

ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF
PUBLIC WORKS & TRANSPORTATION
John Deatruck, P.E., AICP, LEED BD+C
Director



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October 20, 2020

Maryland Department of the Environment
Water and Science Division
Sediment, Stormwater and Dam Safety Program
1800 Washington Boulevard, Suite 440
Baltimore, Maryland 21230-1787

Re: St. Mary's County Year 1 Progress Report
Permit 13-IM-5500
Phase II Small Municipal Separate Storm
Sewer System Permittee

Sir or Madam:

Attached is the St. Mary's County (the County) Phase II Progress Report in accordance with the permit requirements for year two reporting, including our accepted Report from Maryland Environmental Service detailing the results of our Impervious Area Assessment..

The Impervious area assessment was performed in accordance with requirements and guidance provided in the permit and via communications and training opportunities provided by the MDE staff.

This package includes:

- the County-wide BMP database to address the Part VI.C.2.d requirement for annual submission;
- The County's Progress Report address the Part VI.D report requirements;
- The County's Impervious Area Restoration Compliance Report with Recommendations;
- The County's Progress Details Report on the development of its 6 Minimum Control Measures Programs;
- The County's approved Pollution Prevention and Illicit Discharge Detection and Elimination (IDDE) Ordinance;
- The County's IDDE Inspections Standard Operating Procedures and Checklist; and
- The County's response to MDE's comments on the Year 1 Progress Report – Attachment A

The documents above and the spreadsheet of the County-wide BMP database to address the Part VI.C.2.d requirement for annual submission are contained on the accompanying DVD.

The MDE's staff's responsive support during these difficult times continues to be greatly appreciated. We look forward to continuing to work with you in bringing our programs into alignment and focusing our environmental efforts on our County's most immediate needs.

Very truly yours,

John F. Deatruck, P.E. LEED, BD&C
Director of Public Works & Transportation

JFD/mac

Attachment A

cc: John Groeger, Maryland Environmental Service

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Attachment A – Response to Comments

1. The Progress Report Submittal Form was complete and included a signature for the appropriate responsible personnel and contact information. This information is required to be updated annually. *Noted*
2. The next Progress Report is due on October 31, 2020, and must include:
 - o Updates to the impervious area restoration progress and responses to all comments outlined below. *Updates are included in the Year 2 report.*
 - o Progress on program implementation to address the six minimum control measures (MCMs) for the first two years of the permit term (i.e., October 31, 2018 —June 30, 2020). While this information is only required in years 2 and 4, the Department will request any supplemental information related to MCM program development as necessary at any time during the permit term. This will ensure the County remains on track for achieving compliance with the permit conditions. *Updates on first two years progress are included in the Minimum Control Measures Attachment*
 - o Complete the MS4 Progress Report as noted in Appendix D of the permit and include any supplemental attachments in order to thoroughly address reporting requirements. *The year two Progress Report has been completed in accordance with Appendix D of the permit.*
3. St. Mary’s County has calculated an initial impervious area restoration target of 439 acres. The methodology used in the impervious area baseline report is acceptable. *Noted, the impervious area restoration target has been updated based on failed BMPs brought into compliance over the past year.*
4. Impervious acres draining to best management practices (BMPs) that do not provide water quality treatment cannot be removed from the baseline, including BMPs installed prior to 2002, BMP types beginning with X, and failing BMPs. However, BMPs that were not designed to provide treatment may be opportunities for retrofit for restoration credit.

Impervious acres draining to BMPs that do not provide water quality treatment have not been removed from the baseline. BMPs installed prior to 2002 were subtracted if there is a water quality component (e.g. wet ponds, infiltration facilities) associated with the design in accordance with page 7 of the 2014 Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated document and the May 2, 2018 MDE memorandum on BMPs. BMP types beginning with X and failing BMPs have not been subtracted from the baseline.
5. The following outstanding BMP data are needed to verify treatment reported:
 - Outfall stabilization (BMP Type “OUT”) with no INSTALL DATE listed or IMPL COMP YR listed instead. *Install dates for outfall stabilization BMPs have now been identified to the extent possible for this year and are shown in the report. Further efforts to recover the remaining dates will be made in year three.*

Attachment A – Response to Comments

6. The County must revise the following data for formatting consistency with the template:
- BMPs were listed as BMP Type “MENF” (enhanced filter) in Table B.1.a but were listed as Impervious Surface Elimination in Table B.1.c: SM16BMP010735, SM16BMP010736, SM16BMP010737, SM16BMP010738. *The conflicts have been addressed.*
 - PERMIT_NUM was listed as 13—SF—5500 for all BMPs; should be 13-IM—5500 *The permit number was corrected to “13-IM-5500”.*

Several BMPs listed in Table B.1.b, ESD Structural, listed a PE greater than 1” of treatment (286 BMPs treating 425 impervious acres). Among these 286 BMPs, 8.4 acres of restoration was claimed for 11 BMPs on projects that included new development. Extra credit for over management was intended to be calculated for restoration activities and not to meet regulatory requirements to treat water quality impacts from new development. BMPs built from 2002 on can be assumed to have a PE of 1”, and additional treatment must be verified on a case-by-case basis through field inspection. *Only 1” of treatment credit was applied to non-restoration BMPs . The table was adjusted to reflect 1” of treatment for new development even though those facilities actually treat more than 1” of runoff. This change results in some BMPs having less than one inch of treatment, but the overall development met the Pe requirement.*