Appendix A: Definitions, Abbreviations and Acronyms

Additive or Chemical additive - waste water treatment chemicals or products added to water prior to discharge, such as polymers or flocculants. Additives are added to the water so that the discharge water is in compliance with the permit limits.

Administration - the Maryland Department of the Environment, Water and Science Administration.

Agricultural Land - cropland, grassland, rangeland, pasture, and other agricultural land, on which agricultural and forest-related products or livestock are produced and resource concerns may be addressed. Agricultural lands include cropped woodland, marshes, incidental areas included in the agricultural operation, and other types of agricultural land used for the production of livestock.

Antidegradation Policy or **Antidegradation Requirements** - the water quality standards regulation that requires states and tribes to establish a three-tiered antidegradation program:

1. Tier I maintains and protects existing uses and water quality conditions necessary to support such uses. An existing use can be established by demonstrating that fishing, swimming, or other uses have actually occurred since November 28, 1975, or that the water quality is suitable to allow such uses to occur. Where an existing use is established, it must be protected even if it is not listed in the water quality standards as a designated use. Tier I requirements are applicable to all surface waters. In Maryland, all water not deemed Tier II would by default be deemed Tier I.

2. Tier II maintains and protects "high quality" waters -- waterbodies where existing conditions are better than necessary to support CWA § 101(a)(2) "fishable/swimmable" uses. Water quality can be lowered in such waters. However, state and tribal Tier II programs identify procedures that must be followed and questions that must be answered before a reduction in water quality can be allowed. In no case may water quality be lowered to a level which would interfere with existing or designated uses. They are identified in COMAR 26.08.02.04-1 and on MDE website.

3. Tier III maintains and protects water quality in outstanding national resource waters (ONRWs). At the time of this permit issuance, there are no Tier III waters identified in Maryland.

Appropriate approval authority - the state or local government agency that has authority to review and approve Erosion and Sediment Control Plans and Stormwater Management Plans.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. See 40 CFR 122.2.

Business day – for the purposes of this permit, means Monday through Friday, but does not include legal holidays in the State of Maryland.

Bypass – Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

Cationic chemical additive – Additives that contain an overall positive charge. Among other things, they are used to reduce turbidity in stormwater discharges by chemically bonding to the overall negative charge of suspended silts and other soil materials and causing them to bind together and settle out. Common examples of cationic treatment chemicals are chitosan and cationic PAM.

CFR - Code of Federal Regulations

Chemical Additive – Refer to Additive definition.

COMAR - Code of Maryland Regulations

Commencement of Construction Activities – the initial disturbance of soils (or 'breaking ground') associated with clearing, grading, or excavating activities or other construction-related activities (e.g., stockpiling of fill material; placement of raw materials at the site).

Common Plan of Development or Sale - means an area where multiple separate and distinct construction activities are occurring under one plan. The "plan" in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot.

Concrete Plant - a facility at which concrete is mixed for use on or off site, and includes any area where concrete and other related products are made.

Concrete Washout - After concrete is poured at a construction site, the chutes of ready mixed concrete trucks and hoppers of concrete pump trucks are washed out to remove the remaining concrete before it hardens. Equipment such as wheelbarrows and hand tools also are washed down. Additionally, at the end of each work day, drums of concrete trucks, mixer truck barrels or concrete moulds or forms, are washed out. These activities collectively produce process water commonly referred to as concrete washout.

Construction Activity – earth-disturbing activities, such as the clearing, grading, and excavation of land, and other construction-related activities (e.g., stockpiling of fill material; placement of raw materials at the site) that could lead to the generation of pollutants. Some of the types of pollutants that are typically found at construction sites are: sediment; nutrients; heavy metals; pesticides and herbicides; oil and grease; bacteria and viruses; trash, debris, and solids; treatment polymers; and any other toxic chemicals. *Note: Construction activity does not include earth disturbance for agricultural and silvicultural production activities such as for orchards, cultivated crops, pastures, range lands, and forest lands, unless those activities involve construction of structures, roads, or other appurtenances.*

Construction Site or **Site** – the land or water area where construction activities will occur and where stormwater controls will be installed and maintained. The construction site includes construction support activities, which may be located at a different part of the property from where the primary construction activity will take place, or on a different piece of property altogether.

Construction Support Activity – a construction-related activity that specifically supports the construction activity and involves earth disturbance or pollutant-generating activities of its own, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, materials storage areas, excavated material disposal areas, and borrow areas.

Construction Waste – discarded material (such as packaging materials; scrap construction materials; masonry products; timber, steel, pipe, and electrical cuttings; plastics; and styrofoam).

Control Measure – refers to any BMP or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the State.

Conveyance Channel – a temporary or permanent waterway designed and installed to safely convey

stormwater flow within and out of a construction site.

Corrective Action – for the purposes of the permit, any action taken, or required to be taken, to (1) repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

Critical Habitat – as defined in the Endangered Species Act at 16 U.S.C. 1531 for a threatened or endangered species, (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

Department - the Maryland Department of the Environment.

Detergent - a cleaner including surfactants, dispersants, or emulsifiers, designed to act as a wetting agent and made from chemical compounds rather than from fats and lye.

Dewatering - the act of draining rainwater and/or ground water from building foundations, vaults, and trenches.

Director - the Regional Administrator, the Secretary of the Maryland Department of the Environment, or an authorized representative.

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “waters of this State” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of this State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge to an Impaired Water – for the purposes of this permit, a discharge to an impaired water occurs if the first Waters of This State to which you discharge is identified as an “Impaired Water”. For discharges that enter a storm sewer system prior to discharge, the Water of This State to which you discharge is the first Waters of This State that receives the stormwater discharge from the storm sewer system.

Domestic Waste – for the purposes of this permit, typical household trash, garbage or rubbish items generated by construction activities.

E&SC Plan - Erosion and Sediment Control Plan.

Effluent limitation – for the purposes of this permit, any of the Part III.A or Part III.B requirements.

EPA – U. S. Environmental Protection Agency

EPA Approved or Established TMDLs – “EPA Approved TMDLs” are those that are developed by a State and approved by EPA. “EPA Established TMDLs” are those that are developed by EPA.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES "point source" (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

General Contractor – for the purposes of this permit, the primary individual or company solely accountable to perform a contract. The general contractor typically supervises activities, coordinates the use of subcontractors, and is authorized to direct workers at a site to carry out activities required by the permit.

Groundwater - underground water in a zone of saturation.

Hazardous Materials or Hazardous Substances or Hazardous or Toxic Waste – for the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR §261.2.

Impaired Water (or "**Water Quality Impaired Water**") – a body of water identified by the Department or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called "water quality limited segments" under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established. Impaired waters compilations are included in Maryland's most current List of Impaired Surface Waters as Category 4a, 4b, 4c or 5 waterbodies.

Impervious surface - any surface that does not allow stormwater to infiltrate into the ground, including any area that is paved or used for vehicular storage or traffic, building rooftops, sidewalks, driveways, etc.

Includes or including - includes or including by way of illustration and not by way of limitation.

Infeasible – there is a site-specific constraint making it not technologically possible, or not economically practicable and achievable in light of best industry practices, to achieve the required control measures on-site. The burden is on the permittee to demonstrate to the permitting authority that the requirement is infeasible.

Linear Construction Site – includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

Minimize – to reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice

Municipal Separate Storm Sewer – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): 1) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; 2) Designed or used for collecting or conveying stormwater; 3) Which is not a combined sewer; and 4) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

Municipal Separate Storm Sewer System (MS4) – in Maryland we have several MS4 NPDES Permits. The following are a summary of how they are broken down by size. For a full listing and explanation, visit the Department website for "Maryland's NPDES Municipal Separate Storm Sewer System (MS4) Permits".

- Phase I MS4s are for large jurisdictions, which are municipalities with populations of greater than 250,000, and medium jurisdictions, which are municipalities with populations between 100,000 and 250,000. The large Phase I MS4 jurisdictions are Anne Arundel County, Baltimore County, Baltimore City, Montgomery County, and Prince George's County. The medium Phase I MS4 jurisdictions are Carroll County, Charles County, Frederick County, Harford County, and Howard County. One statewide MS4 under this category has been issued to the State Highway Administration.
- Phase II MS4s include smaller jurisdictions or approximately 60 cities and towns in Maryland with populations greater than 1,000. They also include State and Federal facilities.

New Source – any source, the construction of which is commenced after the publication by the EPA of proposed regulations prescribing a standard of performance which will be applicable to the source if the standard is promulgated.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

Non-Stormwater Discharges – discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, noncontact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.

Non-Turbid – a discharge that does not cause or contribute to an exceedence of turbidity related water quality standards

NPDES – National Pollutant Discharge Elimination System

Operational – for the purposes of this permit, stormwater controls are made "operational" when they have been installed and implemented, are functioning as designed, and are properly maintained.

Operator – for the purposes of this permit and in the context of stormwater discharges associated with construction activity, any party associated with a construction project that meets either of the following two criteria: 1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or 2. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions. This definition is provided to inform permittees of EPA's and the Department's interpretation of how the regulatory definitions of "owner or operator" and "facility or activity" are applied to discharges of stormwater associated with construction activity. Subcontractors generally are not considered operators for the purposes of this permit.

Outfall – locations where collected and concentrated stormwater flows are discharged from the facility, including pipes, ditches, swales, and other structures that transport stormwater.

Owner - a person who has a legal interest in the facility or in the property on which the facility is located, or the owner's agent.

Permanent stabilization - all soil disturbing activities at the site have been completed and the site meets the Final Stabilization Criteria.

Permittee - the person holding a permit issued by the Department, or authorized for coverage under a general permit by the department.

Person - the federal government, the State, any county, municipal corporation, or other political subdivision of the State, or any of their units, or an individual, receiver, trustee, guardian, executor, administrator, fiduciary, or

representative of any kind, or any partnership, firm, association, public or private corporation, or any other entity.

Project - the total area upon which construction activity will occur through stages or phases over time.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Pollution – means any contamination or other alteration of the physical, chemical, or biological properties of any waters of this State, including a change in temperature, taste, color, turbidity, or odor of the waters or the discharge or deposit of any organic matter, harmful organism, or liquid, gaseous, solid, radioactive, or other substance into any waters of this State that will render the waters harmful, or detrimental, to:

(a) Public health, safety, or welfare;

(b) Domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses;

(c) Livestock, wild animals, birds; or

(d) Fish or other aquatic life.

Polymers – for the purposes of this permit, coagulants and flocculants used to control erosion on soil or to enhance the sediment removal capabilities of sediment traps or basins. Common construction site polymers include polyacrylamide (PAM), chitosan, alum, polyaluminum chloride, and gypsum.

Qualified Person – a person knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possesses the appropriate skills and training to assess conditions at the construction site that could impact stormwater quality, and the appropriate skills and training to assess the effectiveness of any stormwater controls selected and installed to meet the requirements of this permit.

RCRA – Resource Conservation and Recovery Act

Receiving Water – a Water of this State into which the regulated stormwater discharges.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff - that portion of stormwater that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, and the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the State.

Run-on - water from outside the industrial stormwater area that flows into the area. Run-on includes stormwater from rainfall or the melting of snow or ice that falls directly on the unit, as well as the water that drains from adjoining areas.

SDS – Material Safety Data Sheet

Shared Control - for the purposes of this permit, a stormwater control, such as a sediment basin or pond, used by two or more operators that is installed and maintained for the purpose of minimizing and controlling pollutant discharges from a construction site with multiple operators associated with a common plan of development or sale.

Site - any area where Permittee engages in Construction Activity and where coverage under an applicable permit is required.

Steep Slopes – where a state, tribe, local government, or industry technical manual (e.g., stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

Stormwater – stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Stormwater Discharge Associated with Construction Activity – as used in this permit, a discharge of pollutants in stormwater to Waters of This State from areas where earth disturbing activities (e.g., clearing, grading, or excavation) occur, or where construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck chute washdown, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants), are located.

Storm Event – a precipitation event that results in a measurable amount of precipitation.

Stream Protection Zone – This term is similar to EPA's Vegetated Buffer, however Maryland uses the term "buffer" for many different regulatory protections. The additional E&SC protections for buffers are included in this permit for construction activities that occur within a distance or zone from the edge of streams called the Stream Protection Zone.

SWM Plan - Stormwater Management Plan.

SWPPP – Stormwater Pollution Prevention Plan.

Tier II Waters – For antidegradation purposes, pursuant to 40 CFR 131.12(a)(2), Tier II waters are characterized as having water quality that exceeds the levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water. They are identified in COMAR 26.08.02.04-1 and on MDE website.

Tier III Waters – for antidegradation purposes, pursuant to 40 CFR 131.12(a)(3), Tier III waters are identified by states as having high quality waters constituting an Outstanding National Resource Water (ONRW), such as waters of National Parks and State Parks, wildlife refuges, and waters of exceptional recreational or ecological significance.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Toxic Waste – see "Hazardous Substances." "Treatment Chemicals" – polymers, flocculants, or other chemicals used to reduce turbidity in stormwater.

Turbidity – a condition of water quality characterized by the presence of suspended solids and/or organic material.

Uncontaminated Discharge – in the context of authorized non-stormwater discharges, a discharge that does not cause or contribute to an exceedance of applicable water quality standards.

Upset - an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Vehicle Wash Water - The routine washing of vehicle exteriors to remove sediment and to make them presentable in the public.

Wastewater - any:

1. liquid waste substance derived from industrial, commercial, municipal, residential, agricultural, recreational, or other operations or establishments; and
2. other liquid waste substance containing liquid, gaseous or solid matter and having characteristics that will pollute any waters of the State.

Water Quality Impaired – See 'Impaired Water'.

Water Quality Standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. The Department as promulgated in [HYPERLINK "about:blank"] 26.08.02 ([HYPERLINK "about:blank"]) and EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

Waters of this State – includes:

1. both surface and underground waters within the boundaries of this State subject to its jurisdiction, including that part of the Atlantic Ocean within the boundaries of this State, the Chesapeake Bay and its tributaries, and all ponds, lakes, rivers, streams, tidal and nontidal wetlands, public ditches, tax ditches, and public drainage systems within this State, other than those designed and used to collect, convey, or dispose of sanitary sewage; and
2. the flood plain of free-flowing waters determined by the Department of Natural Resources on the basis of the 100-year flood frequency.

Wetland – those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. On-site evaluations are typically required to confirm the presence and boundaries of wetlands.