



**STATE GENERAL PERMIT FOR THE DISCHARGE OF EXTERIOR VEHICLE WASHWATER
TO GROUNDWATER**

FROM COMMERCIAL AND BUSINESS-RELATED VEHICLE WASHING OPERATIONS

GENERAL DISCHARGE PERMIT NO. 21-VW

Effective Date: October 1, 2022

Expiration Date: September 30, 2027

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PART I. APPLICABILITY

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, the Maryland Department of 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, to discharge wastewater from vehicle washing as described herein to groundwaters of the state of Maryland, 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.

A. Geographic Coverage.

This permit covers vehicle washwater discharges to groundwaters within the territorial boundaries of the State of Maryland.

B. Eligible Discharges.

This permit is for the discharge of exterior vehicle washwater to groundwaters of the State of Maryland from commercial and business-related vehicle washing operations.

Discharge methods include: drainfield, seepage pit, overland flow, land application, and other Department approved groundwater disposal methods.

Vehicles include automobiles, trucks, buses, grounds maintenance equipment, construction equipment, railcars, golf carts, all-terrain vehicles, motorcycles, watercraft and aircraft.

C. Ineligible Discharges.

The following activities are not authorized by this general discharge permit:

1. Washwater discharged to surface waters of the State (via drainage ditch, streams, or stormwater drains).
2. Washwater from cleaning vehicular engines, power trains, undercarriages, or parts thereof.
3. Washwater from the interior washing of tank trucks, tractor trailers, railcars, garbage trucks, open-bed trucks or any other vehicle interior receptacle.
4. Wastewater generated from the flushing of vehicular radiators or engine cooling systems.
5. Washwater generated from washing vehicular parts with organic solvents.
6. Washwater generated from washing of vehicles with exposed engines, such as, but not limited to, construction and earth-moving equipment.
7. Washwater from the floor of a maintenance bay or other service area.
8. Discharges from facilities that discharge an average monthly volume of more than 5,000 gallons of washwater per day.
9. Any discharge designated by the Department as ineligible for General Permit authorization.

D. Individual Discharge Permit

1. The Department may require any person authorized by this general permit to apply for and obtain an individual wastewater discharge permit. If an owner or operator fails to submit, in a timely manner, an application for an individual discharge permit, as required by the Department under this condition, the applicability of this general permit to the owner or operator is automatically terminated at the end of the day specified by the Department for application for the individual discharge permit.
2. Discharges that are ineligible for discharge under this general permit may be eligible to discharge under an individual permit.
3. A person who is required to obtain permit authorization to discharge vehicle washwater may either apply to register under this General Discharge Permit or apply for an Individual Discharge Permit.
4. Any person authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual State discharge permit. The request may be granted by issuing an individual State discharge permit if the reasons cited by the owner or operator are adequate to support the request.
5. When an individual discharge permit is issued to a person otherwise subject to this permit, the applicability of this general permit to the permittee is automatically terminated on the effective date of the individual State discharge permit.
6. If there is evidence indicating potential or realized impacts on water quality due to any activity covered by this general permit, the owner or operator of such discharge may be required to obtain an individual discharge permit.
7. If a person otherwise covered under this general permit is denied an individual discharge permit, the denial automatically terminates, on the date of the denial, the person's coverage under this general permit, unless otherwise specified by the Department.
8. The Department may terminate or deny coverage under this general permit for an existing permittee if the Department finds that:
 - a. the NOI contained false or inaccurate information,
 - b. conditions or requirements of the discharge permit have been or are about to be violated,
 - c. substantial deviation from plans, specifications or requirements has occurred,
 - d. the Department has been refused entry to the premises for the purpose of inspecting to ensure compliance with the conditions of the discharge permit,
 - e. a change in conditions exists that requires temporary or permanent reduction or elimination of the permitted discharge,
 - f. any State or federal water quality standard or effluent standard has been or is threatened to be violated, or
 - g. site specific conditions increase the potential that the onsite discharge of vehicle washwater may endanger human health or the environment.

E. No Permit Required.

No permit is required if vehicle washwater is not discharged onsite. Washwater management methods in this category include:

1. Vehicle washwater discharged to a public wastewater treatment (sanitary sewer) system,
2. Vehicle washwater collected, contained in a Holding Tank, and either reused onsite or transported offsite for appropriate treatment and disposal, and
3. Other washwater management methods as approved by the Department.

F. Continuation of an Expired Permit.

The terms and conditions of this permit and authorized permit registrations are administratively continued and remain fully effective and enforceable upon expiration of this permit until the date(s) specified under a reissued general permit unless the permit or authorization is revoked or terminated by the Department.

Part II. Definitions

- A. **"Bypass"** means the intentional diversion of wastes from any portion of a treatment facility.
- B. **"CFR"** means Code of Federal Regulations.
- C. **"COMAR"** means Code of Maryland Regulations.
- D. **"Department"** means the Maryland Department of the Environment.
- E. **"Estimated flow"** means a calculated volume or discharge rate based on a technical evaluation of sources contributing to the discharge, including but not limited to pump capabilities, water meters, and batch discharges.
- F. **"Federal Clean Water Act"** means the federal Water Pollution Control Act Amendments of 1972, its amendments and all rules and regulations adopted thereunder.
- G. **"General permit"** means a discharge permit issued for a class of dischargers.
- H. **"Grab sample"** means an individual sample collected in less than 15 minutes.
- I. **"Groundwater"** means underground water in a zone of saturation.
- J. **"Includes" or "including"** means includes or including by way of illustration and not by way of limitation.
- K. **"NPDES permit"** means a National Pollutant Discharge Elimination System permit issued under the federal Clean Water Act.
- L. **"NOI"** means Notice of Intent to be covered by this permit (see Part III of this permit).
- M. **"Operator"** means that person or those persons with responsibility for the management and performance of each facility.

- N. **"Permittee"** means the person holding a permit issued by the Department.
- O. **"Person"** means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind, and any partnership, firm, association, corporation, or other entity. Person includes the federal government, this State, any county, municipal corporation or other political subdivision of this State or any of their units.
- P. **"State discharge permit"** means the discharge permit issued under the Environment Article, Title 9, Subtitle 3, Annotated Code of Maryland.
- Q. **"Surface waters"** means all waters of this State which are not groundwaters.
- R. **"Total Petroleum Hydrocarbons"** are the analytes detected as the Silica Gel Treated N-Hexane Extractable Material (SGT-HEM) by the laboratory test defined as Method 1664, by the United States Environmental Protection Agency.
- S. **"Upset"** means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit discharge 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.
- T. **"Volatile Organic Compounds"** are the analytes detected by the laboratory test defined as Method 624, by the United States Environmental Protection Agency.
- U. **"Wastewater" means any:**
1. Liquid waste substance derived from industrial, commercial, municipal, residential, agricultural, recreational, or other operations or establishments, **including vehicle washwater**, and
 2. Other liquid waste substance containing liquid, gaseous or solid matter and having characteristics that will pollute any waters of this State.
- V. **"Water"** means the liquid substance, which is derived from a groundwater source, a surface source, a piped supply, or any combination of these sources, and which will be discharged, without change in quality, into the waters of this State, with the exception of storm water runoff.
- W. **"Waters of this State"** includes:
1. 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
 2. The flood plain of free-flowing waters determined by the Department of Natural Resources on the basis of the 100-year flood frequency.

Part III. AUTHORIZATION UNDER THIS PERMIT

A. How to Obtain Authorization

Notice of Intent (NOI) Application and Transfer Requests

Applicants shall complete all required information on this permit's corresponding NOI application Form (<https://mdewwp.page.link/VWGP>). **An application can also be mailed upon request. Please call 410.537.3778 to receive an application form in the mail.**

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

1. Owner/Operator Information: company name, facility contact, telephone number, email address mailing address, IRS Employer Identification Number (EIN) and Worker's Comp Insurance carrier and policy number.
2. Facility Information: name of facility, location, source of water supply, sanitary waste and previous vehicle wash permit number (if applicable).
3. Discharge Information: amount of vehicle washwater discharged, number of vehicles washed, number of days vehicles are washed, washing method, wastewater discharge and treatment method, number of outfalls. Material Safety and Data Sheets (MSDS) must be included in any cleaning products or washwater additives are used.
4. Site Map: site map identifying the vehicle washwater discharge location(s). The map should provide significant points of reference (i.e., road, building etc.) near the discharge location and must identify all surface waters within a quarter mile of the discharge point. All washwater discharge locations shall correspond to those identified on the NOI.
5. Washwater analysis: chemical analysis of a representative sample of the vehicle washwater taken after treatment but before discharge.
6. Certification: printed name, title and signature of signatory and date. If the person who prepared the NOI is different from the facility contact, you shall include the preparer's name, phone number and email address.

Coverage under this permit becomes effective on the date that the NOI is accepted by the Department. The applicant will be notified by the Department of the NOI acceptance and that exterior vehicle washing is authorized under the terms and requirements of this permit.

B. Alternative Registrations

1. One Permit for Multiple Sites

A permittee may register multiple sites under one permit provided each location seeking registration is owned by the same entity. The Department reserves the right to require each location to obtain a separate permit.

- a. To register multiple sites under one permit, the permittee must provide:
 - i the location of each site for which they are seeking permit coverage (the physical address,

county, and latitude and longitude),

- ii a site map identifying the vehicle wash discharge locations for each site,
 - iii MSDSs for all washwater additives that will be used at all sites,
 - iv one permittee contact that will be responsible for all sites, and
 - v one initial washwater analysis, as long as all sites use the same washwater additives. Should different sites use different additives, additional washwater analyses will be required.
- b. Each different location that will be registered under the permit will be considered a separate outfall and is required to:
- i keep a logbook at each site to record weekly flow and inspections of the wastewater system (Part V.B.4),
 - ii submit DMRs annually, if registering under Class II, III or IV, and
 - iii keep copy of the registration letter onsite.

2. Mobile Washers

A mobile washer is defined as a permittee that will be washing vehicles in different locations. A permittee may obtain coverage under this permit to operate as a mobile washer only if discharging a monthly average of less than 100 gallons per day (Class I). The location (i.e., address) of each vehicle washing site shall be included in their logbook (Part V.B.4).

C. Notification of Authorization to Discharge Exterior Vehicle Washwater.

1. Coverage under this permit is effective on the date that the NOI is accepted by the Department. The applicant will be notified in writing by the Department of this acceptance and that exterior vehicle washing is authorized under the terms and conditions of this permit.
2. The permittee should save a copy of the completed NOI, the acceptance letter from the Department and the logbook as required in Part V. These documents shall be provided to the Department on request.

D. Transfer of Authorization

The authorization under this permit is not transferable to a change in facility location nor to any person except in accordance with this section. The Department may continue coverage for the new permittee under this general permit or may require the new permittee to apply for and obtain an individual discharge permit.

Authorization to discharge under this general permit may be transferred to another person if:

1. The current permittee notifies the Department in writing of the proposed transfer,
2. 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, and

3. Neither the current permittee nor the new permittee receives notification from the Department, within 30 days of intent to terminate coverage under this permit.

E. Application and Permit Fees

1. Pursuant to COMAR 26.08.04, persons who intend to obtain coverage of this general permit are subject to a one-time application fee and an annual fee for each year the permit is held.
2. Please do not submit payment with the NOI. You will be billed according to the requirements in COMAR 26.08.04.
3. If you pay the fee by a check that does not clear for any reason, you will have 30 calendar days to make proper payment. If payment is not received, your coverage under this permit must be considered void from the outset. You should save the canceled 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.
4. A new owner of a facility as a result of a transfer of ownership is responsible for any permit fees unpaid by the former owner.

F. Required Signature

1. Certification

Any person signing a NOI shall make the following certification as part of the NOI:

"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

The NOI shall be signed as follows:

- a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means 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
- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively, or
- c. For a municipal, 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:

- iv The chief executive officer of the agency, or
- v A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

G. Report Submission

1. All reports required by permits, and other information requested by the Department shall be signed by a person described in Part III.F.2 or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part III.F.2.
 - b. 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
 - c. The written authorization is submitted to the Department.
2. 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 III.F.2.a must be submitted to the Department prior to or together with any reports, information or applications to be signed by an authorized representative.

H. Deadlines for Notification

1. New Discharges

At least 60 days prior to the commencement of any new discharge covered under this general permit, a person shall request coverage by submitting a NOI in accordance with the requirements of this PART.

2. Renewals of General Permit 16-VW

Within six months after the effective date of this permit, any permittee currently registered under General Permit 16-VW shall submit to the Department a new NOI and application fee in order to obtain coverage under this permit. Failure to provide the required documents in a timely manner will result in violation of State and federal requirements and may subject the discharger to enforcement action by the Department. Permittees who submit timely notification for continued permit coverage shall operate under the administratively extended permit 16-VW until receiving notification from the Department of coverage under the new permit.

I. Failure to Notify

Persons who engage in an activity covered under this general permit, who fail to notify the Department of their intent to be covered under this general permit, and who discharge to waters of this State without a discharge permit, are in violation of the federal Clean Water Act and of the Environment Article, Annotated Code of Maryland, and may be subject to penalties.

J. Changes in Permit Coverage

1. Change in Discharge

The permittee shall submit a new NOI and any required fee for any anticipated facility expansions, production increases or decreases, process modifications or any other factor which will result in an increased discharge of pollutants or the discharge of additional pollutants. Based on its evaluation of the NOI the Department may:

- a. Continue to authorize the discharge under this general permit, or
- b. Require the permittee to apply for an individual State or State/NPDES discharge permit or obtain coverage other another general permit.

If any anticipated facility expansions, production increases or decreases, process modifications or any other change will not result in a violation of the discharge limitations specified in this permit, the permittee shall report the change to the Department in writing.

2. Permit Termination

To terminate permit coverage, you must notify the Department, in writing, after one or more of the following conditions have been met:

- a. All discharges at your facility that are covered by your registration under this permit have permanently ceased, or
- b. You move your operation to a new location, or
- c. A new owner or operator has taken over responsibility for the facility, or
- d. You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by a State/NPDES permit

Part IV. Classes of Exterior Vehicle Washing

<u>Class I</u>	<u>Class II</u>	<u>Class III</u>	<u>Class IV</u>
Less than 100 gallons/day	100 to less than 500 gallons/day	500 to less than 1,000 gallons/day	1,000 to less than 5,000 gallons/day

A. Class I

The onsite monthly average discharge of **less than 100 gallons per day** of exterior vehicle washwater and meets the conditions of Part I.B ('Eligible Discharges').

B. Class II

The onsite monthly average discharge of from **100 to less than 500 gallons per day** of exterior vehicle washwater and meets the conditions of Part I.B ('Eligible Discharges').

C. Class III

The onsite monthly average discharge of **500 to less than 1,000 gallons per day** of exterior vehicle washwater and meets the conditions of Part I.B ('Eligible Discharges').

D. Class IV:

The onsite monthly average discharge of **1,000 to less than 5,000 gallons per day** of exterior vehicles washwater and meets the conditions of Part I.B ('Eligible Discharges').

E. Class Designation.

1. The Department may designate any vehicle washing discharge a different Class (i.e., Class II may be designated as a Class III) based on the permittee's compliance history, site specific conditions that increase the potential that the onsite discharge of vehicle washwater may endanger human health or the environment or other reasons designated by the Department.
2. A vehicle washing operation may be designated a different Class upon written request by the permittee. A change of the vehicle washing Class is effective only upon receipt of a letter from the Department acknowledging this change of Class.
3. The Department may designate a vehicle washing discharge an 'Ineligible Discharge' per Part I.C if the permittee is not in compliance with the conditions of this permit or site-specific conditions increase the potential that the onsite discharge of vehicle washwater may endanger human health or the environment.
4. Facilities that discharge more than 5,000 gallons per day require an individual discharge permit.

PART V. VEHICLE WASHING REQUIREMENTS

A. Prohibitions

1. ***Discharges of floor and vehicle washwater, wastewater and wastes from maintenance bay and service-related areas are prohibited.***

If the facility has existing floor drains in a vehicle maintenance or service area which discharges to the ground surface or into a subsurface disposal system, then the business shall notify the Department's Wastewater Permits Division at 410-537-3778. The Department will supply compliance assistance for managing any potential onsite discharges of floor and vehicle washwater, wastes, and wastewater from maintenance bay and service-related areas. Options for managing this wastewater include: a) sealing the drain permanently, b) connecting the drain to the sanitary sewer, if available, c) discharging the wastewater to a holding tank for offsite hauling and treatment, or d) applying for an individual discharge permit.

2. The vehicle wash area must be separate from any area where maintenance work is done so that

automotive service fluids, leaks etc., are not discharged onto the ground surface or into vehicle wash area floor drains.

B. Operation and Maintenance Requirements

1. Discharges authorized by this General Permit shall be limited to washwater generated from the washing of vehicle exteriors.
2. The permittee is strictly prohibited from discharging or causing to be discharged any waste oil, fuels, grease, ethylene glycol (antifreeze), organic solvents, paint, or washwater from engine or under-carriage cleaning, other maintenance and service area related wastes, and floor washwater, into any sinks, toilets, or floor drains or into any other place that would allow these substances to reach surface waters or groundwaters of this State, including wetlands.
3. Vehicle washing shall be performed only in an area dedicated to the exterior washing of vehicles. No vehicle maintenance shall be performed in this area or any other area of the building where there are floor drains which discharge to the on-site treatment and disposal system.
4. Logbook: The following shall be performed and recorded in a logbook. This logbook shall be made available for review upon request by Department personnel.
 - a. The permittee shall inspect components of any washwater treatment system - including grit traps, floor drains, oil/water separators, and drainfield, at least once per month and measure the accumulation of oil and sediments. The permittee shall remove these materials before they accumulate to a thickness greater than 50% of the liquid depth, or before such materials would cause the discharge limits to be exceeded, but not less than once every two years.
 - b. Logbook entries shall include: the date, the name(s) of the person(s) performing the inspection or maintenance, the total height of the oil and sediments accumulated, and a description of any maintenance performed.
 - c. The logbook entry shall include an estimate, every month, of the average quantity of washwater (in gallons) discharged weekly.
5. The permittee is prohibited from discharging wastewater of any kind, including vehicle washwater, to the surface waters of this State (unless authorized under a separate permit).
6. The permittee shall ensure that any subsurface soil absorption system receiving washwater provides adequate capacity to prevent the release of washwater to the surface. If such an event occurs, the permittee shall repair the absorption system or install a new one, in accordance with COMAR 26.04.02, Sewage Disposal and Certain Water Systems for Homes and Other Establishments in The Counties of Maryland Where a Public Sewage System Is Not Available, or as approved by the Department.
7. Any new or repair of a subsurface disposal system that will receive vehicle washwater shall be approved by the Department. This approval shall be prior to installation.
8. Vehicle washwater shall not leave the property boundary.

C. Vehicle Washing Detergent and Chemical Additives

The following authorization process is required for vehicle washing additives which include detergents and soaps. Authorization for use of vehicle washing additives is only applicable to groundwater discharges.

The Department recommends against the use of cleaning products when the cleaning products will be discharged to the waters of this State. Hot water in combination with high pressure may eliminate the need for cleaning products. However, if cleaning products are essential to the operation, the permittee is authorized to use washwater additives according to the following requirements.

1. Material Safety Data Sheets (MSDS) shall be submitted to the Groundwater Discharge Permits Division, for review and approval, prior to the onsite discharge (onto the ground surface or into an onsite subsurface disposal system) of any cleaning products or washwater additives.
2. Washwater additives shall be used at or below the manufacturers' dilution ratios.
3. **Washwater additive authorization:** *The permittee shall obtain separate, written authorization from the Department before using any washwater additive.* MSDS forms must be submitted to the Department for review **prior** to approval of any other additive.

D. Effluent Limitations

Discharges which are permitted by this permit have been categorized by type, as specified in Part I.B. Respective numerical limits, monitoring requirements and other conditions which apply specifically to one category of discharge have been outlined in **Appendix A**.

PART VI. MONITORING AND REPORTING REQUIREMENTS

A. Representative Sampling.

Samples and measurements, if 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. Where effluent authorized by this general permit mingles with other discharges, the time and place of sampling shall be chosen to uniquely represent the effluent authorized by this permit.

B. Flow Estimation

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

1. a description of the methodology used to estimate flow
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 person(s) performing the measurements/observations should be provided

C. Discharge Monitoring Report (DMR).

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 according to **Appendix A**.

Class I is exempt from annual reporting.

MONITORING RESULTS SUBMITTED ANNUALLY

Monitoring results obtained during each calendar year shall be reported using NetDMR. Results shall be submitted to the Department no later than the 28th day of the month following the end of the reporting year.

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 permittees to submit monitoring reports electronically via a secure Internet application. You must apply for access to NetDMR at 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. You may be eligible for a temporary waiver by MDE from 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 under-served 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 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. If approved, the waiver shall be valid for one (1) year from the date of the 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 waiver requests and, if approved, subsequent hardcopy DMRs shall be sent to the following address:

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

D. 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.

E. Data Recording Requirements

For each measurement of sample taken pursuant to the requirements of this permit, the permittee shall 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.

F. Monitoring Equipment Maintenance.

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

G. Additional Monitoring by Permittee.

If the permittee monitors any pollutant more frequently than required by this general permit, the permittee shall use approved analytical methods as specified in Part VI.D above, and shall report the results of such monitoring, including the increased frequency, in the calculation and reporting of the values required in the Discharge Monitoring Report.

H. 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 (3) years. This period shall be automatically extended during the course of litigation, or when requested by the Department.

I. Noncompliance with Discharge Limits.

If, for any reason, you do not comply with or will be unable to comply with any of the effluent limitations specified 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 Blvd., Suite 425

Baltimore, MD 21230
Phone: (410) 537-3510
Fax: (410) 537-4883

Within five days, the permittee shall provide the Department with the following information in writing:

1. a description of the noncomplying discharge including its impact upon the receiving waters,
2. the cause or causes of noncompliance,
3. anticipated time the condition of noncompliance is expected to continue or, if such condition has been corrected, the duration of the period of noncompliance,
4. steps taken by the permittee to reduce and eliminate the noncomplying discharge,
5. steps to be taken by the permittee to prevent recurrence of the condition of noncompliance, and
6. a description of the accelerated or additional monitoring by the permittee to determine the nature and impact of the non complying discharge.

Part VII. Standard Permit Conditions

A. Facility Operation

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 include 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.

B. Submitting Additional or Corrected Information

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 calendar days.

C. 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

D. Bypass

Any bypass of treatment facilities needed 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. Except under emergency conditions, the permittee notifies the Department ten calendar days in advance of the date of the anticipated bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days,
4. Under emergency conditions, the permittee notifies the Department within 24 hours of becoming aware of the bypass. If the notification is given orally, the permittee shall follow the oral notification with written notification to the Department within five calendar days of the oral notification, and
5. The bypass is allowed by the Department under conditions determined by the Department to be necessary to minimize adverse effects.

E. Conditions Necessary for Demonstration of an Upset

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based discharge 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 in accordance with the reporting requirements of Corrective Actions above,
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.

F. Removed Substances

Wastes such as solids, sludge, 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 this State.

G. Right of Entry

The permittee shall 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 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,
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).

H. Availability of Reports

Except for data determined to be confidential under the Maryland Public Information Act, and 40 CFR § 123.25, all submitted data shall be available for public inspection at the Department.

I. Permit Modification

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.

J. Toxic Pollutants

The permittee shall 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. Compliance shall be achieved 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.

K. 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 the Federal Act or under the Annotated Code of Maryland.

L. Civil and Criminal Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any civil or criminal responsibilities, liabilities, 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.

M. 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 does it authorize any infringement of federal, State or local laws or regulations.

N. 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.

O. 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 this State.

P. Compliance with This General Permit and Water Pollution Abatement Statutes

The permittee shall comply at all times with the terms and conditions of this permit, the provisions of the Title 7, Subtitle 2, Title 9, Subtitles 2 and 3 of the Environment Article, Annotated Code of Maryland, and the federal Clean Water Act.

Q. 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.

R. 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 federal 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 \$37,500 per day for each violation.

S. 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 federal 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.
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.
3. 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 \$250,000 or imprisonment of not more than fifteen (15) years, or both. A person which is a corporation shall, upon conviction, be subject to a penalty of not more than \$1,000,000.
4. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or who knowingly

falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both. The Federal Clean Water Act provides that any person who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the Act, or who knowingly makes any false statement, representation, or certification in any records or other documents submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both.

T. Duty to Provide Information

The permittee shall 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. The permittee shall also provide to the Department, upon request, copies of records required to be kept by this permit.

U. Reopener Clause for Permits

This permit must 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 U.S.C.S § 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.

PART VIII. GENERAL PERMIT AUTHORIZATION AND EXPIRATION

On April 12, 1984, the Administrator of the U.S. Environmental Protection Agency approved the proposal submitted by the State of Maryland for the operation of the Underground Injection Control Program pursuant to Section 1422 of the Safe Drinking Water Act.

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 a State of Maryland Discharge Permit, and, if the discharge is into the subsurface, an Underground Injection Control Permit.



D. Lee Currey, Director
Water and Science Administration