



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101 • www.mde.state.md.us

Martin O'Malley
Governor

Robert M. Summers, Ph.D.
Secretary

Anthony G. Brown
Lieutenant Governor

SEP 18 2012

CERTIFIED MAIL

John Follum, Environmental Compliance Manager
University of Maryland College Park, Department of
Environmental Safety
3115 Chesapeake Bldg. 338
College Park, MD 20742

Re: State Discharge Permit No. 08-DP-2618, NPDES Permit MD0063801

Dear Mr. Follum:

Enclosed is the issued discharge permit referenced above with the effective date indicated on the cover page. The permittee is responsible for complying with all permit conditions. You are therefore advised to read the permit carefully and become thoroughly familiar with the requirements.

Enclosed are (EPA No. 3320-1) Discharge Monitoring Report (DMR) forms, which must be completed for each reporting period and submitted to the Department in accordance with the requirements of the permit. Copies of these forms can also be downloaded from the Department's website (the shortcut is www.mde.state.md.us/assets/document/permit/newdmr.pdf). Using the latest version of Adobe Acrobat Reader, the DMR form can be completed from a keyboard and printed for mailing to the Department.


You will also find enclosed a copy of the Federal Register, Part 136 - "Guidelines Establishing Test Procedures for Analysis of Pollutants". Unless otherwise specified, these guidelines are to be used for the analyses required by this permit. The most current version of 40 C.F.R. Part 136 can be found online at EPA's website. The link is www.epa.gov/epahome/cfr40.htm.

Please direct all future correspondence regarding permit compliance to the following address:

Attention: Discharge Monitoring Reports
Water Management Administration – Compliance Program
Maryland Department of the Environment
1800 Washington Boulevard, Suite 425
Baltimore, Maryland 21230-1708

If you have any questions, please do not hesitate to call Olu Abiodun, Industrial and General Permits Division, at (410) 537-3323.

Sincerely,


Jay G. Sakai, Director
Water Management Administration

JGS:kh
Enclosures



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STATE DISCHARGE PERMIT NUMBER	08-DP-2618	NPDES PERMIT NUMBER	MD0063801
EFFECTIVE DATE	November 1, 2012	EXPIRATION DATE	October 31, 2017
MODIFICATION DATE:	N/A	REAPPLICATION DATE	November 1, 2016

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq. and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Department of the Environment, hereinafter referred to as the "Department," hereby authorizes

University of Maryland College Park
c/o Department of Environmental Safety
3115 Chesapeake Building 338
College Park, Maryland 20742

TO DISCHARGE FROM

a university campus

LOCATED AT

U.S. Route 1 and Paint Branch, College Park, Prince George's County, Maryland 20742

VIA OUTFALLS

001 through 005, 007, 010, 012, 014, and 016 through 019, as identified and described herein and from facility areas identified in the storm water pollution prevention plan referenced herein

TO

Paint Branch and unnamed tributaries which are protected for (all Use I waters, including old Paint Branch) water contact recreation, fishing, aquatic life, and wildlife in accordance with the following special and general conditions and map made a part hereof.



I. SPECIAL CONDITIONSA.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge non-contact cooling water, boiler blowdown, condensate and storm water runoff from Outfalls 001 through 005, 007, 010, 012, 014 and 016 through 019 (Maryland Coordinates 818.0 E and 420.0 N).

As specified below, such discharge shall be limited and monitored by the permittee at the locations described in Section I.A.2.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	gpd					1/Month	Measured	
Temperature Difference						0	°F	1/Month	i-s	(1) (3)
Total Residual Chlorine					0.011	0.019	mg/l	1/Month	Grab	(2)
Oil & Grease						15	mg/l	1/Month	Grab	(7)
Dissolved Oxygen				5.0			mg/l	1/Month	Grab	(4)
Total Copper					9.0	13.0	µg/l	1/Month	Grab	(5) (6) (8)
Dissolved Copper					Report	Report	µg/l	1/Month	Grab	(5) (6)
Hardness (as CaCO ₃)					Report	Report	mg/l	1/Month	Grab	(11)
Nitrogen, Total (as N) (Daily)	Report	Report			Report	Report	mg/l	1/Month	Grab	(9) (10)

I. SPECIAL CONDITIONSA.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – Continued from previous page

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Phosphorus, Total (as P) (Daily)	Report	Report			Report	Report	mg/l	1/Month	Grab	(10)
pH				6.5		8.5		1/Month	Grab	

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

The discharge of wastewater from the cleaning of the cooling water system with acids, solvents, or detergents is prohibited. If caustic inorganic cleaners or chlorine shock treatment are used, the permittee shall monitor the discharge daily for pH and chlorine during those periods of discharge in addition to the monthly monitoring of the routine discharge.

For Outfall 017, no parameters are limited and only oil & grease shall be monitored.

- (1) The discharge shall not cause the temperature of the receiving waters, beyond a mixing zone, to exceed 90°F or to exceed the ambient stream temperature, whichever is higher. A mixing zone extending no greater than 50 feet radially from the point of discharge is allowed. The mixing zone may not form a thermal barrier to aquatic life.

“Temperature Difference” is a calculated value, arrived at by subtracting the ambient receiving water temperature or 90°F, whichever is higher, from the effluent temperature or the temperature of the receiving water at the edge of a mixing zone, whichever is lower.

If the temperature of the effluent is equal to or less than 90°F, the only temperature measurement necessary to calculate the "temperature difference" shall be one measured at the point of discharge to State waters or at a representative internal monitoring point.

The permittee shall maintain a record of all temperature measurements and their location, to be submitted as an addendum to each discharge monitoring report

- (2) Because the minimum level (quantification level) for chlorine is 0.10 mg/l, all results below this minimum level shall be reported as <0.10 mg/l.

I. SPECIAL CONDITIONSA.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – Continued from previous page

- (3) Monitored during June, July, and August only.
- (4) Applies only if chemical dechlorination is being performed.
- (5) The permittee shall use EPA Methods 200.7 or 200.8 for testing. An alternative test method may be substituted as long as the Department agrees that its detection level is less than the applicable Toxic Substance Water Quality Criteria in COMAR 26.08.02.03 or the permittee demonstrates to the Department that a lower detection level is not practically achievable for this wastewater. Sample preservation procedures, container materials and maximum allowable holding times must be specified in any application to the Department for use of an alternative test method(s) specified. If a variance from the prescribed preservation techniques, container materials, and maximum holding times applicable is requested, sufficient data shall be provided in the application to the Department to assure the integrity of the sample.
- (6) Each month's sample shall be a flow-weighted composite of one grab from each outfall discharging cooling water. Flow-weighted composite sample means the sample obtained by combining samples from each outfall that have been weighted using the flow of that outfall. The resulting concentration shall be the reported value for each outfall on the discharge monitoring report.
- (7) This limit applies to Outfalls 001, 005, and 016 only. The permittee shall only monitor and report the results for these three outfalls plus outfalls 002 and 017 only.
- (8) The permittee shall comply with the limits within 72 months after the effective date of this permit. See Special Condition U. Monitoring without limits is required until the effective date. During those 72 months the permittee shall meet the following schedule:
 - Complete Engineering Alternative Analysis within 24 months of issuance;
 - Complete Engineering Design Plan within 48 months of issuance;
 - Complete development of a Plan for Compliance within 50 months of issuance; and
 - Attain Compliance with the limits within 72 months of issuance.
- (9) Total nitrogen is defined as the sum of total Kjeldahl nitrogen and (nitrite and nitrate) nitrogen. Individual concentrations of each constituent shall also be reported. Testing for all forms of nitrogen must be performed on the same sample.
- (10) After 1 year (12 values collected) the Department may reduce or eliminate the monitoring requirement upon written request by the permittee.
- (11) To be taken at the same time as the copper samples.

I. SPECIAL CONDITIONS

A.2. SAMPLING POINT LOCATIONS

The authorized outfalls shall be limited and monitored at the following locations:

Outfall 001: At a point 87.8 yards east from the northeast corner of Bldg. 343.

Outfall 002: At a point 125 yards east southeast of the southeast corner of Bldg. 406.

Outfall 003: At a point 82.7 yards east southeast of the northeast corner of Bldg. 406.

Outfall 004: At a point 48.7 yards east of the center exit on the east side of Bldg. 406.

Outfall 005: At a point eastern side of Paint Branch parkway, 73.8 yards east from northeast corner of the Pest Management Trailer.

Outfall 007: At a point eastern side of Paint Branch parkway, 52 yards east from the northeast corner of Bldg. 245.

Outfall 010: A point located 32 yards west of north corner of Oakland Hall.

Outfall 012: At a point located 25 yards south of the southwest corner of the Mowatt Lane parking garage.

Outfall 014: At a point 45 yards directly south of the southeast corner of Bldg 981.

Outfall 016: At a point eastern side of Paint Branch parkway, 48 yards east from the northeast of the gas pump shelter of Bldg. 11.

Outfall 017: At a point 75 yards east of the southernmost point of the Salt Bunker in the Grounds Complex.

Outfall 018: At a point 35 yards northwest of the northeast corner of Bldg 255.

Outfall 019: At a point 20 yards northeast of the northeast corner of Bldg 255.

I. SPECIAL CONDITIONSB. DEFINITIONS

1. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
2. "Daily determination of concentration" means 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.
3. The "daily maximum" effluent concentration means the highest reading of any daily determination of concentration.
4. The "daily maximum" temperature means the highest temperature observed during a 24-hour period or, if flows are of shorter duration during the operating day.
5. "Estimated" flow means a calculated volume or discharge rate which 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.
6. "Grab sample" means an individual sample collected over a period of time not exceeding 15 minutes. Grab samples collected for pH and total residual chlorine shall be analyzed within 15 minutes of time of sample collection.
7. "i-s" = immersion stabilization - means a calibrated device immersed in the effluent stream until the reading is stabilized.
8. "Measured" flow means any method of liquid volume measurement the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.
9. The "minimum" value means the lowest value measured during a 24-hour period.
10. "Oil and Grease" is the test method according to EPA Method 1664.
11. "Recorded" flow, pH, temperature, etc., means any method of providing a permanent, continuous record including, but not limited to, circular and strip charts.
12. "Solvent" is defined as an organic substance capable of dissolving another to form a uniformly dispersed mixture. Organic solvents include, but are not limited to, aromatic hydrocarbons, aliphatic hydrocarbons, esters, ethers, ketones, amines, and nitrated and chlorinated hydrocarbons.
13. "Temperature Difference" is a calculated value, arrived at by subtracting the effluent temperature or the temperature of the receiving water at the edge of a mixing zone, whichever is lower, from the ambient receiving water temperature or receiving water quality standard, whichever is higher.
14. "Upset" means 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.

C. TOXIC POLLUTANT REPORTING

The permittee 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 levels specified in 40 CFR Part 122.42(a).

D. REMOVED SUBSTANCES

1. Within 30 days after notification by the Department, the permittee shall provide information on the disposal of any removed substances, as defined by General Condition B.7, including the following information:
 - a. A suitable map showing all areas used for disposal of removed substances.
 - b. The physical, chemical, and biological characteristics, as appropriate; quantities of any removed substances; and the method of disposal.
 - c. If disposal is handled by persons other than the permittee, identification of the contractor or subcontractor, their mailing address, and the information specified in a and b above.
2. The Department's notification may also require the permittee to provide the above information prior to the use of new or additional disposal areas, contractors, or subcontractors.

E. ANALYTICAL LABORATORY

Within 30 days after the effective date of this permit, the permittee shall submit to the Department (attn.: Industrial & General Discharge Permits Division) the name and address of the analytical laboratory (including the permittee's own laboratory) which is used to perform the monitoring required by this permit.

If the laboratory changes during the effective period of this permit, the permittee shall notify the Department of the new laboratory within 30 days after the change.

F. WASTEWATER OPERATOR CERTIFICATION – [Reserved]

G. FLOW MONITORING

In lieu of providing measured flow (defined in the Special Condition B) at each outfall, the permittee may estimate flows and submit the following information with their discharge monitoring report in the first quarter of each calendar year:

1. a description of the methodology used to estimate flow at each outfall where flow measurement equipment is not present;
2. 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 also be provided.

3. 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.

H. FLOW BASIS FOR ANNUAL DISCHARGE PERMIT FEE – [Reserved]

I. REAPPLICATION FOR A PERMIT

The Department is implementing a schedule for issuance of discharge permits grouped by geographical areas (watersheds). To implement the watershed-based schedule, the Department may revoke and reissue this permit concurrently with other permits in the watershed. Unless the Department grants permission for a later date, the permittee shall submit a renewal application by no later than 12 months prior to the expiration date on the first page of this permit, or notify the Department of the intent to cease discharging by the expiration date. In the event that a timely and sufficient reapplication has been submitted and the Department is unable, through no fault of the permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

J. PERMIT REOPENER FOR TOTAL MAXIMUM DAILY LOAD (TMDL)

This permit may be reopened as a major modification to implement any applicable requirements associated with a Total Maximum Daily Load (TMDL) issued or approved for this watershed (Anacostia River, 02.14.02.05), including but not limited to: Phosphorus and Nitrogen.

The terms and conditions of this permit are in accordance with the Chesapeake Bay Total Maximum Daily Load (TMDL) for Sediments, Nitrogen and Phosphorus established on December 29, 2010. At this time, this permit limits does not introduce limits for total suspended solid, total nitrogen or total phosphorus. However, this permit may be reopened as a major modification to implement any applicable future requirements and/or the permittee may become subject to a Department-issued general permit regarding the discharge of such pollutants.

K. BIOMONITORING PROGRAM –[Reserved]

L. TOXICITY REDUCTION EVALUATION

The permittee shall conduct a Toxicity Reduction Evaluation (TRE) when a review of toxicity test data by the Department indicates unacceptable acute or chronic effluent toxicity. A TRE is an investigation conducted to identify the causative agents of effluent toxicity, isolate the source(s), determine the effectiveness of control options, implement the necessary control measures and then confirm the reduction in toxicity.

1. Within 90 days following notification by the Department that a TRE is required, the permittee shall submit a plan of study and schedule for conducting a TRE. The permittee shall conduct the TRE study consistent with the submitted plan and schedule.
2. This plan should follow the framework presented in Generalized Methods for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070).
3. Beginning 60 days following the date of the Department's acceptance of the TRE study plan and every 60 days thereafter, the permittee shall submit progress reports including all relevant test data to the Department. This shall continue until completion of the toxicity reduction confirmation.

4. Within 60 days following completion of the toxicity identification, or the source identification phase of the TRE, the permittee shall submit to the Department a plan and schedule for implementing those measures necessary to eliminate acute toxicity and/or reduce chronic toxicity to acceptable levels. The implementation of these measures shall begin immediately upon submission of this plan.
5. Within 60 days after completing implementation of the control measures to eliminate or reduce toxicity, the permittee shall submit to the Department for approval a study plan to confirm the elimination or reduction of toxicity by using biomonitoring.
6. If, for any reason, the implemented measures do not result in compliance with the Department's toxicity limitations, the permittee shall continue the TRE.

M. MIXING ZONES AND POLLUTION PREVENTION – [Reserved]

N. PROTECTION OF WATER QUALITY

It is a violation of this permit to discharge any substance not otherwise listed under the permit's "Effluent Limitations and Monitoring Requirements" special conditions at a level which would cause or contribute to any exceedance of the numerical water quality standards in COMAR 26.08.02.03 unless the level and the substance were disclosed in writing in the permit application prior to the issuance of the permit. If a discharge regulated by this permit causes or contributes to an exceedance of the water quality standards in COMAR 26.08.02.03, including but not limited to the general water quality standards, or if the discharge includes a pollutant that was not disclosed or addressed in the public record for the permit determination, the Department is authorized to modify, suspend or revoke this permit or take enforcement action to address unlawful discharges of pollutants.

O. USE OF CHEMICAL CONDITIONERS IN COOLING WATER

1. No later than 30 days after the effective date of coverage under this permit, the permittee shall submit to the Department (Industrial and General Discharge Permits Division) the names of all previously authorized water treatment additives currently in use at the facility and potentially discharging to surface waters of the State. No later than ten days after changing or adding any water treatment chemicals, the permittee shall submit the names of the new products to the Department. Accompanying this list shall be corresponding aquatic toxicity data, manufacturer's information on chemical composition of the product, and the concentrations that will exist in the effluent (note: material safety data sheets seldom provide all of this information). Based on this information, if the Department determines that wastewater containing the additive is likely to cause toxicity, use of the additives will be prohibited. The Department, however, will approve its use if the permittee performs biomonitoring of the effluent and demonstrates that the effluent is nontoxic.
2. The permittee shall notify the Department (Industrial and General Discharge Permits Division) if and when it initiates the use of chemical dechlorination, or terminates the practice.

P. MAINTENANCE OF WASTE TREATMENT SYSTEMS

1. The permittee shall inspect all oil-water separators, grease interceptors, and grit traps on a monthly basis to confirm that they are operating properly.

2. The permittee shall remove accumulated oil and sediments before they exceed the capacity of the vessels or impede their proper operation and dispose of these substances in accordance with General Condition B.7.
3. The permittee shall keep a logbook to record the date and results of each inspection or maintenance activity.

Q. TANK BOTTOM WATERS

The discharge to State waters of tank bottom wastewaters from petroleum storage tanks is prohibited.

R. OIL SPILL CONTAINMENT DIKE

The permittee shall remove all oil that is spilled or leaked into the containment area at the boiler plant before the area is drained. As a minimum, the permittee shall provide for oil removal by means of either an oil separator, booms, or absorbant materials. The standard for oil removal is that Oil & Grease concentration be less than 15 mg/l. If a spill or leak into the containment area occurs, the permittee shall confirm the oil & grease concentration by sampling and analysis before discharging the water. The permittee shall maintain a record of contamination events and subsequent analyses, to be made available to Department personnel upon request.

S. VEHICLE WASHING WASTEWATER

The discharge to State waters of wastewater from the washing of fleet vehicles is prohibited.

T. DISCHARGES FROM POTABLE WATER DISTRIBUTION SYSTEMS

1. The permittee is authorized to discharge water from the overflow, draining, or dewatering of reservoirs, vessels or structures used to store or convey potable water for consumption including standing water, and water from flushing, disinfection, hydrostatic testing, mechanical cleaning, water main breaks, leaks, or other releases.
2. The permittee shall develop a Pollution Prevention Plan (PPP) with technology-based best management practices. The PPP is subject to the review and approval of the Department, upon request. The PPP shall address an inventory of planned discharges and their quality and necessary treatment, and shall be implemented within eighteen months of the effective date of this permit. A description of each type of discharge shall include its source, quality, quantity, and the location of the discharge, and an anticipated discharge schedule. At a minimum, discharges to be included are those from flushing, tank and reservoir cleaning and testing, distribution system maintenance, and testing and cleaning. Discharge alternatives including disposal into the sanitary sewer, overland flow, and chemical dechlorination shall be addressed. Discharges to the storm sewer may also be evaluated to determine the quality and impact of the discharge upon reaching the waters of the State. Water quality data from previous discharges shall be considered in developing the most protective treatment methods and discharge locations. The Department may notify the permittee at any time, that the PPP does not meet one or more of the minimum requirements of this condition. After such notification from the Department, the permittee shall make changes to the PPP to correct the deficiencies and shall submit to the Department a written certification that the requested changes have been made. The permittee shall have 90 days after such notification to make the necessary changes in the PPP and shall implement the changes as agreed between the utility and the Department.
3. The discharge shall not cause the temperature of the receiving waters, beyond a mixing zone, to exceed 90°. If the ambient temperature of the receiving waters exceeds this standard, the temperature

of the discharge shall not exceed (to the nearest degree F) the ambient temperature of the stream. A mixing zone extending 50 feet radially from the point of discharge is allowed. For discharges over 100,000 gallons or those that equal at least half the flow in the receiving stream and which occur between June 1 and September 1, the permittee shall verify compliance with these temperature limits by measuring the temperature of the water to be discharged within a half-hour prior to discharge and, if the temperature of the discharge exceeds 90°F, by measuring the temperature of the receiving waters at the edge of the mixing zone midway through the discharge period. The results of this monitoring shall be kept at the facility, and made available to the Department upon request.

4. The permittee shall take all necessary measures to prevent erosion damage during the discharge. Any gulying greater than six inches in depth is considered excessive erosion. If the discharge is onto normally dry land or a dry drainage channel, these preventive measures may include, but are not limited to, discharge via a diffuser, discharge into riprap, discharge into a splash barrier, and flow rate controls. If the discharge is directly into flowing or standing water, preventive measures include flow rate control and locating the point of discharge in the receiving water at a sufficient depth to avoid bottom scour.

U. COMPLIANCE SCHEDULE FOR TOTAL COPPER

1. Every six months, the permittee shall submit to the Department a status report detailing current plans for meeting the Total Copper limits in Special Condition A.1. This report is due six months after the effective date of the permit and every six months thereafter until the effective date of the permit limits. The plans may include alternative treatment technologies or other discharge options which will result in compliance with the final discharge limitations.
2. Within 24 months of the effective date the permittee shall complete an Engineering Alternatives Analysis. The analysis shall review each building to identify and prioritize contributing sources and options for eliminating those sources from the storm sewer system. The permittee shall provide a copy of the analysis to the Department within 30 days of its completion.
3. Within 48 months of the effective date the permittee shall complete an Engineering Design Plan. The plan shall specify the designs of building specific corrective measures called for in the completed Engineering Alternatives Analysis. The permittee shall provide a copy of the plan to the Department within 30 days of its completion.
4. Within 50 months of the effective date of this permit, the permittee shall complete a Compliance Plan detailing how the permittee intends to comply with the copper limits within 72 months of the effective date. The permittee must state in their plan either that the discharge will be brought into compliance or that the discharge will be eliminated, as follows:
 - a. If the permittee will bring the discharge into compliance with the permit limits, the plan must detail how the permittee will reach the permit limits within 72 months of the effective date. If the permittee is eligible to have the permit limits revised, per Special Condition U.5, below, the plan must detail how the permittee will reach the revised permit limits within 72 months of the effective date.
 - b. If the permittee will eliminate the discharge, the plan must state that the permittee will eliminate the discharge within 72 months of the effective date. To eliminate the discharge, the permittee must demonstrate to the Department's satisfaction that copper containing waste streams are no longer being discharged to State waters and provide supporting documents to show that the waste streams have been re-piped. This

certification of discharge elimination should be done when the discharge is eliminated and no later than 72 months after the effective date.

- c. If the permittee is eligible to have the permit limits removed, per Special Condition U.5, below, the permittee is not required to submit a Compliance Plan.
5. Within 50 months of the effective date of this permit, the permittee may apply for a permit modification to revise or remove the permit limit(s) based on any combination of the following options allowed under COMAR 26.08:
- a. Site-Specific Criterion: Per COMAR 26.08.02.03-2C., the permittee shall submit to the Department complete documentation of the proposed site-specific criterion as part of the application for a permit modification.
 - b. Chemical or Biological Translator: The permittee shall complete all studies supporting use of the translator under COMAR 26.08.04.02-3C, paragraphs (1), (3) and (4) for biological translators or under COMAR 26.08.04.02-4C, paragraphs (1), (3) and (4) for chemical translators and submit the results to the Department as part of the application for a permit modification.
 - c. Mixing Zone Study: As part of the application for a permit modification, the permittee shall include the proposed dilution calculation and appropriate demonstration, using dye studies or simulation models, that the dilution calculation is applicable during periods of ambient stream conditions, flow rates, and distances specified in COMAR 26.08.02.05.
 - d. Additional Data: As part of the application for a permit modification, the permittee may submit any new or additional data which demonstrates that there is no reasonable potential for violation of applicable water quality standards.

Alternatives for making such a demonstration include, but are not limited to, the following:

- i. collection of effluent data using analytical methods which have lower detection levels;
 - ii. collection of data using techniques designed to minimize the effects of contamination on sample results; and
 - iii. collection of data utilizing alternate monitoring locations to show compliance with water quality standards.
- e. Removal of Waste Streams: The permittee must demonstrate to the Department's satisfaction that copper containing waste streams are no longer being discharged. Adequate demonstration to the Department should include applicable supporting documents of the re-piping of these waste streams; and appropriate certification.
6. All reports required by this section shall be sent to:

Maryland Department of the Environment
WMA-Wastewater Permits Program
Industrial and General Discharge Permits Division

1800 Washington Boulevard, STE-455
Baltimore, MD 21230-1708

V. STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

1. Storm Water Pollution Prevention Plans - General

The permittee shall have and implement a storm water pollution prevention plan beginning on the effective date of this permit. The storm water pollution prevention plan shall be prepared in accordance with sound engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility.

In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.

- a. In developing this plan, the permittee may use as a reference "Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices" (EPA Document #EPA832-R-92-006) or the "Summary Guidance" (EPA Document #EPA833-R-92-002). These documents can be obtained from the EPA Clearinghouse (phone: 1-800-490-9198) or the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161 (phone: 703-605-6000).
- b. The plan shall be signed in accordance with Part II.C.18 of this permit, and be retained on site in accordance with Part II.C.1 of this permit. The permittee shall make plans available upon request to the Department, and in the case of a storm water discharge associated with industrial activity which discharges to a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system.
- c. If the plan is reviewed by the Department, the Department will notify the permittee, at any time, that the plan does not meet one or more of the minimum requirements of this Part. After such notification from the Department, the permittee shall make changes to the plan to meet the objections of the Department and shall submit to the Department a written certification that the requested changes have been made and implemented. Unless otherwise provided by the Department, the permittee shall have 90 days after such notification to make the necessary changes.
- d. The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance which creates a potential for the discharge of pollutants to the waters of the State or if the storm water pollution prevention plan proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Amendments to the plan may be reviewed by the Department as described above.

2. Storm Water Pollution Prevention Plan - Contents

The plan shall include, at a minimum, the following items:

- a. Each plan shall provide a description of potential sources which may be reasonably expected to add pollutants to storm water discharges. Each plan shall identify all

activities and materials which may potentially be significant pollutant sources. Each plan shall include:

- i. A site map indicating an outline of the drainage area of each storm water outfall; each existing structural control measure to reduce pollutants in storm water runoff; and surface water bodies, including drainage ditches and wetlands.
 - ii. A topographic map (or other map, if a topographic map is unavailable), extending one-quarter of a mile beyond the property boundaries of the facility. The requirements of this condition may be included in the site map required above, if appropriate.
 - iii. A narrative description of significant materials that have been treated, stored, or disposed in a manner which allowed exposure to storm water at anytime from three years prior to obtaining coverage under this permit until the time the present method of on-site storage or disposal was initiated; materials management practices employed to minimize contact of these materials with storm water runoff; materials loading and access areas; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.
 - iv. For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing pollutants, a prediction of the direction of flow, and an estimate of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity; and
 - v. A summary of all existing sampling data describing pollutants in storm water discharges.
- b. The permittee shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:
- i. A preventive maintenance program that involves timely inspection and maintenance of storm water management devices (cleaning oil/water separators, catch basins) as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.
 - ii. Good housekeeping that requires the maintenance of a clean, orderly facility.
 - iii. Spill prevention and response procedures shall be identified in the plan and made known to the appropriate personnel. The necessary equipment to implement a cleanup shall be available to the appropriate personnel.

- iv. The plan shall prevent sediment and erosion by identifying areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identifying measures to limit erosion.
 - v. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures determined to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity (see 2.a - description of potential pollutant sources) shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.
 - vi. Qualified plant personnel shall be identified to visually inspect designated equipment and plant areas. A site inspection shall be conducted annually by such personnel to verify that the description of potential pollutant sources required under 2.a is accurate, the drainage map has been updated to reflect current conditions, and the controls to reduce pollutants identified in the storm water pollution prevention plan are being implemented and are adequate. In particular, material handling areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. A tracking or follow-up procedure shall be used to ensure that each inspection results in an appropriate response.
 - vii. Spills or other discharge incidents, and information describing the quality and quantity of storm water discharges shall be in the facility records. Maintenance activities shall be documented and recorded with inspection and discharge records. All records shall be maintained at the facility, for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department.
- c. Storm water management programs may include requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the Clean Water Act or Best Management Practices (BMPs) programs otherwise required by any NPDES permit and may incorporate any part of such plans into the storm water pollution prevention plan by reference.
- d. Special Requirements for Storm Water Discharges Associated with Industrial Activity to Municipal Separate Storm Sewer Systems: Facilities covered by this permit shall comply with applicable requirements in municipal storm water management programs developed under State/NPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the municipal operator has notified the discharger of such conditions. These facilities shall make storm water pollution prevention plans available to the municipal operator of the system upon request.

- e. Storage piles of salt used for deicing or other commercial or industrial purposes shall be enclosed or covered to prevent exposure to precipitation.
 - f. The description of the storm water Pollution Prevention Committee shall identify specific individuals within the plant organization who are responsible for developing the storm water pollution prevention plan and assisting the plant manager in its implementation, maintenance, and revision. The activities and responsibilities of the committee should address all aspects of the facility's storm water pollution prevention plan.
 - g. Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics, such as spill response, good housekeeping and material management practices. A pollution prevention plan shall identify periodic dates for such training.
3. Storm Water Pollution Prevention Plan - Additional Requirements For Facilities Subject To SARA Title III, Section 313 Requirements

Storm water pollution prevention plans for facilities subject to reporting requirements under SARA Title III, Section 313 (42 U.S.C. § 11023) are required to include, in addition to the information required above, a discussion of the facility's conformance with the following (appropriate) guidelines:

- a. In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided. At a minimum, one of the following preventive systems or its equivalent shall be used:
 - i. Curbing, culverts, gutters, sewers or other forms of drainage control to prevent or minimize the potential for storm water runoff to come into contact with significant sources of pollutants; or
 - ii. Roofs, covers, liners, or other forms of appropriate protection to prevent storage piles from leaching or exposure to storm water and wind.
- b. The storm water pollution prevention plan shall include a complete discussion of measures taken to conform with the following applicable guidelines, other effective storm water pollution prevention procedures, and applicable State rules, regulations and guidelines.
 - i. No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage, such as pressure and temperature, etc. Liquid storage areas for Section 313 water priority chemicals shall be operated to prevent discharges of Section 313 chemicals by means such as secondary containment for at least the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.
 - ii. Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to prevent discharges of Section 313 water priority chemicals by means such as the placement and maintenance of drip

pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.

- iii. In plant areas where Section 313 water priority chemicals are transferred, processed or otherwise handled, piping, processing equipment and materials handling equipment shall be designed and operated so as to prevent discharges of Section 313 chemicals, and be composed of materials that are compatible with the substances handled. Additional protection, such as covers or guards to prevent wind blowing, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system shall be provided, as appropriate, to control the releases.
- iv. Discharges from secondary containment areas.
 - (a) Drainage from secondary containment shall be restrained by valves or other positive means to prevent a spill or other excessive leakage of Section 313 water priority chemicals into the drainage system. After a visual inspection of the storm water and determination that no product is present, containment areas may be emptied by pumps or ejectors; however, these shall be manually activated.
 - (b) Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas shall be of manual, open-and-close design.
 - (c) Records of the frequency and estimated volume (in gallons) of discharges from containment areas shall be kept at the facility for a minimum of three years.
 - (d) In lieu of facility drainage engineered as described above, the final discharge of all in-facility storm sewers shall be equipped with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.
 - (e) Areas of the facility [those not addressed in paragraphs (a), (b), (c) or (d)], from which runoff which may contain Section 313 water priority chemicals or spills of Section 313 water priority chemicals and which could cause a discharge shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in runoff or leachate.
- c. Facilities shall have the necessary security systems to prevent accidental or intentional entry which could cause a discharge or disrupt treatment. Security systems shall be described in the plan and address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.
- d. The storm water pollution prevention plan shall assess the potential of various sources at the plant to contribute pollutants to storm water discharges associated with industrial activity. The plan shall include an inventory of the types of materials handled. Facilities shall include in the plan a description of releases to land or water of SARA

Title III water priority chemicals that have occurred at any time after July 1, 1989. Each of the following shall be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants.

II. GENERAL CONDITIONS

A. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements taken as required herein shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods.

2. REPORTING-MONITORING RESULTS SUBMITTED QUARTERLY

Monitoring results obtained during the calendar quarter shall be summarized on a Discharge Monitoring Report form (EPA No. 3320-1). For each effluent characteristic monitored at a frequency of once per month or less and not limited as a monthly average, the results obtained during the reporting period shall be summarized on a single report form for each quarter. More frequently monitored effluent characteristics and effluent characteristics limited as a monthly average shall be reported on a separate form for each calendar month of the reporting period. Results shall be submitted to the Department postmarked no later than the 28th day of the month following the end of the reporting period. Calendar quarter reporting periods end on the last day of the following months: March, June, September and December.

The reports shall be submitted to:

Maryland Department of the Environment
Water Management Administration
Compliance Program
1800 Washington Boulevard, Suite 425
Baltimore, Maryland 21230-1708

3. SAMPLING AND ANALYSIS METHODS

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

4. DATA RECORDING REQUIREMENTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. the exact place, date, and time of sampling or measurement;
- b. the person(s) who performed the sampling or measurement;
- c. the dates and times the analyses were performed;

- d. the person(s) who performed the analyses;
- e. the analytical techniques or methods used; and
- f. the results of all required analyses.

5. MONITORING EQUIPMENT MAINTENANCE

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to insure accuracy of measurements.

6. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors any pollutant, using approved analytical methods as specified above, at the locations designated herein more frequently than required by this permit, the results of such monitoring, including the increased frequency, shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA No. 3320-1).

7. RECORDS RETENTION

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 shall be retained for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department.

B. MANAGEMENT REQUIREMENTS

1. CHANGE IN DISCHARGE

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. The permittee shall report any anticipated facility expansions, production increases, or process modifications which will result in new, different or an increased discharge of pollutants by submitting a new application at least 180 days prior to the commencement of the changed discharge except that if the change only affects a listed pollutant and will not violate the effluent limitations specified in this permit, by providing written notice to the Department. Following such notice, the permit may be modified by the Department to include new effluent limitations on those pollutants.

2. NONCOMPLIANCE WITH EFFLUENT LIMITATIONS

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum or daily minimum effluent limitation specified in this permit, the permittee shall notify the Inspection and Compliance Program by telephone at (410) 537-3510 within 24 hours of becoming aware of the noncompliance. Within five calendar days, the permittee shall provide the Department with the following information in writing:

- a. a description of the non-complying discharge including its impact upon the receiving waters;
- b. cause of noncompliance;

- c. anticipated time the condition of noncompliance is expected to continue or if such condition has been corrected, the duration of the period of noncompliance;
- d. steps taken by the permittee to reduce and eliminate the non-complying discharge;
- e. steps to be taken by the permittee to prevent recurrence of the condition of noncompliance; and
- f. a description of the accelerated or additional monitoring by the permittee to determine the nature and impact of the noncomplying discharge.

3. FACILITIES OPERATION

All treatment, control and monitoring facilities, or systems installed or used by the permittee, are to be maintained in good working order and operated efficiently.

4. ADVERSE IMPACT

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.

5. BYPASSING

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

- a. 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;
- b. there are no feasible alternatives;
- c. 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
- d. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effects.

6. CONDITIONS NECESSARY FOR DEMONSTRATION OF AN 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:

- a. an upset occurred and that the permittee can identify the specific cause(s) of the upset;

- b. 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;
- c. the permittee submitted a 24-hour notification of upset in accordance with the reporting requirements of General Condition II.B.2 above;
- d. the permittee submitted, within five (5) calendar days of becoming aware of the upset, documentation to support and justify the upset; and
- e. the permittee complied with any remedial measures required to minimize adverse impact.

7. REMOVED SUBSTANCES

Wastes such as solids, sludges, or other pollutants removed from or resulting from treatment or control of wastewaters, or facility operations, shall be disposed of in a manner to prevent any removed substances or runoff from such substances from entering or from being placed in a location where they may enter the waters of the State.

8. POWER FAILURE

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. provide an alternative power source sufficient to operate the wastewater collection and treatment facilities or,
- b. halt, reduce or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater collection and treatment facilities.

C. RESPONSIBILITIES

1. RIGHT OF ENTRY

The permittee shall permit the Secretary of the Department, the Regional Administrator for the Environmental Protection Agency, or their authorized representatives, upon the presentation of credentials to:

- a. enter upon the permittee's premises where an effluent source is located or where any records are required to be kept under the terms and conditions of this permit;
- b. access and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
- c. inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;
- d. inspect, at reasonable times, any collection, treatment, pollution management, or discharge facilities required under this permit; and
- e. sample, at reasonable times, any discharge of pollutants.

2. TRANSFER OF OWNERSHIP OR CONTROL OF FACILITIES

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred to another person if:

- a. the permittee notifies the Department in writing, of the proposed transfer;
- b. a written agreement, indicating the specific date of proposed transfer of permit coverage and acknowledging responsibilities of current and new permittees for compliance with the liability for the terms and conditions of this permit, is submitted to the Department; and
- c. neither the current permittee nor the new permittee receive notification from the Department, within 30 calendar days, of intent to modify, revoke, reissue or terminate the existing permit.

3. REAPPLICATION FOR A PERMIT –[Reserved]

4. AVAILABILITY OF REPORTS

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

5. PERMIT MODIFICATION

A permit may be modified by the Department upon written request of the permittee and after notice and opportunity for a public hearing in accordance with and for the reasons set forth in 40 CFR § 122.62 and 122.63.

6. PERMIT MODIFICATION, SUSPENSION, OR REVOCATION

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked and reissued in whole or in part during its term for causes including, but not limited to, the following:

- a. violation of any terms or conditions of this permit;
- b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- d. a determination that the permitted discharge poses a threat to human health or welfare or to the environment and can only be regulated to acceptable levels by permit modification or termination.

7. TOXIC POLLUTANTS

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such toxic effluent standard or prohibition) is established by the U.S. Environmental Protection

Agency, or pursuant to Section 9-314 of the Environment Article, Annotated Code of Maryland, for a toxic pollutant which is present in the discharges authorized herein and such standard is more stringent than any limitation upon such pollutant in this permit, this permit shall be revoked and reissued or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified. Any effluent standard established in this case for a pollutant which is injurious to human health is effective and enforceable by the time set forth in the promulgated standard, even absent permit modification.

8. OIL AND HAZARDOUS SUBSTANCES PROHIBITED

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee 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.

9. CIVIL AND CRIMINAL LIABILITY

Except as provided in permit conditions on "bypassing," "upset," and "power failure," nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local, or other State law or regulation.

10. 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.

11. SEVERABILITY

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

12. WATER CONSTRUCTION AND OBSTRUCTION

This permit does not authorize the construction or placing of physical structures, facilities, or debris, or the undertaking of related activities in any waters of the State.

13. COMPLIANCE WITH WATER POLLUTION ABATEMENT STATUTES

The permittee shall comply at all times with the provisions of the Environment Article, Title 7, Subtitle 2 and Title 9, Subtitle 3 of the Annotated Code of Maryland and the Clean Water Act, 33 U.S.C. § 1251 et seq.

14. ACTION ON VIOLATIONS

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

15. 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 provides 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 \$27,500 per day for each violation.

16. 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:

- a. 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.
- b. 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.
- c. any person who knowingly violates Section 301, 302, 306, 307, 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 thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than \$25,000 or imprisonment of not more than 15 years, or both.
- d. any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under the Act, is subject to a fine of not more than \$10,000 or by imprisonment for not more than two (2) years, or by both.

17. DUTY TO PROVIDE INFORMATION

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

18. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Director shall be signed and certified as required by 40 CFR 122.22.

19. REOPENER CLAUSE FOR PERMITS

This permit shall be modified, or alternatively, revoked and reissued, 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 so issued or approved:


- a. contains different conditions or is otherwise more stringent than any effluent limitation in this permit or
- b. controls any pollutant not limited in this permit. This permit, as modified or reissued under this paragraph, shall also contain any other requirements of the Act then applicable.

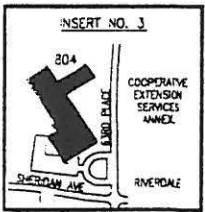
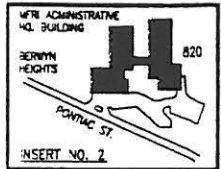
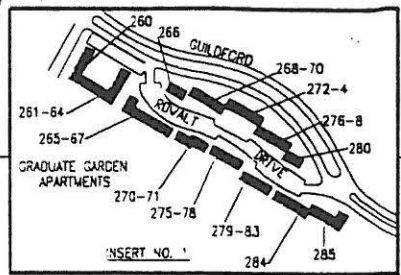
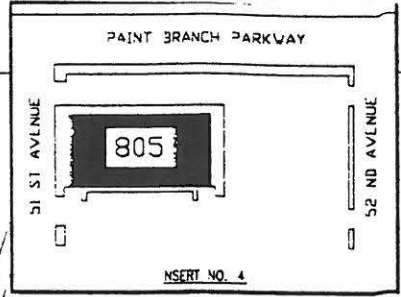
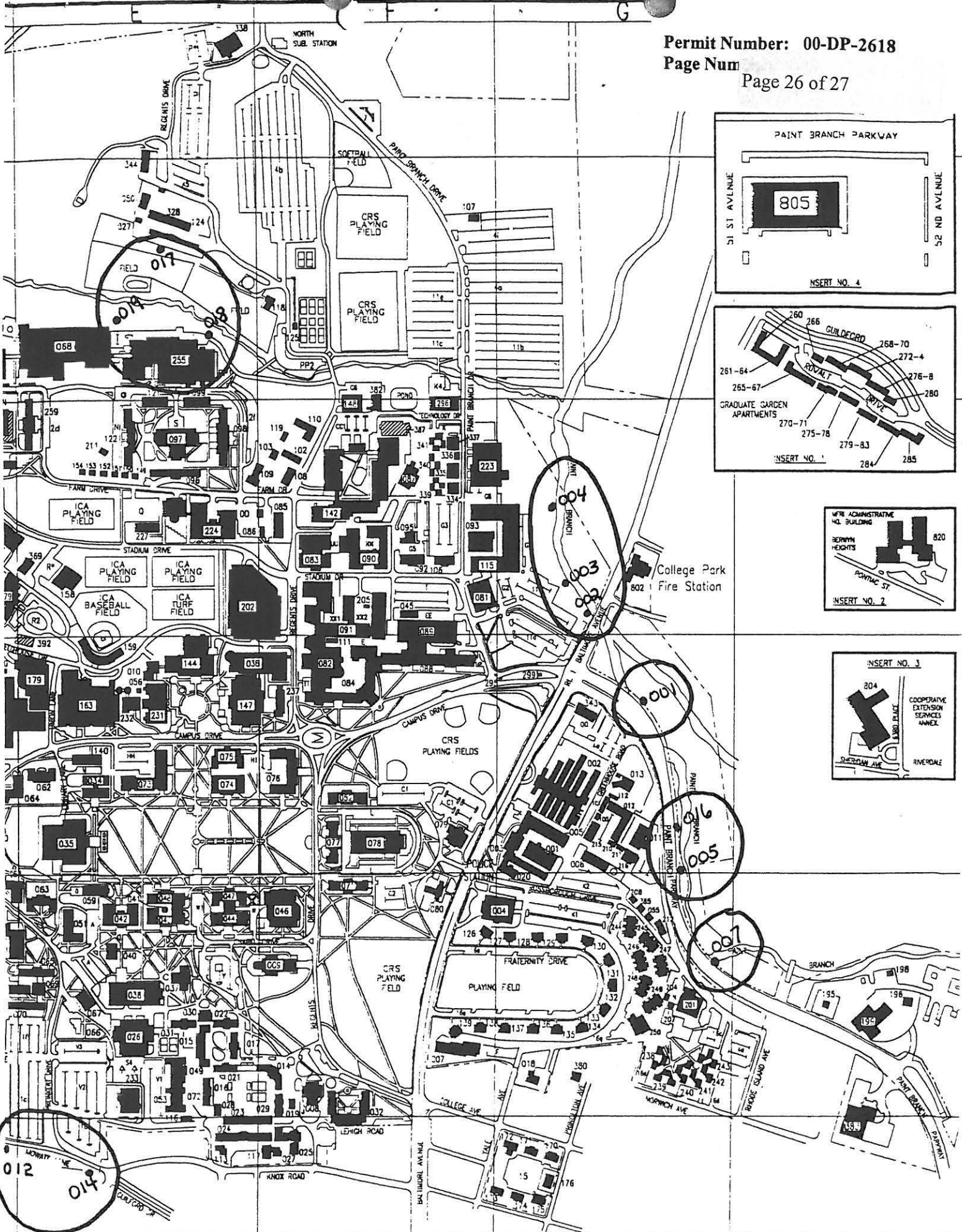
D. AUTHORITY TO ISSUE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

On September 5, 1974, the Administrator of the U.S. Environmental Protection Agency approved the proposal submitted by the State of Maryland for the operation of a permit program for discharges into navigable waters pursuant to Section 402 of the Clean Water Act, 33 U.S.C. Section 1342.

Pursuant to the aforementioned approval, this discharge permit is both a State of Maryland discharge permit and a NPDES permit.

This permit and the authorization to discharge shall expire at midnight on the expiration date. The permittee shall not discharge after that date unless a new application has been submitted to the Department in accordance with the renewal application provisions of this permit.


Jay G. Sakai, Director
Water Management Administration



College Park
802 Fire Station

