

# **Guidance Manual for NPDES Phase I MS4 Permit Good Housekeeping Plan Applicability Certification**

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### **List of Acronyms**

AST	-	Aboveground Storage Tank
EJ	-	Environmental Justice
GHP	-	Good Housekeeping Plan
MDE	-	Maryland Department of the Environment
MS4	-	Municipal Separate Storm Sewer System
SIC	-	Standard Industrial Classification

## **1.0 INTRODUCTION**

To comply with Part IV.D.4.b of the County's Phase I Municipal Separate Storm Sewer System (MS4) Permit, the County must develop, implement, and maintain a Good Housekeeping Plan (GHP) for County-owned properties not required to be covered under Maryland's General Permit For Discharges from Stormwater Associated with Industrial Activities (General Permit 20-SW).

To support this effort, a *"Good Housekeeping Plan Applicability Certification"* has been developed to evaluate and document if a specific County-owned facility is subject to the GHP requirements. This guidance document has been created to aid County representatives in the completion of the GHP Applicability Certification.

If any of the covered activities identified in the GHP Applicability Certification are performed at the facility, then that facility will be required to implement a GHP. The GHP will include each of the potential stormwater polluting activities identified in the GHP Applicability Certification and corresponding pollution prevention procedures. The intent of the pollution prevention procedures included in the GHP will be to limit the release of materials with the potential to impact stormwater, this includes reducing or eliminating (to the extent practical):

- ❖ The occurrence of spills and leaks;
- ❖ The accidental dumping or release of materials;
- ❖ The accumulation of waste, trash, debris, unused parts/equipment, etc.;
- ❖ The exposure of hazardous materials to precipitation/run-off;
- ❖ Stormwater run-off contamination by stored materials; and/or
- ❖ Illicit discharges to the storm drain system.

## **2.0 APPLICABILITY**

The GHP Program applies to permanent/fixed locations only. Temporary work sites such as construction sites or roadways undergoing repairs or maintenance are excluded from the GHP Program.

## **3.0 WHO SHOULD COMPLETE THIS CERTIFICATION?**

This evaluation shall be completed by an individual familiar with the operations of the property being assessed. Typically, one form must be completed for each facility/site. However, if there are multiple agencies with separate operations at the same facility the County shall determine how best to manage the situation. If desired, a separate GHP Applicability Certification may be completed for each agency/area of operation at the facility, assuming that all areas of the facility are assessed and accounted for. A separate GHP may then be developed for each agency/area of operation at the facility, in accordance with the findings from the GHP Applicability Certification(s).

## **4.0 REVIEWS, UPDATES, AND AMENDMENTS**

The GHP Applicability Certification must be reviewed and updated once every three (3) years, or within 90 days of substantial changes to a facility's operations which include any of the GHP-regulated activities included in the GHP Applicability Certification.

Any newly constructed/acquired facility must be assessed within six (6) months of initiating operations at the facility.

A facility's GHP must be amended and reissued to the facility within 45 days of any changes to the facility's GHP Applicability Certification.

## **5.0 GHP APPLICABILITY CERTIFICATION GUIDANCE**

This section will provide guidance and clarification for the referenced section of the GHP Applicability Certification.

### **5.1 Section A – Facility Owner Information (County/Jurisdiction)**

This section intends to record information related to the owner of the facility (i.e. the County) and the County/Jurisdiction contact responsible for administering the GHP Program, typically the MS4 Coordinator or similar position. This information will likely be the same for each facility. In many cases, this information will be auto-populated.

- ❖ Items 1 and 2 – identify the name and address of the owner of the property. If unknown, this information is available through the Maryland Department of Assessments and Taxation real property data search website: <https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>
- ❖ Item 3 – Identify the County/Jurisdiction contact responsible for administering the GHP Program, typically the MS4 Coordinator or similar position.
- ❖ Item 4– Provide the mailing address of the individual identified in Item 3.
- ❖ Item 5 – Provide the contact information for the individual identified in Item 3.

### **5.2 Section B – Facility Operator Information (Agency/Department)**

This section shall be used to record contact information for the agency/department that is responsible for operating the facility (e.g. Department of Public Works, Fire Department, Department of Corrections, Parks and Recreation Department, etc.).

### **5.3 Section C – Facility Information**

This section is intended to provide information related to the specific facility being assessed.

- ❖ *Facility Type* – describe the purpose/use of this facility (e.g. Public Park, Hospital, School, Citizen Drop-Off Center, etc.).
- ❖ *Facility Contact Name and Information* – Provide the name and contact information of the individual responsible for operations at the facility (Manager, Superintendent, etc.). Only provide updated contact information if it is different from that provided in Section B.

- ❖ *Facility Coordinates* – this information will be auto-populated based on the facility address provided.
- ❖ *Facility Size* – This can be obtained from the Maryland Department of Assessments and Taxation Real Property Data Search: <https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>
- ❖ *Environmental Justice Score* – This can be obtained utilizing either of the options below, provided by the Maryland Department of the Environment (MDE) on the General Permit 20-SW website.
  - [Map of Locations with EJ Score >0.76 - Image File \(.jpg\)](#)
  - [Map of Locations with EJ Score >0.76 - Google Earth File \(.kmz\)](#)

*Note: The only Maryland Counties with census tracts that have an EJ Score greater than 0.76 are Baltimore, Montgomery, Prince George's, and Washington Counties.*

- ❖ *Facility in 100-year Floodplain* – This can be obtained from the U.S. Federal Emergency Management Administration mapping tool available at: <https://msc.fema.gov/portal/search>
- ❖ *Industrial Permit Applicability* – Determine if the facility is (or should be) covered under Maryland's General Permit For Discharges from Stormwater Associated with Industrial Activities (General Permit 12-SWA / 20-SW). If a facility is or should be covered under the 20-SW permit, the facility is exempt from the GHP Program. Complete Section D of the GHP Applicability Certification and then stop. You do not have to complete Section E.

Facilities covered under the 20-SW permit and/or the previous 12-SWA permit can be identified using MDE's Wastewater Permits Interactive Search Portal available at: <https://mes-mde.mde.state.md.us/WastewaterPermitPortal/>

To determine if a facility should be covered under the 20-SW permit, refer to Part I.B of the 20-SW permit, which states, that to be eligible for authorization under the 20-SW permit a facility must either:

- (1) have been authorized to discharge under the previous 12-SWA permit;
- (2) have a stormwater discharge associated with industrial activity, or
- (3) be notified by the Department that the facility is eligible for coverage under Sector AD: Non-Classified Facilities.

To assess item 2 above, first identify the Standard Industrial Classification (SIC) Code(s) most applicable to the facility's operation. The following OSHA websites provide the SIC search tools:

- <https://www.osha.gov/data/sic-manual>
- <https://www.osha.gov/data/sic-search>

Once the facility's SIC Code has been identified, compare it to Appendix A of the 20-SW Permit (see link below). If the facility's SIC Code is included within Appendix A, then the facility must seek coverage under the 20-SW permit (unless a "No Exposure" certification can be obtained).

<https://mde.maryland.gov/programs/permits/WaterManagementPermits/Documents/GDP%20Stormwater/20SW/20SW-Final-AppendixA.pdf>

Additional information regarding “No Exposure” Certifications can be found here:

<https://mde.maryland.gov/programs/permits/WaterManagementPermits/Documents/GDP%20Stormwater/Guidance%20Manual%20for%20No%20Exposure.pdf>

- ❖ *No Exposure Certification* – Determine if a “No Exposure” Certification has been granted for this facility. If a “No Exposure” Certification has been granted then the facility is exempt from the GHP Program. Complete Section D of the GHP Applicability Certification and then stop. You do not have to complete Section E.

Facilities covered under a “No Exposure” Certification can be identified using MDE’s Wastewater Permits Interactive Search Portal available here:

<https://mes-mde.mde.state.md.us/WastewaterPermitPortal/>

#### **5.4     Section D – Preparer Information**

Utilize this section to provide contact information for the individual who completed the GHP Applicability Certification.

#### **5.5     Section E – Applicability Checklist**

The preparer shall assess the facility and determine if any of the activities within Section E are occurring at the facility, now or in the foreseeable future. The preparer shall check either “Yes” or “No” in the appropriate box. If you answer “Yes” to any of the questions, the facility will require a GHP, addressing all applicable activities.

When a question asks if an activity is conducted outdoors, the intent is to determine if the activity has the potential to be exposed to stormwater or precipitation. Generally, activities conducted inside a building would not be considered “exposed”. For the purposes of this document, a “building” shall be defined as a closed structure, in a fixed location, with a roof and walls on all sides. A “building” does not include storage sheds, shipping containers, or similar structures.

When completing this assessment, the preparer shall disregard any existing pollution prevention controls or best management practices (BMPs) that are in place for a GHP-regulated activity. The purpose of this assessment is to identify if an activity is conducted at the facility which represents a potential threat to stormwater quality (i.e. presence of an activity). Properly managing a GHP-regulated activity does not exclude it from coverage under the GHP Program.

The following sections provide additional detail/explanation, where deemed necessary, regarding the specific questions asked within the GHP Applicability Certification.

### 5.5.1 Waste Management

The generation and storage of general refuse and office-type waste within typical lidded dumpsters would not trigger inclusion in the GHP Program. Generally, this type of waste would pose little threat to stormwater quality. However, the generation of industrial waste, the storage of waste in open-top containers, scrap metal containers, trash compactors, and hazardous waste storage, if located outdoors, would be a potential concern and trigger inclusion in the GHP Program.

Note that the handling, transfer, and disposal of non-hazardous waste that is generated and stored indoors and only moved outdoors during pickup/disposal is not considered an activity that would trigger the need for a GHP.

- ❖ Item 1 – this question is looking to establish if industrial wastes are routinely generated at the facility. If industrial waste only accounts for a very small fraction (~1%) of the total waste generated, this would be considered a minute amount. This exception is provided to exclude for example an office building that disposes of the occasional bottle of cleaning chemical.
- ❖ Item 5 – “Hazardous Waste” is defined as a waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment. Hazardous waste possesses at least one of four characteristics (ignitability, corrosivity, reactivity, or toxicity), or is specifically listed by EPA or MDE as hazardous waste.

“Universal Waste” is defined as any hazardous wastes managed under the universal waste requirements of COMAR 26.13.10.06 - 26.13.10.18, including batteries, lamps (bulbs), PCB-containing lamp ballasts, mercury-containing equipment, and recalled pesticides.

### 5.5.2 Vehicle and Equipment Storage

Assuming that the County has procedures in place for routine preventive maintenance on general purpose vehicles, then the presence of adequately maintained general purpose vehicles, which are not leaking or otherwise a potential source of stormwater contamination, is exempt from the GHP Program. This is based, in part, on MDE’s rationale found in MDE’s “No Exposure” Guidance Manual.

- ❖ Item 1 - Heavy equipment would include but not be limited to dump trucks, excavators, backhoes, loaders, gradealls, bulldozers, tractors, skid steers, cranes, pavers, pile drivers, asphalt rollers, etc.
- ❖ Item 6 – The photo below is an example of a Fuel Transfer tank in the bed of a pickup truck.



- ❖ Item 7 – Work trucks/pickup truck beds can be used to store potential stormwater pollutants (e.g. soil, sand, containers of hazardous materials, deicing materials, contaminated tools and equipment, etc.). If a work truck/pickup truck may contain these items and is routinely stored at the facility, mark “yes” to this question.
- ❖ Item 8 – This question intends to identify any portable equipment that may be stored at the facility. Specifically, any portable equipment that is run on or maintained with petroleum-based products. Examples include portable light stands, portable generators, and portable pumps.

#### 5.5.3 Vehicle and Equipment Refueling

Spills at vehicle fueling operations have the potential to directly contribute oil, grease, gasoline, and diesel fuel to stormwater, and can be a significant source of lead, copper, zinc, and petroleum hydrocarbons. As such, vehicle or equipment refueling activities occurring at a facility would trigger coverage under the GHP. This includes but is not limited to on-site fuel dispensing islands served by underground or aboveground storage tanks and mobile refueling (e.g. refueling of equipment from a portable tank, fuel transfer tank, or fuel truck).

As stated in Section 2.0, the GHP Program applies to permanent/fixed locations only. Temporary work sites such as construction sites or roadways undergoing repairs or maintenance are excluded from the GHP Program. As such, refueling activities at a construction site or temporary worksite would not trigger coverage under the GHP.

#### 5.5.4 Vehicle Maintenance

Vehicle and equipment maintenance activities conducted at a facility represent a potential threat to stormwater, regardless of where such activities occur. As such, the preparer shall assess if there is any likelihood of vehicle/equipment maintenance activities being performed at the facility, whether planned or unplanned, and if so, mark this question “yes”.

#### 5.5.5 Vehicle and Equipment Washing

This section intends to identify if any vehicle/equipment washing occurs at the facility. This could include but is not limited to vehicle wash houses, steam cleaning bays, pressure washing of vehicles or equipment to remove dirt or salt, heavy equipment wash downs, etc. If vehicle/equipment washing occurs at the facility, regardless of location, mark this question “yes”,

However, if vehicle washing is conducted in accordance with the terms and conditions of an existing State discharge permit, mark this question “No”.

#### 5.5.6 Material Storage

As noted in Section 5.5, a “building” shall be defined as a closed structure, in a fixed location, with a roof and walls on all sides. A “building” does not include storage sheds, shipping containers, or similar structures. Materials stored in smaller outdoor structures such as sheds or shipping containers have a reasonable potential to leak or be tracked outdoors and become exposed to stormwater. Materials stored in a building are less likely to impact stormwater, assuming those materials are kept at an appropriate distance from doorways and other building openings.

#### 5.5.7 Aboveground Storage Tanks

- ❖ Item 1 – A “Gen-set” is an emergency generator that has been installed on top of an integral fuel storage tank. “Gen-Sets” are generally contained units with weather-proof enclosures (*see the image below*). MDE has excluded “Gen-Sets” from their definition of an aboveground storage tank. For this reason, “Gen-sets” were excluded from the GHP program.



- ❖ Item 2 – Chemicals or other hazardous substances could include but not be limited to substances such as antifreeze, windshield washer fluid, vehicle wash chemicals, diesel exhaust fluid, etc.

#### 5.5.8 Citizen Drop-Off Centers

As the title implies, this section is intended to identify citizen drop-off centers, also known as convenience centers, beauty spots, etc. In general, these are self-service, outdoor areas, designed for the collection and temporary storage of household wastes such as used oil, used antifreeze, solid waste, recyclables, and other refuse by the public.

The preparer shall mark “yes” if any of the listed activities are performed at the facility being assessed, regardless of the entity responsible for managing the collection tanks and/or waste materials. For example, the Maryland Environmental Service (MES) is responsible for managing many used oil collection tanks across the State, while MES may be responsible for managing the tanks and collected waste, if the collection site is on County property it shall be included in the GHP.

- ❖ Item 3 – This item is meant to identify a facility (e.g. convenience center/drop-off center) where residents can bring lawn debris, leaves, limbs, and other organic debris for collection and disposal by the County. This does not include a Right-of-Way where citizens leave lawn bags for collection.

#### 5.5.9 Stockpiles

- ❖ Item 1 - Erodible materials are those that can easily erode due to wind or precipitation. This includes but is not limited to soil, sand, millings, slag, cinders, sawdust, landscaping bark, compost, etc.
- ❖ Item 2 - “Bulk” shall mean cold mix asphalt stored in loose form (e.g. stockpiles, heaps, etc.) and excludes material that is stored in bags.

5.5.10 Deicing Materials

- ❖ Item 1 - This includes deicing materials stored in salt domes, other buildings/structures, or in the open. “Bulk” shall mean materials stored in loose form (e.g. stockpiles, heaps, etc.) and excludes materials that are stored in bags or other shipping containers.
- ❖ Item 2 – This question is intended to identify a facility with pallets or other significant quantities of bagged salt stored outdoors. The sporadic bag or other container of salt staged around a facility during winter months to use for deicing the property would be excluded.

**\*\* END OF DOCUMENT\*\***