



**Maryland**  
Department of  
the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

November 29, 2018

Ms. Melissa B. Cook-MacKenzie  
Town of North East  
106 South Main Street  
North East, MD 21901

RE: Notice of Intent Approval letter

Dear Ms MacKenzie:

The Maryland Department of the Environment (Department), Water and Science Administration has issued a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (General Discharge Permit No. 13-IM-5500, General NPDES No. MDR055500). The legal framework for permit requirements is provided in the federal Clean Water Act (CWA), Title 40 of the Code of Federal Regulations (CFR) § 122 pertaining to NPDES MS4 programs. Regulated MS4 operators identified in the general permit were required to seek authorization to discharge stormwater by submitting a Notice of Intent (NOI) to the Department by October 31, 2018.

This letter confirms that the Department has received a completed NOI from the Town of North East (the Town) in accordance with permit requirements. The Town is required to comply with the conditions of the general permit until it expires, which is in five years unless administratively continued by the Department. This includes submitting annual progress reports by October 31<sup>st</sup> each year.

Thank you for your cooperation in submitting your NOI. The Department looks forward to working with you to achieve compliance with the permit and contribute to efforts to improve local water quality and restore the Chesapeake Bay. If you have any questions, please contact me at 410-537-3550 or Ms. Deborah Cappuccitti at [deborah.cappuccitti@maryland.gov](mailto:deborah.cappuccitti@maryland.gov).

Regards,

Stewart R. Comstock, P.E.  
Program Review Division Chief  
Sediment, Stormwater, & Dam Safety Program, WSA

**Municipal Small MS4 Notice of Intent**

**Maryland Department of the Environment (MDE)**

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

This Notice of Intent (NOI) is intended for municipalities applying for coverage under the General Discharge Permit (No. 13-IM-5500) for Small MS4s. Submitting this application constitutes notice that the entity below agrees to comply with all terms and conditions of the general permit. The information required in this NOI must be submitted to:

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

**Contact Information**

Permittee Name:	The Town of North East
Responsible Personnel:	Melissa B. Cook-MacKenzie
Mailing Address:	106 South Main Street, North East, MD 21901
Phone Number(s):	410-287-5801
Email address:	mmackenzie@northeastmd.org
Additional Contact(s):	
Mailing Address:	
Phone Number(s):	
Email address:	

**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.

Melissa B. Cook-MacKenzie	Melissa B. Cook-MacKenzie	10/18/18
Printed Name	Signature	Date

**Municipal Small MS4 Notice of Intent**

**Due Date:**

**Date of Submission:**

**Permittee Information**

Renewal Permittee:

New Permittee:

Check if sharing responsibilities with another entity:  Yes  No

**Required Information**

1. A brief description of jurisdiction for which coverage is being sought:
2. The approximate size of jurisdiction (square miles):
3. Population:
4. Provide a list of properties owned or operated by the permittee covered under the Maryland General Permit for Stormwater Discharges Associated with Industrial Activity or an individual industrial water discharge permit: **See attached**
5. Describe any programs that the applicant will share responsibilities for compliance with another entity. Describe the role of all parties and include a copy of a memorandum of agreement when applicable: **See attached**
6. Anticipated expenditures to implement the terms and conditions of the permit: **See attached**

## Municipal Small MS4 Notice of Intent

### Required Information

1. The jurisdiction, the Town of North East, is 1,278.1095 acres, and is located near the head of the North East River in Cecil County, MD. The land use is consistent with that of a small town with a rough breakdown as follow:
  - a. 7% Institutional uses (schools, churches, cemeteries, and town-owned buildings and recreation spaces)
  - b. 32% Residential developments mainly consisting of townhomes or single family homes with lots ¼ acre or smaller
  - c. 18% Commercial or light industrial
  - d. 11% Public Right-of-Way
  - e. 2% Railroad Right-of-Way owned by CSX or Amtrak
  - f. 30% Undeveloped land or otherwise preserved environmental areas

Within the town boundaries of North East, there are 35 SWM devices per Cecil County's GIS database and field inspections. These mainly drain to the town's numerous small, natural waterways which discharge to North East Creek, Little North East Creek, or Stony Run, which all discharge into the North East River, which is a tidal water. The North East River enters the Chesapeake Bay roughly 4 miles south of the Town of North East.

2. 1.9970 square miles (See Appendix A – Town of North East Annexation History)
3. 3,625 per 2017 Census Bureau Estimate
4. There are no properties owned by the Town associated with an existing industrial stormwater discharge permit.
5. In order to complete the work required by the MS4 permit, the Town will be share responsibilities with MDE, CSCD, and Cecil County Permits & Inspections.

On February 22, 1978, The Board of County Commissioners of Cecil County agreed to "assume responsibility for the issuance of grading permits and enforcement of the County Sediment Control Ordinance within the town limits" (Appendix B). In Chapter 7 of the "Code of Ordinances of the Town of North East", the town delegates the authority to review and issue grading permit to the Cecil County Department of Public Works. They also delegate the right to review and approve sediment control plans to CSCD, and the responsibility to detect violations of approved Sediment and Erosion Control Plans to both MDE and CSCD. The appropriate article and section of the Code of Ordinances is attached as Appendix B on the following pages.

On April 7, 2003, the Town of North East signed a contract stating the Department of Public Works of Cecil County is to be responsible for the permitting and enforcement of Stormwater Management regulations in the Town of North East. The signed and recorded contract is attached as Appendix C on the following pages. The agreement was renewed as an amendment to the

Town's Code of Ordinances to reflect the April 4, 2010 amendment made to Cecil County's SWM regulations. This is included in Appendix C.

6. In order to meet the requirements stated under Part IV, the following costs are expected:
  - a. Public Education and Outreach: \$3,00 annually (\$15,000 over the 5 years of the permit) for educational material distribution and employee training
  - b. Public Involvement and Participation: \$500 annually (\$2,500 over the 5 years of the permit) for sponsoring events and increased advertising
  - c. Illicit Discharge Detection and Elimination: No cost will be incurred as this will be undertaken by Cecil County and included in their cost estimate.
  - d. Construction Storm Water Management: No cost will be incurred as this will be undertaken by Cecil County as part of the existing MOU between the County and Town.
  - e. Post Construction Stormwater Management: No cost will be incurred as this will be undertaken by Cecil County and included in their cost estimate.
  - f. Pollution Prevention: No individual cost will be incurred as the Town believes this will coincide with their daily operations or with their work meeting the other requirements.

In addition, The Town of North East expects an overhead cost of \$20,000 annually (\$100,000 over the 5 years of the permit) to cover the cost of staff time for reports, collecting fees, applying for grants, and project management which is not specific to any of the individual MCM's

In order to meet the requirements stated under Part V, The Town anticipates a total cost of \$2,000,000 to meet the requirements of parts A-D over the 5 years of the permit.