



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
DIVISION OF WATER RESOURCES
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Surface Water Discharges Section

Telephone: (302) 739-5731
Facsimile: (302) 739-8369

June 16, 2003

CERTIFIED MAIL

Nathan Hayward III, Secretary
State of Delaware Department of Transportation
800 Bay Road
Dover, DE 19903

Re: NPDES Permit DE 0051144
Discharges from DelDOT's Storm Sewers in
Kent County, Delaware

Dear Secretary Hayward:

Enclosed please find a copy of the referenced NPDES/State permit authorizing the discharge of storm water from the Department of Transportation's portion of the municipal separate storm sewer system or "MS4" in Kent County, within the area designated by the United States Census Bureau as the "Dover, DE Urbanized Area".

In addition, please note that a number of minor changes were made to the May 7, 2003, draft permit. The changes are primarily editorial. They were made either to address comments we received or to elaborate on the proposed provisions in the draft permit. The specific changes are as follows along with an explanation for each:

1. "Delaware Department of Transportation" was substituted for "permittee" in Parts I.A. and I.B.1. on page two to allow for easier reading and better understanding.
2. The second sentence of the first paragraph of Part II on page 5 of the permit was edited to allow for easier reading and better understanding. The phrase, "including the employment of pollution prevention measures, best management practices, treatment technologies or pollutant removal techniques, storm water monitoring, the exercise of legal authority, requiring compliance with ordinances, permits, contracts or orders and other appropriate means" was deleted. The phrase, "variety of techniques" is sufficient, recognizing the phrase encompasses everything from pollution prevention to treatment devices or structural best management practices.

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Delaware's good nature depends on you!

Secretary Hayward
June 16, 2003
Page Two

3. References to 40 CFR 122.33 through 122.35 were added to the last sentence of the first paragraph of Part II on page 5. These sections are referenced in 40 CFR Part 122.26 and outline the federal NPDES requirements for operators of regulated small municipal separate storm sewer systems.
4. The first sentence in the last paragraph under Part II.A.1. was modified to address your staff's concern. The word, "involve", was substituted for "include coordination with" in the last paragraph of Part II.A.1. on page six. The first sentence now reads, "The public education program must involve local groups... and government officials...".
5. Page 7, Part II.A.3.c.2.: The phrase, "in a timely manner" was added to establish a timeframe in which illicit discharges are to be eliminated, i.e. as quickly as is reasonably practicable or in a timely manner.
6. Page 7, Part II.A.3.c.3.: The reference to the August 20, 2001 Memorandum of Agreement between DNREC and DeIDOT was deleted because there is some question as to its applicability to DeIDOT's storm sewers in Kent County.
7. Part IV.B., page 14: The date for the anniversary of the permit effective date was inserted (July 1, 2004).
8. Part V.A., page 17, second paragraph: References to 7 Del.C. §§ 6013 and 6018 were added. These sections outline the DNREC Secretary's authority for taking enforcement against violations of a permit and should be included with the reference to 7 Del.C. §6005.

Please note that pursuant to 7 Del.C. §6008, any person whose interest is substantially affected by any action of the Department may appeal to the Environmental Appeals Board within 20 days after receipt of the Department's decision.

Should you have any questions or wish to discuss any of the provisions of the enclosed permit in further detail, please contact me. I can be reached in Dover, at (302) 739-5731.

Sincerely,



Paul J. Janiga, P.E.
Environmental Engineer
Surface Water Discharges Section

Enclosure

pc: Randy Cole (w/ encl.)
Wendy Polasko (w/ encl.)
Marianne Walch (w/ encl.)

State Permit Number: WPCC 3019/03
NPDES Permit Number: DE 0051144
Effective Date: July 1, 2003
Expiration Date: June 30, 2008


AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND THE LAWS OF THE STATE OF DELAWARE

In compliance with the provisions of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 and the Water Quality Act of 1987 (33 U.S.C. 1251 et seq.), hereinafter referred to as "the Act", and pursuant to the provisions of Title 7, Del.C., §6003,

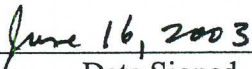
The Delaware Department of Transportation
P.O. Box 778
Dover, Delaware 19903

is authorized to discharge storm water from/through all portions of the municipal separate storm sewer system that are owned or operated and maintained by the Delaware Department of Transportation and located in Kent County, Delaware, within the area designated by the United States Census Bureau as the "Dover, DE Urbanized Area", to waters of the State in Kent County, in accordance with the comprehensive storm water management program, the discharge limitations, monitoring requirements and other provisions set forth in Parts, I, II, III, IV and V hereof.

This permit and the authorization to discharge under the National Pollutant Discharge Elimination System shall become effective July 1, 2003 and shall expire at midnight, on June 30, 2008.



R. Peder Hansen, P.E.
Manager, Surface Water Discharges Section
Division of Water Resources
Delaware Department of Natural Resources
and Environmental Control



Date Signed

