



# Maryland

## Department of the Environment

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

Ben Crumbles, Secretary  
Horacio Tablada, Deputy Secretary

8/31/2021

### **Baltimore Gas and Electric**

1699 Leadenhall Street  
Baltimore , Maryland 21230

RE: Registration of Application Number: **MDRCM05SK**

Dear Mr. Gregory Kappler:

This letter confirms that you are now under the Department's Consent Order for discharges of stormwater associated with construction activity and that you have met the General Permit eligibility criteria and declared your intention to operate in accordance with the terms of 14-GP for discharges into: **Bush River (02130701)**

In signing the Declaration of Intent (DOI), the eNOI, providing Certification of an approved Erosion and Sediment Control (E&SC) plan and paying the permit fee, you have certified your agreement to comply with the terms of the permit for: **Bush River Crossing 115kV Transmission Line Rebuild**

Issued to **Baltimore Gas and Electric**

For **7.80 acres**

At property located at  
**Aberdeen, Maryland 21001**

The Consent Order approval is identified by the Number **MDRCM05SK**. This coverage will continue until the deadline for new registrations required under a new general permit, the date you obtain coverage under an individual permit or general permit, or the date the Consent Order is terminated, whichever occurs first.

You should print the full permit text by going to MDE's website or from this link "[mdewwp.page.link/CGP](http://mdewwp.page.link/CGP)". You must become thoroughly familiar with the content of the permit and post a copy onsite. A summary of the permit requirements and provision are provided below:

In addition to stormwater associated with construction activity, Per Part III.A.4 of the permit, non-stormwater discharges from: dewatering from construction excavations, which must be managed by controls in accordance with the 2011 Standards and Specifications for Soil Erosion and Sediment Control (ES&C); fire fighting activities; air conditioning condensate; uncontaminated spring water; and foundation or footing drains where flows are not causing an erosive condition or contaminated with process materials such as solvents are permissible. Any discharges not covered by the Consent Order may require additional permit coverage (Part III.A.3).

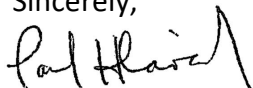
The coverage requirements include:

- (Part III.D) Training requirements of all site personnel to understand aspects of permit and plan compliance relevant to their specific duties.
- (Part IV.A) Effluent Limitations, including selecting, installing, implementing and maintaining control measures (i.e., BMPs, controls, practices, etc.) at the construction site that minimize pollutants in the discharge, as well as requirements to modify controls or ceasing those discharges as required.
- (Part IV.B) Prevention of the discharge of sediment to surface waters, or conveyance systems leading to surface waters, including required corrective actions and on-site documentation.
- (Part IV.C.1) Mandatory inspection and frequency requirements.
- (Part IV.C.2) Requirements for posting information regarding this registration.
- (Part IV.C.3) Onsite record maintenance, including that the approved E&SC plan, the approved stormwater management plan, a copy of the general permit, the eNOI and a copy of this registration letter.
- (Part IV.C.3.b) Written report requirements including use of the form as provided by MDE(available on MDE's website "[mdewwp.page.link/CGP](https://www.mde.state.md.us/mde/wp-content/uploads/2017/07/CGP-Form-2017-07-20.pdf)") as a fillable Microsoft Word form and as an Adobe Acrobat file.
- (Part IV.D) Upon request, reporting requirements that may apply to you.

Remember to contact the compliance program to schedule a preconstruction meeting 2 weeks prior to starting construction. If the current E&SC plan approval covers only part of the entire site, be advised that this registration does not cover discharges from the other portions for the site until the appropriate E&SC approval authority approves the E&SC plan for those portions. The responsible party is required to submit any Modifications to this coverage, Transfers of Authorization, or Notices of Termination via the ePermits portal. If your contact information changes, update it through the ePermits portal.

If you have any questions, please call the administrative team for the General Permit at (410) 537-3019.

Sincerely,



Paul Hlavinka

Industrial and General Permits Division

Wastewater Permits Program



## CONSENT ORDER

### To Comply With The Terms and Conditions of the General Permit for Stormwater Associated with Construction Activity 14GP

The Maryland Department of the Environment (“Department”) has the powers, duties, and responsibilities vested in it pursuant to Sections 1-301 and 9-301 through 9-344, inclusive, of the Environment Article of the Annotated Code of Maryland, to implement and enforce the environmental laws of the State, including protection of the waters of the State;

Pursuant to Section 9-322 of the Environment Article, a person may not discharge any pollutant, including stormwater associated with construction activity, to waters of the State without a permit;

Pursuant to Section 9-335 of the Environment Article, the Department may issue an order to take corrective action to any person who has violated Title 9, subtitle 3 of the Environment Article, any rule or regulation adopted under Title 9, subtitle 3, or any order or permit issued under Title 9, subtitle 3;

A person who violates any provision of Title 9, subtitle 3 of the Environment Article or any rule, regulation, order, or permit adopted or issued by the Department under Title 9, subtitle 3 may be subject to potential civil and administrative penalties pursuant to Section 9-342, including for engaging in construction or land disturbing activities without a discharge permit;

In recognition that the General Permit for Stormwater Associated with Construction Activity (General NPDES Permit Number MDRC; State Discharge Permit Number 14GP) (“14GP”) is beyond its five-year term, and in recognition that NPDES permits have a maximum duration of five years, the Department is no longer issuing new registrations under the expired permit 14GP. Proposed new discharges of stormwater associated with construction activity will not be allowed to obtain general permit coverage until a new permit is issued; and

Any person that has signed a Declaration of Intent (a “Declarant”), acknowledging the intent to seek permit coverage for all new and existing stormwater discharges that are composed in whole or in part of discharges associated with construction activity [as defined by 40 Code of Federal Regulations (40 CFR), Section 122.26 (b)(14)(x) and Section 122.26(b)(15)(i); see Part IX.3 for further definition of “construction activity”] under a new general permit once final and effective, voluntarily consents to the Department entering this Order. As described in the Declaration of Intent, the Declarant also voluntarily consents to abide by the terms and conditions of the expired 14GP until a new general permit is final

and effective or the Declarant is issued an individual discharge permit, whichever comes first.

ORDER

THEREFORE, pursuant to Sections 1-301 and 9-301 through 9-344, inclusive, of the Environment Article, the Department, hereby ORDERS that each Declarant shall, after receipt from the Department of documentation of approval of the NOI, comply with all terms and conditions of 14GP.

At any time at the discretion of the Department or the U.S. Environmental Protection Agency, or if there is evidence indicating that stormwater discharges authorized by this Order cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, the Department may withdraw or revoke this Order and require any Declarant to obtain an individual permit or alternative general permit coverage. Alternatively, the Department may modify this Order to include different limitations and requirements, in accordance with the procedures contained in COMAR 26.08.04.10 and 40 C.F.R. §§ 122.62, 122.63, 122.64 and 124.5.


This Order is not intended to be nor shall it be construed to be a permit or an authorization for permit coverage. Compliance by a Declarant with the terms of this Order shall not relieve the Declarant of its obligation to comply with any other applicable local, state, or federal laws and regulations.

Nothing in this Order shall be construed to limit any authority of the Department to issue any order or to take any action it deems necessary to protect public health or the environment, or to limit any authority the Department now has or may hereafter be delegated.

The Department reserves the right to withdraw or revoke this Order at any time. Unless otherwise withdrawn or revoked, this Order shall remain in full force and effect for each Declarant until the deadline for new registrations required under a new general permit, or the date the Declarant obtains coverage under an individual permit or alternative general permit, whichever occurs first.

This Order will be effective for each Declarant upon approval of the NOI by the Department.

STATE OF MARYLAND,  
DEPARTMENT OF THE ENVIRONMENT

  
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D. Lee Currey, Director  
Water and Science Administration

Date May 18, 2020