



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

April 27, 2018

The Honorable Howard W. Long, Mayor
Town of Boonsboro
21 North Main Street
Boonsboro, MD 21788

RE: Designation Letter

Dear Mayor Long:

The Maryland Department of the Environment (the Department), Water and Science Administration has reached a Final Determination to issue a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (General Discharge Permit No. 13-IM-5500, General NPDES No. MDR055500). The legal framework for permit requirements is provided in the federal Clean Water Act (CWA), Title 40 of the Code of Federal Regulations (CFR) § 122 pertaining to NPDES MS4 programs, and numerous guidelines of the United States (U.S.) Environmental Protection Agency (EPA). MS4 owners or operators required to obtain coverage under this MS4 general permit are those located within urbanized areas or other MS4s designated by the Department under authority of the CWA and CFR.

You are receiving this letter because all or part of the Town of Boonsboro (the Town) has been identified as being located within an urbanized area according to the 2010 U.S. Census. Your MS4 within the urbanized area will come under the purview of the CWA's stormwater permitting requirements in accordance with 40 CFR § 122.32(a)(1). As stated in the Federal Register (Vol. 64, No. 235, 68750), in situations where an incorporated place or a town is not all in an urbanized area, it makes sense to develop a stormwater program for the whole area.

The MS4 general permit will become effective on October 31, 2018. As an owner or operator of a designated MS4 to be regulated under this general permit, the Town must submit a Notice of Intent (NOI) to the Department by the effective date. An NOI serves as notification that the Town intends to comply with the terms and conditions of this general permit. Conditions of the general permit are effective for a five-year term unless administratively continued by the Department.

The MS4 general permit requires implementation of stormwater management programs and restoration actions to control the discharge of pollutants from regulated MS4s. Compliance with the general permit will reduce stormwater pollutants to local waterways and the Chesapeake Bay. Furthermore, pollution reductions from the Town are necessary to comply with the assumptions and requirements of the Chesapeake Bay Total Maximum Daily Load. Restoration requirements are based on untreated impervious areas located within the Town's urbanized area. The general permit,

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however, allows flexibility to implement restoration projects and management programs across the entire incorporated area of the Town.

The Department has complied with public participation requirements established under Maryland's Administrative Procedures Act in order to reach this Final Determination. The Department has met with numerous stakeholders, held a public hearing, and accepted public comments from December 22, 2016, through March 30, 2017. The Final Determination, MS4 general permit, and the comments submitted during the public comment period may be found on the Department's website at: www.mde.maryland.gov/programs/Water/StormwaterManagementProgram. Additional resources related to stormwater program implementation and restoration planning may also be found on the website.

Thank you for your cooperation in reviewing this MS4 general permit and planning activities that will result in full program implementation by the end of the permit term. Compliance with the general permit will support Maryland's broader goals of improving local water quality and contribute to long standing efforts to restore the Chesapeake Bay. The Department looks forward to working with you to achieve these goals. If you have any questions, please contact me at 410-537-3567 or Ms. Jennifer Smith at 410-537-3543 or jenniferm.smith@maryland.gov.

Regards,



D. Lee Currey
Director, Water and Science Administration