

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

NOTICE OF FINAL DETERMINATION TO ISSUE PERMIT

**MONTGOMERY COUNTY
MD0068349**

The Maryland Department of the Environment (MDE) has reached a final determination to issue an NPDES permit to Montgomery County to control storm drain system pollution. MDE has responded to comments received in conjunction with the publication of the tentative determination to issue the permit. The comments received resulted in one minor change to include deadlines to meet benchmarks and waste load allocation in implementation plans applicable to TMDLs. The referenced change can be found in PART III. J.2.a and is being made to provide consistency with PART III. J.1. of the permit. The permit will be issued as final unless MDE receives a request for a contested case hearing by March 19, 2009.

Any person who contends that he or she will be adversely affected by the determination to issue the permit and wishes to contest the determination may request that a contested case hearing be convened. A request for a contested case hearing must be submitted in writing and must include the following information: (1) the identity of the requestor, including name, address, and daytime telephone number; (2) the specific rights, duties, or privileges that the requestor contends will be adversely affected by the final determination; (3) the identity of any other persons whom the requestor represents; and (4) a brief summary of the legal and factual issues that the requestor wants addressed at the hearing, including the specific provisions of the permit which the requestor wishes to contest. The request must conform to the requirements of Subsection 1-605 of the Environment Article, Annotated Code of Maryland.

A request for a contested case hearing must be received by MDE by March 19, 2009. Requests for a contested case hearing must be sent to:

Maryland Department of the Environment
Water Management Administration
Sediment, Stormwater, and Dam Safety Program
1800 Washington Boulevard, Suite 440
Baltimore, Maryland 21230-1720
Attn: Mr. Brian Clevenger

Any request for a contested case hearing may be denied if it is determined that the requestor is not one who is legally entitled to contest the permit in question or if the requestor fails to raise issues that are appropriate for resolution at a contested case hearing. If a request is granted, the contested case hearing will be conducted by the Maryland Office of Administrative Hearings (OAH). All persons who request a contested case hearing will be individually notified of the decision to hold or not hold the hearing. The OAH will coordinate the scheduling and other

arrangements for the contested case hearing and ensure that, at least 30 days before the hearing, the public is notified of the date, time, location and subject of the hearing.

For more information on stormwater management in Maryland or to view this permit go to: <http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/index.asp> or contact Mr. Brian Clevenger at 410-537-3543 or 1-800-633-6101. Copies of the document may be procured at a cost of \$0.36 per page.

Publication Dates: February 25, 2009 and March 4, 2009