

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION**

NOTICE OF FINAL DETERMINATION

Talbot County

Application for State Discharge Permit, 19DP3460:

Town of Trappe, P.O. Box 162, Trappe, Maryland 21673 and Trappe East Holding Business Trust, 1960 Gallows Road, Suite 300, Vienna, VA 22182 submitted an application for a permit to discharge an average of 540,000 gallons per day of treated domestic wastewater from the Trappe East Wastewater Treatment Facility, located at East End of Backdown Road, Trappe, Maryland, to groundwater via a spray irrigation system.

This application was issued with an effective date of February 1, 2021. A judicial review was requested of the issued permit. Upon that review the permit was remanded back to MDE for further review on March 24, 2021. As part of the remand MDE was required to allow further comment on a new tentative permit and to hold a public hearing. The first notice on the remanded permit was published on June 25, 2021 and July 2, 2021 in the newspaper, The Star Democrat. A public hearing was held on October 28, 2021 at the Talbot County Community Center, Curling Rink, 10028 Ocean Gateway, Easton, MD 21601. The written comment period closed on December 6, 2021. In addition to the hearing, the Department received written comments regarding the proposed draft permit. After considering all comments received, the Department has made a final determination to reissue the permit with the following changes from the tentative permit:

1. The permit will require routine monthly monitoring of groundwater levels during the time period when the spray fields are operational. Additionally the permit will require that the spray area be divided into two zones. Each zone will be sprayed a maximum of two days per week. The zones will be set up to be sprayed at approximately ¼ inch per hour for 8 hours each.
2. Only an annual average flow of 100,000 gpd will be authorized, versus the 540,000 gpd requested in the application.
3. A re-opener special condition has been added for if the groundwater monitoring well data shows that the plant cover nitrogen uptake is ineffective and has caused elevated nitrogen and or phosphorous in groundwater. Additionally a NMP report shall be submitted to the Department annually.
4. Footnote 1 & 2 of Special Conditions I.A.2. will be amended to require the following: (1) A major permit modification is required for any future expansion of this facility. (2) To limit the permitted flow to 100,000 gpd and to require the 37,500 gpd being discharged to the existing Trappe Wastewater Treatment Plant. to be discharged via the permit once the wastewater treatment plant associated with this permit is constructed and operational.
5. Added a requirement for a minimum of 100-foot buffer to intermittent streams and perennial streams. Conditions are also being added to allow for alternate means, upon Departmental approval, that will be suitable to control the movement of spray onto adjacent land.
6. Added requirements for the collection and removal from the spray field of grass clippings from cutting vegetation planted on the spray site.
7. Requires the spray area to be divided into two or three zones. Each zone will be sprayed one day per week. The zones will be set up to be sprayed at approximately ¼ inch per hour for 8 hours each. The northern zone spray field will be used first as the initial disposal field.
8. Will require pumping and hauling to maintain 3 feet freeboard in the lagoon.
9. Confusing passages and typographical errors have been fixed.
10. Clarifies that the permittee is only authorized to discharge advanced treated wastewater in accordance with the terms, conditions, and limitations in this permit via spray irrigation onto designated areas and is not authorized to discharge any treated or untreated industrial wastewater to waters of the State.

11. Amended the permit to include testing for Escherichia coli (STORET code 51040) in place of fecal coliform (STORET code 74055).
12. The STORET Code 00665 for "Phosphorous, Total as P" will be included in the effluent limitation table in section I.A.2.
13. Monitoring for Nitrite+Nitrate (00630) will be added to the permit.
14. Requires the development of a "Manual of Operation and Maintenance" for the entire wastewater treatment facility. MDE will be able to review and request for amendment of the manual if there is a demonstrated need for the review and/or amendment.

All other terms and conditions remain unchanged from the tentative.

Copies of the final permit, fact sheet, responses to comments and may be downloaded from the Department's website at <https://mdewwp.page.link/19DP3460>.

Any person adversely affected by this final determination may request a judicial review. The judicial review must be filed no later than **December 9, 2022** in the circuit court of the county where the activity will occur.

Persons wishing to review the final permit may do so by contacting Mrs. Mary Dela Onyemaechi, Chief, Groundwater Discharge Permits Division at 410-537-3783 to make an appointment. Copies of documents may be obtained at a cost of \$0.36 per page.