



**MARYLAND**

Department of the Environment

# ANNUAL ENFORCEMENT AND COMPLIANCE REPORT



Fiscal Year 2006

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October 3, 2006

Dear Friends:

I am pleased to present the Maryland Department of the Environment's fiscal year 2006 Annual Enforcement and Compliance Report. This document outlines the work of the Maryland Department of the Environment (MDE) to ensure that the citizens of Maryland are able to enjoy the resources within our state. My administration takes environmental compliance seriously and I have made it a priority to measure and improve environmental outcomes in every region of the state.

Compliance and enforcement procedures play a vital role in the environmental regulatory process. As such, my administration has strictly adhered to the process to ensure that sources of pollution are limited by permits, inspected routinely, monitored and held to the letter of the laws and regulations.

MDE's mission is to protect and restore the quality of Maryland's air, land and water resources, while fostering smart growth, economic development, and healthy, safe communities. In comparing the FY 2006 with FY 2005 reports, the statistics reflect that while there is always work to do, our efforts have been successful.

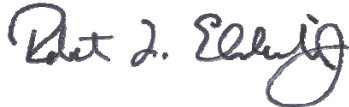
- Permits in effect have increased nearly 6 percent
- Number of sites inspected have increased more than 20 percent
- Number of enforcement actions have increased over 28 percent
- Monetary penalties collected have increased nearly 42 percent
- Supplemental Environmental Projects (SEPs), which deter future non-compliances and benefit the citizens of the State, increased by 46 percent to 57 projects valued at \$9.7 million

A comparison of the last four years with the four-year period prior to my administration also shows striking increases in the above parameters.

- Permits in effect are up 24 percent
- Number of sites inspected up 10 percent
- Number of enforcement actions up 38 percent
- Monetary penalties collected up 39 percent

This administration continues to lead our region with innovative strategies for protecting and restoring our most precious natural resource, the Chesapeake Bay. By preserving nearly 70,000 acres of pristine land, reducing the amount of harmful nitrogen being dumped in to the Bay, and toughening air quality standards for Maryland's largest polluters, I am pleased to say that we are making progress and changing our state for the better. For more information about this report, please contact the Secretary of the Maryland Department of the Environment, Ken Philbrick, at 410-537-3000.

Sincerely,

A handwritten signature in black ink, reading "Robert L. Ehrlich, Jr." in a cursive style.

Robert L. Ehrlich, Jr.  
Governor

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# EXECUTIVE SUMMARY

This is the Maryland Department of the Environment's (MDE) tenth annual enforcement and compliance report. The report covers State of Maryland Fiscal Year (FY) 2006 (July 2005-June 2006). It includes data on the Department's enforcement and compliance programs in the Air and Radiation, Technical and Regulatory Services, Waste and Water Management Administrations, as well as the Environmental Crimes Unit of the Attorney General's (AG's) Office. This year we added a supplement with more detail and additional information. The agency is committed to being held accountable for its work and committed to helping the public understand what MDE does and why. This document is part of an ongoing commitment to continuous process improvement.

The Department provided regulatory oversight for 198,184 regulated entities in FY 2006. This is a 5.6% increase compared to 187,070 in the last report. Most of that significant increase can be attributed to the Lead Poisoning Prevention Program's registration of affected properties. State law required owners of affected properties to certify that 100% of their properties were in compliance with lead risk reduction standards by February 24, 2006.

Part of this regulatory oversight included an almost 21% increase in the number of sites inspected and a 10.7% increase in the number of inspections, audits and spot checks from FY 2005 to FY 2006. Compliance assistance actions remained about the same with a 1% increase but the number of enforcement actions was over 28% greater this year than in FY 2005. Compliance assistance is an activity performed by the Department to assist regulated entities in avoiding violations and subsequent enforcement action.

For the third year in a row, MDE was able to significantly increase the use of Supplemental Environmental Projects (SEP) from 39 in FY 2005 to 57 in FY 2006 with a value of almost \$9.7 million up from \$590,750 last year. SEPs are an enforcement tool that is an adjunct to traditional penalty actions. SEPs are important because the projects provide direct environmental benefits to communities beyond those achieved by facilities returning to compliance. In addition, SEP values are significantly higher than the civil penalty resulting from the infraction. Civil penalties are also usually part of the total settlement for significant environmental infractions. This year penalties collected from environmental violators totaled more than \$2.8 million in addition to the cost of the SEPs.

A multi-year comparison reflects improvements in the Department's enforcement and compliance activities. These improvements are in most significant performance measures. The enforcement and compliance activities over the last several years will result in future environmental benefit. Permit conditions and enforcement policies are routinely reviewed to ensure our mission to protect and restore Maryland's environment is met. In our permitting programs, new permit conditions are issued that will result in future environmental improvements. For example, as nutrient caps are specified in future NPDES permits, the nutrient reduction goals of the Bay Restoration effort will shift from a voluntary effort to more of a compliance approach.

Ten years of data reflected through these reports demonstrate that MDE strives to constantly improve the regulatory process resulting in less pollution entering the environment. Better

permitting, inspections, monitoring, compliance and enforcement strategies and methods based on superior information have resulted in a healthier environment for the citizens of Maryland as our mission has mandated. The Department continues to dedicate itself to achieve and surpass our goals.

## MDE PERFORMANCE MEASURES EXECUTIVE SUMMARY

	2005 Totals	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>		
Number of Permits/Licenses Issued	10,799	10,737
Number of Permits/Licenses in Effect at Fiscal Year End	73,155	77,721
<u>OTHER REGULATED SITES/FACILITIES</u>		
(Other Sites)	222,673	239,612
Coverage (number of regulated entities requiring oversight)	187,070	198,184
<u>INSPECTIONS</u>		
Number of Sites Inspected	43,722	55,294
Number of Inspections, Audits, Spot Checks	103,586	115,977
<u>ENFORCEMENT ACTIONS</u>		
Number of Compliance Assistance Rendered	10,953	11,067
Number of Enforcement Actions Taken	1,395	1,946
<u>PENALTIES</u>		
Amount of Penalties Obtained ("collected" in the most recently completed fiscal year as a result of all enforcement actions regardless of specifically designated fund)	\$1,631,054	\$2,803,685
SEPs	39 (\$590,750)	57 (\$9.7 M)

## ENFORCEMENT WORKFORCE

	FY 2005 Actual*	FY 2006 Actual*	Number of FTE		FTE	
			Inspectors**		Vacancies ***	
			FY 2005	FY 2006	FY 2005	FY 2006
Air/Radiation Mgt	\$2,600,831	\$2,705,780	42	40	4	3
Waste Mgt	\$2,979,626	\$3,570,391	53.6	57.33	6.4	3.25
Water Mgt	\$2,841,357	\$2,624,959	44.7	42.2	5.2	6.7
<b>Total ****</b>	<b>\$8,421,814</b>	<b>\$8,901,130</b>	<b>140.3</b>	<b>139.53</b>	<b>15.6</b>	<b>12.95</b>

\* Actual includes wages plus 28% fringe for permanent employees and 8% fringe for contractual employees. The numbers do not include any operating expenses such as vehicles, travel, gasoline, supplies, or other related employment expenses.

\*\*Inspectors represent the number of enforcement field inspectors budgeted for the fiscal year. These numbers do not include any administrative, management, or clerical staff associated with enforcement and compliance programs.

\*\*\*FTE vacancies represent the total amount of time that positions were vacant equivalent to a full year.

## SECTION 1-301(d) PENALTY SUMMARY

TOTAL AMOUNT OF MONEY AS A RESULT OF ENFORCEMENT ACTIONS, AS OF THE END OF THE MOST RECENTLY COMPLETED FISCAL YEAR AS REQUIRED BY SECTION 1-301(d)*	FY 2005	FY 2006
Clean Air Fund (includes Air Quality and Asbestos)	\$403,000	\$339,700
Clean Water Fund (includes Water and Waste Management)	\$591,970	\$1,409,715
Hazardous Substance Control Fund	\$87,381	\$63,643
Non-tidal Wetland Compensation Fund	\$0	\$0
Oil Disaster Containment Clean Up and Contingency Fund	\$109,853	\$ 131,312
Recovered from Responsible Parties (under §7-221)**	\$16,395	\$13,590
Sewage Sludge Utilization Fund	\$0	\$500
<b>Total</b>	<b>\$1,208,599</b>	<b>\$1,958,460</b>

\* Includes **only** those funds **required** to be reported by the Environment Article, Section 1-301(d). Other penalties are reported by individual programs that total a higher amount since they are deposited into funds not required to be reported by 1-301(d). The Department total is \$2,803,685.

\*\* The number reported is strictly the total amount of money, as a result of enforcement, recovered by the Department from responsible parties in accordance with §7-221 of the Environment Article as called for in the statute.



# **MDE ORGANIZATIONAL UNITS ADMINISTRATION EXECUTIVE SUMMARIES**

## **Air and Radiation Management Administration Executive Summary**

The Air and Radiation Management Administration conducts enforcement and compliance activities in three programmatic areas, these being air quality, asbestos, and radiation. In the Air Quality Program, ensuring compliance at high impact sources continues to consume a large portion of the Program's resources. Monitoring, testing, and reporting requirements continue to increase at these sources as a result of federal air quality regulatory requirements. This results in longer and more time-consuming inspections and compliance determinations for each facility. As a result, the Air Program conducted slightly fewer, but more detailed, inspections at high impact sources than in FY 2005. Compliance rates remain essentially unchanged.

The Air Program continues to pursue the use of Supplemental Environmental Projects (SEP) in the settlement of enforcement actions where appropriate. A SEP is an environmental or public health related project implemented by a facility in lieu of a portion of a penalty payment to settle an enforcement action. This year the Air Program negotiated several SEPs as part of enforcement actions including a community mercury reduction project and a waste minimization project.

Low impact facilities continue to be an area where, due to the large number of sources, only a small percentage of the sources can be inspected. In this arena, the Air Program continues to focus on Stage II vapor recovery systems at gas stations, as well as dry cleaners. There are about 1700 gas stations subject to Stage II requirements to limit emissions of volatile organic compounds, a ground-level ozone precursor. There continues to be a higher level of non-compliance at these facilities, primarily in the testing, record keeping and reporting requirements. The Air Program is also focusing on ensuring compliance with federal air toxics requirements at dry cleaners. There is a higher level of non-compliance at dry cleaners, primarily with record keeping requirements.

The Air Program used EPA grant funds this year to establish a special initiative to conduct air quality inspections at small sources (gas stations, drycleaners, paint spray booths, small printers) in targeted Environmental Benefit Districts. The funds were used to hire contractual inspectors to conduct the extra inspections. The Air Program followed up on violations found during these inspections. These additional contractual inspections helped contribute to the increase in inspection numbers at low-impact sources for FY 2006.

In FY 2006, the Air Program also initiated a program to make compliance determinations for consumer product requirements that have gone into effect recently. These requirements restrict

solvent contents for many consumer products including paints, cosmetics, cleaners, glues, etc. The Air Program conducted inspections at several stores to review labels to determine solvent content and compliance. It was determined that some products were compliant, while others did not have enough information on the label to make a determination.

Over 1,000 air quality complaints were received in FY 2006, up from about 800 received in FY 2005. The increase can be attributed to additional concerns by citizens regarding air pollution in certain areas. The Air Program responds quickly to all complaints by telephone, prioritizing those that actually receive a field inspection. This year 68% of complaints received by the Air Program were followed up with an on-site inspection. Some complaint situations needed multiple follow-up inspections to address the concerns of the complainants and to ensure compliance with air quality requirements. Based on their nature, fewer complaints at non-permitted sites needed follow-up enforcement action to achieve compliance this year, resulting in fewer enforcement actions.

In the Asbestos Program, contractors intending to abate asbestos are required to notify MDE. MDE inspects as many of these projects as possible, generally focusing on the more substantial projects. In FY 2006, the Program inspected 29% of sites that provided notification to MDE, which is the same as inspected in FY 2005. The number of notifications received in FY 2006 was 3,201, which was a slight decrease compared to FY 2005 in which 3,273 notifications were received. **The penalty amount is down from FY 2005 because of a single large settlement in FY 2005 that contributed to a larger number for that year.**

The Radiological Health Program (RHP) regulates both man-made electronic sources of radiation and materials that are radioactive, so as to minimize the amount of unnecessary radiation received by the general public. The RHP is mandated to regulate essentially from "licensing/registering" through "enforcement", if applicable, to "termination/cancellation".

The RHP implemented regulations in FY 2005 requiring that radiation machine facilities with fluoroscopic equipment must ensure that all users who energize such equipment have received minimal education relating to radiation safety and As Low As Reasonably Achievable (ALARA) principles. In FY 2006, response by the fluoroscopic community to the new regulations promoting patient radiation safety awareness was positive.

In addition in FY 2006, the RHP conducted an evaluation of radiation exposure data collected at dental inspections between FY 1995 and FY 2005, revealing that, while dental compliance remains below 30%, dose to dental patients is currently within national averages. The RHP believes that it is important to continue communicating dental public health issues, and continued to do so in FY 2006.

A reciprocal e-mail notification system for out-of-state companies instituted in FY 2005 continues to function with great success in FY 2006. The reciprocal program addresses companies that conduct radioactive material activities in Maryland under licenses from other jurisdictions. The improvement in rapid approval, tracking and overall efficiency is particularly noteworthy.

The RHP continues to evaluate complex sealed source and medical devices for radiation safety and engineering safety prior to allowing their use and sale across the country. Additionally, a database to track general license devices was implemented, and will be refined and expanded in FY 2007 with the planned implementation of new registration requirements.

Maryland operates under an agreement with the Nuclear Regulatory Commission (NRC) in managing our radioactive materials program. Throughout FY 2006 the Program retained a rating of adequate from the NRC to protect the public health and safety and continued to be compatible with the NRC's regulatory requirements.

Overall ARMA penalty amounts are less in FY 2006 than in FY 2005. As discussed above, this is primarily attributable to asbestos penalties being down significantly due to a major settlement in FY 2005. Asbestos penalties returned to more historically normal levels in FY 2006. The number of ARMA enforcement actions also decreased somewhat in FY 2006 when compared to FY 2005, but remain consistent with historical norms. It is normal that enforcement numbers vary somewhat from year to year. For example, as shown in the charts on the next pages for Air High Impact Facilities, the number of enforcement actions increased from FY 2004 to FY 2005, but then declined in FY 2006. During the same three-year time period Asbestos enforcement actions increased, while Radiation actions decreased.

**Air and Radiation Management Administration  
Performance Measures Executive Summary**

	2005 Totals	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>		
Number of Permits/Licenses Issued	2,361	1,914
Number of Permits/Licenses in Effect at Fiscal Year End	27,413	28,216
<u>OTHER REGULATED SITES/FACILITIES</u>		
Other regulated sites	4,166	4,377
Coverage (number of regulated entities requiring oversight)*	21,318	21,398
<u>INSPECTIONS</u>		
Number of Sites Inspected	4,059	4,716
Number of Inspections, Audits, Spot Checks	9,135	10,332
<u>ENFORCEMENT ACTIONS</u>		
Number of Compliance Assistance Rendered	2,730	2,662
Number of Enforcement Actions Taken **	87	70
<u>PENALTIES</u>		
Amount of Administrative or Civil Penalties Obtained	\$482,866	\$402,288

\* Derived by adding up all of the coverage universes for each program as listed in the pie chart for each.

\*\* Derived by adding up the number of enforcement actions for each program as listed in the chart for each.

## **WASTE MANAGEMENT ADMINISTRATION EXECUTIVE SUMMARY**

The Waste Management Administration's (WAS) responsibilities are diverse in nature with sites that range from private homes to municipal landfills, military bases, and large industrial complexes. Data collection methods ensure accurate and consistent reporting of the various performance measures for this Enforcement and Compliance Report. WAS uses data from this report to conduct quarterly reviews and tracking of our performance and progress in accomplishing mandated environmental goals and to target effective use of our resources.

Overall in FY 2006, the number of sites inspected and the number of site inspections conducted increased considerably as compared to FY 2005. Compliance assistance actions, numbers of enforcement actions taken, and penalties obtained all increased from the previous year. The number of permits and licenses in effect increased slightly and the number of other regulated sites/facilities increased. Combined, these measures reflect the workload of WAS, which continues to increase. The total number of inspections, spot checks and audits increased from 33,044 in FY 2005 to 44,552 in FY 2006.

The increases in enforcement activities are due, in large part, to the fact that a considerable number of inspector vacancies were filled in FY 2006, and a large increase in the number of inspections by accredited lead abatement inspectors. The Administration's strong historical field presence and outreach activities have helped maintain the overall rate of inspected facilities in significant compliance at 97.5%.

The Hazardous Waste Program ensures protection of public health and the environment from releases of hazardous waste. In FY 1997, there were 31 permitted Treatment, Storage, and Disposal (TSD) facilities in Maryland. At the start of FY 2004 there were 23 permitted facilities. This total dropped to 19 by the end of FY 2006. This is significant and is believed to be a direct result of better waste management and waste minimization activities by generators of hazardous waste who are reducing quantities of waste and thus reducing the need for treatment, storage and disposal of hazardous waste.

The number of inspections, audits, and spot checks in the Hazardous Waste Program increased from 349 in FY 2005 to 490 in FY 2006. Compliance assistance actions rendered and enforcement actions taken also increased. Only 1.6% of all facilities that generate or manage hazardous waste were inspected in FY 2006, up slightly from 1.5% in FY 2005. The Program still continues to meet its EPA federal grant commitments and achieve a significant compliance rate of 77% for inspected facilities.

Although not an official part of this report, it is worth noting that the Hazardous Materials Compliance Section of this Program performed 3,003 commercial vehicle inspections in FY 2006 and participated in 29 emergency responses. MDE does not take enforcement actions on commercial vehicle inspections. Enforcement is handled by the Maryland State Police and reported by the Maryland Department of Transportation.

In the Lead Poisoning Prevention Program, the percentage of children statewide with blood lead levels equal to or greater than 10 micrograms per deciliter has decreased for the twelfth consecutive year. Statewide, the percentage of children tested that had blood lead levels equal to or greater than 10 micrograms per deciliter decreased from 1.7% to 1.3%. The total number of inspections, audits and spot checks increased from 24,388 in FY 2005 to 35,407 in FY 2006. This was due to an increase in the number of inspections conducted by accredited lead abatement service providers from 23,281 in FY 2005 to 33,348 in FY 2006. The number of enforcement actions increased dramatically from 336 in FY 2005 to 708 in FY 2006. Many of the enforcement actions have resulted in multiple-property or global settlements.

During this reporting period, there was a decrease in identified oil contaminated subsurface sites in the Oil Control Program from 2,328 in FY 2005 to 2,173 in FY 2006. Every year newly found contaminated sites are added to this list, and sites where remediation is complete are removed from the list. This is the second year in a row that this number has decreased. The Program attributes this to a reorganization that provided increased resources for remediation. Numbers of sites inspected decreased, but the number of inspections, audits and spot checks, and compliance assistance actions rendered all increased for oil pollution remediation sites in FY 2006. The percentage of inspected sites/facilities in significant compliance was 99% in FY 2006, up from 96% in FY 2005.

Inspections of above ground oil storage facilities decreased from 1,193 in FY 2005 to 925 in FY 2006. Spill response activities have shown a significant decline. This may be due to increased screening of complaints before a response, staffing levels within the program, and local jurisdiction response to incidents. The future trend in spills is uncertain, but may increase as the above ground storage tank population ages and tank integrity declines. The Program is finalizing a third-party inspection program to increase the number of inspections. The facilities that were inspected showed a 93% compliance rate, up slightly from 92% in FY 2005.

The Solid Waste Program is responsible for overseeing Refuse Disposal, Scrap Tires, Sewage Sludge Utilization, and Natural Wood Waste Recycling activities in the State and continues to be challenged by the need to retain trained inspectors. In spite of this, the Program has been able to focus on the media that present the most risk if operations are not properly managed. In the refuse disposal function, the inspection coverage rate was maintained during FY 2006 at 100%, as every permitted site was inspected. The number of inspected facilities in significant compliance increased from 85% in FY 2005 to 95% in FY 2006, and a total of 21 significant violations were resolved. The number of inspections increased from 747 in FY 2005 to 889 in FY 2006 and the number of compliance assistance actions rendered decreased from 52 in FY 2005 to 39 in FY 2006.

The scrap tire function of the Program continued the cleanup of scrap tire stockpiles, with 61 stockpiles remaining in FY 2006. New stockpiles are still discovered every year. There was an increase in the numbers of scrap tire site inspections conducted from 728 in FY 2005 to 747 in FY 2006. This resulted in a slight increase in the inspection coverage rate from 15% in FY 2005 to 16% in FY 2006. The Program continues to issue Notices of Violation to license holders that fail to submit required semi-annual reports. The number of scrap tire enforcement actions decreased from 188 in FY 2005 to 175 in FY 2006. This 7% decrease is a reflection of the

Program's success in achieving compliance by licensees during the reporting period. The Program resolved 134 significant violations during FY 2006 as compared to 238 in FY 2005.

In the sewage sludge function there were no instances of unpermitted land application of sewage sludge in the State during FY 2006. This is attributed to the Program's efforts to work with the regulated community over the last several years to ensure compliance. The Program's number of inspections declined during this reporting period from 502 in FY 2005 to 488 in FY 2006, principally because of a reduced inspection staff in the first half of FY 2006. The inspection coverage rate increased slightly from 26% in FY 2005, to 31% in FY 2006. This is a bit misleading since there are typically many more sites permitted than are actually used for sewage sludge application. Inspectors focus their efforts on the sites that are in use. Only 12 significant violations were found during the year, indicating the ongoing high level of compliance related to sewage sludge activities. This is due to the small and highly experienced nature of the regulated community in which most violations are the result of accidental occurrences and are quickly resolved.

This summarizes the enforcement activities within the Waste Management Administration. As program priorities change and budget constraints continue, WAS will continue to assess enforcement trends and consider changes to meet these needs.

**Waste Management Administration  
Performance Measures Executive Summary**

	2005 Totals	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>		
Number of Permits/Licenses Issued	2,607	2,551
Number of Permits/Licenses in Effect at Fiscal Year End	8,051	8,723
<u>OTHER REGULATED SITES/FACILITIES</u>		
Other Sites	214,530	231,175
* Coverage (number of regulated entities requiring oversight)	127,291	136,797
<u>INSPECTIONS</u>		
Number of Sites Inspected	26,341	37,583
Number of Inspections, Audits, Spot Checks	33,044	44,552
<u>ENFORCEMENT ACTIONS</u>		
Number of Compliance Assistance Rendered	5,746	6,452
Number of Enforcement Actions Taken	667	1,024
<u>PENALTIES</u>		
Amount of Administrative or Civil Penalties Obtained	\$515,887	\$786,993

## **Water Management Administration Executive Summary**

The Water Management Administration (WMA) has inspection and enforcement responsibilities for the water quality and resource conservation programs that follow in this report. The collection and reporting of data based on well-defined performance measures provide valuable tools for assessing the productivity and/or progress of each Water Management Program.

Construction permitting is a function of new construction activity, the local economy, and availability of Federal, State, and local capital funds that have largely remained stable. In FY 2007 and subsequent years, State funded construction permitting activities should steadily increase because of increased capital funding available through Governor Ehrlich's recently enacted Bay Restoration Fund and the Governor's continued efforts to proactively pursue federal funding for upgrades of sewage treatment plants and for CSO/SSO correction. However, there have been significant reductions in federal funds made available to the Department for capital projects that will reduce construction permit activity. Activity numbers for Water Supply and Sewerage Construction Permitting are expected to vary little from prior years.

Again this year, the Compliance Program had a great deal of personnel turnover, translating into over 4 full-time vacancies. Inspections stayed relatively constant at 23,777 this year vs. 24,021 last year. There were fewer spills this year (1518 vs. 1702) and less untreated sewage and commingled stormwater (373 million gallons vs. 486 million gallons) spilling into Maryland waterways. Violations resolved regarding SSO's included two municipal wastewater treatment plants and the WSSC. Penalties increased from \$632,301 to \$1,614,404 (Note – the FY 2006 total includes \$375,000 from Baltimore County, \$550,000 from WSSC, and \$116,575 from Baltimore City).

Another enforcement tool available to the Compliance Program is the Supplemental Environmental Project (SEP). SEPs are defined as environmentally beneficial projects that an alleged violator agrees to undertake in settlement of an enforcement action, and in lieu of a portion of the penalty. SEPs must be projects that the alleged violator is not otherwise legally required to perform. "Environmentally beneficial" means a SEP must improve, protect, or reduce risks to public health or the environment at large. The performance of a SEP reduces neither the stringency nor timeliness requirements of State environmental statutes and regulations. Performance of a SEP does not extend or change in any way the alleged violator's obligation to remedy a violation expeditiously and return to compliance. In FY 2006 WMA entered into agreements with two municipalities and WSSC to perform SEPs totaling \$8,928,000.

During FY 2006, the Water Supply Program completed the initial source water assessments for public water systems throughout Maryland. Source water assessment reports were sent to all community water systems and over 3,000 non-community water systems. Implementation of the new drinking water standards for surface water treatment, disinfection byproducts, arsenic, and radionuclides has resulted in a short-term decrease in the overall compliance rate for water systems. It is normal for the rate of compliance to drop after the adoption of new rules until affected systems are able to implement the capital and operational improvements necessary to

achieve the new standards. However, the large number of new regulations and their impact on large water systems was greater than expected. The majority of the impacted water systems have been able to return to compliance as of June 2006.

**Water Management Administration  
Performance Measures Executive Summary**

	2005 Totals	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>		
Number of Permits/Licenses Issued	5,831	6,272
Number of Permits/Licenses in Effect at Fiscal Year End	37,691	40,782
<u>OTHER REGULATED SITES/FACILITIES</u>		
Other sites	3,977	3,943
Coverage (number of regulated entities requiring oversight) *	38,461	40,004
<u>INSPECTIONS</u>		
Number of Sites Inspected	13,322	12,637
Number of Inspections, Audits, Spot Checks	61,407	61,093
<u>ENFORCEMENT ACTIONS</u>		
Number of Compliance Assistance Rendered	2,477	1,953
Number of Enforcement Actions Taken **	641	849
<u>PENALTIES</u>		
Amount of Administrative or Civil Penalties Obtained	\$632,301	\$1,614,404

\* Derived by adding up all of the coverage universes for each program as listed in the pie chart for each.

\*\* Derived by adding up the number of enforcement actions for each program as listed in the chart for each.



## **ENVIRONMENTAL CRIMES UNIT EXECUTIVE SUMMARY**

The Environmental Crimes Unit of the Criminal Investigation Division of the Maryland Attorney General's Office investigates and prosecutes environmental crime in Maryland. Typically, criminal prosecution is a last resort used for the worst, most wanton or most recalcitrant of environmental offenders. During FY 2006, the ECU opened sixty-eight criminal investigations and filed charges in fifteen of those investigations. Of the sixty-eight investigations, twenty-six were the result of referrals from MDE administrations. Eighteen prosecutions were completed during the fiscal year, resulting in jail terms totaling twenty years, probation terms totaling twenty-two years and fines and restitution exceeding \$102,000, in addition to community service work and other penalties.

## **TECHNICAL AND REGULATORY SERVICES ADMINISTRATION EXECUTIVE SUMMARY**

The Technical and Regulatory Services Administration (TARSA) provides technical analyses, scientific support, water quality monitoring, fish kill and chemical and oil spill response, and risk assessment guidance to all MDE programs, including those responsible for enforcement and compliance activities. Many of its field-based activities provide support to programs both within TARSA as well as to other administrations.

TARSA was previously responsible for the Noise Control program established by the legislature in the mid 1970's to provide technical assistance and enforcement help to citizens and local jurisdictions across the State regarding community intruding noise issues that are not, for whatever reason, adequately handled at the local level. During the 2005 Session of the General Assembly the House and Senate voted to eliminate funding for the Noise Program. Due to the lack of funding, starting in mid May of 2005 the Department ceased taking new cases but continued to work at resolving all open cases. Two cases have not been resolved and efforts will continue until a complete resolution is made. In the 2006 General Assembly, MDE was given authority to lend noise meters to local jurisdictions. MDE also continues to provide technical advice on operating the meters and interpreting the results, on structuring local ordinances and helping to interpret and apply the existing noise limits.

TARSA's field-based programs assist other MDE programs through monitoring programs and also include MDE's emergency response activities. Ambient conditions monitoring for water quality and specific point discharge monitoring for compliance assessments provides information that supports the Water Management Administration's programs that enforce State and federal water pollution control regulations. These monitoring efforts help identify problems that may require further enforcement activity. TARSA's Emergency Response Division (ERD) responds to reports of spills of chemical or petroleum contaminants that may pollute surface and ground waters of the State. When these spills involve an activity that is regulated by other MDE programs, the ERD refers information about them to the appropriate program for follow-up enforcement. TARSA also administers the Shellfish Certification Program that monitors and certifies that harvest waters are safe for harvesting and eating raw molluscan shellfish.

# **ANNUAL ENFORCEMENT AND COMPLIANCE REPORT FISCAL YEAR 2006**

## **Statutory Authority and Scope**

Environment Article §1-301(d) enacted in 1997 (see Appendix I for full text) requires MDE to report specified information on 15 programs as well as the penalty dollars collected and deposited into several funds. This report is intended to fulfill that statutory requirement. In addition to the required information, this report also includes information on the MDE enforcement programs and additional data about the activities and facilities that are subject to regulation under the Environment Article. This year the report also includes a supplement with additional explanations of the items. The Department has voluntarily elected to provide this additional context so that the legislature, our stakeholders, and the public have the most complete picture of how the Department carries out its enforcement responsibilities.

## **Introduction**

The Maryland Department of the Environment presents its tenth annual Enforcement and Compliance Report, covering fiscal year 2006 (July 1, 2005 through June 30, 2006). A supplement has also been added including details not in prior reports. Although enforcement is only a part of the process, it is an important and necessary tool for assuring compliance with environmental regulation. Enforcement actions are not goals in themselves. MDE is a regulatory agency with an enforcement component. Other components include permitting and licensing and assuring compliance through inspection and training. This suite of functions serves to fulfill our mission “to protect and restore the quality of Maryland’s air, land and water resources, while fostering smart growth, economic development, healthy and safe communities and quality environmental education for the benefit of the environment, public health and future generations.”

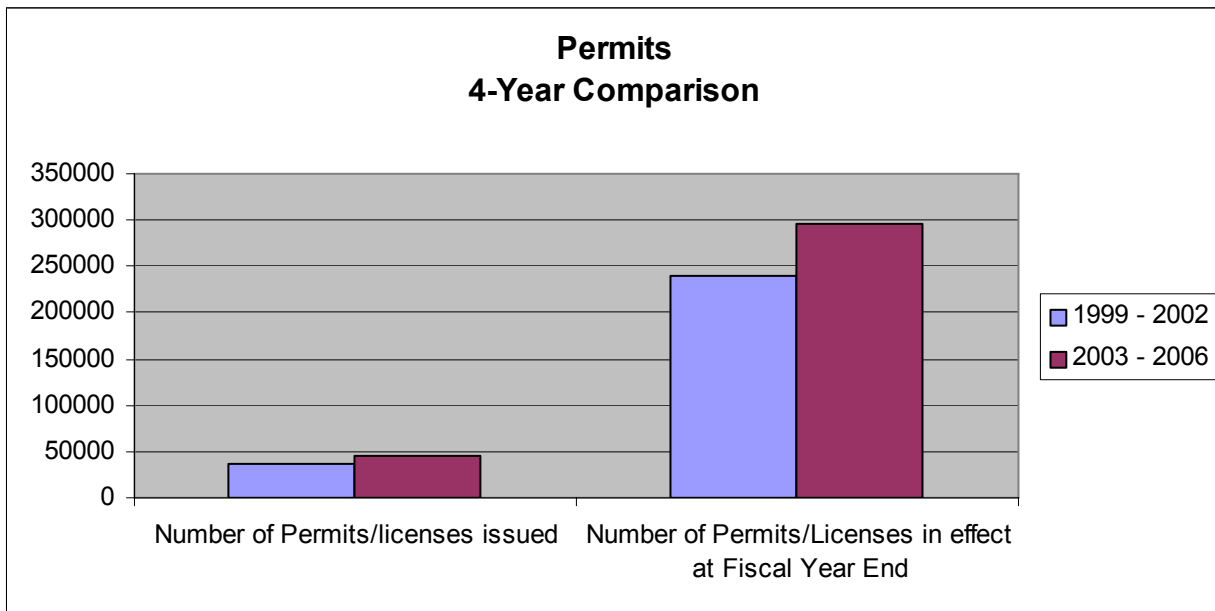
This document lists data on the metrics required by the Environment Article and offers insight into the challenges the Department faces in fulfilling its mission. Whether these challenges include manpower issues, legal confrontations or technical hurdles, MDE strives to perform its duties in a professional manner. The environmental regulatory process is complex. It must take into account science, engineering, public health, environmental justice, stakeholder participation, non-governmental organizations and other influences in rendering a decision. Everybody may not agree on the final decision, but it is made with our mission in mind.

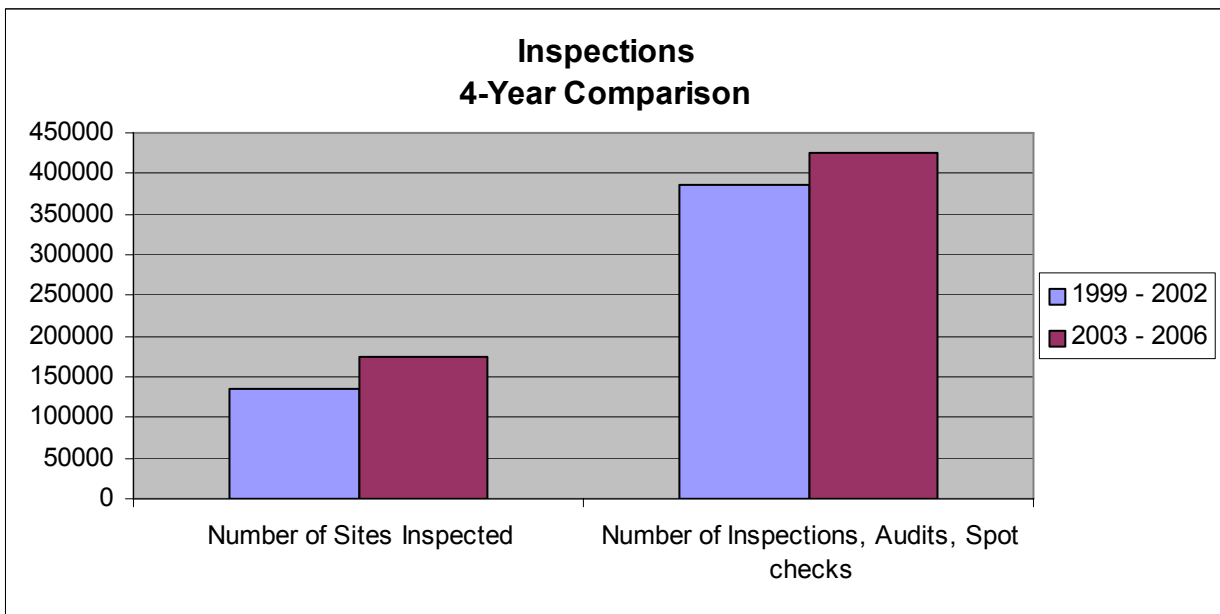
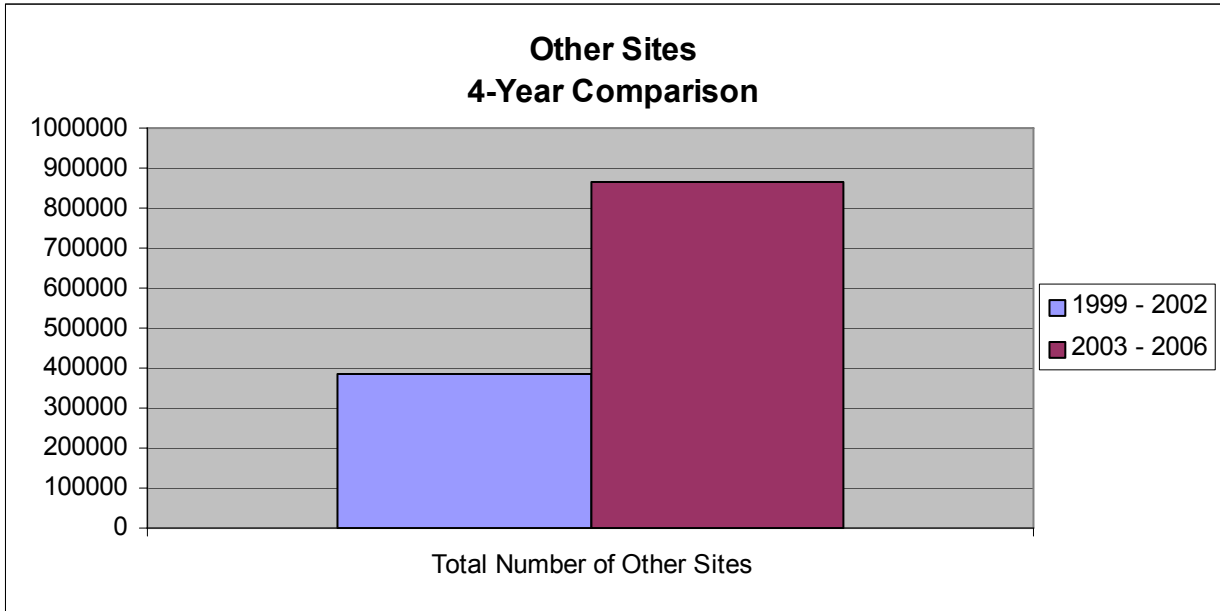
MDE must develop and implement mechanisms that target limited resources to best advantage in order to provide assistance and guidance to the regulated community in order to achieve compliance assurance. Our goal is to ensure improvements in environmental quality and to protect public health and the environment.

The future for managing the data used in this report is continuing the support for the development of the MDE-wide database, EEMS (Environmental Enterprise Management System). As EEMS continues to be implemented throughout the Department over the next few years, data will be more accessible in real time. This will allow MDE managers to provide even

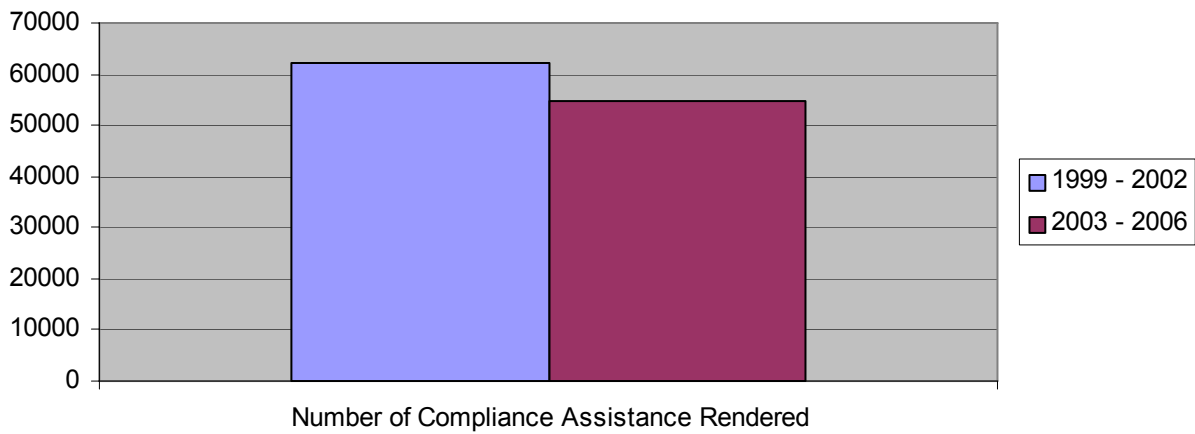
better compliance assurance than today. We urge the State's decision makers in the General Assembly to continue to support this effort.

Environmental regulation is a process that builds on experience, both for the regulator and the entities being regulated. Policies are improved based on results of past actions and these are cyclically passed on to our customers as permits, licenses and other approvals are renewed. The implementation of the Chesapeake Bay Restoration Fund will have positive ramifications over several years to come. Permit renewal cycles in some cases are annual, whereas in other cases may be measured in years. Comparison of one year to the next sometimes does not reflect the efforts of the Department that may not take effect until permits are renewed or enforcement actions are completed. Trends may be a better measure of success or failure. Below are several charts indicating these trends over a 4-year cycle since the Annual Enforcement and Compliance report has been initiated. As can be seen from the charts, there has been a positive trend in all measurements except for compliance assistance rendered. This drop in compliance assistance can only be explained citing manpower reduction over the years.



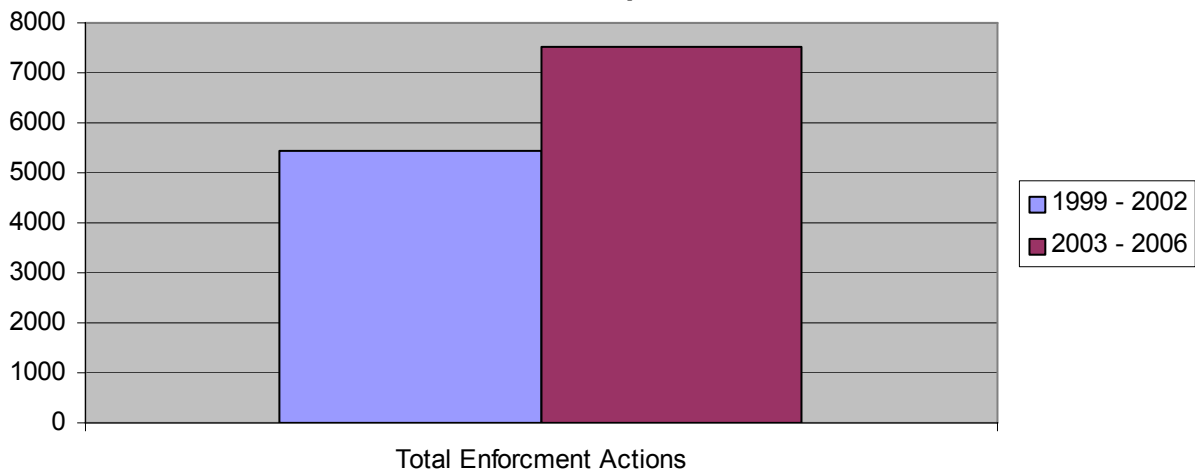


### Number of Compliance Assistance Rendered 4-Year Comparison

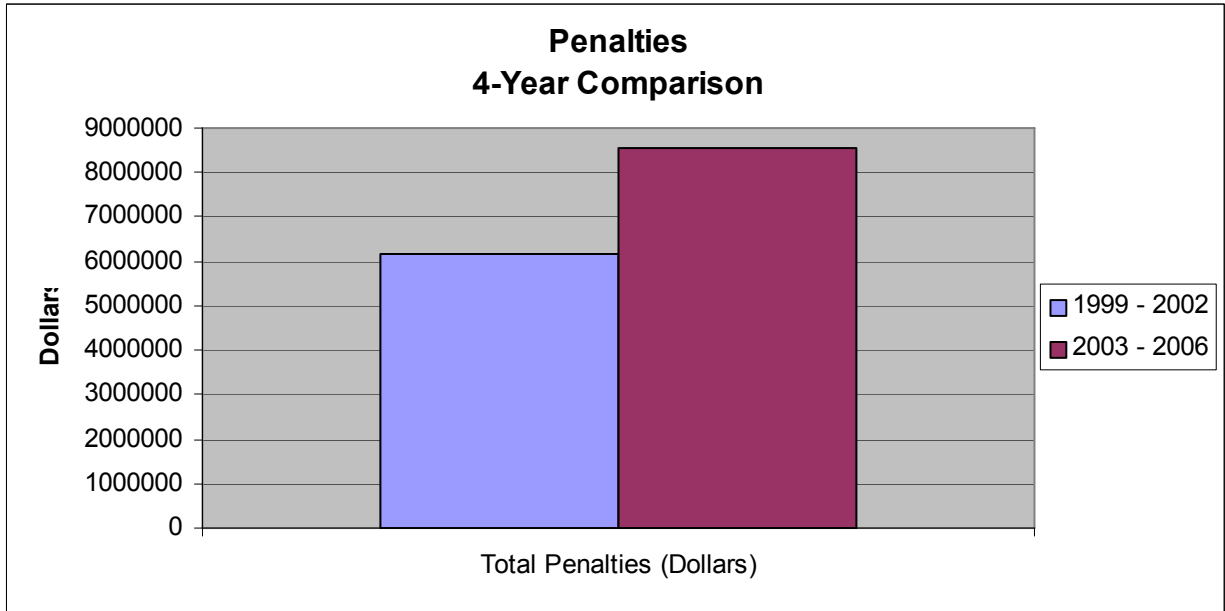


Number of Compliance Assistance Rendered

### Number of Enforcement Actions Taken 4-Year Comparison



Total Enforcement Actions



**Organization of the Report**

The organization of this report is simple. It starts off with executive summaries of information for the department, then by media administration, air, water and waste. The main report includes details on these parameters for the 15 programs required by the law. It also includes our enforcement policies and definitions and offers insight into the Department’s strategies for assuring compliance.

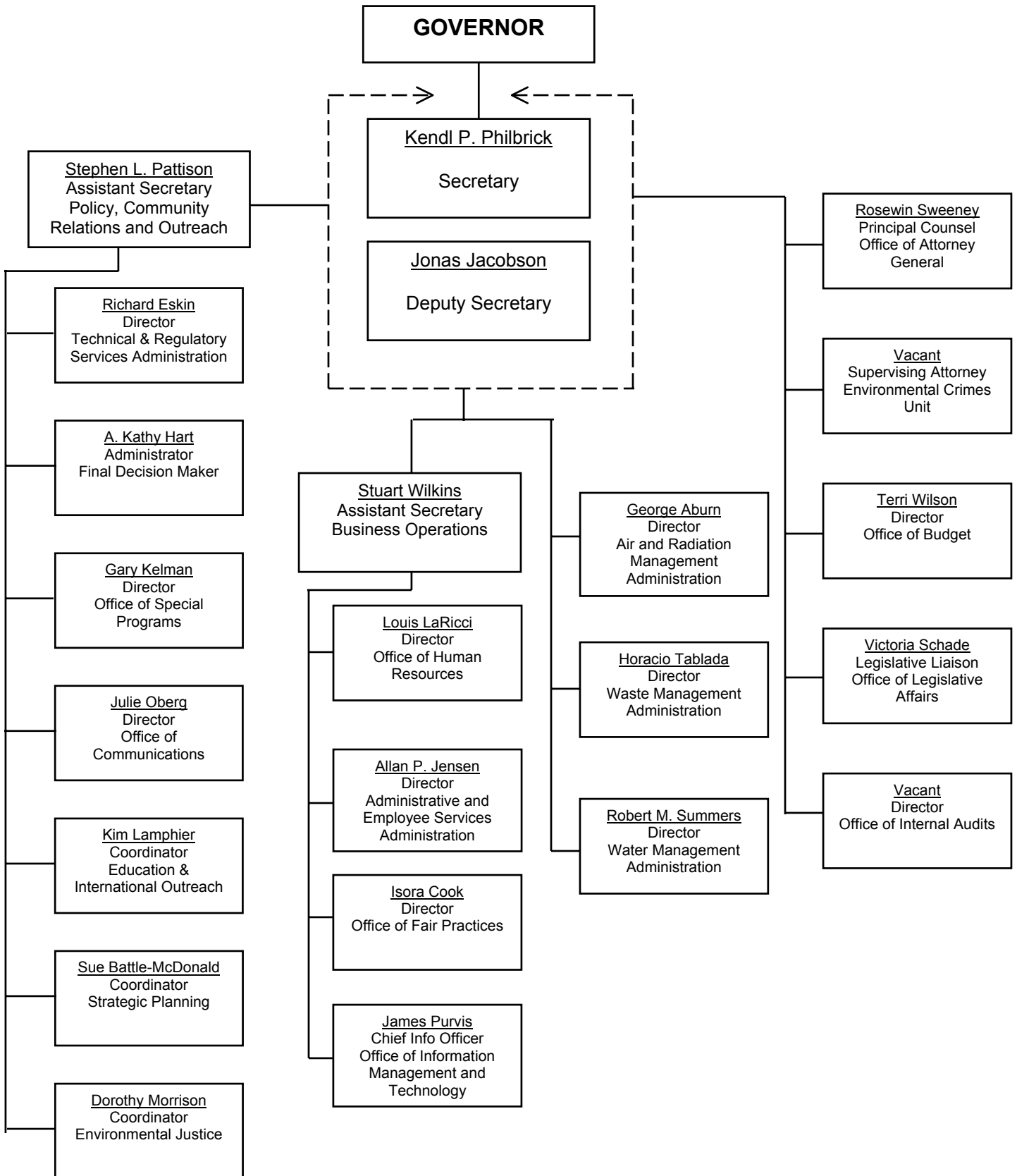
## 2006 Annual Enforcement Report Workgroup

The workgroup's current members are:

Lorraine Anderson, Air and Radiation Management Admin (Asbestos)  
Tom Boone, Water Management Administration  
Jack Bowen, Water Management Administration  
Frank Courtright, Air and Radiation Management Administration  
Laramie Daniel, Air and Radiation Management Administration  
Bob Daniel, Customer Service Center  
Edward Dexter, Waste Management Administration (Solid Waste)  
Renee Fizer, Air and Radiation Management Administration (Radiation)  
Andrew Gosden, Customer Service Center and Report Editor  
John Hill, Technical and Regulatory Services Administration  
Rick Johnson, Waste Management Administration (Hazardous Waste)  
Gary Kelman, Director, Office of Special Programs  
Mike Kurman, Air and Radiation Management Admin (Radiation)  
Ray Manley, Air and Radiation Management Administration (Radiation)  
Lois McNamara, Water Management Administration  
Herb Meade, Waste Management Administration (Oil Control)  
Hans Miller, Office of the Attorney General, Environmental Crimes Unit  
Hilary Miller, Waste Management Administration  
Stephen Pattison, Assistant Secretary, Policy Community Relations and Outreach  
Lyn Poorman, Water Management Administration (Water Supply)  
Nancy Reilman, Water Management Administration (Water Supply)



# MARYLAND DEPARTMENT OF THE ENVIRONMENT



## MDE'S ENFORCEMENT AND COMPLIANCE MEASUREMENT SYSTEM

The Department recognizes that there are different levels of sophistication among the many individual businesses and facilities within the regulated community. There are also different degrees of risk posed to the environment and public health by the broad spectrum of regulated activities that MDE must monitor and inspect. MDE's coordinated enforcement and compliance effort strives to encourage environmentally sound business practices and correct behaviors that fall below acceptable standards. The emphasis is on **Compliance Assurance** and the most effective methods by which that assurance can be achieved given the resources available, the differing levels of sophistication and the varying degrees of risk for disparate business sectors. In addition to deterring violations through the use of traditional enforcement actions, MDE continually guides and encourages the regulated community towards pollution prevention and to go beyond the minimum legal requirements. The full spectrum of strategies includes compliance assistance, appropriate corrective actions when called for, compliance incentives where they are warranted, and the imposition of penalties that appropriately address and adequately punish any violations found.

MDE continues to implement and improve its comprehensive performance measurement system. In FY 2003, MDE began reporting and computing "coverage rate" as a measure of how many of the regulated entities under a given program's oversight are inspected in any given year. This measurement system includes workload measures that are intended to answer the questions: "*how much work does the Department have to do?*" and "*what does the Department have to work with?*" The system includes input measures such as workforce and appropriations. Following that, the system answers the question: "*what does the Department do?*" by providing, among other things, the number of inspections conducted, enforcement actions taken and penalties collected. The system includes benchmark measures in the form of graphs and charts that show previous reports findings in order to answer the question of "*compared to what?*" Finally, there is an outcome measure in the form of the compliance rate (percent of inspected facilities in significant compliance) that addresses the question "*what is the result of the Department's efforts?*"

MDE continues to investigate additional measures that would provide a clearer picture of the Department's enforcement and compliance activities. For instance, the multi-year charts at the beginning of this report are a better measure of the Department's actions than a year-to-year comparison. The continued development of the Environmental Enterprise Management System (EEMS) database may allow for more analysis in the future.

## **The Enforcement and Compliance Process**

It is important to understand MDE's air, water and waste enforcement and compliance processes. Each of the programs was established separately, with various terms being used in the applicable law to mean similar although technically different things for different programs. Many programs also have federal rules and regulations that they must implement. In addition, the same company or type of industrial facility may fall under the jurisdiction of several different environmental enforcement programs at the federal, State or local level.

However, despite the technical difficulties, most enforcement programs share certain common functions and the year-to-year results for each program can be compared. Most programs have an inspection, a monitoring and an evaluation component. If an inspection reveals a violation, many programs have a discretionary component that allows a company to fix a minor problem without the risk of a penalty, civil or criminal action. In this case, compliance assistance may be the preferred method to achieve the required compliance with the requirements that are intended to protect the public. If an inspection reveals a significant violation, or if a minor problem indicates a pattern of non-compliance or develops into an on-going, significant violation, then more serious action is warranted. This action may take the form of penalties, shutdowns, and in some cases, criminal sanctions. The Department's use of penalties reflects the severity of the violations or the recalcitrant nature of the violator. Where the law does not provide appropriate penalties, (such as the in the area of wetlands and waterways) the Department has continued to seek legislation to address those deficiencies. Supplementary Environmental Projects (SEPs) are also used, where appropriate, to obtain a value-added environmental benefit in addition to any penalties collected.

## **MDE'S MISSION AND GOALS**

**M**DE'S mission is to protect and restore the quality of Maryland's air, land, and water resources, while fostering smart growth, economic development, healthy and safe communities, and quality environmental education for the benefit of the environment, public health, and future generations.

The Maryland Department of the Environment continues to employ the Managing Maryland for Results (MMFR) system of overall performance measurement. MDE's Fiscal Year 2006 Managing Maryland for Results Workplan emphasizes the Department's commitment to using results-based, quality planning and management approaches to achieve its public health and environmental protection goals, as well as the agency's "management" goals. At this time, the environmental and management goals from that workplan are:

- Goal 1:** *Promoting Land Redevelopment and Community Revitalization*
- Goal 2:** *Ensuring Safe and Adequate Drinking Water*
- Goal 3:** *Reducing Maryland Citizens' Exposure to Hazards*
- Goal 4:** *Improving and Protecting Maryland's Water Quality*
- Goal 5:** *Ensuring the Air is Safe to Breathe*
- Goal 6:** *Providing Excellent Customer Services to Achieve Environmental Protection*

Within MDE's MMFR work plan, enforcement, compliance, and inspection activities are reported under each environmental goal. Capturing the activities counted in this report under the related environmental goal should show how regulatory activities are related to the results MDE is committed to achieving. The text also describes the successes and challenges that the programs encountered in meeting those goals.

## MDE PENALTY POLICY

### MDE's Approach to Determining the Appropriate Response to Violations

The Maryland Department of the Environment (MDE) is committed to a consistent, timely and appropriate compliance assurance program, which is protective of the public health and the environment while creating a credible deterrent against future violations. It is the Department's policy to assess fair and equitable penalties in keeping with the factors specified by the governing statute, and commensurate with the nature of the violations. The statutory factors that the Department must consider in assessing administrative penalties are:

1. The ***willfulness of the violation***, the extent to which the existence of the violation was known to but uncorrected by the violator, and the extent to which the violator exercised reasonable care;
2. Any ***actual harm to the environment or to human health***, including injury to or impairment of the air, waters, or natural resources of this State;
3. The ***cost of cleanup and the cost of restoration*** of the natural resource;
4. The ***nature and degree of injury to or interference*** with general welfare, health, and property;
5. The extent to which the ***location of the violation***, including the location near waters of this State or areas of human population, creates the potential for harm to the environment or to human health and safety;
6. The ***available technology*** and economic reasonableness of controlling, reducing, or eliminating the violation;
7. The degree of ***hazard posed by the particular pollutant*** or pollutants involved;
8. The extent to which the current violation is part of a ***recurrent pattern*** of the same or similar type of violation committed by the violator.

The Department will consider each of the specific factors on a case-by-case basis. While all factors set forth in the statute will be considered, it is not necessary for all of the factors to be applicable before the maximum penalty may be assessed. A single factor may warrant the imposition of the maximum penalty. Furthermore, all factors, even if applicable in a given case, are not necessarily of equal weight in the Department's determination of a reasonable penalty.

## **Supplemental Environmental Projects (SEPs)**

The Maryland Department of the Environment's Enforcement Policy includes the use of Supplemental Environmental Projects (SEPs).

SEPs are projects specifically undertaken to improve the environment by parties who are subject to penalty actions. SEPs may be conducted as a form of penalty mitigation and must be agreed to by MDE. The EPA encourages the use of SEPs for several reasons. First, SEPs add value to enforcement settlements because SEP dollars are spent directly on environmental projects. Second, SEPs require violators to go above and beyond technical compliance with minimum legal standards and thereby accomplish a higher level of environmental stewardship. Finally, and probably most important, SEPs are intended to achieve improvements to the environment that could not be accomplished with traditional penalties. Traditional penalties serve the end of punishment and specific deterrence. SEPs serve those traditional ends as well as providing a form of community service that is targeted to improve the environment in which the community lives. SEPs give violators an opportunity to re-establish their reputations as good neighbors.

There are four criteria used to define SEPs. These criteria establish SEPs as legitimate enforcement remedies and differentiate SEPs from traditional enforcement actions.

**1) In enforcement settlements in which the violator commits to conduct a SEP, the final settlement amount (cash penalty + SEP value) must equal or exceed the value that the traditional penalty settlement would have been without the SEP.** In many instances the method for determining the actual cost of implementing a SEP and the formula for determining the amount that the SEP mitigates the penalty amount is established by EPA SEP Policy. For those programs that do not have specific federal SEP guidance, the cost determination and penalty formula are established on a program by program basis.

**2) There should not be a direct relationship between the SEP and the underlying violation.** An environmental improvement that is related to the underlying violation is considered a traditional corrective action. MDE will always seek to ensure that the requirements of legal compliance are met by requiring corrective actions. Correcting a violation does not constitute a SEP. SEPs are intended to create improvements that go beyond technical compliance.

**3) MDE is disinclined to approve a SEP that the violator was already under some obligation to perform or for which funding had already been committed before the underlying violation was discovered.** In other words, MDE will not favor giving a violator SEP credit for doing a project that was already required or underway before MDE's enforcement action was commenced.

4) All **SEPs must be defined in sufficient detail to meet the requirement of being enforceable.** There must be objective quantifiable deliverables with deadlines and consequences. If the requirements of the SEP are not met, then an appropriate stipulated penalty or other enforcement consequence must be available.

**SEPs in FY 2006**

The three media administrations utilized SEPs during FY 2006 totaling in the amount of \$9.698 million. Notable among these are Water Management’s Baltimore County SEP projects totaling \$4.5 million and WSSC SEPs totaling \$4.4 million. WMA’s SEPs were in addition to civil penalties totaling \$1.85 million. SEPs in FY 2005 totaled \$590,750 for comparison.

Administration	Number of SEPs	Total Cost of SEPs
Air and Radiation Management Administration	2	\$137,500
Waste Management Administration	52	\$632,300
Water Management Administration	3	\$8.928 million
<b>TOTALS</b>	<b>57</b>	<b>\$9.698 million</b>

## COMMITMENT TO PUBLICIZING ENFORCEMENT ACTIONS

**M**aryland citizens entrust MDE with the responsibility of achieving compliance with the environmental laws of the State. With that in mind, the Department has an obligation to inform the public about the State's progress in achieving compliance with applicable federal and State requirements.

### **Commitment to Public Information**

The Department will keep the public informed of activities that contribute to our mission of protecting the environment and public health. In addition to enforcement and compliance actions, the Department will publicize projects and actions that yield beneficial environmental results through cooperative partnerships and alliances with businesses, community groups, environmental groups, and others who are interested in environmental protection.

### **Individual Enforcement and Compliance Actions**

The Department has established a process for the review and dissemination to news media sources of significant enforcement and compliance actions. The following factors are considered:

- *Significant Threats to Public Health or Environment* -- An action taken by the Department in response to acute and/or chronic conditions which cause significant damage to the environment, or which pose significant risks to public health;
- *Significant Public Interest* -- An action taken by the Department which, for any number of reasons, creates a high level of public interest; and,
- *Significant Penalty Impacts* -- An action taken by the Department which has significant economic impacts related to fine amounts, corrective action expenditures or other costs related to the violation(s) and the resulting enforcement action.

The Department responds to requests for information on any specific case as outlined in the State Public Information Act consistent with protections that apply to ongoing enforcement actions and proprietary business information.



# ENVIRONMENTAL AUDIT GUIDANCE

(Revised 5/15/2006)

The Maryland Department of the Environment recognizes the benefit from regulated entities that routinely evaluate their internal work processes for compliance with federal and State environmental requirements. Equally as important as identifying violations is the reporting of such violations to MDE for proper and complete remediation and abatement. The Department encourages self-auditing and compliance management as effective environmental management techniques. The Department may use its enforcement discretion in evaluating penalties for regulated entities that disclose violations of environmental laws or regulations as provided herein.

*This is not intended nor should it be interpreted to be a regulation as defined in Section 10-101, State Government Article. It sets forth criteria and guidelines for use by the Department staff in resolution of enforcement cases, and does not confer any legal rights upon any person.*

## **Definitions:**

“Department” means the Maryland Department of the Environment.

“Environmental Audit” and “Compliance Management System” have the definitions used in the Environmental Protection Agency’s “Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations,” Final Policy Statement effective May 11, 2000:

“Environmental Audit” is a systematic, documented, periodic and objective review by regulated entities of facility operations and practices related to meeting environmental requirements.

“Compliance Management System” encompasses the regulated entity’s documented systematic efforts, appropriate to the size and nature of its business, to prevent, detect, and correct violations through various procedures, policies, mechanisms, and efforts.

“Environmental Requirement” means a requirement in (1) a state or federal law or regulation enforced by the Department, a rule adopted by the Department, a permit or order issued by the Department, or (2) an ordinance or other legally binding requirement of a local government unit under authority granted by state law relating to environmental protection.

“Regulated Entity” means a corporation, partnership, individual, municipality, governmental unit, or any other legal entity regulated under federal, state, or local environmental laws or regulations.

## **Statement of Guidance:**

- A. The Department may reduce a civil or administrative penalty for violations of environmental requirements that are voluntarily disclosed following an environmental audit or as a result of compliance management if:

1. The regulated entity discloses the violation to the Department in writing within 21 days after the violation is discovered, or within a shorter time limit, if required by statute or regulation;
2. The regulated entity promptly initiates action to correct or eliminate the violation and all public or environmental harm caused by the violation. If the violation cannot be fully corrected within 60 days, the regulated entity shall submit a compliance plan to the Department within 60 days for review. The regulated entity shall maintain compliance with the plan as approved by the Department;
3. The regulated entity provides the Department with a plan that includes steps to prevent recurrence of the violation; and
4. The regulated entity fully cooperates with the Department regarding investigation of the disclosed violation.

B. The relief outlined in Section A is not available if the Department determines that:

1. The violation was discovered through a legally mandated monitoring or sampling requirement prescribed by statute, regulation, permit, judicial or administrative order, or consent agreement. The violation must be discovered voluntarily and not as a result of an environmental requirement;
2. The Department or a third party discovered the violation prior to disclosure by the regulated entity to the Department, or the regulated entity made the disclosure after commencement of a federal, State, or local agency inspection, investigation, or request for information;
3. The violation was committed willfully, wantonly, intentionally, knowingly, or with gross negligence by the regulated entity;
4. The regulated entity did not promptly initiate or diligently act to correct or eliminate the violation;
5. The violation made imminent or caused significant environmental harm or had a significant effect upon public health;
6. The same or a related violation has occurred within the past three years or the violation is part of a pattern of recurrent violations by the regulated entity. For purposes of this section, violation includes any violation of a federal, State or local environmental law or regulation identified in a judicial or administrative order, consent agreement, order or decree, complaint, or notice of violation, conviction or plea agreement; or
7. The disclosure is made for a fraudulent purpose.

- C. This guidance is not intended for use under circumstances in which the violation(s) at issue would result in the regulated entity gaining an economic advantage over its competitors.
- D. This guidance does not affect individual liability for criminal misconduct.
- E. This guidance does not apply to liability under a judicial or administrative order, consent agreement, order or decree, complaint, notice of violation, conviction or plea agreement.
- F. Relief under this guidance shall not be available if the Department receives formal notification from the delegating federal agency of that agency's intention to propose rescission of the Department's authority over the applicable federal environmental program.

Original signed by Secretary Philbrick  
Kendl P. Philbrick  
Secretary, Maryland Department of  
the Environment

May 15, 2006  
Date

# MDE'S ENFORCEMENT PROCESS AND DEFINITIONS

## ENFORCEMENT AND COMPLIANCE PROCESS

**D**escribing enforcement and compliance activities can be difficult, and measuring those activities is a challenge. Over the last 25 years a number of separate environmental programs were developed, some under federal law and still others under State law. Each of these programs has its own terminology and rules governing the type of sanctions and when they can be used. Also, many programs have some overlap with other programs.

The development of common policies across programs is difficult. The level of flexibility that a program has varies greatly and is usually written into federal or State law. What follows is a general explanation of how enforcement works at MDE and what is expected at each level. Keep in mind that some programs may vary from this model. A diagram of the enforcement process is included on page 36. It may be helpful to refer to the diagram when reading this document.

**INSPECTIONS:** The first step in determining a course of action is to conduct a site inspection, audit, record review, or spot check. The purpose of such activity is to determine whether a facility is in compliance with all applicable permits, regulations and statutes. During an inspection, an inspector may conduct a visual observation of a facility's operation, review records or take samples for analysis, or any combination thereof. The results of these activities constitute the Department's findings. At the conclusion of an inspection, a written record of these findings is prepared, either at the time of the inspection or at a later date. A copy of the written record is either presented to the facility before the inspector leaves or it is mailed.

**POST-INSPECTION EVALUATION:** At some point, either while the inspector is on the site or at a later date, the Department reviews the inspector's findings to determine whether the facility is in compliance with applicable requirements. The need to review findings also arises through other activities, such as the periodic submittal of self-monitoring reports by permittees. If the review determines that the facility is in compliance, no further action is warranted. If the post-inspection review reveals that a violation of an applicable requirement has occurred, a determination is made concerning the seriousness of the violation. Different courses of action are recommended for significant violations versus those that

are determined to be not significant. In most situations where a violation has occurred, a report of the violation is served on the facility. This report can either be the written record of the inspection itself or a separate document.

**MINOR VIOLATIONS:** Sometimes a violation is discovered that is minor in nature and does not have the potential to affect human or environmental health. These may include:

- Minor excursions from prescribed numerical standards.
- Minor record keeping violations.
- First offenses that present no imminent harm or potential harm to public health or the environment.
- Minor violations that can be corrected immediately or in short order.

Minor violations should not be confused with technical violations. Technical violations are often significant. For example, technical violations involving radiation or asbestos are frequently counted as “*significant*”. An intentional falsification of self-monitoring reports is considered significant. Also, repeated minor violations or recalcitrant behavior can be elevated to the significant violation status and appropriate enforcement actions are taken.

If a violation is minor and a facility is cooperative, the inspector can request that the facility correct the violation within a specified time frame. A follow-up inspection is then conducted or other measure taken until adequate assurance exists to verify that the correction has occurred. The inspector may request that a violation be corrected prior to leaving the facility, in which case no follow-up is needed. For certain technical matters, MDE provides assistance to help facilities achieve compliance with federal and State laws. If the facility needs technical assistance to correct a minor violation, the inspector can either provide the assistance directly, or arrange to have assistance provided at a later date. If a minor violation results in a Report of Observation, or similar document, it is not reported in this report as a violation. Many documented minor violations are tracked under the category of Compliance Assistance.

**Minor violations may become significant** if they are a part of a recurring pattern. Such a violation could become serious if it remains uncorrected or is only partially corrected at the time of a follow-up inspection. Whether this occurs is left to the judgment of the inspector (and/or supervisor) considering factors such as: past compliance history, willfulness of the violation, the degree of harm or potential harm, the ability of the facility to make timely corrections and any other appropriate factor.

**SIGNIFICANT VIOLATIONS:** Certain violations uncovered during an inspection are considered significant on their face. Examples of significant violations are:

- Major excursions from prescribed standards.
- Offenses that pose a direct threat to public health or the environment.
- An offense that is part of a pattern of chronic, non-compliant behavior.
- An offense that requires a significant amount of time or capital to correct.
- A violation deemed significant under federal criteria.

**EVALUATION OF ENFORCEMENT OPTIONS:** Once a violation has been deemed significant, it generally follows that enforcement action is warranted. An evaluation of the available enforcement options is conducted to determine the most appropriate course of conduct given the particulars of the situation. Generally the options available are:

- Issue a directive
- Issue a show-cause order
- Issue a corrective order
- Enter into a consent order
- Seek judicial relief
- Make criminal referral
- Assess a penalty (can be done in conjunction with the options above)
- Or in some circumstances no action

Some programs have specific sanctions spelled out in law. The enforcement option that is pursued depends on a variety of factors and circumstances, including: whether certain actions are prescribed by State/federal delegation or enforcement agreements, the severity of the violation, the degree of harm or potential harm to public health or the environment, the willingness of the facility to correct the violation, the past compliance history of the facility and the willfulness of the act. If a penalty is thought to be warranted, there are often factors, incorporated in the statute that must be considered as part of the decision-making process.

There are rare occasions where circumstances require the Department to decline taking further action. It may be that upon a review of the available evidence, the Department's case is found to be too weak, or is precluded by statute of limitations, or other legal defenses. It is also possible that a case is more appropriately pursued by a federal oversight agency such as the EPA. These circumstances are, however, the exception, not the rule.

## COMPLIANCE ASSISTANCE

Compliance assistance is both a valuable customer service and an efficient, effective way to improve environmental safeguards. Environment Article section 1-301(d) requires this report to “include information on the type and number of contacts or consultations with businesses concerning compliance with State environmental laws.” This section of the report generally identifies the types of contacts MDE has with businesses to help them come into compliance.

One specific form of contact between businesses and MDE’s enforcement and compliance inspectors is counted in the programs’ performance measures charts under the category of “compliance assistance.” As an element of MDE’s enforcement process, an inspector renders an identifiable and countable act of compliance assistance when he or she:

- (a) Documents a specific past or current violation which the regulated entity corrects in the absence of a formal enforcement action; or
- (b) Documents a specific action or actions which the regulated entity has the option of undertaking to prevent the likelihood of potential future violations, which action or actions the regulated entity undertakes voluntarily in such manner and within such time period as deemed acceptable by MDE in the absence of a formal enforcement action.

In either (a) or (b), the MDE inspector must document the manner in which the regulated entity voluntarily achieved compliance. This definition of “compliance assistance” has the advantage of being measurable, and objectively verifiable by a third party.

Beyond the enforcement process, the concept of compliance assistance also involves MDE’s public outreach and assistance activity which helps the regulated community understand the law and assists the regulated community in complying with the law’s requirements. Although the count of these public outreach activities is not included in this report, examples of these activities include:

The MDE Customer Service Center, which assists businesses that need MDE permits or approvals to understand their responsibilities under the law and establish lines of communication between those businesses and the Department through which assistance may be sought and rendered.

The Department operates a Small Business Assistance Program (SBAP), which helps small businesses understand and comply with Maryland’s environmental programs and regulations, and provides pollution prevention and waste minimization information to businesses, explaining how businesses can save money and reduce environmental liabilities as well as the need for permits by

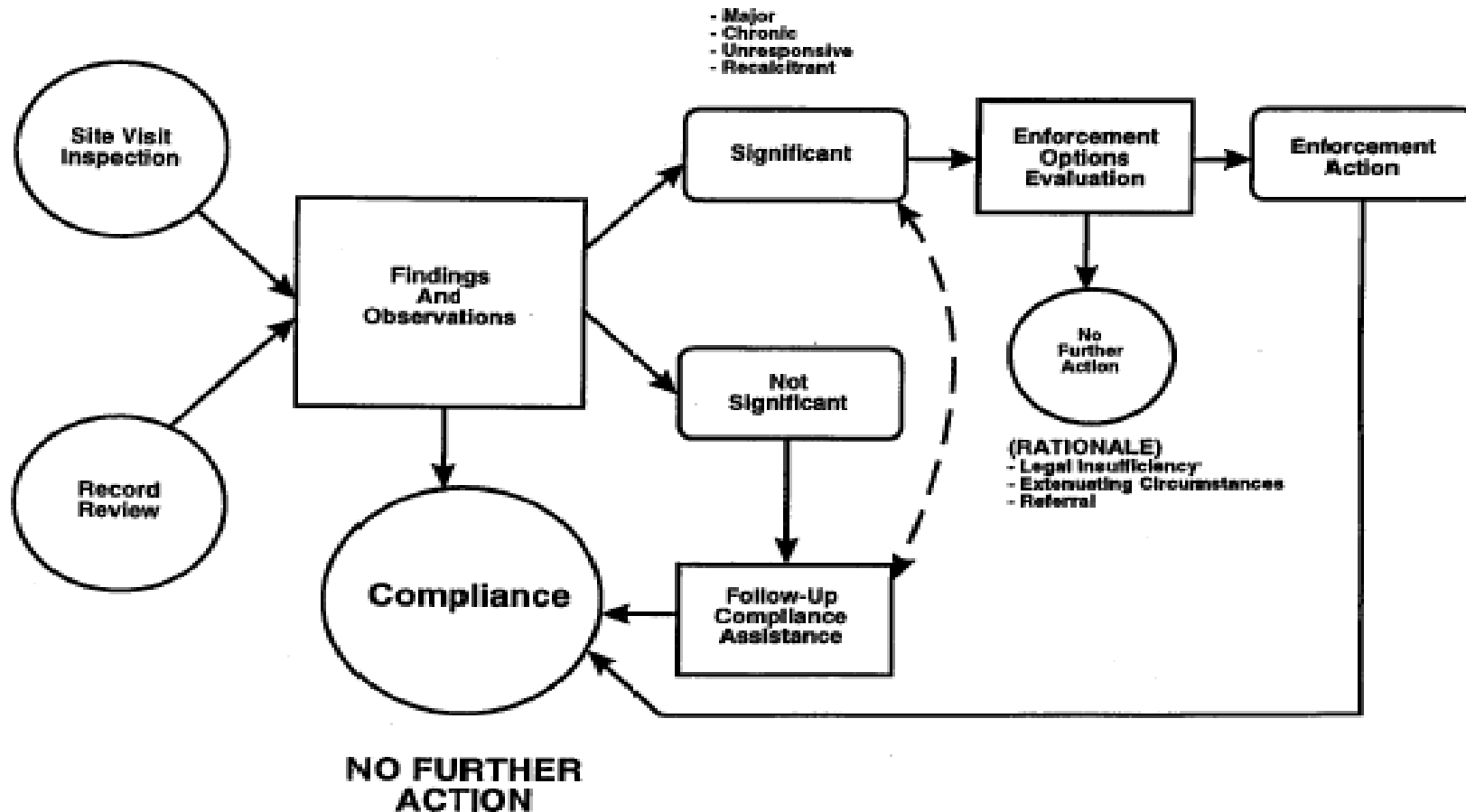
changing their operations to avoid creating pollution. In the past, the SBAP has conducted site visits and workshops to dry cleaners, auto body shops, printers, and metal platers. The SBAP is developing new outreach programs to focus on small business and industry sectors that have the potential to significantly impact the environment.

The Department publishes and distributes a *Business Guide to Environmental Permits and Approvals*, which provides detailed information about each of MDE's permits, such as the purpose of the permit, the permit requirements, the permit application process, the standard turnaround time, the term of certification, the permit fee, and the Department contact for further information and assistance if needed. The Department has made a number of permit applications and instructions for completing them available through the Internet at MDE's website. The Department is also working to enable businesses to submit their permit applications via the Internet. The Maryland Department of Business and Economic Development's website at [www.blis.state.md.us](http://www.blis.state.md.us) offers permit guidance and assistance to businesses as well.

The Department partners with business organizations (such as the Maryland Dental Association) and community organizations (such as the Park Heights Citizens Planning and Housing Association) to design, offer and provide compliance assistance, education and training on environmental issues of concern to both the business and residential communities that may be impacted by specific business practices.



# ENFORCEMENT PROCESS



## PERFORMANCE MEASURES CHART OVERVIEW AND DEFINITIONS

The task of evaluating the performance of the enforcement and compliance programs is difficult but not impossible. Three of MDE's administrations handle the bulk of the enforcement actions taken by the Department. For that reason we have broken down our evaluation of MDE's programs by media:

- Air:** This includes programs that deal with air pollution and radiation.
- Waste:** This includes oil control, solid and hazardous waste as well as the sewage sludge, scrap tire, lead poisoning, natural wood waste and Superfund remediation programs.
- Water:** This includes the drinking water, tidal and non-tidal wetlands, the NPDES program, coal and mineral mining, oil and gas exploration and production, water appropriation, waterway and floodplain construction, dam safety, stormwater management, sediment and erosion control programs.

The first step in assessing performance was the development of measures. This proved to be more difficult than anticipated because each program used different statistics to measure their performance. In an effort to gauge performance, and take a step forward to achieve consistency, the Department developed the Measures of Success program.

In 1997 the Department's first attempt was to create a consistent system of performance measurement. In that effort it was necessary to use three sets of definitions to adequately explain all of the statistics. Trying to implement 1997's system proved difficult and, as it turns out, unnecessarily complicated. The Department believes that the current format is better because it is simpler. If the reader needs more details concerning specific categories of numbers as applied to any given program, the Department stands prepared to provide that detail on a program by program basis.

## CHART FORMAT

Because of the many favorable comments received in the past, the Department continues to use the same chart format as used in previous years. The advantage of this format is that all programs are reporting their numbers in a consistent manner, making the information accessible to the reader without having to refer to different definitions. Repeated use of the same format also facilitates comparison of information from one year to the next, hopefully making enforcement activity trends more apparent.

### The Logic of the Chart

The purpose of this document is to report and attempt to measure the performance of MDE's enforcement effort. Each program's performance chart consistently follows the same logic and is designed to give the citizens of Maryland a common sense, plain English, accounting of the program's activity. A blank example of the chart with the lines numbered to correspond to the following definitions can be found on page 40.

1. *Permitted Sites/ Facilities and Other: Identifies the total universe of facilities over which the program has regulatory responsibility. This is a measure of the MDE or Program work load.*

Lines 2 - 9

Line 3 shows the number of new permits or permit renewals issued during the year. Line 4 accounts for the total number of permits that were in effect at fiscal year end. Lines 5 - 9 are used by those programs that have regulatory responsibility for sites and facilities and other entities that are not required to obtain a formal permit but still fall under MDE's regulatory oversight.

2. *Inspections: This is a measure of output.*

Lines 10 - 12

Lines 11 and 12 provide a count of the individual sites inspected and the total number of inspections conducted including record reviews, audits and spot check activities. It should be noted that a record review, audit, or spot check is counted the same as a full inspection for purposes of this report. Individuals familiar with these activities know that often a full inspection involves a whole set of activities including record reviews, interviews, and site visits. Because different types of inspections conducted by the various enforcement programs involve many diverse activities, the "number of inspections, audits, and spot checks" reported here includes some activities

that do not amount to full formal inspections. Also, the reason the number of inspections is often substantially higher than the number of sites is because some sites are inspected or checked more than one time during the year depending on the degree of risk that regulated entity poses to the public. Another reason is that some individual sites are sufficiently large or diverse to warrant having different portions of the site, or pieces of equipment, inspected separately.

3. *Compliance Profile: This is a measure of the results we accomplished.*

Lines 13 – 16a

The Compliance profile portion of the chart is a snapshot of the overall compliance status of the facilities inspected during the fiscal year. Please note line 16a in the report, the enforcement “inspection coverage rate” measure. It is numbered “16a” so that any comparisons to line numbers in previous years’ reports may remain the same. The “inspection coverage rate” is defined as the ratio of sites inspected divided by the total number of sites or regulated entities in that program’s universe. It is understood that “sites” may include other than a single physical location since many programs have regulatory oversight responsibility for things other than facilities. Line 14 identifies how many of the inspected sites were found with significant violations, providing a key element used to determine the overall compliance rates shown on lines 15 and 16. If a site was found to have a significant violation it was counted as being out of compliance, even if the site was brought back into compliance later in the year. These percentages, along with the number of compliance assistance actions rendered, reflect some measure of how responsive the regulated community is to the Department’s enforcement efforts.

4. *Significant Violations: This is a measure of what we found.*

Lines 17 – 21

Lines 18 through 21 record the total number and nature of the significant violations the program identified during the Fiscal Year. Line 18 indicates how many significant violations resulted in an environmental or health impact. Line 19 counts how many significant violations were technical/preventative in nature. The distinction here is based on evidence or proof that the Department must present to establish the violation in a contested case. Cases which require proof of actual physical damage to the environment or a human being, such as samples, photographs, or direct observations of a discharge are counted as having an environmental or health impact. Cases in which documentary evidence such as falsified discharge monitoring reports, lack of permits, or failure to maintain records are counted as technical/preventative on line 19. It is a mistake to infer that only

environmental/health violations are significant and technical/preventive are not significant. Either can be considered significant or non-significant depending on the circumstances of the violations. The distinction between physical and technical violations is made to avoid the misperception that all violations involve pollution. This report reveals that a substantial amount of effort goes into enforcing the many technical requirements of the law.

The specific definition of what constitutes a **significant** violation ultimately rests with the individual programs that have unique statutory and regulatory threshold requirements. The Department's general definition of a significant violation is any violation that requires the Department to take some form of remedial or enforcement action to bring the facility into compliance. Consequently, the Department is under a self-imposed obligation to account for how it handles each and every significant violation.

Line 20 accounts for the number of significant violations carried over from last year. Thus, adding lines 18 through 20, gives the total number of significant violations (line 21) the program attempted to resolve during the fiscal year.

5. *Disposition of Significant Violations: What did the Department do with them?*

Lines 22 - 24

Lines 23 and 24 answer the question of how many enforcement responses were concluded for significant violations in the fiscal year and how many are going to be carried over to next year. Resolved means that (1) an enforcement action or compliance assistance has been taken, and (2) the violator either has completed any required corrective action or has an executed agreement to take the corrective action and has begun bringing the site back into compliance.

An ongoing enforcement response is one that is still in process and the site or violator has not taken adequate steps to correct the violation. Cases remain ongoing if the violator does not respond to the Department's initial violation notification; hearings have been scheduled and not yet held, or; the hearing is complete and the violator has chosen to appeal the order. Simply put, the "ongoing" enforcement responses are those not yet finished.

6. *Enforcement Actions and Penalties: What are the tools we can use to bring about compliance assurance?*

Lines 25 – 33

The Department has a number of different enforcement tools that can be used to achieve compliance. Line 26 captures how often the program used **compliance assistance**. Compliance assistance is rendered when written

documentation states that the correction has been made or commenced. This tool allows MDE to bring facilities into compliance without the necessity of resorting to formal enforcement actions. It is often implemented in less time and may reduce the environmental consequences of the violation. This number does not necessarily correspond to the number of significant violations found because potential problems, which have not yet become violations, when corrected and documented, are counted as compliance assistance.

Lines 27 through 29 cover specific types of enforcement actions that are required to be reported under Environment Article Section 1-301(d).

Line 30 is the number of penalty actions and other enforcement actions not specifically designated above. These actions are primarily penalty actions, but they also include various forms of remedial requirements that do not fit the descriptions of the actions named in the statute.

Line 31 records how often the program referred a matter to the Environmental Crimes Unit of the Attorney General's Office for possible criminal prosecution. These are not counted as resolved until there is a completed criminal case or the Crimes Unit has declined to take a criminal action, returned the case to the program and the program has taken an alternative form of enforcement.

Line 33 discloses the amount of administrative or civil penalties obtained. This means monies collected during the fiscal year. The penalties recorded here may have been imposed in prior years but are collected in whole or in part during the reporting year.

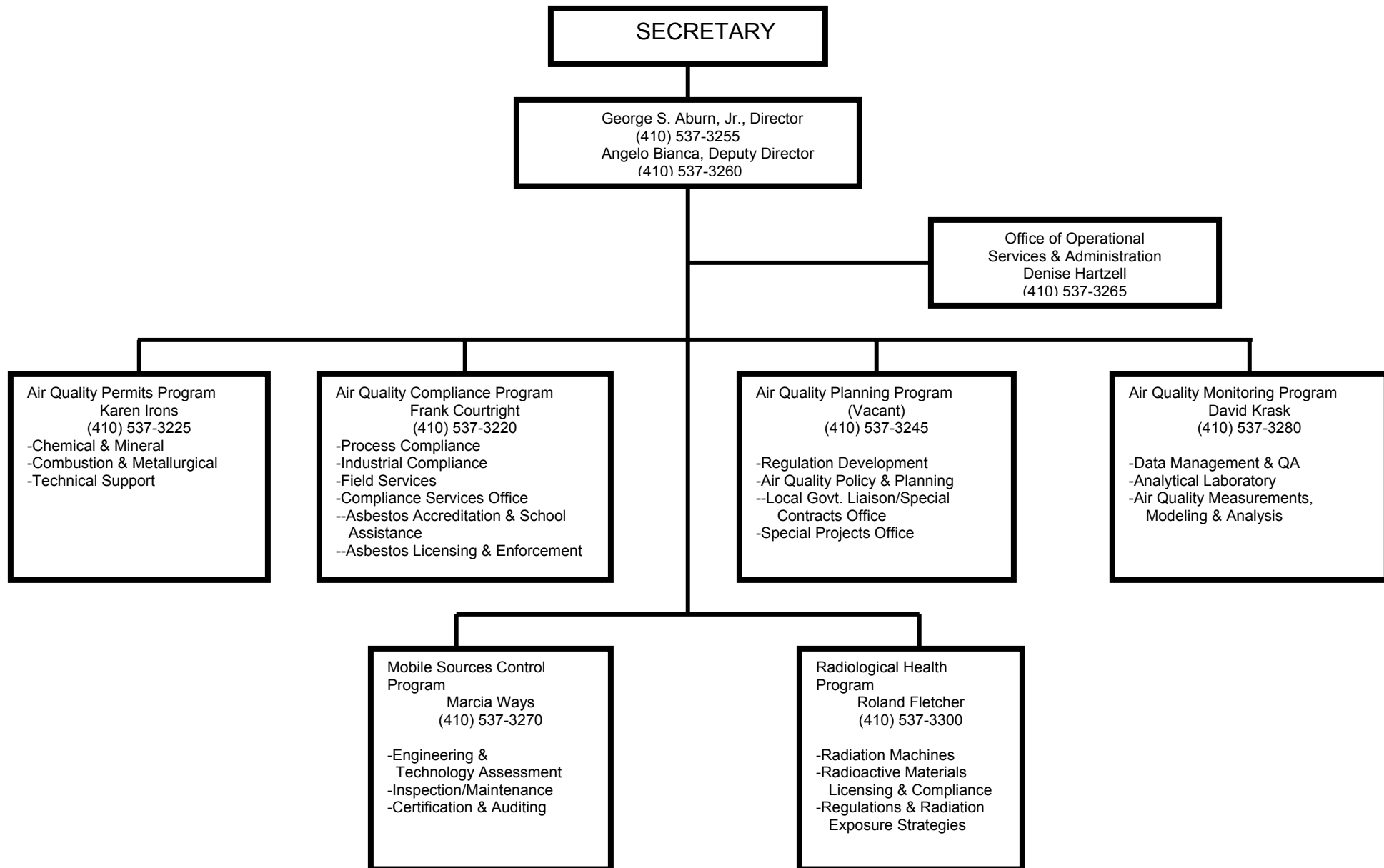
## EXAMPLE – PERFORMANCE MEASURES CHART

1	
2	<u>PERMITTED SITES/FACILITIES</u>
3	Number of Permits/Licenses issued
4	Number of Permits/Licenses in effect at Fiscal Year End
5	<u>OTHER REGULATED SITES/FACILITIES</u>
6	(other sites)
7	(other sites)
8	(other sites)
9	(other sites)
10	<u>INSPECTIONS</u>
11	Number of Sites Inspected
12	Number of Inspections, Audits, Spot Checks
13	<u>COMPLIANCE PROFILE:</u>
14	Number of Inspected Sites/Facilities with Significant Violations
15	% of Inspected Sites/Facilities in Significant Compliance
16	% of Inspected Sites/Facilities with Significant Violations
16a	Inspection coverage Rate
17	<u>SIGNIFICANT VIOLATIONS</u>
18	Number of Significant Violations involving Environmental or Health Impact
19	Number of Significant Violations based on Technical/Preventative Deficiencies
20	Number of Significant Violations carried over awaiting disposition from Previous Fiscal year
21	Total
22	<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>
23	Resolved
24	Ongoing
25	<u>ENFORCEMENT ACTIONS</u>
26	Number of Compliance Assistance rendered
27	Number of Show Cause, Remedial, Corrective Actions Issued
28	Number of Stop Work Orders
29	Number of Injunctions Obtained
30	Number of Penalty and Other Enforcement Actions
31	Number of referrals to Attorney General for possible Criminal Action
32	<u>PENALTIES</u>
33	Amount of Administrative or Civil Penalties obtained

**AIR AND RADIATION  
MANAGEMENT ADMINISTRATION**



# AIR AND RADIATION MANAGEMENT ADMINISTRATION



# Ambient Air Quality Control

## PURPOSE

There are close to 12,000 stationary sources of air emissions registered in Maryland. The Air Quality Compliance Program is responsible for ensuring that these sources comply with applicable air pollution control requirements. Approximately 200 of these sources emit more than 95% of all the pollutants emitted from stationary sources. These 200 high-emitting sources and an additional 400 or so priority sources receive a high level of scrutiny. The additional priority sources are selected due to concerns regarding potential emissions, toxic air pollutant emissions, potential for nuisance impact, impact on the general welfare, or are considered to have the potential for significant risk to public health or the environment. Combined, this group of about 600 sources includes facilities such as large industrial operations, paper mills, asphalt plants and incinerators. This group varies slightly in number from year to year due to start-up of new sources, shut-down of existing sources, or sources reducing emissions or using less toxic materials to the point where they are no longer considered priority sources and thus do not demand close scrutiny. The remainder of the 12,000 sources are generally smaller in terms of their emissions or their impacts and are considered to be of lesser risk to public health or the environment. Examples of these smaller sources include dry cleaning operations, charbroilers, small boilers, paint spray booths, and degreasing machines. For this reason, performance measures information is presented in two categories, *High Impact Air Emission Facilities* and *Low Impact Air Emission Facilities*.

## AUTHORITY

FEDERAL: Clean Air Act, Title I, Section 110

STATE: Environment Article, Title 2; COMAR 26.11

## PROCESS

In inspecting facilities, a major focus is given to those approximately 600 sources described above that are considered a potential significant risk to public health or the environment. Often, multiple inspections are performed at these sources over the course of a year. Inspections are both announced and unannounced, depending on the nature and purpose of the inspection. Attention is given to smaller, lower risk sources through special initiatives that may focus on inspecting all sources within a particular source category, spot-checks of a percentage of sources in a category where the category contains a large number of small sources, and the education of trade groups and equipment operators and owners.

## CONTRIBUTES TO MANAGING FOR RESULTS

Goal #5: Ensuring the Air is Safe to Breathe.

## SUCCESSSES / CHALLENGES

Ensuring compliance at high impact sources continues to consume a large portion of the Air Quality Compliance Program's resources. Monitoring, testing, and reporting requirements continue to increase as a result of federal air quality regulatory requirements.

This results in longer and more time-consuming inspections and compliance determinations for each facility. As a result, the Air Program conducted slightly fewer, but more detailed, inspections than in 2005. Compliance rates remain essentially unchanged.

The Air Program continues to pursue the use of Supplemental Environmental Projects (SEP) in the settlement of enforcement actions where appropriate. A SEP is an environmental or public health related project implemented by a facility in lieu of a portion of a penalty payment to settle an enforcement action. This year the Air Program negotiated several SEPs as part of enforcement actions including a community mercury reduction project and a waste minimization project.

Low impact facilities continue to be an area where limited resources allow only a small percentage of sources to be inspected. In this arena the Air Program continues to focus on Stage II vapor recovery systems at gas stations, as well as dry cleaners. There are about 1700 gas stations subject to Stage II requirements to limit emissions of volatile organic compounds, a ground-level ozone precursor. There continues to be a higher level of non-compliance at these facilities, primarily in the testing, record keeping and reporting requirements. The Air Program is also focusing on ensuring compliance with federal air toxics requirements at dry cleaners. Again, there is a higher level of non-compliance, primarily with record keeping requirements.

The Air Program used EPA grant funds to establish a special initiative to conduct air quality inspections at small sources (gas stations, drycleaners, paint spray booths, small printers) in targeted Environmental Justice areas. The funds were used to hire contractual inspectors to conduct the extra inspections. The Air Program followed up on violations found during these inspections. These additional contractual inspections helped contribute to the increase in inspection numbers at low-impact sources for 2006.

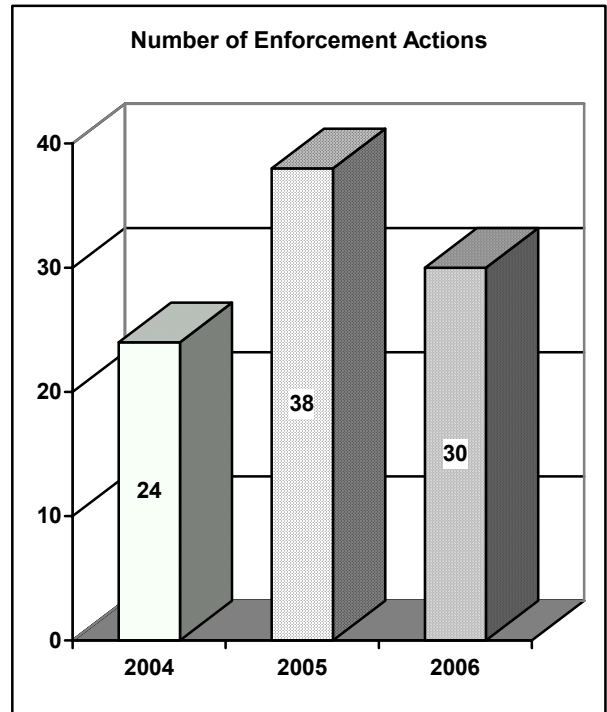
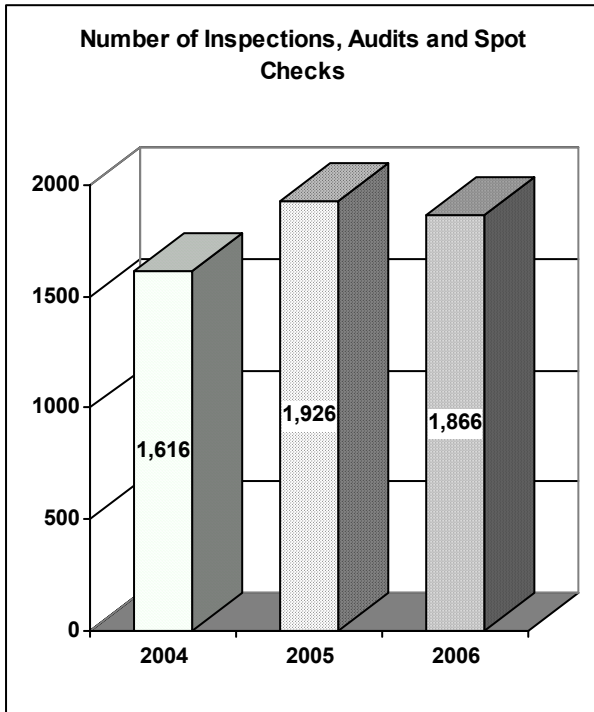
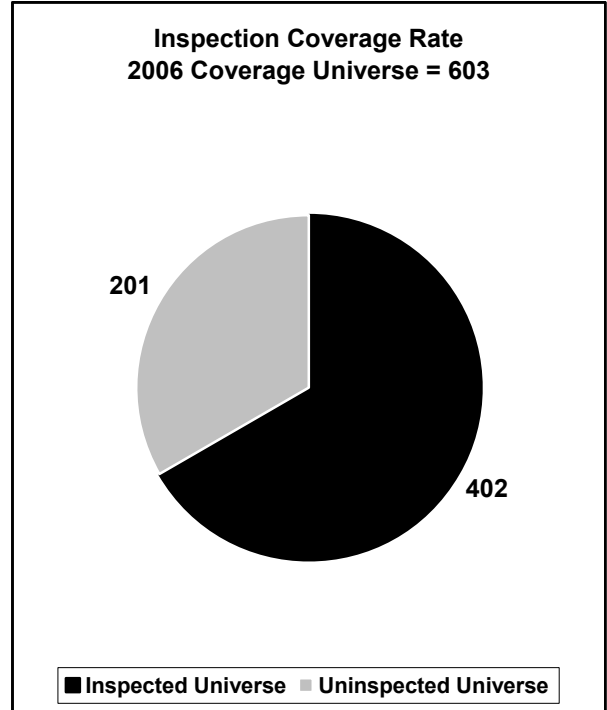
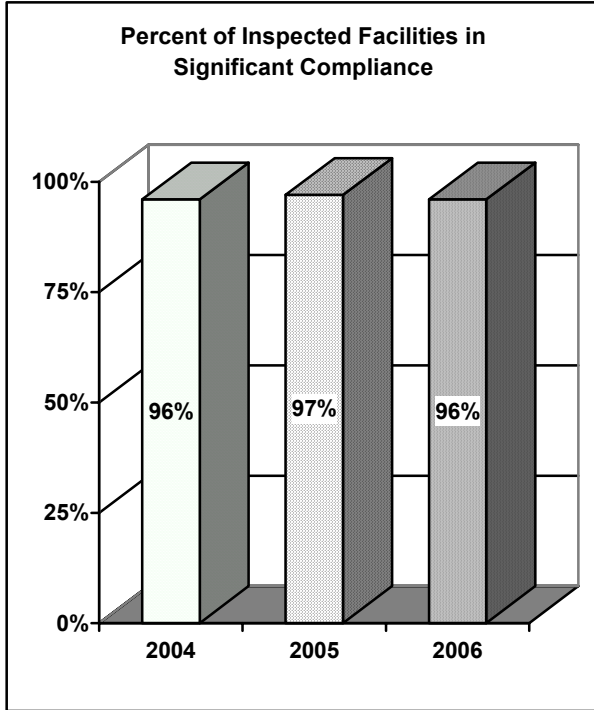
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## Ambient Air Quality Control High Impact Facilities

	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	603
No. of Permits/Registrations issued	326
No. of Permits/Registrations in effect at FY end	3,742
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
None	N/A
<b><u>INSPECTIONS</u></b>	
No. of Sites Inspected	402
No. of Inspections, Audits, Spot checks	1,866
<b><u>COMPLIANCE PROFILE</u></b>	
No. of Inspected Sites/Facilities with Significant Violations	15
% of Inspected Sites/Facilities in Significant Compliance	96%
% of Inspected Sites/Facilities with Significant Violations	4%
Inspection Coverage Rate*	67%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
No. of Significant Violations involving Environmental/Health Impact	7
No. of Significant Violations based on Technical/Preventative Deficiencies	14
No. of Significant Violations carried over from previous FY	21
Total	42
<b><u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u></b>	
Resolved	28
Ongoing	14
<b><u>ENFORCEMENT ACTIONS</u></b>	
No. of Compliance Assistance rendered	56
No. of Show Cause, Remedial, Corrective Actions Issued	3
No. of Stop Work Orders	0
No. of Injunctions Obtained	0
No. of Penalty & Other Enforcement Actions	27
No. of Referrals to Attorney General for possible Criminal Action	0
<b><u>PENALTIES</u></b>	
Amount of Administrative or Civil Penalties obtained	\$307,600

\*Coverage rate is computed as the number of sites inspected divided by the total number of permitted sites/facilities.

# Ambient Air Quality Control High Impact Facilities

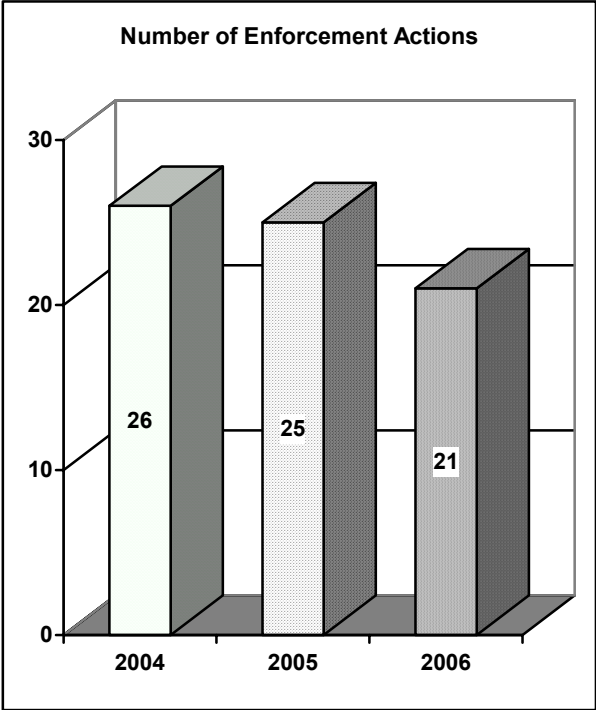
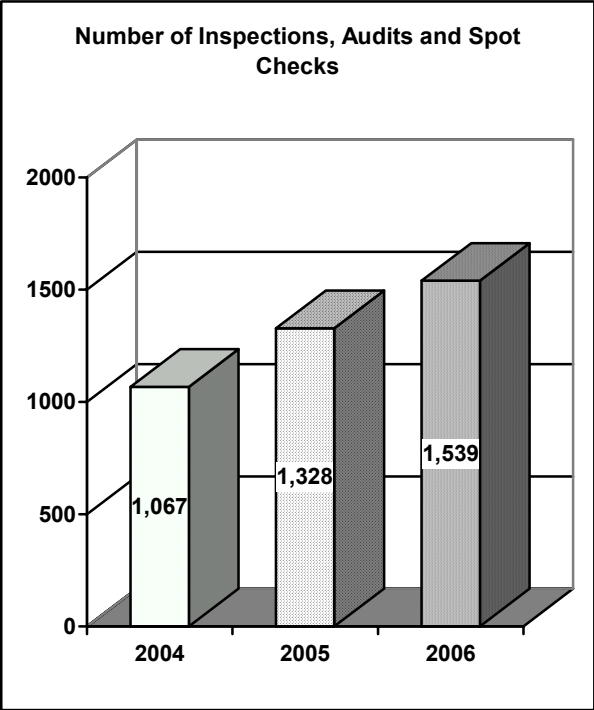
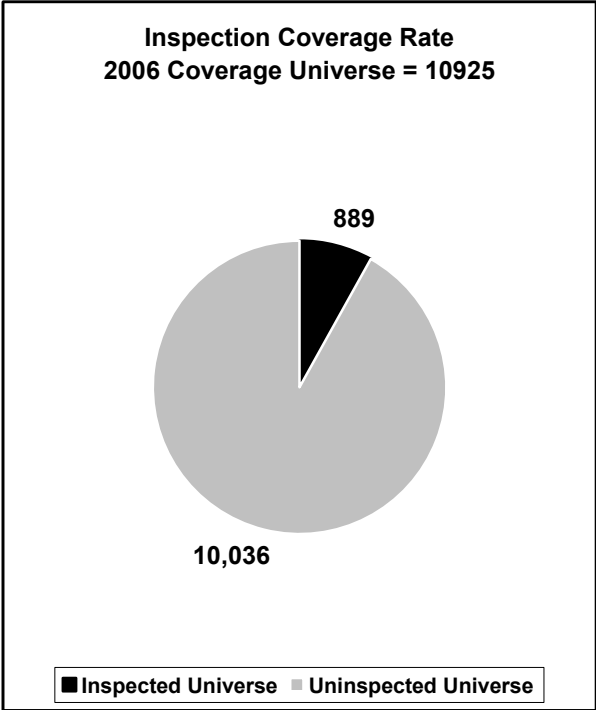
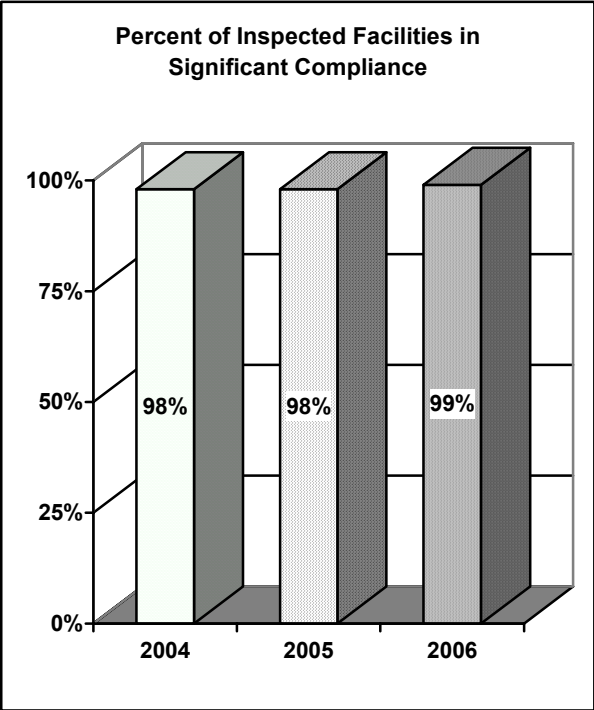


## Ambient Air Quality Control Low Impact Facilities

	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	10,925
No. of Permits/Registrations issued	632
No. of Permits/Registrations in effect at FY end	18,961
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
None	N/A
<b><u>INSPECTIONS</u></b>	
No. of Sites Inspected	889
No. of Inspections, Audits, Spot checks	1,539
<b><u>COMPLIANCE PROFILE</u></b>	
No. of Inspected Sites/Facilities with Significant Violations	6
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection Coverage Rate*	8%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
No. of Significant Violations involving Environmental/Health Impact	6
No. of Significant Violations based on Technical/Preventative Deficiencies	6
No. of Significant Violations carried over from previous FY	14
Total	26
<b><u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u></b>	
Resolved	13
Ongoing	13
<b><u>ENFORCEMENT ACTIONS</u></b>	
No. of Compliance Assistance rendered	287
No. of Show Cause, Remedial, Corrective Actions Issued	6
No. of Stop Work Orders	0
No. of Injunctions Obtained	0
No. of Penalty & Other Enforcement Actions	15
No. of Referrals to Attorney General for possible Criminal Action	0
<b><u>PENALTIES</u></b>	
Amount of Administrative or Civil Penalties obtained	\$16,100

\*Coverage rate is computed as the number of sites inspected divided by the total number of permitted sites/facilities.

# Ambient Air Quality Control Low Impact Facilities





# Air Quality Complaints

## **PURPOSE**

In addition to the almost 12,000 registered or permitted sources of air emissions in Maryland, there are numerous potential sources of air pollution that are not required to be registered or permitted by the Department. Examples include some composting operations, construction sites, open burning activities, hot-tar roofing operations, material storage piles, welding and burning activities, and certain portable operations of short duration. These sites or activities can create nuisance conditions such as odors or fugitive dust. The Air Pollution Complaints Program responds to complaints regarding nuisance odors and dust from both permitted and non-permitted operations. After investigation, some complaints reveal no basis for potential harm to environment or public health, but will be addressed to reduce nuisance conditions to neighbors or communities.

## **AUTHORITY**

STATE: Environment Article, Title 2; COMAR 26.11

## **PROCESS**

Complaints are addressed in a number of ways. A complaint situation may be of sufficient severity to warrant an immediate site visit. Complaints arising from severe nuisance situations generally result in the Department receiving multiple and separate complaints for a single situation. A complaint situation can also be a sporadic occurrence, which may lead to increased surveillance of a site in an attempt to verify the existence of a problem, which could then generate a need to conduct a formal inspection. Some complaints, particularly where only an explanation of what is allowed is needed, can be resolved through phone contact or letters. If the complaint investigation reveals a violation at a permitted site, the violation and subsequent enforcement action is counted under the ambient air quality control program's performance measures chart.

Only those violations that occur at non-permitted sites are counted here. Most violations in this category are related to open burning activities or the creation of off-site nuisances caused by odors or dust from sites. Violations such as these rarely result in actual harm, but have the potential to cause harm to the environment or public health, and on this basis are included in this report. Nearly all violations in this program are resolved without the need to take enforcement action, as they generally relate to short-lived activities, are quickly corrected (often at the time of inspection), do not recur, and result in no actual harm to public health or the environment.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #5: Ensuring the Air is Safe to Breathe.

## **SUCSESSES / CHALLENGES**

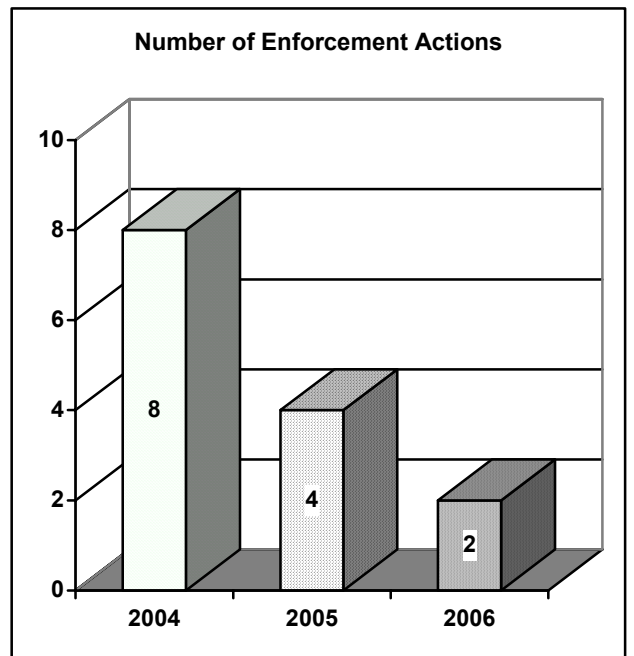
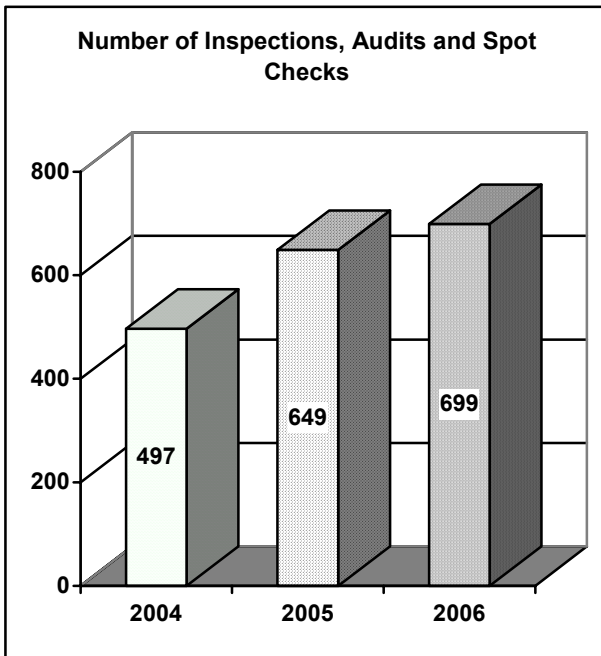
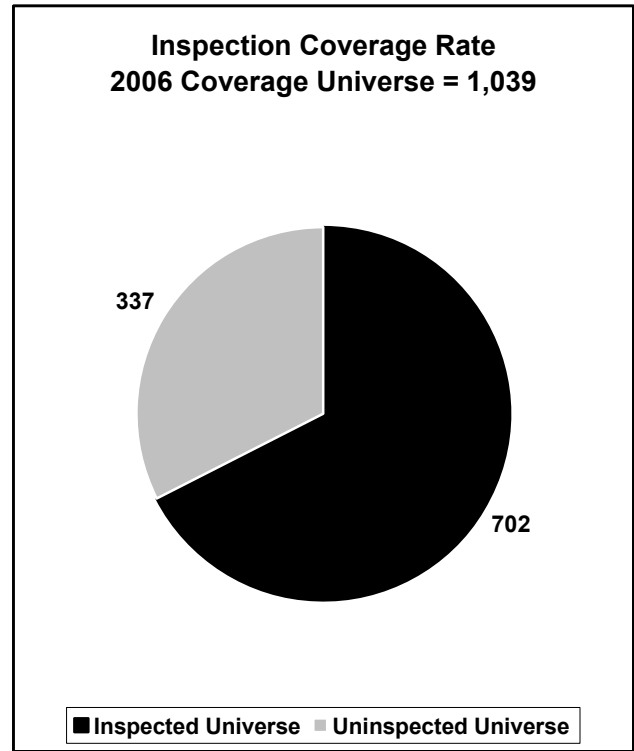
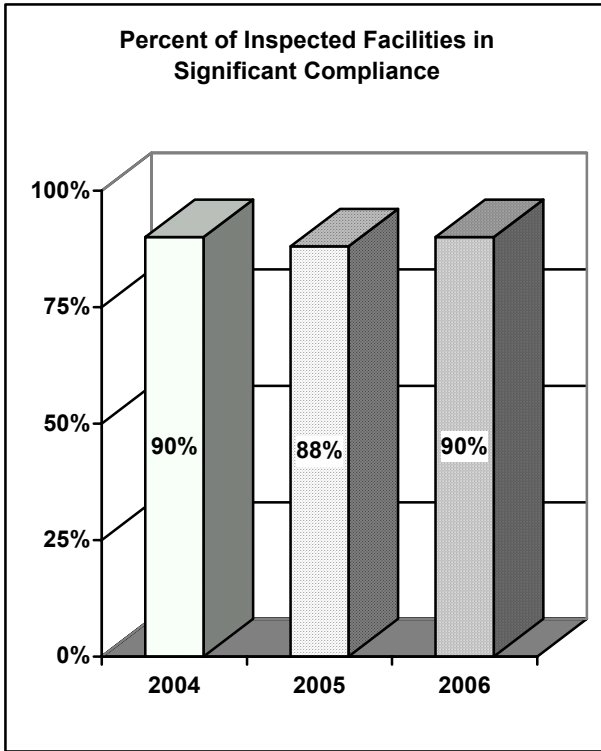
Over 1,000 air quality complaints were received in fiscal year 2006, up from about 800 received in 2005. The increase can be attributed to additional concerns by citizens regarding air pollution in certain areas. The Air Program responds to all complaints by telephone, prioritizing those that actually receive a field inspection. This year 68% of complaints received by the Air Program were followed up with an on-site inspection. Some complaint situations needed multiple follow-up inspections to address the concerns of the complainants and to ensure compliance with air quality requirements. Based on their nature, fewer complaints at non-permitted sites needed follow-up enforcement action to achieve compliance this year, resulting in fewer enforcement actions.

## Air Quality Complaints

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
No. of Permits/Registrations issued	N/A
No. of Permits/Registrations in effect at FY end	N/A
<u>OTHER REGULATED SITES/FACILITIES</u>	
Complaints received at all sites	1,039
Complaints received at unregistered/unpermitted sites	742
<u>INSPECTIONS</u>	
No. of Sites Inspected	341
No. of Inspections, Audits, Spot checks	796
No. of Initial Complaint Inspections at all sites	702
<u>COMPLIANCE PROFILE</u>	
No. of Inspected Sites/Facilities with Significant Violations	34
% of Inspected Sites/Facilities in Significant Compliance	90%
% of Inspected Sites/Facilities with Significant Violations	10%
Inspection Coverage Rate*	68%
<u>SIGNIFICANT VIOLATIONS</u>	
No. of Significant Violations involving Environmental/Health Impact	51
No. of Significant Violations based on Technical/Preventative Deficiencies	1
No. of Significant Violations carried over from previous FY	3
Total	55
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	52
Ongoing	3
<u>ENFORCEMENT ACTIONS</u>	
No. of Compliance Assistance rendered	51
No. of Show Cause, Remedial, Corrective Actions Issued	1
No. of Stop Work Orders	0
No. of Injunctions Obtained	0
No. of Penalty & Other Enforcement Actions	1
No. of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$1,000

\*Coverage rate is computed as the number of initial complaint inspections at all sites divided by the number of complaints received at all sites.

# Air Quality Complaints



# Asbestos

## PURPOSE

The Asbestos Program manages the licensing of asbestos removal contractors and oversees their efforts when removing or encapsulating asbestos to assure that asbestos is handled in a manner that is protective of human health. Any project that involves demolition or removal of more than 240 linear feet or more than 160 square feet of asbestos-containing material is subject to federal safety standards under EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) program. All projects are subject to additional requirements under state laws and regulations. Projects can range from something as small as a single pipe wrapping to a major removal project at a power plant or similarly large facility.

## AUTHORITY

FEDERAL: Clean Air Act, Title 1, Section 112

STATE: Environment Article, Title 6, Subtitle 4; COMAR 26.11

## PROCESS

Removing or encapsulating asbestos is required to be done by a contractor licensed by MDE for such purposes. The contractor is required to notify the Department of the location of the activity and the approximate amount of asbestos-containing material to be removed or encapsulated prior to undertaking the work. From the information contained in the notification, the Department will determine whether the project is required to meet federal safety standards. Approximately 25% to 30% of all asbestos projects undertaken are subject to federal program requirements. Projects subject to federal requirements are considered a priority and an inspection will generally take place. Priority is also given to inspecting contractors with poor performance records, projects in close proximity to other priority projects (for inspection efficiency) and projects for which complaints have been lodged. The focus of an inspection is on determining whether a contractor is adhering to strict safety standards designed to protect workers and the public from exposure to asbestos. Because there is no safe level of exposure to asbestos, almost any violation is considered significant.

## CONTRIBUTES TO MANAGING FOR RESULTS

Goal #5: Ensuring the Air is Safe to Breathe

## SUCCESSSES / CHALLENGES

Contractors intending to abate asbestos are required to notify MDE. MDE inspects as many of these projects as possible, generally focusing on the more substantial projects. In FY 2006, the Program inspected 29% of sites that provided notification to MDE, which is the same as inspected in FY 2005. The number of notifications received in FY 2006 was 3,201, which was a slight decrease compared to FY 2005 in which 3,273 notifications were received. The amount of administrative or civil penalties is down from FY 2005 because several large individual penalties were received in that year.

The inspection coverage rate is computed as the number of sites inspected divided by the number of notifications received. Note that the program receives notifications for any amount of asbestos that is disturbed. This will include notifications for one to two feet of removal in which the project will last for maybe two hours, to notification for thousands of linear and square feet, in which the project may last up to twelve months. State law governs the notification process for small projects, and requires only that the contractor notify the Department before the project begins. The larger projects are governed by federal requirements, and the contractor is required to notify at least ten days prior to beginning the project. It is more likely that an inspection will take place at a site where removal will last a day or more. The Program is required by state law to annually inspect at least one asbestos removal project by each contractor. The Program meets this requirement.

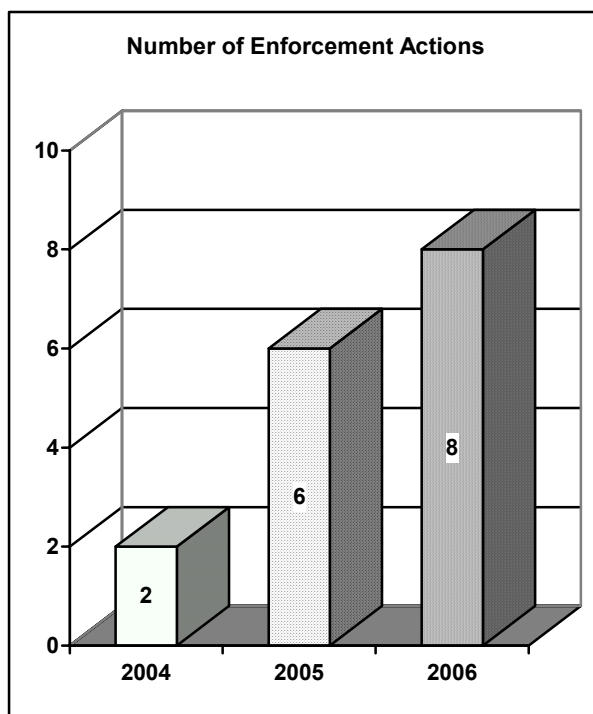
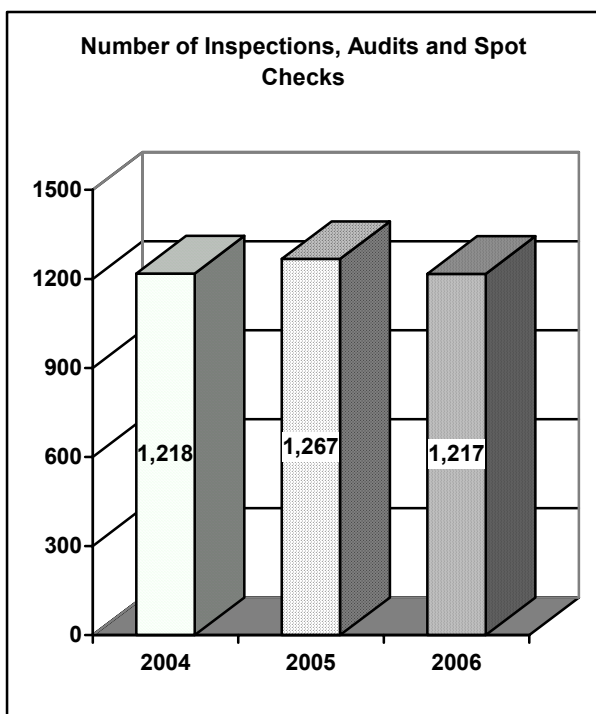
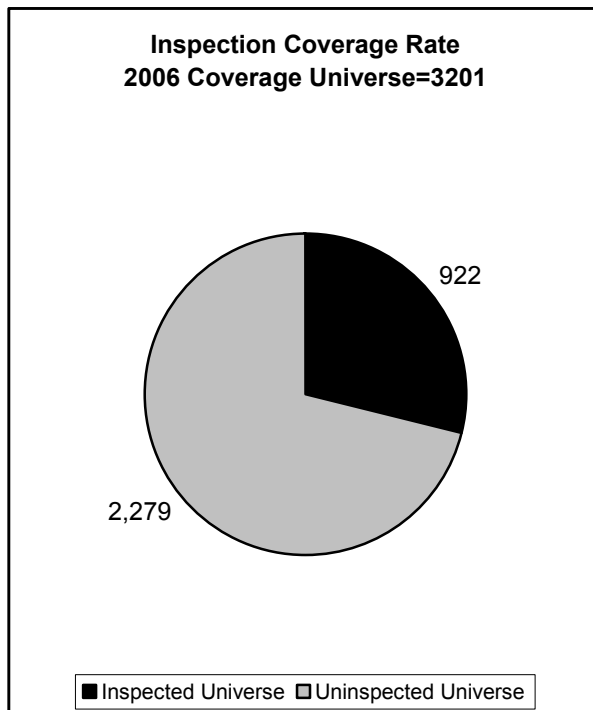
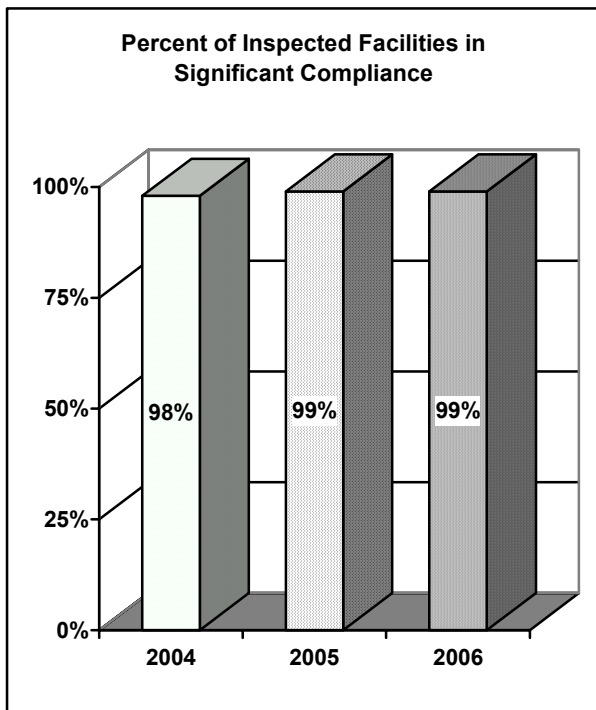
## Asbestos

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued *	42
Number of Permits/Licenses in effect at Fiscal Year End	140
<u>OTHER REGULATED SITES/FACILITIES</u>	
Number of asbestos removal notifications received	3,201
<u>INSPECTIONS</u>	
Number of Sites inspected	922
Number of Inspections, Audits, Spot Checks	1,217
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	3
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection Coverage Rate **	29%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	15
Number of Significant Violations based on Technical/Preventative Deficiencies	0
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	45
Total	60
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	37
Ongoing	23
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	50
Number of Show Cause, Remedial, Corrective Actions issued	1
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	7
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$15,000

\* Number of contractor licenses issued in FY

\*\* Coverage rate is computed as the number of sites inspected divided by the number of asbestos removal notifications received.

# Asbestos





## **Radiological Health Program (RHP)**

# Radiation Machines Division

## PURPOSE

The RHP's Radiation Machines Division (RMD) mission is to regulate man-made electronic sources of radiation so as to minimize the amount of unnecessary radiation exposure received by the general public. These electronic radiation sources include dental and veterinary x-ray machines, mammography (breast imaging) machines, diagnostic and therapeutic radiation machines and other electronic radiation devices such as accelerators and cyclotrons used in medicine, research or industry.

State regulations, which derive in part from U. S. Department of Health and Human Services (DHHS) Food and Drug Administration (FDA) statutory requirements, require that all radiation exposures be "As Low As Reasonably Achievable" (ALARA). Radiation exposure can cause adverse health effects, with risk depending upon amounts of radiation received, frequency of radiation exposures, and radio-sensitivity of body parts. Evidence supports that receiving numerous small exposures over time has a cumulative health effect and be as detrimental as receiving a single large exposure. Although the medical benefits of diagnostic and therapeutic treatment procedures far outweigh potential risks of sustained biological damage, it is prudent to take every reasonable precaution when dealing with radiation. Documented human health impacts from radiation machine procedures are on the rise due to the increased use of fluoroscopic x-ray procedures to replace invasive surgeries. Procedures involving computed tomography (CT), while resulting in a substantial portion of population dose to patients, are also replacing invasive surgeries.

## AUTHORITY

FEDERAL: Radiation Control for Health and Safety Act of 1968, 21CFR1000;  
Mammography Quality Standards Act; 21CFR900

STATE: Environment Article, Title 8 "Radiation";  
COMAR 26.12. Radiation Management

## PROCESS

Dental and veterinary x-ray machines are inspected by the RMD on a 3-year cycle. Under a contractual arrangement with the FDA, mammography machines in federally certified facilities are inspected annually by the RMD. The mammography inspection reports are provided to the FDA for follow up enforcement actions. The FDA's enforcement actions are not included in the statistics presented in this report. Private inspectors licensed by the RMD perform inspections of all radiation-emitting machines in hospitals, private medical or industrial facilities and academic institutions. Licensing requirements include a review of formal education and health physics experience. Inspection priorities for these machines are based on the type of the machine, with inspection intervals ranging from 1 to 3 years. Following the RMD's review and approval of an inspection report from a private licensed inspector, the inspected machine is issued a State certification. An inspection involves testing the accuracy and intensity of the radiation beam, testing the accuracy of technique factors, and checking for proper film development procedures. A review of operator credentials and adherence to safety procedures may also be included.

Following an inspection, appropriate corrective actions must be submitted for review and inspectors verify that all violations have been addressed. Facilities with significant violations, repeat violations, and violations not corrected in the required time frame (20 days) are targeted for enforcement action.

Dental, veterinary and mammography facilities are required to renew the radiation machine facility registration of the x-ray equipment every two years. Facilities with x-ray machines subject to the certification procedures are required to renew the radiation machine facility registration of the equipment on the same schedule as the certification inspection frequency presented in the chart below.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #3: Reducing Exposure to Hazards.

### **SUCCESSSES / CHALLENGES:**

As a result of a continued low dental compliance rate, the RMD conducted an evaluation of entrance skin exposure data collected at dental inspections between 1995 and 2005. The results revealed that, while dental significant compliance upon initial inspection remains less than 30%, the dose to dental patients is within range of national averages, as depicted by the FDA's Nationwide Evaluation of X-ray Trends (NEXT) dental surveys. The RMD will continue its efforts with dental facilities to ensure consistent communication of public health issues, having achieved adequate inspection staffing for the first time since 2000.

The use of fluoroscopic radiation machine procedures in lieu of more invasive surgical procedures has grown exponentially and has reduced hospital stay times, medical costs, and improved patient recovery times. However, fluoroscopic radiation machines can deliver a substantial radiation dose to patients, periodically resulting in skin burns that, if serious enough, may require surgery to correct.

In FY 2005, the RMD promulgated regulations that required, by December 31, 2005, radiation machine facilities with fluoroscopic equipment to ensure that all users who energize such equipment receive minimal education relating to radiation safety, fluoroscopic dose reduction techniques, and As Low As Reasonably Achievable (ALARA) principles prior to use of such equipment. The regulations apply to all non-radiologist physicians and radiology technologists. Response by the fluoroscopic community has been mostly positive to the outreach campaign.

### **INSPECTION COVERAGE RATE:**

For the purpose of the RMD, inspection coverage rate is computed by dividing the combined number of registered radiation machine facilities, the number of registered service providers, and the number of licensed private inspectors by the number of inspections performed during the fiscal year. The denominator would represent the universe regulated by the RMD. The inspection coverage rate will not equal more than 41% in a given fiscal year because of a statutory restriction that controls inspection frequency for dental facilities. By statute, a routine inspection of a dental radiation machine

facility is only permissible once every three years and inspection frequencies at non-dental facilities are linked to the certification frequencies specified by regulation. COMAR 26.12.02.02 requires all high-energy industrial and medical radiation machines to be inspected annually, low energy medical radiation machines biennially and low energy non-medical radiation machines every 3 years (see chart below). Third-party inspectors licensed by MDE perform the medical and industrial machine facility inspections. Mammography radiation machines are inspected every 10 to 14 months under contract with the federal Mammography Quality Standards Act by FDA trained state inspectors.

The chart below shows the types of facilities regulated by the RMD listed in terms of radiation machine type or purpose and the frequency at which they are inspected. For clarity, please note that the words machine and tube are used interchangeably. (See below).

Facility Type	Registered X-ray Tubes*	Inspection Frequency
High Energy & Particle Accelerators	3 facilities, 4 Certified Tubes	Annual
Medical Accelerators (Therapy)	40 facilities, 58 Certified Tubes	Annual
Hospitals	60 facilities, 1139 Certified Tubes	Biennial
Physicians: Chiropractic, MD, GP, Podiatric	1260 facilities, 1768 Certified Tubes	Biennial
Industrial	205 facilities, 445 Certified Tubes	Triennial
Dental	26376 facilities, 8802 Tubes	Triennial
Veterinary	423 facilities, 523 Tubes	Triennial
Mammography (MQSA)	131 facilities, 213 tubes	Annual

\*Code of Maryland Regulations (COMAR) 26.12.03 states that "Radiation Machine": means a device that is capable of producing radiation. On any radiation producing equipment with more than one x-ray tube, or other single point from which radiation may be emitted, each x-ray tube or radiation emission point is considered a separate radiation machine... "Tube" is defined in COMAR 26.12.01.01 as an x-ray tube or other single point from which radiation may be emitted.

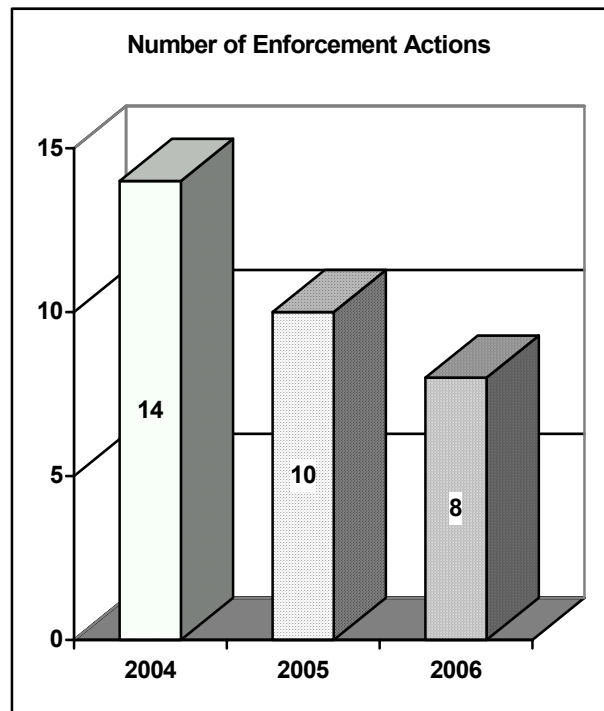
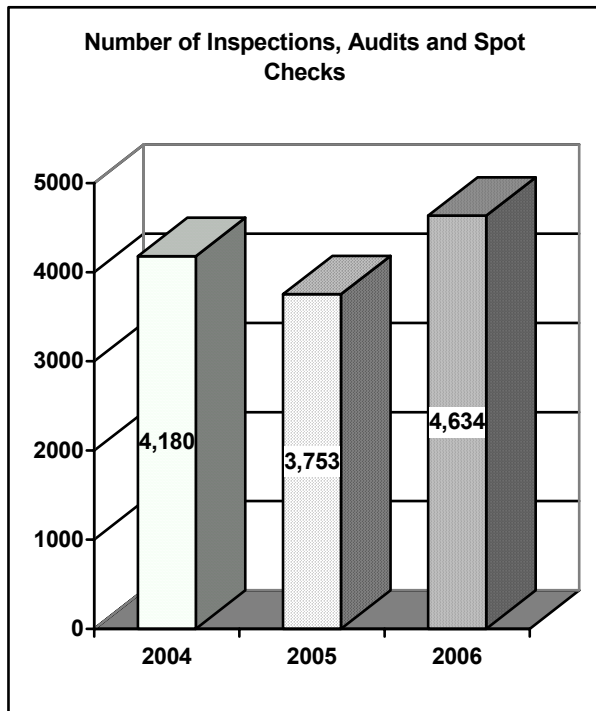
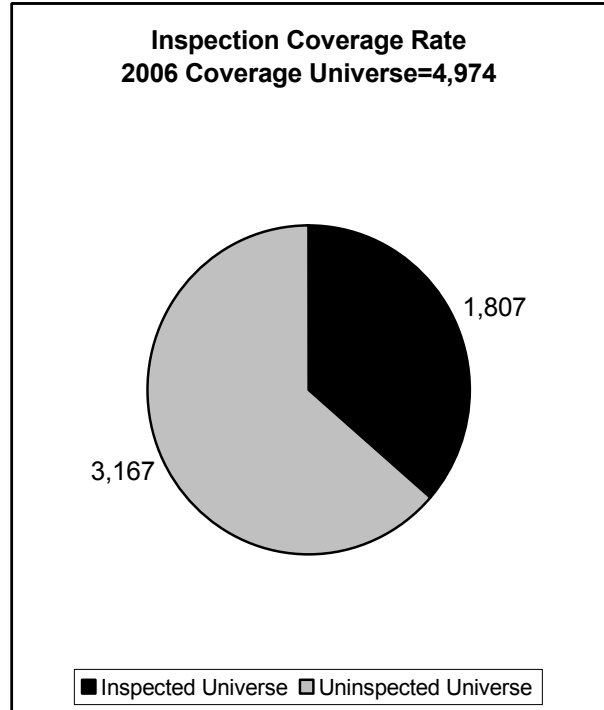
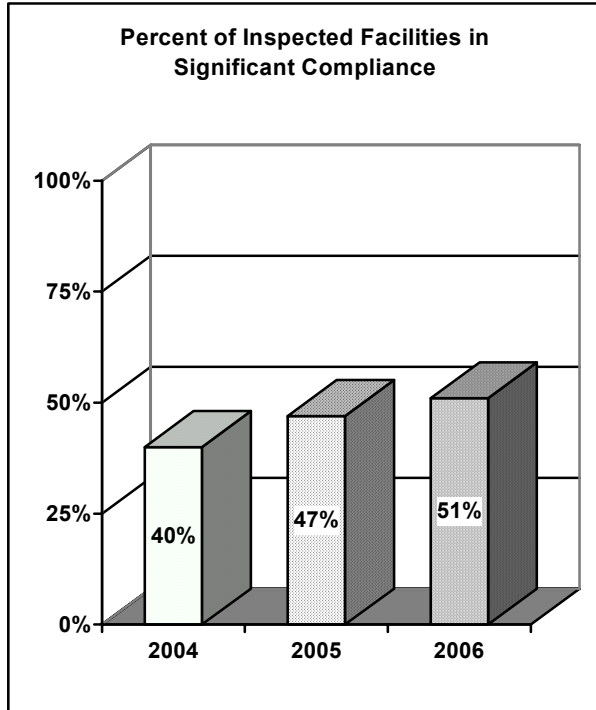
# Radiation Machines

	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	
Number of New Facility Registrations Issued	279
Number of Facility Registrations in effect at Fiscal Year End	4,758
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
Number of Service Companies Registered at FY end *	146
Number of Licensed Private Inspectors at FY End *	70
Number of Plan review or area surveys reviewed at FY End *	177
<b><u>INSPECTIONS</u></b>	
Number of Sites inspected	1,807
Number of Inspections, Audits, Spot Checks	4,634
<b><u>COMPLIANCE PROFILE:</u></b>	
Number of Inspected Sites/Facilities with Violations	888
% of Inspected Sites/Facilities in Significant Compliance	51%
% of Inspected Sites/Facilities with Significant Violations	49%
Inspection Coverage Rate **	36%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	2,310
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	260
Total	2,570
<b><u>DISPOSITION OF VIOLATIONS</u></b>	
Resolved	2,375
Ongoing	195
<b><u>ENFORCEMENT ACTIONS</u></b>	
Number of Compliance Assistance rendered	766
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	8
Number of Referrals to Attorney General for possible Criminal Action	0
<b><u>PENALTIES</u></b>	
Amount of Administrative or Civil Penalties obtained	\$28,460

\* measure added in FY 2002

\*\* Coverage is computed as the number of sites inspected divided by the sum of the number of facility registrations, the number of registered service providers and the number of licensed private inspectors. Plan reviews were not considered since each of those should be at sites that would be included as permitted sites.

# Radiation Machines Program



# Radioactive Materials Licensing and Compliance

## PURPOSE

The RHP's Radioactive Materials Licensing and Compliance Division (RAMLCD) regulates the use, handling and control of both generally and specifically licensed radioisotopes in Maryland. RAMLCD is mandated to protect the health and safety of radiation workers and the members of the public and minimize radioactive contamination of the environment. Examples of facilities that use and handle radioactive materials are hospitals, cancer treatment centers, private medical practices, construction industry, research and development firms, academic institutions, nuclear pharmacies, and manufacturers and distributors of sealed sources and devices (SS&D). The RAMLCD issues specific radioactive material licenses to these facilities based on the nature and use of the radioisotopes, the training and experience of the facility's Radiation Safety Officer and radioactive materials users and the sufficiency of the radiation safety program and the facility to protect the public from unnecessary radiation exposure. The RAMLCD issues SS&D Evaluations after detailed analysis of radiation safety and engineering information submitted by Maryland companies who intend to manufacture and/or distribute new sealed radiation sources or devices containing sealed radiation sources or to modify existing SS&D Certifications.

## AUTHORITY

FEDERAL: Atomic Energy Act of 1954, as amended;  
10 CFR (Nuclear Regulatory Commission) Parts 1-171

STATE: Environment Article, Title 8; "Radiation";  
COMAR 26.12. Radiation Management

## PROCESS

The RAMCLD inspects the above-described facilities to determine compliance with Maryland radiation regulations and specific license conditions. Inspections may be performed over a 1-4 day period by one inspector or a team of inspectors, depending upon the size and complexity of the license. Inspection frequencies range from annual to every 5 years and may be modified for specific licensees with a history of repeat or serious violations. When an inspection reveals that a licensee has violations, an enforcement conference may be scheduled to fully discuss areas of noncompliance and licensee corrective actions. Follow-up inspections are performed at these facilities to verify that corrective actions have been implemented. The frequency of inspections is determined by the quantity, activity and toxicity of the radioisotope(s), the potential hazard resulting from the radioactive material use, and the nature of the facility itself. Inspections are performance based and routinely focus on a compliance review of Maryland radiation regulations, the conditions of the specific license and the licensee's adherence to radiation safety procedures and practices.

Additionally, the RAMLCD conducts investigations throughout Maryland in response to radioactive materials incident reports, complaints regarding unsafe use of radioactive materials at licensed facilities or worksites, upon notification that a facility has relocated without proper authorization, or when advised of the possibility that a facility with an expired license may still be using radioactive materials. The Division also oversees the decommissioning of previously licensed radioactive materials facilities and conducts safety evaluations on radioactive material sources and devices distributed by Maryland manufacturers. Additionally, the Division performs inspections on at least 25% of the radiation operations conducted in Maryland by out-of-State licensees under reciprocal recognition of their licenses. The number of out-of-state licensees performing reciprocity varies from year to year depending on weather conditions, the amount of construction being performed and current business trends. These conditions generally cause a variation in the number of reciprocity inspections performed. Examples of these out-of-state licensees include industrial radiographers with devices that see through concrete walls and structures to locate welds, beams, structural anomalies, pipes wires, etc., building and road construction companies using moisture/density gauges, operators of lead paint analyzers and industrial gauges for measuring material thickness and density, and other activities requiring radioisotopes. Finally, the RAMLCD responds to radiation emergencies to preclude or minimize the hazard to members of the general public. Examples of such emergencies are transportation accidents involving radioisotopes, the activation of radiation monitors at landfills, incinerators or metal processing facilities or laboratory spills. The RAMLCD is also prepared to respond and assist with nuclear power plant accidents or public hazards resulting from a radiological dispersion device (dirty bomb). Each year the Division participates in federally evaluated emergency exercises involving a simulated accident at either the Calvert Cliffs Nuclear Power Plant or the Peach Bottom Atomic Power Station. These exercises test the Department's preparedness for responding to a utility radiation accident. The RAMLCD also participates in national investigations and safety evaluations addressing concerns derived from accidents, allegations, incidents or malfunctions of radioactive material sealed sources or a device containing radioactive material.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #3: Reducing Exposure to Hazards.

## **SUCCESSES / CHALLENGES**

This Program continues to address the protection of the public from unnecessary exposure to ionizing radiation. Successes in FY 2006 include RAMLCD's assistance rendered to the federal government regarding the strategic implementation and inspection of additional security controls at certain key licensees' facilities to prevent malevolent use of radioactive materials and assistance in coordinating the training of local emergency first responders specific to radioactive material. The Licensing Section evaluated for radiation and engineering safety several complex sealed source and device registrations for medical devices prior to allowing the use and sale of these devices across the country. Maryland operates under an agreement with the Nuclear Regulatory Commission (NRC) in managing our radioactive materials program. A review of Maryland's radioactive materials program in FY 2004 led to a finding that the program was adequate to protect the public health and



safety and compatible with the NRC’s regulatory requirements. In FY 2006 RAMLCD remains adequate to protect the public health and safety and compatible with the NRC’s regulatory requirements. A challenge in FY 2006 and beyond continues to be to reduce the number of significant violations that occur given the severity of harm that radiation can inflict.

**INSPECTION COVERAGE RATE**

The RAMLCD defines the inspection coverage rate as the number of licenses inspected divided by the total number of licenses in effect plus the total number of out-of-state licenses authorized to work under reciprocity during the fiscal year. The RHP inspects about 25% of the out of state licenses each year. The following chart shows the inspection frequency, the number of licenses that are inspected at that frequency and an example of the type of licenses:

<b>Inspection Frequency</b>	<b>Number of Licenses</b>	<b>Examples of License Types</b>
Annual	40	Academic & Medical Research Nuclear Pharmacies Gamma Knife (cancer therapy) Remote Afterloader (cancer therapy) Industrial Radiography
2 Years	12	Mobile Medical Vans
3 Years	132	Hospitals Brachytherapy (cancer therapy) Medical Offices
5 Years	435	Fill/Density Gauges Nuclear Pacemakers

Notes for above table:

Licenses inspected in the annual, 2-year and 3-year inspection frequencies are the most complex and represent those types of radioactive material activities with the greatest radiation hazard to users and members of the general public.

Facility radioactive material inspections are resource intensive. Onsite facility inspection times vary from .5 day with 1 inspector for the 5-year inspection frequency, 1-2 day inspection with one or two inspectors for 2 and 3-year inspection frequencies, to a 4-day inspection with three inspectors for certain extremely complex annual inspections

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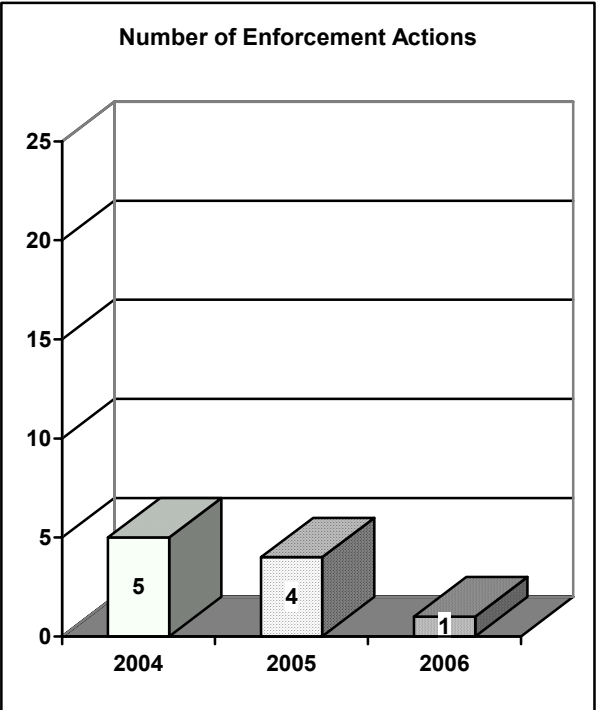
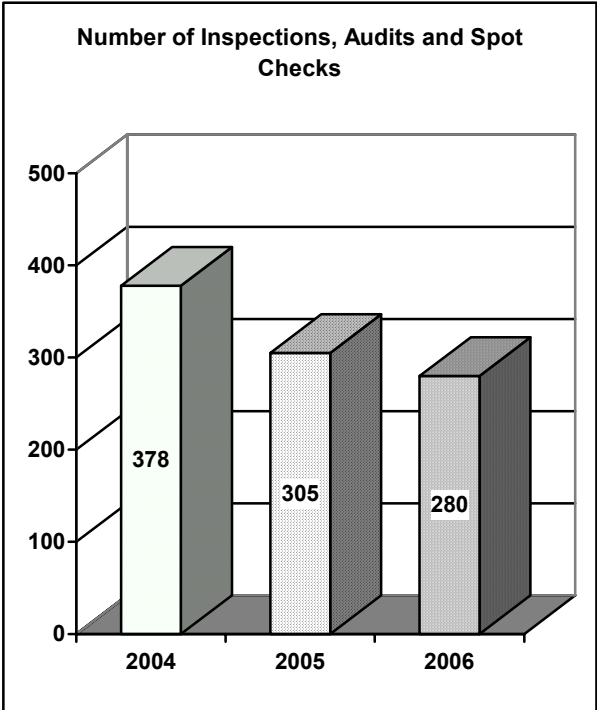
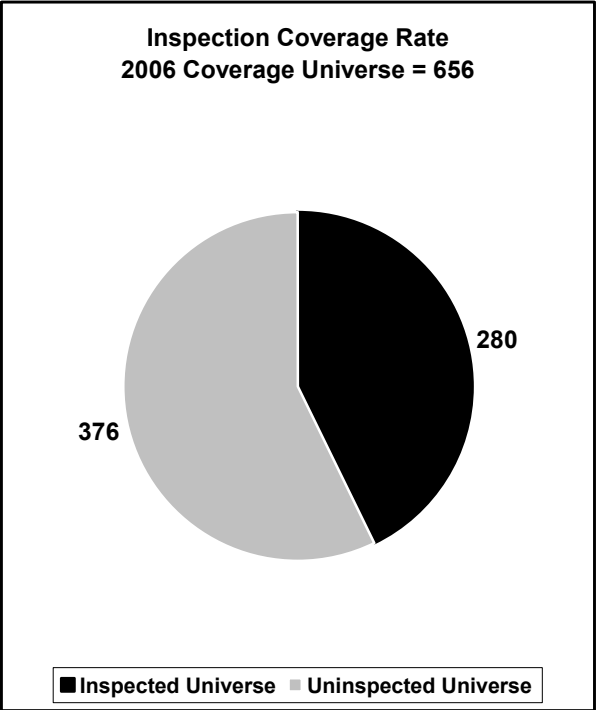
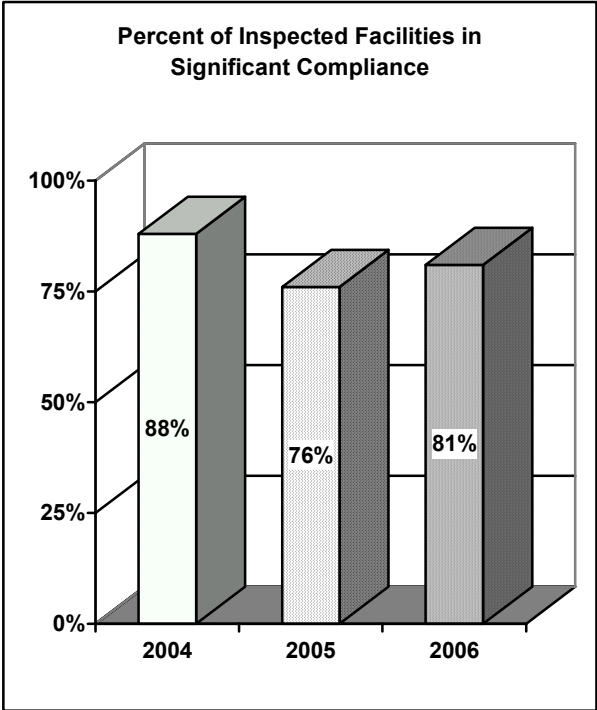
## Radioactive Materials

	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	
Number of Permits/Licenses issued	535
Number of Permits/Licenses in effect at Fiscal Year End	615
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
Sources from Other Jurisdictions	41
<b><u>INSPECTIONS**</u></b>	
Number of Sites inspected	355
Number of Inspections, Audits, Spot Checks	280
<b><u>COMPLIANCE PROFILE:</u></b>	
Number of Inspected Sites/Facilities with Significant Violations	69
% of Inspected Sites/Facilities in Significant Compliance	81%
% of Inspected Sites/Facilities with Significant Violations	19%
Inspection coverage Rate *	43%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	184
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year **	16
Total	200
<b><u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u></b>	
Resolved	169
Ongoing	31
<b><u>ENFORCEMENT ACTIONS</u></b>	
Number of Compliance Assistance rendered	1452
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	1
Number of Referrals to Attorney General for possible Criminal Action	1
<b><u>PENALTIES</u></b>	
Amount of Administrative or Civil Penalties obtained	\$34,128

\* Coverage is computed as the number of licenses inspected divided by the sum of the number of permits/licenses in effect plus the number of sources from other jurisdictions since each could be cause for inspection.

\*\* Inspection of a single license is counted as one inspection but inspectors may be required to visit multiple unique sites to inspect the license.

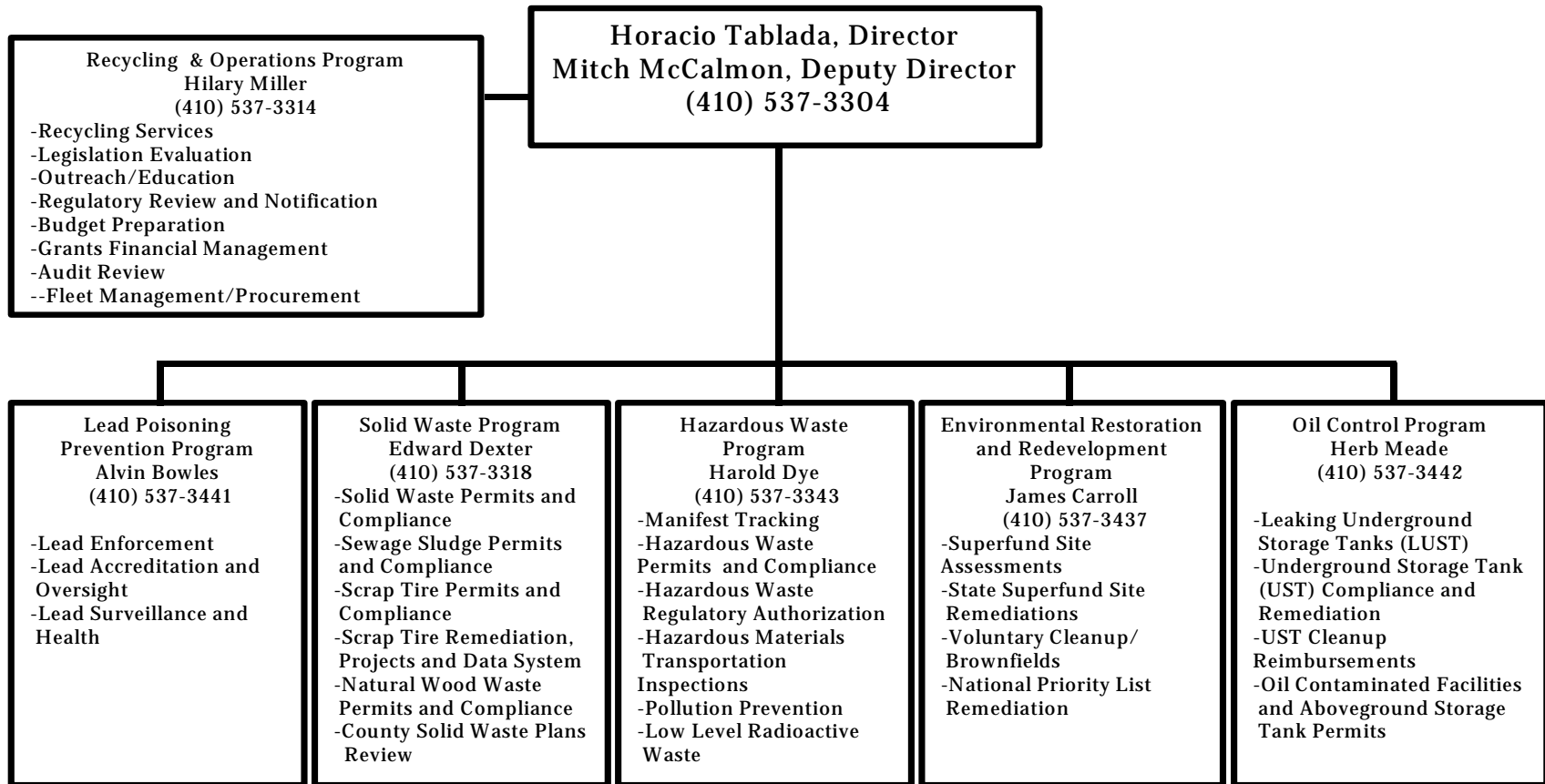
# Radioactive Materials



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# **WASTE MANAGEMENT ADMINISTRATION**

# WASTE MANAGEMENT ADMINISTRATION



Toll-free 1-800-633-6101

# Environmental Restoration And Redevelopment

## **PURPOSE**

The purpose of this program is to protect public health and the environment by identifying sites that are, or potentially are, contaminated by controlled hazardous substances. Once identified, the sites are prioritized for remedial activities. The sites are then listed on the State Master List and in the Disposal Site Registry.

## **AUTHORITY**

FEDERAL: Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

STATE: Environment Article, Title 7, Subtitle 2; COMAR 26.14

## **PROCESS**

The Department conducts environmental assessments that include investigation and sampling of sites to determine whether cleanup is necessary. If necessary, remedial activities include cleanup of sites contaminated with controlled hazardous substances. Assessments and cleanups are conducted based on available resources. The Disposal Site Registry ranks those sites that are the highest priority for investigation and remedial action based on the federal Hazard Ranking System score.

## **CONTRIBUTES TO MANAGING FOR RESULTS GOALS:**

Goal #1: Promoting land redevelopment and urban revitalization.

Goal #3: Reducing exposure to hazards.

## **SUCCESSSES/CHALLENGES:**

The number of sites on the State Master List at the end of FY 2006 was 455. During the year an additional 20 sites were moved to the Formerly Investigated Sites category for a total of 152 sites given this designation. The Disposal Site Registry included 17 National Priority Listed (NPL) sites, addressed by USEPA under the federal CERCLA or Superfund law. The Program conducted 11 Brownfields assessments, one preliminary assessment, one expanded site investigation, and three site investigations during FY 2006.

The Program has also been working with EPA on five active private NPL sites and one site proposed for the NPL. Three of the sites are in the process of Remedial Design: the Sand, Gravel and Stone site, the Spectron site and the Kane & Lombard site. The Central Chemical site is undergoing Remedial Investigation. The Ordnance Products site is in the remedy selection phase. One site proposed for the NPL, 68<sup>th</sup> Street Dump, is being managed under the EPA's Superfund Alternative Site Initiative. The EPA hopes that this initiative will provide for the same degree of cleanup effectiveness while mitigating some of the stigma associated with the NPL.



# Hazardous Waste

## **PURPOSE**

The Resource Conservation and Recovery Act (RCRA) established a system for controlling the disposition of hazardous waste from generation until its ultimate disposal. The Hazardous Waste Program regulates the management of hazardous wastes through the review and issuance of hazardous waste treatment, storage, or disposal (TSD) facility permits. The Program also partners with the U.S. Environmental Protection Agency in the review, issuance, and monitoring of Corrective Action Permits. Additionally, it enforces all permits and regulated activities involving hazardous waste generators, transporters, and TSD facilities through a program of inspections, monitoring, and enforcement actions, including the issuance of site complaints, Notices of Violation (informal enforcement actions) and various formal enforcement actions such as Consent Orders and Complaint & Orders.

## **AUTHORITY**

FEDERAL: Resource Conservation and Recovery Act (RCRA) - Subtitle C  
STATE: Environment Article, Title 7, Subtitle 2; COMAR 26.13

## **PROCESS**

The Hazardous Waste Program's Enforcement Division is responsible for violation discovery and compliance activities. The focus of the enforcement program is on permitted hazardous waste treatment, storage, and disposal (TSD) facilities and hazardous waste generators that pose the greatest threat to public health and the environment, have been previously cited for violations or continue to be out of compliance. Enforcement and compliance is accomplished by scheduled inspections of permitted TSD facilities, unannounced inspections of large quantity generators of hazardous waste and investigations of complaints. All federal and State permitted facilities as well as those that receive off-site waste are inspected at least once a year. Large quantity generators that have never been inspected are the first priority along with those that have not been inspected in the last three years.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

**Goal #3: Reducing Exposure to Hazards.**

## **SUCCESSSES/CHALLENGES**

The Hazardous Waste Program strives to protect public health and the environment by preventing and minimizing releases of hazardous waste through a strong permitting and enforcement program. These efforts have resulted in the inspection, permitting, tracking, and other regulatory activities becoming more effective, with fewer major instances of non-compliance.

It should also be noted that there continues to be a trend toward decreasing numbers of permitted hazardous waste treatment, storage, and disposal facilities in Maryland in recent years. In FY 1997, there were 31 permitted TSD facilities. At the start of FY 2004, there were 23 permitted facilities. This total dropped to 21 by the end of the year FY 2004.

Since then one more facility closed, and one reverted back to generator status leaving 19 at the end of FY 2006.

Additionally, Pollution Prevention/Waste Minimization initiatives within the Hazardous Waste Program have resulted in better waste management and waste minimization activities at both large and small quantity generators of hazardous waste, which reduces the quantity of hazardous waste generation, and, thus, the need for treatment and disposal of hazardous waste.

The workload for the Program remains high since there are many small quantity and large quantity generators requiring inspection. During FY 2006, 1.6% of all facilities that generate or manage hazardous waste were inspected. This is up from 1.5 percent (1.5%) for FY 2005. However, the Program continues to meet its EPA federal grant commitments. For FY 2006, the compliance rate was 77%.

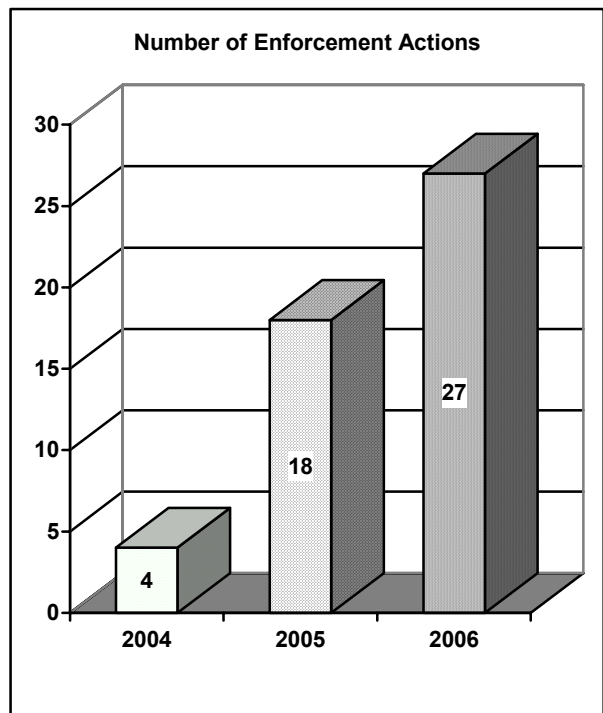
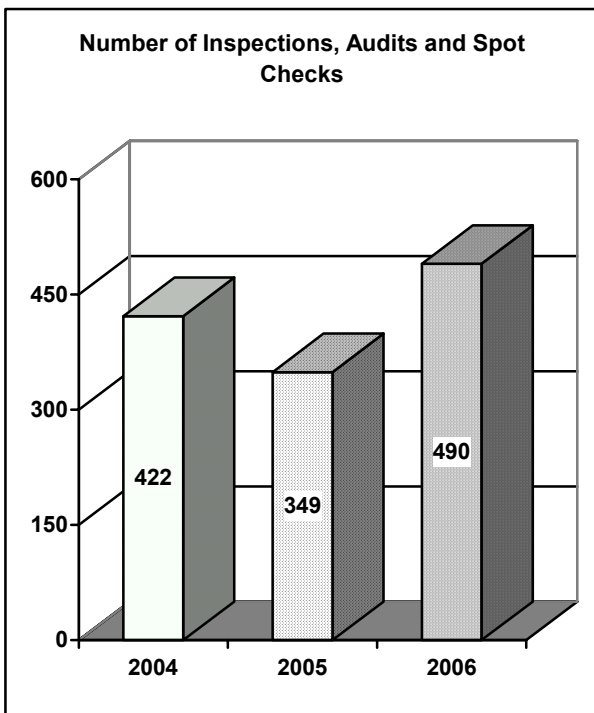
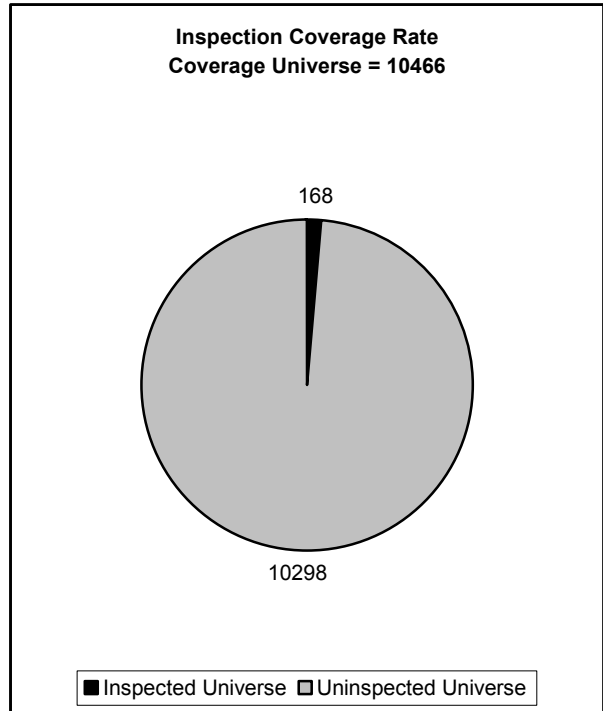
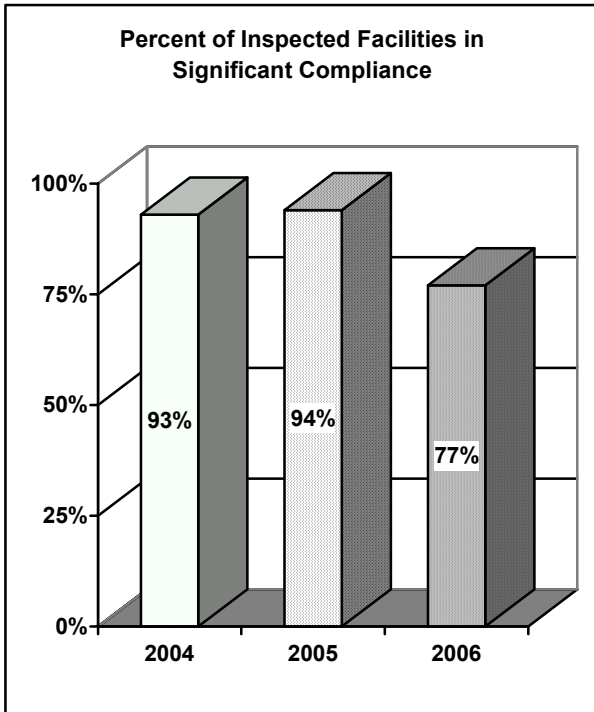
## Hazardous Waste

	2006 Total
<u>PERMITTED SITES/FACILITIES</u>	
Number of permits/licenses issued	1
Number of permits/licenses in effect at fiscal year end	19
<u>OTHER REGULATED SITES/FACILITIES</u>	
Number of new EPA identification numbers issued	260
Number of generators, transporters, and permitted facilities	10,466
<u>INSPECTIONS</u>	
Number of sites/facilities inspected*	168
Number of inspections, audits, or spot checks	490
<u>COMPLIANCE PROFILE</u>	
Number of inspected sites/facilities with significant violations	39
% Of inspected sites/facilities in significant compliance	77%
% Of inspected sites/facilities with significant violations	23%
Inspection coverage rate**	1.6%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of significant violations involving environmental or health impact	36
Number of significant violations based on technical/preventative deficiencies	50
Number of significant violations carried over awaiting disposition from previous fiscal year	4
Total number of violations	90
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	78
Ongoing	12
<u>ENFORCEMENT ACTIONS</u>	
Number of compliance assistance rendered	20
Number of show cause, remedial, corrective actions issued	0
Number of stop work orders	0
Number of injunctions obtained	0
Number of penalty and other enforcement actions	27
Number of referrals to Attorney General for possible criminal action	0
<u>PENALTIES</u>	
Amount of penalties obtained	\$60,400

\*All 19 permitted facilities were inspected and are included in the total.

\*\*The coverage rate is the percent of regulated entities that were inspected by the Program during the fiscal year. This coverage rate is computed as the total number of different facilities inspected during the year divided by the total number of generators, transporters, and permitted facilities.

# Hazardous Waste



# Lead Poisoning Prevention

## PURPOSE

Lead Poisoning Prevention includes oversight of activities designed to reduce the incidence of childhood lead poisoning. These activities involve accreditation and oversight of lead abatement services contractors, maintaining a registry of rental properties, maintaining a registry of children with elevated blood lead levels (i.e. BLL $\geq$  10  $\mu$ g/dl), and regulatory enforcement.

## AUTHORITY

FEDERAL: Toxic Substances Control Act

STATE: Environment Article, Title 6, Subtitles 8 & 10; COMAR 26.16 and Environment Article, Title 7, Subtitle 2; COMAR 26.02

## PROCESS

All affected properties (Pre-1950 rental dwelling properties) must meet a risk reduction standard, and undergo a new inspection prior to each change of occupancy. Contractors that are accredited by MDE carry out inspections and lead paint abatement services. Accreditation and oversight of private inspectors and contractors involves a multi-step process and includes MDE approved training sessions. In addition, inspection contractors must demonstrate that they have a specific level of experience and submit a protocol to MDE for the work they are being accredited to perform. In order for MDE to be eligible for federal housing and lead poisoning prevention program funding, USEPA requires certain categories of inspectors and supervisors of abatement work to take a third party/independent exam. Refresher courses are required every two years to maintain accreditation.

Property registration is required to identify the supply of available rental housing that has been certified as having met the risk reduction standard. Owners of affected properties must renew the registration annually. An annual unit fee is paid into the Lead Poisoning Prevention Fund for the establishment of a Community Outreach and Education program and for the administration of the program.

Maryland law requires that all blood lead level test results be reported to MDE, which in turn reports all results for children considered at risk to the local Health Departments for case management.

## CONTRIBUTES TO MANAGING FOR RESULTS

Goal #3: Reducing Exposure to Hazards.

## SUCCESSSES/CHALLENGES:

It was found that the percentage of children with blood lead levels equal to or greater than 10 $\mu$ g/dl has decreased for the twelfth consecutive year Statewide. The number of children tested with elevated blood lead levels decreased (1,811 in 2004 to 1,331 in 2005) and the percentage of children tested who had blood lead levels equal to or greater than 10 micrograms per deciliter also decreased from 1.7% to 1.3%.

The total number of inspections, audits, and spot checks increased from 24,388 in FY 2005 to 35,407 in FY 2006. This was due to an increase in the number of inspections conducted by accredited lead abatement service providers from 23,281 in FY 2005 to 33,348 in FY 2006. The number of enforcement actions almost doubled from 336 in FY 2005 to 708 in FY 2006 as a result of filling several staff vacancies, and the additional staff due to Governor Ehrlich's increased funding. Many of the enforcement actions resulted in multiple-property or global settlements.

During the early part of 2005, Governor Robert L. Ehrlich, Jr. announced the goal of "no children having a blood level of 10ug/dl or greater by the year 2010." The Lead Poisoning Prevention Program, in cooperation with stakeholders, has developed a 2010 Plan. The statistics for FY 2006 show that the program is headed in the right direction. New initiatives beyond the status quo are needed to get to the goal.

## Lead Poisoning Prevention

	2006 Total
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued (Accreditations)	1,307
Number of Permits/Licenses (Accreditations) in effect at Fiscal Year End *	2,769
<u>OTHER REGULATED SITES/FACILITIES</u>	
Rental Dwelling Units Registered this FY **	17,533
Total Rental Dwelling Units in Registered Properties current FY ***	212,472
Affected Properties Registered as of end of FY	112,867
<u>INSPECTIONS</u>	
Number of Sites Inspected	35,052
By Accredited Lead Paint Service Providers	33,348
By MDE	1,704
Number of Inspections, Audits, Spot Checks	35,407
By Accredited Lead Paint Service Providers	33,348
By MDE	2,069
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	442
% of Inspected Sites/Facilities in Significant Compliance	74.1%
% of Inspected Sites/Facilities with Significant Violations****	25.9%
Inspection coverage Rate *****	31.1%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	2,919
Number of Significant Violations based on Technical/Preventative Deficiencies	50
Number of Significant Violations carried over awaiting disposition from Previous FY	730
Total *****	3,699
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	2,060
Ongoing	1,639
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	71
Number of Show Cause, Remedial, Corrective Actions issued	654
Number of Stop Work Orders	0
Number of Injunctions obtained	8
Number of Penalty and Other Enforcement Actions	46
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Penalties obtained	\$566,680

\* The total number of Accreditations in effect as of end of FY . This number includes Inspectors, Risk Assessors, Supervisors, Instructors, Courses of Instruction and Contractors involved in lead related activities in Maryland.

\*\* FY 2006 tracked only new registrations.

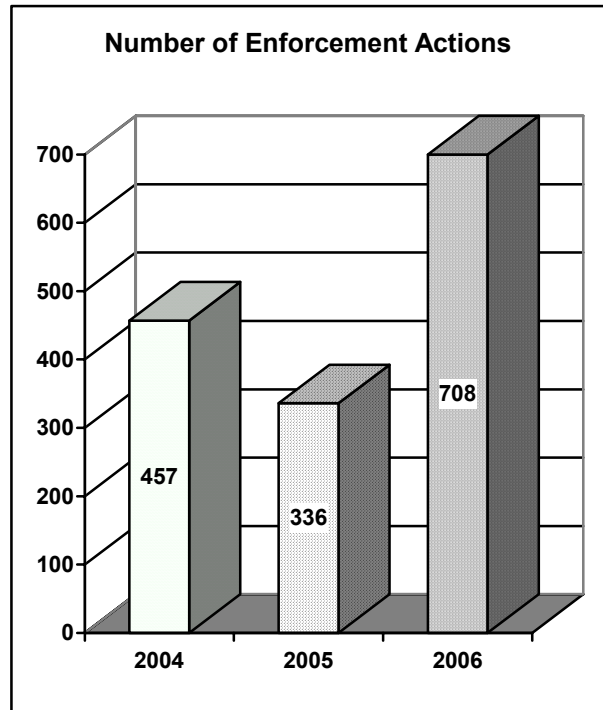
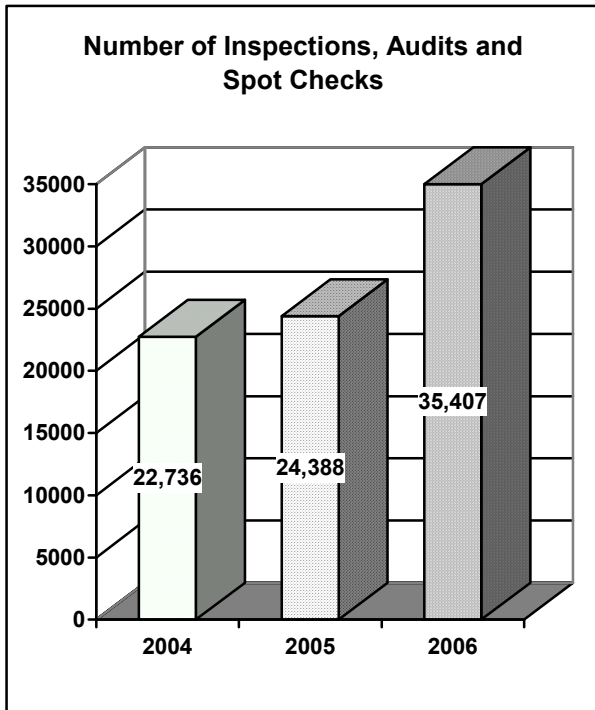
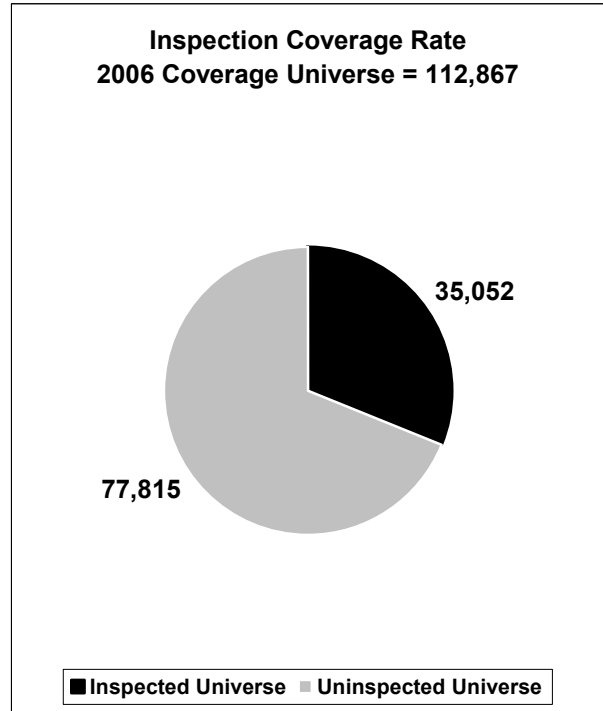
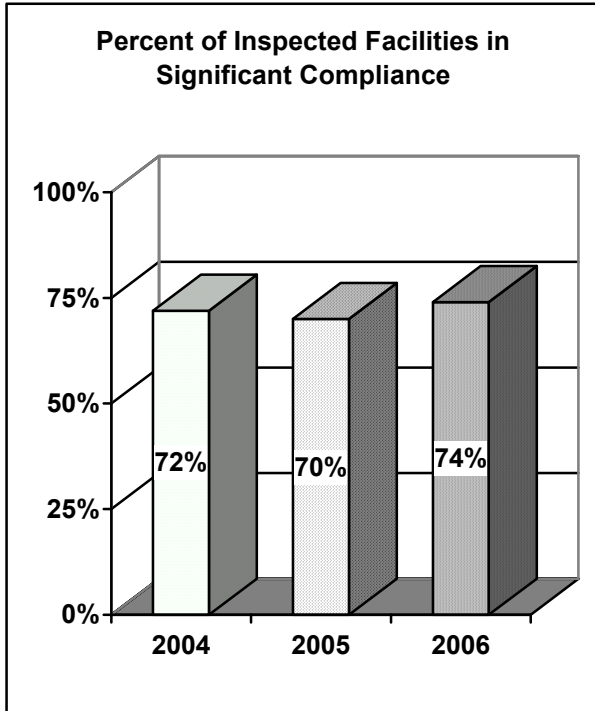
\*\*\* FY 2006 is cumulative.

\*\*\*\*The compliance rate reflects the percentage of affected properties with lead paint where MDE conducted complaint investigations, poisoned child investigations, oversight inspections of private contractors, compliance inspections, and course audits and where significant violations were found. For FY 2000 and earlier, inspections by accredited lead paint service providers were included in the calculation.

\*\*\*\*\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of Affected Properties Registered. Please note there is not a regulatory requirement for annual inspection of these properties.

\*\*\*\*\* Prior to FY 2006 the number of Significant Violations was not calculated correctly, and was only computing one Significant Violation per Enforcement Action. Corrections have been made to best account for the correct number of Significant Violations, and MDE's true measure of regulated properties currently under the scope of authority.

# Lead Poisoning Prevention





# Oil Aboveground Facilities

## **PURPOSE**

The Oil Control Program performs a broad range of activities in regard to the safe handling, storage, and remediation of petroleum products across the State of Maryland. The Program issues permits and performs oversight for aboveground storage facilities; oil contaminated soil, and the transportation of oil products in Maryland. The Program also issues permits related to discharge activities and awards and audits licenses for the import of petroleum products into Maryland.

## **AUTHORITY**

STATE: Environment Article, Title 4, Subtitle 4; COMAR 26.10

## **PROCESS**

Regional environmental compliance specialists (ECS) schedule routine inspections of the facilities. During the inspection, facility conditions are documented and the permittee is advised of the status of compliance. If corrective action is warranted, the facility is directed in accordance with Department guidelines and procedures. The inspection frequency can be adjusted as conditions warrant. In addition, staff engineers, tasked with writing permits for these facilities, visit facilities prior to the renewal of a permit. These site visits may lead to the discovery of violations, which require enforcement follow up inspections by the environmental compliance specialist. Staff engineers also provide support to the ECS staff upon request. The ECS also responds to oil spills throughout the State at facilities that do not require a permit.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #2: Ensuring Safe and Adequate Drinking Water.

## **SUCSESSES/CHALLENGES:**

The combination of compliance assistance, regular permit application and review, and enforcement continues to result in improved management of aboveground storage tanks containing petroleum within the State. Inspection of above ground oil storage facilities decreased from 1,193 in FY 2005 to 696 in FY 2006. Spill response activities continue to decline. This may be due to increased screening of complaints before a response, staffing levels within the program and local jurisdiction response to incidents. The Program is not sure if spill response will increase or decline as the above ground storage tank population ages and tank integrity declines. Permit application reviews, permit renewal site visits, and random inspections continue to reveal violations that, if left unaddressed, would result in releases to the environment or catastrophic tank failure during a fire or other emergency at a facility.

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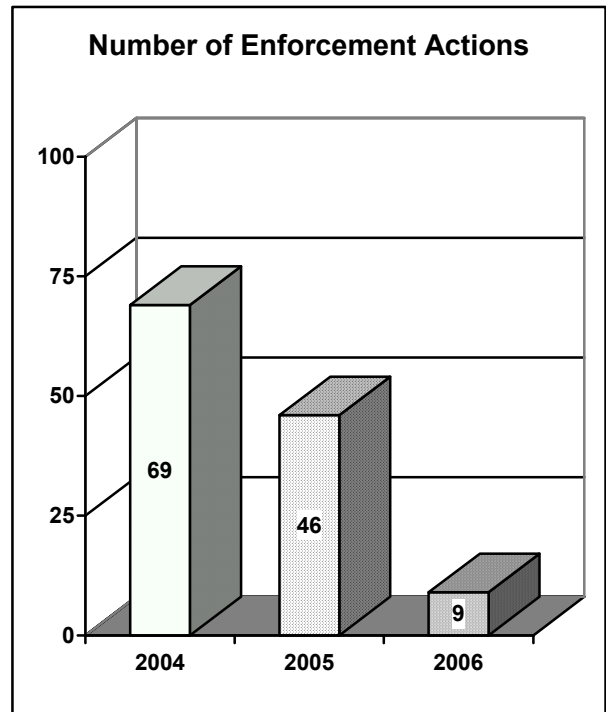
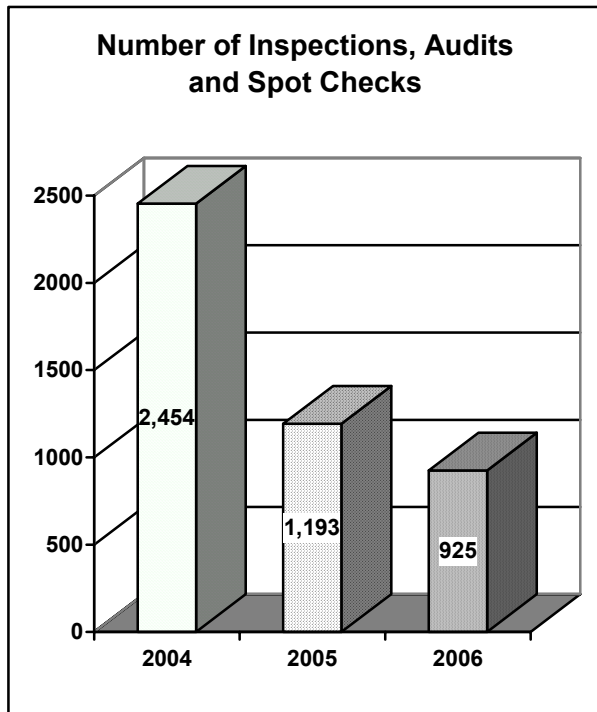
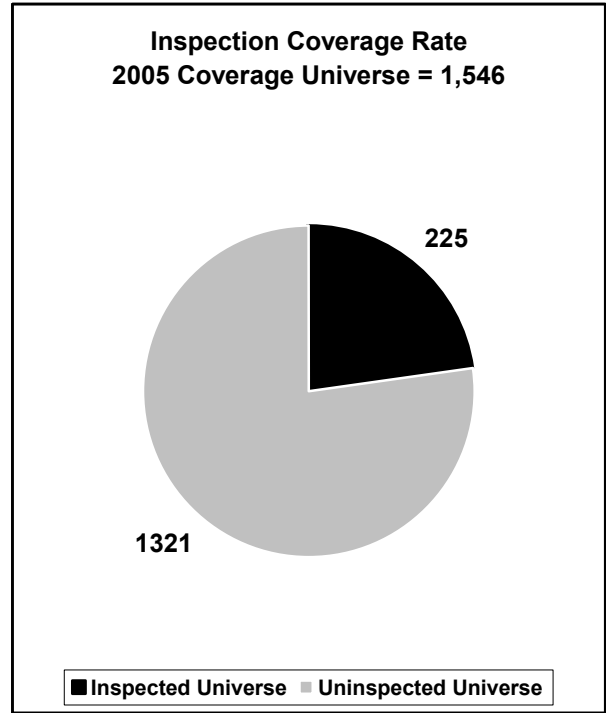
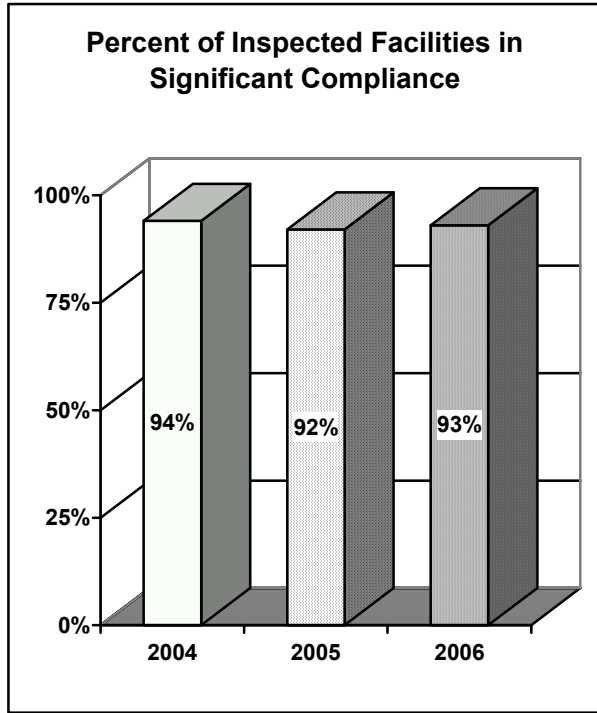
## Oil Aboveground Facilities

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses Issued	475
Number of Permits/Licenses in Effect *	1,546
<u>OTHER THAN PERMITTED REGULATED ENTITIES</u>	
Spill Response to AST sites less than permitted capacity	253
<u>INSPECTIONS</u>	
Number of Sites Inspected	478
Number of Permitted Sites Inspected	225
Number of Inspections, Audits, Spot Checks	925
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	35
% of Inspected Sites/Facilities in Significant Compliance	93%
% of Inspected Sites/Facilities with Significant Violations	7%
Inspection coverage Rate **	15%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	9
Number of Significant Violations based on Technical/Preventative Deficiencies	26
Number of Significant Violations carried over awaiting disposition from Previous Fiscal YR	82
Total Significant Violations	117
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	22
Ongoing	95
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance Rendered	896
Number of Show Cause, Remedial, Corrective Actions Issued	0
Number of Stop Work Orders	0
Number of Injunctions Obtained	0
Number of Penalty and Other Enforcement Actions (not included in above)	9
Number of referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Penalties Obtained	\$24,245

\* Permits/licenses. This includes Oil Above Ground Storage Tanks and Oil Contaminated Soil Operations. The Oil (Contaminated Soil) Operations Permit is issued to facilities within the State of Maryland that store and/or treat soil contaminated with petroleum product from underground storage tank leaks or surface spills. Due to the small number of facilities involved, these numbers were incorporated into the Oil Aboveground Facilities numbers beginning in Fiscal Year 1999.

\*\* Coverage rate above is computed as the total number of permitted sites inspected and dividing that by the sum of the total number of permits/licenses in effect. Spill response to AST sites less than permitted capacity is part of the Program's universe. However, this number is not included in the inspection coverage rate in order to not bias the evaluation of the Program's goal to visit each permitted site on an annual basis.

# Oil Aboveground Facilities



# Oil Pollution Remediation Activities

## **PURPOSE**

In addition to permitting, licensing, surface spill response, and enforcement activities for petroleum facilities and underground storage tanks, the Oil Control Program oversees remediation activities at sites where petroleum products have been discharged and are impacting soil or groundwater. The oversight ensures that responsible parties remediate the site in a timely manner, protecting the public's health and the environment. These sites include, for the most part, gasoline service stations, both operating and closed. They also include businesses that have their own petroleum distribution systems for use in vehicle fleets and heating oil systems. Program approved remediation is being carried out in an environmentally protective manner at these sites.

## **AUTHORITY**

FEDERAL: Resource Conservation and Recovery Act - Subtitle I

STATE: Environment Article, Title 4, Subtitle 4; COMAR 26.10

## **PROCESS**

Groundwater and soil cleanups are technical in nature, usually requiring numerous site visits and meetings. When a release of petroleum product is reported to the Department, a team is assigned to investigate. The team of specialists will prioritize the response effort to the release, based on product type, amount released, and potential impacts from the release. Each site is in violation by virtue of the fact that a discharge has occurred. Inspection frequency is also determined as site-specific conditions warrant. During the inspection of remedial sites, conditions are documented and the responsible party is given direction and advised of the status of compliance. There are cases where the responsible party fails to perform the necessary steps to remediate the discharge. If enforcement action is warranted, the action will be performed in accordance with Department guidelines and procedures.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #2: Ensuring Safe and Adequate Drinking Water.

## **SUCCESSSES/CHALLENGES:**

The field activity performed by the Oil Control Program staff continues to reflect the commitment in time and resources needed to adequately oversee the cleanups performed by responsible parties in the State. Multiple site visits during the fiscal year are needed to ensure compliance with approved corrective action plans, especially at release sites that could impact drinking water wells. The Program has found that a strong field presence and frequent communication with the responsible party, in lieu of high penalties, achieves compliance leaving more assets available for cleanup at the site. This approach has more often than not resulted in the containment of releases to the property where they occurred and for those that had already migrated off the site, the implementation of a remedial response that prevents further migration.

This reporting period, MDE/OCP has been able to reduce the identified sites from 2,328 in FY 2005 to 2,173 in FY 2006. This is the second year a decline has been noted. The

Program feels this decline is based on OCP case managers prioritizing work load and moving significant cases toward closure. The number of sites inspected, number of inspections and number of compliance assistance have stabilized.

Due to a catastrophic release of gasoline at a service station in Jacksonville, Baltimore County, in FY 2005, MDE has filed a civil action against ExxonMobil and the operator of the station. The civil action seeks a penalty of up to 12 million dollars and the remediation of the 27,000 gallons of gasoline released.

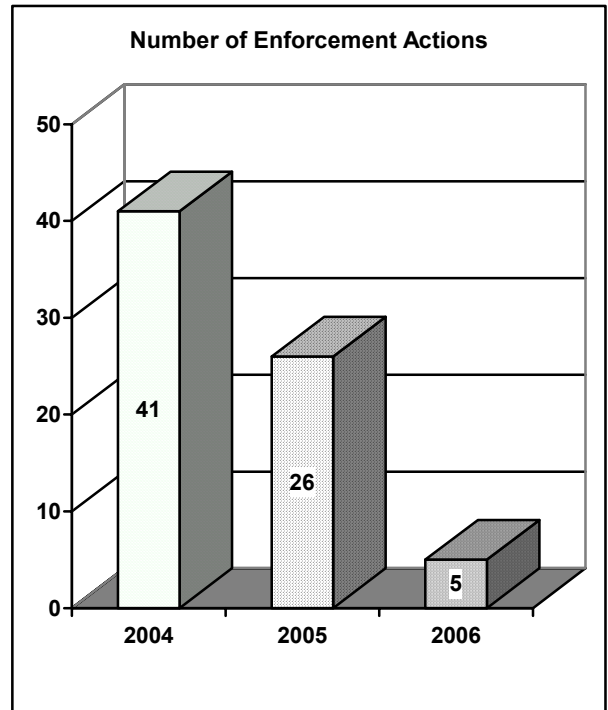
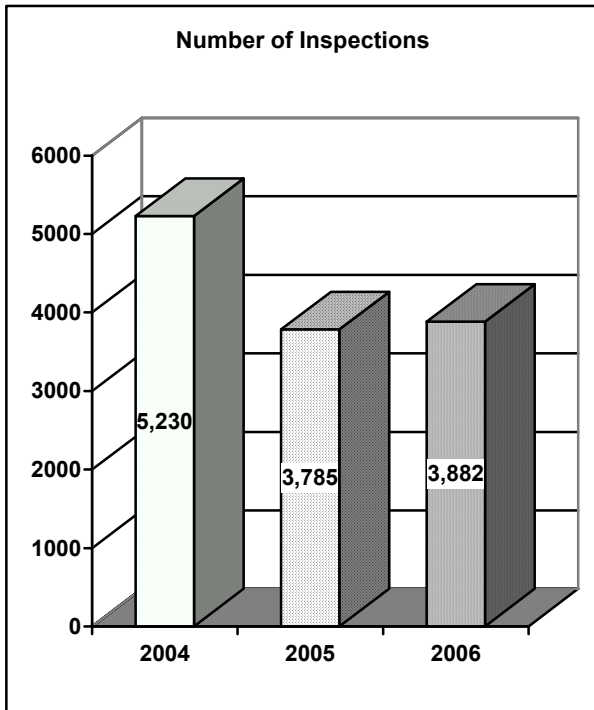
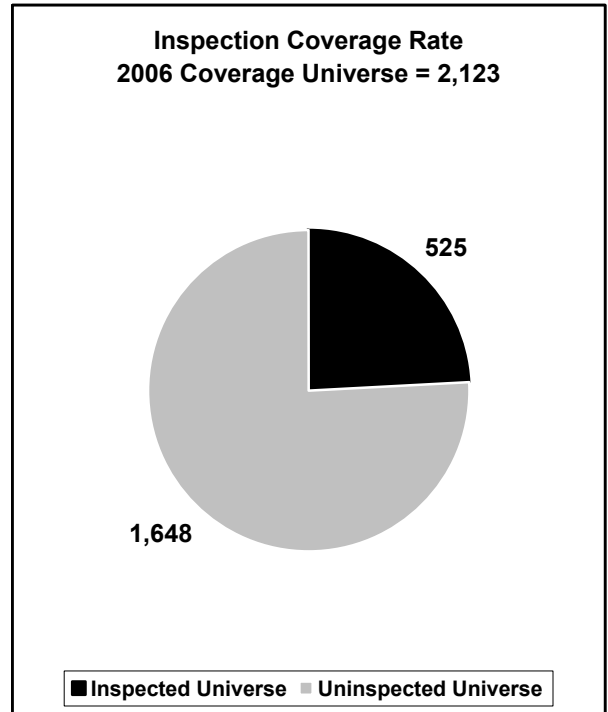
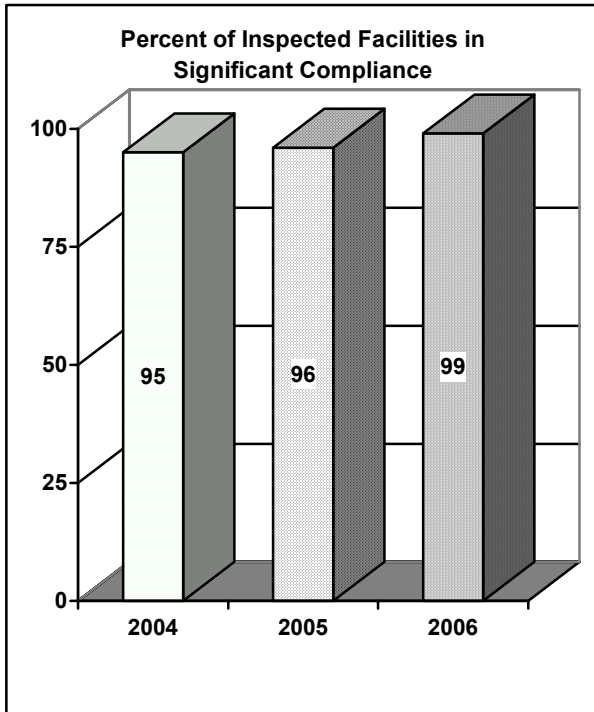
# Oil Pollution Remediation Activities

	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	
Number of Permits/Licenses issued	N/A
Number of Permits/Licenses in effect at Fiscal Year End	N/A
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
Identified Locations where there is a discharge impacting soil or groundwater. MDE approved remediation being conducted in an environmentally protective manner. *	2,173
<b><u>INSPECTIONS</u></b>	
Number of Sites inspected	525
Number of Inspections, Audits, Spot Checks	3,882
<b><u>COMPLIANCE PROFILE:</u></b>	
Number of Inspected Sites/Facilities with Significant Violations	5
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection coverage Rate **	24%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
Number of Significant Violations involving Environmental or Health Impact	5
Number of Significant Violations based on Technical/Preventative Deficiencies	0
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	72
Total	77
<b><u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u></b>	
Resolved	18
Ongoing	59
<b><u>ENFORCEMENT ACTIONS</u></b>	
Number of Compliance Assistance rendered	3,881
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	5
Number of Referrals to Attorney General for possible Criminal Action	0
<b><u>PENALTIES</u></b>	
Amount of Penalties obtained	\$85,604

\* Prior to FY 1999, this number only included releases from federally regulated UST motor fuel. After FY 99 the number reflects all oil releases that have impacted the subsurface environment from any oil UST, AST or transport facility. Wording was changed in FY 2002 to reflect this definition.

\*\* Coverage rate is computed as the total number of sites inspected and dividing that by the total number of identified locations where there is groundwater or soil impact.

# Oil Pollution Remediation Activities





# Oil Underground Storage Tank Systems

## **PURPOSE**

The underground storage tank function of the Oil Control Program (OCP) is a prevention program that seeks to reduce the severity of releases associated with the storage of regulated substances in UST systems throughout the State of Maryland. This is accomplished through ensuring compliance with operational requirements at sites that include local neighborhood service stations, oil terminals, churches, hospitals, schools, military facilities, marinas and similar facilities.

## **AUTHORITY**

FEDERAL: Resource Conservation and Recovery Act - Subtitle I

STATE: Environment Article, Title 4, Subtitle 4; COMAR 26. 10.

## **PROCESS**

The Program assists tank owners in the prevention of the release of regulated substances by ensuring compliance with detailed State and federal regulations. These include release detection, corrosion and overfill prevention, insurance requirements, and construction standards. All regulated UST systems in Maryland must be registered with the Department and they are maintained in a comprehensive database. All tank technicians must pass a MDE test and maintain a certification with the Program.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal # 2: Ensuring Safe and Adequate Drinking Water.

## **SUCSESSES/CHALLENGES:**

The implementation of an effective compliance program continues to represent a significant challenge and depends heavily on the voluntary compliance of the regulated community. Starting in FY 2006 the MDE/OCP has implemented a private third party inspection program. The OCP predicts that this inspection program will assist in maintaining a high level of compliance regarding UST systems. The number of sites inspected has increased due to the filing of vacancies. The facilities that were inspected showed an 87 % compliance rate, this is in line with national average.

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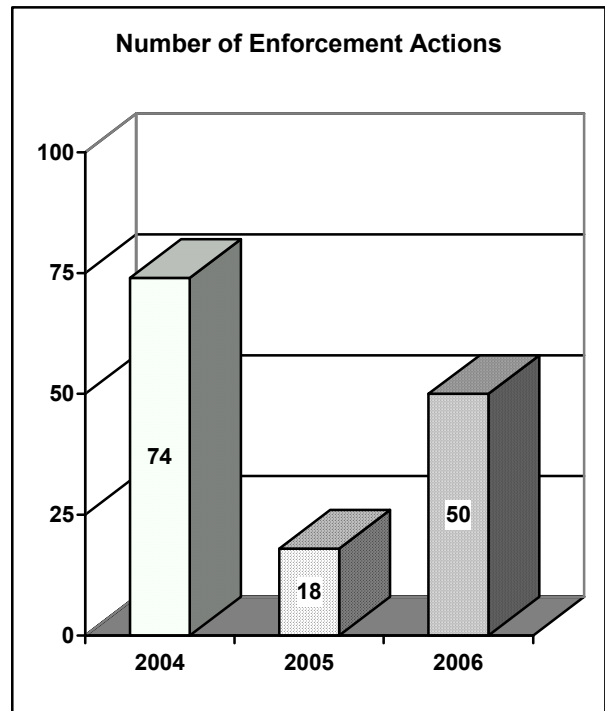
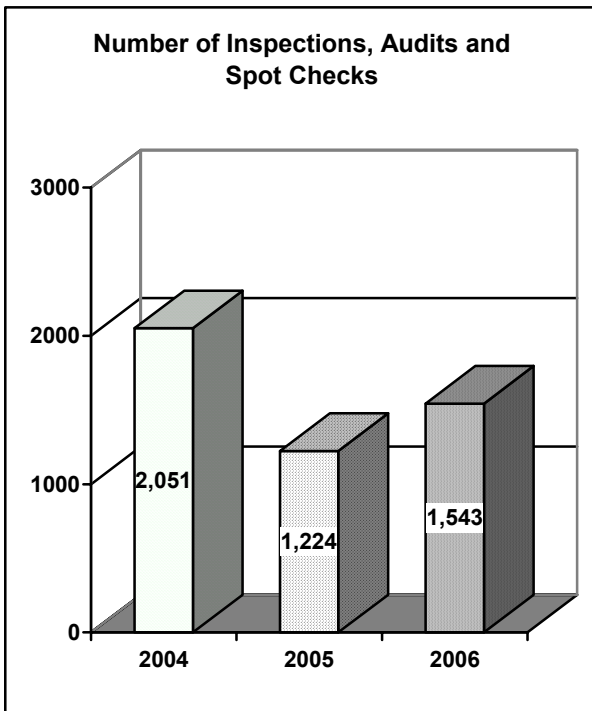
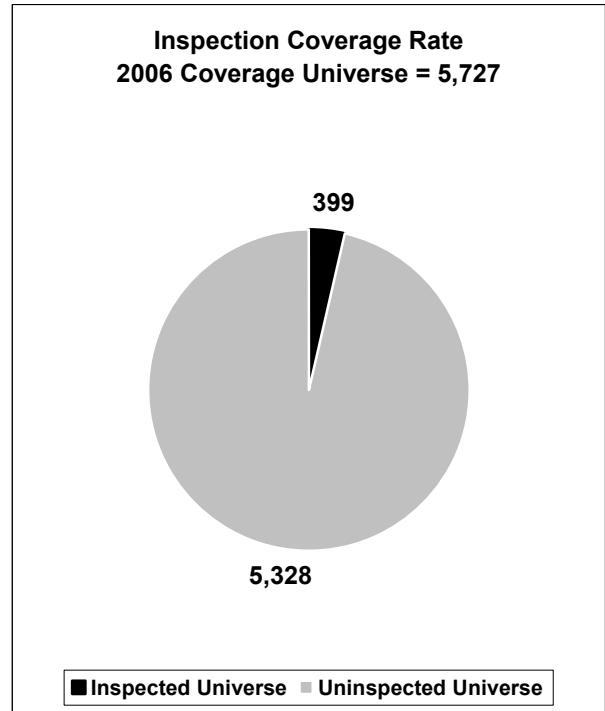
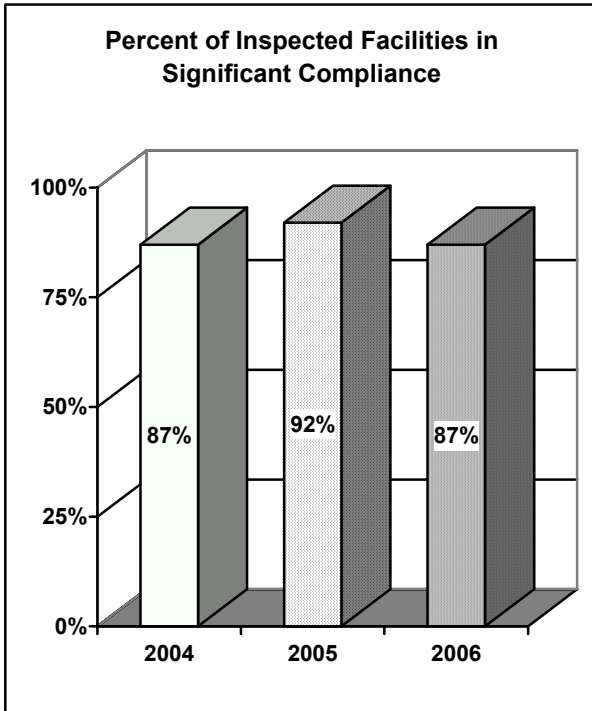
## Oil Underground Storage Tank Systems

	2006 Total
<u>PERMITTED SITES/FACILITIES*</u>	
Number of Permits/Licenses issued (Technician & Remover Certifications)	250
Number of Permits/Licenses (Technician & Remover Certifications) in effect at Fiscal Year End	395
<u>OTHER REGULATED SITES/FACILITIES</u>	
Registered underground storage tank sites	5,727
<u>INSPECTIONS</u>	
Number of Sites inspected	399
Number of Inspections, Audits, Spot Checks	1,543
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	50
% of Inspected Sites/Facilities in Significant Compliance	87%
% of Inspected Sites/Facilities with Significant Violations	13%
Inspection coverage Rate **	7%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	50
Number of Significant Violations based on Technical/Preventative Deficiencies	0
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	75
Total	125
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	37
Ongoing	88
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	1,517
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	50
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Penalties obtained	\$21,463

\*Certified UST technicians and removers are part of the regulated community and, therefore, the inspection universe, and are included in the Report FY 2000 forward.

\*\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of registered UST sites. Technician and Remover Certifications are part of the Program's universe. However, this number is not included in coverage rate in order not to bias the evaluation of the Program's goal to visit each underground storage tank system on a routine basis.

# Oil Underground Storage Tank Systems



# Refuse Disposal

## **PURPOSE**

Improper handling of society's byproducts in the form of domestic, commercial, and industrial wastes can pose direct threats to both the public health and the quality of Maryland's water resources. The Solid Waste Program is responsible for two important elements of environmental regulation: the review of the technical information needed to support application for new solid waste disposal facilities and the inspection and enforcement of regulations at permitted and unpermitted disposal facilities. Regulated solid waste acceptance facilities include municipal landfills, rubble landfills, land clearing debris landfills, non-hazardous industrial waste landfills, municipal incinerators, solid waste processing facilities, and transfer stations.

## **AUTHORITY**

FEDERAL: Resource Conservation and Recovery Act - Subtitle D; 40 CFR 257 and 258D  
STATE: Environment Article, Title 9, Subtitle 2; COMAR 26.04.07

## **PROCESS**

Permits are required for the construction and operation of solid waste acceptance facilities. The permits ensure that facilities are designed and operated in a manner protective of public health and the environment. The permit review activities cover a broad range of environmental and engineering elements to ensure state-of-the-art techniques protect the State's surface water, groundwater, air, and other natural resources. Routine unannounced inspections are performed at the facilities to ensure compliance.

Inspectors also spend a large percentage of their time investigating complaints regarding unpermitted facilities and open dumps. The compliance staff performs inspections and investigations to find, stop, and clean up illegal dumps and reduce the problems they cause, including odor, soil erosion, discharges of pollutants to surface water, and groundwater pollution. Corrective orders and penalties may be issued for violations in accordance with Department guidelines and procedures.

Compliance activities also include environmental monitoring and remediation. Geologists and engineers review groundwater monitoring and soil gas data to detect aqueous or gaseous pollutants, which may be migrating through the ground from landfills and dumpsites. When releases are detected, plans for landfill caps, groundwater and gas extraction, and treatment systems are required, subject to review and approval by MDE prior to implementation.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #2: Ensuring Safe and Adequate Drinking Water.

## **SUCCESSSES/CHALLENGES:**

The Solid Waste Program's refuse disposal inspection coverage rate was 100% in FY 2006 as it was in FY 2005, as every permitted site was inspected. In addition, the percentage of inspected facilities in significant compliance increased during FY 2006 to 95% from 85% in

FY 2005. A total of 21 significant violations were resolved, while 9 un-permitted sites remained as ongoing violations at the end of fiscal year.

The Solid Waste Program's number of inspections increased during FY 2006 to 889 from 747 in FY 2005, representing a noticeable 16% increase from previous year. The number of compliance assistance actions rendered decreased from 52 in FY 2005 to 39 in FY 2006. Enforcement actions decreased from 32 in 2005 to 22 in FY 2006. These decreases are due primarily to a shortage of inspection staff during first half of the fiscal year that significantly reduced Program enforcement staff.

By the end of FY 2006 all enforcement staff vacancies had been filled, and the challenge in the coming year is to ensure thorough training of the new inspectors. The solid waste activities of the Program operate solely on limited general funds, which restricts the ability to improve upon the current level of enforcement. No permit fees, generator fees, or other source of support is currently allowed by State law for these activities. The Department continues to work with stakeholders to reach consensus and develop an appropriate funding mechanism to provide additional resources to improve solid waste permitting and improve services to the citizens of Maryland.

## Refuse Disposal

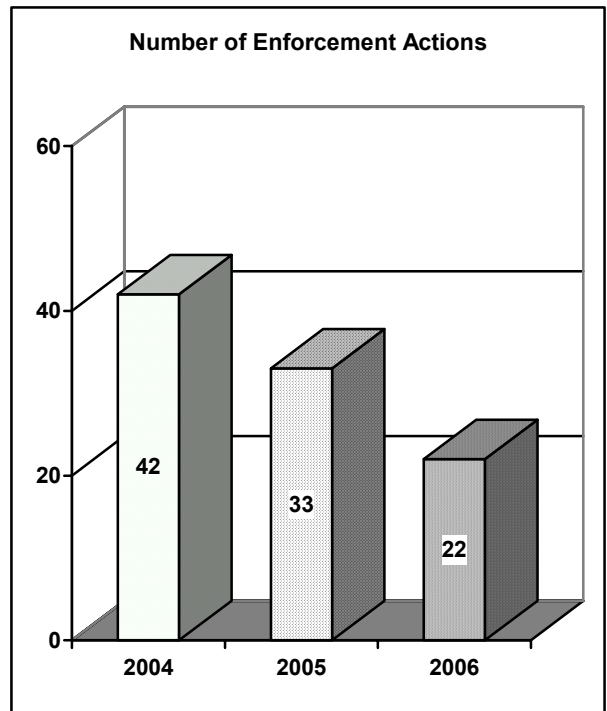
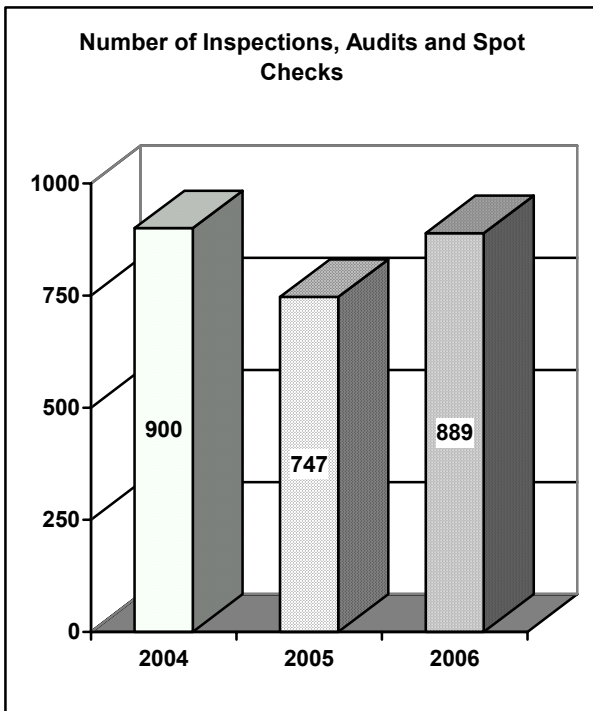
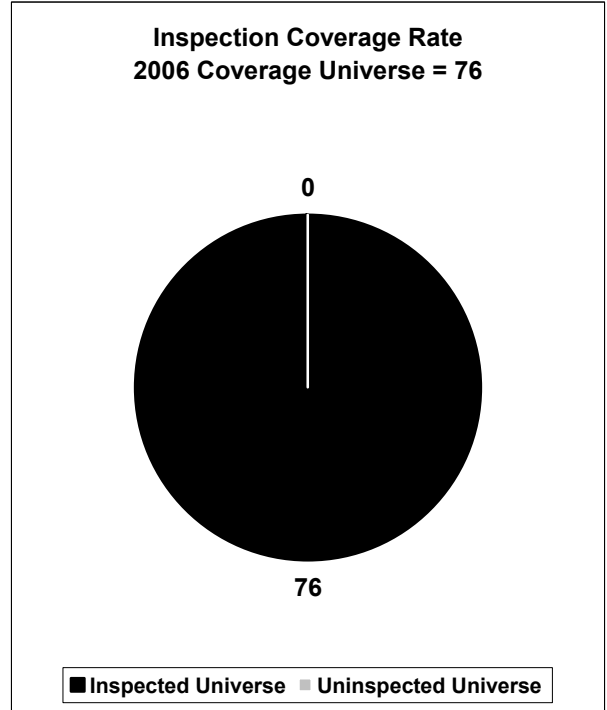
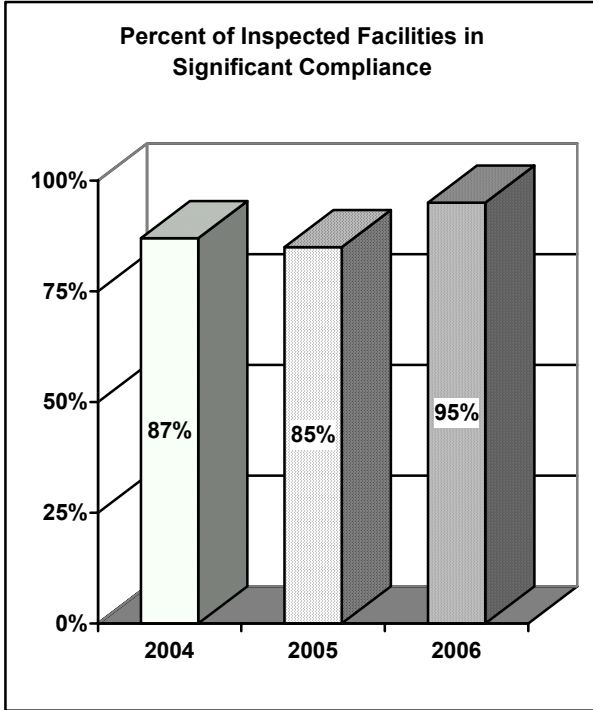
	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	
Number of Permits/Licenses issued	21
Number of Permits/Licenses in effect at Fiscal Year End *	77
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
Unpermitted sites with ongoing violations	9
<b><u>INSPECTIONS</u></b>	
Number of Sites Inspected ***	195
Number of Permitted Facilities Inspected	76
Number of Inspections, Audits, Spot Checks	889
<b><u>COMPLIANCE PROFILE:</u></b>	
Number of Inspected Sites/Facilities with Significant Violations	21
% of Inspected Sites/Facilities in Significant Compliance	95%
% of Inspected Sites/Facilities with Significant Violations	5%
Inspection coverage Rate **	100%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
Number of Significant Violations involving Environmental or Health Impact	1
Number of Significant Violations based on Technical/Preventative Deficiencies	22
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	8
Total	31
<b><u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u></b>	
Resolved	21
Ongoing	10
<b><u>ENFORCEMENT ACTIONS</u></b>	
Number of Compliance Assistance rendered	39
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	22
Number of Referrals to Attorney General for possible Criminal Action	0
<b><u>PENALTIES</u></b>	
Amount of Penalties obtained	\$326

\* There were 20 active Ground Water Discharge permits in effect that were issued to refuse disposal facilities at the end of FY 2006. These permits are part of solid waste program's work-load although they are not counted as refuse disposal permits.

\*\* Coverage rate above is computed as the total number of permitted facilities inspected (76) divided by the total number permitted facilities (76). The Program's goal is to perform monthly site visits. However, this coverage rate is computed as an annual figure.

\*\*\* 76 of the 195 sites were permitted facilities. The remaining sites included unpermitted dumpings, citizen complaints and other similar solid waste issues.

# Refuse Disposal





# Scrap Tires

## **PURPOSE**

Licenses are required for the hauling, collection, storage, processing, recycling, and burning of scrap tires as tire-derived fuel. These licenses ensure that scrap tires are managed in a manner protective of public health and the environment.

## **AUTHORITY**

STATE: Environment Article, Title 9, Subtitle 2;  
Environment Article, Title 10, Nuisance Abatement;  
COMAR 26.04.08

## **PROCESS**

The licensing system is intended to regulate the management of scrap tires and prevent illegal dumping. A State fund is available when a landowner fails to clean up a scrap tire dump. Cost recovery from the landowner or other identifiable responsible party for all costs associated with the cleanup is required. In general, larger scrap tire facilities are inspected more frequently than smaller ones through routine unannounced inspections. Inspectors also investigate citizen complaints about illegal dumping or handling of scrap tires. Corrective orders and penalties may be issued for violations in accordance with Department guidelines and procedures.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal # 1: Promoting Land Redevelopment and Urban Revitalization.

## **SUCCESSSES/CHALLENGES:**

The scrap tire function of the Program continued the cleanup of scrap tire stockpiles, with 61 known stockpiles and approximately 1.6 million scrap tires on them remaining in FY 2006. New stockpiles are still discovered every year and during FY 2006 a total of 26 sites were discovered. A total of 40 stockpiles were cleaned up in 2006 resulting in removal and proper disposal of 158,000 scrap tires. MDE partnerships with local governments are removing thousands of tires from the environment by providing drop-off sites and citizens drop off (amnesty) days.

There was a slight increase (3%) in the numbers of scrap tire site inspections conducted in FY 2006, to 747 from 728 in FY 2005. Consequently, the inspection coverage rate increased by 1% in FY 2006 to 16% from 15% in FY 2005. All known illegal scrap tire stockpile sites were inspected in FY 2006. In addition, the percentage of inspected facilities in significant compliance increased during FY 2006 to 99% from 98% in FY 2005, and a total of 134 significant violations were resolved. The number of compliance assistance actions rendered decreased from 11 in FY 2005 to 8 in FY 2006.

The Program continues to issue Notices of Violation to license holders that fail to submit required semi-annual reports, and initiated a process of issuing administrative orders to those who did not respond to outstanding Notices of Violation. The Program issued 175 scrap tire

enforcement actions during FY 2006 including 157 Notices of Violation and 18 administrative orders with penalties. This represents a 9% decrease from FY 2005 and is a reflection of the Program's success in achieving compliance from licensees during the reporting period along with the compliance assistance processes.

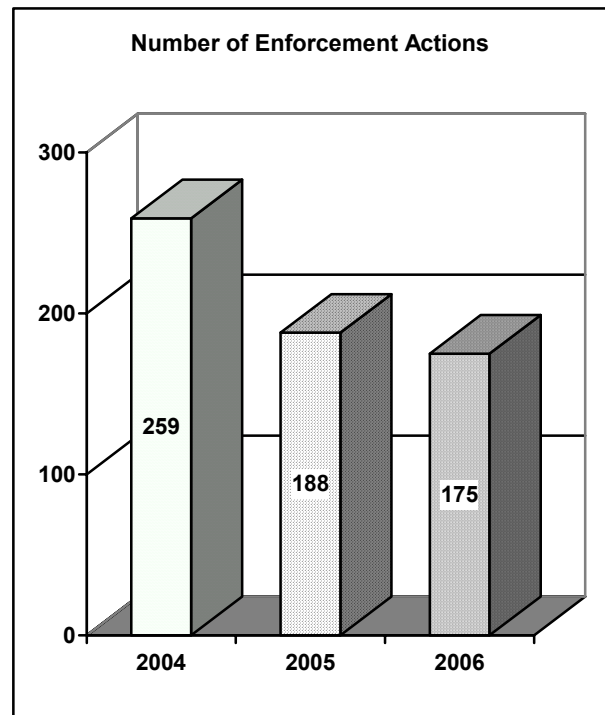
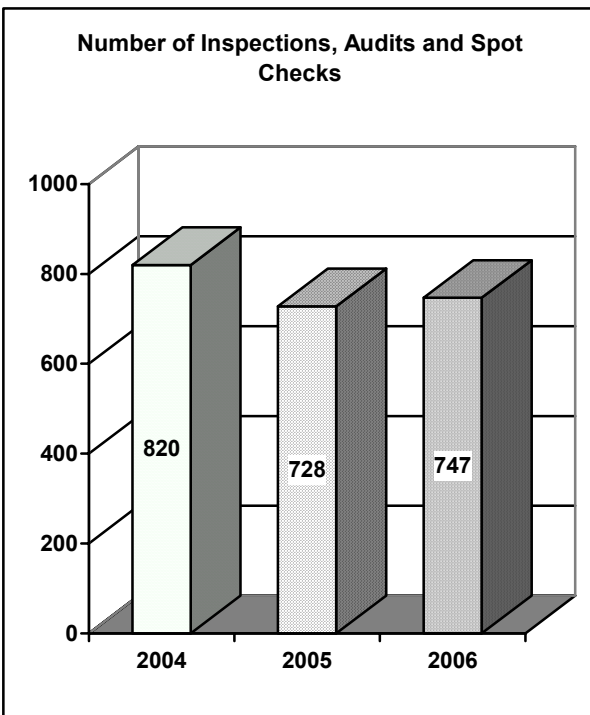
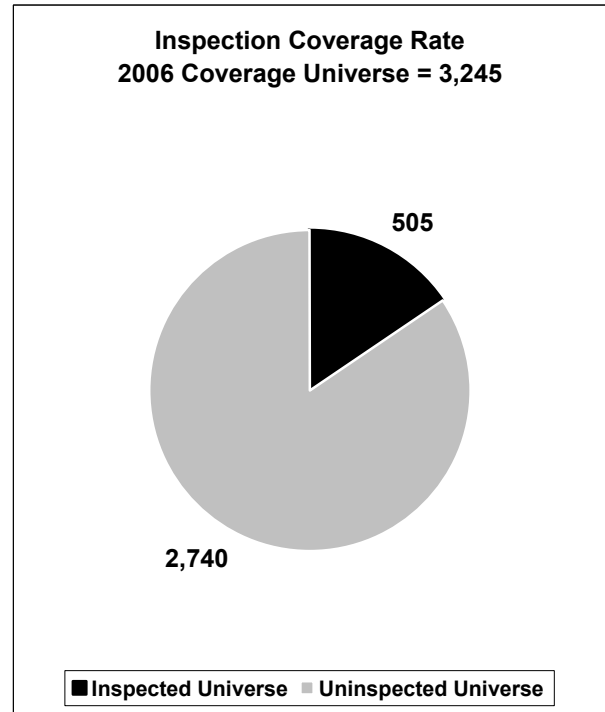
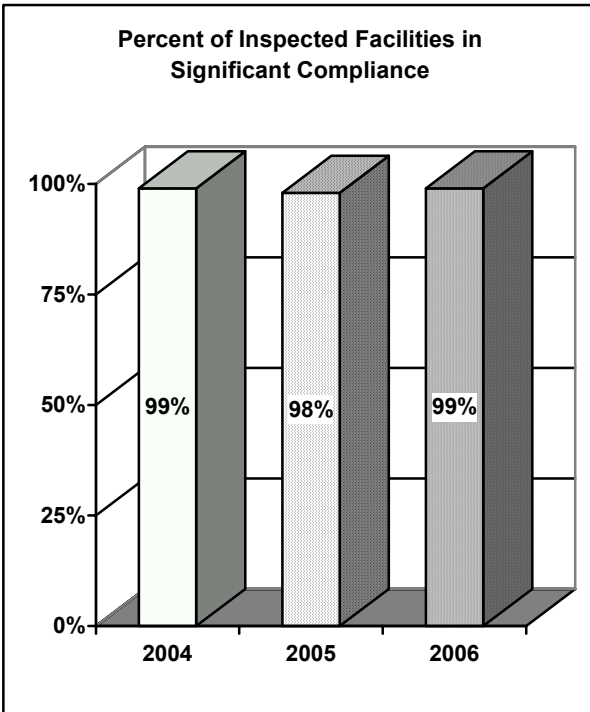
## Scrap Tires

	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	
Number of Permits/Licenses issued	361
Number of Permits/Licenses in effect at Fiscal Year End	3184
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
Stockpiles to be cleaned up	61
<b><u>INSPECTIONS</u></b>	
Number of Sites inspected	505
Number of Inspections, Audits, Spot Checks	747
<b><u>COMPLIANCE PROFILE:</u></b>	
Number of Inspected Sites/Facilities with Significant Violations	7
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection coverage Rate *	16%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies**	175
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	65
Total	240
<b><u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u></b>	
Resolved	134
Ongoing	106
<b><u>ENFORCEMENT ACTIONS</u></b>	
Number of Compliance Assistance rendered	8
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	175
Number of Referrals to Attorney General for possible Criminal Action	0
<b><u>PENALTIES</u></b>	
Amount of Penalties obtained	\$27,775

\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect plus the number of stockpiles to be cleaned up.

\*\* All but 14 of these violations were a result of failure to submit required reports.

# Scrap Tires



# Sewage Sludge Utilization

## PURPOSE

Permits are required for the transportation, collection, handling, storage, treatment, land application, or disposal of sewage sludge in the State. The purpose of the permits is to ensure that sewage sludge is managed in a manner that is protective of public health and the environment. Sewage sludge utilized in Maryland is applied mostly for agricultural uses, composted, pelletized, landfilled, or incinerated. Permit requirements include preparation of applicable nutrient management plans and other necessary documents.

## AUTHORITY

STATE: Environment Article, Title 9, Subtitle 2; COMAR 26.04

## PROCESS

Composting facilities, pelletizers, and storage facilities are inspected several times per year. Landfill disposal operations are inspected during the course of routine landfill inspections. Land application sites are inspected when the workload allows or when complaints are received. The inspector may recommend corrective actions to take, if any are required. If a significant violation is found, site complaints are issued. Corrective orders and penalties may be issued for violations in accordance with Department guidelines and procedures. Inspectors also investigate citizens' complaints about sewage sludge utilization.

## CONTRIBUTES TO MANAGING FOR RESULTS

Goal #4: Improving and Protecting Water Quality.

## SUCCESSES/CHALLENGES:

The Program's number of inspections declined during this reporting period, from 502 in FY 2005 to 488 in FY 2006, principally a result of the shortage of solid waste inspectors during the first half of the fiscal year. There have been no instances of unpermitted land application of sewage sludge in the State or instances of environmental or health impact. This is attributed to the Program's efforts to work with the regulated community over the last several years.

Even though the Program has experienced a decline in its field activities in the past due mainly to vacant positions, increasing permitting workloads, and other program priorities, a limited inspection staff has increased the coverage rate from 26% in FY 2005 to 31% in FY 2006. Further, 98% of inspected facilities were in significant compliance and a total of 17 out of 21 significant violations were resolved during the year. In addition, 19 enforcement actions were taken as compared to only 9 in FY 2005. A total number of 15 compliance assistance actions were rendered. This is due to the small and highly experienced nature of the regulated community – there are a relatively small number of governments and companies engaged in this work and the operators are familiar with the regulations and permit conditions. Therefore, most violations are the result of accidental occurrences or misunderstandings, which are quickly resolved through compliance assistance efforts.

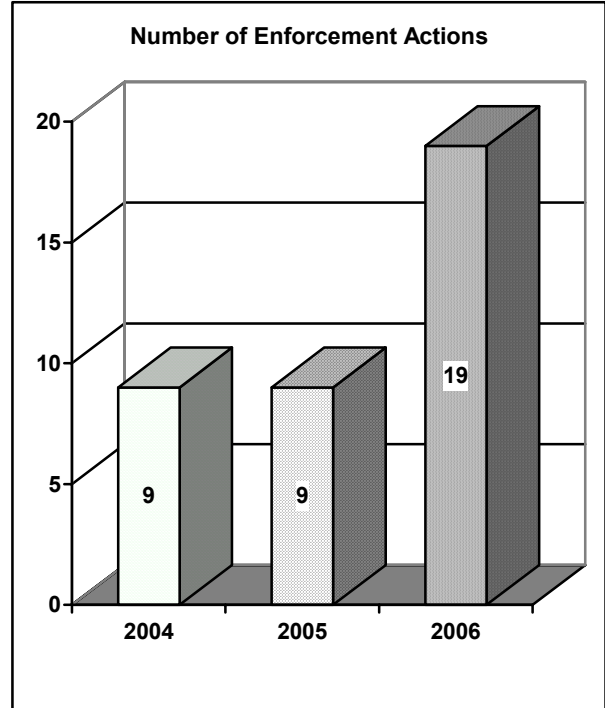
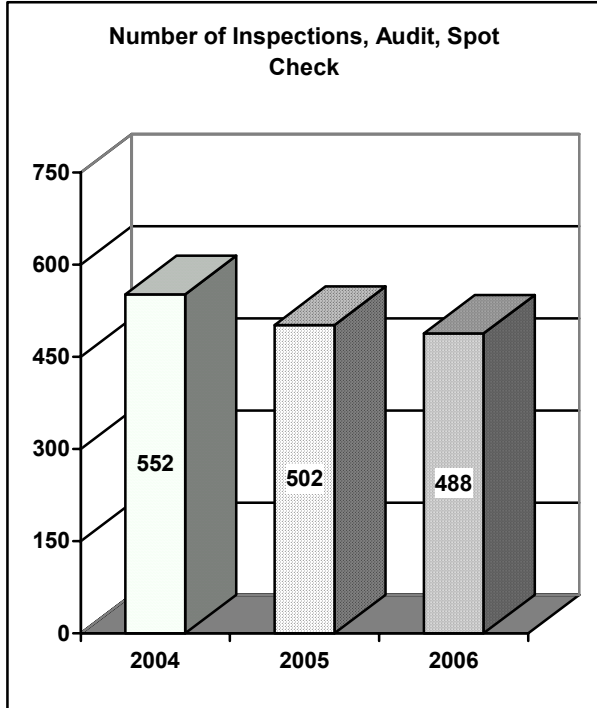
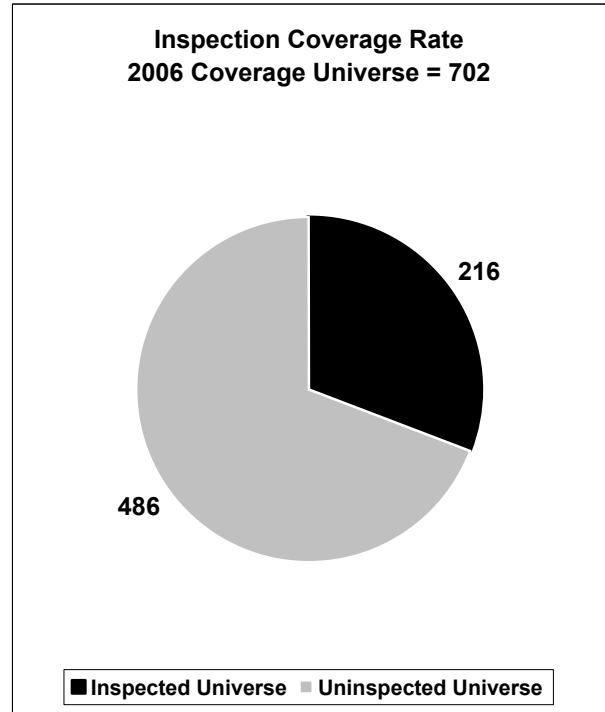
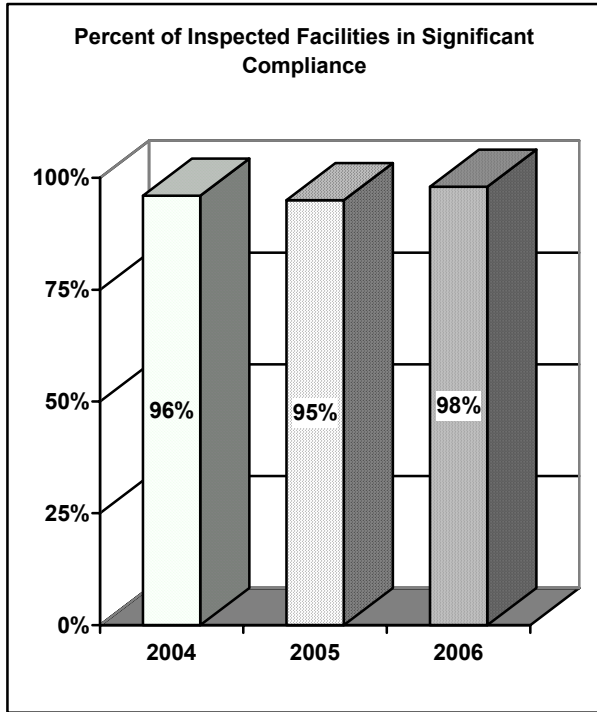
When considering the coverage rate for sewage sludge utilization sites, it should be noted that many of these sites are farm fields that may only receive sewage sludge once or twice during a five-year permit life. Inspection efforts are concentrated toward those sites that are active during the year, so actual coverage rate of sites that are active during the year is likely to be much higher than the reported value. The Program will continue reporting the total coverage value for consistency with past values, and for comparison to other programs.

## Sewage Sludge Utilization

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	131
Number of Permits/Licenses in effect at Fiscal Year End	702
<u>OTHER REGULATED SITES/FACILITIES</u>	
Unpermitted sites with ongoing violations (added fy02)	0
<u>INSPECTIONS</u>	
Number of Sites inspected	216
Number of Inspections, Audits, Spot Checks	488
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	6
% of Inspected Sites/Facilities in Significant Compliance	98%
% of Inspected Sites/Facilities with Significant Violations	2%
Inspection coverage Rate *	31%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	2
Number of Significant Violations based on Technical/Preventative Deficiencies	10
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	9
Total	21
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	17
Ongoing	4
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	15
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	19
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Penalties obtained	\$500

\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

# Sewage Sludge Utilization





# Natural Wood Waste Recycling

## **PURPOSE**

The purpose of these permits is to ensure that natural wood wastes are managed in a manner protective of public health and the environment. In particular, the permitting system is intended to prevent large-scale fires at these facilities. A General Permit is authorized and in use for facilities following common industry practices as described in the regulation.

## **AUTHORITY**

STATE: Environment Article, Title 9, Subtitle 17; COMAR 26.04

## **PROCESS**

Permits are required for the operation of facilities that recycle natural wood waste (stumps, root mat, branches, logs, and brush). Recycling is conducted by chipping the wastes and converting them into mulch. This process is regulated by the conditions in the permit.

Routine unannounced inspections may be performed at these facilities several times per year to ensure compliance with the permit conditions. MDE inspectors also investigate citizen complaints about wood waste recycling operations. Corrective orders and penalties may be issued for violations in accordance with Department guidelines and procedures.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #2: Ensuring Safe and Adequate Drinking Water.

## **SUCSESSES/CHALLENGES:**

The Solid Waste Program's natural wood waste inspection coverage rate was 100% in FY 2006 compared to 87% in FY 2005, as every permitted and unpermitted site was inspected. In addition, the percentage of inspected facilities in significant compliance increased during FY 2006 to 93% from 82% in FY 2005 and a total of 4 significant violations were resolved. Further, there were 5 out of 14 un-permitted sites in ongoing violations at the end of fiscal year.

The Solid Waste Program's number of natural wood waste inspections increased significantly during FY 2006 to 181 from 128 in FY 2005, representing a noticeable 29% increase from the previous year. The number of compliance assistance actions rendered decreased from 7 in FY 2005 to 5 in FY 2006. Enforcement actions increased slightly from 8 in 2005 to 9 in FY 2006. These changes are due primarily to a filling of vacant inspector positions during second half of the fiscal year along with a reconfiguration of inspection areas.

Natural wood waste facilities were targeted for additional inspections in FY 2003 and FY 2004 after several severe fires at this type of facility in FY 2002. Although the Department is mandated to have a natural wood waste facility program, there are no inspectors provided in the budget for this activity. Therefore, inspections of these facilities come at the expense of sewage sludge and scrap tire inspections. As a result, the Sewage Sludge program suffered a decline in numbers of inspections in FY 2006.

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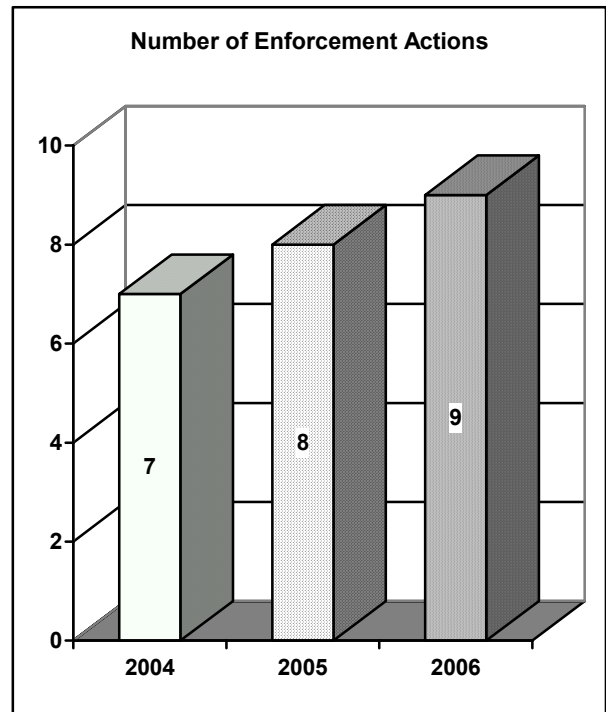
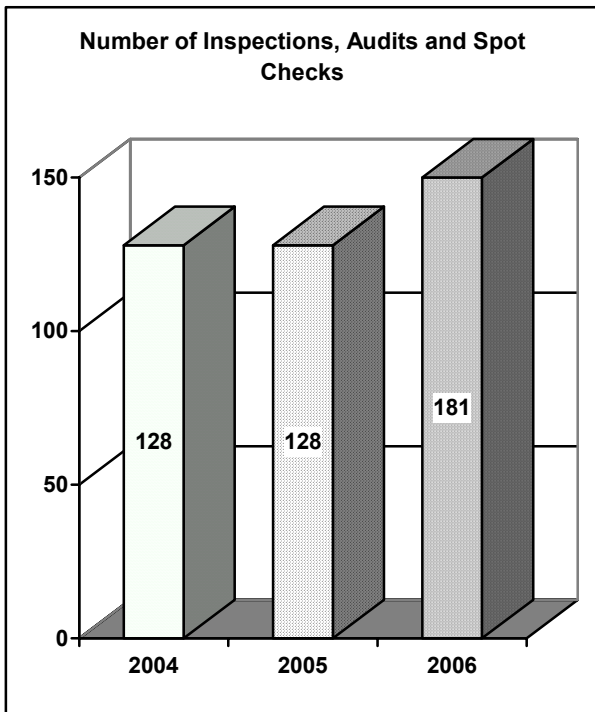
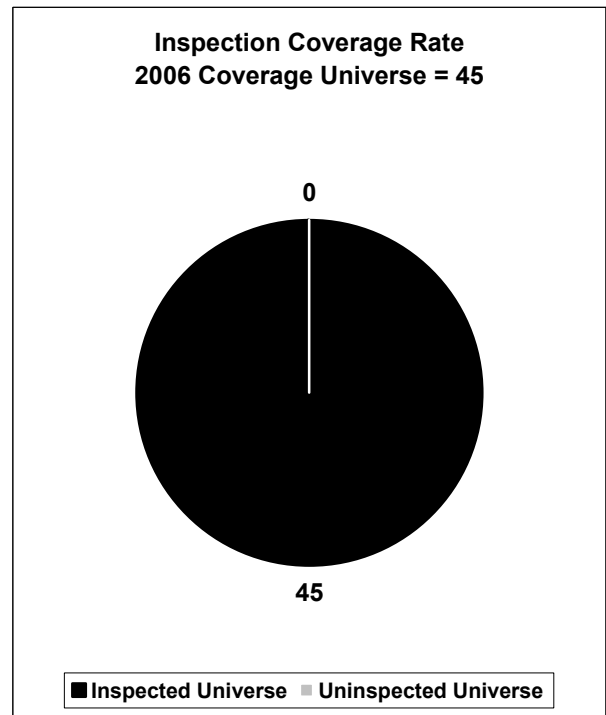
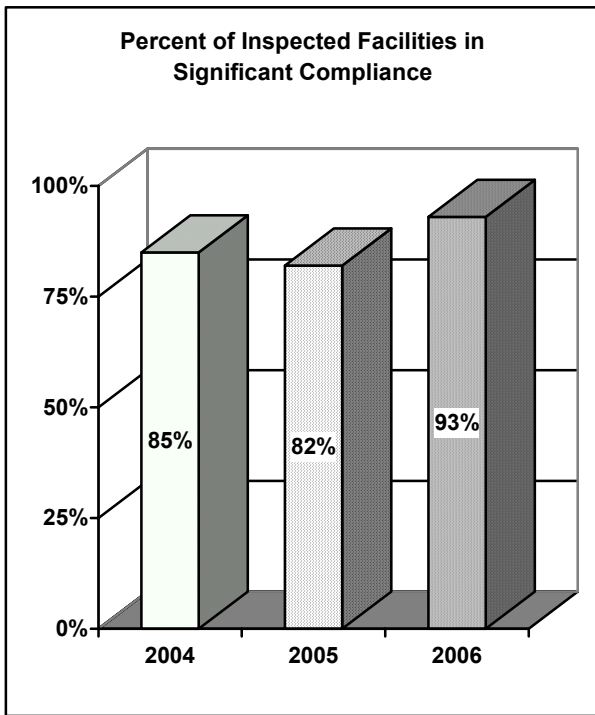
## Natural Wood Waste Recycling

	2006 totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	5
Number of Permits/Licenses in effect at Fiscal Year End	31
<u>OTHER REGULATED SITES/FACILITIES</u>	
Unpermitted sites with ongoing violations	5
Unpermitted sites at Fiscal Year End	14
<u>INSPECTIONS</u>	
Number of Sites inspected*	45
Number of Inspections, Audits, Spot Checks	181
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	8
% of Inspected Sites/Facilities in Significant Compliance	93%
% of Inspected Sites/Facilities with Significant Violations	7%
Inspection Coverage Rate **	100%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	9
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	6
Total	15
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	4
Ongoing	11
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	5
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	9
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Penalties obtained	\$0

\*Number of inspected sites includes permitted facilities, government facilities that do not require permits, unpermitted natural wood waste operations and citizen complaints.

\*\* Coverage rate is computed as the total number of sites inspected and dividing that by the total number of Permits/Licenses in effect plus the number of unpermitted sites discovered and inspected.

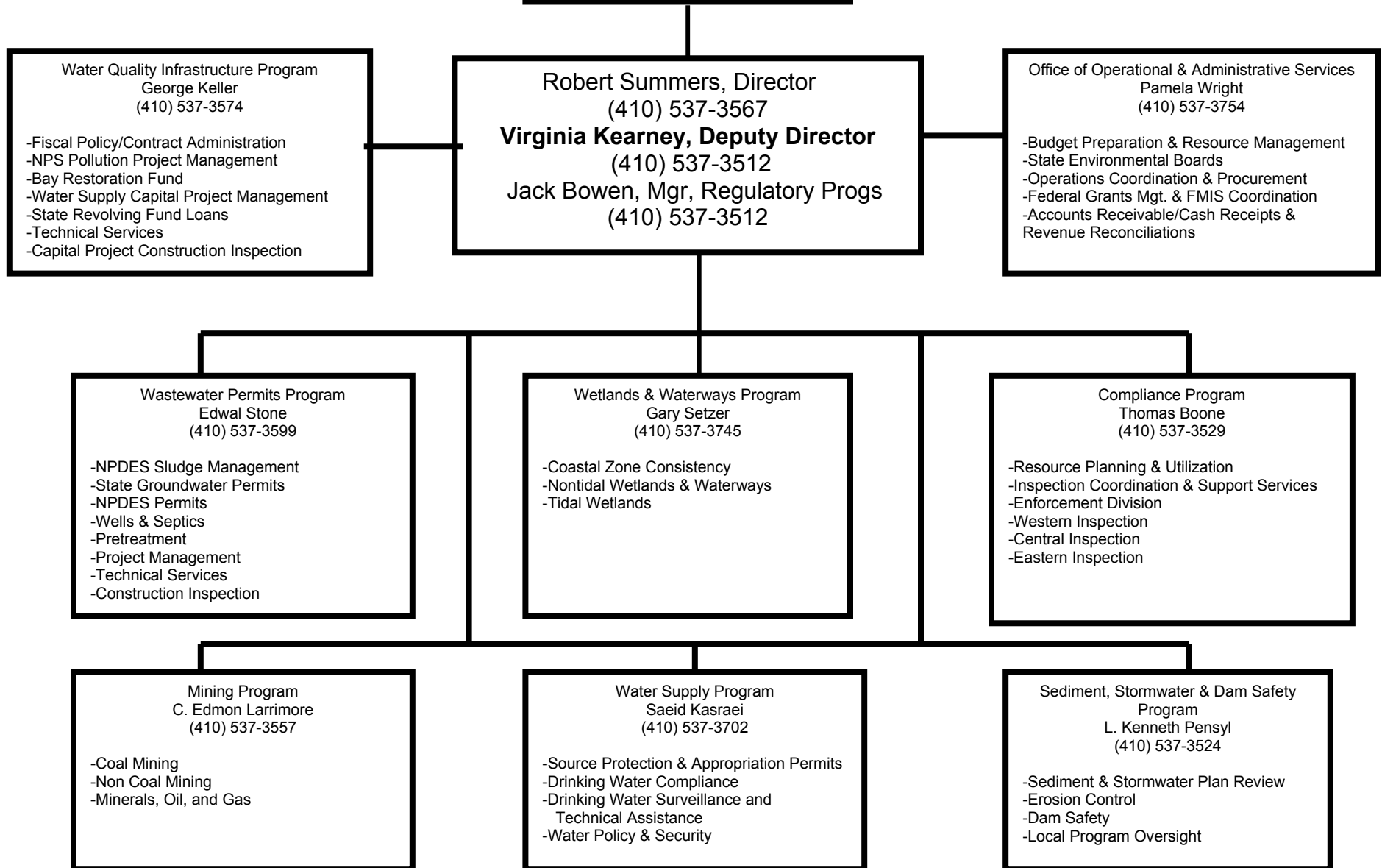
# Wood Waste Recycling



**WATER MANAGEMENT ADMINISTRATION**

# WATER MANAGEMENT ADMINISTRATION

**SECRETARY**



# Discharges – Groundwater (Municipal And Industrial)

## **PURPOSE**

Groundwater Discharge Permits control the disposal of treated municipal or industrial wastewater into the State's groundwater via spray irrigation or other land-treatment applications. A groundwater discharge permit will contain the limitations and requirements deemed necessary to protect public health and minimize groundwater pollution.

## **AUTHORITY**

STATE: Environment Article, Title 9, Subtitle 3; COMAR 26.08

## **PROCESS**

Upon permit issuance, the file is transferred to the Compliance Program where an inspection priority is assigned. Inspections at the facilities are scheduled in accordance with the assigned priority. Facilities are not given advance notification of routine inspections. Scheduled inspection frequencies may be modified as workload or priorities change. If samples are needed to document site conditions they are taken and turned into a lab for analysis. Discharge Permits require sample self-monitoring of the discharge by the facility; results are filed monthly or quarterly with the Department in the form of Discharge Monitoring Reports (DMR). DMR review by the inspector is not counted as a separate activity; rather it is part of the inspector's preparation for making a facility's inspection. Submitted DMR's are reviewed, in the office, by Enforcement Division Staff in order to determine whether the criterion for "Significant Noncompliance" has been met. The DMR reviews performed by the Enforcement Division are included in the following Table on the line identified as "Inspections, Audits, Spot Checks." The Enforcement Division is also responsible for entering all DMR data into a database.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

## **SUCCESSSES AND CHALLENGES**

Excessive nutrients, bacteria, and industrial wastewater pollutants have the potential to impact the quality of groundwater. Through the groundwater discharge permitting process, dischargers are inventoried, inspected, and enforced.

DMR's were reviewed for all permitted sites that require DMR submittals as a part of their groundwater permit. These reviews were counted in Number of Sites Inspected this year. The Compliance Program performed 134 site visits at these facilities.

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## Discharge – Groundwater (Municipal And Industrial)

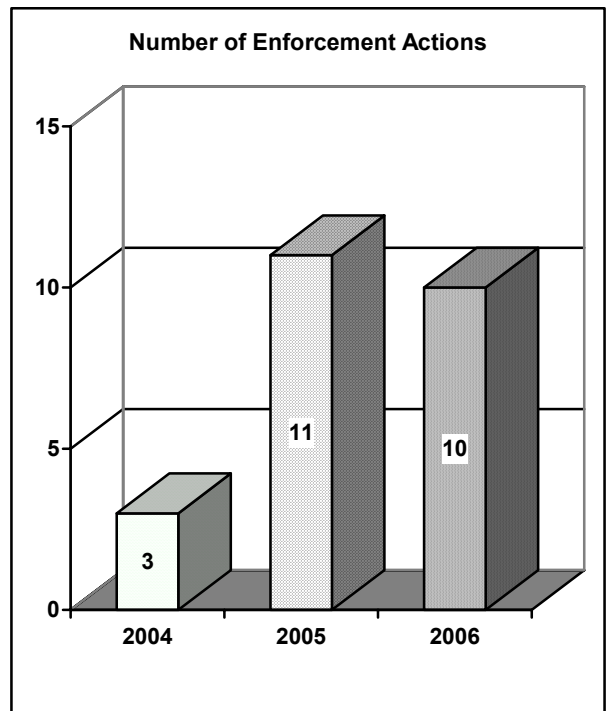
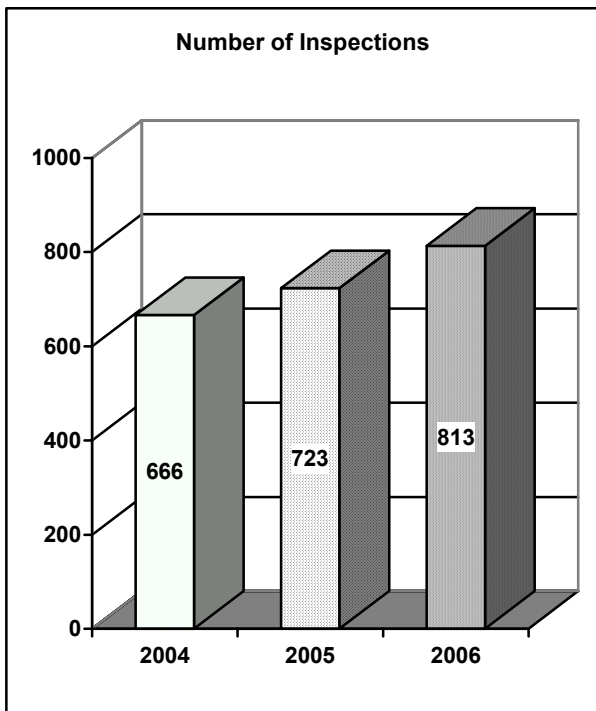
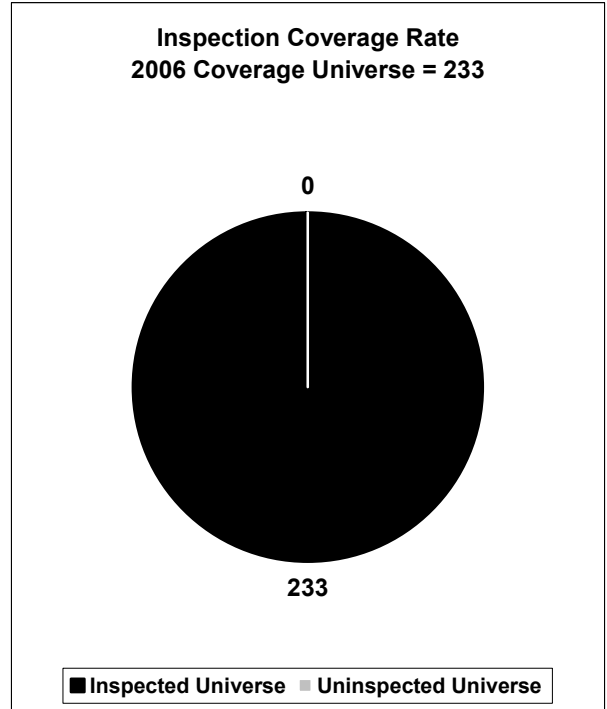
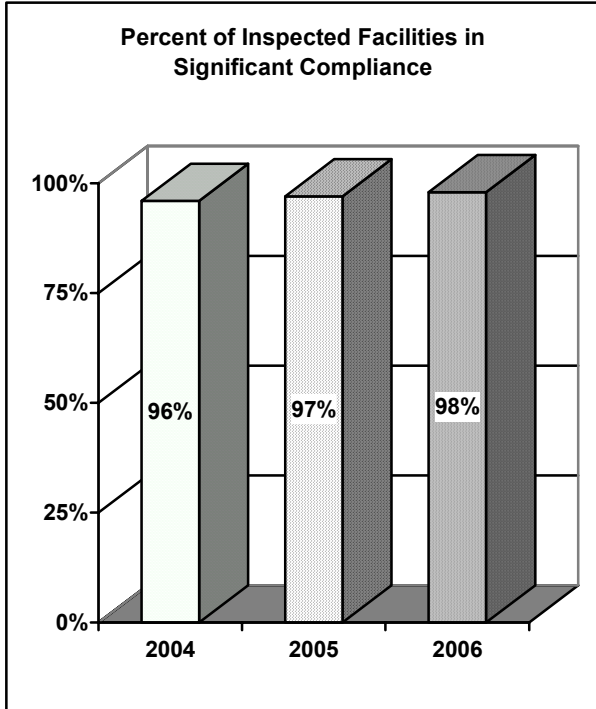
	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued*	33
Number of Permits/Licenses in effect at Fiscal Year End	233
<u>OTHER REGULATED SITES/FACILITIES</u>	
<b>None</b>	
<u>INSPECTIONS</u>	
Number of Sites inspected	233
Number of Inspections, Audits, Spot Checks**	813
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	4
% of Inspected Sites/Facilities in Significant Compliance	98%
% of Inspected Sites/Facilities with Significant Violations	2%
Inspection coverage Rate ***	100%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	2
Number of Significant Violations based on Technical/Preventative Deficiencies	2
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	12
Total	16
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	3
Ongoing	13
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	2
Number of Show Cause, Remedial, Corrective Actions issued	3
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	7
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$14,350

\* This number includes 15 new, 14 renewals, and 4 modifications of permits.

\*\* This number includes 134 inspections and 679 DMR reviews.

\*\*\* Coverage rate above is computed as the total number of sites inspected and dividing that by the sum of the total number of permits/licenses in effect.

## Discharge – Groundwater (Municipal and Industrial)



## **Discharges - Surface Water (Municipal & Industrial) State and NPDES Permits**

### **PURPOSE**

The purpose of the federal National Pollutant Discharge Elimination System (NPDES) program is to control pollution generated from industrial activity, municipal wastewater systems, certain agricultural activities and stormwater runoff from industrial, municipal and agricultural activities. Anyone who discharges wastewater to surface waters needs a surface water discharge permit. Applicants include municipalities, counties, schools and commercial sewage treatment plants, as well as treatment systems for private residences. All industrial, commercial or institutional facilities that discharge wastewater (or storm water from certain facilities) directly to surface waters of Maryland also need this permit. Direct discharges to municipal wastewater systems will only require a pretreatment permit. Certain agricultural activities, specifically, concentrated animal feeding operations, are also required to obtain a surface water discharge permit.

The NPDES permit system also includes a stormwater component to control pollution generated from runoff associated with industrial sites, municipal storm sewer systems, and concentrated animal feeding operations. Eleven categories of industry and certain sized local governments are required by the Clean Water Act and the U.S. Environmental Protection Agency (EPA) to be permitted under the NPDES stormwater program. The surface water discharge permit combines the requirements of the State discharge permit program and the NPDES into one permit for municipal wastewater treatment facilities, businesses, and industrial facilities, that discharge to State surface waters. The permit is designed to protect water quality standards in the water receiving the discharge.

NOTE: The General Permit for construction activity is tracked and documented under the Stormwater Management and Erosion & Sediment Control Program. General discharge permit coverage is required for construction activities that involve one acre or more of disturbance.

### **AUTHORITY**

FEDERAL: Clean Water Act

STATE: Environment Article, Title 9, Subtitle 3; COMAR 26.08

### **PROCESS**

Upon issuance of a permit the file is transferred to the Compliance Program where an inspection priority is assigned. Inspections at the facility are scheduled in accordance with the assigned priority. Facilities are not given advance notification of routine inspections. Scheduled inspection frequencies may be modified as workload or priorities change. If water quality samples are needed to document site conditions they are taken and submitted to a lab for analysis. Discharge Permits

require self-monitoring sampling of the discharge by the facility and results filed quarterly with the Department in Discharge Monitoring Reports (DMR). DMR review by the inspector is not counted as a separate activity; rather it is part of the inspector's preparation for making a facility inspection. Submitted DMR's are reviewed, in the office, by Enforcement Division Staff in order to determine whether the criterion for "Significant Noncompliance" has been met. The DMR reviews performed by the Enforcement Division are included in the following Table on the line identified as "Inspections, Audits, Spot Checks". The Enforcement Division is also responsible for entering all DMR data into a database.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

## **SUCCESSSES AND CHALLENGES**

Excessive nutrients from municipal and industrial wastewater, industrial chemicals in wastewater, and the pollutants carried by stormwater runoff all have the potential to impact the quality of surface waters. Through the surface water discharge permitting process, dischargers are inventoried, inspected, and enforced.

WMA was again challenged this year to focus increased attention on numerous sewage overflows, primarily from municipal sewage collection systems. The Compliance Program continued to evaluate each overflow/spill report that it received. The Maryland Department of the Environment has been aggressively working to correct sewerage problems in the State. In FY 2006 final settlements were reached with Baltimore County and Washington Suburban Sanitary Commission. The Compliance Program tracks these settlements, as well as previous actions with other systems, until all requirements are fulfilled. Some of the enforcement actions require extensive and costly sewer system improvements and have schedules that extend over many years.

DMR's were reviewed for all permitted sites that require DMR submittals as a part of their surface water permit. These reviews were counted in Number of Sites Inspected this year. The Compliance Program performed 2,936 site visits at these facilities.

## **Supplemental Environmental Projects (SEP)**

WMA encourages the use of SEPs because they can play a role in securing significant environmental or public health protection and improvements. SEPs may be particularly appropriate to further the objectives in the statutes WMA administers and to achieve other policy goals, including promoting pollution prevention and environmental justice.

In FY 2006, WMA finalized administrative consent orders with two municipal wastewater treatment plants and WSSC to perform SEP's totaling \$8,928,000.

## Discharges – Surface Water (Municipal & Industrial) State and NPDES Permits

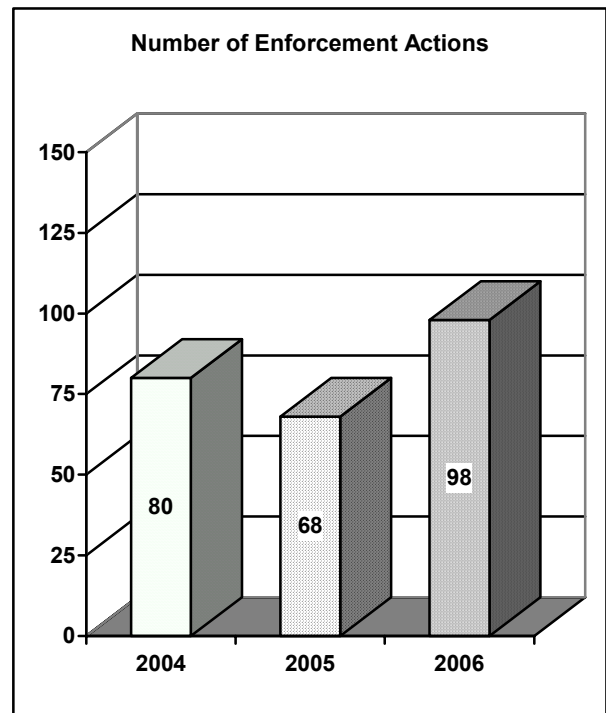
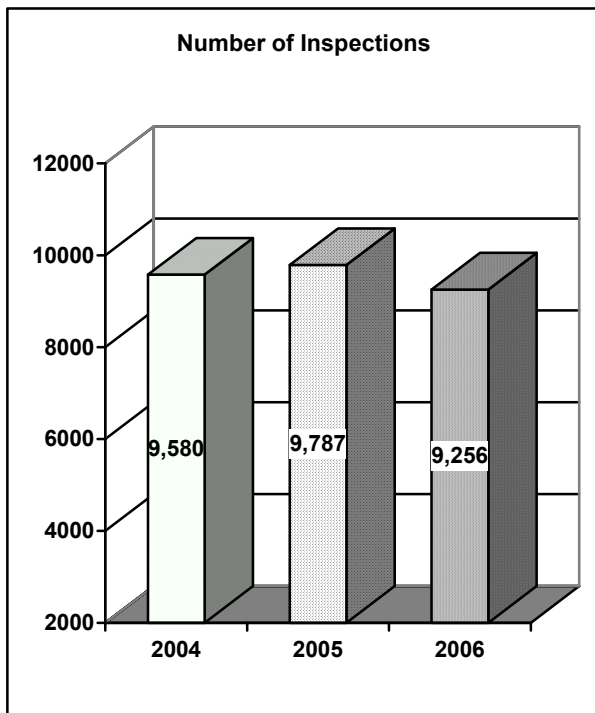
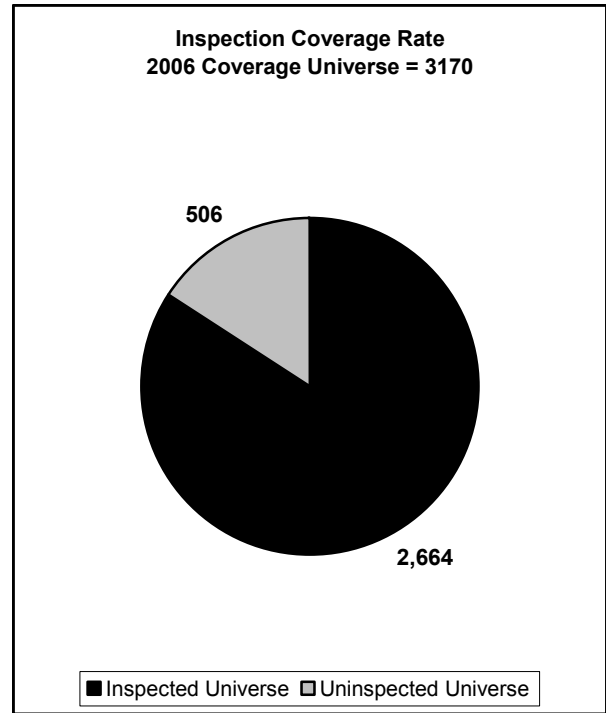
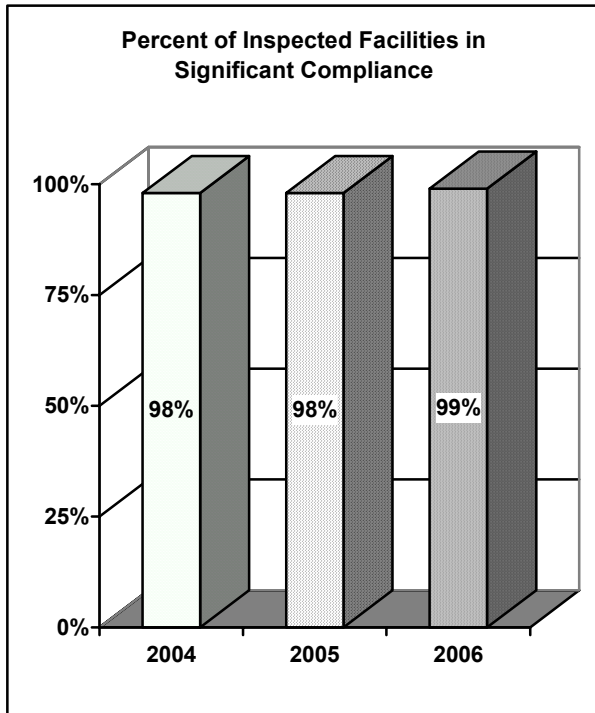
	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued*	304
Number of Permits/Licenses in effect at Fiscal Year End	3170
<u>OTHER REGULATED SITES/FACILITIES</u>	
None	
<u>INSPECTIONS</u>	
Number of Sites inspected	2,664
Number of Inspections, Audits, Spot Checks**	9,256
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	24
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection coverage Rate ***	85%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	27
Number of Significant Violations based on Technical/Preventative Deficiencies	5
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	54
Total	86
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	55
Ongoing	31
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	64
Number of Show Cause, Remedial, Corrective Actions issued	24
Number of Stop Work Orders	0
Number of Injunctions obtained	3
Number of Penalty and Other Enforcement Actions	71
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$1,351,044

\* This number includes 147 new permits, 127 renewals, and 30 conversions/modifications of permits.

\*\* This number includes 2,936 inspections and 6,320 DMR reviews.

\*\*\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

# Discharges – Surface Water (Municipal & Industrial) State and NPDES Permits



## **Discharges – Pretreatment (Industrial)**

### **PURPOSE**

As part of its responsibility for enforcing federal and state laws and regulations pertaining to the discharge of wastewaters, MDE is responsible for controlling wastewaters from industrial and other non-domestic sources discharged into publicly owned treatment works (POTW). In accordance with its authority as delegated by EPA, in FY 2005 MDE has delegated responsibility for implementation of a pretreatment program to 20 local pretreatment programs which are responsible for 218 sites. In addition to these, MDE issues pretreatment permits directly to 4 industries discharging to non-delegated POTW's. Local pretreatment program responsibilities include issuing discharge permits to industrial users, conducting industrial inspections and performing compliance monitoring, developing and enforcing local limits, enforcing federal pretreatment standards and assessing penalties against industrial users. These requirements are included in a delegation agreement, which is signed by the POTW and MDE and then incorporated by reference into the POTW's NPDES permit issued by MDE. The local governments are responsible for issuing penalties and enforcement actions associated with this program, therefore, those numbers are not reflected in MDE's enforcement statistics.

### **AUTHORITY**

FEDERAL: Clean Water Act

STATE: Environment Article, Title 9, Subtitle 3; COMAR 26.08

### **PROCESS**

MDE, through the Pretreatment Program, oversees local pretreatment program implementation. This oversight is performed by the permitting program staff by conducting: 1) pretreatment compliance inspections of pretreatment programs; 2) audits of pretreatment programs; 3) joint review of industrial user permits; 4) independent and joint industrial inspections with the POTW; 5) review of quarterly status reports from the delegated POTW's or, 6) initiation of enforcement actions when the POTW fails to act in accordance with its delegated responsibilities. The Pretreatment Program also issues permits to categorical industrial users discharging to wastewater treatment plants in areas of the state without delegated pretreatment programs. Compliance of these industrial users is tracked by review of periodic compliance reports and the results of annual inspections conducted by MDE.

### **CONTRIBUTES TO MANAGING FOR RESULTS:**

Goal #4: Improving and Protecting Water Quality

## **SUCSESSES AND CHALLENGES**

Excessive nutrients from municipal and industrial wastewater and industrial chemicals in wastewater have the potential to impact the quality of surface waters. The Pretreatment Program currently issues permits to categorical industrial users located in areas not serviced by jurisdictions with delegated pretreatment programs. In addition it provides oversight of the 20-delegated pretreatment programs with technical and regulatory assistance. The Pretreatment Program has been able to inspect all delegated pretreatment programs and inspect all categorical industrial users permitted directly by the Program on an annual basis. Additionally, upon request and on a proactive basis, inspections were also performed at several industrial users that are permitted by local delegated pretreatment programs.



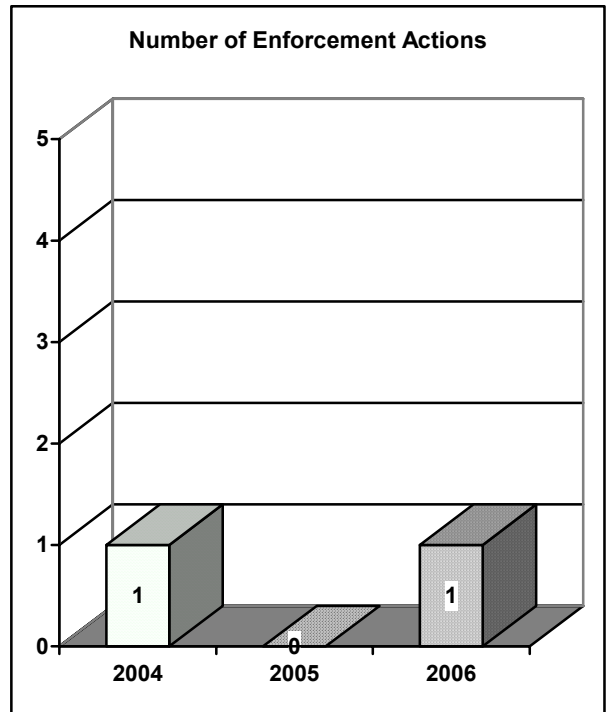
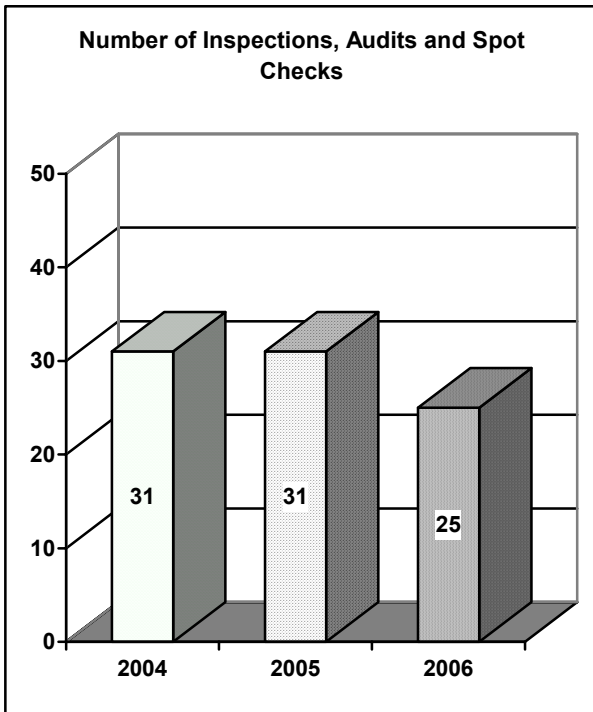
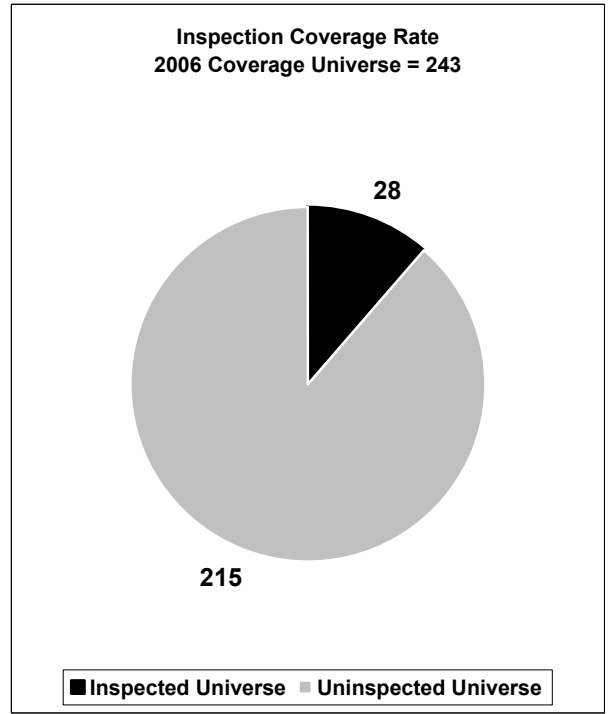
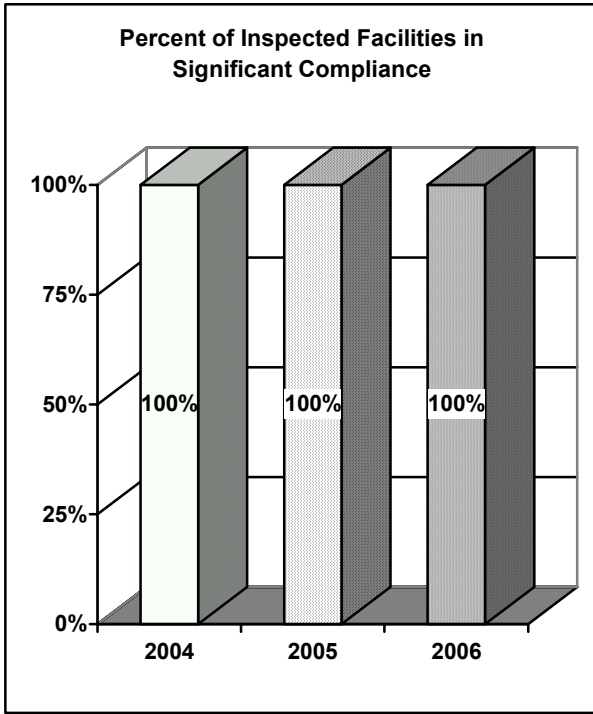
## Discharges - Pretreatment (Industrial)

	2006Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	1
Number of Permits/Licenses in effect at Fiscal Year End *	4
<u>OTHER REGULATED SITES/FACILITIES</u>	
Publicly Owned Treatment Works (POTWs)	20
<u>Locally regulated</u> Significant Industrial Users not including POTW's *	218
<u>INSPECTIONS</u>	
Number of Sites inspected	28
Number of Inspections, Audits, Spot Checks	25
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	0
% of Inspected Sites/Facilities in Significant Compliance	100%
% of Inspected Sites/Facilities with Significant Violations	0%
Inspection coverage Rate **	
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	0
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	0
Total	0
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	0
Ongoing	0
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	0
Number of Show Cause, Remedial, Corrective Actions issued	1
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	0
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$7,200

\* These are State permitted Categorical Industries.

\*\* Coverage rate is defined as the number of sites inspected divided by the sum of permits/licenses in effect, the POTW's and the significant industrial users. However, the Program is responsible for inspecting only the permittees, the POTW's and only some of the industrial users and is required by statute to provide a 100% coverage rate of those and this fiscal year, the program MET that requirement.

## Discharge – Pretreatment (Industrial)



# **Stormwater Management and Erosion & Sediment Control For Construction Activity**

## **PURPOSE**

The purpose of Maryland's erosion and sediment control program is to lessen the impact to the aquatic environment caused by sediment leaving construction sites. Any construction activity in Maryland that disturbs 5,000 square feet or more of land, or results in 100 cubic yards or more of earth movement must have approved stormwater management and erosion and sediment control plans before construction begins. The purpose of Maryland's stormwater management program is to reduce stream channel erosion, pollution, siltation, and local flooding caused by land use changes associated with urbanization. This is accomplished by maintaining after development, the pre-development runoff conditions through the use of various stormwater management measures. Additionally, for any construction activity that disturbs one or more acres, coverage must be obtained under the Department's general permit for construction activity. The purpose of this permit is to prevent water pollution and streambank erosion caused by excess erosion, siltation, and stormwater flows from construction sites.

The purpose of the federal National Pollutant Discharge Elimination System (NPDES) stormwater program is to control pollution generated from runoff associated with industrial activity and municipal storm sewer systems. Eleven categories of industry and certain sized local governments are required by the Clean Water Act and the U.S. Environmental Protection Agency (EPA) to be permitted under the NPDES stormwater program.

## **AUTHORITY**

FEDERAL: Clean Water Act, Section 402; 40 CFR

STATE: Environment Article, Title 4, Subtitle 1 and Subtitle 2; COMAR 26.17

## **PROCESS**

Inspection and enforcement authority for erosion and sediment control has been delegated or partially delegated to 13 counties and 10 municipalities by the state. State inspections are performed at all construction projects in the 10 non-delegated counties. Inspections at all state and federal projects throughout Maryland are the responsibility of the State inspection program. This report does not reflect the erosion and sediment control inspection and enforcement activities conducted by local governments in delegated jurisdictions. Stormwater management approval for all non-state and nonfederal projects is by law the responsibility of each local jurisdiction. State inspections of stormwater management facilities are performed only for state and federal projects. Upon issuance of a permit or authorization

(whether by the Sediment and Stormwater Plan Review Division or by the local sediment control approval authority), the file is transferred to the Compliance Program where an inspection priority is assigned. The inspectors then schedule routine inspections of the facilities adhering to the assigned priority as much as workload allows. Facilities are not given advance notification of routine inspections. At any time during the process, the inspection frequency can be adjusted as site conditions or workload demands.

As in the previous reports, the Stormwater Management and Erosion and Sediment Control programs have been combined into one table. The rationale for this change is that at the state level, these projects are reviewed and approved as one project. For all state and federal projects, plan review and approval for stormwater management and for sediment control is performed by the Sediment, Stormwater and Dam Safety Program, and inspections for stormwater management and sediment control are performed by the Compliance Program. Conversely, all non-state/non-federal projects are reviewed at the local level, and if delegated, inspected at the local level. In non-delegated jurisdictions, the MDE Compliance Program performs sediment control inspections. Emphasis remained on accounting for sediment control inspections when they were performed in association with the inspection of other media permits.

In the following table, 6924 inspections were performed at 3250 local Erosion and Sediment Control Approvals, while 1077 inspections were performed at 532 stormwater management approvals. The Program's emphasis has continued to focus on sediment control inspections.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality

### **SUCCESSSES AND CHALLENGES**

Excessive nutrients and sediment have the potential to impact the water quality. The delivery of these pollutants may occur via stormwater runoff from construction activities. Inspections remain a priority, as evidenced by the numbers. The numbers are consistent with last year's totals with a decrease in Number of Sites Inspected and Number of Inspections and an increase in Amount of Penalties obtained. *COMAR 26.17.01.09.D.(2)*, states: "Ensure that every active site having a designed erosion and sediment control plan is inspected for compliance with the approved plan on the average of once every two weeks." This requirement is not being met and is in part reflected in the Inspection Coverage Rate.

As in the previous year, the Allegany and Frederick Soil Conservation Districts continued to perform Erosion and Sediment Control inspections on behalf of the Department. The numbers of sites Inspected and numbers of inspections on the following table do not reflect the activities of the two SCD's.

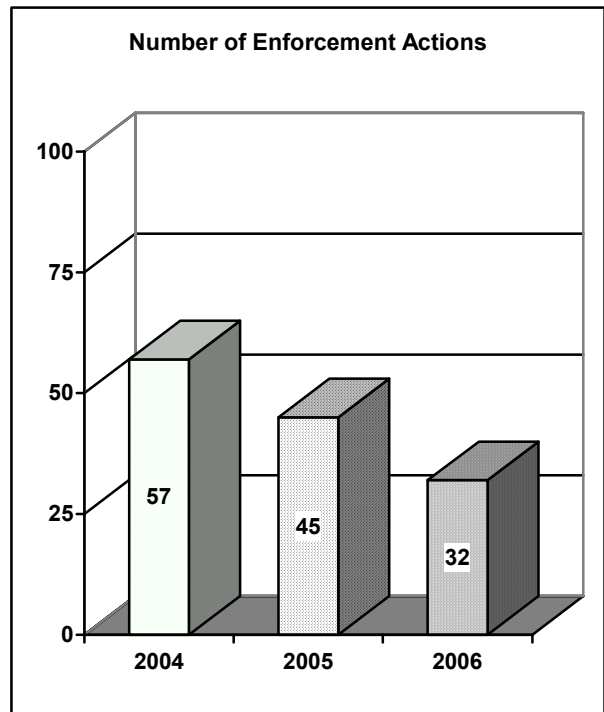
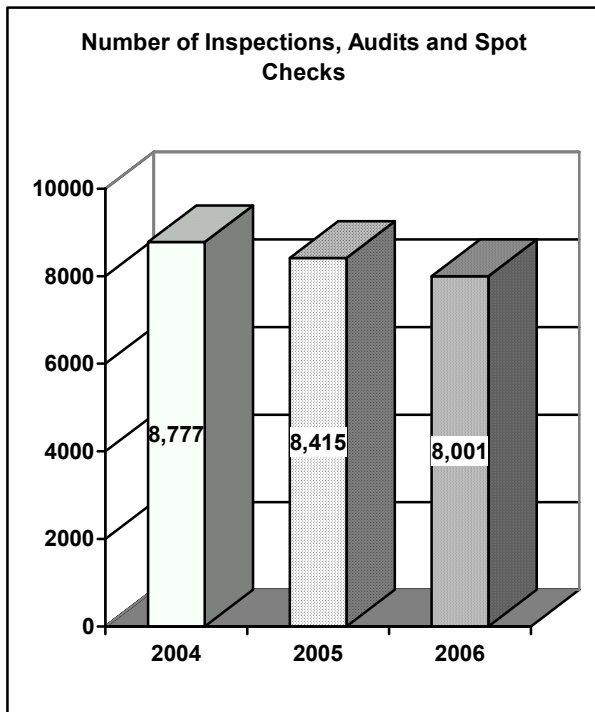
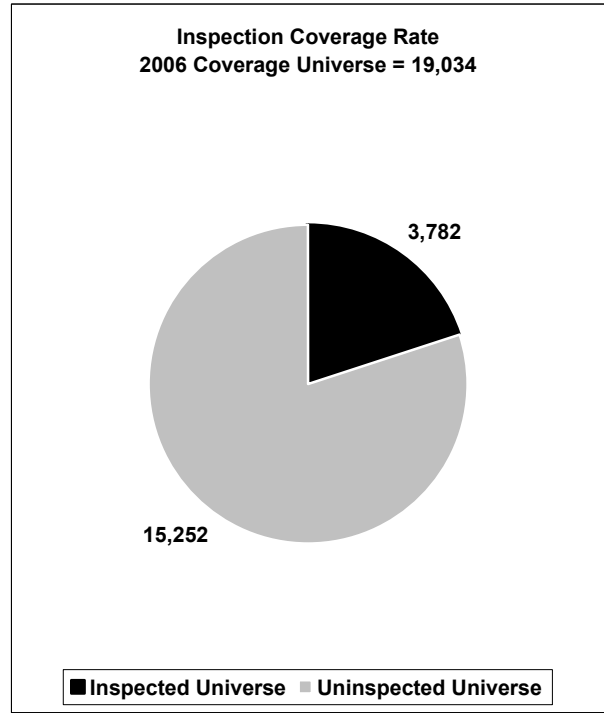
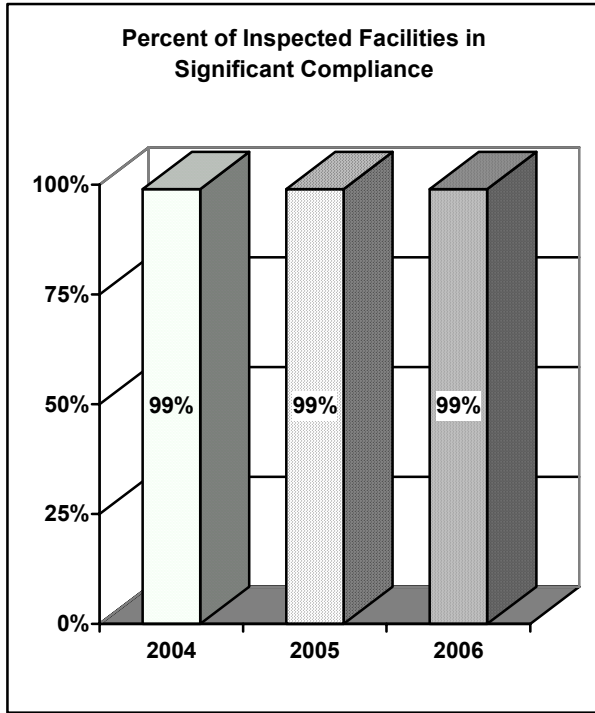
## Stormwater Management and Erosion & Sediment Control For Construction Activity

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued*	1,500
Number of Permits/Licenses in effect at Fiscal Year End	19,034
<u>OTHER REGULATED SITES/FACILITIES</u>	
None	
<u>INSPECTIONS</u>	
Number of Sites inspected	3,782
Number of Inspections, Audits, Spot Checks	8,001
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	40
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection coverage Rate **	20%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	14
Number of Significant Violations based on Technical/Preventative Deficiencies	34
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	20
Total	68
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	52
Ongoing	16
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	502
Number of Show Cause, Remedial, Corrective Actions issued	6
Number of Stop Work Orders	2
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	24
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$234,010

\*This number includes 1275 sites permitted under the General Permit for Construction Activity.

\*\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

## Stormwater Management and Erosion & Sediment Control For Construction Activity



# Mining – Coal

## **PURPOSE**

A coal-mining permit has been implemented to minimize the effects of coal mining on the environment. In addition to environmental controls, the permit provides for proper land reclamation and ensures public safety. Permits are required for surface coal mining, deep coal mining, prospecting, preparation plants, loading facilities, and refuse reclamation operations. All coal mining activity occurs in Allegany and Garrett Counties.

## **AUTHORITY**

FEDERAL: Surface Mining Control and Reclamation Act of 1977

STATE: Environment Article, Title 15, Subtitle 5; COMAR 26.20

## **PROCESS**

Upon issuance of a permit/license/authorization the file is transferred to the Compliance Program where an inspection priority is assigned. By agreement with the federal Office of Surface Mining (OSM), MDE has committed to inspect each permitted facility on a monthly basis. The inspectors then schedule routine inspections of the facilities adhering to the assigned priority as much as workload allows. Facilities are not given advance notification of routine inspections. At any time during the process, the inspection frequency can be adjusted as site conditions or workload demands.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality

## **SUCCESSSES AND CHALLENGES**

Within the activity of mining coal the potential exists to degrade water quality through the transport of sediment-laden water and acidic water with pH values that can adversely impact the aquatic habitat. Proper land reclamation after the completion of the mining activity provides a benefit to the water quality as well as productive use of the land. Proper planning and land reclamation is important to ensure that these negative impacts do not occur.

The Compliance Program has been able to maintain its level of activity in this media in accordance with its agreement with the federal Office of Surface Mining (OSM). The increase in enforcement actions is attributed to the abandonment of 16 mine sites by 2 coal companies with common principle ownership. The companies have filed for bankruptcy. Permit revocation and bond forfeiture proceedings are underway.

COMAR 26.20.31.02.A “The Bureau shall conduct an average of one partial inspection per month of each active surface mining and reclamation operation and shall conduct as many partial inspections for each inactive surface mining and

reclamation operation as necessary to ensure effective enforcement of the Regulatory Program.”

COMAR 26.20.31.02.B. “The Bureau shall conduct an average of at least one complete inspection per calendar quarter of each active or inactive surface mining and reclamation operation.”

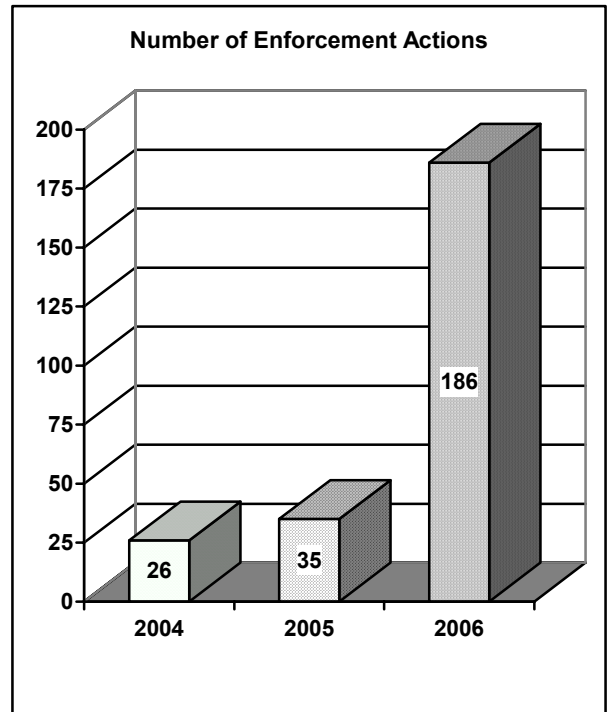
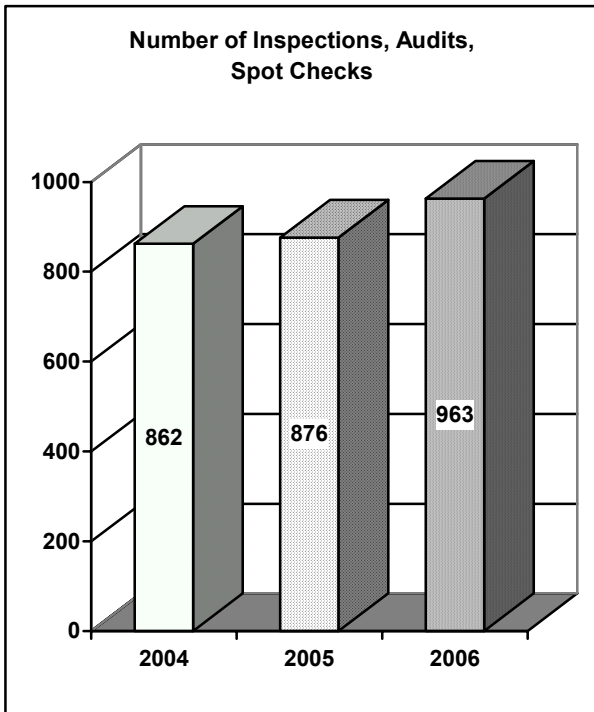
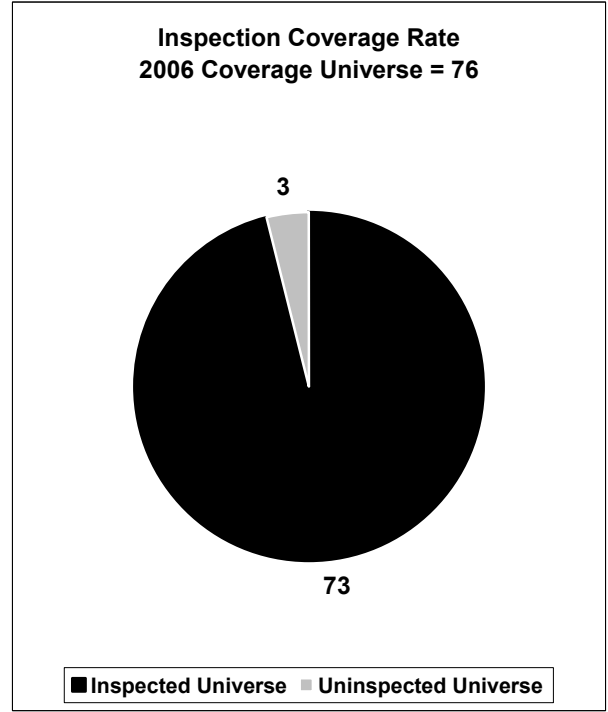
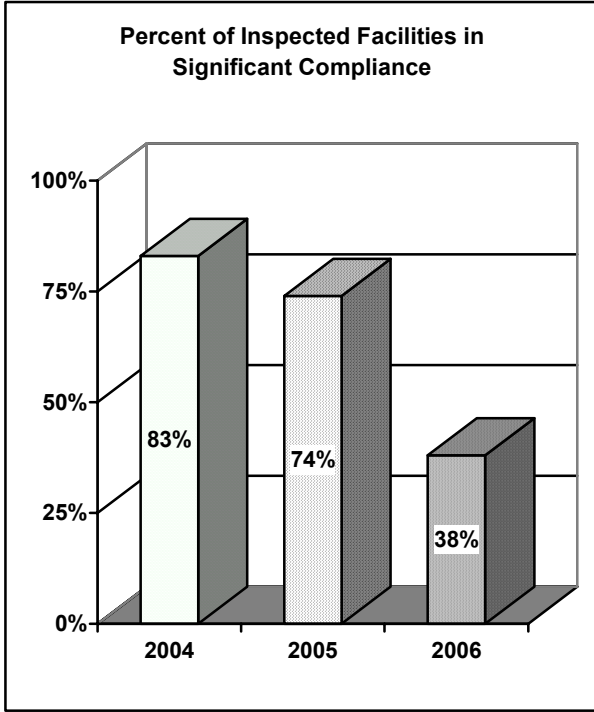


## Mining – Coal

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	57
Number of Permits/Licenses in effect at Fiscal Year End	76
<u>OTHER REGULATED SITES/FACILITIES</u>	
Coal mining operating licenses issued	34
Coal mining operating licenses in effect at Fiscal Year end	34
Surface coal mining blaster certifications issued	9
Surface coal mining blaster certifications in effect at Fiscal Year end	37
<u>INSPECTIONS</u>	
Number of Sites inspected	73
Number of Inspections, Audits, Spot Checks	963
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	45
% of Inspected Sites/Facilities in Significant Compliance	38%
% of Inspected Sites/Facilities with Significant Violation	62%
Inspection coverage Rate *	97%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	77
Number of Significant Violations based on Technical/Preventative Deficiencies	50
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	4
Total	131
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	39
Ongoing	92
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	20
Number of Show Cause, Remedial, Corrective Actions issued	124
Number of Stop Work Orders	44
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	18
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$7,800

\* Coverage rate above is computed as the total number of permitted sites inspected divided by the total number of permits/licenses in effect.

# Mining – Coal



# Mining – Non-Coal

## **PURPOSE**

A mining permit has been implemented to minimize the effects of surface mining on the environment. In addition to environmental controls, the permit provides for proper land reclamation and ensures public safety. A performance bond of \$1,250 per acre is required to ensure that proper reclamation occurs.

## **AUTHORITY**

STATE: Environment Article – Title 15, Subtitle 8; COMAR 26.21

## **PROCESS**

Upon issuance of a permit/license/authorization the file is transferred to the Compliance Program where an inspection priority is assigned. The inspectors then schedule routine inspections of the facilities adhering to the assigned priority as much as workload allows. Facilities are not given advance notification of routine inspections. At any time during the process, the inspection frequency can be adjusted as site conditions or workload demands.

The Department does not have the authority to collect administrative penalties for this program.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

## **SUCCESSSES AND CHALLENGES**

Within the activity of mining, the potential exists to degrade water quality through the transport of sediment-laden water and industrial stormwater runoff. These factors can adversely impact the aquatic habitat. Proper mining practices and land reclamation after the completion of the mining activity provides a benefit to the water quality. Through the Non-Coal Mining Permit inspections, mining, reclamation and stormwater runoff are evaluated for their efficiencies to ensure that adverse impacts to surface and groundwater are minimized. The Annotated Code §15-828 (a), states, “At any reasonable time which the Department elects, but at least once a year, the Department shall cause each permit area to be inspected to determine if the permittee has complied with the mining and reclamation plan, the requirements of this subtitle, any rules and regulations adopted under it.....” This requirement is not being met due to the Compliance Program’s prioritization of the various water programs and shifts between programs from year to year which is reflected in the coverage rate for all Water Compliance programs.

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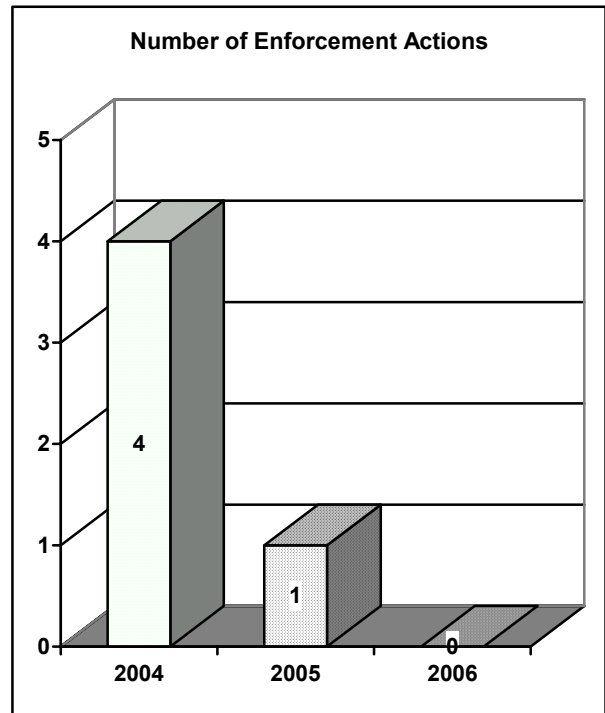
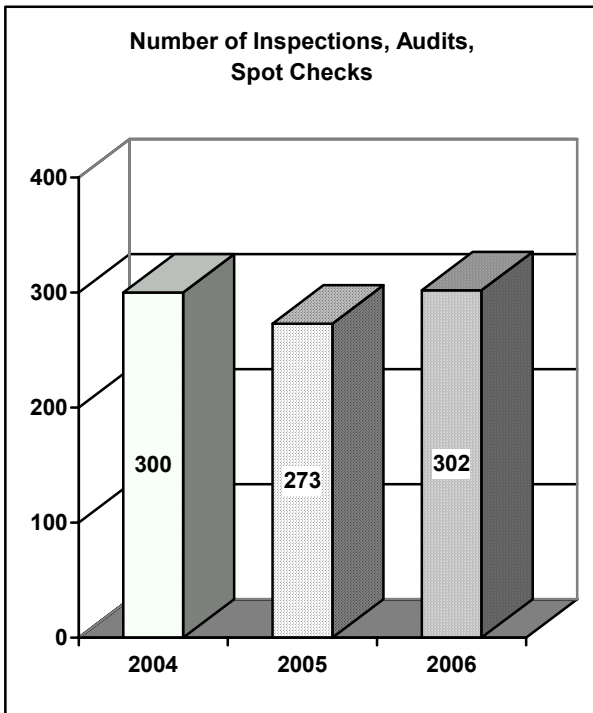
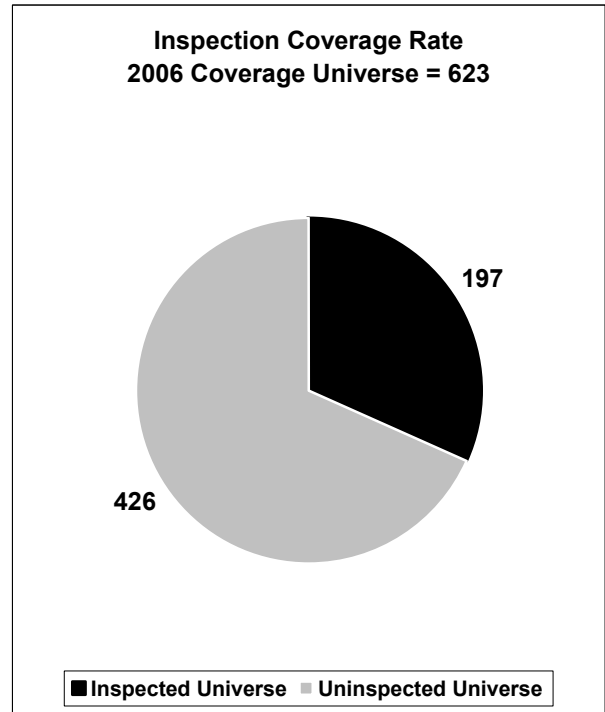
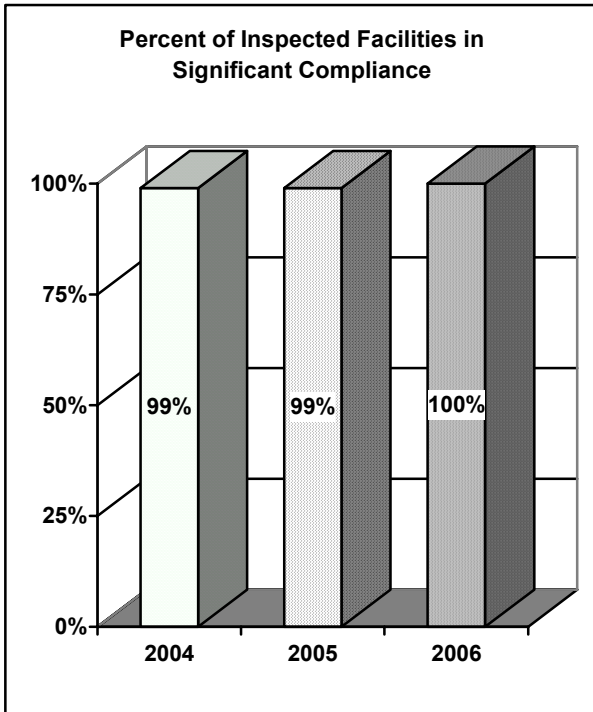
## Mining – Non-Coal

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued*	364
Number of Permits/Licenses in effect at Fiscal Year End	623
<u>OTHER REGULATED SITES/FACILITIES</u>	
None	
<u>INSPECTIONS</u>	
Number of Sites inspected	197
Number of Inspections, Audits, Spot Checks	302
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	0
% of Inspected Sites/Facilities in Significant Compliance	100%
% of Inspected Sites/Facilities with Significant Violations	0%
Inspection coverage Rate **	32%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	0
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	0
Total	0
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	0
Ongoing	0
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	4
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	0
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$0

\* This number includes 367 non-coal mining permits and 256 licenses.

\*\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

## Mining – Non-Coal



# Oil and Gas Exploration And Production

## **PURPOSE**

The drilling and operation of a gas or oil well requires a permit. The operation of a gas storage facility also requires a permit. Permits are also required for seismic operations. Permits are issued to ensure public safety and to provide for the protection of public and private property. Permitting provides for the use of stringent environmental controls to minimize impacts resulting from the operation.

## **AUTHORITY**

STATE: Environment Article - Title 14, Subtitles 1, 2 and 3; COMAR 26.19.

## **PROCESS**

Upon issuance of a permit/license/authorization the file is transferred to the Compliance Program where an inspection priority is assigned. The inspectors then schedule routine inspections of the facilities in accordance with the assigned priority. Facilities are not given advance notification of routine inspections. Site inspections may be adjusted to reflect changing workloads or inspection priorities. Inspections performed for this program are typically safety inspections at natural gas storage facilities. The inspections typically verify that proper warning and informational signs are properly placed and that any special conditions specific to the permit are in compliance.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

## **SUCSESSES AND CHALLENGES**

Although the potential for environmental harm exists, the Compliance Program, in balancing overall environmental risks and staff resources, has determined that this media is a low priority media for its routine activities. New developments in this field such as coal and methane may lead to new challenges and demand for resources.

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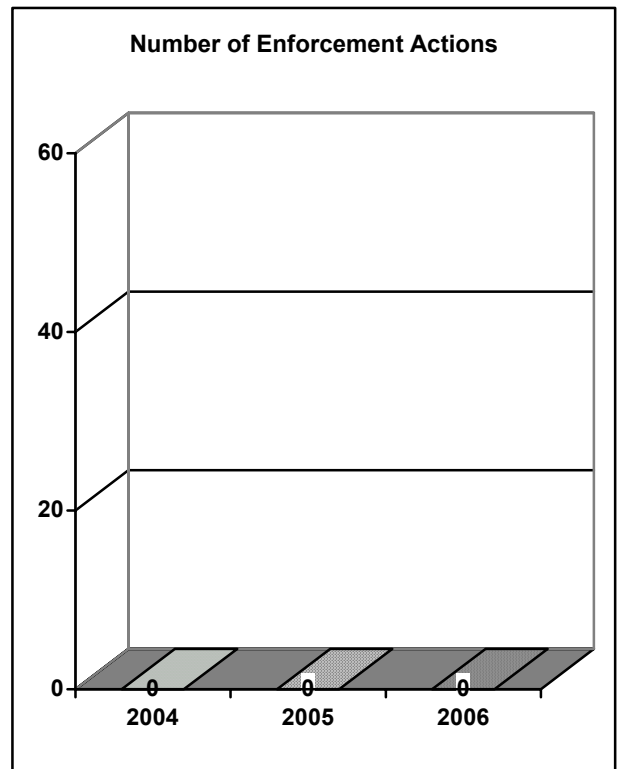
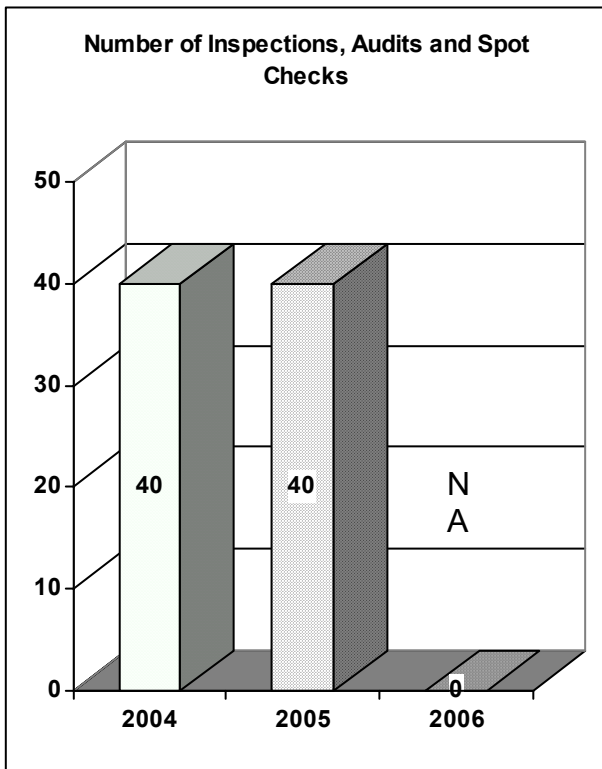
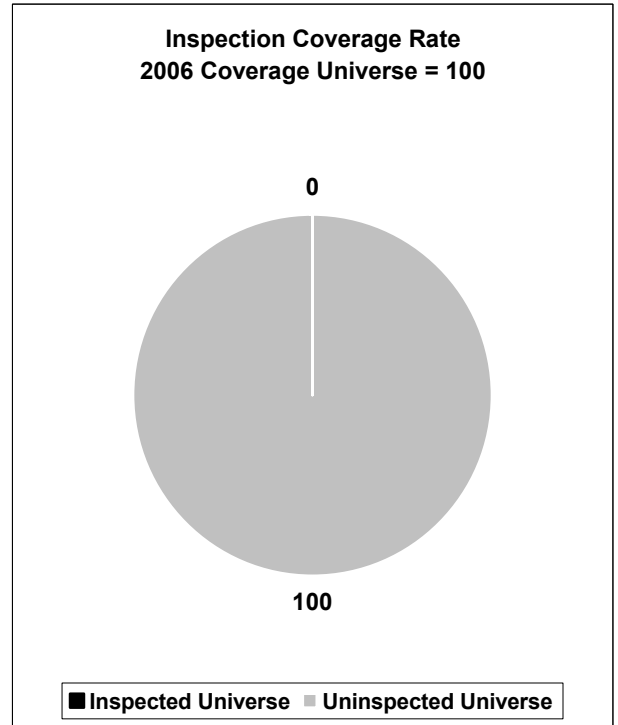
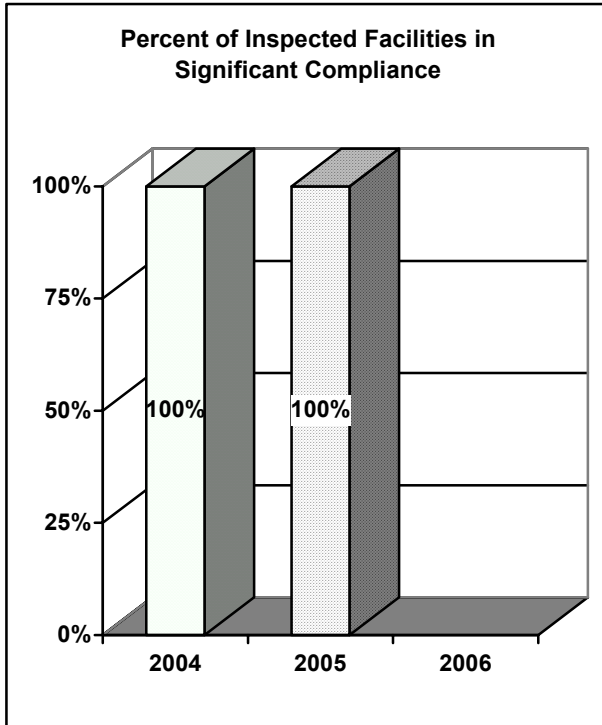


## Oil and Gas Exploration And Production

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued (renewal of previously expired permits)	29
Number of Permits/Licenses in effect at Fiscal Year End	100
<u>OTHER REGULATED SITES/FACILITIES</u>	
None	0
<u>INSPECTIONS</u>	
Number of Sites inspected	0
Number of Inspections, Audits, Spot Checks	0
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	0
% of Inspected Sites/Facilities in Significant Compliance	NA
% of Inspected Sites/Facilities with Significant Violations	0%
Inspection coverage Rate *	0%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	0
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	0
Total	0
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	0
Ongoing	0
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	0
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	0
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$0

\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

# Oil and Gas Exploration and Production



# Water Supply Program

## **PURPOSE**

The mission of the Water Supply Program (WSP) is to ensure that public drinking water systems provide safe and adequate water to all present and future users in Maryland, and that appropriate usage, planning and conservation policies are implemented for Maryland water resources. This mission is accomplished through proper planning for water withdrawal, protection of water resources that are used for public water supplies, oversight and enforcement of routine water quality monitoring at public water systems, regular on-site inspections of water systems and prompt response to water supply emergencies. The WSP regulates more than 1,000 community water systems (such as municipalities, small and large private systems) and non-transient non-community water systems (such as businesses, schools, and day cares). These systems must test for over 80 regulated contaminants on schedules that vary based on water source, system type and population.

In addition, there are approximately 2,600 transient non-community water systems (such as convenience stores, campgrounds, and restaurants) throughout the State, which are regularly inspected and tested for acute contaminants. Since 1998, MDE has negotiated delegation agreements with county health departments for enforcement of Safe Drinking Water Act regulations for the transient non-community water systems. Twenty of the twenty-three counties have accepted delegated authority for these systems, and MDE has direct enforcement of the requirements for the three remaining counties.

## **AUTHORITY**

FEDERAL: Safe Drinking Water Act; 40 CFR 141, 142, and 143

STATE: Environment Article, Title 9, Subtitles 2, 4, and 5; COMAR 26.04

## **PROCESS**

### **Community and Non-Transient Non-Community Water Systems**

The Water Supply Program uses a multiple-barrier approach to ensure that public drinking water systems in Maryland are able to provide a safe and adequate supply of drinking water to their consumers. This approach includes review and approval of potential water sources and construction plans, evaluation of a new system's technical, financial, and managerial capacity, regular inspection of drinking water facilities, close oversight of water quality monitoring, and maintenance of licensed operators at water treatment facilities. The WSP reviews and approves all new drinking water sources for community water systems to ensure that sources are not impacted by existing or potential contamination sources. Sources are thoroughly tested to ensure adequacy of quantity and quality. Upon endorsement of the reliability of the source, the water system initiates the design and construction of necessary water treatment, storage and distribution systems, with review and approval of the WSP. After operation begins, periodic sanitary surveys are conducted to ensure that the water system can provide safe and reliable drinking

water to its customers. A sanitary survey is a comprehensive on-site assessment and inspection of all water system components including the source, treatment, storage, and distribution systems, as well as a review of operations and maintenance of the system. Sanitary surveys can be used following known or suspected problems or on a routine basis to assess the water system's viability and prevent future problems from occurring.

Two ongoing programs, the source water assessment program and the capacity development program, improve the management of Maryland's water resources and water supply operations. The source water assessment program reviews water supply sources and their susceptibility to contamination. Detailed reports including recommendations for protecting water sources are provided to water suppliers, and county governments. The capacity development program evaluates the strength of a water system's technical, financial, and managerial capability, and provides technical assistance to improve water system operation. All new systems must submit a plan showing that adequate technical, managerial and financial capacity is in place prior to beginning of their operation.

Public water systems are required to conduct routine sampling of their water quality. The type and frequency of analysis depend on the type of system, its population, and the vulnerability of its water supply. The WSP reviews and evaluates more than 40,000 water quality records each year. In the WSP, emphasis is placed on preventive measures instead of reactive enforcement actions in order to avert serious public health incidents. The vast majority of drinking water violations are corrected immediately, or following the issuance of a Notice of Violation. Systems must notify their consumers when violations of the Safe Drinking Water Act occur.

### **Transient Non-community Water Systems**

The WSP provides funding to county environmental health programs to accept delegation of responsibilities for transient non-community water systems in their jurisdictions. Twenty of the twenty-three counties have accepted delegation of the program. These counties conduct routine inspections and ensure that systems are monitored in accordance with State and federal requirements. Transient non-community water systems are required to monitor only for contaminants that have acute health risks, including nitrate, nitrite, and bacteria. The WSP provides guidance and training to the counties, and reports only health-based violations to EPA for these systems. The WSP is also conducting statewide evaluations to determine whether ground water systems are under the influence of surface water. Ground water systems under the influence of surface water will be required to meet federally-mandated treatment technique requirements, and to conduct additional bacteria monitoring as well as turbidity monitoring.

The WSP directly oversees implementation of federal and State regulations for transient non-community water systems in Prince George's, Montgomery and Wicomico counties since these three counties declined the delegated program and

funding assistance. Currently, 114 transient water systems are directly overseen by the WSP. Oversight includes regular inspections of the systems, enforcement of monitoring requirements, and follow-up to occasional water quality problems that arise. The WSP reports technical and health-based violations to EPA on a quarterly basis for these systems.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #2: Ensuring Safe and Adequate Drinking Water.

## **SUCSESSES AND CHALLENGES**

### **Drought Monitoring**

Since January 2001, MDE has evaluated hydrologic conditions using a plan developed by the Statewide Water Conservation Advisory Committee. Conditions are evaluated on a regional basis, and drought status is assessed monthly during normal conditions, and more frequently during times of water shortage. Low precipitation from February through the middle of June resulted in some regions of the State being in a drought “watch” or “warning” stage for a limited period of time. As of June 30, 2006, hydrologic conditions in all regions were “normal”.

### **Regulations**

The WSP provided guidance material and training on the regulations to public water systems throughout the State in 2005 and 2006. Guidance material and training continued for the Arsenic Rule and Radionuclide Rule. Fifty-seven water systems have been identified as potentially exceeding the arsenic standard; twenty-nine systems continue to work on reducing their arsenic levels. The enforcement of the new regulations that were finalized in recent years, including the Disinfectants and Disinfection Byproducts and Radionuclides Rules, resulted in an increase in the number of technical violations that were incurred by community and non-transient non-community water systems during the fiscal year. Compliance with the new regulations is expected to improve as water systems become familiar with the new requirements and make required infrastructure changes to meet new standards.

### **Capacity Development**

The WSP submitted a report entitled “Capacity Development for Maryland Public Drinking Water Systems” to the Governor in September 2005; this report is prepared every three years as a requirement of the Safe Drinking Water Act.

In Spring 2006, the WSP developed and distributed for comment a guidance document entitled “Water Supply Capacity Management Plans”. The final guidance document will be used by local government and other public water systems to better plan and manage growth and drinking water resources that are available. Growth in some areas of central and western Maryland has outpaced the water resources in the area. Additional State assistance in this area will continue into FY2007.

### **Emergency Response**

WSP staff respond to water supply emergencies twenty-four hours a day and may offer technical advice, special sampling, or onsite assistance.

### **Source Water Assessment**

The WSP completed initial source water assessments for public water systems throughout Maryland. Maryland conducted studies to define areas of contribution for each public water supply, identify potential sources of contamination within those areas, and assess the vulnerability of the supply to those sources of contamination.

As of June 2006, source water assessment reports had been sent to all community water systems and over 3,000 non-community water systems.

### **Water Resource Management**

The 2005 Advisory Committee on the Management and Protection of the State's Water Resources began meeting in September 2005. The Committee is comprised of representatives from State and federal government, academia, and the private sector. The Committee met nine times between September and June, and reviewed State laws, regulations, policies, and programs related to water allocation, enforcement of water appropriation permits, water rights on public and private lands, management of the Potomac River basin, and the need for education and outreach programs to improve knowledge about water resource management at all levels of government and with the general public.

The Committee made several recommendations aimed at improving planning and implementation of the State's water resource management programs, and proposed three legislative initiatives. The Committee also identified the need for additional funding to support the assessment, planning, and management activities. The report is expected to be available to the public soon.

### **Water System Security Planning**

In 2004, public water systems serving populations greater than 3,300 people were required under the Bioterrorism Act of 2002 to complete vulnerability assessments (VAs). Systems also had to certify that they have prepared emergency response plans (ERPs). VAs and ERP certifications were submitted to the EPA by December 2004 because the EPA has been designated as the sector specific agency for drinking water protection. EPA Region III staff reported that Maryland had 100% compliance with VA submission for the large systems (serving >100,000 people) and 100% compliance for the medium size systems (serving between 50,000- 99,999 people). Maryland's compliance rate for the large and medium systems represents compliance for a population of nearly 3.9 million people. The small systems ranging in size from 3,300-49,999 achieved 100% compliance with the VA process, however, the rate for ERP submission is estimated to be nearly 85%

WSP staff provide on-going technical assistance to water systems on vulnerability assessments, emergency response plans, sampling protocols and resources. In addition, WSP passes along security related updates and federal security alerts to water systems. WSP gathers information from the Water Information Sharing and Analysis Center (WaterISAC), which disseminates information on threats to water and wastewater facilities. WSP also monitors the daily infrastructure reports produced by the Department of Homeland Security to remain cognizant of any relevant drinking water security information.

In 2004, the Water Security and Sewerage Systems Advisory Council submitted a security report to Governor Ehrlich that studied and assessed vulnerabilities within Maryland to drinking water and wastewater facilities. Since the security report was written, WSP staff have been active in coordinating a Joint Water Security Committee to explore funding avenues for raw and source water monitoring. Participating agencies on the new security committee include staff from the federal Department of Homeland Security, Maryland State Police, Maryland Emergency Management Agency, US Geological Survey, and the non-profit foundation Safe Waterways in Maryland.

In January 2006, the Water Security and Sewerage Systems Advisory Council submitted the "Final Report of the Interagency Technical Assistance Committee on Wastewater Treatment Systems" to Governor Ehrlich that studied and assessed vulnerabilities within Maryland to drinking water and wastewater facilities. The Council was established by legislation (House Bill 659, 2002 Session), and was formed in January 2004. WSP staff provided support to the Council on water system issues.

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## Water Supply Program

### Community and Non-transient Non-community Water Systems

	2006 Totals
<b><u>PERMITTED SITES/FACILITIES</u></b>	
Number of Permits/Licenses Issued *	1,094
Number of Permits/Licenses in Effect at Fiscal Year End	3,091
<b><u>OTHER REGULATED SITES/FACILITIES</u></b>	
Number of Community and Non-transient Non-community Water Systems **	1,074
<b><u>INSPECTIONS</u></b>	
Number of Sites Inspected	1,074
Number of Inspections, Audits, Spot Checks	26,188
<b><u>COMPLIANCE PROFILE:</u></b>	
Number of Inspected Sites/Facilities with Significant Violations ***	204
% of Sites/Facilities in Significant Compliance	82%
% of Sites/Facilities with Significant Violations	18%
Inspection Coverage Rate ****	100%
<b><u>SIGNIFICANT VIOLATIONS</u></b>	
Number of Significant Violations involving Environmental or Health Impact	73
Number of Significant Violations based on Technical/Preventative Deficiencies	68
Number of Significant Violations carried over awaiting disposition from Previous Fiscal Year	63
Total	204
<b><u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u></b>	
Resolved	117
Ongoing	87
<b><u>ENFORCEMENT ACTIONS</u></b>	
Number of Compliance Assistance Actions Rendered *****	1101
Number of Show Cause, Remedial, Corrective Actions Issued	0
Number of Stop Work Orders	0
Number of Injunctions Obtained	0
Number of Penalty and Other Enforcement Actions	180
Notices Given to Public by Water Systems under Section 9-410	117
Number of Referrals to Attorney General for Possible Criminal Action	0
<b><u>PENALTIES</u></b>	
Amount of Penalties Obtained	\$0

\* Number of persons tested and certified by the WSP to collect compliance samples for public water systems.

\*\* This number includes 502 community water systems and 572 Non-transient Non-community water systems.

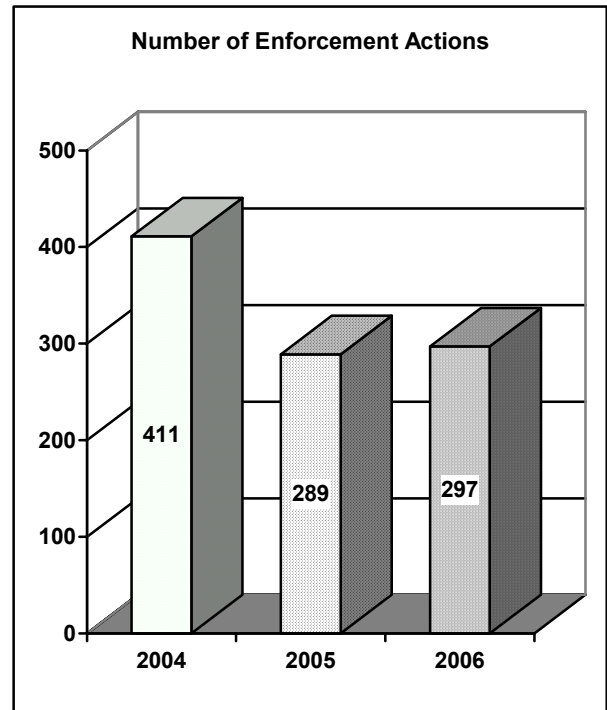
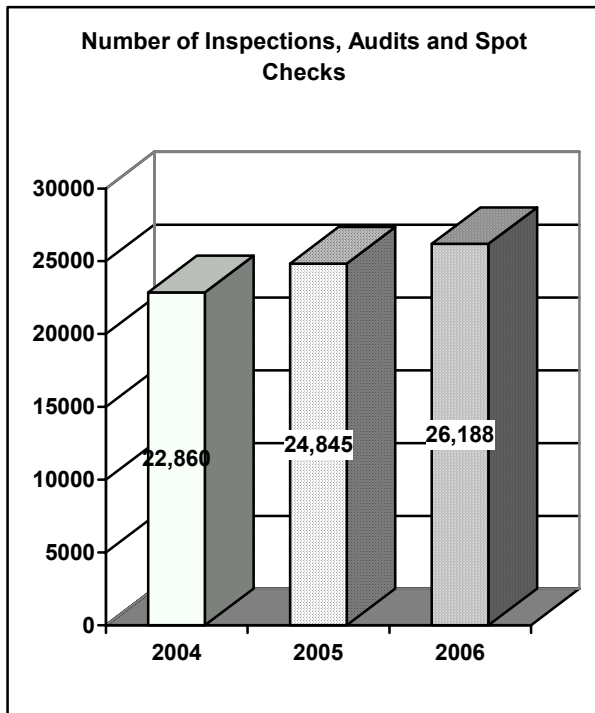
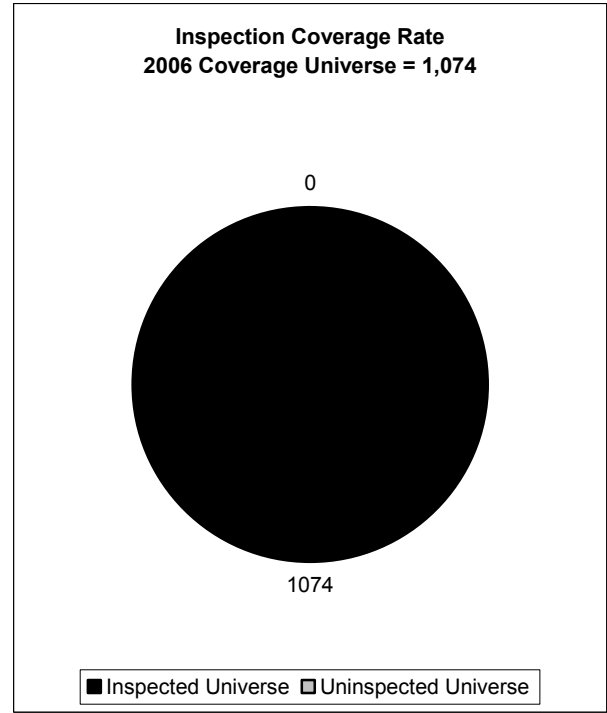
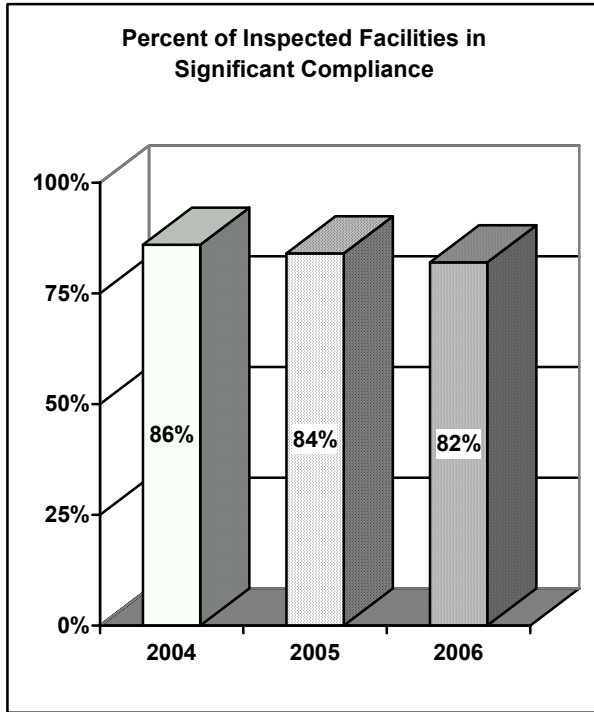
\*\*\* Number of sites in significant violation includes sites with violations carried over.

\*\*\*\* Coverage rate above is computed by dividing the number of inspected systems by the total number of community and Non-transient Non-community water systems.

\*\*\*\*\* This number includes actions to inform public water systems of monitoring requirements under the Safe Drinking Water Act.

# Water Supply Program

## Community and Non-transient Non-community Water Systems



## Water Supply Program Transient Non-community Water Systems

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses Issued	N/A
Number of Permits/Licenses in Effect at Fiscal Year End	N/A
<u>OTHER REGULATED SITES/FACILITIES</u>	
Number of Transient Noncommunity Water Systems	2,560
<u>INSPECTIONS</u>	
Number of Sites Inspected	2008
Number of Inspections, Audits, Spot Checks	10,700
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations *	233
% of Sites/Facilities in Significant Compliance	88%
% of Sites/Facilities with Significant Violations	12%
Inspection Coverage Rate ***	78%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact **	178
Number of Significant Violations based on Technical/Preventative Deficiencies ***	19
Number of Significant Violations carried over awaiting disposition from Previous Fiscal Year	87
Total	284
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	222
Ongoing	62
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance Actions Rendered ****	81
Number of Show Cause, Remedial, Corrective Actions Issued	0
Number of Stop Work Orders	0
Number of Injunctions Obtained	0
Number of Penalty and Other Enforcement Actions	153
Notices Given to Public by Water Systems under Section 9-410	44
Number of Referrals to Attorney General for Possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Penalties Obtained	\$0

\*Number of sites in significant violation includes sites with violations carried over.

\* Of the 178 violations, 172 violations are for systems delegated to the county health departments, and 6 violations are for systems directly overseen by MDE.

\*\* At this time, Technical and preventative violations are reported only for those systems directly overseen by MDE.

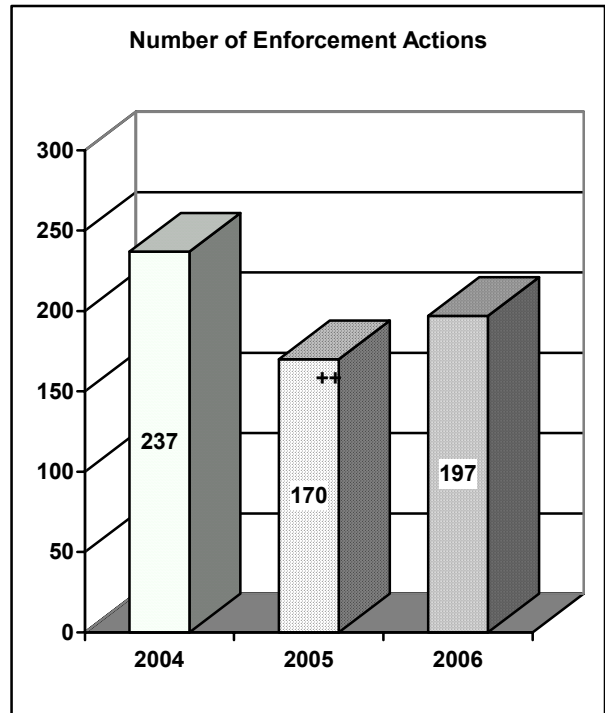
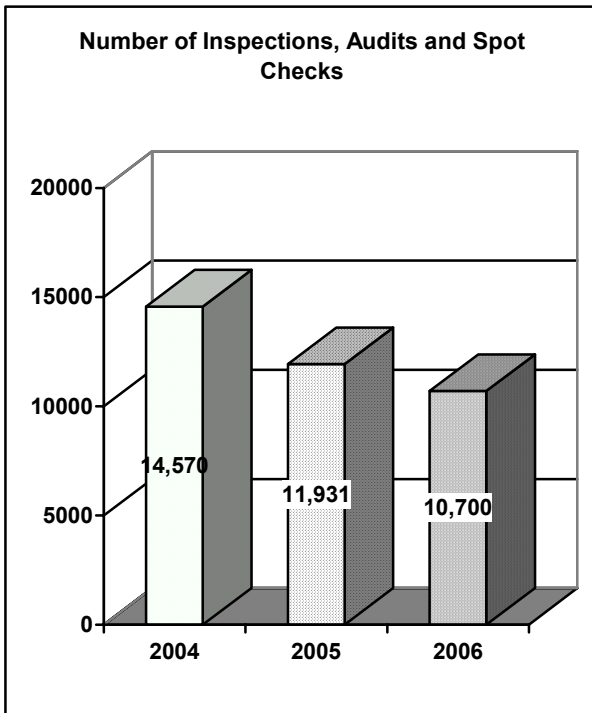
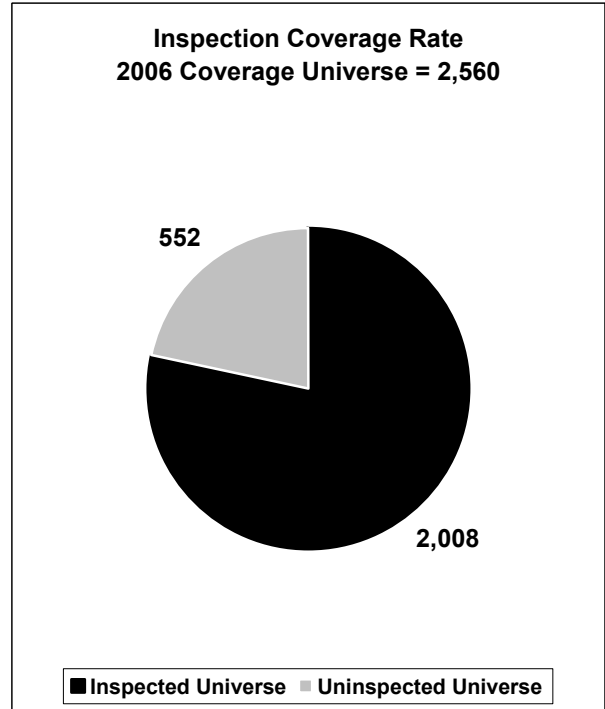
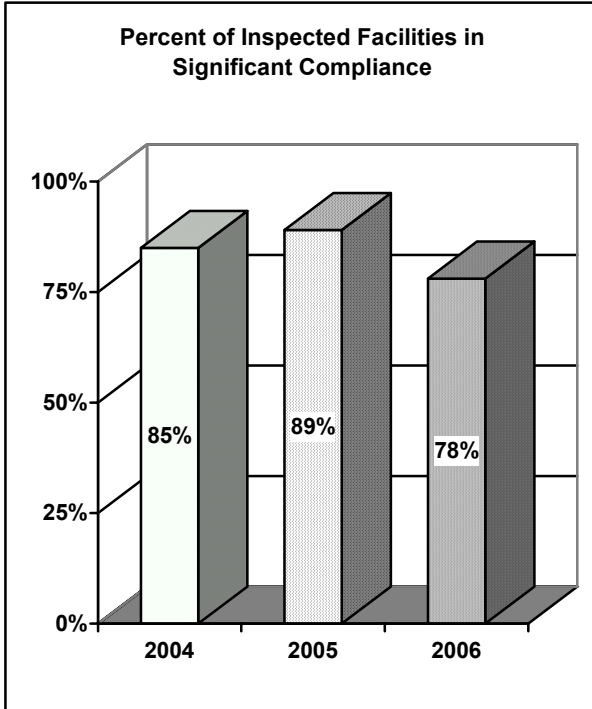
\*\*\* Coverage rate above is computed by dividing the number of inspected systems by the total number of transient Non-community water systems.

\*\*\*\* This number includes actions to inform public water systems of monitoring requirements under the Safe Drinking Water Act.

# Water Supply Program

## Transient Non-community Water Systems

*These systems were reported separately for the first time in FY 2003.*



# Water Supply and Sewerage Construction

## **PURPOSE**

The purpose of water and sewerage construction permits is to ensure that infrastructure projects throughout the State are designed on sound engineering principles and comply with State design guidelines to protect water quality and public health. Water and sewerage construction permits are required before installing, extending or modifying community water supply and/or sewerage systems including treatment plants, pumping stations and major water mains and sanitary sewers greater than 15 inches in diameter. These permits also help to ensure compliance with local comprehensive land use and water and sewerage plans and are supportive of community revitalization and land redevelopment.

## **AUTHORITY**

STATE: Environment Article, Title 9, Subtitle 2, COMAR 26.03.12

## **PROCESS**

Pre-approval: Applicants must show that the proposed water and/or sewerage facilities are included in the current county water and sewerage plans, have a valid NPDES discharge permit (if applicable), and certify that the proposed water and/or sewerage facilities will be operated either publicly or privately under a financial management plan.

Post-approval: The project must be constructed in accordance with the approved plans and specifications. Staff engineers perform inspections in this media to verify the facility is constructed to the approved design and/or the permittee submits "as built" plans or certification that the project was built in accordance with original plans as approved by the Department. Other approvals associated with the construction (i.e. sediment control, wetlands, etc.) are inspected under those media and by those inspectors. This program does not have authority to pursue traditional enforcement actions and or other operating standards. For projects where the Department is providing funding, construction violations would necessitate the return of state funds by the local jurisdiction. If a construction violation were to go unnoticed, the eventual result would be the inability of the facility to meet its discharge permit requirements and or other performance requirements. At that time, traditional enforcement tools available under the discharge permit program would be utilized.

There is no correlation between the number of permits issued and the number of sites inspected because inspections are performed only at active construction sites for projects being financed by the Department. Once construction has begun these projects are inspected on a routine basis through completion.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

### **SUCSESSES AND CHALLENGES**

Adequate water and sewer infrastructure is essential to public health and water quality protection. Water and sewerage construction permits help ensure that projects for water and sewerage are designed and constructed in accordance with sound engineering principle and comply with the State design guidelines to protect water quality and public health.

Over the past year the activity numbers have remained fairly consistent with the previous years' activities with the program being on target with its MFR goals. The number of inspections performed is a function of the number of active construction projects being financed by the Department. The Department monitors all projects for which State financial assistance is being provided. Accordingly, the annual number of inspections will vary as the number of financed projects initiate and complete construction.

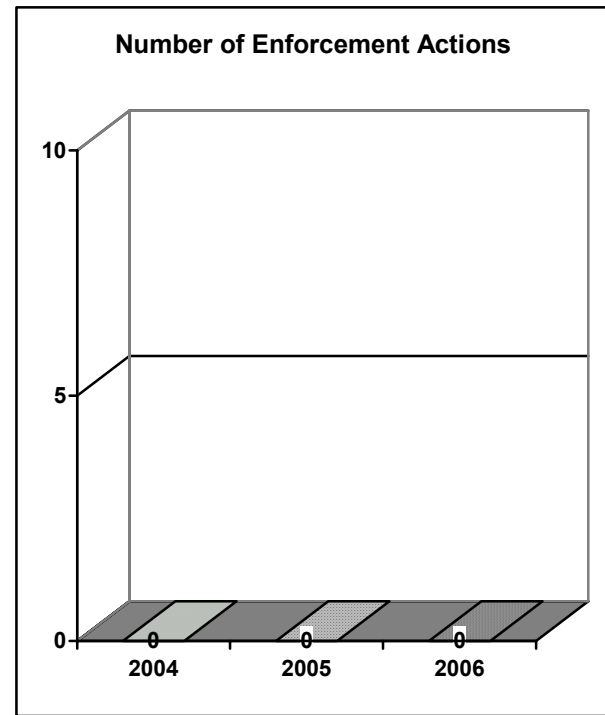
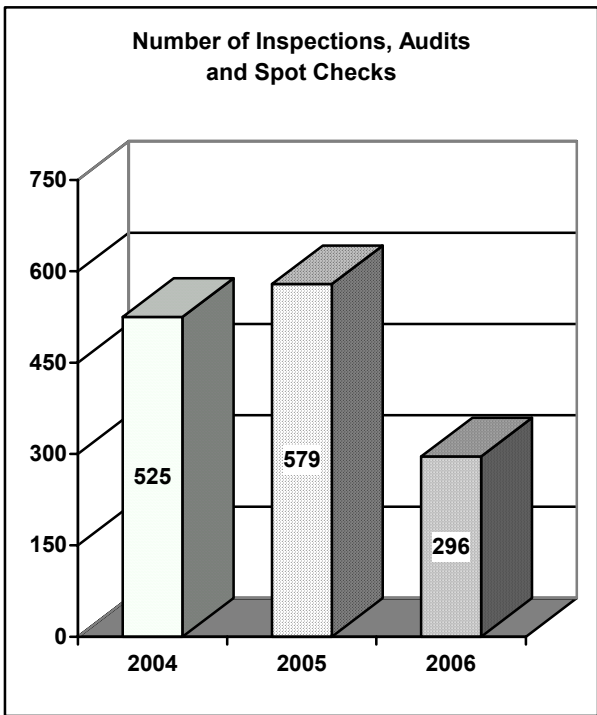
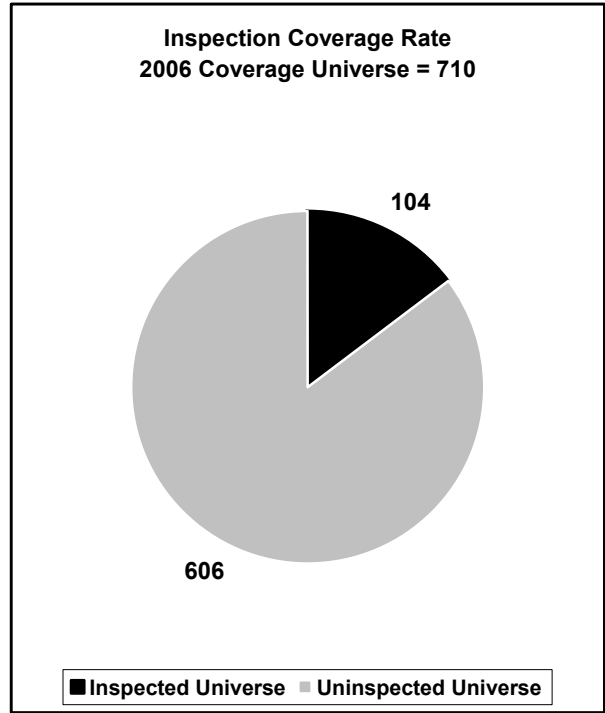
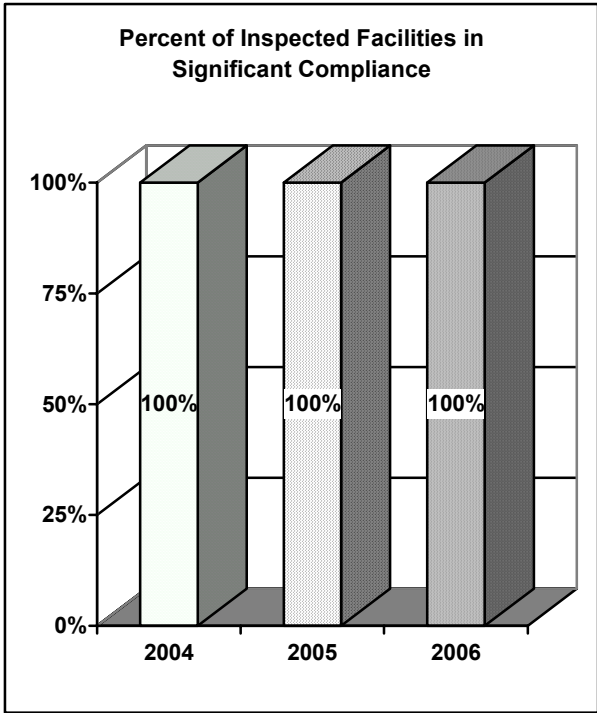
## Water Supply and Sewerage Construction

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	158
Number of Permits/Licenses in effect at Fiscal Year End	710
<u>OTHER REGULATED SITES/FACILITIES</u>	
None	0
<u>INSPECTIONS</u>	
Number of Sites inspected	104
Number of Inspections, Audits, Spot Checks	403
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	0
% of Inspected Sites/Facilities in Significant Compliance	100%
% of Inspected Sites/Facilities with Significant Violations	0%
Inspection Coverage Rate *	53%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	0
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	0
Total	0
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	0
Ongoing	0
<u>ENFORCEMENT ACTIONS **</u>	
Number of Compliance Assistance rendered	0
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	0
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$0

\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect. All active projects are inspected.

\*\* Program does not have direct legal authority to pursue traditional enforcement actions for violations. It requires the return of grant proceeds. MDE may indirectly use its general water pollution authority if a constructed facility violates the law.

# Water Supply and Sewerage Construction





# Waterway Construction – Dam Safety

## **PURPOSE**

The purpose of the Maryland Dam Safety Division is to assure that dams and other impoundment structures are designed, constructed, operated and maintained safely, in order to protect public safety. The Dam Safety Division issues waterway construction permits for new dams and ponds, as well as for modifications to existing water impoundments. In addition, the Dam Safety Division conducts safety inspections of existing dams, conducts construction inspections and provides technical assistance to dam owners and local Soil Conservation Districts.

## **AUTHORITY**

STATE: Environment Article, Title 5, Subtitle 5; COMAR 26.17.04

## **PROCESS**

Upon issuance of a permit, copies of the approved plans are forwarded to the Compliance Program. Dam Safety Division engineers conduct quality assurance inspections. The Compliance Program may inspect the site to determine whether construction has begun or to perform sediment control inspections at the request of the permitting division or in response to citizens' complaints.

The Dam Safety Division performs safety inspections of all high hazard (failure will likely cause loss of life) dams once a year, intermediate hazard (failure will likely cause significant property damage and damage to important infrastructure) dams every three years and low hazard dams are inspected once every 5-7 years. Based upon the inspection findings, the Dam Safety Division may initiate enforcement actions from a letter advising the owner to correct noted deficiencies up to declaring the dam unsafe and in need of repair with an Order requiring repairs or other action be taken to assure the safety of the dam.

The Department does not have the authority to collect administrative penalties for this program.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

## **SUCCESSSES AND CHALLENGES**

The Dam Safety Division through its dam inspection, dam owner assistance, permitting and enforcement initiatives seeks to prevent dam failures and the resultant loss of life, property damage and environmental impacts. Dam failures cause significant erosion of stream channels and sediment deposition in the channel and in the storage area behind the impoundment. In addition, dam failures can cause significant damage to wetlands and habitat, both aquatic and terrestrial, through the destructive force of the depth and velocity of the flood wave.

Although the following table and chart indicate that the overall Enforcement Coverage Rate for the Dam Safety Program is 54%, all high hazard dams are inspected annually (100%). Inspections are required less frequently than once a year at dams with lower hazard potential.

The Dam Safety Division currently is responsible for 438 dams. These dams are classified into three categories according to the consequences of a potential failure. The classifications are:

- High Hazard: loss of life and significant property damage
- Significant Hazard: property/infrastructure damage
- Low Hazard: damage to floodplain and the dam itself

The inspection frequency is based on national guidelines and is responsive to the potential failure consequences as follows:

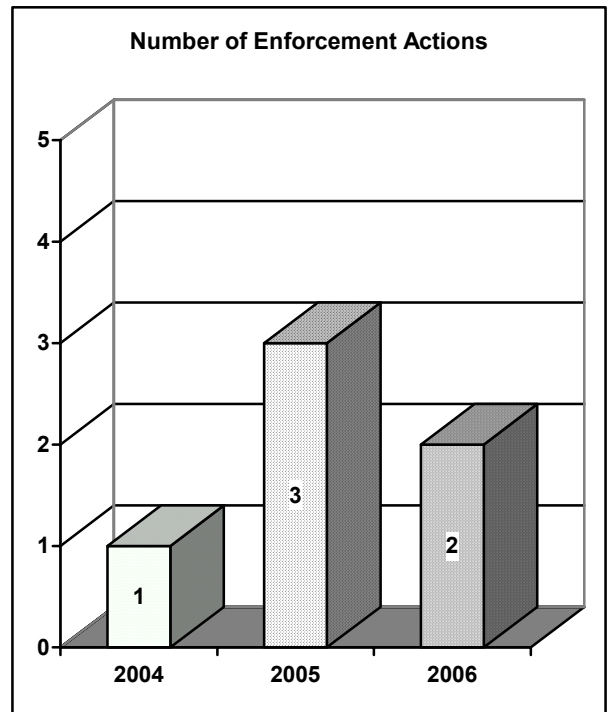
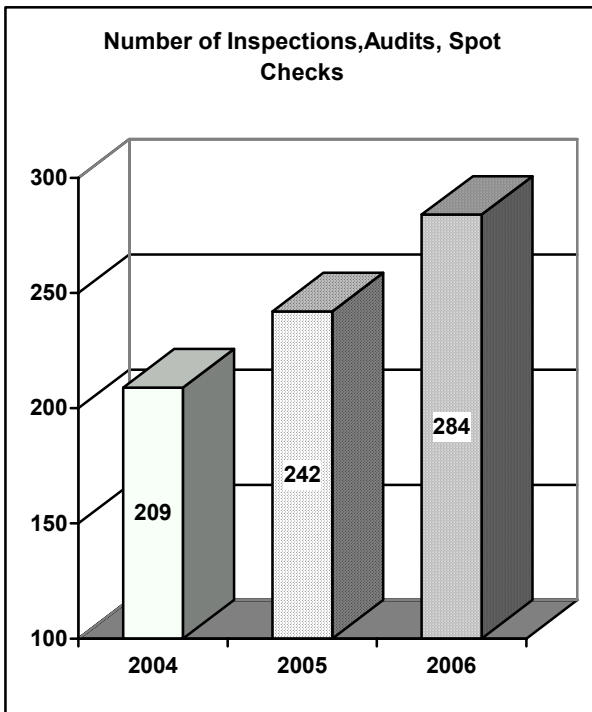
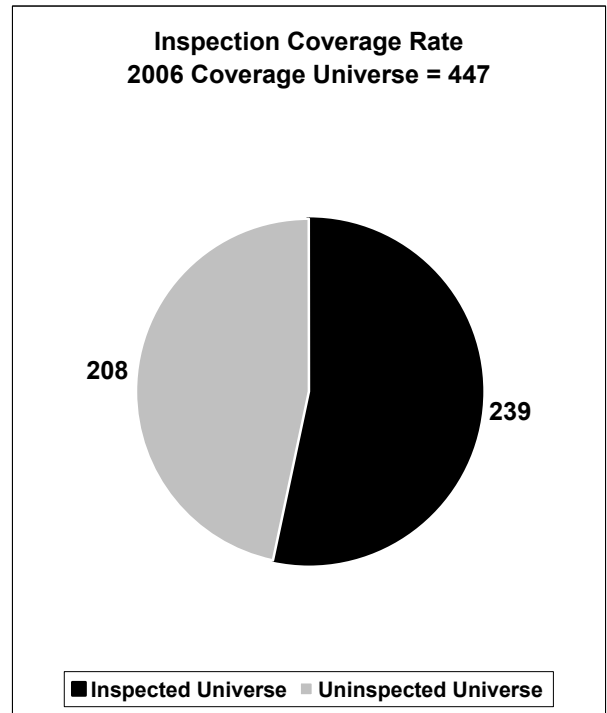
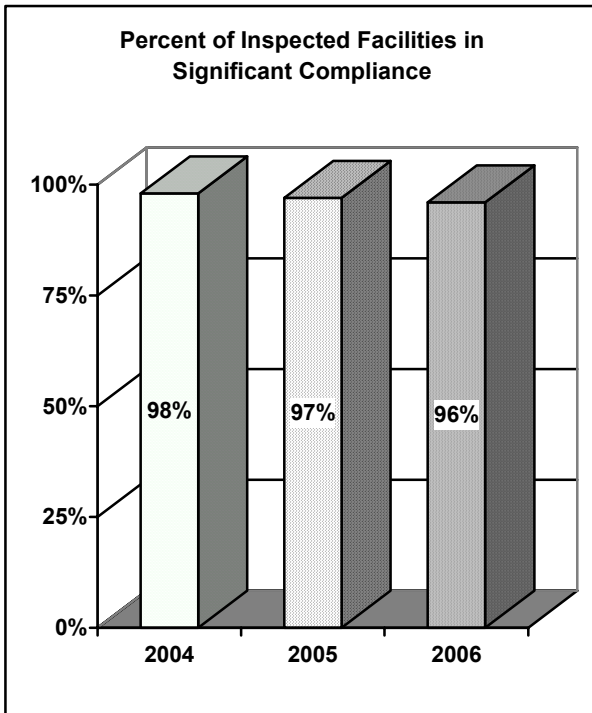
<b>Hazard Class</b>	<b>Number in category</b>	<b>Frequency</b>	<b>Required inspections/year</b>
High Hazard	68	Annually	68
Significant	90	every 3 years	$90/3 = 30$
Low	289	every 6 years	$289/6 = 48$
<b>Total</b>	<b>447</b>		

## Waterway Construction – Dam Safety

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	21
Number of Permits/Licenses in effect at Fiscal Year End	447
<u>OTHER REGULATED SITES/FACILITIES</u>	
None	0
<u>INSPECTIONS</u>	
Number of Sites inspected	239
Number of Inspections, Audits, Spot Checks	284
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	9
% of Inspected Sites/Facilities in Significant Compliance	96%
% of Inspected Sites/Facilities with Significant Violations	4%
Inspection Coverage Rate *	54%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	0
Number of Significant Violations based on Technical/Preventative Deficiencies	5
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	7
Total	12
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	3
Ongoing	9
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	119
Number of Show Cause, Remedial, Corrective Actions issued	0
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	0
Number of Referrals to Attorney General for possible Criminal Action	2
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$0

\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect. See narrative for more detail.

# Waterway Construction – Dam Safety



# **Wetlands and Waterways Non-tidal and Floodplain**

## **PURPOSE**

The goal of the Non-tidal Wetlands Protection Act is to attain no net loss in non-tidal wetland acreage and to strive for a net resource gain in non-tidal wetlands over present conditions. One of the mechanisms established by the Act to accomplish this goal was a comprehensive regulatory program that targeted all of the activities that had a potential to adversely impact non-tidal wetlands. These activities include:

- Removal, excavation, or dredging of soil or materials of any kind;
- Changing existing drainage or flood retention characteristics;
- Disturbance of the water level or water table by drainage, impoundment, or other means;
- Filling, dumping, discharging of material, driving piles, or placing obstructions;
- Grading or removal of material that would alter existing topography; and
- Destruction or removal of plant life.

Through its permit application review process, the Maryland Department of the Environment (MDE) attempts to first prevent wetland loss by requiring the applicant to evaluate project designs that will avoid wetland impacts. Based on this evaluation of alternatives, if MDE finds that impacts are unavoidable, the applicant is required to utilize the project design that will minimize the wetland impacts and provide appropriate mitigation for those impacts.

Mitigation, required for all unavoidable impacts that are authorized by the MDE, means that the applicant must replace lost wetland acreage, function and value. This is usually accomplished by requiring the creation of new wetlands, restoration of relic wetlands, enhancement of degraded wetlands or some acceptable combination. MDE may also accept monetary compensation if it is determined that mitigation for non-tidal wetland losses is not a feasible alternative. For example, monetary compensation may be accepted if the size of the non-tidal wetland loss is less than one acre and a suitable mitigation site cannot be identified within the impacted watershed. The payment is deposited into the State's Non-tidal Wetlands Compensation Fund and used by the State to construct non-tidal wetlands throughout Maryland.

In addition, MDE is also responsible for addressing potential impacts to the State's non-tidal waterways. Authorization is required to conduct any activity that changes the course, current or cross-section of a non-tidal stream or body of water, including the 100-year floodplain. Waterway construction activities are evaluated to ensure that they do not create flooding on upstream or downstream properties. Such

activities are additionally evaluated to ensure protection of aquatic resources, including the maintenance of fish habitat and migration, from degradation.

#### **AUTHORITY**

STATE: Environment Article, Title 5, Subtitles 5 and 9; COMAR 26.17 and 26.23

#### **PROCESS**

Upon issuance of a permit/license/authorization the file is transferred to the Compliance Program where an inspection priority is assigned. The inspectors then schedule routine inspections of the facilities adhering to the assigned priority as much as workload allows. Facilities are not given advance notification of routine inspections. At any time during the process, the inspection frequency can be adjusted as site conditions or workload demands. Inspections are performed to verify that the projects are in accordance with the authorization. Because a site may involve non-tidal wetland and/or 100-year floodplain impacts, inspections evaluate whether all the resultant construction impacts are in accordance with the permits. Case by case, this may involve identifying or verifying a non-tidal wetland boundary and documenting findings in the inspection report. At sites where there may be 100-year floodplain impacts, it may be necessary to determine the floodplain boundary before project compliance can be determined.

The Department does not have the authority to collect administrative penalties for this program.

#### **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

#### **SUCCESSSES AND CHALLENGES**

Since 1989 the State of Maryland has been regulating activities in non-tidal wetlands and their buffers. Because of non-tidal wetlands inherent value, protecting them from despoliation and restoring them to historic area coverage are paramount to maintaining a healthy environment.

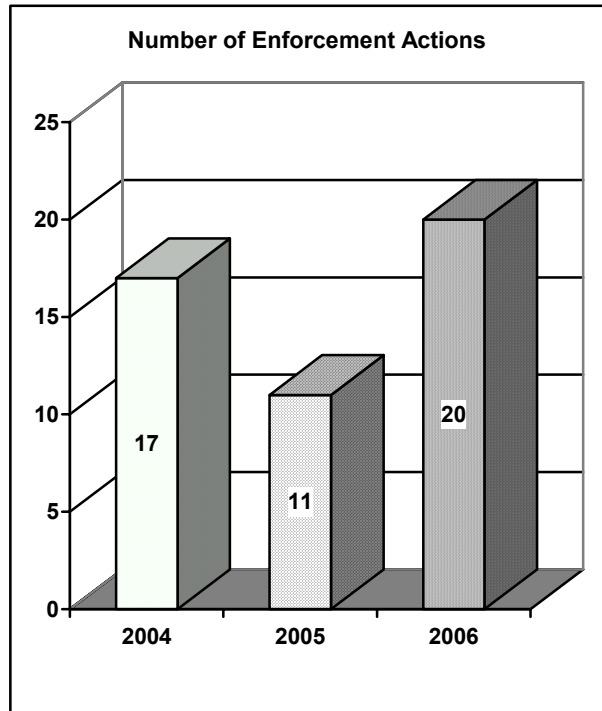
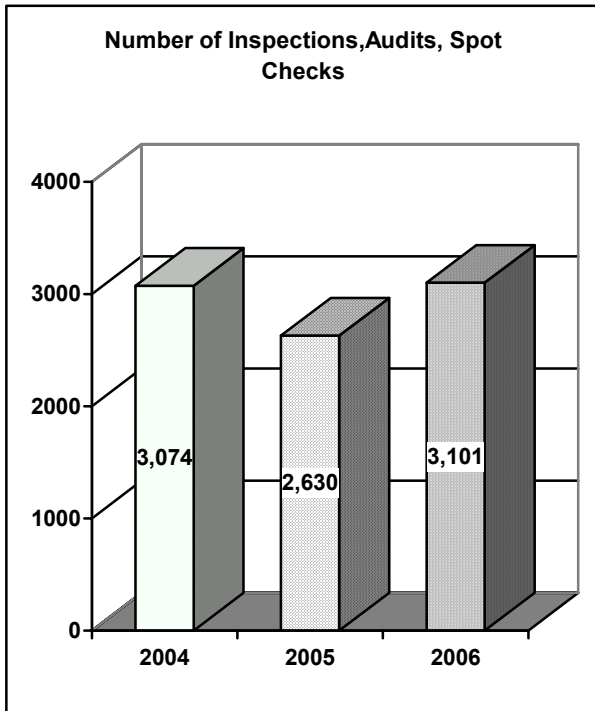
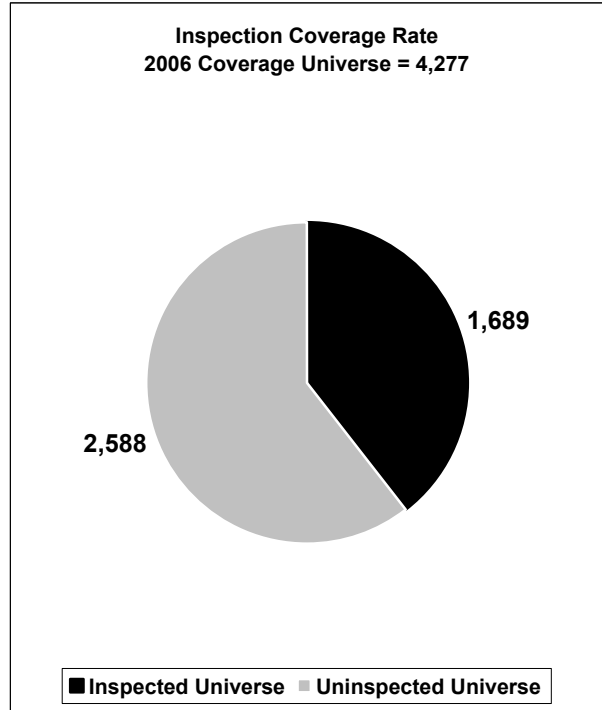
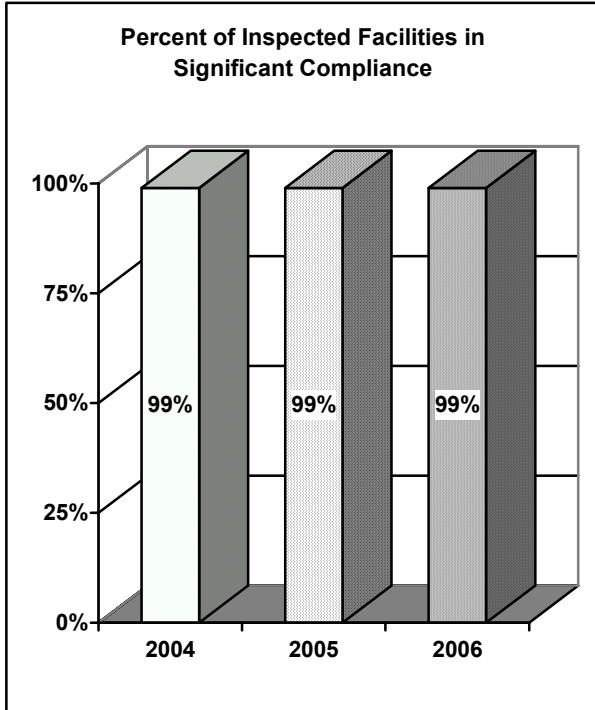
The Compliance Program's activities show an increase in the Number of Sites Inspected and Number of Inspections. There was a decrease in compliance assistance rendered, but an increase in Number of Enforcement Actions.

## Wetlands and Waterways Non-tidal and Floodplain

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	848
Number of Permits/Licenses in effect at Fiscal Year End	4,277
<u>OTHER REGULATED SITES/FACILITIES</u>	
None	0
<u>INSPECTIONS</u>	
Number of Sites inspected	1,689
Number of Inspections, Audits, Spot Checks	3,101
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	22
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection Coverage Rate *	40%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	20
Number of Significant Violations based on Technical/Preventative Deficiencies	2
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	18
Total	40
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	12
Ongoing	28
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	37
Number of Show Cause, Remedial, Corrective Actions issued	6
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	14
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$0

Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

# Wetlands and Waterways – Non-tidal and Floodplain





# Wetlands - Tidal

## PURPOSE

Tidal wetlands are open water and vegetated estuarine systems affected by the rise and fall of the tide. In 1970, the Maryland General Assembly recognized that many tidal wetlands had been lost or despoiled throughout the State by unregulated activities such as dredging, dumping and filling, and that remaining tidal wetlands were in jeopardy. The enactment of the Wetlands and Riparian Rights Act established a comprehensive plan to restrict and regulate activities conducted in tidal wetlands in order to preserve and protect them. The Act states that these unregulated activities will "affect adversely, if not eliminate entirely, the value of the wetlands as a source of nutrients to finfish, crustacea, and shellfish of significant economic value" and will "destroy the wetlands as a habitat for plants and animals of significant economic value and eliminate or substantially reduce marine commerce, recreation, and aesthetic enjoyment". The Act also declares: "It is the policy of the State, taking into account varying ecological, economic, developmental, recreational, and aesthetic values, to preserve the wetlands and prevent their despoliation and destruction."

Prior to enactment of the Wetlands and Riparian Rights Act, over 1,000 acres of wetlands were being destroyed throughout tidewater Maryland every year. Today, through its regulatory program, the Maryland Department of the Environment (MDE) strives for a net resource gain over present conditions. Tidal wetlands are managed to provide reasonable use while furnishing essential resource protection. Licenses are issued for activities conducted in State wetlands by the Maryland Board of Public Works, which is comprised of the Governor, the Comptroller of the Treasury, and the State Treasurer, based on recommendations from MDE. Permits are issued directly by MDE for activities conducted in private wetlands. A license or permit must be obtained before a person dredges, fills or otherwise alters a tidal wetland.

The following projects require authorization from MDE if conducted in tidal wetlands: dredging, filling; shoreline protection projects, including marsh creation, stone revetments and bulkheads; piers; boat ramps; jetties, groins and breakwaters; cable crossings; storm drain systems; and similar structures. The regulatory process for tidal wetlands is similar to that described for non-tidal wetlands and waterways. Applications are evaluated to insure that appropriate steps are taken to first avoid, and then minimize impacts to tidal wetlands. Mitigation is required for unavoidable impacts, with the amount of mitigation based on resources impacted; type of mitigation proposed; and location of mitigation. In-kind and on-site mitigation is preferred and required wherever appropriate site conditions exist.

## AUTHORITY

STATE: Environmental Article Title 16; Subtitle 2; COMAR 26.24

## **PROCESS**

Upon issuance of a license/permit/authorization the file is transferred to the Compliance Program where an inspection priority is assigned. The inspectors then schedule routine inspections of the facilities adhering to the assigned priority as much as workload allows. Facilities are not given advance notification of routine inspections. At any time during the process, the inspection frequency can be adjusted as site conditions or workload demands. Inspections typically verify that the work being performed is in accordance with the work authorized and that all license or permit conditions are in compliance.

The Department does not have the authority to collect administrative penalties for this program.

## **CONTRIBUTES TO MANAGING FOR RESULTS**

Goal #4: Improving and Protecting Water Quality.

## **SUCSESSES AND CHALLENGES**

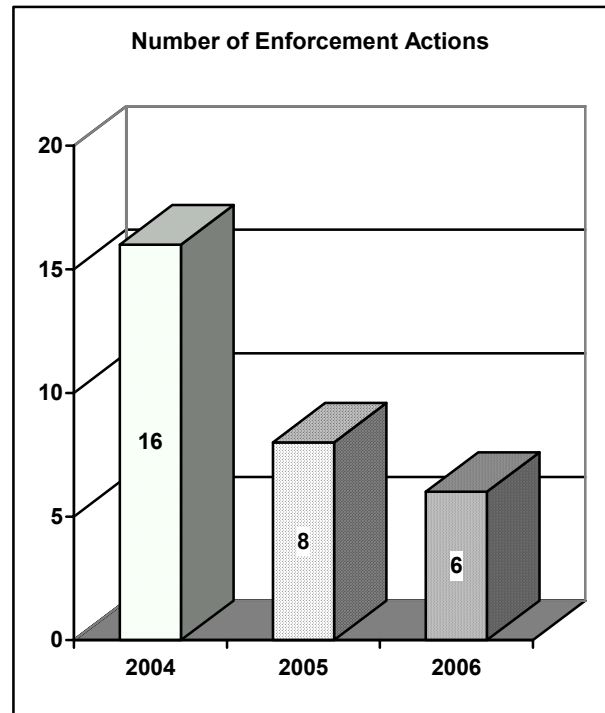
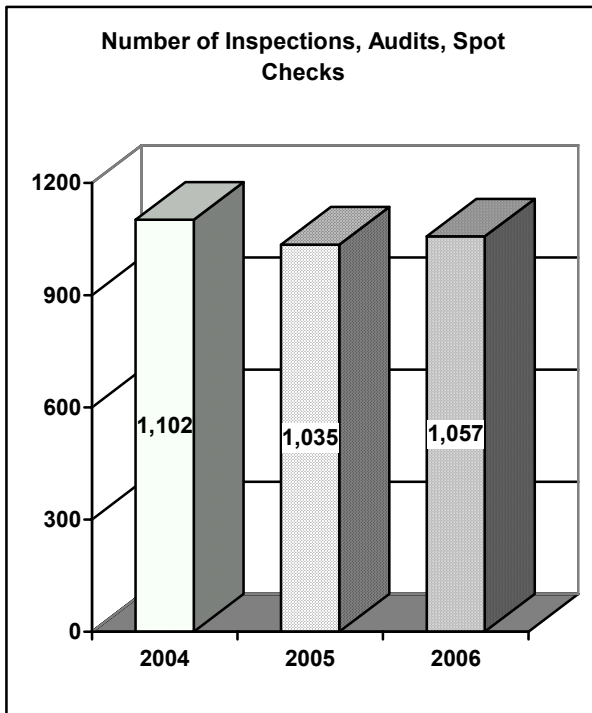
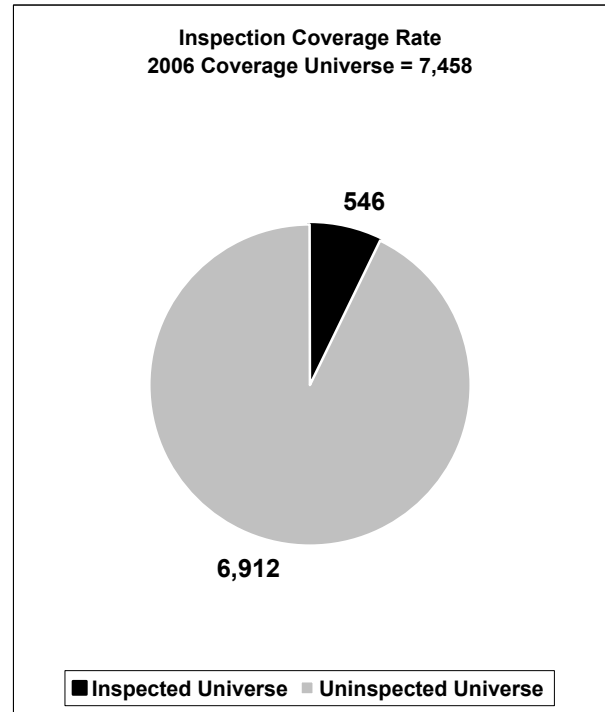
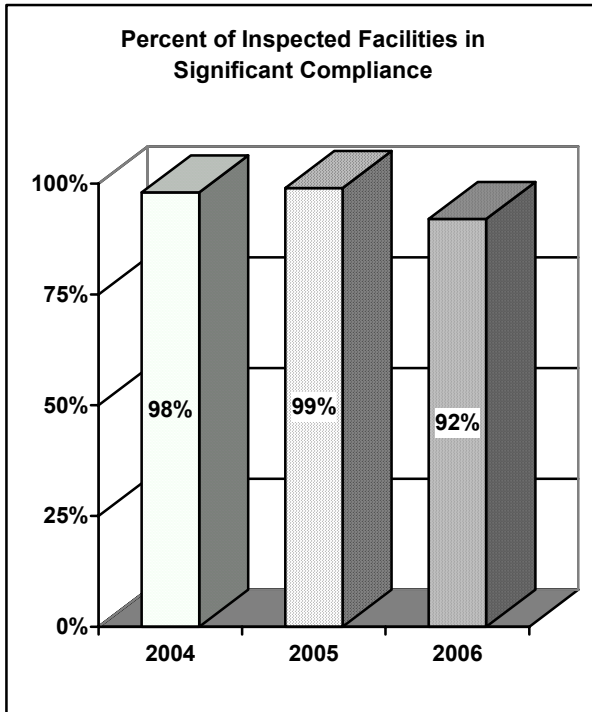
Maryland has been protecting and regulating activities in tidal wetlands since 1970. Protection and management of this resource continues toward achieving the State's goal of "no net loss of wetlands". There were decreases in the number of Sites Inspected and in Compliance Assistance rendered. Significant violations increased as a result of identifying permit violations in one community associated with pier construction. Under our recently improved judicial civil penalty authority, we are working with the Attorney General's Office to bring this community into compliance.

## Wetlands - Tidal

	2006 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	1,863
Number of Permits/Licenses in effect at Fiscal Year End	7,458
<u>OTHER REGULATED SITES/FACILITIES</u>	
	0
<u>INSPECTIONS</u>	
Number of Sites inspected	546
Number of Inspections, Audits, Spot Checks	1,057
<u>COMPLIANCE PROFILE:</u>	
Number of Inspected Sites/Facilities with Significant Violations	43
% of Inspected Sites/Facilities in Significant Compliance	92%
% of Inspected Sites/Facilities with Significant Violations	8%
Inspection coverage Rate *	8%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	42
Number of Significant Violations based on Technical/Preventative Deficiencies	1
Number of Significant Violations carried over awaiting disposition from Previous Fiscal year	9
Total	52
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	12
Ongoing	40
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	23
Number of Show Cause, Remedial, Corrective Actions issued	3
Number of Stop Work Orders	3
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	0
Number of Referrals to Attorney General for possible Criminal Action	0
<u>PENALTIES</u>	
Amount of Administrative or Civil Penalties obtained	\$0

\* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

## Wetlands – Tidal



OFFICE OF THE ATTORNEY GENERAL  
ENVIRONMENTAL CRIMES UNIT

# Environmental Crimes Unit

## PURPOSE

The Attorney General's Environmental Crimes Unit (ECU) investigates and prosecutes environmental crimes in Maryland. ECU is a criminal investigation and prosecution unit under the direction of the Criminal Investigations Division of the Attorney General's Office. ECU utilizes the prosecutorial authority of the Attorney General and the investigative skills and law enforcement authority of the Maryland State Police and Baltimore City Police Departments to investigate environmental violations and, when appropriate, file criminal charges against both corporate and individual offenders. Criminal enforcement is an effective and necessary tool in the compliance effort because it ensures that the most serious and recalcitrant offenders are subjected to criminal sanctions. This is important to protect public health and ensure a level playing field for those that do comply with Maryland's environmental laws.

ECU has jurisdiction throughout the State. ECU's statewide multi-media responsibilities are carried out with a staff of nine, eight of whom (4 investigators and 4 prosecutors) are directly involved in the criminal investigation and enforcement work of the unit. ECU operates from the perspective that criminal enforcement is often the enforcement choice of last resort, or is the only enforcement option available. It is often applied to the most-recalcitrant offenders, where the prospect of imprisonment and/or being stigmatized by a criminal conviction is necessary to protect public health and the quality of Maryland's air, land and water resources.

## AUTHORITY

STATE: The General Assembly, through the *Environment Article*, provides the Attorney General exclusive or concurrent authority to prosecute criminal violations involving water pollution, air pollution and hazardous waste. The Attorney General also has authority under Article V, Section 3 of the Constitution of Maryland to investigate and prosecute other crimes as directed by the Governor. Governor Ehrlich has granted ECU continuing authority to investigate and prosecute violations of Maryland's Litter Control Law (§10-110 of the Criminal Law Article), and other broadly defined related offenses. ECU seeks the Governor's authorization to investigate and prosecute other violations not within the *Environment Article* on a case-by-case basis.

## **PROCESS**

ECU typically receives complaints about possible criminal activity from three sources: citizen complaints, other governmental and law enforcement agencies, and the MDE Administrations. Complaints are initially reviewed by an ECU prosecutor to assess the presence of factors indicating possible criminal intent. Complaints with the potential for prosecution are then assigned to ECU investigators to conduct full investigations for the purpose of gathering sufficient evidence to accurately assess whether the filing of criminal charges is warranted. If charges are filed or indictments returned by grand juries, ECU prosecutors and investigators work the case through trial and any appeals.

## **SUCCESSSES AND CHALLENGES**

In FY 2006, ECU successfully assisted MDE in furthering its compliance and enforcement goals by conducting sixty-eight criminal investigations and filing charges in fifteen of those investigations. Of the sixty-eight investigations, twenty-six were the result of referrals from MDE administrations, a decrease of approximately 30% over FY 2005. Eighteen prosecutions were completed during the fiscal year, resulting in jail terms totaling 20 years, probation terms totaling 22 years and fines and restitution exceeding \$102,000, in addition to community work service and other penalties.

A continuing challenge is to restore investigative resources to peak levels experienced in the 1990s. Sworn law enforcement personnel with statewide authority have been reduced by 75% over the past seven years (FY 1999 – FY 2006). In FY 2006, MSP remained limited to a single trooper assigned to the Unit. MDE's financial commitment to ECU remained strong in this fiscal year.

An additional challenge is the need to create new positions to enable the Unit to train personnel to maintain the Unit's high-level of investigative expertise in anticipation of the retirement of several very experienced investigators in the next two years.

Last, ECU has traditionally received very few referrals or complaints related to air pollution crimes. The Unit needs to continue and expand outreach efforts to sources of potential air pollution referrals both within and outside MDE.

**CHART 1** shows the number of investigations conducted by ECU during FY 2006 and the source of the complaints leading to the investigations.

<b>FY '06 – INVESTIGATIONS OPENED</b>		
<b>SOURCE OF COMPLAINTS</b>		<b>INVESTIGATIONS OPENED</b>
<b>M D E</b>	ARMA	1
	TARSA	9
	WAS	15
	WMA	1
	OS/CO	0
MDE TOTAL		26
OTHER SOURCES		42
<b>TOTAL</b>		<b>68</b>

The MDE administrations, ARMA, WAS, and WMA, have traditional enforcement programs. TARSA's Emergency Response Division often responds to environmental emergencies that may be caused by criminal activities.

**CHART 2** shows the number of cases prosecuted by ECU during FY 2006. The chart distinguishes between the number of cases where prosecution was initiated during FY 2006 and the number of cases concluded during FY 2006. In prosecuting criminal cases, it is not uncommon for charges in a case to be filed during one fiscal year and concluded during a subsequent fiscal year. Charges may also be formally filed in a different fiscal year than when the investigation was opened by ECU.

<b>FY '06 – PROSECUTIONS</b>			
<b>SOURCE OF COMPLAINTS</b>		<b>NO. OF CASES FILED</b>	<b>NO. OF CASES CONCLUDED</b>
<b>M D E</b>	ARMA	0	0
	TARSA	3	5
	WAS	6	3
	WMA	0	0
MDE TOTAL		9	8
OTHER SOURCES		6	10
<b>TOTAL</b>		<b>15</b>	<b>18</b>



**CHART 3** shows the penalties imposed in cases concluded in criminal counts during FY 2006.

<b>FY '06 PROSECUTIONS – CASE DISPOSITION STATISTICS</b>							
<b>CASE TYPE</b>	<b># OF CASES CONCLUDED IN COURT</b>	<b>FINES, RESTITUTION, ENVIRONMENTAL PROJECT COSTS</b>		<b>JAIL TIME</b>		<b>PROBATION (Years)</b>	<b>COMMUNITY SERVICE (hrs.)</b>
		<b>IMPOSED</b>	<b>TO BE PAID</b>	<b>IMPOSED (months)</b>	<b>TO BE SERVED (months)</b>		
AIR QUALITY	2	2,500	1,000	30	.7	2.5	100
HAZARDOUS WASTE	1	2,120	2,120	30	0	2	100
OIL CONTROL	2	7,592	6,592	12	0	2	75
SOLID WASTE	3	52,500	20,500	120	0	6	200
TIRES	2	10,000	2,000	0	0	2	0
WATER	8	28,000	9,500	48	24*	7.5	250
<b>TOTAL</b>	<b>18</b>	<b>\$102,712</b>	<b>\$41,712</b>	<b>240 Mos.</b>	<b>24.7 Mos.</b>	<b>22 Yrs.</b>	<b>725 Hrs.</b>

Note – A single case may involve charges from any number of the various titles.

\*Includes 6 months served on probation violations from two FY 2004 cases.

**CHART 4.** The Report of Enforcement Activities mandated by §1-301(d) of the Environment Article requires reporting of information for criminal cases prosecuted under specified subtitles of the Environment Article. The chart reflects all ECU activity for the fiscal year. The shaded areas delineate activity required under specified subtitles.

FY '06 – YEARLY TOTALS	Title 2	Title 4	Title 7	Title 9		Title 13	Crim. Law	Total
	Subtitle 6	Subtitle 4	Subtitle 2	Subtitle 2	Subtitle 3	Subtitle 5	§10-110	
Number of Criminal Cases Concluded in Court	2	2	1	2	8		3	18
Number of Convictions Obtained	2	1	1	2	7		3	16
Imprisonment Time Ordered (Months)	30	12	30	0	48		120	240 Mos.
Imprisonment Time To Be Served (Months)	.7	0	0	0	18	6*	0	24.7 Mos.
Probation Ordered (Years)	2.5	2	2	2	7.5		6	22 Yrs.
Community Service Ordered (Hours)	100	75	100	0	250		200	725 Hrs.
Criminal Fines, Restitution & Clean-Up Costs Imposed	2,500	7,592	2,120	10,000	28,000		52,500	102,712
Criminal Fines, Restitution & Clean-Up Costs To Be Paid	1,000	6,592	2,120	2,000	9,500		20,500	41,712

Title 2 – Ambient Air Quality Control

Title 4 – Water Management/Waste Mgmt.

\*\*Title 5 – Water Resources

\*\*Title 6 – Toxic, Carcinogenic & Flammable Substances

Title 7 – Hazardous Materials & Hazardous Substances

\*\*Title 8 – Radiation

Title 9 – Water, Ice, and Sanitary Facilities

Title 13 – Well Drillers

\*\*Title 16 – Tidal Wetlands

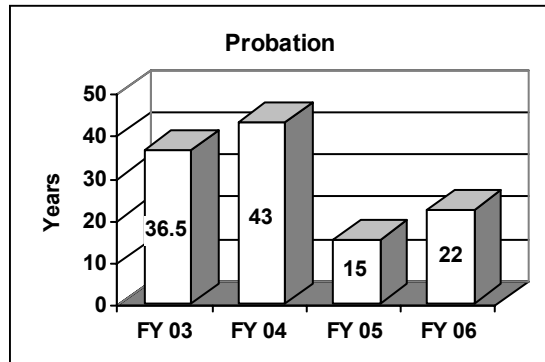
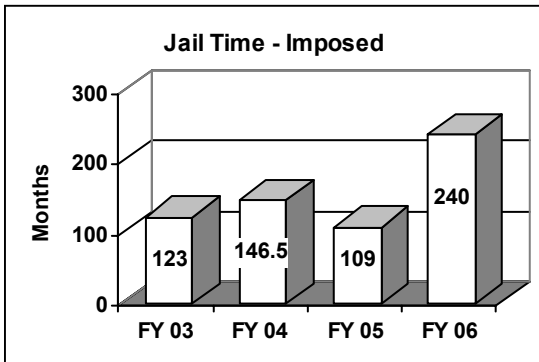
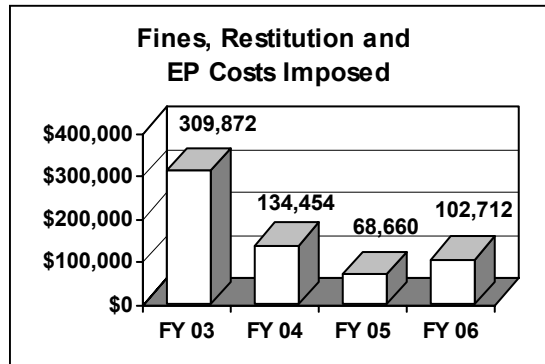
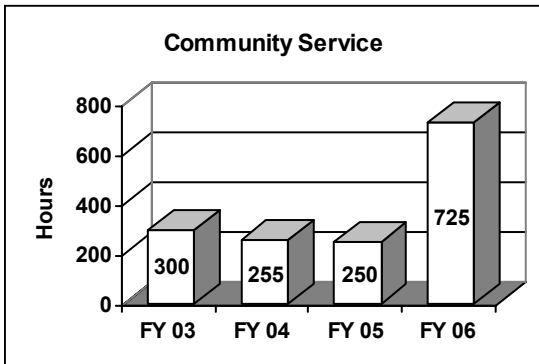
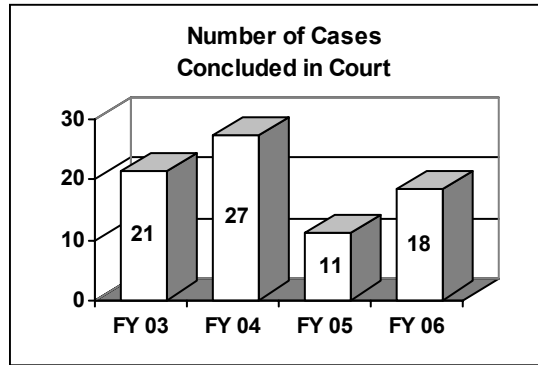
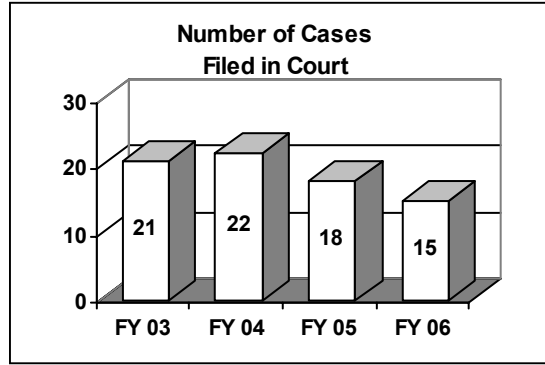
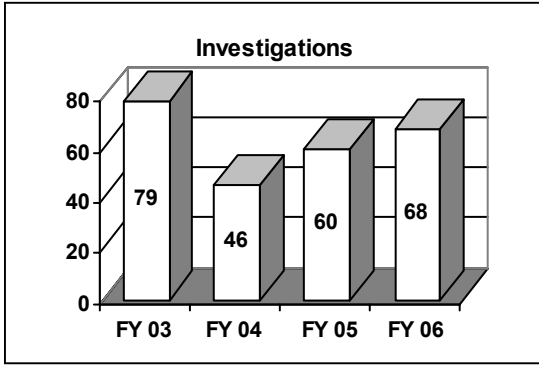
§10-110 of Criminal Law Article – Litter Control Law

Note – A single case may involve charges from any number of the various titles.

\*Includes 6 months served on probation violations from two FY 2004 cases.

\*\*No cases under this title for Fiscal Year 2006

# Environmental Crimes Unit



**APPENDIX I  
ENVIRONMENT ARTICLE 1-301(d)**

## **§1-301(d) Report on Enforcement Activities.**

(1) (i) On or before October 1 of each year, the Secretary, in consultation with the Attorney General, shall submit to the Legislative Policy Committee, in accordance with §1-246 of the State Government Article, a report on enforcement activities conducted by the Department during the previous fiscal year.

(ii) The report shall:

1. Include the information required under this subsection and any additional information concerning environmental enforcement that the Secretary decides to provide;
2. Be available to the public as soon as it is forwarded to the Legislative Policy Committee;
3. Include information on the total number of permits and licenses issued by or filed with the Department at any time and still in effect as of the last date of the fiscal year immediately preceding the date on which the report is filed;
4. Include information concerning specific enforcement actions taken with respect to the permits and licenses during the immediately preceding fiscal year; and
5. Include information on the type and number of contacts or consultations with businesses concerning compliance with State environmental laws.

(iii) The information required in the report under paragraph (3) of this subsection shall be organized according to each program specified.

(2) The report shall state the total amount of money as a result of enforcement actions, as of the end of the immediately preceding fiscal year:

- (i) Deposited in the Maryland Clean Air Fund;
- (ii) Deposited in the Maryland Oil Disaster Containment, Clean-up and Contingency Fund;
- (iii) Deposited in the Nontidal Wetland Compensation Fund;
- (iv) Deposited in the Maryland Hazardous Substance Control Fund;
- (v) Recovered by the Department from responsible parties in accordance with §7-221 of this article;
- (vi) Deposited in the Sewage Sludge Utilization Fund; and
- (vii) Deposited in the Maryland Clean Water Fund.

(3)(i) The report shall include the information specified in subparagraphs (ii), (iii), (iv), and (v) of this paragraph for each of the following programs in the Department:

1. Ambient air quality control under Title 2, Subtitle 4 of this article;
2. Oil pollution under Title 4, Subtitle 4 of this article;
3. Nontidal wetlands under Title 5, Subtitle 9 of this article;
4. Asbestos under Title 6, Subtitle 4 of this article;
5. Lead paint under Title 6, Subtitle 8 of this article;
6. Controlled hazardous substances under Title 7, Subtitle 2 of this article;
7. Water supply, sewerage systems, and refuse disposal systems under Title 9, Subtitle 2 of this article;
8. Water discharges under Title 9, Subtitle 3 of this article;
9. Drinking water under Title 9, Subtitle 4 of this article; and
10. Wetlands under Title 16, Subtitle 2 of this article.

(ii) For each of the programs set forth in subparagraph (i) of this paragraph, the Department shall provide the total number or amount of:

1. Final permits or licenses issued to a person or facility, as appropriate, and not surrendered, suspended or revoked;
  2. Inspections, audits, or spot checks performed at facilities permitted;
  3. Injunctions obtained;
  4. Show cause, remedial, and corrective action orders issued;
  5. Stop work orders;
  6. Administrative or civil penalties obtained;
  7. Criminal actions charged, convictions obtained, imprisonment time ordered, and criminal fines received; and
  8. Any other actions taken by the Department to enforce the requirements of the applicable environmental program, including:
    - A. Notices of the removal or encapsulation of asbestos under §6-414.1 of this article; and
    - B. Actions enforcing user charges against industrial users under §9-341 of this article.
- (iii) In addition to the information required in subparagraph (ii) of this paragraph, for the Lead Paint Program under Title 6, Subtitle 8 of this article, the report shall include the total number or amount of:
1. Affected properties registered; and
  2. Inspectors or other persons accredited by the Department, for whom accreditation has not been surrendered, suspended, or revoked.
- (iv) In addition to the information required in subparagraph (ii) of this paragraph, for the Controlled Hazardous Substances Program under Title 7, Subtitle 2 of this article, the report shall include the following lists, updated to reflect the most recent information available for the immediately preceding fiscal year:
1. Possible controlled hazardous substance sites compiled in accordance with §7-223 (a) of this article.
  2. Proposed sites listed in accordance with §7-223 (c) of this article at which the Department intends to conduct preliminary site assessments; and
  3. Hazardous waste sites in the disposal site registry compiled in accordance with §7-223 (f) of this article;
- (v) In addition to the information required in subparagraph (ii) of this paragraph, for the Drinking Water Program, the report shall include the total number of:
1. Actions to prevent public water system contamination or to respond to a Safe Drinking Water Act emergency under §§9-405 and 9-406 of this article; and
  2. Notices given to the public by public water systems under §9-410 of this article.

**APPENDIX II  
ENVIRONMENTAL RESTORATION  
AND REDEVELOPMENT PROGRAM  
STATE MASTER LIST**

**(This list provides notice of potential hazardous waste sites.)**

**Maryland Department of the Environment  
State Master List  
July 2006**

**County: ALLEGANY**

**Site Name:** CABIN RUN LF (MD-003)

**Address:** CABIN RUN RD  
FROSTBURG, MD 21532

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** CELANESE FIBERS CO - AMCELLE PLANT (MD-031)

**Address:** US RT 220 S  
CUMBERLAND, MD 21502

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** CUMBERLAND GAS LIGHT CO (MD-195)

**Address:** N MECHANIC ST  
CUMBERLAND, MD 21502

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** FROSTBURG GAS LIGHT CO (MD-197)

**Address:** W SIDE OF GRANT ST  
FROSTBURG, MD 21532

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** HOFFMAN LF (MD-004)

**Address:** FROSTBURG IND PARK RT 36  
FROSTBURG, MD 21532

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** KELLY SPRINGFIELD TIRE CO (MD-410)

**Address:** 800 KELLY RD  
CUMBERLAND, MD 21502

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** KOPPERS CO INC - OLDTOWN (MD-042)

**Address:** RUBY RD



**Aliases:** OLD TOWN, MD 21555  
**Status:** CHARLES O WALTERS  
NFRAP

**Site Name:** LIMESTONE ROAD SITE (MD-084)  
**Address:** LIMESTONE RD OFF RT 51  
CUMBERLAND, MD 21502  
**Aliases:** CUMBERLAND CEMENT & SUPPLY, DIGGS SANITATION  
**Status:** NPL

**Site Name:** OLD CUMBERLAND CITY/COUNTY DUMP (MD-139)  
**Address:** LIMESTONE RD  
CUMBERLAND, MD 21502  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** VALE SUMMIT LF (MD-005)  
**Address:** RTS 36 & 38  
FROSTBURG, MD 21532  
**Aliases:** NONE  
**Status:** NFRAP

**County:** ANNE ARUNDEL

**Site Name:** ALCO-GRAVURE INC (MD-353)  
**Address:** 701 BALTIMORE ANNAPOLIS BLVD  
GLEN BURNIE, MD 21061  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ANNE ARUNDEL CO LF (MD-035)  
**Address:** DOVER RD  
GLEN BURNIE, MD 21061  
**Aliases:** GLEN BURNIE LF  
**Status:** DEFERRAL

**Site Name:** B & O RAILROAD LF (MD-362)  
**Address:** KEMBO RD  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** UI

**Site Name:** BROWNING FERRIS IND - SOLLEY RD LF (MD-006)  
**Address:** 7890 SOLLEY RD  
GLEN BURNIE, MD 21061

**Aliases:** SAN DISP INC, SOLLEY RD LF  
**Status:** NFRAP

**Site Name:** COX CREEK REFINING (MD-456)  
**Address:** 1000 KEMBO RD  
BALTIMORE, MD 21226

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** DAVID TAYLOR/ANNAPOLIS - LAUNCH (MD-203)  
**Address:** BAY HEAD RD  
ANNAPOLIS, MD 21401

**Aliases:** NONE  
**Status:** UI

**Site Name:** DRUMCO DRUM DUMP (MD-408)  
**Address:** ASPEN ST OFF PENNINGTON AVE  
BALTIMORE, MD 21225

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** FORT SMALLWOOD - CONTROL (MD-208)  
**Address:** OLD NIKE MISSILE SITE RD  
PASADENA, MD 21122

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** FORT SMALLWOOD - LAUNCH (MD-207)  
**Address:** 9034 FORT SMALLWOOD RD  
PASADENA, MD 21122

**Aliases:** ANNAPOLIS - NIKE  
**Status:** NFRAP

**Site Name:** GENERAL SERVICE ADMIN - CURTIS BAY DEPOT (MD-336)  
**Address:** 710 ORDNANCE RD  
BALTIMORE, MD 21226

**Aliases:** NONE  
**Status:** UI

**Site Name:** GREEN VALLEY RD SITE (MD-178)  
**Address:** GREEN VALLEY RD  
ARNOLD, MD 21012

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HONEYWELL INC (MD-158)

**Address:** 401 DEFENSE HWY  
ANNAPOLIS, MD 21401

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** JOY BOEHM LF (MD-030)

**Address:** 1373 ST STEPHENS CHURCH RD  
CROWNSVILLE, MD 21032

**Aliases:** BOEHM JOY LF, ST STEPHENS CHURCH RD SITE

**Status:** NFRAP

**Site Name:** JOY RECLAMATION CO (MD-073)

**Address:** 6400 ARUNDEL CORP RD  
GLEN BURNIE, MD 21061

**Aliases:** ARUNDEL CORP RD SITE, JOY/HAMLEN RECLAMATION

**Status:** NFRAP

**Site Name:** NEVAMAR CORP (MD-072)

**Address:** 8339 TELEGRAPH RD  
ODENTON, MD 21113

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** NOVA-KOTE INC. (MD-421)

**Address:** 7615 ENERGY PARKWAY  
BALTIMORE, MD 21226

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** US COAST GUARD (MD-406)

**Address:** HAWKINS POINT RD  
BALTIMORE, MD 21226

**Aliases:** NONE

**Status:** UI

**Site Name:** US NAVAL STATION (MD-334)

**Address:** ANNAPOLIS NAVAL COMPLEX  
ANNAPOLIS, MD 20084

**Aliases:** US NAVAL COMPLEX ANNAPOLIS

**Status:** UI

**Site Name:** USA FORT GEORGE MEADE (MD-067)

**Address:** FT MEADE  
FT MEADE, MD 20755

**Aliases:** USA 144TH ORDINANCE DETACHMENT, USA LUMBER STORAGE  
USA YARD, USA BLDG T37 SUB STA 3, USA TRAINING AREA T38,  
BUILDING 6527, CAMP MEADE  
**Status:** NPL

**Site Name:** USN COMMISSARY STORE PARK LOT AREA SOUTH (MD-059)  
**Address:** KINKAID RD  
ANNAPOLIS, MD 21402  
**Aliases:** USN NAVAL STATION LAGOON, USN RADIO TRANSMITTING FACILITY, USN NAVAL STATION, US NAVAL COMPLEX  
ANNAPOLIS  
**Status:** UI

**Site Name:** USN NAVAL ACADEMY (MD-063)  
**Address:** PUBLIC WKS DEPT  
ANNAPOLIS, MD 21402  
**Aliases:** USN NAVAL ACADEMY WHERRY HOUSING PROJ  
**Status:** NFRAP

**Site Name:** VECTRA CORP - ODENTON (MD-041)  
**Address:** 8305 TELEGRAPH RD  
ODENTON, MD 21113  
**Aliases:** ODENTON PLT, CHEVRON CHEMICAL  
**Status:** NFRAP

**Site Name:** WOODS ROAD SITE (MD-192)  
**Address:** END-WOODS RD/BORDERS MAGOTHY BR. RD  
ANNAPOLIS, MD 21122  
**Aliases:** NONE  
**Status:** NFRAP

**County:** *BALTIMORE*

**Site Name:** 68TH STREET DUMP (MD-174)  
**Address:** 68TH ST & PULASKI HWY  
ROSEDALE, MD 21237  
**Aliases:** NONE  
**Status:** UI

**Site Name:** AVESTA SHEFFIELD (MD-173)  
**Address:** ROLLING MILL RD  
BALTIMORE, MD 21224  
**Aliases:** EASTERN STAINLESS STEEL (FORMERLY)

**Status:** NFRAP

**Site Name:** BALTIMORE GALVANIZING COMPANY INC (MD-069)

**Address:** 7110 QUAD AVE  
BALTIMORE, MD 21237

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BAUER FARM (MD-297)

**Address:** OFF NORTH PT RD & BAUERS FARM RD  
BALTIMORE, MD 21219

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BEACHWOOD DEVELOPMENT (MD-388)

**Address:** MORSE LN & TODD PT  
BALTIMORE, MD 21222

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BENDIX CORP (MD-395)

**Address:** 1300 JOPPA RD  
BALTIMORE, MD 21204

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BROWNING FERRIS IND - CHEM PROCESSING CNTR (MD-018)

**Address:** 101 NORRIS LN  
BALTIMORE, MD 21222

**Aliases:** CHEM PROCESSING CNTR, NORRIS FARM LF  
**Status:** NFRAP

**Site Name:** BUCKS STEEL DRUM (MD-187)

**Address:** 8234 ROSEBANK AVE  
BALTIMORE, MD 21222

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CIRCUIT CITY (MD-315)

**Address:** 6211 ROSSVILLE BLVD  
BALTIMORE, MD 21237

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** COLGATE PAY DUMP (MD-176)

**Address:** 6700 PULASKI HWY (I-95 @ MORAVIA)  
BALTIMORE, MD 21237  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CUTRONICS (MD-380)  
**Address:** 1925 & 1941 GREENSPRING DR  
TIMONIUM, MD 21093  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** DUNDALK MARINE TERMINAL (MD-016)  
**Address:** 2701 BROENING HWY  
BALTIMORE, MD 21222  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** FORK - CONTROL (MD-210)  
**Address:** END OF HUTSCHENREUTER RD  
KINGSVILLE, MD 21057  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** FORK - LAUNCH (MD-209)  
**Address:** OFF STOCKDALE RD  
KINGSVILLE, MD 21087  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** GIBSON HOMANS (MD-316)  
**Address:** 1101 HANZLIK AVE  
BALTIMORE, MD 21237  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** GRANITE - CONTROL (MD-212)  
**Address:** 2845 HERNWOOD RD  
WOODSTOCK, MD 21163  
**Aliases:** NONE  
**Status:** UI

**Site Name:** GRANITE - LAUNCH (MD-211)  
**Address:** 3085 HERNWOOD RD  
WOODSTOCK, MD 21163  
**Aliases:** NONE

**Status:** NFRAP

**Site Name:** GREENSPRING - CONTROL (MD-214)

**Address:** GREENSPRING AVE  
GREENSPRING, MD 21117

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** GREENSPRING - LAUNCH (MD-213)

**Address:** RIDGE RD  
GREENSPRING, MD 21117

**Aliases:** TOWSON - NIKE  
**Status:** NFRAP

**Site Name:** INDUSTRIAL ENTERPRISES (MD-184)

**Address:** 7100 QUAD AVE  
BALTIMORE, MD 21237

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MARTIN MARIETTA CORP (MD-172)

**Address:** 1601 ROLLING RD  
BALTIMORE, MD 21227

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MARTIN'S STATE AIRPORT (MD-304)

**Address:** BOX 1 701 WILSON POINT RD  
BALTIMORE, MD 21220

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MARTIN'S STATE AIRPORT SITE II (ANG) (MD-310)

**Address:** EASTERN AVE AND WILSON POINT RD  
BALTIMORE, MD 21220

**Aliases:** AIR NATIONAL GUARD  
**Status:** NFRAP

**Site Name:** OH WILLIAMSON (MD-238)

**Address:** WILLIAMSON LN  
COCKEYSVILLE, MD 21030

**Aliases:** MANN & PARKER LUMBER CO  
**Status:** NFRAP

**Site Name:** PARKTON LF (MD-449)

**Address:** I-83 & STABLERS CHURCH ROAD  
PARKTON, MD 21120  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** RM WINSTEAD CO (MD-133)  
**Address:** 68TH ST & PULASKI HWY  
BALTIMORE, MD 21237  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SAUER DUMP (MD-181)  
**Address:** 4225 LYNHURST RD  
BALTIMORE, MD 21222  
**Aliases:** NONE  
**Status:** UI

**Site Name:** SECURITY BLVD SITE (MD-188)  
**Address:** 1718 K BELMONT AVE  
BALTIMORE, MD 21207  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** STANSBURY PARK (MD-265)  
**Address:** STANSBURY & HYDRANGEA RDS  
BALTIMORE, MD 21222  
**Aliases:** NONE  
**Status:** UI

**Site Name:** TOWSON LAUNCH BA - 92 (MD-412)  
**Address:** RIDGE RD NEAR RT 45  
TOWSON, MD 21136  
**Aliases:** NONE  
**Status:** UI

**Site Name:** US ARMY PHOENIX - CONTROL (MD-157)  
**Address:** SUNNYBROOK RD  
JACKSONVILLE, MD 21131  
**Aliases:** USA PHOENIX NIKE SITE (FCA), PHOENIX NIKE, PHOENIX  
MILITARY  
RESERVATION  
**Status:** UI

**Site Name:** US ARMY PHOENIX - LAUNCH (MD-234)  
**Address:** PAPERMILL RD



JACKSONVILLE, MD 21131  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** VULCAN MATERIALS METALS DIV (MD-132)  
**Address:** 2415 GRAYS RD  
BALTIMORE, MD 21219  
**Aliases:** NONE  
**Status:** NFRAP

**County:** *BALTIMORE CITY*

**Site Name:** 1ST PLANT (MD-147)  
**Address:** GUILFORD & SARATOGA STS  
BALTIMORE, MD 21201  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** 2ND PLT (MD-148)  
**Address:** SARATOGA & HOLIDAY STS  
BALTIMORE, MD 21201  
**Aliases:** HOLIDAY PLT  
**Status:** NFRAP

**Site Name:** ALLIED CHEM CORP - AG PLT (MD-010)  
**Address:** 2000 RACE ST  
BALTIMORE, MD 21231  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ALLIED CHEM CORP - BALTIMORE WKS (MD-013)  
**Address:** BLOCK & WILLS STS  
BALTIMORE, MD 21231  
**Aliases:** BALTIMORE WKS  
**Status:** NFRAP

**Site Name:** AMERICAN CHEMMATE (MD-152)  
**Address:** HOWARD & WEST STS  
BALTIMORE, MD 21230  
**Aliases:** CHEMICAL SERVICES  
**Status:** NFRAP

**Site Name:** AMERICAN RECOVERY CORP (MD-011)  
**Address:** 1901 BIRCH ST  
BALTIMORE, MD 21226

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ANCHOR HOCKING CORP - CARR LOWREY GLASS (MD-140)  
**Address:** 2201 KLOMAN ST  
BALTIMORE, MD 21230

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BALTIMORE IRON & METAL (MD-257)  
**Address:** PIER 11 PATAPSCO RIVER E  
BALTIMORE, MD 21224

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BALTIMORE STEEL DRUM CORP (MD-051)  
**Address:** 910 KRESSON ST  
BALTIMORE, MD 21224

**Aliases:** STEEL DRUM SITE  
**Status:** NFRAP

**Site Name:** BAYARD STATION (MD-161)  
**Address:** BAYARD AND BUSH ST  
BALTIMORE, MD 21201

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BLOEDE MANUFACTURER PROPERTY (MD-466)  
**Address:** CORNER OF WILKENS & CATON AVE  
BALTIMORE, MD 21229

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BOWLEY'S LANE LF (MD-154)  
**Address:** MORAVIA RD  
BALTIMORE, MD 21205

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BROWNING FERRIS IND - QUARANTINE RD (MD-019)  
**Address:** 5901 QUARANTINE RD  
BALTIMORE, MD 21226

**Aliases:** ROBB TYLER (BFI PORTION), QUARANTINE RD  
**Status:** NFRAP

**Site Name:** CANTON STATION (MD-159)  
**Address:** FAIT AND LAKEWOOD STS  
BALTIMORE, MD 21201  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CHEMICAL METALS IND (MD-082)  
**Address:** 2101 & 2103 ANNAPOLIS RD  
BALTIMORE, MD 21230  
**Aliases:** CMI  
**Status:** NPL

**Site Name:** CONOCO CHEMICAL CO BALTIMORE PLT (MD-109)  
**Address:** 3441 FAIRFIELD RD  
BALTIMORE, MD 21226  
**Aliases:** VISTA CHEMICAL CORP  
**Status:** NFRAP

**Site Name:** CONRAIL ORANGEVILLE YARD (MD-263)  
**Address:** 6000 E LOMBARD ST  
BALTIMORE, MD 21201  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CROWN CENTRAL PETROLEUM CORP (MD-112)  
**Address:** 6000 PENNINGTON AVE  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CROWN CENTRAL PETROLEUM CORP (MD-113)  
**Address:** 1622 S CLINTON ST  
BALTIMORE, MD 21224  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ESTECH GENERAL CHEM CO (MD-114)  
**Address:** 5500 CHEM RD  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** FMC CORP (MD-017)  
**Address:** 1701 E PATAPSCO AVE  
BALTIMORE, MD 21226

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** FORT HOLABIRD CRIME RECORDS CENTER (MD-411)  
**Address:** CORNER OF OAKLAND & DETROIT AVES  
BALTIMORE, MD 21222

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HAWKINS PT - MD PORT ADMIN (MD-007)  
**Address:** HAWKINS PT RD  
BALTIMORE, MD 21202

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HIGHLAND TOWN GAS (MD-233)  
**Address:** 3913 PULASKI HWY  
BALTIMORE, MD 21224

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HUTTON AVENUE LF, E & W (MD-367)  
**Address:** 4825-4835 WINDSOR MILL RD  
BALTIMORE, MD 21207

**Aliases:** RIDGETOP ROAD DUMP  
**Status:** UI

**Site Name:** KANE & LOMBARD ST DRUMS (MD-169)  
**Address:** KANE & LOMBARD STS  
BALTIMORE, MD 21224

**Aliases:** NONE  
**Status:** NPL

**Site Name:** KOPPERS CO INC- ENGR MET PROD G (MD-284)  
**Address:** 1400 BUSH ST  
BALTIMORE, MD 21230

**Aliases:** KAYDON RING & SEAL INC  
**Status:** NFRAP

**Site Name:** M & T CHEMICALS INC (MD-118)  
**Address:** 1900 CHESAPEAKE AVE  
BALTIMORE, MD 21226

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MONUMENT ST LF (MD-092)  
**Address:** MONUMENT ST & EDISON HWY  
BALTIMORE, MD 21205  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NIH-NIA GERONTOLOGY RESEARCH CNTR (MD-434)  
**Address:** 4040 EASTERN AVE  
BALTIMORE, MD 21224  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** OLIN CORP - CURTIS BAY (MD-014)  
**Address:** 5501 PENNINGTON AVE  
BALTIMORE, MD 21226  
**Aliases:** CURTIS BAY PLANT  
**Status:** NFRAP

**Site Name:** PEMCO PRODUCTS (MD-055)  
**Address:** 5601 EASTERN AVE  
BALTIMORE, MD 21224  
**Aliases:** MOBAY CHEMICAL CORP PEMCO PROD DIV  
**Status:** NFRAP

**Site Name:** PICORP INC (MD-179)  
**Address:** 6508 E LOMBARD ST  
BALTIMORE, MD 21224  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** REEDBIRD LF (MD-020)  
**Address:** POTE ST & REEDBIRD AVE  
BALTIMORE, MD 21202  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SAFETY KLEEN CORP (MD-343)  
**Address:** 1448-50 DESOTO RD  
BALTIMORE, MD 21230  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SCM CORP QUARANTINE RD SITE (MD-009)  
**Address:** 5901 QUARANTINE RD  
BALTIMORE, MD 21226

**Aliases:** ROBB TYLER LF  
**Status:** NFRAP

**Site Name:** SCOTT ST STATION (MD-191)  
**Address:** SCOTT & OSTEND STS  
BALTIMORE, MD 21230  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SEVERN ST STATION (MD-245)  
**Address:** 1400 BLK SEVERN ST  
BALTIMORE, MD 21230  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SHERWIN WILLIAMS (MD-279)  
**Address:** 2325 HOLLINS FERRY RD  
BALTIMORE, MD 21230  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SPRING GARDENS (MD-145)  
**Address:** FORT & LEADENHALL STS  
BALTIMORE, MD 21201  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** TEXACO INC (MD-131)  
**Address:** 3820 FOURTH AVE  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WR GRACE & CO - DAVIDSON CHEM DIV (MD-015)  
**Address:** 5500 CHEMICAL RD  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** NFRAP

**County:** CALVERT

**Site Name:** USN NAVAL RESEARCH LAB - CHES BAY DETACH (MD-062)  
**Address:** MD RD 261  
RANDLE CLIFF BEACH, MD 20732  
**Aliases:** USN NAVAL RESEARCH LAB, USN CHES BAY DETACH PAST

**Status:** CHEM LF, USN CHES BAY DETACH BLDG 4  
NFRAP

**Site Name:** USN SURFACE WARFARE CNTR-SOLOMON'S ISLAND (MD-058)  
**Address:** DEPT OF THE NAVY  
SOLOMON'S ISLAND, MD 20688  
**Aliases:** NONE  
**Status:** UI

**County:** *CAROLINE*

**Site Name:** OLD WEST DENTON DUMP (MD-438)  
**Address:** RIVER RD  
DENTON, MD 21629  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SKIPJACK CHEMICALS, INC. (MD-416)  
**Address:** RT 2 BOX 26E  
DENTON, MD 21629  
**Aliases:** NONE  
**Status:** NFRAP

**County:** *CARROLL*

**Site Name:** BACHMAN VALLEY LF - LOCATION II (MD-467)  
**Address:** 1920 BACHMAN VALLEY RD  
MANCHESTER, MD 21102  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BACHMANS VALLEY LF (MD-333)  
**Address:** 1920 BACHMANS VALLEY RD  
MANCHESTER, MD 21102  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BLACK & DECKER (MD-370)  
**Address:** 10 NORTH PARK DR  
HAMPSTEAD, MD 21074  
**Aliases:** NONE  
**Status:** DEFERRAL

**Site Name:** CRANBERRY RUN SUB STATION (MD-190)

**Address:** OLD MANCHESTER RD  
WESTMINSTER, MD 21157  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HODGES LF (MD-447)  
**Address:** HODGES RD  
ELDERSBURG, MD 21784  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** KATE WAGNER LF (MD-322)  
**Address:** RT 27 & RIDGE RD  
WESTMINSTER, MD 21157  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** LEHIGH PORTLAND CEMENT COMPANY (MD-437)  
**Address:** 117 SOUTH MAIN STREET  
UNION BRIDGE, MD 21791  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MIL SPEC FASTENERS CORP (MD-332)  
**Address:** RT 30 BOX 59A - HANOVER PIKE  
HAMPSTEAD, MD 21074  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NORTH CARROLL SHOPPING PLAZA (MD-320)  
**Address:** RT 30 & BRODBECK RD  
HAMPSTEAD, MD 21074  
**Aliases:** NONE  
**Status:** DEFERRAL

**Site Name:** RAY'S AUTO PARTS E.R. (MD-478)  
**Address:** 7571 MIDDLEBERG ROAD  
DETOUR, MD  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** W DORSEY PROPERTY (MD-357)  
**Address:** 804 E RIDGEVILLE RD  
MT AIRY, MD 21773  
**Aliases:** NONE



**Status:** NFRAP

**Site Name:** WOLF HILL (MD-307)

**Address:** OFF OF RT 30  
HAMPSTEAD, MD 21074

**Aliases:** NONE

**Status:** NFRAP

**County:** *CECIL*

**Site Name:** ANCHOR MARINA ASSESSMENT (MD-474)

**Address:** .5 OFF RT 272 IRIQUOIS DR  
NORTH EAST, MD 21901

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** CENTRAL CHEMICAL CO (MD-325)

**Address:** TRINCO INDUSTRIAL PARK  
ELKTON, MD 21921

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** CHILDS PROPERTY (MD-318)

**Address:** 180 CHILDS RD  
CHILDS, MD 21921

**Aliases:** PAUL MRAZ

**Status:** NFRAP

**Site Name:** CROUSE BROS EXCAVATING INC (MD-314)

**Address:** PULASKI HWY & RT 279  
ELKTON, MD 21921

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** DWYER PROPERTY (MD-313)

**Address:** RTS 279 & 545 PARCEL 1037 SW  
ELKTON, MD 21921

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** ELKTON FARM (MD-433)

**Address:** 183 ZEITLER RD  
ELKTON, MD 21921

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** ELKTON GAS LIGHT CO (MD-196)  
**Address:** WATER ST  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** GE RAIL (MD-294)  
**Address:** TRINCO INDUSTRIAL PARK  
ELKTON, MD 21921  
**Aliases:** P & R RAILCAR SERV CORP  
**Status:** NFRAP

**Site Name:** HOPKINS QUARRY (MD-450)  
**Address:** HOPKINS QUARRY  
PORT DEPOSIT, MD 21904  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** IP INC (MD-372)  
**Address:** TRINCO INDUSTRIAL PARK  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** IRON HILL ROAD DRUM SITE (MD-254)  
**Address:** 117 IRON HILL RD  
ELKTON, MD 21921  
**Aliases:** PYRONICS INC  
**Status:** NFRAP

**Site Name:** MONTGOMERY BROTHERS (MD-137)  
**Address:** OFF NAZARENE CAMP RD  
NORTHEAST, MD 21921  
**Aliases:** NORTH EAST DUMP  
**Status:** NFRAP

**Site Name:** NATIONAL FIREWORKS (MD-386)  
**Address:** FAIRHILL RD PARCELS 75 & 1075  
ELKTON, MD 21921  
**Aliases:** VICON PROPERTY  
**Status:** NFRAP

**Site Name:** ORDNANCE PRODUCTS INC (MD-268)  
**Address:** MECHANICS VALLEY RD  
NORTHEAST, MD 21901

**Aliases:** MECHANICS VALLEY ORDNANCE SITE  
**Status:** NPL

**Site Name:** RT 7 CHEM DUMP SITE (MD-075)  
**Address:** 1.9 MILES W OF RT 40  
ELKTON, MD 21921

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SAND GRAVEL & STONE SITE (MD-033)  
**Address:** RT 40  
ELKTON, MD 21921

**Aliases:** ELKTON QUARRY, MD SAND & GRAVEL  
**Status:** NPL

**Site Name:** SPECTRON INC (MD-045)  
**Address:** 111 PROVIDENCE RD  
ELKTON, MD 21921

**Aliases:** GALAXY CHEMICAL, SOLVENT DISTILLERS  
**Status:** NPL

**Site Name:** THIOKOL CORP ELKTON (MD-100)  
**Address:** RT 40  
ELKTON, MD 21921

**Aliases:** MORTON-THIOKOL, CIBA-GEIGY  
**Status:** NFRAP

**Site Name:** TRIUMPH INDUSTRIAL PARK (MD-303)  
**Address:** 3 BLUE BALL RD - PO BOX 1130  
ELKTON, MD 21921

**Aliases:** W.L. GORE  
**Status:** NFRAP

**Site Name:** USCG BACK CREEK REAR RANGE STRUCTURE (MD-156)  
**Address:** 25 FT SQUARE POSITION  
CHESAPEAKE CITY, MD 21915

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** VICON PROPERTY (MD-366)  
**Address:** DOGWOOD & SINGERLY RDS  
ELKTON, MD 21921

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WHITTAKER TROJAN YACHT (MD-402)  
**Address:** OLDFIELD POINT RD  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WL GORE - CHERRY HILL (MD-337)  
**Address:** 2401 SINGERLY RD  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WOODLAWN LF (MD-050)  
**Address:** FIRE TOWER & WAIBEL RDS  
WOODLAWN, MD 21904  
**Aliases:** WOODLAWN TRANSFER STATION, WOODLAWN LF  
**Status:** NPL

**County:** CHARLES

**Site Name:** BLOSSOM POINT FIELD TEST AREA (MD-136)  
**Address:** CEDAR POINT NECK  
LA PLATA, MD 20646  
**Aliases:** DIAMOND LABS TEST AREA  
**Status:** NFRAP

**Site Name:** CHARLES COUNTY SANITARY LF (MD-261)  
**Address:** RT 425  
PISGAH, MD 20640  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HUGHESVILLE TIRE SITE (MD-317)  
**Address:** GALLANT GREEN RD  
HUGHESVILLE, MD 20601  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** INDIAN HEAD NAVAL SURFACE WARFARE CENTER (MD-064)  
**Address:** RT 210  
INDIAN HEAD, MD 20640  
**Aliases:** USN NAVAL ORDNANCE STATION - 1006  
**Status:** NPL

**Site Name:** POMONKEY - CONTROL (MD-218)

**Address:** BUMPY OAK RD  
POMONKEY, MD 20646  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** POMONKEY - LAUNCH (MD-217)  
**Address:** BUMPY OAK RD  
POMONKEY, MD 20646  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** US NAVAL RESEARCH LAB - CONTROL (MD-216)  
**Address:** END OF LAUREL BRANCH RD  
WALDORF, MD 20601  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** US NAVAL RESEARCH LAB - LAUNCH (MD-215)  
**Address:** BERRY RD  
WALDORF, MD 20601  
**Aliases:** NRL WALDORF  
**Status:** NFRAP

**Site Name:** WALDORF - CONTROL (MD-219)  
**Address:** COUNTRY LN  
WALDORF, MD 20601  
**Aliases:** W-44  
**Status:** NFRAP

**County:** *DORCHESTER*

**Site Name:** BEULAH LF (MD-299)  
**Address:** RT 331  
BEULAH, MD 21643  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CAMBRIDGE TOWN GAS (MD-165)  
**Address:** 403 CHERRY ST  
CAMBRIDGE, MD 21613  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** EASTERN MD WOOD TREATING CO (MD-242)  
**Address:** CLARKS CANNING HOUSE RD

FEDERALSBURG, MD 21632  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NELSONS BODY SHOP (MD-420)  
**Address:** RT 16 & CHESAPEAKE DR  
CAMBRIDGE, MD 21613  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** USN BLOODSWORTH ARCHIPELAGO (MD-086)  
**Address:** N POTOMAC R RUNS CHESPKE BAY  
N/A, MD 21613  
**Aliases:** NONE  
**Status:** UI

**County:** *FREDERICK*

**Site Name:** EASTALCO ALUMINUM CO (MD-202)  
**Address:** 5601 MANOR WOODS RD  
FREDERICK, MD 21701  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** FORT DETRICK AREA B (MD-428)  
**Address:** ROSEMONT AVE  
FREDERICK, MD 21701  
**Aliases:** NONE  
**Status:** UI

**Site Name:** FREDERICK TOWN GAS (MD-164)  
**Address:** 350 CHURCH ST  
FREDERICK, MD 21701  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NCI FREDERICK CANCER RESEARCH (MD-066)  
**Address:** FT DETRICK  
FREDERICK, MD 21701  
**Aliases:** NONE  
**Status:** UI

**Site Name:** TRANS TECH - ADAMSTOWN SITE (MD-250)  
**Address:** ADAMSTOWN RD  
ADAMSTOWN, MD 21710

**Aliases:** ADAMSTOWN GROUNDWATER SITE  
**Status:** NFRAP

**Site Name:** USA FORT DETRICK (MD-076)  
**Address:** FT DETRICK  
FREDERICK, MD 21701  
**Aliases:** FREDERICK CANCER RESEARCH CENTER  
**Status:** UI

**Site Name:** USN NAVAL SUPPORT FACILITY (MD-060)  
**Address:** PO BOX 1000  
THURMONT, MD 21788  
**Aliases:** USN NAVAL SUPPLY FACILITIES  
**Status:** NFRAP

**County:** *GARRETT*

**Site Name:** OAKLAND JUNKYARD SITE (MD-255)  
**Address:** RT 219  
OAKLAND, MD 21053  
**Aliases:** ERNIE MARTINS  
**Status:** NFRAP

**Site Name:** TEXAS EASTERN - ACCIDENT STATION (MD-271)  
**Address:** FRIENDSVILLE RD  
ACCIDENT, MD 21520  
**Aliases:** NONE  
**Status:** NFRAP

**County:** *HARFORD*

**Site Name:** ABERDEEN DUMP (MD-001)  
**Address:** MICHAEL LN  
ABERDEEN, MD 21001  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ABERDEEN PROVING GROUND - EDGEWOOD AREA (MD-032)  
**Address:** OFF RT 40  
ABERDEEN, MD 21001  
**Aliases:** USA APG, USA EDGEWOOD ARSENAL,  
USCG-UPPER CHESAPEAKE RANGE USCG - POOLE ISLAND  
RANGE  
**Status:** NPL

**Site Name:** ABERDEEN PROVING GROUND-MICHAELSVILLE LF (MD-065)  
**Address:** OFF RT 40  
ABERDEEN, MD 21005  
**Aliases:** USA EDGEWOOD ARSENAL, USCG - POOLE ISLAND RANGE,  
USCG - UPPER CHESAPEAKE RANGE  
**Status:** NPL

**Site Name:** ABINGDON LF (MD-301)  
**Address:** RT 7  
ABINGDON, MD 21009  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BATA SHOE - MAIN PLANT (MD-077)  
**Address:** US RT 40  
BELCAMP, MD 21017  
**Aliases:** NONE  
**Status:** DEFERRAL

**Site Name:** BRAXTON PROPERTY LF (MD-460)  
**Address:** BUSH RD  
ABINGDON, MD 21009  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BUSH VALLEY LF (MD-002)  
**Address:** BUSH RD - PO BOX 246  
ABINGDON, MD 21009  
**Aliases:** HARRIS LF  
**Status:** NPL

**Site Name:** HAVRE DE GRACE DUMP (MD-037)  
**Address:** QUARRY RD  
HAVRE DE GRACE, MD 21078  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HAVRE DE GRACE PLT (MD-162)  
**Address:** 200 BLOCK JUNIATA ST  
HAVRE DE GRACE, MD 21078  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** IW JENKINS - MOUNTAIN RD PROPERTY (MD-387)  
**Address:** 2206 MOUNTAIN RD - CENTRAL



JOPPA, MD 21085  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** JOHNSON PROPERTY LF (MD-462)  
**Address:** BUSH RD  
ABINGDON, MD 21009  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** LONGS SEPTIC (MD-363)  
**Address:** 4025 GRAVEL HILL RD  
HAVRE DE GRACE, MD 21078  
**Aliases:** GRAVEL HILL RD  
**Status:** NFRAP

**Site Name:** MILLER CHEMICAL & FERTILIZER CORP (MD-123)  
**Address:** RTS 136 & 135  
WHITEFORD, MD 21160  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MULLINS LF (MD-038)  
**Address:** OLD POST RD RT 132  
HAVRE DE GRACE, MD 21078  
**Aliases:** NONE  
**Status:** UI

**Site Name:** SCARBORO LF (MD-236)  
**Address:** SCARBORO RD  
SCARBORO, MD 21154  
**Aliases:** NONE  
**Status:** DEFERRAL

**Site Name:** UNION RD DUMP (MD-446)  
**Address:** 1515 UNION RD  
ABERDEEN, MD 21001  
**Aliases:** LEISKE DUMP  
**Status:** UI

**County:** *HOWARD*

**Site Name:** CEMETARY LN (MD-305)  
**Address:** MAYFIELD & MEADOWBRIDGE  
ELKRIDGE, MD 21227

**Aliases:** HOWARD COUNTY DRUM DUMP  
**Status:** NFRAP

**Site Name:** GENERAL ELECTRIC CO (MD-115)  
**Address:** APPLIANCE PARK E  
COLUMBIA, MD 21046

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HOWARD COUNTY LF (MD-034)  
**Address:** 4361 NEWCUT RD  
ELLICOTT CITY, MD 21043

**Aliases:** NEW CUT LF  
**Status:** NFRAP

**Site Name:** JOHNS HOPKINS APPLIED PHYSICS LAB (MD-308)  
**Address:** JOHNS HOPKINS RD  
LAUREL, MD 20707

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** LONG LIFE TREATED WOOD INC (MD-241)  
**Address:** DORSEY RACEWAY RD  
DORSEY, MD 21076

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MAYFIELD REPAIR FACILITY (MD-465)  
**Address:** 7751 MAYFIELD AVE  
ELKRIDGE, MD 21227

**Aliases:** MAYFIELD SHOP BUREAU OF HIGHWAY  
**Status:** NFRAP

**Site Name:** MULLINEX FARM (MD-330)  
**Address:** FLORENCE & MULLINEX RDS  
LISBON, MD 21765

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WR GRACE WASHINGTON RESEARCH CENTER (MD-117)  
**Address:** 7379 RT 32  
COLUMBIA, MD 21044

**Aliases:** NONE  
**Status:** NFRAP

**County: KENT**

**Site Name:** CHESTERTOWN GAS CO (MD-198)

**Address:** W HIGH ST  
CHESTERTOWN, MD 21620

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** CHESTERTOWN MUNICIPAL DUMP (MD-029)

**Address:** FLATLAND RD  
CHESTERTOWN, MD 21620

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** KENT PIT (MD-454)

**Address:** KENT CO TAX MAP PARCEL 222  
CHESTERTOWN, MD 21620

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** LAURENCE J NICHOLSON LF (MD-138)

**Address:** NICHOLSON RD  
CHESTERTOWN, MD 21620

**Aliases:** NICHOLSON LF

**Status:** NFRAP

**Site Name:** TENNACO INC - CHESTERTOWN PLT (MD-028)

**Address:** RT 297  
CHESTERTOWN, MD 21620

**Aliases:** NUODEX INC - CHESTERTOWN PLT

**Status:** NFRAP

**Site Name:** TOLCHESTER - CONTROL (MD-221)

**Address:** TOLCHESTER BEACH RD  
TOLCHESTER, MD 21661

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** TOLCHESTER - LAUNCH (MD-220)

**Address:** ROCK HALL - TOLCHESTER RD  
TOLCHESTER, MD 21661

**Aliases:** CHESTERTOWN - NIKE

**Status:** UI

**County: MONTGOMERY**

**Site Name:** DAVID TAYLOR RESEARCH CENTER (MD-409)  
**Address:** CODE C231  
BETHESDA, MD 20084  
**Aliases:** NONE  
**Status:** UI

**Site Name:** GAITHERSBURG - CONTROL (MD-223)  
**Address:** 8510 SNOUFFERS SCHOOL RD  
GAITHERSBURG, MD 20879  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** GAITHERSBURG - LAUNCH (MD-222)  
**Address:** OFF SNOUFFERS SCHOOL RD  
GAITHERSBURG, MD 20879  
**Aliases:** GAITHERSBURG RESEARCH FACILITY  
**Status:** NFRAP

**Site Name:** KENNETH SHUMAKER DUMP (MD-306)  
**Address:** BARNESVILLE RD  
BARNESVILLE, MD 20872  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** LAYTONSVILLE - CONTROL (MD-225)  
**Address:** ZION RD  
LAYTONSVILLE, MD 20879  
**Aliases:** NIKE W-93  
**Status:** NFRAP

**Site Name:** LAYTONSVILLE - LAUNCH (MD-224)  
**Address:** 5321 RIGGS RD  
LAYTONSVILLE, MD 20879  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MCCORMICK PAINT WORKS (MD-398)  
**Address:** 2355 LEWIS AVE  
ROCKVILLE, MD 20851  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NATIONAL INSTITUTE OF HEALTH (MD-150)  
**Address:** 900 ROCKVILLE PIKE  
BETHESDA, MD 20014

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NATIONAL INSTITUTE OF STANDARD TECHNOLOGY (MD-407)  
**Address:** I-270 & QUINCE ORCHARD RD  
GAITHERSBURG, MD 20899

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NAVAL MEDICAL COMMAND (MD-335)  
**Address:** 8901 WISCONSIN AVE  
BETHESDA, MD 20814

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ROCKVILLE - CONTROL (MD-227)  
**Address:** 10901 DARNSTOWN RD  
GAITHERSBURG, MD 20878

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ROCKVILLE - LAUNCH (MD-226)  
**Address:** MUDDY BRANCH RD  
GAITHERSBURG, MD 20878

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SAFETY KLEEN CORP - SILVER SPRING (MD-344)  
**Address:** 12164 TECH RD  
SILVER SPRING, MD 20904

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** USN NAVAL SURFACE WARFARE CTR - WHITE OAK (MD-061)  
**Address:** 10901 NEW HAMPSHIRE AVE  
SILVER SPRING, MD 20903

**Aliases:** NONE  
**Status:** UI

**Site Name:** WALTER REED AMC FOREST GLEN ANNEX (MD-404)  
**Address:** 2961 LINDEN LN  
ROCKVILLE, MD 20910

**Aliases:** NONE  
**Status:** UI

**Site Name:** WALTER REED ARMY MEDICAL CENTER (MD-432)  
**Address:** RT 193  
WHEATON, MD 20902  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WEINSCHER ENGINEERING (MD-180)  
**Address:** 1 WEINSCHER LN  
GAITHERSBURG, MD 20877  
**Aliases:** NONE  
**Status:** NFRAP

**County:** *PRINCE GEORGES*

**Site Name:** ADELPHI LABORATORY CENTER (MD-068)  
**Address:** 2800 POWDER MILL RD  
ADELPHI, MD 20783  
**Aliases:** USA HARRY DIAMONDS LABS  
**Status:** UI

**Site Name:** AGGREGATE INDUSTRIES (MD-359)  
**Address:** DOWER HOWSER RD  
MELLWOOD, MD 20772  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ANACOSTIA RIVER PARK (MD-024)  
**Address:** S OF BLADENSBURG RD  
BLADENSBURG, MD 20722  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BELTSVILLE AGRICULTURAL RESEARCH (USDA) (MD-053)  
**Address:** BLDGS 1321 & 204 BARL  
BELTSVILLE, MD 20705  
**Aliases:** FDA VET MED (TENANT), FDA RESEARCH FAC (TENANT),  
BELTSVILLE AGRICULTURAL CENTER  
**Status:** NPL

**Site Name:** BLADENSBURG ACETYLENE (MD-039)  
**Address:** 2900 52ND AVE  
HYATTSVILLE, MD 20781  
**Aliases:** AIR PRODUCTS INC  
**Status:** NFRAP

**Site Name:** BRANDYWINE - CONTROL (MD-229)  
**Address:** 13400 EDGEMEADE RD  
UPPER MARLBORO, MD 20772  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BRANDYWINE - LAUNCH (MD-228)  
**Address:** CANDY HILL RD  
NAYLOR, MD 20772  
**Aliases:** UPPER MARLBORO -NIKE  
**Status:** NFRAP

**Site Name:** BRANDYWINE DRMO SALVAGE YARD (MD-413)  
**Address:** RT 381 BRANDYWINE RD  
ANDREWS, MD 20331  
**Aliases:** NONE  
**Status:** NPL

**Site Name:** CELIA LUST (MD-295)  
**Address:** BALTIMORE BLVD & SOUTHARD DR  
BELTSVILLE, MD 20705  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CONTEE SAND & GRAVEL (MD-182)  
**Address:** OFF VIRGINIA MANOR RD  
BELTSVILLE, MD 20705  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CROOM - CONTROL (MD-231)  
**Address:** 15100 MT CALVERT RD  
UPPER MARLBORO, MD 20772  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CROOM - LAUNCH (MD-230)  
**Address:** 8520 DUVALL RD  
UPPER MARLBORO, MD 20772  
**Aliases:** NONE  
**Status:** UI

**Site Name:** CROOM MILITARY HOUSING (MD-468)  
**Address:** 15512 MOUNT CALVERT RD  
UPPER MARLBORO, MD 20772

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** EAGLE HARBOR TIRE FIRE (MD-443)  
**Address:** EAGLE HARBOR RD  
EAGLE HARBOR, MD 20608

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** EVANS TRAIL DUMP SITE (MD-170)  
**Address:** EVANS TRAIL  
CALVERTON, MD 20705

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** GLENDALE PLANT GERMPLOASM QUARANTINE FAC (MD-427)  
**Address:** 11601 OLD POND DR  
GLENN DALE, MD 20769

**Aliases:** NONE  
**Status:** UI

**Site Name:** KOPPERS CO DUMPSITE LAUREL (MD-040)  
**Address:** RT 1 & CONTEE RD  
LAUREL, MD 20707

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** KOPPERS CO LAUREL (MD-134)  
**Address:** RIVERSIDE DR  
LAUREL, MD 20707

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** LAUREL CITY LF (MD-183)  
**Address:** RT 198 FT MEADE RD  
LAUREL, MD 20707

**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** MID ATLANTIC FINISHING INC (MD-419)  
**Address:** 4656 ADDISON RD  
CAPITOL HEIGHTS, MD 20743

**Aliases:** NONE  
**Status:** NFRAP



**Site Name:** MINERAL PIGMENTS CORP - BELTSVILLE (MD-278)  
**Address:** 7011 MUIRKIRK RD  
BELTSVILLE, MD 20705  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NASA - GODDARD SPACE FLIGHT CENTER (MD-368)  
**Address:**  
GREENBELT, MD 20770  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NELSON PERRIE DUMP (MD-355)  
**Address:** 15200 NELSON PERRIE RD  
BRANDYWINE, MD 20613  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** OLD FORT ROAD SITE (MD-171)  
**Address:** 11920 OLD FORT RD  
FORT WASHINGTON, MD 20744  
**Aliases:** NONE  
**Status:** UI

**Site Name:** PAINT BRUSH LF AREA #3 (MD-470)  
**Address:** UNIV OF MD COLLEGE PARK CAMPUS  
COLLEGE PARK, MD 20742  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** PATUXENT WILDLIFE RESEARCH CENTER (MD-267)  
**Address:** RT 197 AND POWDERMILL RD  
LAUREL, MD 20708  
**Aliases:** PATUXENT ENVIRONMENTAL SCIENCE CNTR.,  
US BIOLOGICAL SURVEY  
**Status:** NFRAP

**Site Name:** UNITED RIGGING & HAULING (MD-248)  
**Address:** 6701 AMMENDALE RD  
BELTSVILLE, MD 20705  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** US NAVAL COMMUNICATION UNIT (MD-323)  
**Address:** DANGERFIELD & COMMO RDS

CHELTENHAM, MD 20735  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** USAF ANDREWS AIR FORCE BASE (MD-088)  
**Address:** PERIMETER RD  
ANDREWS AFB, MD 20331  
**Aliases:** USAF SANITARY LF #1, USAF SANITARY LF #2  
**Status:** NPL

**Site Name:** WALDORF - LAUNCH (MD-232)  
**Address:** COUNTRY LN  
BRANDYWINE, MD 20613  
**Aliases:** NONE  
**Status:** UI

**Site Name:** WILLIAM PLEASANTS (MD-358)  
**Address:** ALLENTOWN RD  
FRIENDLY, MD 20744  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WP BALLARD BLDG (MD-338)  
**Address:** 10722 TUCKER ST  
BELTSVILLE, MD 20705  
**Aliases:** NONE  
**Status:** NFRAP

**County: QUEEN ANNES**

**Site Name:** TOM DODD SPORTING CLAYS SITE (MD-459)  
**Address:** 620 TOM DODD FARM LN  
QUEENSTOWN, MD 21658  
**Aliases:** NONE  
**Status:** NFRAP

**County: SOMERSET**

**Site Name:** BEITZEL CABINET & MILLWORK INC (MD-425)  
**Address:** BROAD ST  
PRINCESS ANNE, MD 21853  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CRISFIELD CITY DUMP (MD-111)  
**Address:** WATER ST  
CRISFIELD, MD 21817  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CRISFIELD LIGHT & POWER CO (MD-193)  
**Address:** RT 413  
CRISFIELD, MD 21817  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** RING LF (MD-129)  
**Address:** MILLARD RD  
WESTOVER, MD 21871  
**Aliases:** SOMERSET COUNTY LF, WESTOVER LF  
**Status:** NFRAP

**Site Name:** WESTOVER LF (MD-130)  
**Address:** ARDEN STATION RD  
WESTOVER, MD 21871  
**Aliases:** WESTOVER LF #2, SOMERSET COUNTY LF  
**Status:** NFRAP

**County:** *ST MARYS*

**Site Name:** GENSTAR STONE PRODUCTS (MD-364)  
**Address:** RT 235  
HOLLYWOOD, MD 20636  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** PATUXENT RIVER NAVAL AIR STATION (MD-057)  
**Address:** BUTT RIFLE RANGE LF  
PATUXENT, MD 20670  
**Aliases:** USN NAVAL AIR STATION LF  
**Status:** NPL

**Site Name:** SPRINGER SEPTIC SERVICES (MD-256)  
**Address:** 8 & CHAPTICO HWY RD  
CHAPITCO, MD 20621  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** THIOKOL CORP MECHANICSVILLE (MD-101)

**Address:** RT 235  
MECHANICSVILLE, MD 20659  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** USN NAVAL ELECTRONICS SYS ENG ACT (MD-324)  
**Address:** VILLA RD OFF RT 5  
ST INIGOES, MD 20684  
**Aliases:** NONE  
**Status:** NFRAP

**County:** *TALBOT*

**Site Name:** DOC NAT'L MARINE FISHERIES SERV (MD-415)  
**Address:** SOUTH MORRIS ST EXT  
OXFORD, MD 21654  
**Aliases:** NONE  
**Status:** UI

**County:** *WASHINGTON*

**Site Name:** ANGSTROHM PRECISION INC (MD-346)  
**Address:** 1 PRECISION PL  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CENTRAL CHEMICAL CORP (MD-302)  
**Address:** MITCHELL AVE  
HAGERSTOWN, MD 21741  
**Aliases:** NONE  
**Status:** NPL

**Site Name:** FAIRCHILD REPUBLIC CO PLANT 11 (MD-056)  
**Address:** SHOWALTER RD  
HAGERSTOWN, MD 21740  
**Aliases:** FAIRCHILD LAND DISPOSAL, FAIRCHILD REPUBLIC CO. -  
PLANT 12  
**Status:** NFRAP

**Site Name:** GENUINE PARTS CO - RAYLOCK DIV. (MD-350)  
**Address:** 100 RAYLOCK DR  
HANCOCK, MD 21750  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HAGERSTOWN - AMERICAN LIGHT & HEAT CO (MD-194)  
**Address:** SPRUCE ST  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HAGERSTOWN - BROADFORDING RD (MD-341)  
**Address:** CEARFOSS & BROADFORDING RD  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HAGERSTOWN LIGHT & HEAT CO (MD-246)  
**Address:** SOUTH LOCUST ST  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** HAGERSTOWN LIGHT & HEAT CO (MD-247)  
**Address:** W WASHINGTON ST  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** KOPPERS CO HAGERSTOWN PLT (MD-036)  
**Address:** 100 CLAIR ST  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** NEWELL ENTERPRISES INC (MD-329)  
**Address:** PO BOX 1157  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** WD BYRON & SONS INC (MD-151)  
**Address:** 312 N CONOCOCHEAGUE  
WILLIAMSPORT, MD 21795  
**Aliases:** DIVISION OF WALTER KIDDE & CO  
**Status:** NFRAP

**County:** *WICOMICO*

**Site Name:** ADAMS CO & SON INC (MD-321)

**Address:** NORTHWOOD DR & ARLINGTON RD  
SALISBURY, MD 21801  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** ATLANTIC WOOD INDUSTRIES (MD-243)  
**Address:** OLD EDEN RD  
FRUITLAND, MD 21826  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** BLACKWATER SOLID WASTE TRANSFER STATION (MD-300)  
**Address:** WALLER RD  
SALISBURY, MD 21801  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** CHESAPEAKE SHIPBUILDERS INC (MD-374)  
**Address:** 710 FITZWATER ST  
SALISBURY, MD 21801  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** DRESSER INDUSTRIES (MD-275)  
**Address:** 124 WEST COLLEGE AVE  
SALISBURY, MD 21801  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** KOPPERS CO SALISBURY (MD-044)  
**Address:** QUANTICO RD  
SALISBURY, MD 21801  
**Aliases:** SALISBURY PLT  
**Status:** NFRAP

**Site Name:** LONG-LIFE TREATED WOOD INC (MD-237)  
**Address:** OLD RAILROAD RD  
HEBRON, MD 21830  
**Aliases:** NONE  
**Status:** NFRAP

**Site Name:** SALISBURY TOWN GAS (MD-163)  
**Address:** 520 COMMERCE ST  
SALISBURY, MD 21801  
**Aliases:** NONE

**Status:** NFRAP

**County:** *WORCESTER*

**Site Name:** BERLIN LF (MD-186)

**Address:**

BERLIN, MD 21811

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** BISHOP PROCESSING CO (MD-083)

**Address:** BOX G

BISHOP, MD 21813

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** CHESAPEAKE WOOD TREATING CORP (MD-453)

**Address:** POCOMOKE

POCOMOKE CITY, MD 21851

**Aliases:** NONE

**Status:** NFRAP

**Site Name:** WEST OCEAN CITY LF (MD-376)

**Address:** LEWIS RD

OCEAN CITY, MD 21811

**Aliases:** NONE

**Status:** NFRAP

**APPENDIX III  
ENVIRONMENTAL RESTORATION  
AND REDEVELOPMENT PROGRAM  
FORMERLY INVESTIGATED SITES  
LIST**

**These sites have been investigated by the United States Environmental Protection Agency and the Maryland Department of the Environment and determined not to require further action based on the information available to the agencies at the time of review.**



**Maryland Department of the Environment  
Formerly Investigated Sites List  
July 2006**

**County: ALLEGANY**

**Site Name:** AETNA LUMBER (MD-458)  
**Address:** RT 6 BOX 212  
CUMBERLAND, MD 21502  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** LAVALE WAREHOUSE FIRE (MD-328)  
**Address:** 1210 NATIONAL HWY  
LAVALE, MD 21502  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** PRECISE METALS AND PLASTICS, INC (MD-339)  
**Address:** DAY RD, MEXICO FARMS INDUS PRK  
CUMBERLAND, MD 21502  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** WILLISON OIL COMPANY (MD-457)  
**Address:** RT 2 BOX 101  
CUMBERLAND, MD 21502  
**Aliases:** NONE  
**Status:** FIS

**County: ANNE ARUNDEL**

**Site Name:** A.S. PEARMON (MD-452)  
**Address:** 1270 HARDY RD  
ARNOLD, MD 21012  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** ANNAPOLIS PLANT (MD-141)  
**Address:** CALVERT & ST JOHN STS  
ANNAPOLIS, MD 21401  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CHERRY PIT DRUM (MD-480)  
**Address:** 701 PITTMAN ROAD - SITE B  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** DAVID TAYLOR/ANNAPOLIS - CONTROL (MD-204)  
**Address:** 640A BROADNECK RD  
ANNAPOLIS, MD 21401  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** DAVIDSONVILLE - CONTROL (MD-206)  
**Address:** QUEEN ANNE BRIDGE & WAYSON RDS  
DAVIDSONVILLE, MD 21035  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** DAVIDSONVILLE-LAUNCH (MD-205)  
**Address:** 3737 ELMER HAGNER LN  
DAVIDSONVILLE, MD 21035  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** DIAMOND SHAMROCK CORP CHEMETALS DIV (MD-071)  
**Address:** 711 PITTMAN RD  
BALTIMORE, MD 21226  
**Aliases:** CHEMETALS CORP  
**Status:** FIS

**Site Name:** EPA CENTRAL REGIONAL LABORATORY (MD-429)  
**Address:** 839 BESTGATE RD  
ANNAPOLIS, MD 21401  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** FRESH POND (MD-365)  
**Address:** FOREST GLEN DR  
PASADENA, MD 21122  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** KOP-FLEX INC (MD-286)  
**Address:** 101 HARMAN RD  
HARMON, MD 21077

**Aliases:** KOPPERS CO INC POWER TRANS  
**Status:** FIS

**Site Name:** MID-ATLANTIC WOOD PRESERVERS (MD-070)  
**Address:** PO BOX 58 SHIPLEY AVE  
HARMANS, MD 21077

**Aliases:** MID-ATLANTIC HARMANS WOOD TR FACTORY  
**Status:** FIS

**Site Name:** MIDDLETOWN RD DUMP SITE (MD-081)  
**Address:** MIDDLETOWN RD  
ANNAPOLIS, MD 21401

**Aliases:** DALE DICKERSON DUMP  
**Status:** FIS

**Site Name:** PUBLISHERS PRINTING SERVICE INC. (MD-417)  
**Address:** 10650 RIGGS HILL RD  
JESSUP, MD 20794

**Aliases:** NONE  
**Status:** FIS

**Site Name:** SNOW HILL LANE SITE (MD-201)  
**Address:** SNOW HILL LN & CEDAR HILL LN  
BALTIMORE, MD 21225

**Aliases:** CHERKOFF SITE  
**Status:** FIS

**County:** *BALTIMORE*

**Site Name:** BACK RIVER (MD-448)  
**Address:** OFF BEACHWOOD AVE @ PORTER PT  
BALTIMORE, MD 21221

**Aliases:** NONE  
**Status:** FIS

**Site Name:** BATAVIA LF (MD-175)  
**Address:** 619 BATAVIA FARM RD  
BALTIMORE, MD 21222

**Aliases:** NONE  
**Status:** FIS

**Site Name:** BAUSCH & LOMB, DIECRAFT (MD-155)  
**Address:** 14600 YORK RD  
SPARKS, MD 21152

**Aliases:** NONE

**Status:** FIS

**Site Name:** FOUR CORNERS (JACKSONVILLE) (MD-264)

**Address:** JARRETSVILLE PK & SWEET AIR RD  
JACKSONVILLE, MD 21131

**Aliases:** JACKSONVILLE SITE, FOUR CORNERS EXXON

**Status:** FIS

**Site Name:** J & L INDUSTRIES INC (MD-280)

**Address:** 6923 EBENEZER RD  
BALTIMORE, MD 21220

**Aliases:** NONE

**Status:** FIS

**Site Name:** KOPPERS CO (MD-285)

**Address:** GLEN ARM RD  
GLEN ARM, MD 21087

**Aliases:** UNITED CONTAINER MACHINERY GROUP INC

**Status:** FIS

**Site Name:** LEO J. MCCOURT DUMP (MD-309)

**Address:** MORSE RD, OFF OF NORTH POINT  
BALTIMORE, MD 21222

**Aliases:** NONE

**Status:** FIS

**Site Name:** MARYVALE PREPARATORY SCHOOL (MD-389)

**Address:** 11300 FALLS RD  
BROOKLANDVILLE, MD 21022

**Aliases:** NONE

**Status:** FIS

**Site Name:** METALS & RESIDUES PROCESSING (MD-277)

**Address:** 10107 MARBLE CT  
COCKEYSVILLE, MD 21030

**Aliases:** NONE

**Status:** FIS

**Site Name:** METALS AND RESIDUES PROCESSING (MD-276)

**Address:** 4400 MILFORD MILL RD  
BALTIMORE, MD 21208

**Aliases:** NONE

**Status:** FIS

**Site Name:** NATIONAL CIRCUIT INC-TIMONIUM PROPERTY (MD-464)

**Address:** 108 TIMONIUM RD  
BALTIMORE, MD 21204  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** NATIONAL CIRCUITS INC-PIKESVILLE PROPERTY (MD-463)  
**Address:** PARK CIRCLE  
BALTIMORE, MD 21209  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** REISTERS PROPERTY (MD-331)  
**Address:** JUNCTION MD RTS 30 & 140  
REISTERSTOWN, MD 21136  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** RELAY MUD SLIDE (MD-166)  
**Address:** WOODLAND DR & VIADUCT AVE  
BALTIMORE, MD 21227  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SAFETY KLEEN CORP - CATONSVILLE (MD-349)  
**Address:** 1012-1/2 LESLIE AVE  
BALTIMORE, MD 21228  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SMUCK DUMP (MD-080)  
**Address:** HOLLINS FERRY RD  
LANDSDOWNE, MD 21227  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SPARROWS POINT (MD-479)  
**Address:** PATAPSCO RIVER  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SUN CHEMICAL CORP - GPI DIV (MD-288)  
**Address:** 42 GWYNNS MILL CT  
OWINGS MILLS, MD 21117  
**Aliases:** NONE

**Status:** FIS

**Site Name:** THOMPSON STEEL COMPANY INC (MD-289)

**Address:** NORTH POINT BLVD  
BALTIMORE, MD 21219

**Aliases:** NONE

**Status:** FIS

**County:** *BALTIMORE CITY*

**Site Name:** 4TH GAS HOUSE (MD-160)

**Address:** LANCASTER AND PATAPSCO STS  
BALTIMORE, MD 21201

**Aliases:** NONE

**Status:** FIS

**Site Name:** AINSWORTH PAINT MFG SITE (MD-473)

**Address:** 3200 E BIDDLE ST  
BALTIMORE, MD 21231

**Aliases:** NONE

**Status:** FIS

**Site Name:** AMERICAN NATIONAL CAN CO (MD-352)

**Address:** BOSTON & HUDSON STS  
BALTIMORE, MD 21224

**Aliases:** NONE

**Status:** FIS

**Site Name:** AMERICAN SHOT & LEAD CO (MD-089)

**Address:** FAYETTE, PITT & FRONT STS  
BALTIMORE, MD 21202

**Aliases:** NONE

**Status:** FIS

**Site Name:** AMOCO OIL CO (MD-105)

**Address:** 3901 ASIATIC AVE  
BALTIMORE, MD 21226

**Aliases:** NONE

**Status:** FIS

**Site Name:** ARMCO BALTIMORE WKS (MD-106)

**Address:** 3501 E BIDDLE ST  
BALTIMORE, MD 21213

**Aliases:** NONE

**Status:** FIS

**Site Name:** BIOCHEM (MD-292)  
**Address:** 3901 ASIATIC AVE  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** BIOCHEM MANAGEMENT INC (MD-293)  
**Address:** 1917 BENHILL AVE  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** BOARMAN, JW CO, INC (MD-283)  
**Address:** 2821-23 FOSTER AVE  
BALTIMORE, MD 21224  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** BRUNING PAINT CO (MD-273)  
**Address:** 601 S HAVEN ST  
BALTIMORE, MD 21224  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CAPITAL ASSAY LABS SITE (MD-253)  
**Address:** 2901 WHITTINGTON AVE  
BALTIMORE, MD 21230  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CHEVRON USA - BALTIMORE REFINERY (MD-143)  
**Address:** 1955 CHESAPEAKE AVE  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CONOCO INC BALTIMORE TERM (MD-110)  
**Address:** 3410 FAIRFIELD RD  
BALTIMORE, MD 21226  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CONTINENTAL CAN CO - USA PLANT #16 (MD-354)  
**Address:** 3701 DUNCANWOOD LANE  
BALTIMORE, MD 21213

**Aliases:** NONE  
**Status:** FIS

**Site Name:** DYNASURF CHEMICAL CORP (MD-153)  
**Address:** 1411 FLEET ST  
BALTIMORE, MD 21231

**Aliases:** NONE  
**Status:** FIS

**Site Name:** E FEDERAL ST SITE (MD-379)  
**Address:** E OF 3520 E FEDERAL ST  
BALTIMORE, MD 21213

**Aliases:** NONE  
**Status:** FIS

**Site Name:** EXXON CO USA (MD-091)  
**Address:** 3801 BOSTON ST  
BALTIMORE, MD 21224

**Aliases:** NONE  
**Status:** FIS

**Site Name:** G & M TERMINAL (MD-319)  
**Address:** 1549 WARWICK AVE  
BALTIMORE, MD 21216

**Aliases:** NONE  
**Status:** FIS

**Site Name:** KEY HWY SHIPYARD (MD-340)  
**Address:** 1101 KEY HWY  
BALTIMORE, MD 21230

**Aliases:** NONE  
**Status:** FIS

**Site Name:** KOPPERS CO BALTIMORE TREATING PLT LF (MD-021)  
**Address:** FOOT OF CHILDS ST FAIRFIELD  
BALTIMORE, MD 21226

**Aliases:** NONE  
**Status:** FIS

**Site Name:** KOPPERS CO INC - METAL PRODUCTS DIV (MD-431)  
**Address:** 200 SCOTT ST  
BALTIMORE, MD 21230

**Aliases:** NONE  
**Status:** FIS



**Site Name:** LOCOMOTIVE JUNKYARD (MD-258)

**Address:**

BALTIMORE, MD 21201

**Aliases:** NONE

**Status:** FIS

**Site Name:** M-V SANTA CLARA I (MD-444)

**Address:** 30 MILES E OF ATLANTIC CITY

BALTIMORE, MD

**Aliases:** NONE

**Status:** FIS

**Site Name:** MORGAN STATE UNIVERSITY SITE (MD-471)

**Address:** COLD SPRING LN & HILLEN RD

BALTIMORE, MD 21239

**Aliases:** NONE

**Status:** FIS

**Site Name:** MRI CORP (MD-119)

**Address:** 414 CHESAPEAKE AVE

BALTIMORE, MD 21226

**Aliases:** NONE

**Status:** FIS

**Site Name:** NL IND INC - WHITE LEAD PLT (MD-098)

**Address:** 204 SPEARS WHARF

BALTIMORE, MD 21230

**Aliases:** NONE

**Status:** FIS

**Site Name:** NL INDUSTRIES INC - BALTIMORE METAL PLT (MD-096)

**Address:** 214 W HENRIETTA ST

BALTIMORE, MD 21230

**Aliases:** NONE

**Status:** FIS

**Site Name:** PLATING SITE (MD-249)

**Address:** 1009 W BALTIMORE ST

BALTIMORE, MD 21223

**Aliases:** UNION PLATING, UNION ART GOLD AND SILVER

**Status:** FIS

**Site Name:** PORT LIBERTY INDUSTRIAL PARK (MD-422)

**Address:** 1900 FRANKFURST AVE.

BALTIMORE, MD 21230

**Aliases:** NONE  
**Status:** FIS

**Site Name:** ROBERT E. LEE PARK/LAKE ROLAND BRIDGE (MD-383)  
**Address:** RAILROAD MARKER 387  
BALTIMORE, MD 21209

**Aliases:** NONE  
**Status:** FIS

**Site Name:** SMITH, F. BOWIE & SON INC (MD-244)  
**Address:** 4500 E LOMBARD ST  
BALTIMORE, MD 21224

**Aliases:** NONE  
**Status:** FIS

**Site Name:** SOUTHGATE INDUSTRIAL PARK (MD-378)  
**Address:** 2147 WICOMICO ST  
BALTIMORE, MD 21201

**Aliases:** NONE  
**Status:** FIS

**Site Name:** STRIEGAL SUPPLY & EQUIPMENT CO (MD-312)  
**Address:** 6001 CHEMICAL RD  
BALTIMORE, MD 21226

**Aliases:** NONE  
**Status:** FIS

**Site Name:** TANK BARGE #626 (MD-390)  
**Address:** PIER ONE - CLINTON STREET  
BALTIMORE, MD 21224

**Aliases:** NONE  
**Status:** FIS

**County:** ***CAROLINE***

**Site Name:** DAVES RELOADING & GUN REPAIR (MD-423)  
**Address:** FLEETWOOD RD  
DENTON, MD 21629

**Aliases:** NONE  
**Status:** FIS

**Site Name:** RELIANCE WOOD PRESERVING CO (MD-240)  
**Address:** RELIANCE RD  
FEDERALSBURG, MD 21632

**Aliases:** NONE

**Status:** FIS

**County:** *CARROLL*

**Site Name:** 3M NATIONAL ADVER - WESTMINSTER (MD-345)

**Address:** 1030 BALTIMORE BLVD  
WESTMINSTER, MD 21157

**Aliases:** NONE

**Status:** FIS

**Site Name:** CATALYST RESEARCH (MD-142)

**Address:** 1125 POOLE RD  
WESTMINSTER, MD 21157

**Aliases:** NONE

**Status:** FIS

**Site Name:** LANGS JUNKYARD (MD-371)

**Address:** RT 30 BETWEEN 232 & 242  
HAMPSTEAD, MD 21074

**Aliases:** NONE

**Status:** FIS

**Site Name:** POWRMATIC INC (MD-167)

**Address:** INDUSTRIAL PARK DR  
FINKSBURG, MD 21048

**Aliases:** NONE

**Status:** FIS

**Site Name:** SMALL LAB SITE (MD-392)

**Address:** 7606 PATAPSCO RD  
SYKESVILLE, MD 21784

**Aliases:** NONE

**Status:** FIS

**Site Name:** WESTMINSTER PLANT (MD-146)

**Address:** GEORGE ST  
WESTMINSTER, MD 21157

**Aliases:** NONE

**Status:** FIS

**County:** *CECIL*

**Site Name:** BIG ELK CHAPEL ROAD LF (MD-385)

**Address:** OFF BIG ELK CHAPEL RD

PROVIDENCE, MD 21921  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CECIL COUNTY LF (MD-027)  
**Address:** OLD ELK NECK RD  
ELKTON, MD 21901  
**Aliases:** ELK NECK LF  
**Status:** FIS

**Site Name:** FIRESTONE PERRYVILLE PLANT (MD-439)  
**Address:** FIRESTONE RD & RT #7  
PERRYVILLE, MD 21903  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** HOG HILL LF (MD-440)  
**Address:** RT 7  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** LOUISA LANE DUMPSITE (MD-259)  
**Address:** LOUISA LANE EXT  
CHARLESTOWN, MD 21914  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** MALMO FARMS (MD-189)  
**Address:** 1435 CAYOTS CORNER RD  
CHESAPEAKE CITY, MD 21915  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** NAVAL TRAINING CENTER BAINBRIDGE (MD-430)  
**Address:** US HWY 222  
BAINBRIDGE, MD 21904  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** OLD ELKTON DUMP (MD-074)  
**Address:** JONES CHAPEL RD  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** PRINCIPIO RD (MD-455)  
**Address:** 551 PRINCIPIO RD  
CRAIGTOWN, MD 21904  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** REEVES SITE (MD-369)  
**Address:** 400 MARLEY RD  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** RMR (MD-472)  
**Address:** 695 N BRIDGE ST  
ELKTON, MD 21921  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** STAUFFER CHEM CO (MD-099)  
**Address:** BLUEBELL RD TRINCO IND COM  
ELKTON, MD 21921  
**Aliases:** GE RAILCAR, P&R SERV CORP  
**Status:** FIS

**Site Name:** STEMMERS RUN (MD-451)  
**Address:** STEMMERS RUN RD  
EARLESVILLE, MD 21911  
**Aliases:** NONE  
**Status:** FIS

**County:** CHARLES

**Site Name:** DEAD TREES IN A POND SITE (MD-394)  
**Address:** 0.6 MILES PAST CORNER OF GLYM  
PISGAH, MD 20640  
**Aliases:** MATTAWOMAN CREEK SITE  
**Status:** FIS

**County:** DORCHESTER

**Site Name:** CAMBRIDGE CY DISP PLT WWTP (MD-026)  
**Address:** 1010 ROSELYN AVE  
CAMBRIDGE, MD 21613  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CAMBRIDGE SITE (MD-025)  
**Address:** 311 TRENTON  
CAMBRIDGE, MD 21613  
**Aliases:** KERR MCGEE  
**Status:** FIS

**Site Name:** CONTINENTAL CAN CO - USA PLANT 24 (MD-342)  
**Address:** RAILROAD AVE  
HURLOCK, MD 21643  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** WESTERN PUBLISHING CO (MD-290)  
**Address:** WOODS RD  
CAMBRIDGE, MD 21613  
**Aliases:** NONE  
**Status:** FIS

**County:** *FREDERICK*

**Site Name:** ABRAMSON PROPERTY (MD-384)  
**Address:** 9925 PINE TREE RD  
WOODSBORO, MD 21798  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** FREDERICK TOOL AND DIE CO INC (MD-356)  
**Address:** 579 E CHURCH ST  
FREDERICK, MD 21701  
**Aliases:** NONE  
**Status:** FIS

**County:** *GARRETT*

**Site Name:** BAUSCH & LOMB INC - OAKLAND PLANT (MD-347)  
**Address:** RT 135  
OAKLAND, MD 21550  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** HARBISON WALKER REFRACTORIES - NEW SAVAGE (MD-351)  
**Address:** RT 495  
GRANTSVILLE, MD 21536  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** UMBELL PROPERTY (MD-441)  
**Address:** RT 1 BOX 81  
FRIENDSVILLE, MD 21531  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** WOOD PRODUCTS (MD-239)  
**Address:** 8TH ST EXT  
OAKLAND, MD 21550  
**Aliases:** NONE  
**Status:** FIS

**County:** *HARFORD*

**Site Name:** BATA SHOE - LATEX LAGOON (MD-296)  
**Address:** BELCAMP RD  
BELCAMP, MD 21017  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** MOORE PROPERTY LF (MD-461)  
**Address:** BUSH RD  
ABINGTON, MD 21009  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** MOUNTAIN RD EMERGENCY RESPONSE (MD-403)  
**Address:** MOUNTAIN RD & I-95  
JOPPA-MAGNOLIA, MD 21040  
**Aliases:** NONE  
**Status:** FIS

**County:** *HOWARD*

**Site Name:** CHESAPEAKE FINISHED METALS INC (MD-274)  
**Address:** 6754 SANTA BARBARA CT  
ELKRIDGE, MD 21075  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** OLGA NELSON ENTERPRISES (MD-272)  
**Address:** 7269 WASHINGTON BLVD  
BALTIMORE, MD 21227  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SCOVITCH PROPERTY (MD-262)  
**Address:** 9530 N WASHINGTON BLVD  
LAUREL, MD 20707  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** TATE ACCESS FLOORS INC (MD-373)  
**Address:** 7510 MONTEVIDEO RD  
JESSUP, MD 20794  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** WESTVACO CORPORATION (MD-326)  
**Address:** 11101 JOHNS HOPKINS RD  
LAUREL, MD 20810  
**Aliases:** NONE  
**Status:** FIS

**County:** *KENT*

**Site Name:** DUTCH FAMILY DELI OIL SPILL (MD-469)  
**Address:** RTS 301 & 291  
MILLINGTON, MD 21651  
**Aliases:** NONE  
**Status:** FIS

**County:** *MONTGOMERY*

**Site Name:** MARYLAND WOOD PRESERVING CORP (MD-144)  
**Address:** 235 DERWOOD CIR  
ROCKVILLE, MD 20850  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** MICRODYNE CORP (MD-361)  
**Address:** 627 LOFERRAND LN  
ROCKVILLE, MD 20850  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** NORTH POTOMAC PCP (MD-477)  
**Address:** 13801 TURKEY FOOT ROAD  
NORTH POTOMAC, MD 20878  
**Aliases:** NONE  
**Status:** FIS



**Site Name:** PROTO CIRCUITS (MD-399)  
**Address:** 14674 D SOUTHLAWN LN  
ROCKVILLE, MD 20850  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SILVER SPRINGS CUSTOM FURNITURE (MD-426)  
**Address:** 8943 BROOKVILLE RD  
SILVER SPRING, MD 20910  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** VECTROL INC (MD-360)  
**Address:** 1010 WESTMORE AVE  
ROCKVILLE, MD 20850  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** WATKINS JOHNSON CO (MD-401)  
**Address:** 700 QUINCE ORCHARD RD  
GATHERSBERG, MD 20760  
**Aliases:** NONE  
**Status:** FIS

**County:** *PRINCE GEORGES*

**Site Name:** BEAVERDAM CREEK PCB (MD-476)  
**Address:** .5 OFF KENILWORTH AVE  
BEAVER HEIGHTS, MD 20743  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** BOWIE-BELAIR LF (MD-090)  
**Address:** RTS 3 & 450  
BOWIE, MD 20715  
**Aliases:** BROWNING FERRIS INDUSTRIES - BELAIR SANITARY LF  
**Status:** FIS

**Site Name:** CAPITOL WIRE & FENCE (MD-108)  
**Address:** 3334 KENILWORTH AVE  
HYATTSVILLE, MD 20781  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CHELTENHAM BATTERY (MD-266)

**Address:** 10800 FRANK TIPPETT RD  
CHELTENHAM, MD 20623  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CITY OF GREENBELT (MD-424)  
**Address:** 555 CRESCENT RD  
GREENBELT, MD 20770  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CLARK, J L MFG CO STONE INDUST (MD-291)  
**Address:** 51ST AVE AND CREE LN  
COLLEGE PARK, MD 20740  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** COLUMBIA PARK DRUM SITE (MD-251)  
**Address:** GEORGE PALMER HWY & COLUMB  
COLUMBIA PARK, MD 20785  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** HYATTSVILLE GAS & ELECTRIC (MD-200)  
**Address:** 5022 RHODE ISLAND AVE  
EDMONSTON, MD 20781  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** LONDON HILLS DEVELOPMENT (MD-311)  
**Address:** END OF HIGHVIEW PL  
CAPITOL HEIGHTS, MD 20743  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** PISCATAWAY WWTP (MD-127)  
**Address:** RT 1 FARMINGTON RD BOX 327  
ACCOKEEK, MD 20607  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** ROGERS ELECTRIC (MD-445)  
**Address:** 5720 COLUMBIA PARK  
CHEVERLY, MD 20785  
**Aliases:** NONE

**Status:** FIS

**Site Name:** WINDSOR MANOR RD (MD-393)

**Address:** UPPER MARLBORO TWSP  
BRANDYWINE, MD 20613

**Aliases:** NONE

**Status:** FIS

**County:** *SOMERSET*

**Site Name:** SHERWIN WILLIAMS RUBBERSET DIV (MD-287)

**Address:** RT 413  
CRISFIELD, MD 21817

**Aliases:** NONE

**Status:** FIS

**County:** *ST MARYS*

**Site Name:** CALIFORNIA DRUM SITE (MD-185)

**Address:** ST ANDREWS CHURCH RD  
CALIFORNIA, MD 20619

**Aliases:** NONE

**Status:** FIS

**Site Name:** SOUTHERN MARYLAND WOOD TREATING (MD-135)

**Address:** STATE RT 235  
HOLLYWOOD, MD 20686

**Aliases:** NONE

**Status:** FIS

**Site Name:** ST MARYS SALVAGE (MD-375)

**Address:** ST MARYS INDUSTRIAL PARK  
ST MARYS, MD 20686

**Aliases:** NONE

**Status:** FIS

**County:** *TALBOT*

**Site Name:** EASTON GAS & LIGHT CO (MD-199)

**Address:** 1 S WEST ST  
EASTON, MD 21601

**Aliases:** NONE

**Status:** FIS

**Site Name:** EASTON UTILITIES COMM MUNI ELE (MD-281)  
**Address:** 219 N WASHINGTON S  
EASTON, MD 21601  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** EASTON UTILITIES COMM POWER PL (MD-282)  
**Address:** AIRPORT INDUSTRIAL PARK  
EASTON, MD 21601  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** NOBLE MOTOR REBUILDERS (MD-125)  
**Address:** N AURORA ST  
EASTON, MD 21601  
**Aliases:** NONE  
**Status:** FIS

**County:** *WASHINGTON*

**Site Name:** CENTRAL CHEMICAL (MD-442)  
**Address:** 40 N JOHNATHAN ST  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CERTAIN TEED METALS (MD-396)  
**Address:** WASHINGTON COUNTY INDUSTRIAL  
WILLIAMSPORT, MD 21795  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CHEVRON CHEMICAL CO - WILLIAMSPORT (MD-094)  
**Address:** S ON RT 11  
WILLIAMSPORT, MD 21795  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** CHEWSVILLE CO-OP (MD-298)  
**Address:** MAIN ST  
CHEWSVILLE, MD 21721  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** DANZER METAL WORKS CO (MD-397)

**Address:** 2000 YORK RD  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** FRANKLIN SPICKLER PROPERTY SITE (MD-475)  
**Address:** RT 63 (GREENCASTLE PK) & MT  
MAUGANSVILLE, MD 21740  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** RUST-OLEUM CORP (MD-348)  
**Address:** INTERSTATE INDUSTRIAL PARK  
WILLIAMSPORT, MD 21795  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SUN CHEMICAL CORP - GPI DIV (MD-400)  
**Address:** INDUSTRIAL LN  
WILLIAMSPORT, MD 21795  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** WEST MANUFACTURING CO (MD-418)  
**Address:** 910 ELDRIDGE DR  
HAGERSTOWN, MD 21740  
**Aliases:** NONE  
**Status:** FIS

**County:** *WICOMICO*

**Site Name:** CHEVRON CHEM CO - SALISBURY (MD-093)  
**Address:** 125 BATEMAN RD  
SALISBURY, MD 21801  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** GRIGCO WASTE OIL RECYCLING INC (MD-047)  
**Address:** SHARPTOWN, MD 21861  
**Aliases:** GRIGCO  
**Status:** FIS

**Site Name:** RIVER HARBOR DEVELOPMENT (MD-377)  
**Address:** RIVER HARBOR DRIVE EXTENDED

SALISBURY, MD 21801  
**Aliases:** NONE  
**Status:** FIS

**Site Name:** SALISBURY MARKETING INC (MD-327)  
**Address:** N SALISBURY BLVD & BRIDGEWA  
SALISBURY, MD 21801  
**Aliases:** NONE  
**Status:** FIS

## **FY 2006 Enforcement and Compliance Report Supplement**

This supplement provides additional detail that is not in the original FY 2006 Annual Enforcement and Compliance Report. It contains additional information on:

- Programs included in the report
- Supplemental Environmental Projects
- An explanation of the funds receiving penalties
- Legislative actions passed during the 2006 legislative session affecting enforcement and compliance activities

## **Programs Included in Annual Enforcement and Compliance Report**

- Ambient Air Quality Control
  - High Impact Facilities
  - Low Impact Facilities
- Air Quality Complaints
- Asbestos
- Radiological Health Program
  - Radiation Machines Program
  - Radioactive Materials Licensing and Compliance
- Environmental Restoration and Redevelopment
- Hazardous Waste
- Lead Poisoning Prevention
- Oil Aboveground Facilities
- Oil Pollution Remediation Activities
- Oil Underground Storage Tank Systems
- Refuse Disposal
- Scrap Tires
- Sewage Sludge Utilization
- Natural Wood Waste Recycling
- Discharges – Groundwater (Municipal and Industrial)
- Discharges – Surface Water (Municipal and Industrial) State and NPDES Permits
- Discharges – Pretreatment (Industrial)
- Stormwater Management and Erosion and Sediment Control for Construction Activity
- Mining – Coal
- Mining – Non-Coal
- Oil and Gas Exploration and Production
- Water Supply Program – Community and Non-transient Non-community Water Systems
- Water Supply Program – Transient Non-community Water Systems
- Water Supply and Sewerage Construction
- Waterway Construction – Dam Safety
- Wetlands and Waterways – Non-tidal and Floodplain
- Wetlands – Tidal
- Environmental Crimes Unit



## Supplemental Environmental Projects (SEPs) in FY 2006

SEPs are an enforcement tool that is an adjunct to traditional penalty actions. They are important because the projects provide direct environmental benefits to communities beyond those achieved by facilities returning to compliance. The three media administrations utilized SEPs during FY 2006 totaling \$9.698 million. Notable among these are Water Management's (WMA) Baltimore County SEP projects totaling \$4.5 million and the Washington Suburban Sanitary Commission's (WSSC) SEPs totaling \$4.4 million. These particular SEPs were in addition to civil penalties incurred by Baltimore County and WSSC totaling \$1.85 million. SEPs in FY 2005 totaled \$590,750 for comparison.

Administration	Number of SEPs	Total Cost of SEPs
Air and Radiation Management Administration	2	\$137,500
Waste Management Administration	52	\$632,300
Water Management Administration	3	\$8.928 million
<b>TOTALS</b>	<b>57</b>	<b>\$9.698 million</b>

### Air and Radiation Management Administration SEPs, FY 2006

Total SEPs: 2

Total Cost: \$137,500

Company * Penalty	SIGNED
Curtis Bay Energy * Consent Order w/ Penalty & SEP (\$125,000 project)	August 2005
Mercy Medical Center * Consent Order w/Penalty & SEP (\$12,500 project)	July 2005

- Curtis Bay Energy SEP - This SEP consisted of \$25K to conduct a community-based mercury reduction, recycling, disposal, or elimination project in Baltimore City or AA County and \$100K to implement mercury monitoring and innovative mercury controls in their medical waste incineration plant.
- Mercy Medical Center – This was to implement a waste minimization/recycling project to reduce the amount of waste that needs to be burned in their incinerator.

### Waste Management Administration SEPs, FY 2006

Total SEPs: 52

Total Cost: \$632,300

- All of the Waste Management Administration SEPs in FY 2006 were for lead enforcement cases. Most of these required property owners to replace all windows in rental units containing lead based paint. A few concerning newer properties built after 1949 required other types of lead risk reduction work. The following table lists the individual SEPs:

First Name	Last Name	Company Name	Letter	Condition	Goal	Cost Per Unit	Total Cost
Henry	Jackson		12/15/05	SEP, Units Requiring Window Replacement (CD)	9	4000	36000
David	Fisher		07/08/05	SEP, Units Requiring Window Replacement	4	4000	16000
Felix	Powell		03/25/06	SEP, Units Requiring Window Replacement	1	4000	4000
Saville	Janney		02/13/06	SEP, Units Requiring Window Replacement	7	4000	28000
Elzoria	Glenn		03/20/06	SEP, Units Requiring Window Replacement	1	4000	4000
Dean	Prudhoe		04/03/06	SEP, Units Requiring Window Replacement	1	4000	4000
Edward	Achtner		04/03/06	SEP, Units Requiring Window Replacement	2	4000	8000
Efrem	Potts		03/27/06	SEP, Units Requiring Window Replacement	2	4000	8000
James	Turner		02/11/06	SEP, Units Requiring Window Replacement	4	4000	16000
Robert	Klinggenberg		03/23/06	SEP, Units Requiring Window Replacement	1	4000	4000
Junior	Starliper		03/20/06	SEP, Units Requiring Window Replacement	1	4000	4000
Daniel	Homsher		03/14/06	SEP, Units Requiring Window Replacement	2	4000	8000
		P. R. Properties, Inc	02/10/06	SEP, Units Requiring Window Replacement	5	4000	20000
Rashid	Palmer		03/14/06	SEP, Units Requiring Window Replacement	1	4000	4000
Lisle	Cramer		10/25/05	Replacement windows	11	4000	44000
Gregory	Duncan		10/13/05	SEP, Units Requiring Window Replacement 108&612	2	4000	8000
Gregory	Duncan		10/13/05	SEP, Units Requiring Window Replacement 210&922	2	4000	8000
Charles	Anderton		10/01/05	SEP, Units Requiring Window Replacement	6	4000	24000
Woodrow	Nash		08/24/05	SEP, Units Requiring Window Replacement	3	4000	12000
Woodrow	Nash		08/24/05	SEP, Units Requiring Window Replacement	11	4000	44000
Bennie	Richardson		09/29/05	Window Replmnt - 3033 Westwood Ave	1	4000	4000
Steven	Little		09/09/05	SEP, Units Requiring Window Replacement	2	4000	8000
		MD Liberty Homes, LLC	07/01/05	SEP, Units Requiring Window Replacement (See log)	12	4000	48000
James	Johnson		10/20/05	Window replacmnt -2544 Boarman (amended)	1	4000	4000
Frank	Calabrese		03/20/06	SEP, Units Requiring Window Replacement	3	4000	12000
Harold	Hamm		04/12/06	SEP, Units Requiring Window Replacement	2	4000	8000

Zakia	Mahasa		04/12/06	SEP, Units Requiring Window Replacement	1	4000	4000
Madura	Ramesh Rao		04/26/06	SEP, Units Requiring Window Replacement	2	4000	8000
Cleda	Williams		04/26/06	SEP, Units Requiring Window Replacement	3	4000	12000
Ann	Razgunas		04/27/06	SEP, Units Requiring Window Replacement	3	4000	12000
Robert	Moses		05/08/06	SEP, Units Requiring Window Replacement	3	4000	12000
John	Goettee		03/14/06	SEP, Units Requiring Window Replacement	1	4000	4000
Betty	Williams		03/27/06	SEP, Units Requiring Window Replacement	1	4000	4000
		Community Property Management, Inc.	05/08/06	SEP, Units Requiring Window Replacement	2	4000	8000
Charles	Brown		05/08/06	SEP, Units Requiring Window Replacement	9	4000	36000
David	Leacock		03/10/06	SEP, Units Requiring Window Replacement	2	4000	8000
Monette	Staab		04/18/06	SEP, Units Requiring Window Replacement	2	4000	8000
Garland	Painter		04/07/06	SEP, Units Requiring Window Replacement	1	4000	4000
Gary	Thompson		05/08/06	SEP, Units Requiring Window Replacement	1	4000	4000
Teresa	Mann		04/07/06	SEP, Units Requiring Window Replacement	2	4000	8000
Ward	Umbel		04/07/06	SEP, Units Requiring Window Replacement	1	4000	4000
Marjorie	Robinson		04/07/06	SEP, Units Requiring Window Replacement	2	4000	8000
		3309 Liberty Heights Associates INC.	04/10/06	SEP, Units Requiring Window Replacement	6	4000	24000
Harry	Downs		04/10/06	SEP, Units Requiring Window Replacement	1	4000	4000
Thomas	Seibold	Seibold Property Management	04/03/06	SEP, Units Requiring Window Replacement	3	4000	12000
Dan	Gordon	Rocky Ridge LLC	04/03/06	SEP, Units Requiring Window Replacement	2	4000	8000
Nancy	Oharo		03/27/06	SEP, Units Requiring Window Replacement	2	4000	8000
Patricia	Davis		04/07/06	SEP, Units Requiring Window Replacement	1	4000	4000
Elizabeth	Johnson		05/01/06	SEP, Post 49 Units	1	1300	1300
Kevin	Moore		04/20/06	SEP, Post 49 Units	1	1300	1300
		Dept. of Natural Resources (DNR)	02/02/06	SEP, Post 49 Units	14	1300	18200
Carol	Demetrios		04/12/06	SEP, Post 49 Units (cert 404 Imla Street)	1	1300	1300
		DNR	02/02/06	SEP, Post 49 Units	14	1300	18200
				<b>Total Estimated Cost of Lead Abatement SEPs Issued for FY 2006</b>			<b>\$632,300</b>

## Water Management Administration, SEPs FY 2006

Total SEPs: 3

Total Cost: \$8.928 million

Company (Penalty)	SIGNED
Baltimore County, Maryland SEP (\$4.5 million)	September 2005
WSSC (\$4.4 million)	December 2005

- Baltimore County, Maryland (Civil Case #1:05-cv-02028-AMD)** – On September 20, 2005, a civil consent decree between Defendant Baltimore County and Plaintiffs MDE and EPA was entered in the United States District Court for Maryland requiring Defendant to implement over the next 14 ½ years various reporting, monitoring, inspection, maintenance, repair and replacement remedial measures for its sewer collection system in order to eliminate sewer overflows to prevent water pollution. The County is also required to pay a civil penalty of \$750,000 (\$375,000 to MDE and \$375,000 to EPA) and to perform within the next five years, supplemental environmental projects (SEPs) in the amount of \$4,500,000 toward the Patapsco Wastewater Treatment Plant Biological Nutrient Removal (BNR)/Enhanced Nutrient Removal (ENR) project, the Back River Debris Removal Project; and stream restoration projects for Gwynns Falls at Gwynnbrook Avenue, Paradise Avenue tributary of West Branch of Herbert’s Run, Minebank Run tributary at Waller Court and Herring Run at Collinsdale.
- Washington Suburban Sanitary Commission (WSSC) (Civil Case #PJM-04-3679)** – On December 7, 2005, a civil consent decree between Defendant WSSC and Plaintiffs MDE, EPA and Plaintiff-Intervenors Anacostia Watershed Society, Audubon Naturalist Society of the Central Atlantic States, Inc., Friends of Sligo Creek, Natural Resources Defense Council and the Patuxent River Keeper, was entered in the United States District Court for the District of Maryland regarding elimination of sanitary sewer overflows from the WSSC sanitary sewer collection system. Under the terms of the consent decree, WSSC is required to implement over the next 14 years numerous reporting, monitoring, inspection, maintenance, repair and replacement remedial measures for its sewer collection system in order to eliminate sanitary sewer overflows and water pollution. WSSC is also required to pay a civil penalty of \$1,100,000 (\$550,000 to MDE and \$550,000 to EPA). In addition, WSSC must perform within the next five years, SEPs in the amount of \$4,400,000 toward the purchase or acquisition of Patuxent Reservoir buffer properties and easements for water supply protection; private property inflow elimination; and Western Branch Wastewater Treatment Plant winter denitrification through methanol addition.
- Talbot County Council (Administrative Case #CO-06-0242)** – On January 6, 2006, MDE and Talbot County finalized an administrative consent order regarding improvements to the Talbot County Region II Wastewater Treatment Plant located in St. Michaels, Maryland. Under the terms of the consent order, Talbot County is required to complete construction of the plant upgrade to accomplish ENR and achieve NPDES permit compliance by April 1, 2008. Talbot County is also required to pay an administrative penalty to MDE of \$2,330 and to perform a SEP in the amount of \$28,000 involving water quality enhancements to improve dissolve oxygen levels in the Miles River.

## Explanation of the Funds Receiving Penalties

- **Clean Air Fund (includes Air Quality and Asbestos)**
  - Penalties collected for air quality and asbestos violations
- **Clean Water Fund (includes Water and Waste Management)**
  - Penalties from discharge violations including discharges permitted through oil control and scrap tire fines
- **Hazardous Substance Control Fund**
  - Penalties for hazardous waste violations
- **Non-tidal Wetland Compensation Fund**
  - Non-tidal wetlands penalties
- **Oil Disaster Containment Clean Up and Contingency Fund**
  - Penalties for violations of oil control regulations. Does not include penalties for discharges permitted through oil control where the penalties go to the clean water fund.
- **Recovered from Responsible Parties (under §7-221)**
  - Money collected from responsible parties for clean up costs of hazardous waste sites – State superfund
- **Sewage Sludge Utilization Fund**
  - Penalties for sewage sludge violations

## **Bills Passed During 2006 Legislative Session Affecting Enforcement and Penalties**

### **HB 189/ SB 154 - Healthy Air Act**

Prohibiting affected facilities collectively from emitting more than specified amounts per year of oxides of nitrogen, sulfur dioxide, and mercury, on or after specified dates; authorizing the Department of the Environment to set a specified interim stage of sulfur dioxide emissions reductions; requiring the Governor to include the State in the Regional Greenhouse Gas Initiative; etc.

### **HB 1141 – Land Use – Local Government Planning**

Requiring a planning commission of a county or municipal corporation to include specified plan elements when developing a comprehensive plan; requiring the water resources plan element and mineral resources plan element to be reviewed by the Department of the Environment and the Department of Natural Resources; establishing a Task Force on the Future for Growth and Development in Maryland; exempting specified regulated lobbyists from provisions of the Maryland Public Ethics Law; etc.

### **HB 1238 – Environment – Newspapers – Recycled Content Percentage Requirement**

Altering the method of calculating the recycled content percentage requirements for newspapers distributed in the State; altering the method of calculating the newsprint recycling incentive fee; etc.

### **HB 1450 – Environment – Reducing Lead Risk in Housing – Penalties**

Increasing the maximum administrative and civil penalty that may be imposed for specified violations relating to reducing lead risk in housing.

### **HB 1708 – Environment – Oil and Other Unctuous Substances – Zoning and Land Use Requirements**

Prohibiting a person from engaging in an operation involving specified activities related to oil and other unctuous substances unless the person submits to the Department of the Environment satisfactory evidence that the operation meets all applicable county zoning and land use requirements.

### **SB 125 – Falsifying and Altering Permits, Licenses and Certificates – Criminal Penalties**

Making it a misdemeanor to knowingly falsify, alter, or cause another to falsify or alter any permit, license, or certificate issued or required by the Department of the Environment to demonstrate compliance with any environmental regulation or permit condition; making it a misdemeanor to knowingly possess, display, or submit any falsified or altered document issued or required by the Department; creating specified penalties; requiring fines to be deposited into applicable special funds; etc.

### **SB 586 – Lead Poisoning – Risk Reduction Standards - Exemption**

Exempting outside surfaces of residential rental property from specified lead paint risk reduction standards if the outside surfaces are lead-free and the owner submits to the Department of the Environment a verified inspection report that indicates that the outside surfaces were tested and are lead-free; etc.