actions. The Environment Article, § 9-330, Annotated Code of Maryland, provides that the Department may revoke coverage under this permit if it finds that:

(1) False or inaccurate information was contained in the application;
(2) Conditions or requirements of the discharge permit have been or are about to be violated;
(3) Substantial deviation from the requirements has occurred;
(4) The Department has been refused entry to the premises for the purpose of inspecting to insure compliance with the conditions of the discharge permit;

(5) A change in conditions exists that requires temporary or permanent reduction or elimination of the permitted discharge;
(6) Any State or federal water quality stream standard or effluent standard has been or is threatened to be violated; or
(7) Any other good cause exists for revoking the discharge permit.

N. Signature of Authorized Administrator and Jurisdiction. All NOIs, annual reports, and information submitted to MDE shall be signed as required by COMAR 26.08.04.01-1 and 40 CFR 122.22. As in the case of municipal or other public facilities, signatories shall be a principal executive officer, ranking elected official, or other duly authorized employee.

O. Total Maximum Daily Loads. Stormwater BMPs and programs implemented as a result of this permit must be consistent with available waste load allocations (WLA's) [see 40 CFR 122.44(d)(1)(vii)(B)] developed under a Total Maximum Daily Load (TMDL). MDE has determined that owners of storm drain systems that implement the requirements of this permit will be controlling stormwater pollution to the maximum extent practicable. Therefore, satisfying the conditions of this permit will meet WLA's specified in TMDL's developed for impaired water bodies. If assessment of the stormwater management program indicates TMDL WLAs are not being met, additional or alternative stormwater controls must be implemented to achieve WLAs."

PART VII. REOPENER CLAUSE

If there is evidence indicating that the stormwater discharges authorized by this general permit cause, have the reasonable potential to cause or contribute to, a violation of a water quality standard, the permittee may be required to obtain an individual permit or the general permit may be modified to include specific limitations and/or requirements. Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64, and 124.5.

PART VIII. AUTHORITY TO ISSUE GENERAL NPDES PERMITS.

In compliance with the provisions of the CWA, as amended (33 U.S.C. 1251 et. Seq. the Act), agencies that are defined in PART I.B.1. and 2. of this general permit and that submit an NOI in accordance with Part II. of this general permit are authorized to discharge in accordance with the conditions and requirements set forth herein.

_____ _____

Director
Water Management Administration

Date

PART IX. DEFINITIONS

A. "Best management practices (BMPs)" means schedules of activities, prohibitions of practices, maintenance procedures, and other structural or nonstructural management techniques to prevent or reduce the pollution to waters of the State.

B. "Clean Water Act" means the Federal Water Pollution Control Act Amendments of 1972 and all updates. As amended in 1977, this law became commonly known as the Clean Water Act.

C. "CFR" means the Code of Federal Regulations.

D. "COMAR" means the Code of Maryland Regulations.

E. "Department" means the Maryland Department of the Environment.

F. "General Permit" means either a State discharge permit or an NPDES permit issued to a class of dischargers.

G. "Institutional Management Plan (IMP)" means a plan prepared following the guidelines in APPENDIX F. of this permit and approved by the Department.

H. "Municipal Separate Storm Sewer System" means a conveyance or system of conveyances owned and operated by the State of Maryland, the United States of America, or any other public agency having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes. These systems are used for collecting or conveying stormwater, are not combined sewers, and are not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR 122.2. ***"State and Federal Small Municipal Separate Storm System"*** is defined in CFR 122.26(b)(16)(iii) as "...systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospitals or prison complexes, and highways or other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings."

I. "NPDES" means the National Pollutant Discharge Elimination System.

J. "NPDES permit" means a discharge permit issued under the Clean Water Act.

K. "NOI" means Notice of Intent to be covered by this general permit (see Part II. of this general permit).

L. "Nonpoint Source" means stormwater runoff spread out over large areas, as opposed to a discharge from a discrete point source.

M. "Permittee" means an agency covered under this NPDES general permit.

N. "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind, and any partnership, firm, association, corporation, or other entity. Person includes the federal government, this State, any county, municipal corporation or other political subdivision of this State or any of their units.

O. "Personnel" means the active duty or employed population assigned to a facility, including those who are transient or permanently assigned. Employed population includes any contractor personnel that may work on a given facility.

P. "Public" means the population served by the State or federal agency, and is not limited to the immediate surrounding municipality.

Q. "State discharge permit" means the discharge permit issued under the Environment Article, Subtitle 3, Annotated Code of Maryland.

Appendix A

Designation Criteria

Maryland Department of the Environment (MDE)
Water Management Administration (WMA)

National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System Discharge General Permit

Designation Criteria

The following highlights the primary criteria developed by the Environmental Protection Agency (EPA) for designating municipalities to participate in the NPDES Phase II stormwater program. Those municipalities listed in Appendix 6 of the Phase II regulations have been automatically designated based on being located in a Census defined urbanized area (UA). However, if a jurisdiction has a population less than 1,000, it may be waived from these requirements. In the judgement of the permitting authority these places cannot contribute substantially to the pollutant loadings of a physically interconnected regulated jurisdiction and do not discharge any pollutants identified as a cause of impairment of any water body. Determining who WMA will or will not designate is based on the criteria described below.

EPA Guidelines

•After customizing the designation criteria for local conditions, the permitting authority must apply such criteria, at a minimum, to any municipal separate storm sewer system located outside of an urbanized area serving a jurisdiction with a population of at least 10,000 and a population density of 1,000 people per square mile. According to Appendix 7 of the EPA Phase II stormwater regulations, these locations include Aberdeen, Cambridge, Salisbury, and Westminster.

•Designation must occur within 3 years (12/9/2002) of publication of the Final Rule. Alternatively, the NPDES authority can designate within 5 years from the date of final regulation if the designation criteria are applied on a watershed basis.

•In addition to applying criteria on a local basis for potential designation, the NPDES permitting authority must designate any municipal separate storm sewer system that contributes substantially to the pollutant loadings of a physically interconnected municipal separate storm sewer that is regulated by the NPDES program. Current NPDES regulated localities include:

Anne Arundel County	Frederick County
Baltimore City	Harford County
Baltimore County	Howard County
Carroll County	Montgomery County

Charles County
State Highway Administration
Washington County
Prince George's County
Cecil County

•Affected jurisdictions (those currently regulated by the NPDES program) can petition to have WMA designate a particular agency.

•Any person can petition to have an agency included.

•EPA also recommends the following criteria for designation:
Discharge to sensitive waters
High population density
High growth potential
Contiguity to a Census Designated Urbanized Area
Significant contributor of pollutants to waters of the United States
Ineffective protection of water quality concerns by other programs

MDE/WMA's Designation Criteria

Municipal Permits
•Municipalities with populations less than 1,000 are automatically waived.

• Municipalities >= 1,000 population within existing Phase I NPDES permitted Counties will be designated.

State and Federal Permits
• The NPDES stormwater regulations are intended to address pollution from stormwater runoff spread out over large areas, commonly referred to as being from nonpoint sources. In the United States, large areas within state boundaries are subdivided into municipal subunits such as counties, cities and towns. EPA used the Phase I regulations to address the municipalities with the largest urban populations as they had the greatest potential to generate nonpoint source pollution. Phase II regulations consider the remaining municipalities with sizeable urban populations and the regulations attempt to address gaps in the Phase I regulations where municipalities lacked jurisdiction. Most notably, this affects State and federal facilities located within municipal boundaries.

EPA allows some flexibility as to how states determine which State and federal facilities require Phase II permit coverage. CFR 122.26(b)(16)(iii) states that the term small municipal separate storm sewer system means, "...systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospitals or prison complexes, and highways or other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings." Larger facilities logically have the greatest potential to generate pollutants and should be regulated first. Therefore, MDE has established State and federal facilities with systems serving five (5) acres or more as needing permit coverage.

Currently, the magnitude of the State and federal facilities that require permit coverage is unknown. After the first round of permit application and coverage MDE should have a clearer indication of the number of State and federal facilities in urban areas and their nonpoint source impacts. If found necessary, MDE has the authority to adjust the threshold, and require additional facilities to seek permit coverage. In addition, affected jurisdictions (those currently regulated by the NPDES program) or any person can petition to have MDE designate a particular facility.

Known federal facilities and agencies requiring permit coverage include:

Aberdeen Proving Ground
AMTRAK
Architect of the Capitol
Andrews Air Force Base
Naval Support Facility - Thurmont
Federal Law Enforcement Training Center
Naval Surface Warfare Center
- Carderock
- Indian Head

Fort Detrick
*Fort Meade
Fort Ritchie
Goddard Space Flight Center
National Institute of Standards & Technology
National Institutes of Health
National Naval Medical Center
National Park Service
National Security Agency
U.S. Army Corps of Engineers
U.S. General Services Administration
U.S. Naval Academy
U.S. Department of Agriculture
U.S. Coast Guard
U.S. Postal Service
U.S. Secret Service
U.S. Social Security Administration

Known State facilities and agencies requiring permit coverage include:

BWI Airport
Martin State Airport
Bowie State University
Coppin State University
Morgan State University

Towson University
University of Maryland
- Baltimore
- Baltimore County
- College Park

Maryland Department of Health and Mental Hygiene facilities
Maryland Department of Natural Resources
Maryland Department of Veterans Affairs
Maryland Environmental Service
Maryland Food Center Authority
Maryland Department of Public Safety and Correctional Services
Maryland Department of General Services
Maryland National Guard
Maryland Port Administration
Maryland Stadium Authority
Maryland Transportation Authority
Maryland Mass Transit Administration
Washington Metropolitan Area Transit Authority
Washington Suburban Sanitary Commission

Appendix B

BMP Menu

Best Management Practice
Menu for NPDES Phase II Municipalities

Personnel Education and Outreach*	**Public Participation and Involvement***	**Illicit Discharge Detection/Elimination***	**Construction Site Runoff Control***	**Post Construction Runoff Control***	**Pollution Prevention, Good Housekeeping**
A. Goal: Agency proposes a goal geared toward local concerns. **B. BMP Selection** (Choose one of the options listed below): 1. Use agency's webpage to disseminate information to personnel and provide links to sites with extensive nonpoint source pollution information (EPA fact sheet material, MDA's Extension Service info, surrounding county publications, etc.). Develop a website banner to advertise agency's stormwater program from time to time. Provide State contacts for reporting stormwater problems. **C.** Provide milestones and schedules for fulfillment of personnel outreach requirement.	**A. Goal:** Agency proposes a goal geared toward local concerns. **B. BMP Selection** (Choose one of the options listed below): 1. Agency shall schedule and promote an annual restoration activity.** Agencys are encouraged to coordinate with local environmental groups, businesses or government agencies. Examples include: + Stream monitoring + Storm drain stenciling + Streamside tree plantings 2. Agency shall describe in detail its own education program for informing citizens about stormwater problems and for promoting cleanup campaigns. **C.** Provide milestones and schedules for fulfillment of BMP selected.	**A. Goal:** Agency proposes goal geared toward local concerns. **B. BMP Selection** (Choose one of the options listed below): 1. Make a legal agreement with the surrounding NPDES jurisdiction (if applicable) for mapping, inspecting and eliminating illicit connections to the agency's storm drain system. 2. Develop a program for identifying and eliminating illicit connections to the storm drain system: i. Create a map of the facility and all water resources (ponds, lakes, streams, reservoirs, rivers). ii. Locate and inspect (X number) of outfalls annually per MDE's visual/olfactory inspection sheet. Verify and map inspected outfalls on facility's water resources map. iii. Develop procedures for investigating and eliminating illicit connections to storm drain system (May rely on MDE for technical assistance and enforcement). **C.** Provide milestones and schedules for fulfillment of BMP selected.	**A. Goal:** Agency proposes goal geared toward local concerns. **B. BMP Selection** Have MDE enforce erosion and sediment control requirements in your agency.	**A. Goal:** Agency proposes goal geared toward local concerns. **B. BMP Selection** Have MDE enforce stormwater management requirements in your agency.	**A. Goal:** Agency proposes goal geared toward local concerns. **B. BMP Selection:** 1. Make sure all agency "industrial" facilities have NPDES general permit for stormwater. Generate a pollution prevention plan per general permit requirements. 2. Map all facility property on the same map that shows outfalls and water resources. Develop pollution prevention (P2) options (inventory pollutant sources, provide personnel training, increase vegetative buffers around streams, etc.) for all municipal property not covered by "industrial" general permit.** **C.** Provide milestones and schedules for fulfillment of Pollution Prevention and Good Housekeeping requirements.

* Mandates of the Clean Water Act and the NPDES Phase II stormwater regulations can be satisfied by cooperation with State efforts for all of these programs.
** An annual volunteer activity may satisfy Public Participation and Pollution Prevention requirements if implemented on facility property.

1. Personnel Education and Outreach – List of BMP Options

Regulatory Text

You must implement a personnel education program to distribute educational materials or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.

Best Management Practices

Use the agency's webpage to disseminate information to citizens by providing links to sites with extensive nonpoint source pollution information (EPA fact sheet material, Maryland Department of Agriculture's Extension Service information, surrounding county publications, etc.). Develop a website banner to advertise agency's stormwater program from time to time. Provide agency or facility contacts for reporting stormwater problems.

Measurable Goals

Year 1 – Brochures, establish stormwater hotline, recruit volunteers
Year 2 – Web site information, add outreach to education curriculum, make storm drain stencils available
Year 3 – Increased % of businesses using good housekeeping, number of storm drains stenciled with "Don't Dump."
Year 4 – Certain % reduction in litter, "Earth Day" celebrations and cleanup

Useful information

Alliance for the Chesapeake Bay -- www.acb-online.org/programs.htm

Chesapeake Bay Foundation -- www.cbf.org/

Maryland Department of the Environment -- www.mde.state.md.us/environment/wma/stormwatermanual/

Maryland Department of Agriculture, Cooperative Extension -- www.agnr.umd.edu/users/hgic/

U.S. Environmental Protection Agency's Fact Sheet for Public Education -- www.epa.gov/npdes/menuofbmps/pub_ed.htm

Materials for Distribution

Bayscapes -- www.acb-online.org/BAYSCAPE.PDF **and** www.agnr.umd.edu/CES/Pubs/PDF/FS701.pdf

2. Public Participation and Involvement - List of BMP Options

Regulatory Text

You must, at a minimum, comply with State public notice requirements when implementing a public involvement/participation program.

Best Management Practices

Schedule and promote an annual restoration activity. Agencies are encouraged to coordinate with local environmental groups, school or community groups, businesses or government agencies. Examples include:

- Streamside tree plantings
- Storm drain stenciling (on property?)
- Stream monitoring

Measurable Goals

Year 1 – Public meetings, solicit environmental groups/organize citizen panel for annual clean-up recommendations
Year 2 – Report annual clean-up activity, number of participants, trees planted, storm drains painted
Year 3 – Increased % of community participating in annual cleanup activity
Year 4 – Citizen volunteer groups established in certain % of neighborhoods

Useful Information

U.S. Environmental Protection Agency's Fact Sheet for Public Participation -- www.epa.gov/npdes/menuofbmps/pub_inv.htm

Volunteer Activities

Tree Planting -- www.acb-online.org/buffer.htm

Storm Drain Stenciling -- www.cbf.org/action/outdoors/stencil.htm **and** www.epa.gov/npdes/menuofbmps/invol_6.htm

3. Illicit Discharge Detection/Elimination – List of BMP Options

Regulatory Text

- You must develop, implement and enforce a program to detect and eliminate illicit discharges into your municipal storm drain system.

Best Management Practices

A. Make a legal agreement with the surrounding NPDES jurisdiction (if applicable) for mapping, inspecting, and eliminating illicit connections to the agency's storm drain system.

B. Develop a program for identifying and eliminating illicit connections to the storm drain system: for Off. Use only?

- Create a map of the facility and all water resources (ponds, lakes, streams, reservoirs, rivers).
- Locate and inspect (X number) of outfalls annually per MDE's visual/olfactory inspection sheet. Verify and map inspected outfalls on the facility's water resources map. sampling.
- Develop procedures for investigating and eliminating illicit connections to the storm drain system (May rely on MDE for technical assistance and enforcement).

Measurable Goals

Year 1 – Complete map of storm drain outfalls and water resources, provide a recycling program for hazardous waste
Year 2 – Provide employee training, certain % of storm drain system screened
Year 3 – Certain % of illicit discharges eliminated
Year 4 – Most illicit discharges detected and eliminated, increased amount of hazardous waste collected

Useful Links

Fact Sheet on Illicit Discharges -- www.epa.gov/npdes/menuofbmps/illicit.htm
Example Inspection Forms -- http://www.coastal.ca.gov/la/docs/murp/4i.pdf
Investigation Procedures -- http://www.stormwatercenter.net/Practice/125-Tracers.pdf
Some lessons learned in Michigan -- http://www.wcdoe.org/rougeriver/techtop/illicit/overview.html

4. Construction Site Runoff Control – List of BMP Options

Regulatory Text

You must develop, implement, and enforce a program to reduce pollutants in any stormwater runoff from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development that would disturb one acre or more.

Best Management Practices

✓ Have MDE enforce erosion and sediment control requirements in your facility.

Measurable Goals

Year 1 through 4 – Submit plans for all projects disturbing 5000 S.F. or more to MDE for erosion and sediment control approval.

Useful Links

Maryland Department of the Environment -- http://www.mde.state.md.us/environment/wma/stormwatermanual/

Center for Watershed Protection -- http://www.cwp.org/

Stormwater Manager's Resource Center -- http://www.stormwatercenter.net/

U.S. Environmental Protection Agency's Fact Sheet for Construction Site Runoff-- www.epa.gov/npdes/menuofbmps/poll.htm

5. Post Construction Runoff Control – List of BMP Options

Regulatory Language

You must develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment once the construction phase is complete. Stormwater management shall be provided for projects that develop greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development, that discharge into your municipal storm drain system. Your program must ensure that controls are in place that would prevent or minimize water quality impacts.

Best Management Practices

Have MDE enforce stormwater management requirements in your facility.

Measurable Goals

Year 1 through 4 – Submit plans for all projects disturbing 5000 S.F. or more to MDE for stormwater management approval.
Year 2 – Strategies for structural and non-structural BMPs
Year 3 – Improved maintenance practices
Year 4 – Impervious surfaces reduction

Useful Links

Maryland Department of the Environment -- http://www.mde.state.md.us/environment/wma/stormwatermanual/

Center for Watershed Protection -- http://www.cwp.org/

Stormwater Manager's Resource Center -- http://www.stormwatercenter.net/

U.S. Environmental Protection Agency's Fact Sheet for Post Construction Runoff -- www.epa.gov/npdes/menuofbmps/poll.htm

6. Pollution Prevention, Good Housekeeping – List of BMP Options

Regulatory Language

You must develop an operation and maintenance program for reducing pollutant runoff from agency operations. Using training materials that are available from EPA, your State, or other organizations, your program must include employee training to reduce stormwater pollution from activities such as fleet and building maintenance and park and open space maintenance.

Best Management Practices

A. Make sure all agency"industrial" facilities have NPDES general permit coverage for stormwater. Generate a pollution prevention plan according to general permit requirements.

B. Map all agency property on the same map that shows outfalls and water resources. Develop pollution prevention (P2) options (inventory pollutant sources, provide personnel training, increase vegetative buffers around streams, etc.) for all agency property not covered by the "industrial" general permit.

LID

Measurable Goals

Year 1 – Pollution prevention plan completed, BMP maintenance, street sweeping
Year 2 – Employee training/recycling program
Year 3 – Certain % reduction in pesticide/salt use; BMP maintenance schedule
Year 4 – Certain compliance rate for BMP maintenance

Useful Links

U.S. Environmental Protection Agency's Fact Sheet for Pollution Prevention -- www.epa.gov/npdes/menuofbmps/poll.htm

Stormwater Manager's Resource Center -- http://www.stormwatercenter.net/

Center for Watershed Protection -- http://www.cwp.org/

Appendix C

Measurable Goals

Maryland Department of the Environment (MDE)
Water Management Administration (WMA)

National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System Discharge General Permit

Measurable Goals

Phase II agencies are required to develop a list of measurable goals for each minimum measure. This list is required to be submitted with the agency's notice of intent (NOI) form. In addition, annual reports need to include an evaluation and assessment of those measurable goals and how they are being met. These goals could be considered narrative standards to judge program effectiveness for each of the six minimum measures. Below are some examples of measurable goals that could be developed by each agency.

Personnel Education and Outreach

Year 1 – Brochures, stormwater hotline, volunteers
Year 2 – Web site, education curriculum, stencils
Year 3 – increased % of divisions using good housekeeping
Year 4 – % reduction in litter

Public Participation

Year 1 – Public meetings, volunteers to locate storm drain outfalls
Year 2 – Final recommendation of a citizen panel
Year 3 – increased % of community participating in cleanups
Year 4 – Citizen volunteer groups established

Illicit Discharge Detection and Elimination

Year 1 – complete map, recycling program for hazardous waste
Year 2 – employee training, certain % of storm drain system screened
Year 3 – certain % of illicit discharges eliminated
Year 4 – most illicit discharges detected and eliminated

Construction Site Runoff Control

Year 1 – public information and response to complaints
Year 2 – inspections and a certain % of compliance
Year 3 – show reduced sediment in receiving streams
Year 4 – improve personnel training

Post-construction Runoff Control

Year 1 – MDE Design Manual implementation
Year 2 – strategies for structural and non-structural BMPs
Year 3 – improved maintenance practices
Year 4 – impervious surfaces reduction

Pollution Prevention/Good Housekeeping

Year 1 – pollution prevention plan completed, BMP maintenance, street sweeping
Year 2 – employee training/recycling program
Year 3 – certain % reduction in pesticide/salt use; BMP maintenance schedule
Year 4 – certain compliance rate for BMP maintenance

Appendix D

NOI Form

Appendix E

Annual Report Form

Appendix F

Institutional Management Plans

Maryland Department of the Environment (MDE)
Water Management Administration (WMA)

National Pollutant Discharge Elimination System (NPDES) Phase II
Municipal Separate Storm Sewer System General Discharge Permit
State and Federal

Institutional Management Plans (IMP)

PART III. above specifies the minimum control measures that must be implemented by permittees to comply with this general permit, meet the intent of the Clean Water Act (CWA), and reduce the discharge of stormwater pollutants to the maximum extent practicable. Taken individually, each of the six minimum control measures in PART III. addresses specific components of what is believed to be a comprehensive approach to control runoff borne pollution. However, the implementation of these six measures does not necessarily ensure that water quality will improve in all circumstances. Better ways may exist or can be developed to achieve the goals of the CWA and the intent of this general permit. Therefore, provided here is an option that will allow permittees to tailor activities that are agency and site specific, meet stormwater permit obligations, and streamline MDE review and approval processes in the future.

To successfully develop an overall, comprehensive approach to control stormwater pollution, agencies intending to take advantage of the IMP permit option must analyze the unique characteristics and operations of their specific facility. The surrounding land use and population, hydrology, and environment will all be major factors in any scheme to protect and improve water quality for an individual site. Sound stormwater management will be possible only if all components of a facility's functions are considered along with runoff potential and pollution generating capacity. Therefore, initial IMP development will require a significant commitment for the process to be successful and the entire first five year general permit term may be needed to complete the task. Subsequent effort will then be invested implementing the IMP and adjusting its course as both successes and failures are encountered.

Components that must be included are physical characteristics of the site; typical operations at the facility; historical environmental impacts; current and future pollutant generation; existing and proposed best management practices (BMP), both for water control and other environmental media (e.g., waste, air, etc,); and the relationship, both physical and social, that the facility has with the surrounding land use and community. These issues seem basic but often are overlooked in the quest to satisfy regulatory obligations individually. The option of developing an IMP will require a similar effort as that needed to address the six minimum control measures listed in PART III. of this general permit. Many government agencies have unique functions that satisfy a public need in addition to and/or in competition with environmental programs. State and federal agencies serve a population greater than the surrounding local community. Therefore, requirements for public education and public participation found in CFR and PART III., for example, may not be applicable in all cases.

While agencies cannot be excused from regulatory environmental obligations, flexibility and balance will be needed as this approach is used.

Contents of IMP's

The following is what MDE considers to be the minimum content of an IMP. Major components include Source Identification, Physical Site Evaluation, and Management Program Development. Each is discussed below.

I. Source Identification

Taking stock of past, present, and future activities and functions at a particular site is essential for any stormwater control scheme to work effectively. For example, programs developed to control storm drain system pollution cannot possibly be efficient if the location of the storm drain system is unknown. Some basic infrastructure data gathering would therefore be needed.

Municipalities permitted under Phase I of the NPDES municipal stormwater program conducted an inventory during initial permit applications. A similar, yet far less burdensome effort is envisioned for IMPs. The following needs to be included in a facility's IMP for source identification:

A. A description of the legal authority to address environmental issues for all media (e.g., water, waste, air, etc.) both imposed upon the facility and available to it for abating adverse impacts;

B. A description of historical pollutant generation or known discharges;

C. An assessment of current or anticipated facility operations that have or will affect water quality;

D. A description of current infrastructure data sources and the effort needed to inventory, through a geographic information system (GIS) or other methods, the facility's storm drain system including outfalls, conveyance structures, and inlets; interconnections with adjacent storm drain systems; land uses; streams, wetlands, and floodplains; and significant discharges to and from the facility's storm drain system; and

E. The location and type of all existing stormwater management BMPs.

II. Physical Site Evaluation

Maryland's stormwater management regulations (COMAR 26.17.02) allow appropriate local approval authorities to develop overall watershed management plans in order to implement design policies that differ from those used typically for new development. Likewise, MDE's "Maryland Stormwater Management Guidelines for State and Federal Projects" (July 2001) allow for institutional

management plans to be developed for specific facilities. A similar effort for the physical site evaluation component of an IMP is contemplated here. The following should be included in IMPs for purposes of coverage under this general permit:

A. A detailed hydrologic and hydraulic analysis to determine hydrograph timing;

B. An evaluation of both quantity and quality management;

C. An assessment of the cumulative impacts of the facility's institutional development;

D. Identified areas of existing flooding and an evaluation of receiving channel conditions; and

E. Identified areas where on-site and off-site quantitative and qualitative BMPs can be constructed or retrofitted to better control stormwater pollution.

Physical site assessments should be presented at a reasonable scale that is dictated by the facility's size and be consistent with the General Performance Standards for Stormwater Management in Maryland found in Section 1.2 of the "2000 Maryland Stormwater Design Manual."

III. Management Program Development

Based on the activities performed during Source Identification and the results of the Physical Site Evaluation, a management program shall be developed to control runoff from the facility. While the management program can be based on the minimum control measures found in PART III. of this general permit, customized approaches tailored to address individual facility characteristics will be typical. Basic management program development should include how pollution generated by stormwater runoff will be controlled for existing conditions and future development; how facility operations affect on-site water quality and the off-site environment; the interaction with the surrounding community through either public involvement or physical storm drain system interconnections; schedules for implementing the management program; and the costs associated with all stormwater management program components.

mde
Kendl P. Philbrick
Secretary
MARYLAND
DEPARTMENT OF THE ENVIRONMENT
Robert L. Ehrlich, Jr.
Governor
Michael S. Steele
Lt. Governor

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Maryland Stormwater Design Manual
Guidelines for State and Federal Projects
Stream Response to BMPs in Maryland
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National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from State and Federal Municipal Separate Storm Sewer Systems

GENERAL DISCHARGE PERMIT NO. 05-SF-5501 GENERAL NPDES PERMIT NO. MDR0555001

In December 1999, the EPA promulgated NPDES Phase II stormwater requirements. As a result, many State and federal agencies not permitted under Phase I are now required to obtain NPDES permit coverage under the federal Clean Water Act (CWA). Each is required to implement the following six minimum measures: public education and outreach; public participation and involvement; illicit discharge detection and elimination; construction site runoff control; post-construction runoff control; and pollution prevention/good housekeeping. Implementation of these minimum control measures will help efforts toward improving the quality of Maryland's streams, rivers, and Chesapeake Bay.

To provide coverage to State and federal agencies, WMA adopted a general permit on November 12, 2004 that addresses the six minimum control measures. Application requirements, best management practices (BMPs) to be implemented and measurable goals for each, BMP implementation schedules, and annual reporting requirements are addressed as well. Copies of the general permit are available here or by contacting MDE's Sediment, Stormwater & Dam Safety Program at 410-537-3543. Questions concerning the general permit may be directed to Mr. Charles Wallis, P.E., also at 410-537-3543.

Useful Link
- NPDES Phase II General Discharge Permit No. MDR055501
- NPDES Phase I & II Permits Fact Sheet (pdf)

Public Availability of NPDES Phase II Notices of Intent (NOI's), Public Comments, and Requests for Public Hearings

NOI's will be made available for public review at MDE's headquarters in Baltimore during normal business hours. NOI's that have been submitted are listed below. MDE will accept public comment and requests for public hearings on an NOI for a period of 45 days after it is listed. Agencies will be notified in writing when MDE's review of their NOI is complete, and authorization under this permit will commence concurrent with that notification. This date will also be listed below.

Can coordinate w/ Fri. Meade and

NPDES Phase II Notices of Intent (NOI's)

MDE has received the following NOI's for coverage under the NPDES Phase II Stormwater General Permit for Discharges from State and Federal Small MS4s:

Fri Send e-mail to Update

Agency	Installation/Facility	Date Listed	Date Authorized
Maryland Army National Guard	Multiple Properties	01/03/2005	pending
Federal Law Enforcement Training Center	Cheltenham	01/03/2005	09/29/2005
U.S. Department of the Army	Fort Detrick	01/03/2005	09/20/2005
U.S. Department of the Air Force	Andrews Air Force Base	01/10/2005	09/15/2005
U.S. Department of the Army	Adelphi Laboratory Center	01/12/2005	09/20/2005
Washington Suburban Sanitary Commission	Multiple Properties	01/12/2005	09/19/2005
United States Department of Agriculture APHIS-PPQ	National Plant Germplasm & Biotechnology Laboratory	01/14/2005	10/27/2005
Maryland Aviation Administration	Martin State Airport	01/14/2005	09/08/2005

National Institutes of Health	Bethesda Campus	01/14/2005	10/07/2005
University of Maryland	College Park Campus	01/14/2005	10/20/2005
Towson University	Towson Campus	01/14/2005	10/04/2005
United States Postal Service	William F. Bolger Center	01/14/2005	09/15/2005
Maryland Transit Administration	Multiple Properties	01/14/2005	09/28/2005
National Aeronautics & Space Administration	Goddard Space Flight Center	01/14/2005	10/04/2005
U.S. Department of the Navy	Naval District Washington, Indian Head	01/18/2005	09/29/2005
U.S. Department of the Navy	National Naval Medical Center	01/18/2005	09/28/2005
U.S. Department of the Army	U.S. Army Garrison, Aberdeen Proving Ground	01/18/2005	09/28/2005
Maryland Air National Guard	Multiple Properties	01/18/2005	pending
Architect of the Capitol	Library of Congress at Fort Meade	01/18/2005	09/29/2005
Maryland State Highway Administration	Multiple (outside Phase I Jurisdictions)	01/18/2005	05/25/2005
Washington Metropolitan Area Transit Authority	Multiple Metro Rail Stations	01/25/2005	10/27/2005
U.S. Department of the Army	Washington Aqueduct	01/25/2005	10/24/2005
Maryland Transportation Authority	Multiple Properties	01/25/2005	09/08/2005
U.S. Department of the Navy	U.S. Naval Academy	01/25/2005	10/20/2005
U.S. Department of the Navy	Naval Surface Warfare Center, Carderock	02/01/2005	10/27/2005
U.S. Department of Commerce, National Institute of Standards & Technology (NIST)	Gaithersburg Campus	02/01/2005	10/24/2005
Maryland Department of General Services	Ellicott City District Court & John R. Hargrove District Court	02/17/2005	10/07/2005
U.S. Department of the Army	Fort Meade	02/17/2005	10/07/2005
Maryland Stadium Authority	Camden Yards Sports Complex	02/17/2005	10/27/2005
U.S. Department of the Army, Reserves	Multiple Properties	11/14/2005	01/05/2006

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1800 Washington Blvd, Baltimore, MD 21230
Tel:(410) 537-3000 Toll Free:(800) 633-6101
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Maryland Department of the Environment (MDE)
Water Management Administration (WMA)

ANNUAL REPORT

National Pollutant Discharge Elimination System (NPDES)
General Permit for Discharges from Small Municipal Separate Storm Sewer Systems

This annual reporting form is intended for those agencies covered under General Discharge Permit No. 05-SF-5501. Submitting this report constitutes notice that the entity identified below is making progress to comply with all terms and conditions of the general permit. Annual reports shall be submitted to:

Maryland Department of the Environment, Water Management Administration
Sediment, Stormwater and Dam Safety Program, FL 4, STE 440
1800 Washington Boulevard, Baltimore, MD 21230-1708
Phone: 410-537-3543 FAX: 410-537-3553
Web Site: www.mde.state.md.us

1. Contact Information

Agency Name:_____ Contact Person(s):_____

Mailing Address:_____

_____

Phone Number:_____ FAX Number:_____

Email address:_____

2. Progress with Implementing Minimum Control Measures

Part V. C. of the General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (No. 05-SF-5501) specifies the annual reporting information that needs to be submitted to MDE by agencies. This information includes the status of compliance with permit conditions, an assessment of appropriateness of the identified best management practices (BMP), and the progress toward achieving the identified measurable goals for each of the minimum control measures. In addition, any changes in these measurable goals shall along with activities planned for the next annual reporting period shall be highlighted. If certain minimum control measures are being implemented through coordination with a another agency, all efforts shall be described. A table for agencies to report this information is located on the next page. Agencies can attach additional information if necessary.

Minimum Control Measures Progress

Minimum Control Measures	BMPs Selected	Responsible Entity	Implementation/ Completion Date	Measurable Goals
A. Personnel Education and Outreach				
B. Public Involvement and Participation				
C. Illicit Discharge Detection and Elimination				
D. Construction Site Runoff Control				
E. Post Construction Stormwater Management				
F. Pollution Prevention and Good Housekeeping				