

MARYLAND DEPARTMENT OF THE ENVIRONMENT

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PUBLIC HEARING ON THE TENTATIVE DETERMINATION TO MODIFY

THE GENERAL PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY
(PERMIT # 12-SW-A, NPDES # MDR00)

1:00 PM to 3:00 PM, Tuesday, July 24, 2018

Terra Conference Room at MDE
1800 Washington Blvd, Baltimore, MD 21230

AGENDA:

***** CONVENE THE HEARING *****

1. Hearing Opening

***** RECESS THE HEARING FOR INFORMAL INFORMATIONAL PERIOD *****

2. Introduction
3. Ground rules
4. Why are we here?
 - a. **Public Hearing on MDE's Tentative Determination to Modify the General Permit for Discharges of Stormwater Associated with Industrial Activity**
 - b. What does the Permit do?
 - c. Who must get the permit?
 - d. What is your role?
 - e. **Permit Modification Process**
5. **What are the Permit Changes? – Discharge Permit Presentation**

6. **How to Contact Us:**

Written comments must be post marked no later than Wednesday, **September 19, 2018** and directed to Maryland Department of the Environment, Attn: Paul Hlavinka, Industrial & General Permits Division, 1800 Washington Blvd., Ste. 455, Baltimore, MD 21230-1708. Emailed or faxed comments must be received by **5:00 PM** on that same date. Fax comments to (410) 537-3163. Email comments to paul.hlavinka@maryland.gov. Questions can be answered by calling 410-537-3323 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday and asking to speak to Paul or Michael. For more information, see our website by going to "<http://9n1.at/MD-SWGP>"

7. Questions

***** RECONVENE THE HEARING TO RECEIVE COMMENTS *****

8. Adjourn

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BACKGROUND, PERMIT PROCESS & PERMIT LIMITS

Why is there a permit?

In 1972, to address the often deplorable condition of many of America's waterways, the United States Congress passed the Clean Water Act (CWA). The centerpiece of that legislation is the wastewater discharge permit, which bears the title of National Pollutant Discharge Elimination System, or NPDES for short. The U.S. Environmental Protection Agency was tasked with administering the program, but with the field of dischargers numbering in the hundreds of thousands or more, the law provided for EPA to delegate the program to any qualified state. Maryland assumed control of the program in 1974, and that is why MDE is conducting this permitting process today.

What is an NPDES Permit?

The law's goal is to reduce the discharge of pollutants to our waterways. A permit establishes precise numerical standards for acceptable pollutant levels or defines management practices to achieve that end. With such a document, a regulatory agency can enforce compliance while the regulated facility is assured predictability in its legal standing.

Who gets a permit?

Anybody with a point source discharge of pollutants to waters of the nation, which usually means a pipe discharging wastewater into a stream or storm drain, must get a permit. The law does not provide for denial of applications unless there is no possibility an applicant can comply with any likely proposed permit.

Where do the permit limits come from?

The CWA states that every discharge must 1) be as clean as the prevailing wastewater treatment or management technology can achieve and 2) that the discharge not cause a violation of the standards each state establishes for its waterways. Regarding number one, these are known as technology-based limits. Sometimes they are precisely defined by "effluent limitation guidelines" developed by the EPA. In their absence, the agency relies on best professional judgment. Regarding number two, these are known as water quality based limits. The objective is to keep the receiving water suitable for fish, aquatic life, human contact, wildlife contact, and other special uses. These are often keyed to receiving water quality standards developed by the states and total maximum daily loads, also developed by the states.

What are the permit changes?

The Department is proposing to revise the restoration requirements in the current permit as summarized here: (1) authorizes trading as an option for meeting restoration requirements; (2) extends opportunity for generating marketable credits to those facilities who otherwise have no restoration requirements; (3) includes specific reporting requirements when trading is occurring; and (4) extends deadline for restoration requirements to December 31, 2020.

Where can I get more information?

The fact sheet and draft modification permit is available on MDE's website (direct shortcut link is <http://9nl.at/MD-SWGP>). The modification will replace pages 9 through 12 and add an Appendix G to the current permit. The current permit is available on this page as well.

When does the comment period close?

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