



**GENERAL PERMIT FOR DISCHARGES FROM  
SWIMMING POOLS AND SPAS**

**GENERAL DISCHARGE PERMIT NO. 17SI**

**NPDES PERMIT NO. MDG76**

**Effective Date:** Month Day, 2021

**Expiration Date:** Month Day, 2026

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Unless otherwise stated, you are only permitted to discharge under this permit after notifying and getting approval from MDE

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## PART I. PERMIT APPLICABILITY

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and the provisions of the Federal Clean Water Act (CWA), 33 U.S.C. §1251 et seq. and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Maryland Department of the Environment, hereinafter referred to as the “Department”, hereby authorizes operators located in the state of Maryland, who have submitted a notice of intent (NOI) and received written approval from the Department (where applicable), to discharge wastewater from activities specified and described herein to Waters of this State in accordance with the eligibility requirements and other conditions set forth in this permit and consistent with the permittees’ NOI on file with the Department (where applicable). “You” and “Your” are used in this permit to refer to the permittee or the permit applicant, as the context indicates, and that party’s facility or responsibilities.

### A. Geographic Coverage

This permit covers discharges to surface or groundwater located within the territorial boundaries of the state of Maryland.

### B. Eligible Discharges

This permit covers the following types of discharges from any public or private<sup>1</sup> pool, spa, or baptismal font, and similar facilities, including water slides, lazy rivers, spray pads, splash pads, interactive fountains, and water-themed amusement rides and parks:

1. **Discharge Type A:** Wastewater from draining or drawdown, including purging from tanks used for collection and/or recycling of water (i.e. for splash pad operations);
2. **Discharge Type B:** Cleaning wastewater;
3. **Discharge Type C:** Wastewater from filter backwash, including cleansing of cartridge filters;
4. **Discharge Type D:** Wastewater resulting from pool overflow/splashout and spraydown of surrounding areas;<sup>2</sup>

### C. Limitations on Coverage

Discharges of sanitary wastewater, including floor drains in bathrooms, showers, and equipment rooms are not eligible for coverage under this general permit.

This permit does not cover facilities, such as bumper boat operations, that may discharge contaminants other than those addressed in this permit, including but not limited to oil, grease, and fuels.

### D. No Permit Required

This discharge permit is not required for the discharge of any wastewater directed to the sanitary sewer system. However, you are responsible for obtaining any required

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<sup>1</sup> “Private” pools, spas, baptismal fonts, and similar facilities as defined in Appendix B, are not required to submit a Notice of Intent for coverage under this general permit. See Part III.A of this permit for additional details.

<sup>2</sup> Submission of a Notice of Intent is not required for the sole discharge of wastewater from Discharge Type D. See Part III.A and the section for Discharge Type D in Appendix A for additional details.

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authorizations from the local permitting authority for the wastewater treatment/sanitary sewer system prior to any discharge to the sanitary sewer.

If you are discharging to the sanitary sewer or do not discharge certain wastewaters, the Department provides a Permit Exemption Form (see Appendix C) that you can choose to fill out and maintain on site to provide a means for you to demonstrate your awareness of this permit and its inapplicability to you. Completion of the Permit Exemption Form is not required for compliance with this permit and completed forms shall not be submitted to MDE; however, displaying a completed form may be useful during inspections from your local authorities.

#### **E. Alternative Permit Coverage**

The Department may require you to obtain, or you may also request, coverage under an individual permit or registration under another general permit for reasons including, but not limited to, those described below. If the Department requires you to apply for and obtain an alternative permit and you do not comply, the Department may terminate your coverage under this permit. Permit termination shall be effective at the end of the day that the Department specified as a deadline for the application or Notice of Intent (NOI) to be submitted. After the date of termination, any discharges that were previously covered by this permit are no longer authorized and may be subject to enforcement action.

1. If the Department determines that a discharge may cause water quality standards to be exceeded in the receiving water, then the Department may require additional actions which may include the submission of an individual NPDES discharge permit application.
2. If site specific conditions, such as proposed discharge(s) to impaired waters or high-quality waters, do not allow the facility to be covered under the general permit without compromising water quality, you may be required to apply for an individual permit.
3. You may request to be excluded from coverage under this permit by applying for an individual state or NPDES discharge permit or submitting an NOI for coverage under another general permit. The Department may grant your request if the Department determines your reasons are adequate. If you are issued an individual NPDES permit or a different general permit, the Department may terminate your coverage under this permit.

#### **F. Related Permits**

Registration under this permit solely provides coverage for the discharge of wastewaters during pool operations. This permit does not satisfy any requirements of local authorities to either construct or operate a swimming pool. You are responsible for knowing all local and State requirements for pool construction and operation and adhering to all those which are applicable.

#### **G. Change in Location**

Registration under this permit is specific to the geographic location, as specified by you on your Notice of Intent. If your operation moves, you must submit a Notice of Termination (as outlined in Part II.E.2 of this permit) and apply for coverage at your new location (if applicable) by submitting a new Notice of Intent and fee.

#### **H. Continuation of an Expired General Permit**

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For those who meet the following notification requirements, unless this permit is terminated by the Department, an expired general permit continues in full force and effect, for those covered by the permit prior to its expiration during the period that the Department is drafting a new general permit and until the date(s) specified under a reissued general permit. If you wish to continue an activity regulated by this permit after the expiration date of this permit, you shall submit a Continuation of Registration statement at least 60 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. Notices of Intent or Continuation of Registration statements submitted later than the expiration date of the existing permit will not be accepted by the Department and permit coverage will not be extended.

### **I. Duty to Reapply**

If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must apply for and obtain authorization as required by the new permit once the Department issues it.

## **PART II. AUTHORIZATION UNDER THIS PERMIT**

This section details how to apply for authorization to discharge under this general permit. You shall be considered authorized to discharge under this permit upon receipt of a registration letter from the Department. Your authorization is subject to the terms of this permit and any terms specific to your facility which may be included within the registration letter.

### **A. How to Obtain Authorization**

#### **1. Notice of Intent (NOI) and Transfer Requests**

##### **a. Notice of Intent (NOI)**

If your facility and discharge type(s) require submission of an NOI, you must complete all information required on this permit's corresponding NOI form (MDE/WMA/PER.070), or an equivalent electronic form provided by the Department (if available). Detailed instructions are included on the NOI form. If you operate multiple facilities, you must submit an NOI for each noncontiguous site. Requiring multiple permits/NOIs for separate pools on the same site shall be at the Department's discretion on a case-by-case basis.

When submitting paper forms, a signed copy of the NOI and the required fee, made payable to the Maryland Department of the Environment, must be submitted to the following address:

Maryland Department of the Environment  
P.O. Box 2057  
Baltimore MD 21203-2057

You are required to provide the following information on the appropriate NOI form:

- *Permit Holder Information:* You shall identify the company name, facility contact, telephone number, email address, mailing address, IRS Employer Identification Number (EIN) and Worker's Comp Insurance carrier and policy number. You shall also indicate if you plan to be the primary operator of the pool.
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- *Facility Information:* You shall identify the name of facility, physical address, county, time when pool operates, latitude and longitude (in degrees decimal), previous 12SI permit number (if applicable), and any additional NPDES permit numbers associated with the facility.
- *Discharge Information:* You shall identify the Discharge Types which exist at the facility, any chemicals used which may be present for each type, estimated volume/flow and frequency for each type, and receiving water information for each type.
  - If the discharge is to surface waters, you must include the name of the receiving stream and whether they qualify as Tier II waters.
  - If you select groundwater as the sole receiving waters, this indicates that there is absolutely zero discharge via runoff to a stream of storm sewer system. See Part III.D.2 of this permit for further assistance in determining if you should select groundwater as the sole receiving waters.
- *Permit Fee:* You shall indicate if a fee is applicable.
- *Certification:* The Notice of Intent must be signed by an appropriate signatory (see Part II.C.2 of this permit) and dated. You shall identify the printed name and title of the signatory. If the person who prepared the NOI is different from the facility contact, you shall identify the preparer's name, phone number, and email address.

You must also attach a site map to the NOI. The map should identify the outfall(s) and/or facilities associated with discharges. The map should provide significant points of reference (i.e. roads, buildings, etc.) near each point of discharge and identify all surface waters within a quarter mile of the discharge location(s). All outfall locations should correspond to those identified on the NOI. If sampling for permit compliance is taken at a location other than the discharge point(s), the sampling location(s) shall also be identified on the map. The Department may use discretion in determining specific map requirements as needed on a case-by-case basis.

**b. Transfer of Authorization.**

For transfer of ownership, you can complete the Permit Transfer Request Form for General NPDES Permits found on the Department's website at <https://mdewwp.page.link/GPXferForm>. Detailed instructions are included with the form. If you are the owner or operator of multiple permits, you must submit a separate Permit Transfer Request Form for each permit you wish to transfer. The authorization under this permit is not transferable to any person except in accordance with this section. Authorization to discharge under this permit may be transferred to another person if:

- The current permittee notifies the Department in writing of the proposed transfer.
  - A written agreement, indicating the specific date of the proposed transfer of permit coverage and acknowledging the responsibilities of the current and new permittee for compliance with the terms and conditions of this permit, is submitted to the Department.
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Unless otherwise stated, you are only permitted to discharge under this permit after notifying and getting approval from MDE

- The new permittee either confirms in writing that the type of discharge, number of outfalls, and other information given on the original NOI remain correct or updates this information.
- Neither the current permittee nor the new permittee receives notification from the Department, within 30 days of receipt of items above, of intent to terminate coverage under this permit.

## 2. Permit Fee

- Pursuant to COMAR 26.08.04.09-1H, a \$100 fee is applicable to all pools requiring permit coverage which are not owned by municipalities, counties, or the State.
- To pay the permit fee by check, it must be made payable to the Maryland Department of the Environment and sent with the completed NOI as instructed in Part II.A.1.a of this permit.
- If you pay the permit fee by a check that does not clear for any reason, you will have 30 calendar days to make proper payment, including any interest and other charges. If payment is not received by the 31st calendar day, your coverage under this permit must be considered void from the outset. You should save the cancelled check, a copy of the completed NOI, and the letter confirming your authorization from the Department. These documents must be provided to the Department upon request.
- A new owner of a facility as a result of a transfer of ownership is responsible for any fees unpaid by the former owner.

## B. **Deadlines for Coverage**

You will be in violation of State and federal requirements to obtain a permit and subject to enforcement action by the Department if you fail to submit an NOI and fee payment or a transfer request in a timely manner as provided in the following table. Late NOIs will be accepted, but authorization to discharge will not be retroactive.

<b>Category</b>	<b>Coverage Submittal Deadline</b>
<i>Existing Dischargers</i> – in operation as of the effective date of this permit and previously authorized for coverage under State Permit Number 12-SI	Within four months after the effective date of this permit. Authorization to discharge under the 12-SI permit continues until registration is issued under this 17-SI permit, as long as a complete NOI is submitted by this deadline.
<i>New Dischargers or New Sources</i>	A minimum of 60 days prior to commencing discharge.
<i>New Owner/Operator of Existing Discharger</i> - transfer of ownership and/or operation of a facility whose discharge is authorized under this permit	A minimum of 30 days prior to date that the transfer will take place to the new owner/operator.
<i>Other Eligible Dischargers</i> – in operation prior to permit effective date, but not covered under the 12-SI or another NPDES permit.	Immediately, to minimize the time discharges from the facility will continue to be unauthorized.

## C. **Required Signatures**

### 1. Certification

Any person signing documents in accordance with Parts II.C.2 and II.C.3 of this permit must include the following certification:

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

### 2. Signatories

All applications, including NOIs and transfer requests, must be signed by a Signatory as follows:

**a. For a corporation:** By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

- i.)** a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
- ii.)** the manager of one or more properties belonging to the owner, provided the manager is authorized to make management decisions which govern the operation of the regulated facility having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

**b. For a partnership or sole proprietorship:** By a general partner or the proprietor, respectively

**c. For a municipality, State, Federal, or other public agency:** By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

- i.)** the chief executive officer of the agency; or
- ii.)** a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of the EPA).

### 3. Report Submission

**a.** All reports required by permits, and other information requested by the Department shall be signed by a person described in Part II.C.2 of this permit or by a duly

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authorized representative of that person. A person is a duly authorized representative only if:

- i.)* The authorization is made in writing by a person described in Part II.C.2;
  - ii.)* The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company; and
  - iii.)* The written authorization is submitted to the Department.
- b.** If an authorization under this subsection is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II.C.2 of this permit must be submitted to the Department prior to or together with any reports, information or applications to be signed by an authorized representative.

#### **D. Failure to Notify**

If you (1) perform any discharges which require permit coverage, (2) fail to notify the Department of your intent (Part II.A) to be covered under this permit within the deadlines established in this permit (Part II.B), and (3) discharge to waters of the state without an individual NPDES discharge permit, then you are in violation of the Federal Clean Water Act and of the Environment Article, Annotated Code of Maryland, and may be subject to penalties.

#### **E. Changes in Permit Coverage**

Certain planned changes in discharges or termination of permit coverage, both described below in this section, require notification to the Department's Wastewater Permits Program at this address:

Maryland Department of the Environment  
Wastewater Permits Program  
1800 Washington Blvd, Ste 455  
Baltimore, MD 21230

##### **1. Changes in Discharge**

- a.** All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a level in excess of that authorized shall constitute a violation of the terms and conditions of this permit. You must submit a revised NOI to the Department if there are anticipated facility expansions, additional or relocated outfalls, or facility modifications which will result in new types of discharge, change in potential pollutants, or increased concentrations of pollutants. This includes the use of different treatment chemicals from those identified in the NOI. The revised NOI should be submitted a minimum of 90 days prior to commencement of the changed discharges.
  - b.** Based upon its evaluation of the revised NOI, the Department may:
    - i.)* Continue to authorize the discharge under your current registration, or
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- ii.)* Issue a modification to your registration under this permit, or
  - iii.)* Require you to apply for an individual permit
- c.** Facility changes which have not altered or will not alter the type or quality of the discharge but alter the average daily discharge volume do not require submission of a revised NOI, unless specifically requested by the Department.

## **2. Termination of Permit Coverage**

### **a. Submitting a Notice of Termination**

To terminate permit coverage, you must submit a complete and accurate Notice of Termination (NOT), found at <https://mdewwp.page.link/GPNOT>, to the Wastewater Permits Program. Your authorization to discharge under this permit terminates at midnight of the day that a complete Notice of Termination is processed and acknowledged by the Department. If you submit a Notice of Termination without meeting one or more of the conditions identified in Part II.E.2.b of this permit, then your Notice of Termination is not valid. You are responsible for meeting the terms of this permit until your authorization is terminated.

### **b. When to Submit a Notice of Termination**

You must submit a Notice of Termination within 30 days after one or more of the following conditions have been met:

- i.)* All discharges at your facility that are covered by your registration under this permit have permanently ceased; or
  - ii.)* You move your operation to a new location (after submitting an NOT you must then apply for coverage at the new location per Part II.A through II.C of this permit); or
  - iii.)* A new owner or operator has taken over responsibility for the facility; or
  - iv.)* You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit, unless the Department has required that you obtain such coverage under Part I.E, in which case coverage under this permit will terminate automatically.
- c.** The Department may terminate your coverage under this general permit if the Department finds good cause to do so. If the Department terminates your permit coverage, you must cease all discharges previously authorized under this permit until you are granted coverage under either an individual or other general NPDES permit.

## **PART III. SPECIAL CONDITIONS for DISCHARGES**

### **A. Facilities Authorized Without Submitting a Notice of Intent**

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Unless otherwise stated, you are only permitted to discharge under this permit after notifying and getting approval from MDE

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If your facility fits the definition found in Appendix B of a “private” pool, spa, baptismal font, or similar facility (as identified in Part I.B), you do not need to submit a Notice of Intent for registration to discharge wastewater covered under this general permit.

If your facility discharges all wastewater of Discharge Types A, B, and C to the sanitary sewer, you are not required to submit a Notice of Intent for the sole discharge of wastewater under Discharge Type D (as specified in Appendix A).

For all facilities which are not required to submit a Notice of Intent, as outlined above in this section, you are automatically authorized to discharge in compliance with the requirements of this permit. You remain subject to the terms of this permit and are responsible for being aware of the effluent limitations, both narrative and numerical, and ensuring that your discharges meet all applicable limitations, but are not required to register with the Department or submit any monitoring results or other required submittals to the Department. You should, however, be prepared to demonstrate that you have not discharged in violation of the terms of this permit, should the Department or other responsible party ask you to do so.

The terms of this section do not absolve you from obtaining any other permits which may be required for your facility, including but not limited to pool operations permits.

## **B. Notification Requirements**

### **1. Notification for Large Discharges**

If the total wastewater discharge from any single discharge event will exceed 100,000 gallons within a 24-hour period, you shall notify the Water and Science Administration’s Compliance Program by phone at 410-537-3510 no later than 48 hours prior to the first discharge.

### **2. Notification of the Discharge of a Pollutant Not Limited in This Permit**

You shall notify the Department as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at or above levels specified in 40 CFR Part 122.42. This notification requirement may be modified by the Department at its discretion.

### **3. Submittal of Notifications**

All notifications shall be made to the Water and Science Administration Compliance Program at 410-537-3510 or, where permissible, in writing to:

Maryland Department of the Environment  
WSA – Compliance Program  
1800 Washington Blvd., Suite 425  
Baltimore, MD 21230

## **C. Effluent Limitations and Monitoring Requirements**

Discharges which are permitted by this permit have been categorized by type, as specified in Part I.B. Numerical limits, monitoring requirements, and narrative criteria which apply specifically to one type of discharge have been outlined in Appendix A. Once your registration is approved for discharges under a given Discharge Type, you must follow all terms of this permit, including those presented in each applicable section of Appendix A.

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**D. Narrative Requirements Applicable to All Discharges****1. Erosion and Sediment Control**

You must prevent or minimize erosion during the discharge. Any gulying greater than six inches in depth should be considered excessive erosion. For discharges onto normally dry land or into a dry drainage channel, mechanisms for erosion prevention may include, but are not limited to discharge via a diffuser, discharge into riprap, discharge into a splash barrier, and flow rate controls. For discharges occurring directly into flowing or standing water, preventative measures may include, but are not limited to flow rate control and locating the point of discharge in the receiving water at sufficient depth to prevent bottom scour.

**2. Discharges to Groundwater**

The selection of groundwater as the only receiving waters indicates that there is absolutely zero discharge via runoff into a stream or storm sewer system. If you are located near a surface water body or storm sewer inlet, it is recommended that you walk the expected flow path of your discharge to determine if there is potential for it to reach any surface water, including drainage ditches or swales that lead to a stream. In making this determination, it is important to consider that runoff will travel further during wet periods.

If you conclude that the discharge may not fully saturate into the ground, it is recommended that you also register to discharge to surface water in order to avoid any potential liability for an unauthorized surface water discharge. You are solely responsible for any violations stemming from discharges that are categorized incorrectly as groundwater.

Disposal of wastewater over land shall not result in ponding conditions or identifiable seepage of wastewater into surface waters. If discharging over land or into a seepage pit, you must monitor solids dispersal and remove, as needed, to maintain absorptive capacity of the soils.

If discharging over land, you must manage the discharge such that it does not run off your property and onto a neighboring property without the permission of that property owner. If there is a well in the area, discharges should not occur within 50 feet of the well.

Discharge into a septic system shall, for the purposes of this permit, be considered a groundwater discharge. It is strongly recommended that you consult with local authorities and/or a professional in the field of septic system design prior to discharging any pool wastewater to your septic system. You are responsible for knowing if local approval is required to discharge pool wastewater into your septic system. Authorization to discharge under this permit does not substitute for or supersede any local requirements.

**3. Standard Operating Procedures**

Each facility must have documented standard operating procedures which detail how you achieve compliance with this permit. There is no requirement that this document must stand alone from an operations manual or other documentation used to satisfy

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other pool requirements or permits. However, in order to comply with this permit, at a minimum, your manual or document must include the following information:

- *Pool Information:* Size and dimensions of the pool
- *Map:* At a minimum, the map must show the pool and the discharge locations, including the path taken to surface waters (if applicable). Surface water bodies must be labeled.
- *Procedures for Discharging:* A description of the procedures to be followed for discharging each type of wastewater. This section must include an overview of treatment processes and management practices to ensure compliance with the permit. This section shall also identify procedures required for sampling in accordance with permit requirements.

If it is recommended that you maintain any monitoring logs and information regarding training alongside your document/manual. A copy of the document/manual must be maintained on site and made available upon request of Department personnel.

#### 4. Training and/or Use of Contractors

It is the responsibility of the permittee to ensure that the personnel who is working on the site where discharges are occurring are trained properly for compliance with this permit. Records must be maintained which indicate the persons performing the discharges regulated by this permit have been properly trained.

Should the permittee desire to hire a contractor to perform any such work, it is at the discretion of the permittee as to whether to allow said contractor to operate under the terms of the permittee's registration under this permit or to require said contractor to obtain a separate registration. Terms of which registration a contractor is operating under should be clear in any agreement between parties.

Should the permittee allow a contractor to operate under the permittee's registration, it is the permittee's responsibility to ensure said contractor is aware of and adheres to all applicable permit requirements. For the purposes of assessing permit violations and taking enforcement action, the Department will assign responsibility to the entity who holds the registration under this permit. If you wish to authorize a contractor to report required effluent monitoring data, you will need to add the contractor as an authorized representative in NetDMR.

#### 5. Chemical Additives

##### a. Disinfection or pH Adjustment

The Department has established effluent limitations (see Appendix A) which regulate the use of disinfectants with an active ingredient of chlorine, bromine, PHMB compounds, copper, and silver. The permit limitations are also sufficient for protection of the use of acids and bases for the purpose of pH adjustment, including but not limited to muriatic acid, cyanuric acid, soda ash, and sodium hydroxide. The use of any other disinfectant or additive is prohibited unless you receive specific authorization from the Department. A request for approval should be submitted to the Department's Wastewater Permits Program.

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The use of disinfectants which contain copper or silver are prohibited for splash pads or similar facilities which have routine and frequent overflow into the groundwater. If a collection system is utilized which minimizes overflow into surrounding groundwater, then such additives may be used, but purging or draining of the collection system is subject to the effluent limitations of Discharge Type A.

**b. Algaecides**

If an algaecide label contains a warning against discharging water treated with the algaecide into lakes, streams, ponds, or other water bodies, that algaecide may not be used in water being discharged under this permit. In order to use an algaecide, a copy of the label must be submitted with the Notice of Intent and an additional copy maintained on site with permit records. In addition, algaecides with an active ingredient of chlorine, copper, or silver must be identified specifically on the NOI and will be subject to corresponding effluent limitations when in use.

If you wish to change algaecides or add use of an algaecide in the middle of a permit term, the new algaecide must comply with this permit section and all the information required by this section must be submitted to the Department within 30 days of commencing use. New algaecides containing chlorine, copper, or silver may not be used without permit modification, unless you are already limited for the corresponding parameter in your existing permit registration.

**c. Dechlorinating Agents**

The preferred and most environmentally friendly means for dechlorination is to “rest” the water and allow the chlorine to dissipate naturally. The use of chemicals such as sodium bisulfite or sodium thiosulfate may be used to dechlorinate water but must be used as minimally as possible to prevent depression of dissolved oxygen in the receiving stream. Should you wish to perform chemical dechlorination, you must follow manufacturer’s guidelines regarding dosage rate, and you will be subject to dissolved oxygen limitations, as specified in Appendix A. Note that the use of controlled-release dechlorination tablets does not constitute “chemical dechlorination.”

**6. Visual Inspection of Discharges**

You shall visually inspect discharges as frequently as possible, but a minimum of once daily when discharges are occurring. You must maintain a log of visual monitoring for all discharges to surface waters (including storm sewers). Discharges of oil sheen, floating solids, visible plumes of sediment or color, and/or persistent foam to surface waters (including storm sewers) are prohibited and shall be reported to the Water and Science Administration Compliance Program, pursuant to Part IV.H.1 of this permit. Discharge of wastewater with a visible oil sheen to groundwater is also prohibited.

**E. Tier II Antidegradation Requirements for New or Increased Dischargers**

If you are a new discharger, have increased your discharge volumes from previous permit registration(s), or are required to notify the Department of a modified discharge (Part II.E.1), and you discharge directly to waters designated by the State as Tier II for antidegradation purposes under 40 CFR 131.12(a), the Department may notify you that additional analyses, control measures, or other permit conditions are necessary to comply with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part I.E of this permit.

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## PART IV. MONITORING and REPORTING

### A. Representative Sampling

#### 1. Sample Collection

Required samples and measurements shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods. Where effluent authorized by this general permit mingles with other permitted discharges of wastewaters or waters, the time and place of sampling shall be chosen to uniquely represent the effluent authorized by this permit.

#### 2. Flow Estimation

If flow measurement equipment is not present at a given outfall, you may estimate flows and submit the following information with your initial discharge monitoring report submission:

- a. a description of the methodology used to estimate flow (for each applicable outfall);
- b. documentation appropriate to the methodology utilized which provides information necessary to support the validity of the reported flow estimate. If actual measurements or observations are made, a description of typical sampling times, locations, and persons performing the measurements/observations should be provided; and
- c. a description of the factors (e.g. batch discharges, intermittent operation, etc.) which cause flow at the outfall to fluctuate significantly from the estimate provided.

You are only required to submit a flow estimation methodology on subsequent discharge monitoring reports if your methodology or site conditions have appreciably changed.

### B. Sampling and Analytical Methods

The sampling and analytical methods used shall conform to procedures for the analysis of pollutants as identified in 40 CFR 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants" unless otherwise specified.

### C. Data Recording Requirements

For each sample taken to satisfy requirements of this permit, you must record the following information:

1. The exact place, date, and time of sampling or measurement;
  2. The person(s) who performed the sampling or measurement;
  3. The dates and times the analyses were performed;
  4. The person(s) who performed the analyses;
  5. The analytical techniques or methods used; and
-

6. The results of all required analyses.

**D. Monitoring Equipment Maintenance**

You must periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to ensure accuracy of measurements.

**E. Additional Monitoring by Permittee**

If you choose to monitor any pollutant more frequently than required by this permit, you shall use approved analytical methods as specified in Part IV.B of this permit, and shall report the results of such monitoring, including the increased frequency, in the calculation and reporting of the values as specified in Part IV.F of this permit (for parameters which reporting is already applicable under that section)..

**F. Reporting Monitoring Results (DMRs)**

This section is only applicable if you are subject to numerical limits or monitoring (including "REPORT" parameters) or submission of reports/documents which the Department specifies are to be submitted as attachments to DMRs.

**1. Discharge Monitoring Reports (DMRs) Submitted via NetDMR**

Unless a different reporting mechanism is specified, you must submit all monitoring results electronically using NetDMR once you are granted access to this tool, unless you demonstrate a reasonable basis that precludes the use of NetDMR. Specific requirements regarding submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

- a. NetDMR is a U.S. EPA tool allowing regulated Clean Water Act permittees to submit monitoring reports electronically via a secure Internet application. You must apply for access to NetDMR at [www.epa.gov/netdmr](http://www.epa.gov/netdmr) and register for a NetDMR Webinar. Before you can submit official DMRs using NetDMR, you must attend a training Webinar and successfully set-up and submit test monitoring results electronically. You must complete all requirements to gain access to NetDMR within one (1) month of authorization under this permit.
  - b. A permittee may be eligible for a temporary waiver by MDE from NPDES electronic reporting requirements if the permittee has no current internet access and is physically located in a geographic area (i.e., zip code) that is identified as underserved for broadband internet access in the most recent National Broadband Map from the Federal Communications Commission (FCC); or if the permittee can demonstrate that such electronic reporting of the monitoring data and reports would pose an unreasonable burden or expense to the NPDES-permitted facility. Waiver requests must be submitted in writing to the Department for written approval at least 120 days prior to the date the permittee would be required under this permit to begin using NetDMR. This demonstration shall be valid for one (1) year from the date of the Department approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to the Department unless the permittee submits a renewed waiver request and such request is approved by the Department. The application form for a waiver from electronic reporting requirements can be found at <https://mdewwp.page.link/eReportWaiver>. All subsequent hardcopy DMRs shall be sent to the following address:
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Attention: DMRs  
Maryland Department of the Environment  
WSA – Compliance Program  
1800 Washington Blvd., Suite 425  
Baltimore, MD 21230-1708

- c. All monitoring results shall be summarized on a discharge monitoring report form for each calendar quarter in NetDMR. Each Discharge Type which requires reporting will be assigned its own outfall number and will therefore have its own respective form for each quarter
- d. Submission of the four previous quarterly reports will be due once annually on October 28<sup>th</sup> of each calendar year. The annual submission must contain all completed forms for Quarters 1, 2, and 3 of the current calendar year and Quarter 4 of the previous calendar year. For example, the results due on October 28, 2022 will include monitoring from October 2021 through September 2022, as summarized on the applicable quarterly forms. To comply with this permit, you must complete and submit a form for all outfalls specified in your permit registration letter for each quarter. If you did not discharge from a designated outfall during a given quarter, you must still complete a form, but may report “No Discharge” or code “NODI C.” Note that even though the due date is only once annually, you can submit monitoring results in NetDMR as they become available, if you choose, rather than wait until all quarters have been collected.
- e. Records of all individual monitoring events (including both self monitoring or laboratory monitoring results) must either be attached to your DMR submission in NetDMR or maintained on site and made available upon request of Department personnel.

For example, if you are perform three pool draining/drawdown events in the course of a quarter, you shall complete the required monitoring for Discharge Category A in Appendix A at each event. On your quarterly DMR, you will report the maximum and average flows in gallons per day and the maximum or minimum concentration for all other applicable parameters across all three events for that quarter. Then, you shall maintain a record of monitoring results for all applicable parameter for each of the three individual events – and this record shall also specify date, time, and location of each individual event.

## 2. Laboratory Identification

Permittees may perform their own wastewater analyses or use an independent laboratory. You shall submit the name and address of any laboratory which you use to perform analyses (including your own laboratory, if applicable) as an attachment to your first DMR submission. If you change or add laboratories during the permit term, the Department shall be notified by attaching a letter identifying the change with the ensuing DMR submission.

## G. Records Retention

You must retain all records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation, and original recordings from continuous monitoring instrumentation, for a

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minimum of five (5) years. This period shall be extended automatically during the course of litigation, or when requested by the Department.

#### **H. Non-compliance with Discharge Limitations**

The discharge of any pollutant identified in this permit at a level in excess of the level authorized shall constitute a violation of the terms and conditions of this permit.

1. If, for any reason, you do not comply with or will be unable to comply with any of the effluent limitations in this permit, you shall notify, within 24 hours of discovery of the noncompliance, the Water and Science Administration Compliance Program at:

Maryland Department of the Environment  
WSA – Compliance Program  
1800 Washington Boulevard, Suite 420  
Baltimore MD 21230  
Phone: (410) 537-3510 Fax: (410) 537-4883

2. Within five calendar days, you shall provide the Department with the following information in writing at the above address:
  - a. A description of the noncompliant discharge, including the date and time of its occurrence and its impact on the receiving water;
  - b. The cause of the noncompliance;
  - c. The anticipated time the cause of the noncompliance is expected to continue, or, if the condition has been corrected, the duration of the period of the noncompliance;
  - d. Steps taken by the permittee to eliminate the noncompliant discharge;
  - e. Steps planned and implemented by the permittee to prevent the recurrence of the noncompliance; and
  - f. A description of the permittee's accelerated or additional monitoring to determine the nature and impact of the noncompliant discharge.
3. You shall take all reasonable steps to minimize or prevent any adverse impact to the waters of this state or to human health from noncompliance with any effluent limitations specified in this permit.

## **PART V. STANDARD PERMIT CONDITIONS**

### **A. Duty to Comply**

You must comply at all times with the terms and conditions of this permit, the provisions of the Environment Article, Title 7, Subtitle 2 and Title 9, Subtitles 2 and 3 of the Annotated Code of Maryland, and the Clean Water Act, 33 U.S.C. § 1251 et seq. Any noncompliance with any of the requirements of this permit constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit coverage.

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**B. Property Rights/Compliance with Other Requirements**

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

**C. Water Construction and Obstruction**

This permit does not authorize you to construct or place physical structures, facilities, or debris or undertake related activities in any waters of the State, unless authorized by the appropriate State and/or Federal agency.

**D. Right of Entry**

You must permit the Secretary of the Department, the Regional Administrator for the EPA, or their authorized representatives, upon the presentation of credentials, to:

1. enter upon your premises where a discharges' source is located or where any records are required to be kept under the terms and conditions of this permit;
2. access and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
3. inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;
4. inspect, at reasonable times, any collection, treatment, pollution management, or discharge facilities required under this permit;
5. sample, at reasonable times, any discharge of pollutants; and
6. take photographs (which may require direction for reasons of national security).

**E. Duty to Provide Information**

You must provide within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit to the Department. You must also provide copies of records required to be kept by this permit to the Department, upon request.

**F. Availability of Reports**

Except for data determined to be confidential under the Maryland Public Information Act and/or Section 308 of the Clean Water Act, 33 U.S.C. § 1318, all submitted data must be available for public inspection at the offices of the Department and the Regional Administrator of the Environmental Protection Agency.

**G. Submitting Additional or Corrected Information**

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When you become aware that you failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Department, you must submit the facts or information to the Department within 30 days.

#### **H. Removed Substances**

Wastes such as solids, sludges, or other pollutants removed from or resulting from treatment or control of wastewaters or facility operations, must be disposed of in a manner to prevent any wastes or runoff from wastes from contacting waters of the State.

#### **I. Toxic Pollutants**

You must comply with effluent standards or prohibitions for toxic pollutants established under the Federal Clean Water Act, or under Section 9-314 and Sections 9-322 to 9-328 of the Environment Article, Annotated Code of Maryland. You must be in compliance within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

#### **J. Oil and Hazardous Substances Prohibited**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve you from any responsibility, liability, or penalties to which the permittee may be subject under Section 311 of the Clean Water Act (33. U.S.C. § 1321), or under the Annotated Code of Maryland.

#### **K. Proper Operation and Maintenance**

You must at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used to achieve compliance with the conditions of the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or a similar system that you have installed only when the operation is necessary to achieve compliance with the conditions of the permit.

#### **L. Bypass**

Any bypass of treatment facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited unless:

1. the bypass is unavoidable to prevent a loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources;
  2. there are no feasible alternatives;
  3. notification is received by the Department within 24 hours (if orally notified, then followed by a written submission within five calendar days of the permittee's becoming aware of the bypass). Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten calendar days before the date of bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days; and
  4. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effects.
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**M. Upset**

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based effluent limitations only if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

1. an upset occurred and that the permittee can identify the specific cause(s) of the upset;
2. the permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
3. the permittee submitted a 24-hour notification of upset within 24 hours of becoming aware of the upset;
4. the permittee submitted, within five (5) calendar days of becoming aware of the upset, documentation to support and justify the upset; and
5. the permittee complied with any remedial measures required to minimize adverse impact.

**N. Need to Halt or Reduce Activity is Not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.

**O. Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State or to human health resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

**P. Permit Actions**

Authorization under this permit may be modified, revoked and reissued, or terminated for cause. At any time at the discretion of the Department or the U.S. Environmental Protection Agency, or if there is evidence indicating that stormwater discharges authorized by this permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, the Department may require the owner or operator of such discharge to obtain an individual permit or alternative general permit coverage. A request by the permittee for a modification, revocation or reissuance, termination, or a notification of planned changes or anticipated noncompliance does not suspend the permittee's obligation to comply with all permit conditions.

**Q. Severability**

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

**R. Reopener Clause for Permits**

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The Department may revoke this permit or modify this permit to include different limitations and requirements, in accordance with the procedures contained in COMAR 26.08.04.10 and 40 C.F.R. §§ 122.62, 122.63, 122.64 and 124.5; to comply with an applicable Total Maximum Daily Load (TMDL); or to comply with any applicable effluent standard or limitation issued or approved under Sections 301, 304, and 307 of the Clean Water Act [33 USCS §§ 1311, 1314, 1317] if the effluent standard or limitation issued or approved:

1. contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or
2. controls any pollutant not limited in this permit.

This permit, as modified or reissued under this section, must also contain any other requirements of the Act then applicable.

#### **S. Civil and Criminal Liability**

Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve you from any civil or criminal responsibilities, liabilities, and/or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local or other state law or regulation.

#### **T. Action on Violations**

The issuance or reissuance of this permit does not constitute a decision by the State not to proceed in an administrative, civil, or criminal action for any violations of State law or regulations occurring before the issuance or re-issuance of this permit, nor a waiver of the State's right to do so.

#### **U. Civil Penalties for Violations of Permit Conditions**

In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act and EPA regulations at 40 CFR Part 19 provide that any person who violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed \$37,500 per day for each violation. Statutory penalties of the CWA are subject to the Civil Monetary Penalty Inflation Adjustment Rule (40 CFR 19.4).

#### **V. Criminal Penalties for Violations of Permit Conditions**

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that:

1. Any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one (1) year, or by both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to a fine of not more than \$50,000 per day of violation or by imprisonment of not more than two years, or both;
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2. Any person who knowingly violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than three (3) years, or by both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to a fine of not more than \$100,000 per day of violation or by imprisonment of not more than six years, or both;
3. Any person who knowingly violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than \$250,000 or imprisonment of not more than fifteen years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in Section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision be subject to a fine of not more than \$1,000,000 for a first violation and up to \$2,000,000 for second or subsequent convictions.
4. Any person who: falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance, shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

#### **W. Administrative Penalties for Violations of Permit Conditions**

In addition to administrative penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

1. Class I Penalty. Not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$16,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$37,500).
  2. Class II Penalty. Not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$16,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$187,500).
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## Part VI. AUTHORITY TO ISSUE GENERAL NPDES PERMITS

On September 5, 1974, the Administrator of the EPA approved the proposal submitted by the State of Maryland for the operation of a permit program for discharges into navigable waters under Section §402 of the federal Clean Water Act, 33 U.S.C. §Section 1342.

On September 30, 1990, the Administrator of the EPA approved the proposal submitted by the State of Maryland for the operation of a general permit program.

Under the approvals described above, this general discharge permit is both a State of Maryland general discharge permit and an NPDES general discharge permit.

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D. Lee Currey, Director  
Water and Science Administration

**DRAFT**



## **Appendix A: Specific Requirements for Discharge Categories**

<b>DISCHARGE TYPE A: WASTEWATER FROM DRAINING OR DRAWDOWN.....</b>	<b>2</b>
<b>DISCHARGE TYPE B: CLEANING WASTEWATER .....</b>	<b>5</b>
<b>DISCHARGE TYPE C: WASTEWATER FROM FILTER BACKWASH .....</b>	<b>8</b>
<b>DISCHARGE TYPE D: WASTEWATER FROM POOL OVERFLOW/ SPLASHOUT, AND SPRAYDOWN OF SURROUNDING AREAS .....</b>	<b>11</b>

You must comply with Appendix A discharge-type-specific requirements associated with each discharge category applicable to your facility. These requirements are in addition to any requirements specified elsewhere in this permit, particularly those specified in Part III.



## Discharge Type A: Wastewater from Draining or Drawdown

### Eligible Discharges:

Wastewater from the draining or drawdown of swimming pools and other similar facilities, as described in Part I.B. This discharge type includes all draining/drawdown events, including but not limited to end-of-season, offseason water-level management, and pre-season drawdowns prior to pool cleaning (but not cleaning wastewater, which is covered under Discharge Type B).

Discharges which are more frequent, such as overflow from splash pads, are not included under this type, but are covered under Discharge Type D. However, the discharge of water resulting from the purge of a recycling or collection system used for a pool, splash pad or similar facility, would be included in this Type.

### Effluent Limitations for Discharge Type A:

In addition to the numerical and narrative limitations expressed below, all permittees are subject to the narrative requirements in Part III.D of this permit.

Unless otherwise stated, all numerical limitations are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit. Limitations presented in each table below are applicable only if the condition above the table and any qualifying conditions stipulated above the limit within the table have occurred for the wastewater being discharged. Should you have a quarter where you are discharging, but some limitations are not applicable (i.e. you did not chemically dechlorinate), you should report “NODI 9” for the parameters not required.

### Discharges to Groundwater:

See Part III.D.2 before you select groundwater as the sole receiving waters.

Groundwater discharges are not subject to numerical limitations or reporting, unless you are using pool additives containing copper or silver.

If you are not using copper or silver additives, you must measure or estimate discharge flow or volume for each event and maintain a log of events on site. This monitoring log must be made available if requested by Department personnel.

**Table A-1: Discharge Type A, Discharges to Groundwater – Reporting and Limitations**

\*\*\*This table is applicable if you are using pool additives which contain copper or silver.\*\*\*

Parameter	Daily Maximum	Quarterly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow	REPORT	REPORT	gpd	1/Discharge	Measured	(1) (2)
<b>The limit below is applicable only if you use a pool additive containing copper:</b>						
Total Copper	1.0		mg/L	1/Discharge	Grab	(2)
<b>The limit below is applicable only if you use a pool additive containing silver:</b>						
Total Silver	0.1		mg/L	1/Discharge	Grab	(2)

**Notes – Table A-1**

- (1) You may estimate flow pursuant to Part IV.A.2 of the permit.
- (2) The daily maximum value is highest value obtained for the given parameter for all discharge events during the reporting quarter. If there was more than one draining event in a given quarter, you must attach a record of flow and required monitoring results for each event to your form in NetDMR.

**Discharges to Surface Water or Storm Sewer:**

Discharges to surface waters may not contain solids which exceed a particle size that can pass a Tyler designation 20-mesh screen.

You must ensure that your discharge does not cause an in-stream exceedance of the water quality standard for temperature in the receiving stream. The applicable water quality standards are: 90°F for Use I, I-P, and II streams; 68°F for Use III and III-P streams; and 75°F for Use IV and IV-P streams. For assistance in determining the Designated Use of the receiving stream at your site, you may consult the map at <https://mdewwp.page.link/MDUseMap>. If the pool water to be drained exceeds the water quality standard, you must establish best management practices such as maintaining low flow or cooling the water to ensure the in-stream standard is not exceeded outside of a 50-foot radial mixing zone.

**Table A-2: Discharge Type A, Discharges to Surface Water – Reporting and Limitations**

Parameter	Daily Minimum	Daily Maximum	Quarterly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Discharge	Measured	(1) (2)
pH	6.0	9.0		s.u.	1/Discharge	Grab	(2)
<b>The limit below is applicable only if you use a pool additive containing chlorine:</b>							
Total Residual Chlorine		19 / 13		µg/L	1/Discharge	Grab	(2) (3) (4)
<b>The limit below is applicable only if you use a pool additive containing bromine:</b>							
Total Residual Bromine		0.1		mg/L	1/Discharge	Grab	(2) (5)
<b>The limit below is applicable only if you use a pool additive containing cyanuric acid:</b>							
Cyanuric Acid		100		mg/L	1/Discharge	Grab	(2) (6)
<b>The limit below is applicable only if you use a pool additive containing copper:</b>							
Total Copper		13 / 4.8		µg/L	1/Discharge	Grab	(2) (3)
<b>The limit below is applicable only if you use a pool additive containing silver:</b>							
Total Silver		3.2 / 1.9		µg/L	1/Discharge	Grab	(2) (3)
<b>The limit below is applicable only if you use a pool additive containing PHMB:</b>							
PHMB		< 0.10		mg/L	1/Discharge	Grab	(2) (7)
<b>The limit below is applicable only if you perform chemical dechlorination (see Permit Part III.D.5.c) and discharge occurs into a Use I, I-P, II, or II-P receiving water:</b>							
Dissolved Oxygen	5.0			mg/L	1/Discharge	Grab	(2) (8)
<b>The limit below is applicable only if you perform chemical dechlorination (see Permit Part III.D.5.c) and discharge occurs into a Use III, III-P, IV, or IV-P receiving water:</b>							
Dissolved Oxygen	6.0			mg/L	1/Discharge	Grab	(2) (9)

**Notes – Table A-2**

- (1) You may estimate flow pursuant to Part IV.A.2 of the permit.
  - (2) The daily maximum/minimum value is highest/lowest value obtained for the given parameter for all discharge events during the reporting quarter. If there was more than one draining event in a given quarter, you must attach a record of flow and required monitoring results for each event to your form for that quarter in NetDMR.
  - (3) The daily maximum limitation is different depending on whether the receiving stream is fresh water or salt water. For these limitations, the table expresses the applicable limit as “fresh water limit / salt water limit.”
  - (4) Per COMAR 26.08.03.06D, the nondetectable level for total residual chlorine is 0.10 mg/L. All results below this level shall be considered to be in compliance with the permit limitations. Report results below 0.10 mg/L as “NODI B” in NetDMR.
  - (5) Total Residual Bromine shall be tested using a DPD Colorimetric Test Method.
  - (6) Cyanuric acid shall be tested using a pool cyanuric acid test kit which meets the requirements of COMAR 10.17.01.47.
  - (7) “PHMB” is poly(hexamethyleneguanide hydrochloride)-related disinfectants. When using additives containing PHMB, the residual PHMB in discharges to surface waters shall be nondetectable. The nondetectable level is attained when the residual is less than 0.1 mg/L. Testing for PHMB shall be done using a pool PHMB test kit which meets requirements of COMAR 10.17.01.47.
  - (8) Limit is applicable if the receiving stream for the discharges is Class I, I-P, or II, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
  - (9) Limit is applicable if the receiving stream for the discharges is Class III, III-P, IV, or IV-P, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
-

## Discharge Type B: Cleaning Wastewater

### Eligible Discharges:

Wastewater from cleaning of swimming pools and other similar facilities, as described in Part I.B. Discharge Type B generally covers discharges from an extensive pool cleaning, which most often occurs no more than once annually. Daily cleaning measures which are less extensive and do not typically require draining of significant quantities of water, but do result in a discharge, can be covered under Discharge Type C or D, if they are commingled with those discharges.

### Effluent Limitations for Discharge Type B:

In addition to the numerical and narrative limitations expressed below, all permittees are subject to the narrative requirements in Part III.D of this permit.

Unless otherwise stated, all numerical limitations are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit. Limitations presented in each table below are applicable only if the condition above the table and any qualifying conditions stipulated above the limit within the table have occurred for the wastewater being discharged. Should you have a quarter where you are discharging, but some limitations are not applicable (i.e. you did not chemically dechlorinate), you should report “NODI 9” for the parameters not required.

For pool cleaning operations under this discharge type, monitoring shall be performed, and compliance confirmed, **prior to** the discharge.

### Discharges to Groundwater:

See Part III.D.2 before you select groundwater as the sole receiving waters.

Groundwater discharges are not subject to numerical limitations or reporting, unless you are using pool additives containing copper or silver.

If you are not using copper or silver additives, you must measure or estimate discharge flow or volume for each event and maintain a log of events on site. This monitoring log must be made available if requested by Department personnel.

**Table B-1: Discharge Type B, Discharges to Groundwater – Reporting and Limitations**

\*\*\*This table is applicable if you are using pool additives which contain copper or silver.\*\*\*

Parameter	Daily Maximum	Quarterly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow	REPORT	REPORT	gpd	1/Discharge	Measured	(1) (2)
<b>The limit below is applicable only if you use a pool additive containing copper:</b>						
Total Copper	1.0		mg/L	1/Discharge	Grab	(2)
<b>The limit below is applicable only if you use a pool additive containing silver:</b>						
Total Silver	0.1		mg/L	1/Discharge	Grab	(2)

Notes – Table B-1

Unless otherwise stated, you are only permitted to discharge under this permit after notifying and getting approval from MDE

- (1) You may estimate flow pursuant to Part IV.A.2 of the permit.
- (2) The daily maximum value is highest value obtained for the given parameter for all discharge events during the reporting quarter. If there was more than one draining event in a given quarter, you must attach a record of flow and required monitoring results for each event to your form in NetDMR.

### **Discharges to Surface Water or Storm Sewer:**

Discharges to surface waters may not contain solids which exceed a particle size that can pass a Tyler designation 20-mesh screen.

**Table B-2: Discharge Type B, Discharges to Surface Water – Reporting and Limitations**

Parameter	Daily Minimum	Daily Maximum	Quarterly Average	Units	Monitoring Frequency	Sample Type	Notes
Flow		REPORT	REPORT	gpd	1/Discharge	Measured	(1) (2)
pH	6.0	9.0		s.u.	1/Discharge	Grab	(2)
<b>The limit below is applicable only if you use a pool additive containing chlorine or if the water you are cleaning the pool with comes from a chlorinated source:</b>							
Total Residual Chlorine		19 / 13		µg/L	1/Discharge	Grab	(2) (3) (4)
<b>The limit below is applicable only if you use a pool additive containing bromine:</b>							
Total Residual Bromine		0.1		mg/L	1/Discharge	Grab	(2) (5)
<b>The limit below is applicable only if you use a pool additive containing cyanuric acid:</b>							
Cyanuric Acid		100		mg/L	1/Discharge	Grab	(2) (6)
<b>The limit below is applicable only if you use a pool additive containing copper:</b>							
Total Copper		13 / 4.8		µg/L	1/Discharge	Grab	(2) (3)
<b>The limit below is applicable only if you use a pool additive containing silver:</b>							
Total Silver		3.2 / 1.9		µg/L	1/Discharge	Grab	(2) (3)
<b>The limit below is applicable only if you use a pool additive containing PHMB:</b>							
PHMB		< 0.10		mg/L	1/Discharge	Grab	(2) (7)
<b>The limit below is applicable only if you perform chemical dechlorination (see Permit Part III.D.5.c) and discharge occurs into a Use I, I-P, II, or II-P receiving water:</b>							
Dissolved Oxygen	5.0			mg/L	1/Discharge	Grab	(2) (8)
<b>The limit below is applicable only if you perform chemical dechlorination (see Permit Part III.D.5.c) and discharge occurs into a Use III, III-P, IV, or IV-P receiving water:</b>							
Dissolved Oxygen	6.0			mg/L	1/Discharge	Grab	(2) (9)

#### **Notes – Table B-2**

- (1) You may estimate flow pursuant to Part IV.A.2 of the permit.
- (2) The daily maximum/minimum value is highest/lowest value obtained for the given parameter for all discharge events during the reporting quarter. If there was more than one draining event in a given quarter, you must attach a record of flow and required monitoring results for each event to your form for that quarter in NetDMR.

- (3) The daily maximum limitation is different depending on whether the receiving stream is fresh water or salt water. For these limitations, the table expresses the applicable limit as "fresh water limit / salt water limit."
  - (4) Per COMAR 26.08.03.06D, the nondetectable level for total residual chlorine is 0.10 mg/L. All results below this level shall be considered to be in compliance with the permit limitations. Report results below 0.10 mg/L as "NODI B" in NetDMR.
  - (5) Total Residual Bromine shall be tested using a DPD Colorimetric Test Method.
  - (6) Cyanuric acid shall be tested using a pool cyanuric acid test kit which meets the requirements of COMAR 10.17.01.47.
  - (7) "PHMB" is poly(hexamethylenebiguanide hydrochloride)-related disinfectants. When using additives containing PHMB, the residual PHMB in discharges to surface waters shall be nondetectable. The nondetectable level is attained when the residual is less than 0.1 mg/L. Testing for PHMB shall be done using a pool PHMB test kit which meets requirements of COMAR 10.17.01.47.
  - (8) Limit is applicable if the receiving stream for the discharges is Class I, I-P, or II, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
  - (9) Limit is applicable if the receiving stream for the discharges is Class III, III-P, IV, or IV-P, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
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## Discharge Type C: Wastewater from Filter Backwash

### **Eligible Discharges:**

Wastewater from the backwash of filters, including the cleansing or spraying of cartridge filters, of swimming pools and other similar facilities, as described in Part I.B. This Discharge Type may also include commingled discharges from minor, routine daily cleaning events which do not fall into Discharge Type B.

### **Effluent Limitations for Discharge Type C:**

In addition to the numerical and narrative limitations expressed below, all permittees are subject to the narrative requirements in Part III.D of this permit.

Unless otherwise stated, all numerical limitations are to be summarized on discharge monitoring reports and submitted via NetDMR in accordance with Part IV.F of this permit. Limitations presented in each table below are applicable only if the condition above the table and any qualifying conditions stipulated above the limit within the table have occurred for the wastewater being discharged. Should you have a quarter where you are discharging, but some limitations are not applicable (i.e. you did not chemically dechlorinate), you should report “NODI 9” for the parameters not required.

### **Narrative Conditions Specific to Filter Backwash**

At least the first 30 seconds of backwash from a sand or diatomaceous earth filter must be directed to a sanitary sewer or collected in a holding tank for settling prior to discharge (subject to the surface water limitations below). Following the first 30 seconds, it is highly recommended that you discharge to a grassy area or seepage pit which will allow for percolation of the wastewater into the ground. Note that you are not permitted to discharge the water in a manner such that it runs off onto a neighboring property without the permission of that property owner.

The spraydown of a cartridge filter must be done in a manner where all discharges are either directed to the sanitary sewer, allowed to percolate into the ground, or collected in a tank or bucket for filtering/settling prior to discharge (subject to the surface water limitations below). The use of any cleaning product for cartridge filters beyond allowed pool additives (see Part III.D.5) must be approved by the Department before discharging to either ground or surface waters.

Take specific note of the narrative requirements in Part III.D.6 of the permit regarding visual monitoring of discharges, particularly noting that the discharge of any wastewater containing a visible oil sheen to either surface water or ground water is prohibited.

### **Discharges to Groundwater:**

See Part III.D.2 before you select groundwater as the sole receiving waters.

Groundwater discharges are not subject to numerical limitations or reporting, unless you are using pool additives containing copper or silver.

If you are not using copper or silver additives, you must measure or estimate discharge flow or volume for each event and maintain a log of events on site. This monitoring log must be made available if requested by Department personnel.

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\*\*\*This table is applicable if you are using pool additives which contain copper or silver.\*\*\*

**Notes – Table C-1**

- [illegible]

Unless otherwise stated, you are only permitted to discharge under this permit after notifying and getting approval from MDE

Dissolved Oxygen	5.0			mg/L	1/Month	Grab	(2) (9)
<b>The limit below is applicable only if you perform chemical dechlorination (see Permit Part III.D.5.c) and discharge occurs into a Use III, III-P, IV, or IV-P receiving water:</b>							
Dissolved Oxygen	6.0			mg/L	1/Month	Grab	(2) (10)

**Notes – Table C-2**

- (1) You may estimate flow pursuant to Part IV.A.2 of the permit.
- (2) The daily maximum/minimum value is highest/lowest value obtained for the given parameter for all discharge events during the reporting quarter. If there was more than one draining event in a given quarter, you must attach a record of flow and required monitoring results for each event to your form for that quarter in NetDMR.
- (3) Units for turbidity are nephelometric turbidity units (NTU). Samples for turbidity must be representative of the average solids content of the discharge. Thus, for discharges from a holding tank, the sample shall be collected during the second half of the discharge. First discharges directly from the filter, samples shall be collected within the first 30 seconds of commencing discharge to surface waters (following the initial 30 second period which is prohibited for direct discharge in the above narrative conditions of this part).
- (4) The daily maximum limitation is different depending on whether the receiving stream is fresh water or salt water. For these limitations, the table expresses the applicable limit as “fresh water limit / salt water limit.”
- (5) Per COMAR 26.08.03.06D, the nondetectable level for total residual chlorine is 0.10 mg/L. All results below this level shall be considered to be in compliance with the permit limitations. Report results below 0.10 mg/L as “NODI B” in NetDMR.
- (6) Total Residual Bromine shall be tested using a DPD Colorimetric Test Method.
- (7) Cyanuric acid shall be tested using a pool cyanuric acid test kit which meets the requirements of COMAR 10.17.01.47.
- (8) “PHMB” is poly(hexamethyleneguanide hydrochloride)-related disinfectants. When using additives containing PHMB, the residual PHMB in discharges to surface waters shall be nondetectable. The nondetectable level is attained when the residual is less than 0.1 mg/L. Testing for PHMB shall be done using a pool PHMB test kit which meets requirements of COMAR 10.17.01.47.
- (9) Limit is applicable if the receiving stream for the discharges is Class I, I-P, or II, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.
- (10) Limit is applicable if the receiving stream for the discharges is Class III, III-P, IV, or IV-P, as defined by the Specific Designated Use Classes at COMAR 26.08.02.02B.

## **Discharge Type D: Wastewater from Pool Overflow/ Splashout, and Spraydown of Surrounding Areas**

### **Eligible Discharges:**

Discharges resulting from the overflow or splashout of pool water during swimming activities and events and which results from the spraying down of the pool deck and surrounding areas (not including cleansing of the filter). This includes the overflow from the normal operations of splash pads.

### **Notice of Intent Requirements:**

If you do not discharge any wastewater under Discharge Types A, B, or C to surface waters (including storm sewers) or groundwaters, you do not need to submit a Notice of Intent for the sole purpose of discharging wastewater under Discharge Category D. In those instances, you should still follow the guidance and requirements of this section, as well as other applicable permit sections, but do not need to register for coverage under this permit.

### **Effluent Limitations for Discharge Type D:**

There are no numerical limitations for Discharge Type D. In addition to the numerical and narrative limitations expressed below, all permittees are subject to the narrative requirements in Part III.D of this permit.

#### **Pool Overflow/Splashout**

Your pool should be set up to prevent any overflow or splashout from reaching surface waters or the storm sewer by either directing such flows to percolate into the groundwater in areas surrounding the pool and/or pool deck. If a storm drain or surface water body is nearby, you must utilize best management practices such as curbing or deck contouring to minimize the ability of pool water from directly flowing into surface waters or the storm drain.

#### **Spraydown of Pool Deck and Surrounding Areas**

If you are doing routine spraydown cleaning of the pool deck or areas surrounding the pool, you must do so in a manner to minimize the cleaning water from entering surface waters.

You are not permitted to use any detergents or additives in cleaning the pool deck unless you can ensure that there will be no discharges to either surface or ground waters or you obtain specific written authorization for use of a detergent or additive by submitting an SDS for the chemical to the Department.

Prior to commencing the spraydown, reasonable care should be taken to clean the area (i.e. sweeping up of solids, scrubbing of spilled materials/oils).

Discharges containing a visible oil sheen are strictly prohibited to either surface waters (including storm drains) or groundwaters.

#### **Collection and/or Recycling Systems**

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If your pool uses a collection system for overflow/splashout and/or deck cleaning, such as those commonly used for splash pads, you must register under Discharge Type A to drain or purge the collection system. You must operate the collection system in a manner which prevents direct discharge of water from overflow/splashout to surface waters except during deliberate events subject to the terms of Discharge Type A. Any overflow or splashout which does not enter the collection system shall be managed in accordance with the above conditions of this section.



## Appendix B: Definitions, Abbreviations, and Acronyms

The definitions provided in this Appendix B are for reference. Where State or Federal law provides more stringent applicable definitions, the more stringent requirements prevail.

**Additive or Chemical Additive** - water treatment chemicals or products added to water prior to discharge, such as disinfectants, pH neutralizers, algaecides, or dechlorinating agents. For pools, additives are often added to maintain acceptable swimming water quality but may also be added to the water so that the discharge water is in compliance with the permit limits.

**Best Management Practices** - schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the State.

**Bypass** - the intentional diversion of wastes from any portion of a treatment facility.

**CFR** - Code of Federal Regulations

**Chemical dechlorination** – refers to the use of an additive (e.g. sodium bisulfite, sodium thiosulfate) which, if overadded, may cause scavenging of dissolved oxygen. Specifically, for the purposes of this permit, this does not include the use of dechlorination tablets.

**Cleaning wastewater or Pool Cleaning Wastewater** – a discharge related to the thorough cleaning of the pool sides and bottom, typically after emptying the pool. This does not refer to routine cleaning of the pool deck or vacuuming.

**COMAR** - Code of Maryland Regulations

**Control measure** – refers to any BMP or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the State.

**CWA** – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

**Corrective action** – for the purposes of the permit, any action taken, or required to be taken, to (1) repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

**Daily determination of concentration** - one analysis performed on any given sample representing flow during a calendar day, with one number in mg/L or other appropriate units as an outcome.

**Daily maximum effluent concentration** - the highest reading of any daily determination of concentration.

**Department** - the Maryland Department of the Environment. Unless stated otherwise, all submissions to the Department shall be directed to the attention of the Wastewater Permits Program.

**Discharge** – the (a) addition, introduction, leaking, spilling, or emitting of a Pollutant into the Waters of the State; or (b) placing of a Pollutant in a location where the Pollutant is likely to pollute.

**Discharge of a pollutant** – any addition of any “pollutant” or combination of pollutants to “waters of this State” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of this State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR §122.2.

**Discharge-related activities** – activities that cause, contribute to, or result in allowable discharges, and measures such as the operation of BMPs to control, reduce, or prevent pollution in the discharges.

**Disinfectant** - any oxidant, including but not limited to chlorine, chlorine dioxide, and bromine, added to the water in the pool itself or during any part of the treatment process that is intended to inactivate pathogenic microorganisms.

**Drawdown** - the draining of a pool or spa in its entirety.

**DMR** – Discharge Monitoring Report, which is a report submitted by a permittee to the Department summarizing the effluent monitoring results obtained by the permittee over periods of time as specified in the permit.

**Effluent limitation** - any restriction or prohibition that:

- Is established under federal law or a law of this State;
- Specifies quantities, rates or concentrations of chemical, physical, biological, or other constituents that are discharged into the waters of this State; and
- Includes parameters for the discharge of toxic and nontoxic substances and standards of performance for new sources.

**EPA** – U. S. Environmental Protection Agency

**Estimated flow** – a calculated volume or discharge rate that is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters, and batch discharge volumes.

**Existing discharger** – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

**Facility or Activity** – any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

**Federal Act or Federal Clean Water Act** - the federal Water Pollution Control Act (33 U.S.C. §1251 et seq.), its amendments, and all rules and regulations adopted under the Act.

**General permit** – a State discharge permit issued to a class of dischargers.

**GPD or gpd** - an abbreviation for gallons per day, used as unit of measurement for flow.

**Grab sample** - an individual sample collected in less than 15 minutes. Grab samples for pH and total residual chlorine shall be analyzed within 15 minutes of sample collection.

**Groundwater** - underground water in a zone of saturation.

**Impaired Water** (or “Water Quality Impaired Water”) – a body of water identified by the Department or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established. Impaired waters compilations are included in Maryland’s most current List of Impaired Surface Waters as Category 4a, 4b, 4c or 5 waterbodies.

**Includes or including** - includes or including by way of illustration and not by way of limitation.

**µg/L** – the abbreviation for micrograms per liter, used as a unit of measurement for concentration of a contaminant. Equivalent to parts per billion or ppb.

**mg/L** – the abbreviation for milligrams per liter, used as a unit of measurement for concentration of a contaminant. Equivalent to parts per million or ppm.

**Minimize** – to reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice

**Monthly average** – The arithmetic average of all sample results collected in a given month.

**NetDMR** – a nationally-available electronic reporting tool, initially designed by states and later adapted for national use by EPA, which can be used by NPDES-regulated facilities to submit discharge monitoring reports (DMRs) electronically to EPA through a secure Internet application over the National Environmental Information Exchange Network (NEIEN). EPA can then share this information with authorized states, tribes, and territories.

**Notice of Intent (NOI)** – the form required for authorization of coverage under this permit.

**Notice of Termination (NOT)** – the form required for terminating coverage under this permit.

**NPDES** – National Pollutant Discharge Elimination System

**NTU** – Nephelometric Turbidity Units, a unit of measurement used for turbidity

**Operator** – means that person or those persons with responsibility for the management and performance of each facility.

**Outfall** – locations where collected and concentrated stormwater flows are discharged from the facility, including pipes, ditches, swales, and other structures that transport stormwater.

**Overflow** – the water which leaves the pool and drains adjacent to the pool perimeter. It does not refer to the hosing down of the pool deck area.

**Owner** - a person who has a legal interest in the facility or in the property on which the facility is located, or the owner’s agent.

**Permit Holder or Permittee** - the person holding a permit issued by the Department or authorized for coverage under a general permit by the department.

**Persistent Foam** - foam that does not dissipate within one half-hour of point of discharge and: forms objectionable deposits on the receiving water; forms floating masses producing a

nuisance; produces objectionable color or odor; or interferes with a designated use of the water body. It does not mean foaming of the receiving water body caused by natural conditions.

**Person** – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR §122.2.

**Point source** – any discernible, confined and discrete conveyance, including any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, large animal feeding operation, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are, or may be, discharged.

**Pollutant** – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

**Pollution** – means any contamination or other alteration of the physical, chemical, or biological properties of any waters of this State, including a change in temperature, taste, color, turbidity, or odor of the waters or the discharge or deposit of any organic matter, harmful organism, or liquid, gaseous, solid, radioactive, or other substance into any waters of this State that will render the waters harmful, or detrimental to

- (a) public health, safety, or welfare;
- (b) domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses;
- (c) livestock, wild animals, birds; or
- (d) fish or other aquatic life.

**Pool** – an artificial enclosure of water (this does not include a pond or lake formed by damming a natural waterway), which is used for the immersion of the human body for recreation, therapy, exercise, or religious purposes.

**Pool cleaning wastewater** – see “Cleaning Wastewater”

**Private** – Defined for the purposes of this permit as:

- not open to the public,
- located on a property shared by no more than four private residences, and
- used exclusively by the residents and non-paying individuals invited by an owner to use the pool.

**Public** – public pools includes, but are not limited to, a facility at a community, private swim or exercise club, college, school, camp or similar facility, mobile home park, condominium complex, apartment building, or similar facility with more than four units.

**Quarterly Average** – the average of all measurements gathered during the calendar quarter.

**SDS** – Safety Data Sheet

**Sewage** – water-carried human, domestic and other wastes and includes all human and animal excreta from residences, buildings, industrial establishments, or other places.

**Spa** – a pool, hot tub, or whirlpool which is primarily designed for relaxation or therapeutic use and not swimming



**Splash Pad** – a recreation area, often in a public park, for water play that has little to no standing water

**Splashout** – water that is splashed out of the pool during normal pool operations; essentially the same as “Overflow”

**State discharge permit** - the discharge permit issued under the Environment Article, Title 9, Subtitle 3, Annotated Code of Maryland.

**Surface waters** - all waters of this State which are not groundwaters. For the purposes of this permit, a storm sewer or storm drain are considered to be surface waters.

**Tier II waters** – For antidegradation purposes, pursuant to 40 CFR 131.12(a)(2), Tier II waters are characterized as having water quality that exceeds the levels necessary to support the propagation of fish, shellfish, and wildlife and recreation in and on the water. Maryland Tier II waters are identified at COMAR 26.08.02.04-1O.

**Total Maximum Daily Loads (TMDLs)** – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

**Total Residual Chlorine (TRC)** - the total amount of chlorine present in a sample. This is the sum of the free chlorine residual and the combined available chlorine residual.

**Upset** - the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

**Wastewater** - any:

- liquid waste substance derived from industrial, commercial, municipal, residential, agricultural, recreational, or other operations or establishments; and
- other liquid waste substance containing liquid, gaseous or solid matter and having characteristics that will pollute any waters of the State.

**Water Quality Impaired** – see “Impaired Water”

**Water quality standards** – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. The Department as promulgated in COMAR 26.08.02 and EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

**Waters of the State** – includes both surface and underground waters within the boundaries of this State subject to its jurisdiction, including that part of the Atlantic Ocean within the boundaries of this State, the Chesapeake Bay and its tributaries, and all ponds, lakes, rivers, streams, tidal and nontidal wetlands, public ditches, tax ditches, and public drainage systems

within this State, other than those designed and used to collect, convey, or dispose of sanitary sewage; and the flood plain of free-flowing waters determined by the Department of Natural Resources on the basis of the 100-year flood frequency.

**“You” and “Your”** – as used in this permit are intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s facility or responsibilities. The use of “you” or “your” refers to a particular facility and not to all facilities operated by a particular entity. For example, “you must submit” means the permittee must submit something for that particular facilities. Likewise, “all your discharges” would refer only to discharges at that one facility.

**MARYLAND GENERAL DISCHARGE PERMIT NO. 17SI (NPDES NO. MDG76) – APPENDIX C**

*Unless otherwise stated, you are only permitted to discharge under this permit after notifying and getting approval from MDE*

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**Appendix C:**

**17-SI Permit Exemption Form**

(see Part I.D of the permit)



# MARYLAND DEPARTMENT OF THE ENVIRONMENT

## 17-SI EXEMPTION FORM - DISCHARGES FROM SWIMMING POOLS & SPAS

17-SI Permit Webpage: <https://mdewwp.page.link/SIGP>



This form is to be filled out and ***maintained on site*** by facilities which do not discharge to waters of the state and, therefore, are not subject to General Permit No. 17-SI. See Parts I.B, I.C, and I.D of the permit for information on who requires permit coverage. In order to be exempt, you must certify that discharges for **ALL THREE** Discharge Types listed do not go to surface waters (including the storm sewer) or groundwater by selecting one of the available choices. *If "other" is selected, an explanation must be provided.* If a selection cannot be made for each category, you must submit the 17-SI NOI and obtain a registration letter for permit coverage prior to any discharge to waters of the state. ***This form should be made available to any state inspection personnel as a demonstration that the facility recognizes the 17-SI permit and verifies that coverage is not required.***

### SECTION I: Facility Information

Pool Name

Facility Address

City

State

ZIP Code

Facility Contact Name

Telephone Number

Mailing Address

City

State

ZIP Code

### SECTION II: Pool/Discharge Information

Total Capacity of Pool / Spa: gallons

#### Discharge Types:

A) Draining/drawdown: ☐ sanitary sewer ☐ do not drain/drawdown ☐ other

B) Cleaning Wastewater: ☐ sanitary sewer ☐ do not use water for cleaning ☐ other

C) Filter Backwash: ☐ sanitary sewer ☐ cartridge filter sent off site ☐ other

**NOTE: Do not confuse sanitary sewer with storm sewer. Discharges to sanitary sewer are subject to permission of the utility to which the sanitary sewer is connected.**

### SECTION III: Certification

To be completed by a responsible corporate officer, proprietor, general partner, principal executive officer or ranking elected official, as detailed in the permit.

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for providing false information, including the possibility of fine and imprisonment for knowing violations."*

Facility Representative Signature

Date

Facility Representative Name/Title: Typed or Printed

**NOTE TO INSPECTORS: MDE has not reviewed the information presented on this form. If discharges at this facility are determined to flow into surface waters (including storm drains) or groundwater, please notify MDE-WSA Compliance immediately at (410) 537-3510.**