



DIVISION OF
ENVIRONMENTAL MANAGEMENT
WATER QUALITY | SOLID WASTE | ENGINEERING SERVICES
STORMWATER & WATERSHED SERVICES

October 31, 2023

Ms. Deborah Cappuccitti
Senior Regulatory Compliance Engineer
Maryland Department of the Environment, Water and Science Administration
Sediment, Stormwater, and Dam Safety Program
1800 Washington Blvd, Suite 440
Baltimore, MD 21230-1708

Re: General Permit No. 13-IM-5500
General NPDES No. MDR 0555500
2023 Municipal Small MS4 Progress Report Year 5

Dear Ms. Cappuccitti,

As required by the National Pollutant Discharge Elimination System General Permit for Discharges from Small Municipal Separate Storm Sewer Systems, General Discharge Permit No. 13-IM-5500, General NPDES No. MDR055500, Washington County's Division of Environmental Management is hereby providing to you the attached, 2023 Washington County Maryland, NPDES Municipal Small MS4 Year 5 Progress Report, for General Permit No. 13-IM-5500. We have also addressed comments made in MDEs review of our 2022 Year 4 Progress Report, which are attached as a separate document.

The Year 5 submission is in the format as required by the MS4 Permit and contains the completed forms from Appendix D Section I, with the updated Impervious Area Restoration Work Plan and updated Restoration Activity Schedule. All information provided has been reviewed for accuracy and is based on the best available information at the time of compilation. Staff has developed the list based on projects that we believe will meet the 20% requirement. The RAS will be adjusted as we proceed to plan and implement our restoration schedule. Each project has a "projected" implementation year (consistent with the language in the GP). We ask that MDE view the list in this context.

MDE's request to update the RAS to include an additional 10% of restoration planning through 2030 has been noted. Over the next several months, Washington County staff will work to update the RAS to include the additional 10% restoration goal. We will endeavor to move forward with the future projects listed on the RAS in the same manner, but we must note the practicalities of doing so. The County does not control outside permitting, nor can we force a private property owner to grant us an easement even if we need one for a project. In addition, we must consider the total cost and cost-effectiveness of a project and balance local clean water goals with other local goals (education, emergency services, etc.). The affordability of our stormwater programs, including the restoration requirement, is always forefront in our decision-making. This is especially critical right now, given the continuing inflationary pressures on

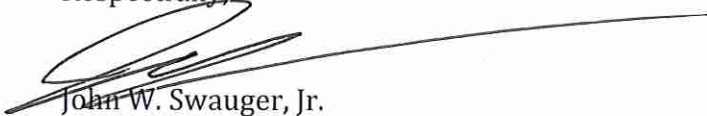
our citizens.

The County reserves the right to substitute a different project if it becomes obvious during the implementation process that a project is unworkable, costly, or otherwise ineffective. In addition, we reserve the right to participate in the State's nutrient trading program if necessary for compliance purposes. If we are struck by a force majeure emergency, we will notify MDE in a timely fashion. And, of course, we will report on progress as required by the 2018 GP.

Lastly, decisions made by County Staff are subject to local governing body budgeting approval. We are unable to bind future decisions of the governing body on fees, appropriations, and spending levels. County Staff will work to secure funding, whether that be from the general fund, loans, or grants, as we move forward with project implementation.

Should you require further information, or have any questions or comments, please contact me directly at 240.313.2611 (email jswauger@washco-md.net).

Respectfully,



John W. Swauger, Jr.
Stormwater Management NPDES/MS4 Manager

Attachments (Link:



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

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT FOR DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

**GENERAL DISCHARGE PERMIT NO. 13-IM-5500
GENERAL NPDES NO. MDR055500**

Final Determination: April 27, 2018
Effective Date: October 31, 2018
Expiration Date: October 30, 2023

This National Pollutant Discharge Elimination System (NPDES) general permit covers small municipal separate storm sewer systems (MS4s) in certain portions of the State of Maryland. MS4 owners and operators to be regulated under this general permit must submit a Notice of Intent (NOI) to MDE by October 31, 2018. An NOI serves as notification that the MS4 owner or operator intends to comply with the terms and conditions of this general permit.

APPENDIX D

Municipal Small MS4 Progress Report
Washington County, Maryland

NPDES Annual Report
General Discharge Permit No. 13-IM-5500
General NPDES No. MDR055500

2023 Municipal Small MS4
Progress Report
Year 5
October 31, 2023

Maryland Department of the Environment (MDE)

National Pollutant Discharge Elimination System (NPDES)
Small Municipal Separate Storm Sewer Systems (MS4) General Permit

This Progress Report is required for those jurisdictions covered under General Discharge Permit No. 13-IM-5500. Progress Reports must be submitted to:

Maryland Department of the Environment, Water and Science Administration
Sediment, Stormwater, and Dam Safety Program
1800 Washington Boulevard, Suite 440, Baltimore, MD 21230-1708
Phone: 410-537-3543 FAX: 410-537-3553
Web Site: www.mde.maryland.gov

Contact Information

Permittee Name:	Washington County Maryland
Responsible Personnel:	Mr. John F. Barr, President -BOCC
Mailing Address:	100 W. Washington Street Hagerstown, MD 21740
Phone Number(s):	240-313-2200
Email address:	jbarr@washco.md.net
Additional Contact(s):	John W. Swauger, Jr.
Mailing Address:	16232 Elliott Parkway
Phone Number(s):	240-313-2611
Email address:	jswauger@washco-md.net

Signature of Responsible Personnel

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.

John F. Barr
Printed Name


Signature

10-23-23
Date

Reporting Period (State Fiscal Year):

2023

Due Date:

10/31/2023

Date of Submission:

10/31/2023

Type of Report Submitted:

Impervious Area Restoration Progress Report (Annual):

Six Minimum Control Measures Progress (Years 2 and 4):

Both:

Permittee Information:

Renewal Permittee:

New Permittee:

Compliance with Reporting Requirements

Part VI of the Small MS4 General Discharge Permit (No. 13-IM-5500) specifies the reporting information that must be submitted to MDE to demonstrate compliance with permit conditions. The specific information required in this MS4 Progress Report includes:

1. Annual: Progress toward compliance with impervious area restoration requirements in accordance with Part V of the general permit. All requested information and supporting documentation must be submitted as specified in Section I of the Progress Report.
2. Years 2 and 4: Progress toward compliance with the six minimum control measures in accordance with Part IV of the general permit. All requested information and supporting documentation shall be reported as specified in Section II of the Progress Report. MDE may request more frequent reporting and/or a final report in year 5 if additional information is needed to demonstrate compliance with the permit.

Instructions for Completing Appendix D Reporting Forms

The reporting forms provided in Appendix D allow the user to electronically fill in answers to questions. Users may enter quantifiable information (e.g., number of outfalls inspected) in text boxes. When a more descriptive explanation is requested, the reporting forms will expand as the user types to allow as much information needed to fully answer the question. The permittee must indicate in the forms when attachments are included to provide sufficient information required in the MS4 Progress Report.

Section I: Impervious Area Restoration Reporting Form

Section I: Impervious Area Restoration Reporting

1. a. Was the impervious area baseline assessment submitted in year 1?

Yes No

b. If No, describe the status of completing the required information and provide a date at which all information required by MDE will be submitted:

c. Has the baseline been adjusted since the previous reporting year?

Yes No

2. Complete the information below based on the most recent data:

Total impervious acres of jurisdiction covered under this permit:

Total impervious acres treated by stormwater water quality best management practices (BMPs):

Total impervious acres treated by BMPs providing partial water quality treatment (multiply acres treated by percent of water quality provided):

Total impervious acres treated by nonstructural practices (i.e., rooftop disconnections, non-rooftop disconnections, or vegetated swales):

Total impervious acres untreated in the jurisdiction:

Twenty percent of this total area (this is the restoration requirement):

Verify that all impervious area draining to BMPs with missing inspection records is not considered treated. Describe how this information was incorporated into the overall analysis:

- **Washington County used GIS to identify areas in the county that met the following conditions: within the boundary of the 2010 census urbanized area, is outside the boundary of incorporated towns with MS4 Permits (excluding areas owned by Washington County Public Schools which is the County's responsibility), is outside of parcels on which industrial permitted operations exist and is outside of land owned by the State of Maryland or the Federal Government. The resulting region was used to identify areas in the impervious surface that Washington County is responsible to restore as part of the Chesapeake Bay Restoration.**

Section I: Impervious Area Restoration Reporting

2. Has an Impervious Area Restoration Work Plan been developed and submitted to MDE in accordance with Part V.B, Table 1 of the permit or other format?

Yes No

Has MDE approved the work plan?

Yes No

If the answer to either question is No, describe the status of submitting (or resubmitting) the work plan to MDE and provide a date at which all outstanding information will be available:

Describe progress made toward restoration planning, design, and construction efforts and describe adaptive management strategies necessary to meet restoration requirements by the end of the permit term:

- **County staff (Division of Engineering & Division of Environmental Management,) continue to analyze various means of restoration. Several studies are currently underway for retrofitting of swales, retrofitting of existing dry ponds, and several stream restorations. Future analysis may include determining any existing BMPs that provide partial water quality treatment to reduce the baseline acreage total.**

3. Has a Restoration Schedule been completed and submitted to MDE in accordance with Part V.B, Table 2 of the permit?

Yes No

In year 5, has a complete restoration schedule been submitted including a complete list of projects and implementation dates for all BMPs needed to meet the twenty percent restoration requirement?

Yes No

Are the projected implementation years for completion of all BMPs no later than 2025?

Yes No

Describe actions planned to provide a complete list of projects in order to achieve compliance by the end of the permit term:

- **Washington County's restoration schedule is based on completed and proposed projects within the County. All proposed projects are subject to approval by the county administration as well as budgetary limitations. The County will continue to analyze areas for restoration and will update the Restoration Schedule accordingly.**

Describe the progress of restoration efforts (attach examples and photos of proposed or completed projects when available):

The county has completed multiple tree plantings, continues to monitor septic pumping, performs street sweeping, removal of septic tanks, and completed a stream restoration

Section I: Impervious Area Restoration Reporting

project near Smithsburg, MD. The County will continue to update and refine the Baseline Impervious Assessment and will continue to analyze areas where BMPs can be implemented to meet restoration goals. Over the next several months the county will endeavor to build a list of additional BMPs to comply with MDEs proposed 10% impervious restoration for implementation by 2030.

4. Has the BMP database been submitted to MDE in Microsoft Excel format in accordance with Appendix B, Tables B.1.a, b, and c?

Yes No

Is the database complete?

Yes No

If either answer is No, describe efforts underway to complete all data fields, and a date that MDE will receive the required information:

5. Provide a summary of impervious area restoration activities planned for the next reporting cycle (attach additional information if necessary):

- **Washington County continues to research the option of a residential tree planting program to further implement tree plantings in the county.**
- **Washington County will continue to implement tree plantings on remaining county properties in the Spring of 2024.**
- **A stream restoration project is proposed for 2024 at the Smithsburg High School location.**
- **A BMP retrofit study is currently under way and it is anticipated that some impervious area restoration will be completed by 2025.**

6. Describe coordination efforts with other agencies regarding the implementation of impervious area restoration activities:

- **Washington County continues to fulfill its obligations per the MOUs with with the Town of Boonsboro, Town of Smithsburg, and Town of Williamsport.**

7. List total cost of developing and implementing the impervious area restoration program during the permit term:

- **Estimate costs were originally listed at 17 million dollars based off previous project costs and proposed estimated amounts. With the current economy and exorbitant increases for material and labor, the estimated amount is likely to be**

Section I: Impervious Area Restoration Reporting

much higher. Available moneys will ultimately be determined by Washington County's Operating and CIP budgets and are subject to approval by the Washington County Board of County Commissioners

Section II: Minimum Control Measures Reporting Forms

MCM #1: Public Education and Outreach

<p>1. Does the permittee maintain a process and phone number for the public to report water quality complaints? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Number of complaints received: <input type="text"/></p> <p>Describe the actions taken to address the complaints:</p>
<p>2. Describe training to employees to reduce pollutants to the MS4:</p>
<p>3. Describe the target audience(s) within the jurisdiction:</p>
<p>4. Are examples of educational/training materials attached with this report? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Provide the number and type of educational materials distributed: Describe how the public outreach program is appropriate for the target audience(s):</p>
<p>5. Describe how stormwater educational materials were distributed to the public (e.g., newsletters, website):</p>
<p>6. Describe how educational programs facilitated efforts to reduce pollutants in stormwater runoff:</p>
<p>7. Provide a summary of the activities planned for the next reporting cycle:</p>
<p>8. List the total cost of implementing this MCM over the permit term:</p>

MCM #2: Public Involvement and Participation

1. Describe how the public involvement and participation program is appropriate for the target audience(s):	
2. Quantify and report public involvement and participation efforts shown below where applicable.	
Number of participants at public events:	<input type="text"/>
Quantity of trash and debris removed at clean up events:	<input type="text"/>
Number of employee volunteers participating in sponsored events:	<input type="text"/>
Number of trees planted:	<input type="text"/>
Length of stream cleaned (feet):	<input type="text"/>
Number of storm drains stenciled:	<input type="text"/>
Number of public notices published to facilitate public participation:	<input type="text"/>
Number of public meetings organized:	<input type="text"/>
Total number of attendees at all public meetings:	<input type="text"/>
Describe the agenda, items discussed, and collaboration efforts with interested parties for public meetings:	
Describe how public comments have been incorporated into the permittee's MS4 program, including water quality improvement projects to address impervious area restoration requirements:	
Describe any additional events and activities if applicable:	
3. Provide a summary of activities planned for the next reporting cycle:	
4. List the total cost of implementing this MCM for the permit term:	

MCM #3: Illicit Discharge Detection and Elimination (IDDE)

1. Does the permittee maintain a map of the MS4 owned or operated by the permittee, including stormwater conveyances, outfalls, stormwater best management practices (BMPs), and waters of the U.S. receiving stormwater discharges?
 Yes No

If Yes, attach the map to this report and provide a progress update on any features that are still being mapped. If No, detail the current status of map development and provide an estimated date of submission to MDE:

Mapping of stormwater conveyances outside of the UA will continue as staffing allows.

2. Does the permittee have an ordinance, or other regulatory means, that prohibits illicit discharges?
 Yes No

If Yes, describe the means for enforcement utilized by the permittee (alternatively, a link may be provided to the permittee's webpage where this information is available). If No, describe the permittee's plan, including approximate time frame, to establish a regulatory means to prohibit illicit discharges:

3. Describe the process the permittee utilizes for gaining access to private property to investigate and eliminate illicit discharges:

4. Did the permittee submit to MDE standard operating procedures (SOPs) in accordance with Part IV.C of the permit?
 Yes No

If No, provide a proposed date that SOPs will be submitted to MDE. MDE may require more frequent reports for delays in program development:

Did MDE approve the submitted SOPs?

- Yes No

If No, describe the status of requested SOP revisions and approximate date of resubmission for MDE approval:

Describe how the permittee prioritized screening locations in areas of high pollutant potential and identify the areas within which screenings were conducted during this reporting period:

5. Answers to the following questions must reflect this two-year reporting period.

How many outfalls are identified on the map?

MCM #3: Illicit Discharge Detection and Elimination (IDDE)

<p>How many outfalls were required to be screened for dry weather flows to meet the minimum numeric requirement (i.e., 20% of total outfalls, up to 100)? <input type="text"/></p> <p>How many outfalls were screened for dry weather flows? <input type="text"/></p> <p>Per the permittee's SOP, how frequently were outfalls required to be screened? At what frequency were outfalls screened during the reporting period?</p> <p>How many dry weather flows were observed? <input type="text"/></p> <p>If dry weather flows were observed, how many were determined to be illicit discharges? <input type="text"/></p> <p>Describe the investigation process to track and eliminate each suspected illicit discharge and report the status of resolution:</p>
<p>Describe maintenance or corrective actions undertaken during this reporting period to address erosion, debris buildup, sediment accumulation, or blockage problems:</p>
<p>6. Is the permittee maintaining all IDDE inspection records and are they available to MDE during site inspections? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>7. If spills, illicit discharges, and illegal dumping occurred during this reporting period, describe the corrective actions taken, including enforcement activities, and indicate the status of resolution:</p>
<p>8. Attach to this report specific examples of educational materials distributed to the public related to illicit discharge reporting, illegal dumping, and spill prevention. If these are not available, describe plans to develop public education materials and submit examples with the next Progress Report:</p>
<p>9. Specify the number of employees trained in illicit discharge detection and spill prevention: <input type="text"/></p>
<p>10. Provide examples of training materials. If not available, describe plans to develop employee training and submit examples with the next Progress Report:</p>
<p>11. List the cost of implementing this MCM during this permit term:</p>

MCM #4: Construction Site Stormwater Runoff Control

Erosion & Sediment Control Program Procedures, Ordinances, and Legal Authority

1. Does the permittee have an MDE approved ordinance?
 Yes No

Has the permittee submitted modifications to MDE?
 Yes No

Has the adopted ordinance been submitted to MDE?
 Yes No

If No, is the adopted ordinance attached?
 Yes No

2. Does the permittee rely on the County, local Soil Conservation District, or MDE to perform any or all requirements for an acceptable erosion and sediment control program? Yes No

If Yes, check all that apply:
 Plan Review and Approval
 Construction Inspections
 Enforcement

3. Does the permittee have a process to ensure that all necessary permits for a proposed development have been obtained prior to issuance of a grading or building permit?
 Yes No

Explain how the permittee ensures all permits are in place:

-

Erosion & Sediment Control Program Implementation Information

1. Does the permittee have a process for receiving, investigating, and resolving complaints from interested parties related to construction activities and erosion and sediment control?
 Yes No

Describe the process:

Provide a list of all complaints and summary of actions taken to resolve them:

MCM #4: Construction Site Stormwater Runoff Control

2. Total number of active construction projects within the reporting period:

Provide a list of all construction projects and disturbed areas:
Does the permittee submit grading reports to MDE (only applies if the permittee has an MDE approved ordinance)?
 Yes No N/A

3. Total number of violation notices issued related to this MCM within the permit area (report total number whether the permittee or another entity performs inspections):

Describe the status of enforcement activities:
Describe how the permittee communicates and collaborates with the enforcement authority for violations within the permit area. Include measures taken by the permittee such as suspending or denying a building or grading permit in order to prevent the discharge of pollutants into the MS4:

Are erosion and sediment control inspection records retained and available to MDE during field review of local programs?
 Yes No

If No, explain:

- **Washington County has no delegated enforcement authority for Erosion, Sediment Control. Responsibility is with MDE.**

4. Number of staff trained in MDE's Responsible Personnel Certification:

5. Describe the coordination efforts with other entities regarding the implementation of this MCM:

- **Washington County works in coordination with MDE and the Washington County Soil Conservation District on construction projects within the county to ensure projects are compliant with stormwater pollution prevention and erosion and sediment control requirements.**

6. List the total cost of implementing this MCM over the permit term:

MCM #5: Post Construction Stormwater Management

Stormwater Management Program Procedures, Ordinances, and Legal Authority

1. Does the permittee have an MDE approved ordinance? Yes No
- Has the permittee submitted modifications to MDE? Yes No
- Has the adopted ordinance been submitted to MDE? Yes No
- If No, is the adopted ordinance attached? Yes No

2. Does the permittee have a memorandum of understanding (MOU) with the County to perform any or all requirements for an acceptable stormwater program?

Yes No

If Yes, check all that apply:

- Plan Review and Approval
- First Year Post Construction Inspections
- As-Built Plan Approval
- Post Construction Triennial Inspections
- Enforcement
- BMP Tracking and Reporting

Stormwater Management Program Implementation Information

1. Has an Urban BMP database been submitted in accordance with the database structure in Appendix B, Tables B.1.a, b, and c as a Microsoft Excel file?
- Yes No

Describe the status of the database and efforts to complete all data fields:

2. Total number of triennial inspections performed:

Total number of BMPs jurisdiction-wide:

Are inspections performed at least once every three years for all BMPs?

Yes No

If No, describe how the permittee will catch up on past inspections and remain on track to perform BMP inspections once every three years:

MCM #5: Post Construction Stormwater Management

<p>Are BMP inspection records retained and available to MDE during field review of local programs? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>3. Total number of violation notices issued: <input type="text"/></p> <p>Describe efforts to bring BMPs into compliance and the status of enforcement activities within the jurisdiction:</p>
<p>4. Describe how the permittee coordinates and cooperates with the County to ensure stormwater BMPs are functioning according to approved standards. (Applicable for municipalities that rely on the County to perform stormwater triennial inspections):</p>
<p>5. Provide a summary of routine maintenance activities for all publicly owned BMPs: Number of publicly owned BMPs: <input type="text"/></p> <p>Describe how often BMPs are maintained. Specify whether maintenance activities are more frequent for certain BMP types: Are BMP maintenance checklists and procedures for publicly owned BMPs available to MDE during field review of local programs? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Are BMP maintenance records retained and available to MDE during field review of local programs? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If either answer is No, describe planned actions to implement maintenance checklists and procedures and provide formal documentation of these activities:</p>
<p>6. Number of staff trained in proper BMP design, performance, inspection, and routine maintenance: <input type="text"/></p>
<p>7. Provide a summary of activities planned for the next reporting cycle:</p>
<p>8. List the total cost of implementing this MCM over the permit term:</p>

MCM #6: Pollution Prevention and Good Housekeeping

1. Provide a list of topics covered during the last training session related to pollution prevention and good housekeeping, and attach to this report specific examples of training materials:

List all training dates within this two-year reporting period:

Number of staff attended:

2. Are the good housekeeping plan and inspection records at each property retained and available to MDE during field review of the local program? Yes No

If No, explain:

Provide details of all discharges, releases, leaks, or spills that occurred in the past reporting period using the following format (attach additional sheets if necessary).

Property Name:

Date:

Describe observations:

Describe permittee's response:

3. Quantify and report property management efforts as shown below, where applicable (attach additional sheets if necessary).

Number of miles swept:

Amount of debris collected from sweeping (indicate units):

If roads and streets are swept, describe the strategy the permittee has implemented to maximize efficiency and target high priority areas:

Number of inlets cleaned:

Amount of debris collected from inlet cleaning (indicate units):

Describe how trash and hazardous waste materials are disposed of at permittee owned and operated property(ies), including debris collected from street sweeping and inlet cleaning:

Does the permittee have a current State of Maryland public agency permit to apply pesticides?

Yes No

If No, explain (e.g., contractor applies pesticides):

MCM #6: Pollution Prevention and Good Housekeeping

Does the permittee employ at least one individual certified in pesticide application?

Yes No

If Yes, list name(s):

If the permittee applied pesticides during the reporting year, describe good housekeeping methods (e.g., integrated pest management, alternative materials/techniques):

If the permittee applied fertilizer during the reporting year, describe good housekeeping methods (e.g., application methods, chemical storage, native or low maintenance species, training):

If the permittee applied materials for snow and ice control during the reporting year, describe good housekeeping methods (e.g., pre-treatment, truck calibration and storage, salt domes):

Describe good housekeeping BMP alternatives not listed above:

4. If applicable, provide a status update for permittee owned or operated properties regarding coverage under the Maryland General Permit for Stormwater Discharges Associated with Industrial Activity or an individual industrial surface water discharge permit:

5. List the total cost of implementing this MCM over the permit term: