



**Department of the Environment**

**Training Session for the General Permit For Discharges from  
Stormwater Associated with Industrial Activities Maryland General  
Permit No. 20-SW**

**January 18, 2023 10:00am to 12:00pm**



**Maryland**  
Department of  
the Environment

# Meeting Agenda

- ▶ Introductions
- ▶ Why are we here?
- ▶ Changes to the 20SW
- ▶ Questions

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# Why are we here.

- ▶ The current permit the 12SW (MDR00) expired January 1<sup>st</sup>, 2019.
- ▶ The replacement for the 12SW the 20SW has been approved and is set to be effective on February 1<sup>st</sup>, 2023.
- ▶ All facilities will have six months from February 1<sup>st</sup>,2023 to submit their NOI(s) and SWPPP(s) to MDE. After that all 12SW registrations will be terminated.

# Changes from the 12SW to the 20SW

## ▶ Restoration

- ▶ Providing an incentive for facilities to increase their contribution of restoration through nutrient trading based on permit baseline.
- ▶ Requiring restoration for new operators, as well as existing operators in the newly identified urban areas (Phase 2 MS4s jurisdictions), with specific deadlines for completion.
- ▶ Maintaining practices or measures implemented under the 12-SW, including requirements for this to be documented in the SWPPP.
- ▶ If you did not complete your restoration under the 12SR by the due date you will need to contact compliance to receive a consent order.

# Changes from the 12SW to the 20SW

## ▶ **Benchmarks**

- ▶ Under the 12-SW, not all of the MSGP benchmarks were implemented. In the 20-SW the Department intends to implement the full complement of benchmarks, with a few exceptions.
- ▶ The EPA 2020 MSGP is dropping iron benchmarks. The Department intends to keep iron as a benchmark, but will be changed to the technology standard of 3 mg/L maximum.

# Changes from the 12SW to the 20SW

**The following categories are having their benchmarks added to the 20SW.**

- ▶ General Sawmills and Planing Mills SIC 2421
- ▶ Wood Preserving SIC 2491
- ▶ Log Storage and Handling SIC 2411
- ▶ Special Products Sawmills, not elsewhere classified and Wood Products Facilities not elsewhere classified for SIC 2426 and 2499
- ▶ Paperboard Mills for SIC 2631
- ▶ Soaps, Detergents, Cosmetics and Perfumes for SIC 2841 - 2844 and Plastics, Synthetics and Resins for SIC 2821-2824
- ▶ Asphalt Paving and Roofing Materials SIC 2951, 2952
- ▶ Clay Product Manufacturers SIC 3251-3259, 3261-3269
- ▶ Concrete and Gypsum Product Manufacturers SIC 3271 3275
- ▶ Steel Works, Blast Furnaces, and Rolling and Finishing Mills for SIC 3312-3317
- ▶ Iron and Steel Foundries for SIC 3321-3325
- ▶ Rolling, Drawing, and Extruding of Nonferrous Metals for SIC 3351-3357
- ▶ Nonferrous Foundries SIC 3363-3369
- ▶ Crude Petroleum and Natural Gas; Natural Gas Liquids; Oil and Gas Field Services SIC 1311, 1321, 1381-1389
- ▶ ALL - Industrial Activity Code "HZ".
- ▶ Water Transportation Facilities SIC 4412-4499
- ▶ Ship and Boat Building or Repairing Yards for SIC 3731,3732

Airports using more than 100,000 gallons of deicing glycols based fluids or 100 tons of urea, on an annual basis for SIC 4512 - 4581

# Changes from the 12SW to the 20SW

## ▶ Benchmarks continued

- ▶ The other result of the comparison between EPA's 2020 proposed MSGP benchmarks and the 12-SW benchmarks was the lack of saltwater criteria. The differences in the criteria are substantial and based on where the facility is, the ability to consider the receiving water may be an important consideration. The following benchmarks were modified to be consistent with the EPA MSGP:

Agricultural Chemicals for SIC 2873-2879  
Landfills and Land Application Sites, except  
Municipal Solid Waste Landfill (MSWLF)  
Automobile Salvage Yards  
Scrap Recycling and Waste Recycling Facilities  
except  
Source-Separated Recycling

Tires and Inner Tubes, Rubber and Plastics  
Footwear, Gaskets, Packing and Sealing  
Devices, and Rubber and Plastic Hoses and  
Belting, Fabricated Rubber Products, Not  
Elsewhere Classified for SIC 3011, 3021,  
3052, 3053,  
3061, 3069  
Fabricated Metal Products, Fabricated Metal  
Coating and Engraving, and Allied Services,  
Jewelry, Silverware, and Plated Ware



# Changes from the 12SW to the 20SW

## ▶ Sector A.D a1 changes

- ▶ Subsector AD.a1 Benchmarks required for stormwater that has come into contact with street sweeping or stormdrain inlet cleaning debris for Nitrate plus Nitrite Nitrogen, Phosphorus and TSS.
- ▶ Sector AD.d includes specific controls for the larger salt piles (salt terminals) within Maryland. This was developed in 2017 with the salt industry and now being added officially. Also includes specific Reporting Flow, Chloride, Free Amenable Cyanide, and Iron.
- ▶ Moved landfill subsector L3 to Sector AD. These are closed landfills that only apply when required.

# Changes from the 12SW to the 20SW

- ▶ Benchmarks can now be assigned by outfall.
- ▶ Automated composite sampling will now be allowed.

# Changes from the 12SW to the 20SW

- ▶ There is a new system for compliance actions for facilities.
  - ▶ This system is the Additional Implementation Measures (AIM) approach for corrective actions.

### AIM Level 1

- If during your first year any of the following occurring you are subject to Level 1 responses.
  - One annual average over the benchmark threshold or;
  - One single sampling event over 4x the benchmark threshold

### AIM Level 2

- If during your second year any of the following occurring you are subject to Level 2 responses.
  - The second annual average over the benchmark threshold or;
  - One single sampling event over 4x the benchmark threshold

### AIM Level 3

- If during your third or subsequent year any of the following occurring you are subject to Level 3 responses.
  - The third annual average over the benchmark threshold or;
  - One single sampling event over 4x the benchmark threshold

## Response Level 1

- i. Review stormwater control measures
- ii. Implement additional measures.
- iii. Continue Quarterly Benchmark Monitoring

## Response Level 2

- i. Install Permanent Controls
- ii. Continue Quarterly Benchmark Monitoring

## Response Level 3

- i. Consult a professional engineer, stormwater professional or geologist to prepare an action plan.
- ii. If the benchmark threshold for the same benchmark is repeatedly exceeded the Department will revoke the general permit and you must obtain an individual permit.
- iii. Continue Quarterly Benchmark Monitoring

# Changes from the 12SW to the 20SW

## ▶ Impaired Water Monitoring

- ▶ There were portions of the impaired waters monitoring that had not been implemented in the 12-SW, which are viewed as important to TMDL development in the future.
- ▶ The change includes annual monitoring for parameters such as PCBs (if there is potential to discharge from the permitted industrial activity) identified in an impairment without an established TMDL.
- ▶ If, after 3 years, the pollutant of concern is not detected, then continuous annual monitoring may be discontinued.
- ▶ If there is an established TMDL for a parameter which your facility has the potential to discharge, then monitoring and/or limits may be required by the Department to be consistent with any wasteload allocation in the TMDL.

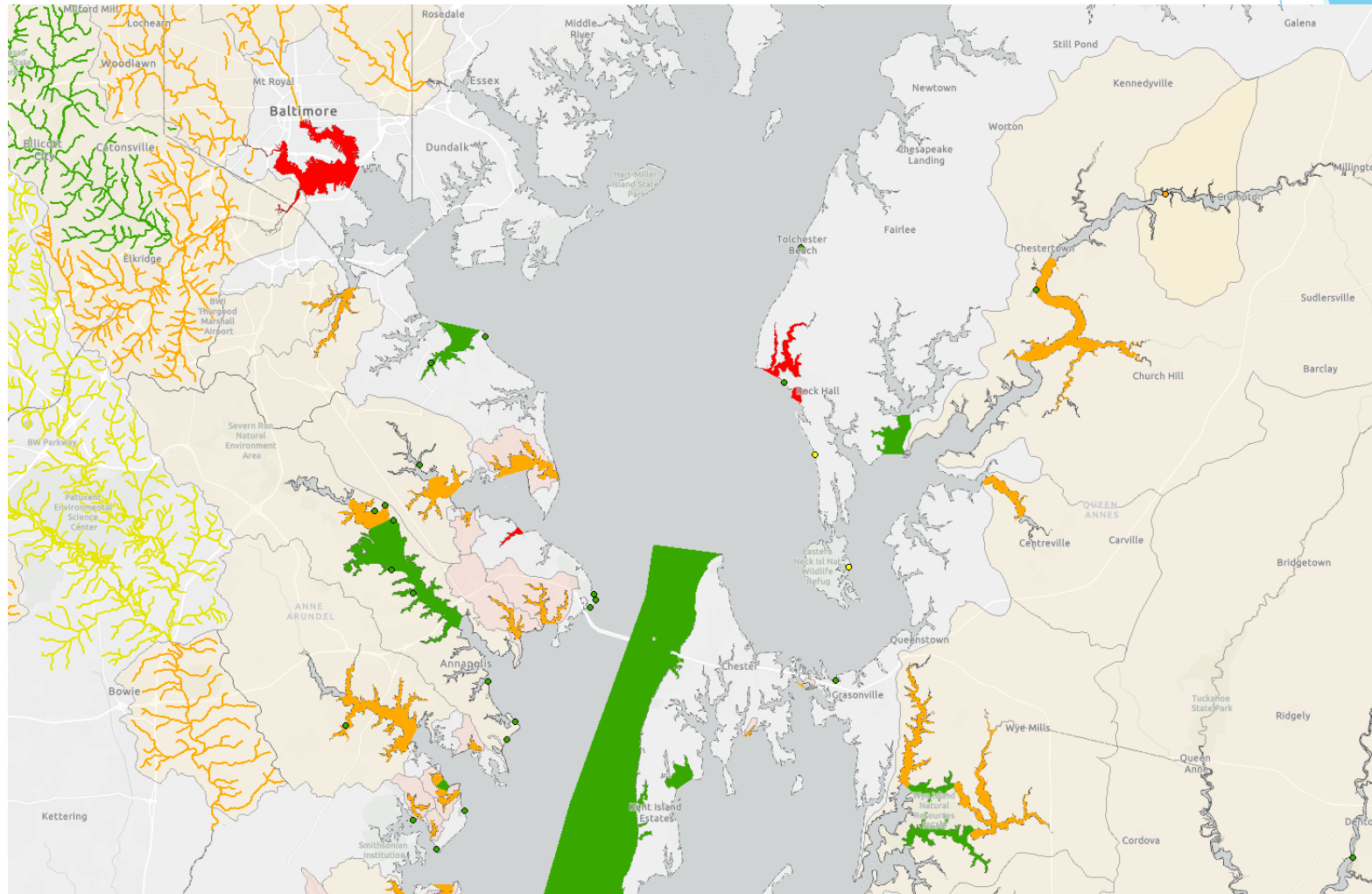
# Changes from the 12SW to the 20SW

## ▶ Impaired Water Monitoring continued

- ▶ In addition, this permit incorporates specific tables intended to inform permittees about potential sources of PCBs or PFAS.
  - ▶ Table III.C.3.b.ii in the 20SW Factsheet shows the Sectors with higher likelihood to be a source of Polychlorinated Biphenyls (PCBs)
  - ▶ Operators of facilities that perform certain industrial activities should examine any potential sources of per- and polyfluoroalkyl substances (PFAS), an emerging pollutant. The analysis should include any potential PFAS at your operation which is exposed to stormwater in your SWPPP. Sources would include areas where fire retardants were discharged or stored, or where material used in your manufacturing involves this potential pollutant and has spilled. For more information review <https://www.epa.gov/pfas/basic-information-pfas>. You should also be aware that the Department may require ongoing monitoring under this permit if an impairment is identified in your receiving stream.

# Impaired Water Monitoring

- 2-Meets Water Quality Criterion
- 3-Insufficient Information
- 4a-Impaired, TMDL Complete
- 5-Impaired, TMDL Needed





# Environmental Justice

- ▶ Sites that operate in an area that have an Environmental Justice score of 0.76 or greater will have increased permit requirements.
  - ▶ You will have to submit your yearly comprehensive site evaluation to the department.
  - ▶ You do not qualify to self certify for the No Exposure Exclusion.
  - ▶ The maps used to determine if you operate in a high EJ area are located on the MDE Stormwater Website (<https://mdewwp.page.link/ISW>)

# Changes from the 12SW to the 20SW

## ▶ Signage Requirement

- ▶ The requirement is to post a sign of permit coverage at a safe, publicly accessible location in close proximity to the facility.

## ▶ Climate Adaptation

- ▶ Three separate requirements have been added to the permit to specifically call out climate change impacts, including the above referenced 2020 MSGP Part 2.1.1.8, which can be found in the 20-SW at Part III.B.1.a.
- ▶ The other two requirements have to do with considerations for planned changes at the operation (20-SW at Part II.F.1) and work done within a floodplain (20-SW at Part VI.C).

# Changes from the 12SW to the 20SW

## ▶ Added chemical additives, for use at Landfills

- ▶ The Department has been including use of polymers to ensure that products are used that minimize potential toxicity on receiving waters. This unique approach has been developed and implemented in the 17-HT permit related to dewatering, the 20-CP general permit related to construction dewatering, the 15-MM mining permit and the 17-CM draft coal mining permits

## ▶ Warehousing Clarification

- ▶ This clarification addresses specific triggers for when warehousing is required to have a permit in Sector P, based on frequently asked questions. Not all warehouses are required to have industrial stormwater permit coverage. The actual basis was provided by EPA when the first stormwater permit was issued back in the 1990s. “As stated on page 48011 of the preamble to the November 16, 1990, rule, warehouses of either preassembly parts or finished products that are not located at an industrial facility are not required to submit an application unless otherwise covered by the rule.” The language added notes that warehouses of either preassembly parts or finished products that are not located at an industrial facility (i.e. located off-site) are not required to have coverage.

# SWPPP Changes

- ▶ Requirements to identify sources of PFAS and PCBs have been added as SWPPP requirements.

# Questions / Concerns?

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