

**APPENDIX A**  
**COUNTY ATTORNEY CERTIFICATION**





## OFFICE OF THE COUNTY ATTORNEY FREDERICK COUNTY, MARYLAND

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*Nevett Steele, Jr.*

January 28, 2003

Robert S. Summers, Ph.D., Director  
Water Management Administration  
Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore, Maryland 21230

Dear Mr. Summers:

As Deputy County Attorney for Frederick County, I hereby certify that Frederick County has the authority to undertake the applicable activities outlined in 40CFR.122.26(d)(2)(I).

Pursuant to Chapter 723 of the Laws of Maryland 1979, the Board of County Commissioners ("BOCC") was given the authority to regulate the construction and quality of water discharged from a site into storm water facilities (Section 2-13-26 of the Public Local Laws of Frederick County). Pursuant to Chapter 25 of the Laws of Maryland 1995, the BOCC was given the authority to control certain discharges into the Frederick County storm sewer system (Section 2-13-33 of the Public Local Laws of Frederick County). Pursuant to the Environment Article, Title 4 of the Annotated Code of Maryland, Frederick County has adopted ordinances necessary to implement a stormwater management program. Additionally, the County has been delegated erosion and sediment control authority since 1985. Under Article 25, Section 3, the BOCC has the power to prevent and remove nuisances; to provide and prescribe regulations for the issuance of plumbing permits to be required before any sanitary systems, plumbing or fixtures may be installed; to adopt a plumbing code to regulate the construction of water, sewer, drainage and sanitary facilities; and to adopt a building code. The Board enacted the Frederick County Storm Water Management Ordinance (Section 1-15.2-1, *et seq.* of the Frederick County Code).



Frederick County complies with the various sections as follows:

“A) Control through ordinance, permit, contract, order, or similar means the contribution of pollutants to the municipal storm sewer associated with industrial activity and the quality of storm water discharged from sites of industrial activity;”

- Stormwater Management Ordinance (Section 1-15.2-1, *et seq.*) requires submission of a stormwater management plan prior to construction. This includes industrial uses, as well as residential, commercial, and institutional uses.
- Stormwater Management Design Manual, Water Quality Section, which establishes water quality controls and requires oil and chemical traps.
- Frederick County Code Chapter 1-10 (Grading, Erosion and Sediment Control) and Chapter 1-15.2 (Stormwater Management) control the quantity and quality of stormwater discharged into the County system from construction activities and new development.

“B) Prohibit illicit connections to municipal separate storm sewers;”

- The Public Local Laws of Frederick County, Section 2-13-26 prohibits the construction or extension of any private drainage systems to the County system, without prior approval of the County.
- Stormwater Management Ordinance (Section 1-15.2-1, *et seq.*) requires submission of a stormwater management plan prior to construction. This includes industrial uses, as well as residential, commercial, and institutional uses.

“C) Control spills, dumping, or disposal of materials other than storm water;”

- Section 1-15.2-9 of the Stormwater Management Ordinance prohibits the spilling, discharging or causing the spilling or discharge of any pollutants into the County system.
- Section 1-11-5 of the Frederick County Code prohibits a person from allowing contaminated water, filth or rubbish to remain on their property.

“D) Control through interagency agreements the contribution of pollutants from one portion of the municipal storm sewer to another;”

- Does not apply
- The County does, however, have the authority to enter into any agreement, if it becomes necessary, pursuant to Section 2-13-12 of the Public Local Laws of Frederick County.

“E) Require compliance with conditions in ordinance, permits, contracts, or orders; and”

- Stormwater Management Ordinance Section 1-15.2-61
- Plumbing Code Section 1-14-61
- Health and Sanitation Section 1-11-5
- Grading, Erosion and Sediment Control Section 1-10-46, 1-10-8, 1-10-6, 1-10-36, and 1-10-29
- Water, Sewers and Drains Section 2-13-31 (Public Local Laws)

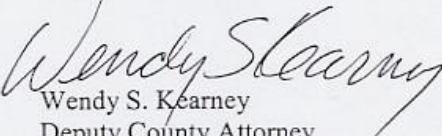
“F) Carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance with permit conditions;”

- Stormwater Management Section 1-15.2-60

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- Plumbing Code Section 1-14-76
- Grading, Erosion and Sediment Control Sections 1-10-36 and 1-10-37
- Water, Sewers and Drains Section 2-13-26 (Public Local Laws).

Respectfully submitted,

  
Wendy S. Kearney  
Deputy County Attorney

WSK/ksl

pc: Shannon Moore, NPDES Project Manager, Office of Development  
Review

**APPENDIX B**  
**LIST OF AVAILABLE COUNTY GIS DATA**







## **APPENDIX C**

### **DATABASE SUBMITTALS**

Appendix1\_14th.mdb

1. Continuous Flow Monitoring
2. Erosion and Sediment Control Responsible Personnel Class Attendees
3. Illicit Discharges
4. Long-term Mean Concentration Database for Peter Pan Run
5. Chemical Monitoring Site Data
6. Stormwater Implementation Information
7. Stormwater Programmatic Information
8. Urban BMPs

storm2010\_th.mdb

1. Water Chemistry Monitoring Analytical Results and Field Water Quality

COPY\_SWM\_Database\_2010.mdb

1. NPDES Field Screening Report Forms
2. SWM Facility Inspection Checklist Forms
3. SWM Facility Maintenance Inspection Report Forms

(Example pages only; entire databases have been included on accompanying CD)