



DEPARTMENT OF THE ENVIRONMENT



Public Participation Guide
Citizen Handbook
~2006~

Contents

PROLOGUE	3
INTRODUCTION	4
WHAT IS PUBLIC PARTICIPATION?	4
PUBLIC PARTICIPATION AND ENVIRONMENTAL JUSTICE	5
WHAT IS THE GOVERNMENT’S ROLE IN PROTECTING THE ENVIRONMENT?	6
FEDERAL LAWS THAT PROTECT HEALTH AND THE ENVIRONMENT	7
<i>Clean Air Act (CAA)</i>	8
<i>Clean Water Act (CWA)</i>	8
<i>The Safe Drinking Water Act (SDWA)</i>	8
<i>The Resource Conservation and Recovery Act (RCRA)</i>	9
<i>The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)</i>	9
<i>The National Environmental Policy Act (NEPA)</i>	10
<i>Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Federal Food, Drug, and Cosmetic Act (FFDCA)</i>	10
<i>The Toxic Substances Control Act (TOSCA)</i>	10
<i>The Pollution Prevention Act (PPA)</i>	11
<i>The Occupational Safety and Health Act (OSHA)</i>	11
WHAT ARE RULES AND REGULATIONS?	12
WHAT DOES MDE REGULATE?	13
HOW DOES MDE INVOLVE THE PUBLIC IN ENVIRONMENTAL DECISIONS?.....	15
<i>Public Notice</i>	15
<i>Public Comment</i>	16
<i>Information Meeting</i>	16
<i>Public Hearing</i>	16
<i>Maryland Public Information Act</i>	17
<i>The PIA Process</i>	18
MDE’S PERMITTING PROCESS	19
<i>The Public Participation Process for Permitting</i>	22
<i>Permitting and Public Participation Flow Chart</i>	23
WHAT TO DO WHEN BECOMING AWARE OF A PROJECT	24
PERMIT DECISIONS AND RESOLVING ISSUES	25
<i>Regulatory Issues</i>	25
HOW DOES MDE INVOLVE THE PUBLIC IN HAZARDOUS WASTE CLEANUP PROGRAMS?	27
WHY SHOULD THE PUBLIC PARTICIPATE IN ENVIRONMENTAL DECISION-MAKING?	27
WHAT CAN THE PUBLIC DO TO PARTICIPATE EFFECTIVELY IN ENVIRONMENTAL DECISIONS?	28
NUMBERS TO KNOW	29
MARYLAND DEPARTMENT OF THE ENVIRONMENT ORGANIZATIONAL CHART	33
ONE HUNDRED WAYS TO SAVE THE ENVIRONMENT.....	34



Prologue

The Maryland Department of the Environment (MDE) realizes that environmental decisions can only be made effectively when the public is involved in the decision-making process. As a result, MDE's priority is to make sure that public participation procedures are carried out effectively. Citizens have a right to live in a healthy and sustainable environment. You can protect that right by participating in the public participation processes offered by MDE. You are also encouraged to get to know your local officials and become involved in local land use planning and other local decision-making processes. Don't wait until it is too late to affect change.... Get involved NOW!





Introduction

This handbook was developed to assist the public in understanding how the Maryland Department of the Environment (MDE) works and to encourage citizen involvement in protecting the environment. The information provided gives a brief overview of environmental laws to empower public participation in government decision-making processes that may impact communities.

MDE's mission is to protect and restore the quality of Maryland's air, land, and water resources. The agency does this while fostering economic development, healthy and safe communities, and quality environmental education for the benefit of the environment, public health, and future generations.

To achieve this mission, MDE will pursue goals to face future environmental challenges by continuing to improve and build new partnerships between governments, businesses, and communities. One of these goals is to assure public participation and stakeholder involvement.

What is Public Participation?



Public participation is a term that describes actions taken to ensure that the general public is involved in environmental decision-making. These actions range from public outreach and information sharing to collaboration in the decision-making process. By sharing data and explaining different environmental options with the public, MDE and the public can come to a consensus on different issues and ideas to achieve environmental objectives.

Public participation provides you with the opportunity to be informed about environmental decisions and to voice concerns, opinions and recommendations.

Public Participation and Environmental Justice

“Environmental Justice” (EJ) refers to the pursuit of equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social class. Several studies document that disadvantaged low-income and/or minority communities have historically been at greater risk for environmental hazards.

A basic strategy for correcting this disparity and achieving environmental justice is to provide meaningful public involvement in enforcing environmental laws and environmental decision-making.

The government recognizes the importance of EJ, and its supporting principles, as manifested in the EPA’s Title VI Public Involvement Guidance document.



Title VI Public Involvement Guidelines outline that:

- All persons regardless of race, color or national origin are entitled to a safe and healthy environment.
- Enforcement of civil rights laws and environmental laws are complementary and can be achieved in a manner consistent with sustainable economic development.
- Meaningful outreach and public participation early and throughout the decision-making process is critical to identify and resolve issues, and to also assure proper consideration of public concerns.

(This information can be found within the Federal Register Notices in Volume 70, No. 42, for March 4, 2005 on page 10628.

Or, visit www.epa.gov/fedrgstr/EPA-GENERAL/2005/March/Day-04/g3448.htm.)

What Is The Government's Role in Protecting The Environment?

The government has a major role in protecting the environment, protecting public health, and ensuring the conservation of our natural resources. Government agencies at the federal, state, and local level are all responsible for protecting the environment.



At the **federal** level, the Environmental Protection Agency (EPA) enforces federal laws that protect the environment, and establishes rules and regulations to enforce those laws. The federal laws enacted by the U.S. government contain procedures, guidelines, and standards by which states must abide to protect public health and the environment.

At the **state** level, the Maryland Department of the Environment (MDE) is responsible for enforcing state and certain federal environmental laws; MDE establishes rules and regulations to enforce those laws. The State can impose environmental standards that are stricter than federal standards, but cannot impose standards that are less strict than those at the federal level.



At the **local** level, agencies also enforce specific elements of environmental protection either delegated by the state or contained in local laws. In particular, local government makes decisions regarding zoning and growth that have very significant environmental and social implications. To find out more about the role of local agencies in environmental protection, contact your local government officials, including health officers and environmental health directors.

State laws are located in the **Code of Maryland**. Most of Maryland's environmental laws are located in the "Environment" article of the *Annotated Code of Maryland*. State regulations are in the **Code of Maryland Regulations (COMAR)**.

Federal Laws That Protect Health and the Environment



Clean Air Act (CAA)

Clean Water Act (CWA)

Safe Drinking Water Act (SDWA)

Resource Conservational Recovery Act (RCRA)

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

National Environmental Policy Act (NEPA)

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and The Federal Food, Drug, and Cosmetic Act (FFDCA)



Toxic Substances Control Act (TSCA)

Pollution Prevention Act (PPA)

Occupational Safety and Health Act (OSHA)



You can find copies of federal and state laws in your local library, or on the web.

Federal Laws
Federal Regulations
State Laws, Rules, and Regs

www.access.gpo.gov/uscode/
www.access.gpo.gov/nara/cfr/
www.mdarchives.state.md.us/msa/mdmanual/html/mmtoc.html

Clean Air Act (CAA)

The Clean Air Act was enacted in 1970 to improve air quality in the United States to improve and protect public health, property and the environment. The 1990 CAA Amendments could be changing the way you work or do business, and ultimately, the way you live. The Clean Air Act is about 800 pages long and it tackles many difficult and complicated air pollution problems.



To see EPA's "The Plain English Guide To The Clean Air Act" visit www.epa.gov/oar/oaqps/peg_caa/pegcaain.html

Clean Water Act (CWA)



Growing public awareness and concern for controlling water pollution led to enactment of the Federal Water Pollution Control Act Amendments of 1972. As amended in 1977, this law became commonly known as the Clean Water Act. The Act established the basic structure for regulating pollutant discharges into United States' waters.

To see EPA's "Introduction to the Clean Water Act" visit <http://www.epa.gov/watertrain/cwa/>

The Safe Drinking Water Act (SDWA)

The SDWA was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 and requires many different actions to protect drinking water sources, such as rivers, lakes, reservoirs, springs, and groundwater wells.



To see EPA's "Basic Information: Safe Drinking Water Act (SDWA)" visit www.epa.gov/safewater/sdwa/basicinformation.html

The Resource Conservation and Recovery Act (RCRA)



RCRA (pronounced “rick-rah”) also known as the Solid Waste Disposal Act (SWDA), gives EPA the authority to control hazardous waste from the “cradle-to-grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous wastes (such as municipal solid waste landfills). The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. RCRA focuses primarily on active and future facilities. RCRA only addresses abandoned or historical sites under certain “corrective action” circumstances (see CERCLA).

To see EPA’s RCRA Online Database of Information, visit www.epa.gov/rcaonline/

Federal *laws* are located in the **U.S. Code**, while federal *regulations* are listed in the **U.S. Code of Regulations (CFR)**. Most federal environmental regulations are in Title 40 of the U.S. Code of regulations, under “Protection of the Environment.”

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

This act regulates the cleanup of hazardous waste sites. CERCLA, also known as Superfund, was enacted by Congress in 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, \$1.6 billion has been collected and sent to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites.



MDE has an Emergency Response Team in place to assist local jurisdictions in responding to contaminant spills in order to ensure containment cleanup and protect public health and the environment.

To see EPA’s “Superfund: CERCLA Overview” visit www.epa.gov/superfund/action/law/cercla.htm

The National Environmental Policy Act (NEPA)

NEPA requires federal agencies to integrate environmental values into their decision-making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions. To meet this requirement, federal agencies prepare a detailed statement known as an Environmental Impact Statement (EIS). EPA reviews and comments on EISs prepared by other federal agencies, maintains a national filing system for all EISs, and assures that its own actions comply with NEPA.



For more information on NEPA, visit www.epa.gov/oeca/nepa/index.html

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Federal Food, Drug, and Cosmetic Act (FFDCA)



FIFRA and FFDCA together provide the framework for pesticide regulation in the United States. Under FIFRA, EPA is responsible for regulating the manufacture, labeling, sale, and use of pesticides. Under FFDCA, EPA determines the safe and allowable level of pesticide residue in food. The Maryland Department of Agriculture is the lead agency for implementing this law at the State level.

To see these acts, visit www.access.gpo.gov/uscode/title7/chapter6_.html

The Toxic Substances Control Act (TOSCA)

TOSCA provides a framework for addressing threats to health and the environment from chemical substances. Under TOSCA, EPA has authority to screen new chemicals, test existing chemicals, and place restrictions on the use of chemical substances that pose “unreasonable” health or environmental threats.



For more information on this act, visit http://www.access.gpo.gov/uscode/title15/chapter53_.html

The Pollution Prevention Act (PPA)

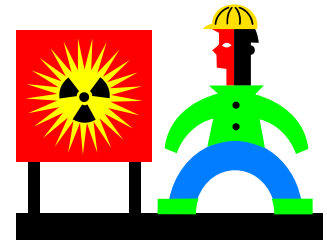


PPA focuses industry, government, and public attention on reducing the amount of pollution through voluntary cost-effective changes in production, operation, and raw materials use. PPA strives to prevent pollution at the source, prior to it being produced.

You can find details of this act at www.epa.gov/opptintr/p2home/p2policy/act1990.htm

The Occupational Safety and Health Act (OSHA)

Congress passed OSHA to ensure worker and workplace safety. The goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.



You can find details of this act at www.access.gpo.gov/uscode/title29/chapter15_.html

Visit the following websites to learn more about government's role in environmental protection:

- Environmental Protection Agency
- Maryland Department of the Environment

www.epa.gov
www.mde.state.md.us

What Are Rules and Regulations?

Rules and regulations are adopted by state and federal government agencies to clarify environmental laws. MDE has the authority to establish rules and regulations to carry out any law that is within its jurisdiction. Before MDE adopts a rule or regulation, a proposal may have to be submitted to the appropriate advisory council.

Advisory councils, commissions or boards of outside work groups, appointed by the Secretary of MDE or the governor, consist of members that represent local business, government, and environmental interests. These advisory councils and work groups meet on a regular basis as determined by the Secretary, to make recommendations on proposed rules and regulations.

Advisory Councils, Commissions and Boards

- Air Quality Control Advisory Council
- Commission on Environmental Justice and Sustainable Communities
- Environmental Noise Advisory Council
- Hazardous Substances Advisory Council
- Radiation Control Advisory Board
- Science and Health Advisory Group
- Hazardous Waste Facilities Siting Board
- State Water Quality Advisory Board
- Controlled Hazardous Substance Advisory Council
- Lead Poisoning Prevention Commission

MDE policy allows for a 30-day public participation and comment period on proposed regulations. In some cases, MDE holds public hearings to allow for additional civic input regarding proposed regulatory changes.

After considering the recommendations of advisory groups, commissions, boards, and the comments presented by the public, MDE then decides whether to adopt the proposed rule or regulation, or make changes to the proposal.



Some councils and committees are created on an “ad hoc” basis to address specific issues and concerns. Advisory groups may include other agencies or people from either the private or public sector.

What Does MDE Regulate?

MDE is the state regulatory agency with primary responsibility for protecting the environment. MDE regulates those practices that have an environmental impact on **air** and **water** quality, and that produce **waste**.

To regulate these practices, MDE is organized into different administrations.



The **Air and Radiation Management Administration (ARMA)** is responsible for regulating practices which affect air quality. In addition to monitoring levels of ambient air pollutants and devising plans to protect the State's air quality, ARMA issues air quality permits and regulates asbestos and industrial hygiene practices, air emissions from mobile sources, and sources that emit, or have the potential to emit radiation.

The **Water Management Administration (WMA)** regulates practices that affect the quality and quantity of Maryland's water resources. To protect water quality and the health of the state's wetlands, WMA regulates mining and wastewater discharges, the control of erosion and sedimentation, and non-point sources of water pollution. WMA also protects public health by regulating drinking water. WMA is also responsible for issuing a variety of permits relating to drinking water, water quality, quantity, and water pollution.



The **Waste Management Administration (WAS)** regulates practices that produce waste. This is in addition to providing for the safe collection and disposal of solid waste, and issuing permits for industrial waste and controlled hazardous substances. WAS regulates oil facilities that discharge wastewater, sewage, sludge, and the transport, storage, and disposal of hazardous waste. WAS also has established programs for recycling, environmental restoration, redevelopment, and lead poisoning prevention.

In addition to ARMA, WMA, and WAS, MDE has two administrations that provide technical assistance and a multitude of services to MDE.



The **Technical and Regulatory Services Administration (TARSA)** provides MDE with technical and scientific analyses and data for departmental regulatory activities such as TMDL development, water quality, monitoring, and fish consumption advisories. TARSA also houses MDE's Emergency Response unit.

The **Administrative and Employment Services Administration (AESA)** is MDE's provider of central services, fiscal services, personnel services, and safety services and facilities management.



To protect the environment and carry out its regulatory authority, MDE performs the following major activities:

- Issues **permits**, and other legally enforceable approvals, restricting activities that have the potential to cause adverse impacts on the environment,
- Inspects sources that emit pollution in order to ensure **compliance** with environmental laws,
- Takes **enforcement** actions against the owners and operators of sources and facilities that are violating environmental laws,
- Oversees **remediation** to clean up any spills or hazardous waste contamination, ensuring that the responsible party pays for the cost.

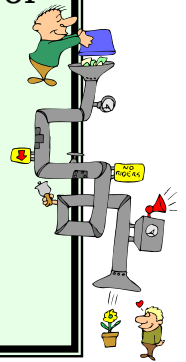
The coordinating offices within MDE include: Office of the Secretary, Office of Communications, Office of Environmental Justice, Office of Special Programs and the Customer Service Center. Jointly, the coordinating offices carry out a number of public outreach and educational activities to teach and inform the public about environmental laws. These offices assist individuals, communities, and businesses with environmental compliance by providing appropriate regulatory guidance obtained from the responsible administration or making referrals to regulatory staff.

How Does MDE Involve the Public in Environmental Decisions?

By making information available and soliciting public input, MDE involves the public in environmental decisions. MDE is committed to providing a full range of public participation activities. MDE recognizes the need for public participation based on regulatory mandates, but also wants to ensure that communities are treated fairly and have equal opportunities to discuss environmental concerns and to influence decisions that will impact them.

MDE has procedures for public participation for the following types of environmental decisions:

- Requests for new permits, changes to existing permits, and renewal of existing permits
- Proposals for new environmental regulations
- Approval of projects to clean up contamination
- Requests for a “variance” that would allow less strict standards than normally required



Public Notice

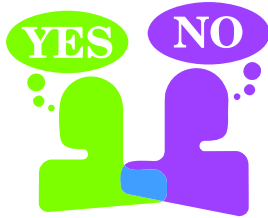
MDE generally provides the public with a notice regarding receipt of applications for certain permits or approvals in order to allow the public to invoke the opportunity for comment. This notice must be published in a newspaper that reaches the geographical area potentially affected by the proposed activity. The duration of its publication varies by type of activity.

The following information is included in a public notice:

- Identification of the person, business, or local government seeking approval
- Description of the activity for which approval is being sought
- Description of the location where the proposed activity will take place
- Contact information of representatives at MDE who can provide more information about the proposal or request
- Procedures regarding public comment, requests for information meetings, and requests for public hearings
- The date, time, and location of any information meeting or public hearing that may be held



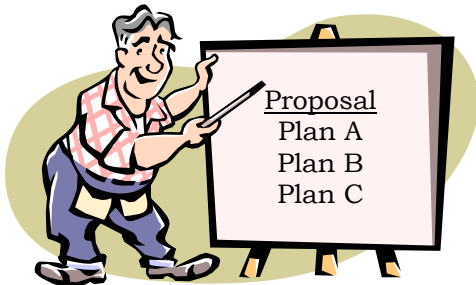
Public Comment



MDE provides the public with several opportunities for public comment on most environmental decisions. Typically, a time frame, usually between 30 and 45 days, is set to have the general public submit comments to MDE regarding an environmental decision. This time frame and the exact procedures for submitting comments are included in the public notice about the proposed activity.

Before making a final determination about most environmental decisions, MDE is **required** to consider public comments, and to provide a written response to those comments.

Information Meeting

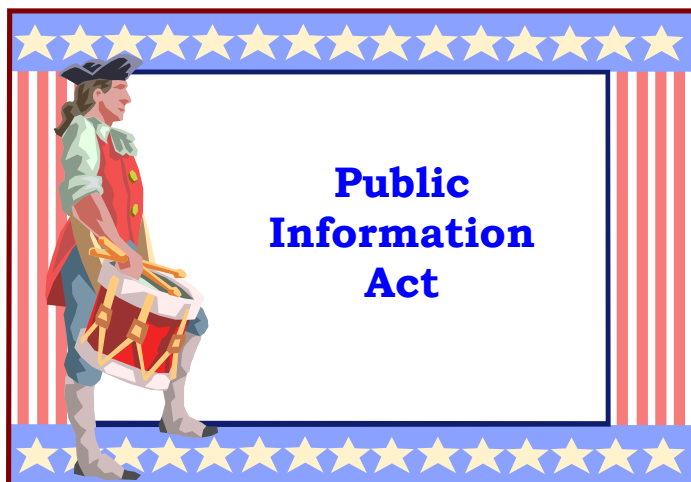


In many cases, as a first step, the public has the opportunity to request an information meeting or a public hearing to learn more about the proposal and voice their comments. At an **information meeting**, MDE explains the permit process and the party proposing the environmental activity presents and explains their proposal. These meetings offer a forum for the public to make comments and ask questions of both the applicant and State representatives.

Public Hearing

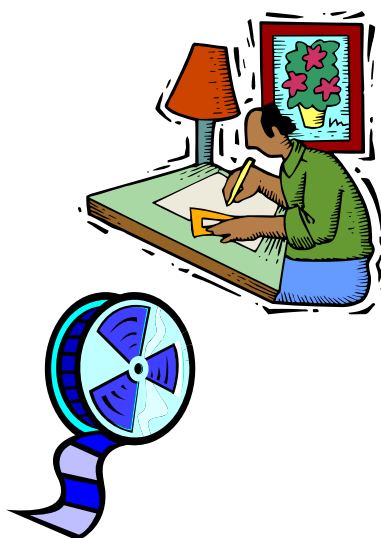
Unlike information meetings, **public hearings** are not question and answer sessions pertaining to the proposed policy. For this reason, MDE often allows for several informational meetings prior to a public hearing. At a **public hearing**, MDE receives oral and written comments from the public regarding an environmental proposal. These constitute a legal record of public opinion. Written comments can be submitted following the hearing up until the date that hearing record closes, a date mentioned in the public notice.





What every Maryland resident should know!!!

MDE's policy is to conduct activities openly and provide the public with a maximum amount of accurate and timely information in response to public and private interests of Maryland citizens. Enacted in 1970, the **Maryland Public Information Act (PIA)**, §§10-611 to 10-628 of the Maryland Annotated Code, grants the public broad rights of access to records kept in State and local government agencies. The PIA covers public agencies and officials in the State and includes all branches of State government (legislative, judicial, and executive). The Act provides that any person has a right to access records about the affairs of State government and the official acts of public employees.



Records

Records covered under the Act include written material, books, photographs, photostats, films, microfilms, recordings, tapes, computerized records, maps, and drawings regardless of physical form or characteristics. While MDE is not required to do research, compile or analyze data, or to answer questions, the agency is required to provide access to all non-privileged records. MDE must also notify the requestor of records that are temporarily unavailable, lost, or destroyed.



Exceptions

There are several exceptions to the public's right of access to public records. Attorney-client privileged, medical, and personnel records are a few examples of those records that are protected from disclosure. A description of all denials can be found at §§10-615 through 10-619 of the State Government Article.

The PIA Process

Copies of agency records can be requested by sending a letter to the Department or through the Department's web page at www.mde.state.md.us/CitizensInfoCenter/PublicInfoAct/index.asp.

Upon receipt of a PIA request, an acknowledgment letter is sent to the requestor within ten days. It assigns a PIA Identification Number and provides the requestor with a PIA Liaison name and phone number. If files are located, the requestor is instructed on whom to contact to arrange an appointment for file review. The requestor will be invoiced for photocopying charges in excess of 100 pages along with applicable postage fees. The Department must respond to all requests within 30 days from receipt of the request.

MDE liaisons are as follows:

Department PIA Coordinator - Joane Mueller (410) 537-4120
 ARMA PIA Liaison - Laramie Daniel (410) 537-3216
 WAS PIA Liaison - Maria Stephens (410) 537-3422
 WMA & TARSA PIA Liaison – Wendy Donaldson (410) 537-3089



** See "Numbers To Know" (page 32) for more contact numbers.



MDE's Permitting Process

The Maryland Department of the Environment (MDE) provides the public with the opportunity to be informed about projects and activities that potentially impact public health and the environment. The Department is further committed to providing the public with a forum for discussing issues of concern. MDE issues approximately 27,000 permits, licenses and approvals each year. These permits allow individuals, small businesses, government agencies and major industries to use materials and conduct operations in a manner that is protective of public health and the environment. For certain types of permits, MDE has a legal obligation to provide the public an opportunity to review and comment on the Department's decision to issue or deny a permit. The law defines the types of permits that require public review and the manner in which they are reviewed. The following is a brief summary of major elements of the law:

- The initial stage of the required review process provides for a public comment period when written comments are accepted. Next, MDE creates an opportunity for an open informational meeting about the proposed activity or project. No decisions about issuing or denying the permit are made at that point. A notice announcing the meeting is placed in a newspaper and copy of the permit application is available for review in the local library.
- Later, the Department makes a tentative (preliminary) decision to issue or deny the permit and holds a hearing. During the hearing the public has the opportunity to submit written or make oral comments on the Department's tentative decision. The Department allows for written comment several days following the hearing. A notice announcing the hearing and the period of time that the hearing record is open for written comment (usually at least a week beyond the actual hearing date) is also placed in a newspaper. Technical information used by the Department in developing its "tentative determination" and a copy of a draft permit (if the tentative decision is to issue a permit) is available for review in the local library.
- After the hearing, the Department responds to all comments received and makes a final decision on issuing or denying the permit, and a notice to this effect is published in the newspaper. **It is important to note that the Department is not able to deny a**

permit because someone does not want it in or near their community. Local zoning is a major determinant of project locations and includes opportunities for public input through a local process. Permitting decisions are made solely on the basis of the environmental characteristics of a project.

Going beyond legal requirements, the Department encourages permit applicants for major projects or activities to communicate with the public outside of the formal public review process required by law. Such communication increases each person's understanding of the project and how it may have a personal affect. The Department encourages permit applicants to seek out known community groups and local elected officials and meet with them prior to submitting an application to the Department. This allows citizens a chance to make any concerns known early in the process and provides the applicant an opportunity to begin to address issues before the formal review process commences.

Some permit applicants, such as large companies, have routine meetings with their neighboring communities and talk about their planned projects well in advance of submitting a permit application to the Department. Other applicants willingly meet with the public after issues are called to their attention. Still others prefer to communicate with the public only to the point of satisfying the minimum requirements of the law.

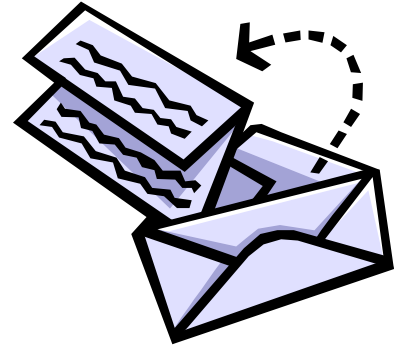
MDE issues a variety of permits, general and individual, in order to regulate activities that have an environmental impact, or may cause pollution. A **construction permit** allows for the construction of a source or facility that emits pollutants into the air. An **operating permit** allows for the operation of a source or facility that emits pollutants into the air. These permits seek to limit pollution as much as possible and to minimize any effect that the source or facility has on the environment. Depending on the type of activity being proposed, MDE will issue a general or individual permit.



Some General Permits Issued by MDE

- Air Quality General Permits to Construct
- Oil Control Program General Wastewater Discharge Permit
- Industrial Wastewater/Stormwater Discharge General Permit
- General Permit for Construction Activity

A **general permit** allows sources or facilities that are engaged in the same type of activity to operate under pre-set operating conditions. The rulemaking process that establishes each of MDE's general permits includes public notice and opportunity for public comment in order to address concerns about the activities that are allowed under the general permit.



Unlike a general permit, an **individual permit** is issued to a facility or source on a case-by-case basis (see Table 1, Page 24). Thus, the conditions allowing a source or facility to construct or operate are set during the application process.

The Public Participation Process for Permitting

Not all permits require public participation or notification. Generally, public comment is solicited when required by law for specific permits. These permits involve air, water, and waste management activities that have the potential for significant harm to the environment or public health.

1. The first step in the permit process is the submission of a permit application.



2. After MDE receives the completed permit application, a public notice announcing MDE's receipt of the application is published. This notice is also mailed to elected officials and a list of "interested persons" representing the jurisdiction of the proposed project. Applicants for some permits may also be required to send notice to property owners on land adjacent to the proposed activity.

3. The public may provide input in one or more of the following ways: by submitting public comment, by requesting and attending an information meeting, or by requesting a public hearing. Information meetings allow for public comments and question and public hearings give ample time for written comments to be submitted to the Department.



4. After reviewing the completed application, considering public concerns, and responding to public comment, MDE makes a final determination to approve or deny the permit. A Notice of Final Decision will be mailed to those persons who submitted comments regarding the permit request.

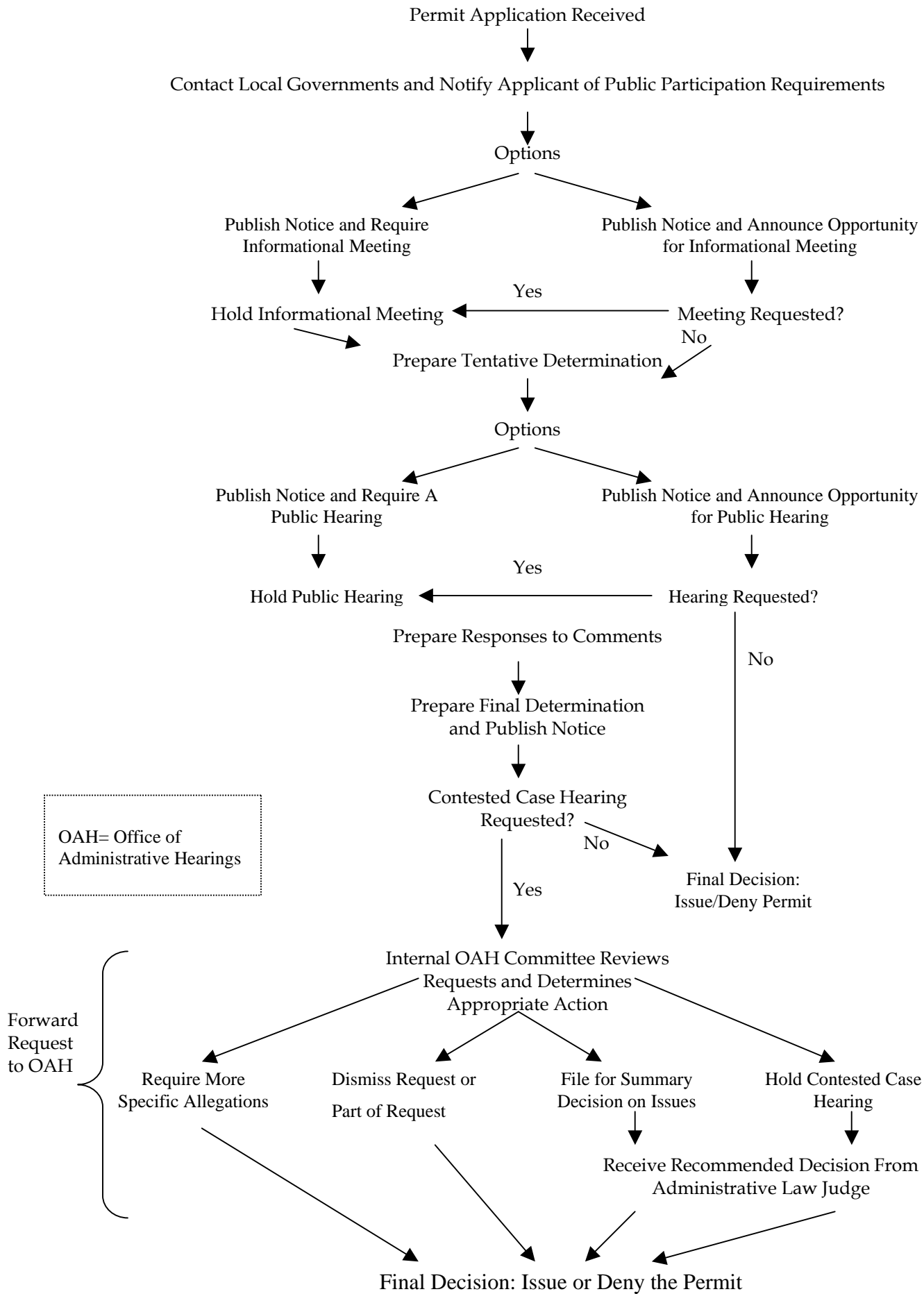


5. If a person feels that he/she is adversely affected by the final determination, he/she may have the opportunity to request a contested case hearing to challenge the decision before the Office of Administrative Hearings (OAH). The procedures and guidelines for appeal are included in the Notice of Final Decision.



To see a full list of MDE regulated permits and their requirements, visit our **Business Guide to Environmental Permits and Approval** at www.mde.state.md.us/Permits/busGuide.asp.

Permitting and Public Participation Flow Chart



What to do When Becoming Aware of a Project

Whether you become aware of a project and are concerned over its impacts, or just want more information, there are several steps you can take, such as:

- Contact your community or local government representatives regarding the project and ask them for available information. Community leaders are often willing to invite companies to community meetings to discuss potential projects if several people show an interest.



- Contact the company and ask to speak with the proposed project manager. Request to arrange a meeting, preferably at the project site if the issues are site-specific.



- Contact MDE, and ask to be put on an “interest list” (a list of people who will receive project-related information and notifications sent out by MDE). Ask to review MDE’s project file through a PIA request. It generally contains the permit application, the Department’s technical review notes and other relevant information. MDE provides information about other permit applicants that have undertaken similar projects and community groups that were interested in those projects that may apply to your particular issues.

If requested, MDE will meet with individuals or community groups to answer questions about proposed projects and explain the application review process.



Permit Decisions and Resolving Issues

Regulatory Issues

Proposed projects give rise to many issues- environmental and non-environmental, which are considered by MDE in deciding whether to approve or deny a permit. It is important to note that law as to what it can consider in making permit decisions limits the Department.

The Department does, however, have flexibility in determining the degree of effort a permit applicant needs to undertake to assure MDE that regulatory requirements can be met. Based on such factors as the applicant's prior compliance history, proximity to residences and unique site or operational issues, MDE can, with statutory or regulatory authority, structure permit conditions that impose more rigorous requirements for an individual applicant.



This is particularly the case in the area of record keeping, reporting and monitoring where the regulatory requirements are more general in nature. This allows MDE to develop a permit more specific to the type and frequency of record-keeping, reporting and monitoring necessary to assure continuous compliance.

If a permit applicant meets all regulatory requirements for the permit being sought, the Department is obligated to recommend that a permit be issued, as the regulatory requirements are deemed to be adequate to ensure protection of public health and the environment.

In situations of uncertainty, MDE may ask the applicant to consider additional or better pollution control equipment to compensate for the scientific unknowns that often exist or recommend that the permittee use cleaner fuels or raw materials. Costs and technical feasibility are factors influencing an applicant's decision to consider pollution-minimizing options.





Non-Regulatory Issues

Potential project issues such as increased truck traffic, zoning, hours of operation, property values and aesthetics are issues that do not directly pertain to state laws and regulations regarding the environment or public health. Therefore, such matters are typically beyond MDE's authority. These cases are often difficult to resolve because there are usually very strong opinions from all involved parties and, at least initially, the parties may be unwilling to compromise. One successful method for addressing these issues is **Alternative Dispute Resolution (ADR)**.



The ADR process is a non-binding, mediation-type approach to resolving issues that uses the services of a professional mediator. Its purpose is to attempt to bring parties together to find common ground and resolve as many differences as possible, promoting a better understanding of the issues and seeking concessions from both sides in the process. The practicality of using ADR depends upon the availability of funds to pay a mediator and the importance of the unresolved issues. Also, both the applicant and the interested public must be willing to undergo the ADR process. MDE is normally a neutral participant. Contact the Office of Special Programs for more information.

Another means to resolve non-regulatory issues is to communicate with local planning and zoning offices. They can serve as an information source for the land-use requirements that apply to a project site and can offer ideas previously used in resolutions. Planning offices can work with other local offices on a community's behalf to resolve issues such as increased truck traffic and noise.



Meeting with the applicant to discuss what they may be willing to do to address project-related impacts can be effective. Applicants do, at times, voluntarily provide site improvements and make operational changes (such as limiting hours of operation) in an effort to be good neighbors.

Many environmental issues or concerns are best addressed by thorough consideration in the land use planning process. Contact the Maryland Department of Planning for more information at 410-767-4500.

How Does MDE Involve the Public in Hazardous Waste Cleanup Programs?

There are a number of abandoned or underutilized industrial sites across the State of Maryland that are contaminated, or are perceived to be contaminated; these sites are termed Brownfields. To encourage the cleanup and reuse of these sites, MDE administers the **Voluntary Cleanup Program (VCP)**. This program is designed to streamline contaminated site cleanup by providing applicants with requirements and liability limitations. The public can become involved in the VCP at any point of the process by requesting a public **information meeting**. MDE is **required** to hold a public information meeting within 30 days of the request. MDE also closely follows the Maryland act which increases public notification by requiring MDE to post on its website notice of the VCP application and the opportunity for public comment. It also requires the applicant to hold a public informational meeting for all Proposed Response Action Plans. For more information on the VCP, call MDE's Waste Management Administration at (410) 537-3493.

The federal government also administers hazardous waste cleanup programs. EPA is involved in the **Superfund**, the **Defense and Environmental Restoration Fund**, and the **Natural Resources Damage Program**. To learn more about these programs, visit <http://www.epa.gov/oswer/cleanup/programs.htm> or call the Waste Wise Hotline at (800) EPA-WISE.



Why Should the Public Participate in Environmental Decision-Making?

Environmental decisions are made to protect the *environment and public health*, so it is important for the public to have a say in decisions that will directly affect them. Furthermore, the public should stay informed and voice their concerns about proposed activities that may adversely impact the environment, so that they may avoid suffering disproportionately from those impacts. The public has a voice in the environmental decision-making process, and by coordinating that voice with MDE's efforts, we can work together to live in a healthier environment.

What Can the Public do to Participate Effectively in Environmental Decisions?

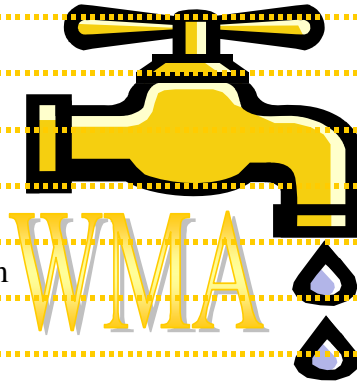
There are several things you, as a member of the public, can do to ensure that you have a voice in environmental decisions. By doing these things, you can work with MDE on community concerns to achieve a favorable outcome for all parties impacted by the environmental decisions. The following is a list of recommended activities:

- Learn about environmental concerns in your community. Read your local newspapers for any public notices regarding environmental decisions that may impact you.
- Submit comments to MDE regarding individual and community concerns, and information that will be helpful to MDE in making a decision. Be sure that these comments are as complete and accurate as possible.
- Identify community organizations in your area and work with them to address community concerns.
- Attend any public meetings or hearings being held in your community to learn more about the proposals and to voice your concerns. Come to these meetings prepared, and don't be afraid to speak up!
- Participate in one or more of Maryland's Environmental Justice public dialogue sessions held throughout the year. At any session you attend, be professional and respectful of other views. Remember that MDE must balance a wide number of diverse concerns prior to a decision.
- Ask to be placed on an interested persons mailing list for environmental decisions that interest you (this will ensure that you continue to be notified about the decision).
- Become familiar with laws and policies that protect your health and the environment. Information resources can be found online at www.epa.gov/epahome.laws.htm.
- Share information about environmental decisions with your community organizations and leaders.
- Contact your local, state, or federal government to share ideas and comments about how to improve the quality of life in your community.
- Visit the MDE website at www.mde.state.md.us. On this site, you can find:
 - Links to MDE's regulatory programs
 - Links to MDE's permitting programs
 - Postings about public information meetings and public hearings
 - MDE contact information and references

Numbers To Know

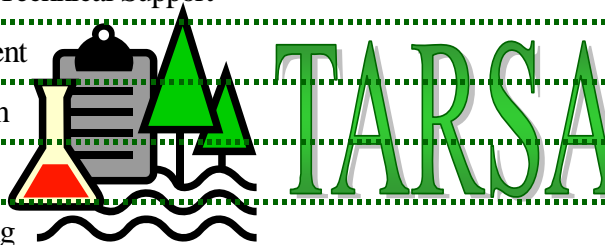
Water

Director	410.537.3567
Financial Assistance Programs	410.537.3574
Individual Drinking Water Supplies	410.537.3784
Compliance	410.537.3510
(Nights and Weekends)	866. 633.4686
Mining Operations Permitting (Coal)	301.689.6104
(Non-Coal)	410.537.3557
Western Maryland	301.665.2850
Sediment, Stormwater & Dam Safety Program	410.537.3543
Water Supply Program	410.537.3702
Sewage Disposal Systems	410.537.3778
Wastewater Permits Program	410.537.3599
Wetland Permitting (Tidal)	410.537.3837
(Non-Tidal)	410.537.3768



Technical And Regulatory Services

Director	410.537.3572
Community Right-To-Know Information	410.537.3800
Computer Modeling (TMDLs)	410.537.3902
Public Bathing Beaches	410.537.3906
Emergency Response & Technical Support	410.537.3994
Environmental Assessment	410.537.3906
Regulations Coordination	410.537.3173
Shellfish Waters	410.537.3906
Water Quality Monitoring	410.482.2700



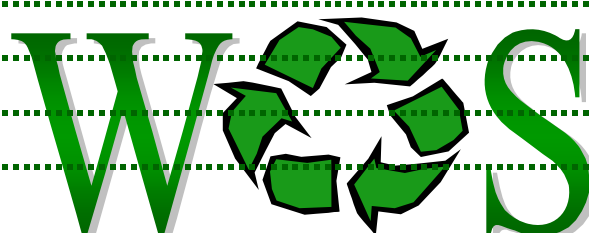
Air & Radiation

Director	410.537.3255
Air Quality Compliance	410.537.3220
Air Monitoring and Information	410.537.3240
Air Quality Permit	410.537.3230
Air Quality Planning	410.537.3240
Asbestos	410.537.3200
Field Offices: Hagerstown Maryland	301.665.2860
Eastern Shore	410.543.6913
Mobile Sources	410.537.3270
Radiological Health	410.537.3300



Waste

Director	410.537.3304
Hazardous and Medical Waste Information	410.537.3345
Lead Poisoning Prevention	410.537.4199
Oil Control	410.537.3442
Recycling	410.537.3314
Scrap Tires	410.537.3315
Solid Waste and Sewage Sludge Complaints	410.537.3424
Solid Waste and Sewage Sludge Permits	410.537.3375
Superfund/ Voluntary Cleanups	410.537.3437
Underground Storage Tank Loan Program	410.537.3443



County Environmental Health Services

County	Main Office	After Hours
Allegany	301.777.5654	301.777.5600
Anne Arundel	410.222.7050	
Baltimore City	410.396.4422	410.396.3100
Baltimore County	410.887.3733	
Calvert (D.C. Area- 410.855.1557)	410.535.3922	
Caroline	410.479.3666	
Carroll	410.386.2260	410.876.1884
Cecil	410.996.5160	
Charles	301.934.9294	
Dorchester	410.228.1167	
Frederick	301.694.2165	
Garrett	301.334.8980	301.334.1929
Harford	410.838.3047	410.838.6600
Howard	410.313.2640	
Kent	410.778.7047	410.778.3480
Montgomery	301.217.1245	
Prince George's	301.883.7600	301.350.9735
Queen Anne's	410.758.2281	
St. Mary's	301.475.4321	
Somerset	410.651.5670	
Talbot	410.820.8213	
Washington	301.791.3270	
Wicomico	410.546.4446	
Worcester	410.352.3234	

Emergency Numbers

For Reporting Suspected Pollution Problems

Problem Type	Days	Nights/Wknds
Air Pollution Violations	410.537.3215	410.243.8700
Fish Kills and Algae Blooms	800.285.8195	888.584.3110
Hazardous Material & Oil Spills	866.633.4686	866.633.4686
Mining and Agriculture	410.537.7405	866.633.4686
Public Sewer Leaks/Overflows	410.537.3510	866.633.4686
Public Water Supply Problems	410.537.3706	866.633.4686
Radiation Accidents/Safety Violations	410.537.3300	410.243.8700
Sediment and Wetland	410.537.3510	866.633.4686
Underground Tank Leaks	410.537.3442	866.633.4686

24-Hour Information

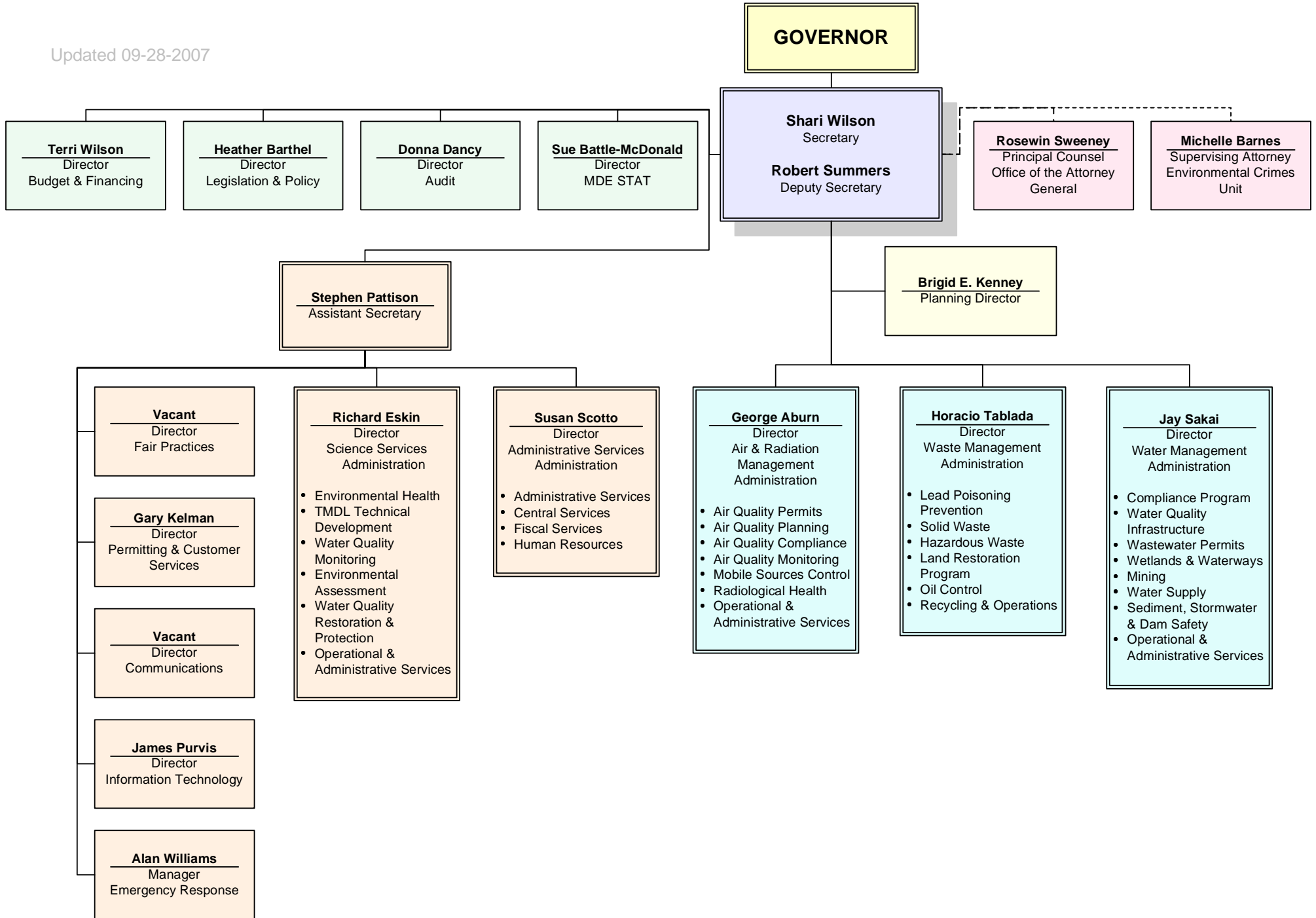
Daily Air Quality Report (Recording)	410.537.3247
Shellfish Waters: Conditions & Restrictions (Recorded)	800.541.1210
Recycling Hotline (Recording)	800.I RECYCLE

General Numbers

Information	410.537.3000
Toll Free	800.533.6101
TTY for the Deaf	410.537.4396
Americans with Disabilities Act Compliance	410.537.3964
Environmental Justice Program	410.537.3086
Customer Service Center	410.537.3772
Minority Business Enterprise Program	410.537.3964
Office of Communications	410.537.3003
Public Information Act Requests	410.537.4120
Small Business Assistance Program	410.537.4158

Maryland Department of the Environment Organizational Chart

Updated 09-28-2007



One Hundred Ways To

34

In your Home, Conserve

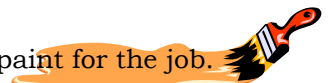
1. Clean or replace air filters on your air conditioning unit at least once a month.
2. If you have central air conditioning, do not close vents in unused rooms.
3. Lower the thermostat on your water heater to 120.
4. Wrap your water heater in an insulated blanket.
5. Turn down or shut off your water heater when you will be away for extended periods.
6. Turn off unneeded lights even when leaving a room for a short time.
7. Set your refrigerator temperature at 36 to 38 degrees and your freezer at 0 to 5 degrees.
8. When using an oven, minimize door opening while it is in use; it reduces oven temperature by 25 to 30 degrees every time you open the door.
9. Clean the lint filter in your dryer after every load so that it uses less energy.
10. Unplug seldom used appliances.
11. Use a microwave whenever you can instead of a conventional oven or stove.
12. Wash clothes with warm or cold water instead of hot.
13. Reverse your indoor ceiling fans for summer and winter operations as recommended.
14. Turn off lights, computers and other appliances when not in use.
15. Purchase appliances and office equipment with the Energy Star Label; old refrigerators, for example, use up to 50% more electricity than newer models.
16. Only use electric appliances when you need them.
17. Use compact fluorescent light bulbs to save money and energy.
18. Keep your thermostat at 68 degrees in winter and 78 degrees in summer.

19. Keep your thermostat higher in summer and lower in winter when you are away.
20. Insulate your home as well as you can.
21. Install weather stripping around all doors and windows.
22. Shut off electrical equipment in the evening when you leave work.
23. Plant trees to shade your home.
24. Shade outside air conditioning units by trees or other means.
25. Replace old windows with energy efficient ones.
26. Use cold water instead of warm or hot water when possible.
27. Connect your outdoor lights to a timer.
28. Buy green electricity - electricity produced by low - or even zero-pollution facilities.

In Your Home, Reduce Toxicity!

29. Eliminate mercury from your home by purchasing items without mercury, and dispose of items containing mercury at an appropriate drop-off facility when necessary (e.g. old thermometers).
30. Learn about alternatives to household cleaning items that do not use hazardous chemicals.
31. Buy the right amount of paint for the job.
32. Review labels of household cleaners you use. Consider alternatives like baking soda, scouring pads, water or a little more elbow grease.
33. When no good alternatives exist to a toxic item, find the least amount required for an effective, sanitary result.
34. If you have an older home, have paint in your home tested for lead. If you have lead-based paint, cover it with wall paper or other material instead of sanding it or burning it off.
35. Use traps instead of rat and mouse poisons and insect killers.
36. Have your home tested for radon.

Save
The
Environment



37. Use cedar chips or aromatic herbs instead of mothballs.

In Your Yard

38. Avoid using leaf blowers and other dust-producing equipment.

39. Use an electric lawn-mower instead of a gas-powered one.

40. Leave grass clippings on the yard—they decompose and return nutrients to the soil.



41. Use recycled wood chips as mulch to keep weeds down, retain moisture and prevent erosion.

42. Use only the required amount of fertilizer.

43. Minimize pesticide use.

44. Create a wildlife habitat in your yard.

45. Water grass early in the morning.

46. Rent or borrow items like ladders, chain saws, party decorations and others that are seldom used.

47. Take actions that use non hazardous components (e.g., to ward off pests, plant marigolds in a garden instead of using pesticide).

48. Put leaves in a compost heap instead of burning them or throwing them away. Yard debris too large for your compost bin should be taken to a yard-debris recycler.

In Your Office

49. Copy and print on both sides of paper.

50. Reuse items like envelopes, folders and paper clips.

51. Use mailer sheets for interoffice mail instead of an envelope.

52. Set up a bulletin board for memos instead of sending a copy to each employee.

53. Use e-mail instead of paper correspondence.

54. Use recycled paper.



55. Use discarded paper for scrap paper.

56. Encourage your school and/or company to print documents with soy-based inks, which are less toxic.

57. Use a ceramic coffee mug instead of a disposable cup.



Ways To Protect Our Air

58. Ask your employer to consider flexible work schedules or telecommuting.

59. Recycle printer cartridges.

60. Shut off electrical equipment in the evening when you leave work.

61. Report smoking vehicles to your local air agency.

62. Don't use your wood stove or fireplace when air quality is poor.

63. Avoid slow-burning, smoldering fires. They produce the largest amount of pollution.

64. Burn seasoned wood - it burns cleaner than green wood.

65. Use solar power for home and water heating.

66. Use low-VOC or water-based paints, stains, finishes and paint strippers.



67. Purchase radial tires and keep them properly inflated for your vehicle.

68. Paint with brushes or rollers instead of using spray paints to minimize harmful emissions.

69. Ignite charcoal barbecues with an electric probe or other alternative to lighter fluid.

70. If you use a wood stove, use one sold after 1990. They are required to meet federal emissions standards and are more efficient and cleaner burning.

71. Walk or ride your bike instead of driving, whenever possible.

72. Join a carpool or vanpool to get to work.



Ways To Use Less Water

73. Check and fix any water leaks.

74. Install water-saving devices on your faucets and toilets.

75. Don't wash dishes with the water running continuously.

76. Wash and dry only full loads of laundry and dishes.

77. Follow your community's water use restrictions or guidelines.

78. Install a low-flow showerhead.

79. Replace old toilets with new ones that use a lot less water.

80. Turn off washing machine's water supply to prevent leaks.



90. Maintain and repair durable products instead of buying new ones.

91. Check reports for products that are easily repaired and have low breakdown rates.

92. Reuse items like bags and containers when possible.

93. Use cloth napkins instead of paper ones.

94. Use reusable plates and utensils instead of disposable ones.

95. Use reusable containers to store food instead of aluminum foil and cling wrap.

96. Shop with a canvas bag instead of using paper and plastic bags.

97. Buy rechargeable batteries for devices used frequently.

98. Reuse packaging cartons and shipping materials. Old newspapers make great packaging material.

99. Compost your vegetable scraps.



Ways To Protect Our Water

81. Re-vegetate or mulch disturbed soil as soon as possible.

82. Never dump anything down a storm drain.

83. Have your septic tank pumped and system inspected regularly.

84. Check your car for oil or other leaks, and recycle motor oil.

85. Take your car to a car wash instead of washing it in the driveway.

86. Learn about your watershed.



100. Buy used furniture - there is a surplus of it, and it is much cheaper than new furniture.



Courtesy of Sustainable Environment for the Quality of Life (SEQL). You can visit at www.seql.org/100ways.cfm for more great tips!

Ways To Create Less Trash

87. Buy items in bulk from loose bins when possible to reduce the packaging wasted.

88. Avoid products with several layers of packaging when only one is sufficient. About 33% of what we throw away is packaging.

89. Buy products that you can reuse.

And one more piece of advice: Never litter and teach your children not litter!!

