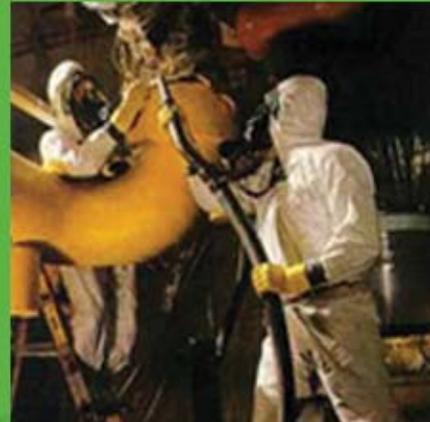




Department of the Environment

ANNUAL ENFORCEMENT AND COMPLIANCE REPORT



Fiscal Year 2012

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TABLE OF CONTENTS

| | |
|--|-----------|
| Section One – REPORT BASIS AND SUMMARY INFORMATION | 3 |
| Statutory Authority and Scope | 4 |
| Organization of the Report | 4 |
| MDE Executive Summary | 5 |
| MDE Performance Measures – Executive Summary | 6 |
| Enforcement Workforce | 6 |
| Section 1-301(d) Penalty Summary | 7 |
| MDE Performance Measures Historical Annual Summary FY 1998 – 2005 | 8 |
| MDE Performance Measures Historical Annual Summary FY 2006 – 2012 | 9 |
| MDE Enforcement Actions Historical Annual Summary FY 1998 – 2012 | 10 |
| MDE Penalties Historical Annual Summary Chart FY 1998 - 2012 | 10 |
| MDE’s Enforcement and Compliance Process and Services to Permittees and Businesses | 11 |
| The Enforcement and Compliance Process | 11 |
| Enforcement Process Flow Chart | 12 |
| Supplemental Environmental Projects (SEPs) | 13 |
| Contacts or Consultations with Businesses | 14 |
| Compliance Assistance | 14 |
| Consultations with Businesses | 14 |
| Section Two - ADMINISTRATION DETAILS | 17 |
| Measuring Enforcement and Compliance | 18 |
| Performance Measures Table Overview and Definitions | 19 |
| Enforcement and Compliance Performance Measures Table Format | 23 |
| Air and Radiation Management Administration (ARMA) | 25 |
| ARMA Executive Summary | 26 |
| ARMA Performance Measures | 27 |
| Ambient Air Quality Control | 28 |
| Air Quality Complaints | 34 |
| Asbestos | 38 |
| Radiation Machines | 42 |
| Radioactive Materials Licensing and Compliance | 46 |
| Land Management Administration (LMA) | 51 |
| LMA Executive Summary | 52 |
| LMA Performance Measures | 53 |
| Land Restoration | 54 |
| Hazardous Waste | 56 |
| Lead Poisoning Prevention | 60 |
| Oil Control - Aboveground Facilities | 64 |
| Oil Control - Pollution Remediation Activities | 68 |
| Oil Control - Underground Storage Tank Systems | 72 |
| Refuse Disposal | 76 |

| | |
|---|------------|
| Scrap Tires | 80 |
| Sewage Sludge Utilization | 84 |
| Concentrated Animal Feeding Operations | 88 |
| Natural Wood Waste Recycling | 92 |
| Mining – Coal | 96 |
| Mining – Non-Coal | 100 |
| Oil and Gas Exploration and Production | 104 |
| Water Management Administration (WMA) | 109 |
| WMA Executive Summary | 110 |
| WMA Performance Measures | 111 |
| Discharges – Groundwater (Municipal and Industrial) | 112 |
| Discharges – Surface Water (Municipal and Industrial) State/NPDES | 116 |
| Discharges – Pretreatment (Industrial) | 120 |
| Stormwater Management and Erosion and Sediment Control for Construction Activity | 124 |
| Water Supply Program | 128 |
| Waterway Construction – Dam Safety | 142 |
| Wetlands and Waterways – Non-Tidal and Floodplain | 146 |
| Wetlands – Tidal | 150 |
| Office of Budget and Finance | 155 |
| Water Supply and Sewerage Construction | 156 |
| Office of the Attorney General Environmental Crimes Unit (ECU) | 161 |
| ECU Executive Summary and Performance Measures | 162 |
| Section Three – APPENDICES | 169 |
| Appendix A: Organizational Charts | 170 |
| Appendix B: List of Programs Included in This Report | 175 |
| Appendix C: Environment Article Section 1-301(d) | 176 |
| Appendix D: Legislation Enacted During 2012 Affecting Enforcement and Penalties | 178 |
| Appendix E: MDE Penalty Policy | 179 |
| Appendix F: Environmental Audit Guidance | 180 |
| Appendix G: Supplemental Environmental Projects | 183 |
| Appendix H: Land Restoration Program State Master List | 187 |
| Appendix I: Formerly-Investigated Sites List | 203 |

SECTION ONE
REPORT BASIS AND SUMMARY
INFORMATION

ANNUAL ENFORCEMENT AND COMPLIANCE REPORT FISCAL YEAR 2012

Statutory Authority and Scope

Environment Article §1-301(d) enacted in 1997 (see Appendix C for full text) requires the Maryland Department of the Environment (MDE) to report annual performance results for specific regulatory programs and 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 MDE's other enforcement programs, additional information about each of MDE's regulatory compliance programs, and additional data about the activities and facilities that are subject to regulation under the Environment Article.

Organization of the Report

Section One includes an overall, Department-wide summary of the FY 2012 results. A table in Section One compares the historical annual Department-wide performance measures from FY 1998 – 2012. Two graphs also illustrate trends for enforcement actions and penalties obtained for these years.

Section Two presents program-specific information concerning enforcement and compliance activities for the reported programs. Related materials appear as appendices in Section Three.

EXECUTIVE SUMMARY

The Maryland Department of the Environment's (MDE's) sixteenth Enforcement and Compliance Report, for Fiscal Year 2012 (July 2011-June 2012), reports data from MDE's enforcement and compliance programs and from the Environmental Crimes Unit of the Office of the Attorney General. This document has been prepared in accordance with the requirements of §1-301(d) of the Environment Article.

Maintaining a consistent baseline of enforcement is necessary to ensure compliance with state laws, regulations, and permits that protect public health and the environment. MDE is committed to taking timely actions for violations, and the "MDEStat" data-driven management oversight process tracks enforcement activity. MDE routinely shares information with the public about enforcement activities to maximize the deterrence value of each enforcement action.

During FY 2012, MDE provided regulatory oversight for 158,161 regulated entities. This is essentially unchanged from last year's 158,058. MDE inspected 17.3% fewer sites in FY 2012 than it did in FY 2011 and performed 5.5% fewer inspections, audits, and spot checks. Much of this decrease is due to changes in the number of third-party inspections by the lead poisoning prevention program. The number of enforcement actions increased by 3.5% over FY 2011.

This year, penalties collected from environmental violators totaled \$3,622,330. This is an increase from last year's total of \$3,486,141.

MDE had a slight increase of 1.7% in the inspector workforce this year. Filling vacant positions remains difficult due to the hiring freeze. In addition to the hiring freeze, general State and federal budgetary challenges increasingly constrain MDE's compliance and enforcement activities.

MDE's increased enforcement activity has created a larger workload for attorneys assigned to MDE by the Office of the Attorney General. In calendar year 2007, MDE referred approximately 340 enforcement cases for legal action, compared to 816 cases in CY 2009 and 633 cases in CY 2010. There are currently 170 backlogged water cases that are waiting to be assigned, down from 282 in CY 2011. Two contract attorneys were hired in late CY 2011 specifically to handle backlogged cases and they have made considerable progress in reducing the backlog.

Please refer to MDE's website (<http://www.mde.state.md.us>) for the latest information on enforcement actions and other compliance activities.

MDE PERFORMANCE MEASURES EXECUTIVE SUMMARY

| | 2011 Totals | 2012 Totals |
|---|------------------|--------------------|
| <u>PERMITTED SITES/FACILITIES</u> | | |
| Number of Permits/Licenses Issued | 9,089 | 8,369 |
| Number of Permits/Licenses in Effect at Fiscal Year End | 92,195 | 92,271 |
| <u>OTHER REGULATED SITES/FACILITIES</u> | | |
| Total Sites | 158,058 | 158,161 |
| <u>INSPECTIONS</u> | | |
| Number of Sites Inspected | 52,561 | 43,448 |
| Number of Sites Audited But Not Inspected | 7,809* | 6,701 |
| Number of Inspections, Audits, Spot Checks | 129,213 | 122,046 |
| <u>ENFORCEMENT ACTIONS</u> | | |
| Number of Compliance Assistance Rendered | 21,323 | 21,121 |
| Number of Enforcement Actions Taken | 2,564 | 2,655 |
| <u>PENALTIES</u> | | |
| Amount of Administrative or Civil Penalties Obtained | \$3,486,141 | \$3,622,330 |
| Supplemental Environmental Projects | 8 (\$669,000) | 9 (\$8,435,000) |

* This was incorrectly reported as 13,918 in the FY 2011 report.

ENFORCEMENT WORKFORCE

| | Workforce | | | | | |
|---------------|---------------------|---------------------|---------------|---------------|------------------|--------------|
| | Compensation* | | Inspectors** | | FTE Vacancies*** | |
| | FY 2011 | FY 2012 | FY 2011 | FY 2012 | FY 2011 | FY 2012 |
| Air/Radiation | \$3,674,815 | \$3,937,866 | 48 | 48 | 2.5 | 1.55 |
| Land | \$4,818,721 | \$4,867,993 | 65.5 | 69 | 1.75 | 8.5 |
| Water | \$3,291,171 | \$3,385,290 | 47.96 | 47.23 | 3.54 | 2.2 |
| Total | \$11,784,707 | \$12,191,149 | 161.46 | 164.23 | 7.79 | 12.25 |

* "Compensation" includes wages plus fringe benefits. 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. This represents total budgeted positions, not the actual number of inspectors currently on staff.

*** "FTE (full-time equivalent) vacancies" represent the number of full-time-equivalent positions that were vacant during the fiscal year.

SECTION 1-301(d) PENALTY SUMMARY

| TOTAL AMOUNT OF MONEY DEPOSITED AS A RESULT OF ENFORCEMENT ACTIONS AS REQUIRED BY SECTION 1-301(d)* | FY 2011 | FY 2012 |
|---|--------------------------------|--------------------|
| Clean Air Fund (includes Air Quality and Asbestos) | \$576,193 | \$523,509 |
| Clean Water Fund (includes Water and Land Management) | \$1,254,513 | \$2,053,030 |
| Hazardous Substance Control Fund | \$154,800 | \$50,100 |
| Non-tidal Wetland Compensation Fund | \$24,429 | \$15,982 |
| Oil Disaster Containment Clean Up and Contingency Fund | \$72,281 | \$139,040 |
| Recovered from Responsible Parties (under §7-221)** | \$375,705 | \$159,369 |
| Sewage Sludge Utilization Fund | 0 (now part of clean water) | 0 |
| Total | \$2,457,921 | \$2,941,030 |

* 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 \$3,622,330.

** 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.

Please note this reflects penalties collected during the fiscal year, not penalties assessed.

MDE PERFORMANCE MEASURES ANNUAL SUMMARY FY 1998 - 2005

| MDE Performance Measure | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| PERMITTED SITES/FACILITIES | | | | | | | | |
| Number of Permits/Licenses Issued | 8,972 | 8,350 | 9,710 | 9,573 | 9,671 | 11,988 | 11,264 | 10,799 |
| Number of Permits/Licenses in Effect at Fiscal Year End | 54,668 | 56,024 | 57,253 | 62,679 | 62,882 | 69,831 | 75,729 | 73,155 |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | |
| Other Sites | 89,863 | 95,892 | 100,244 | 105,085 | 191,177 | 197,529 | 204,873 | 222,673 |
| INSPECTIONS * | | | | | | | | |
| Number of Sites Inspected | 31,026 | 30,352 | 28,626 | 39,050 | 37,850 | 33,048 | 43,434 | 43,722 |
| Number of Inspections, Audits, Spot Checks | 81,372 | 83,899 | 90,488 | 103,782 | 108,043 | 98,550 | 106,845 | 103,586 |
| ENFORCEMENT ACTIONS | | | | | | | | |
| Number of Compliance Assistance Actions Rendered | 15,837 | 14,709 | 15,831 | 15,032 | 16,523 | 14,120 | 18,646 | 10,953 |
| Number of Enforcement Actions Taken | 1,134 | 1,391 | 977 | 1,542 | 1,541 | 2,311 | 1,856 | 1,395 |
| PENALTIES | | | | | | | | |
| Amount of Penalties Obtained (\$)** | 1,145,731 | 1,206,629 | 2,093,526 | 1,334,499 | 1,523,890 | 2,321,563 | 1,781,526 | 1,631,054 |

*** Inspections:**

Number of Sites Inspected: The number of individual sites physically visited and inspected for compliance.

Number of Inspections, Audits, Spot Checks: The total numbers of sites evaluated for compliance, including on-site inspections, record reviews, audits, and spot-check activities.

Each individual site can be inspected by several programs or by one program more than once, so the former is always less than the latter.

**** Amount of Penalties Obtained:** The total dollar amount of penalty revenue collected during the fiscal year. Note that penalties can be collected in the fiscal year after the violation for which they are assessed. This reflects the amount of revenue obtained ("collected") in the fiscal year as a result of all enforcement actions regardless of which fund they are deposited into.

MDE PERFORMANCE MEASURES ANNUAL SUMMARY FY 2006 - 2012

| MDE Performance Measure | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| PERMITTED SITES/FACILITIES | | | | | | | |
| Number of Permits/Licenses Issued | 10,737 | 10,455 | 11,463 | 10,043 | 8,982 | 9,089 | 8,369 |
| Number of Permits/Licenses in Effect at Fiscal Year End | 77,721 | 77,041 | 100,206 | 92,960 | 93,323 | 92,195 | 92,271 |
| OTHER REGULATED SITES/FACILITIES | | | | | | | |
| Other Sites | 239,612 | 253,715 | 257,744 | 117,421 | 158,112 | 158,058 | 158,161 |
| INSPECTIONS * | | | | | | | |
| Number of Sites Inspected | 55,294 | 47,723 | 44,161 | 44,587 | 45,332 | 52,561 | 43,448 |
| Number of Inspections, Audits, Spot Checks | 115,977 | 107,496 | 122,389 | 122,079 | 124,045 | 129,213 | 122,046 |
| ENFORCEMENT ACTIONS | | | | | | | |
| Number of Compliance Assistance Actions Rendered | 11,067 | 10,158 | 11,443 | 14,412 | 21,352 | 21,323 | 21,121 |
| Number of Enforcement Actions Taken | 1,946 | 2,004** | 2,704** | 2,901 | 3,099 | 2,564 | 2,655 |
| PENALTIES | | | | | | | |
| Amount of Penalties Obtained (\$)** | 2,803,685 | 2,248,131 | 3,970,275 | 6,516,601 | 5,099,340 | 3,486,141 | 3,622,330 |

* Inspections:

Number of Sites Inspected: The number of individual sites physically visited and inspected for compliance.

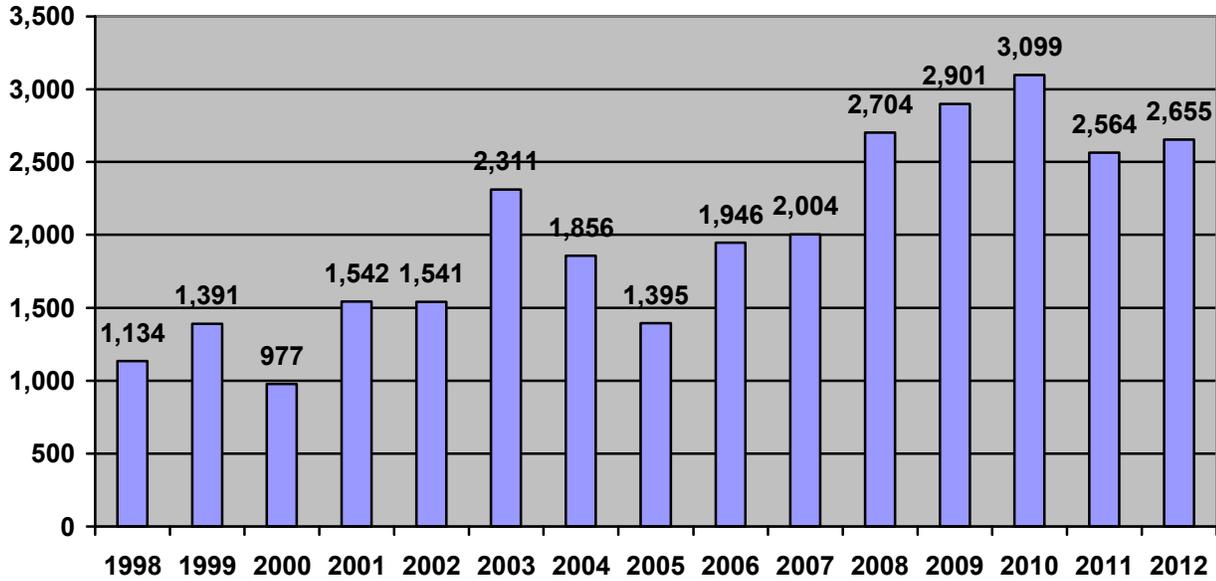
Number of Inspections, Audits, Spot Checks: The total numbers of sites evaluated for compliance, including on-site inspections, record reviews, audits, and spot-check activities.

Each individual site can be inspected by several programs or by one program more than once, so the former is always less than the latter.

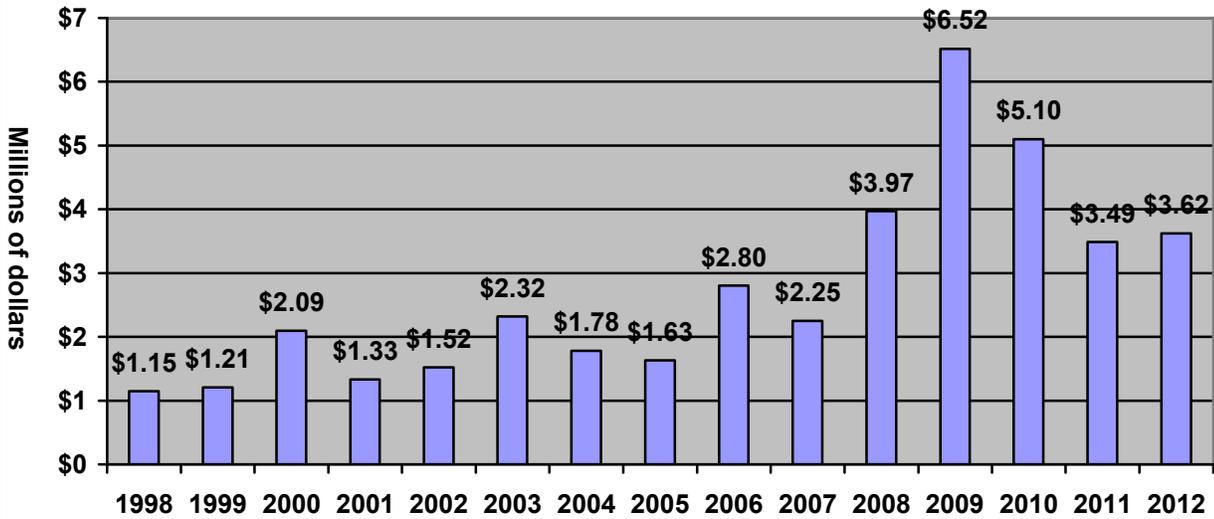
** These two numbers were corrected; they were previously reported as 2,011 and 2,699 respectively.

*** Amount of Penalties Obtained: The total dollar amount of penalty revenue collected during the fiscal year. Note that penalties can be collected in the fiscal year after the violation for which they are assessed. This reflects the amount of revenue obtained ("collected") in the fiscal year as a result of all enforcement actions regardless of which fund they are deposited into.

MDE Enforcement Actions Taken 1998-2012



MDE Penalty Amounts (\$) Collected 1998-2012



MDE'S ENFORCEMENT AND COMPLIANCE PROCESS and SERVICES TO PERMITTEES AND BUSINESSES

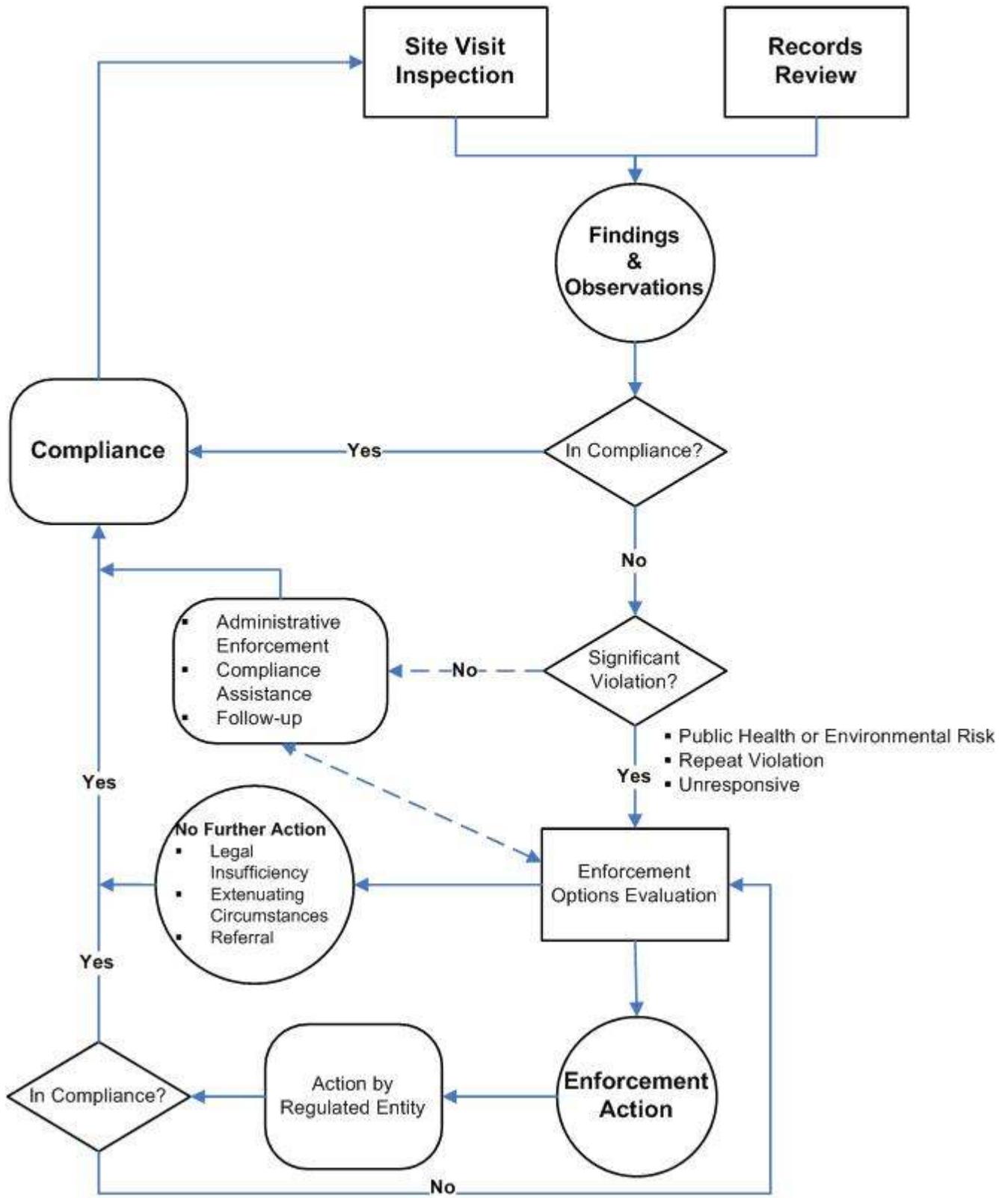
The Enforcement and Compliance Process

MDE's air, water and land enforcement and compliance processes are authorized in different parts of the law and were established separately over a period of years. As a result, similar terminology may have technically different meanings for different programs. Despite technical differences, most enforcement programs share certain common functions that allow a year-to-year comparison. Most programs have inspection, monitoring, evaluation, and enforcement components.

Many programs also implement federal rules and regulations in addition to State requirements. In addition, the same individual, company, or facility may fall under the jurisdiction of several different environmental enforcement programs at the federal, state or local level.

If a minor violation such as a record-keeping or reporting error is discovered, a program may use discretion to allow a company to correct the problem without imposing a penalty. In such cases, compliance assistance may be the most efficient method to achieve compliance with such requirements. Compliance assistance is a process that does not involve the use of a formal enforcement action and is explained in more detail on page 14. If an inspection reveals a significant violation, or if minor violations continue to recur and become a significant problem, then more serious legal actions are warranted. Such action may take the form of penalties, corrective orders, the filing of injunctions, and in some cases, criminal sanctions.

MDE ENFORCEMENT PROCESS



Supplemental Environmental Projects (SEPs)

MDE's approach to enforcement 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. Under certain limited circumstances, the value of the SEP is allowed by MDE to offset a portion of the penalty.

The federal Environmental Protection Agency 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 reach a higher level of environmental stewardship. Finally, and probably most importantly, SEPs are intended to achieve improvements to the environment that could not be accomplished with traditional penalties. Traditional penalties serve to punish current violations and deter future violations. SEPs accomplish those traditional purposes and provide a form of community service that improves the environment where the violation occurred.

MDE entered into nine SEPs during FY 2012 with a total value of \$8,435,000. These SEPs were all in the Land Management Administration and involved the replacement of lead-contaminated windows and other lead-paint-related improvements in more than 1,000 rental units.

| Administration | Number of SEPs | | Total Value of SEPs | |
|---|----------------|----------|---------------------|--------------------|
| | 2011 | 2012 | 2011 | 2012 |
| Air and Radiation Management Administration | 2 | 0 | \$175,000 | \$0 |
| Land Management Administration | 6 | 9 | \$494,000 | \$8,435,000 |
| Water Management Administration | 0 | 0 | \$0 | \$0 |
| TOTALS | 8 | 9 | \$669,000 | \$8,435,000 |

Details about these SEPs can be found in Appendix G.

Contacts or Consultations with Businesses

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 identifies the two types of contacts MDE has with businesses to help them come into compliance: compliance assistance and other consultations.

Compliance Assistance

One specific form of contact between businesses and MDE’s enforcement and compliance inspectors is counted in the programs’ performance measures tables under the category of “*compliance assistance.*” As an element of MDE’s enforcement process, an inspector renders a tangible act of compliance assistance when the inspector:

- (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.

For either (a) or (b), the MDE inspector must document the manner in which the regulated entity voluntarily achieved compliance. This definition of “compliance assistance” requires the action to be measurable, and objectively verifiable by a third party. This documents MDE’s activities to keep facilities in compliance without the use of formal enforcement actions.

Consultations with Businesses

MDE provides other forms of compliance information to businesses and other regulated entities. These include making guidance documents available, providing forms, and publishing information about new or updated requirements on MDE’s website. MDE also works with businesses before they apply for permits to explain what permits will be required for a proposed activity and the application process for the required permits. Possible compliance requirements such as sampling, reporting, and record-keeping may also be explained.

The Department’s website (<http://www.mde.state.md.us>) provides additional information that businesses may use to determine compliance with environmental requirements:

- The Guide to Environmental Permits and Approvals provides detailed information about each of MDE’s permit programs.

- MDE has made a number of permit applications and instructions for completion available online. MDE is also working to enable businesses to submit their permit applications via the Internet.
- MDE has created an Enforcement Webpage where you can find information concerning enforcement programs and current enforcement actions
<http://www.mde.state.md.us/AboutMDE/DepartmentalReports/Pages/AboutMDE/enfcomp.aspx>

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SECTION TWO
ADMINISTRATION DETAILS

MEASURING ENFORCEMENT AND COMPLIANCE

MDE has been measuring, in a consistent fashion, the performance of its enforcement and compliance activities since 1998. This report standardizes the accomplishments of enforcement and compliance programs using metrics for the 33 enforcement areas within the 16 programs that are the subject of this report. Enforcement actions are taken by MDE's three media administrations:

Air: This includes air pollution and radiation programs.

Land: This includes oil control, solid and hazardous waste management, sewage sludge utilization, animal feeding operations, scrap tire recycling, lead poisoning prevention, natural wood waste recycling, coal and mineral mining, oil and gas exploration and production, and hazardous substance clean-up programs.

Water: This includes drinking water, tidal and non-tidal wetlands, wastewater discharges, water appropriation, waterway and floodplain construction, dam safety, stormwater management and sediment and erosion control programs.

Organization of Section Two

This section is divided by administration and by enforcement area/program. First, an overall administration executive summary describes the enforcement and compliance efforts during this fiscal year, followed by key performance measures for that administration. Next, the sections for each enforcement area/program include the purpose of the program, its underlying authority, its enforcement process, summary of the program's successes/challenges, the performance measures table, and three charts comparing the past three fiscal years' data on inspection coverage; number of inspections, audits, and spot checks; and number of enforcement actions.

PERFORMANCE MEASURES TABLE

This key table presents an accounting of each program's activity. Definitions of each measure appear below. An example of the table with the lines numbered to correspond to the following definitions follows this list of definitions.

1. *Permitted Sites/Facilities and Other Regulated Sites/Facilities: These are measures of the MDE or Program workload.*

Lines 2, 3, and 5-8: Identify the total universe of facilities over which the program has regulatory responsibility.

Line 2: Shows the number of new permits or permit renewals issued during the year.

Line 3: Shows the total number of permits that were in effect at fiscal year end.

Lines 5-8: Used by those programs that have regulatory responsibility for sites, facilities, and other entities that are not required to obtain a formal permit, but still fall under MDE's regulatory oversight.

9. *Inspections and Audits: This is a measure of output.*

Lines 10-12: Present numbers of sites evaluated for compliance. Inspections are defined as physical visits to the site to determine compliance, whether the visit involves walking around the site or a record review at the site. An audit is a review of records or self-monitoring reports performed off-site at MDE offices. These measures are reported separately to illustrate that many important regulatory oversight activities occur off-site.

Lines 13-15: Present numbers of inspections, audits and spot checks performed. The number of inspections is often substantially higher than the number of sites (comparing lines 12 and 15) because some sites are inspected more than one time during the year, depending on the degree of risk that regulated entity poses to the public. Also, some individual sites are sufficiently large or diverse to warrant having different portions of the site, or different pieces of equipment, inspected separately.

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

Lines 17-19: The Compliance Profile is a snapshot of the overall compliance status of the facilities inspected during the fiscal year.

Line 17: Identifies how many of the inspected sites were found with significant violations, providing a key element used to determine the inspection compliance rate (percentage) shown on line 18. 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.

Line 18: The percentage of inspected sites with significant violations. Line 17 divided by Line 10 times 100.

Line 19: The enforcement “inspection coverage rate” measure. 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. “Sites” may include other than a single physical location since many programs have regulatory oversight responsibility for things other than facilities.

20. *Significant Violations: This is a measure of what was found.*

Lines 21 – 24 record the total number and nature of the significant violations the program identified during the fiscal year. The specific definition of what constitutes a **significant** violation is determined by individual programs that have unique statutory and regulatory threshold requirements. MDE’s general definition of a significant violation is any violation that requires MDE to take some form of remedial or enforcement action to bring the facility into compliance. MDE’s Penalty Policy further clarifies this definition and can be found in Appendix E.

Line 21: Indicates how many significant violations resulted in an environmental or health impact.

Line 22: Counts how many significant violations were technical/preventative in nature. The distinction here is based on evidence or proof that MDE must present to establish the violation in a contested case.

- Cases which require evidence of actual physical damage to the environment or to a human being such, as samples, photographs, or direct observations 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 22.
- The distinction between physical and technical violations is made to avoid the misperception that all violations involve pollution.
- It is a mistake to infer that only environmental/health violations are significant and technical/preventative violations are not significant. Either can be considered significant or non-significant depending on the circumstances of the violations.

Line 23: Accounts for the number of significant violations carried over from last year.

Line 24: The sum of lines 21 through 23, the total number of significant violations the program attempted to resolve during the fiscal year.

25. Disposition of Significant Violations: What is the status?

Lines 26 and 27: 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 MDE'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. "Ongoing" enforcement responses are those not yet finished.

28. Enforcement Actions and Penalties: What are the tools MDE uses to bring about compliance?

Lines 29 – 36: MDE has a number of different enforcement tools that can be used to achieve compliance.

Line 29: 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 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.
- 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.

Lines 30 through 32: Cover specific types of enforcement actions required to be reported under Environment Article Section 1-301(d). These are broken down into administrative and civil/judicial.

Line 33: 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 34: 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 36: 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.

SAMPLE FY 2012 PERFORMANCE MEASURES CHART

| Performance Measure | TOTAL | | |
|---|----------------|----------------|-------|
| 1. PERMITTED SITES/FACILITIES | | | |
| 2. Number of permits/licenses issued | | | |
| 3. Number of permits/licenses in effect at fiscal year end | | | |
| 4. OTHER REGULATED SITES/FACILITIES | | | |
| 5. (other sites) | | | |
| 6. (other sites) | | | |
| 7. (other sites) | | | |
| 8. (other sites) | | | |
| 9. INSPECTIONS | | | |
| 10. Number of sites inspected ("inspected" defined as at the site) | | | |
| 11. Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | | |
| 12. Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | | |
| 13. Number of inspections, spot checks (captures number of compliance activities at sites) | | | |
| 14. Number of audits (captures number of reviews of file/submittals for compliance) | | | |
| 15. Number of inspections, audits, spot checks (sum of the two measures above, same as #12 on the prior charts) | | | |
| 16. COMPLIANCE PROFILE | | | |
| 17. Number of inspected sites/facilities with significant violations | | | |
| 18. Percentage of inspected sites/facilities with significant violations | | | |
| 19. Inspection coverage rate (number of sites inspected/coverage universe) | | | |
| 20. SIGNIFICANT VIOLATIONS | | | |
| 21. Number of significant violations involving environmental or health impact | | | |
| 22. Number of significant violations based on technical/preventative deficiencies | | | |
| 23. Number of significant violations carried over awaiting disposition from previous fiscal year | | | |
| 24. Total number of significant violations (sum of the three measures above) | | | |
| 25. DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| 26. Resolved | | | |
| 27. Ongoing | | | |
| 28. ENFORCEMENT ACTIONS | | | |
| 29. Number of compliance assistance rendered | | | |
| | Administrative | Civil/Judicial | TOTAL |
| 30. Number of show cause, remedial, corrective actions issued | | | |
| 31. Number of stop work orders | | | |
| 32. Number of injunctions obtained | | | |
| 33. Number of penalty and other enforcement actions | | | |
| 34. Number of referrals to Attorney General for possible criminal action | | | |
| 35. PENALTIES | | | |
| 36. Amount of administrative or civil penalties obtained (\$ collected in FY) | | | |

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**AIR AND RADIATION MANAGEMENT
ADMINISTRATION**

Air and Radiation Management Administration Executive Summary

The Air and Radiation Management Administration (ARMA) conducts enforcement and compliance activities in three programmatic areas: air quality, asbestos, and radiation.

The Air Quality Compliance Program continues to devote a significant portion of its capacity to ensuring compliance at approximately 600 high-impact sources. In addition to on-site inspections, the Program reviews report submittals, stack test results, sampling results, and continuous monitoring summaries to assess compliance at regulated facilities.

Low-impact facilities continue to be an area where only a small percentage of sources are inspected. This is due to the large numbers of these sources. In this arena, the Air Program continues to focus on vapor recovery systems at gas stations, as well as dry cleaners and other small sources. There are approximately 1,600 gas stations subject to vapor recovery requirements to limit emissions of volatile organic compounds, a ground-level ozone precursor. The Air Quality Compliance Program also continues to focus on ensuring compliance with federal air toxics requirements at dry cleaners and other small sources.

The Air Quality Compliance Program continues to receive a large number of air quality complaints, receiving about 500 in FY 2012. The Program responds to all complaints by telephone, prioritizing those that require a field inspection. Some complaint situations may need multiple follow-up inspections to address the concerns of the complainants and to ensure compliance with air quality requirements.

In the Asbestos Division, 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. The number of asbestos notifications received in FY 2012 was 2,973.

The Radiological Health Program (RHP) regulates both electronic sources of radiation and materials that are radioactive to prevent the general public from receiving any unnecessary exposure to radiation. Also, RHP is the primary State responder to public hazards involving radioactive materials, such as transportation incidents or a nuclear utility accident. Successes in FY 2012 include the continued implementation, through the licensing and inspection process, of increased security controls for those licensees with sufficient quantities and types of radioactive materials that, if stolen, would pose a national threat; the evaluation of the radiation safety and engineering aspects of a complex sealed source medical device prior to allowing the use and sale of the device across the nation; Maryland's implementation of the National Source Tracking System; and training of state and local personnel to assure statewide preparedness for a nuclear utility accident.

The Radiation Machine Division's procedure to assess fines for violations at the time of an inspection has increased overall compliance, with the greatest increase being observed in the medical facilities category. The number of enforcement actions against dental facilities has decreased significantly in FY 2012 due to a change in state law that took effect on June 1, 2010. The change provides that if dental facilities correct violations of regulatory

requirements within twenty working days of an inspection, the Department is prevented from assessing a financial penalty for those violations, unless they present a serious and probable danger to the patients or employees of a dental facility. A new requirement that all radiation machine facilities perform regular preventive maintenance on their radiation machines is anticipated to result in an increase in the initial compliance rate.

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

| | <u>2011 Totals</u> | <u>2012 Totals</u> |
|---|--------------------|--------------------|
| <u>PERMITTED SITES/FACILITIES</u> | | |
| Number of Permits/Licenses Issued | 1,479 | 1,441 |
| Number of Permits/Licenses in Effect at Fiscal Year End | 29,956 | 30,382 |
| <u>OTHER REGULATED SITES/FACILITIES</u> | | |
| Other Regulated Sites | 3,776 | 3,743 |
| <u>INSPECTIONS</u> | | |
| Number of Sites Inspected | 3,936 | 4,127 |
| Number of Sites Audited but Not Inspected | 988 | 963 |
| Number of Inspections, Audits, Spot Checks | 10,713 | 9,871 |
| <u>ENFORCEMENT ACTIONS</u> | | |
| Number of Compliance Assistance Rendered | 222 | 175 |
| Number of Enforcement Actions Taken * | 264 | 152 |
| <u>PENALTIES</u> | | |
| Amount of Administrative or Civil Penalties Obtained | \$928,634 | \$646,882 |

* The total of enforcement actions for each program as listed in the chart for each.

Ambient Air Quality Control

PURPOSE

There are approximately 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 the potential for significant risk to public health or the environment. Combined, this group of approximately 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, gas stations, 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.

SUCCESSES/CHALLENGES

Ensuring compliance at high-impact sources continues to consume a large portion of the Air Quality Compliance Program's resources, and this focused attention contributes to the high compliance rate for this category. In addition to on-site inspections, the Program reviews compliance certifications, report submittals, stack test results, sampling results, and continuous monitoring summaries to assess compliance at regulated facilities.

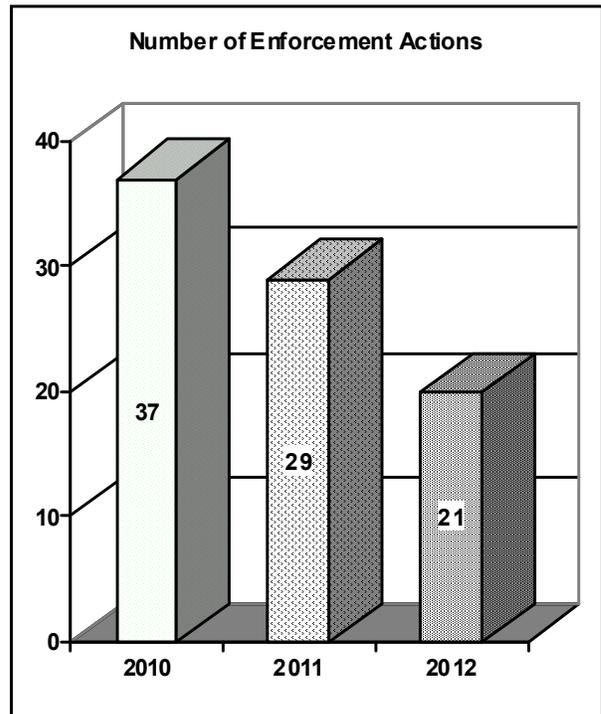
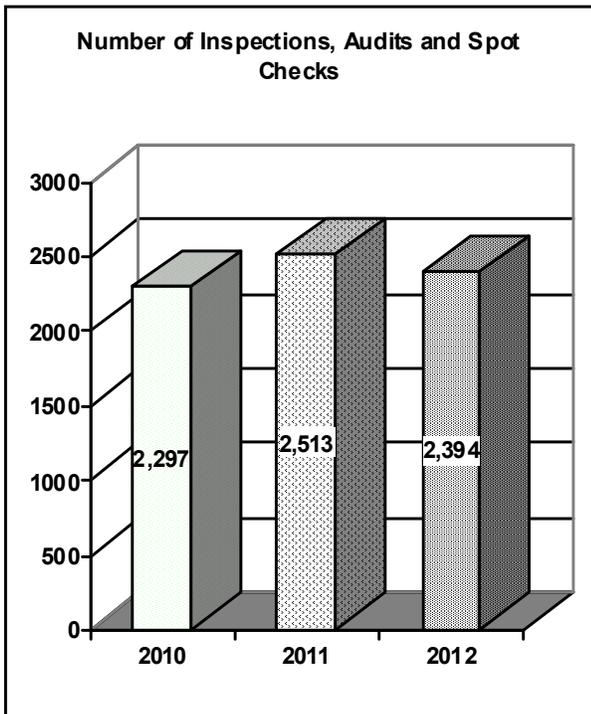
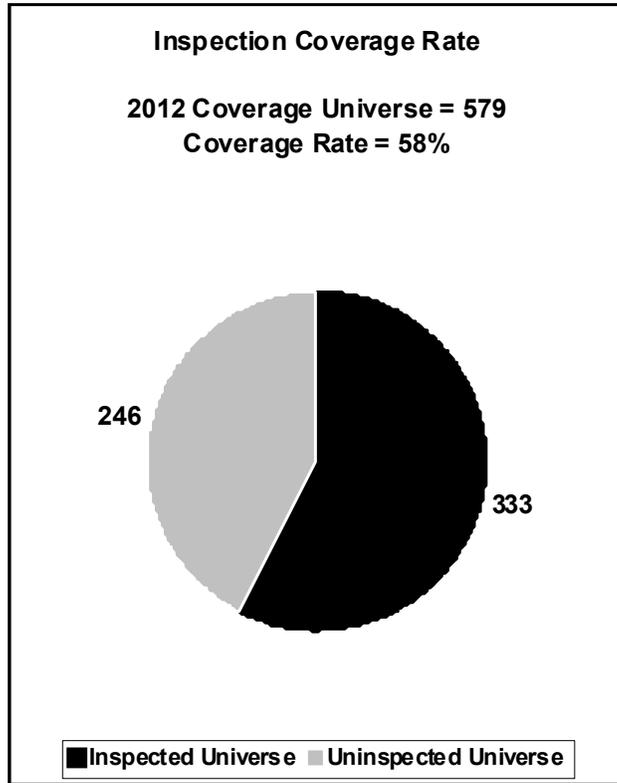
Challenges include addressing the growing list of air quality requirements at these large facilities with existing staff. Success has been achieved by identifying non-compliant facilities and ensuring a return to compliance.

Due to the large number of sources, low-impact facilities continue to be an area where only a small percentage of sources are inspected. In this arena the Air Program continues to focus on Stage II vapor recovery systems at gas stations, as well as dry cleaners and other small sources. There are approximately 1,600 gas stations subject to Stage II requirements to limit emissions of volatile organic compounds, a ground-level ozone precursor. The Air Program is also focusing on ensuring compliance with federal air toxics requirements at dry cleaners and other smaller sources.

Ambient Air Quality Control High-Impact Facilities

| Performance Measure | TOTAL |
|--|---|
| PERMITTED SITES/FACILITIES | |
| Number of sites/facilities | 579 |
| Number of permits/licenses issued | 222 |
| Number of permits/licenses in effect at fiscal year end | 3,912 |
| INSPECTIONS | |
| Number of sites inspected ("inspected" defined as at the site) | 333 |
| Number of sites audited but not inspected | 165 |
| Number of sites evaluated for compliance | 498 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 880 |
| Number of audits (captures number of reviews of file/submittals for compliance) | 1,514 |
| Number of inspections, audits, spot checks | 2,394 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 13 |
| Percentage of inspected sites/facilities with significant violations | 3% |
| Inspection coverage rate (number of sites inspected/coverage universe) | 58% |
| SIGNIFICANT VIOLATIONS | |
| Number of significant violations involving environmental or health impact | 5 |
| Number of significant violations based on technical/preventative deficiencies | 8 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 28 |
| Total number of significant violations | 41 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 20 |
| Ongoing | 21 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 39 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 1 0 1 |
| Number of stop work orders | 0 0 0 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 6 14 20 |
| Number of referrals to Attorney General for possible criminal action | 0 |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$421,500 |

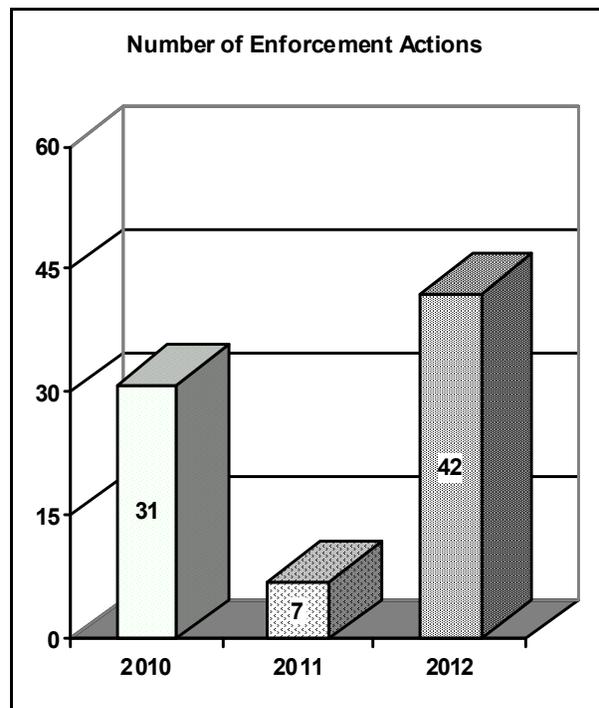
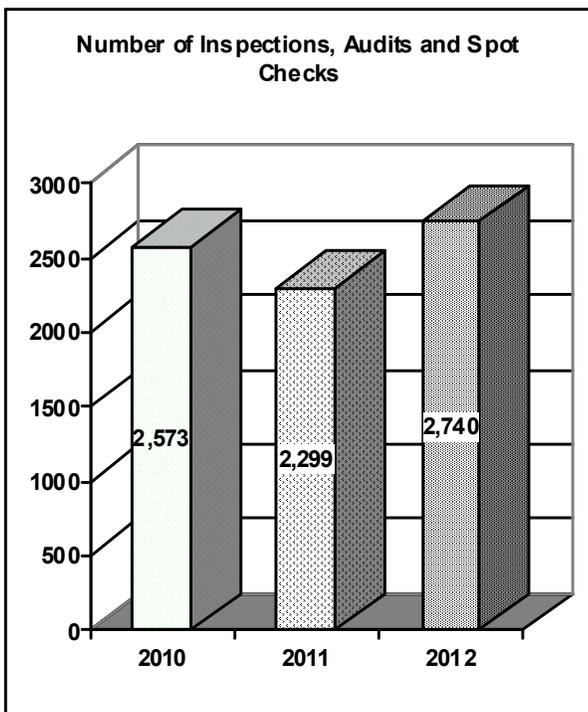
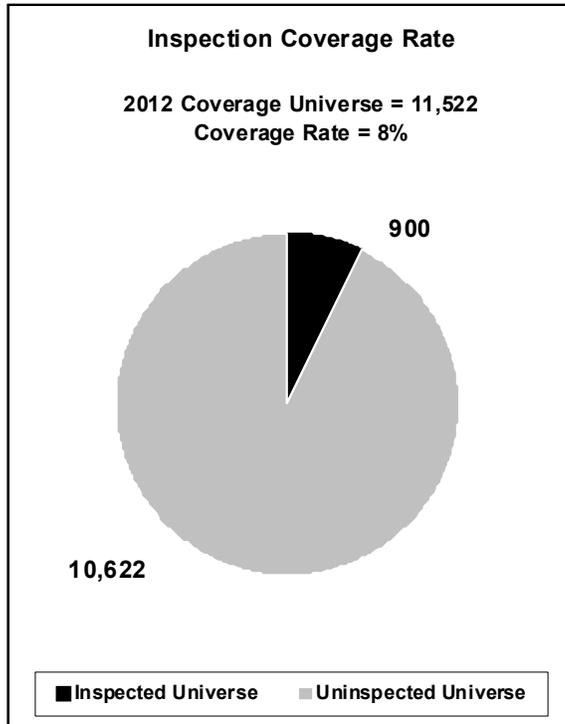
Ambient Air Quality Control High-Impact Facilities



Ambient Air Quality Control Low-Impact Facilities

| Performance Measure | TOTAL |
|--|---|
| PERMITTED SITES/FACILITIES | |
| Number of sites/facilities | 11,522 |
| Number of permits/licenses issued | 436 |
| Number of permits/licenses in effect at fiscal year end | 20,745 |
| INSPECTIONS | |
| Number of sites inspected ("inspected" defined as at the site) | 900 |
| Number of sites audited but not inspected | 798 |
| Number of sites evaluated for compliance | 1,698 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 1,073 |
| Number of audits (captures number of reviews of file/submittals for compliance) | 1,667 |
| Number of inspections, audits, spot checks | 2,740 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 32 |
| Percentage of inspected sites/facilities with significant violations | 2% |
| Inspection coverage rate (number of sites inspected/coverage universe) | 8% |
| SIGNIFICANT VIOLATIONS | |
| Number of significant violations involving environmental or health impact | 0 |
| Number of significant violations based on technical/preventative deficiencies | 32 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 3 |
| Total number of significant violations (sum of the three measures above) | 35 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 28 |
| Ongoing | 7 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 85 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 8 0 8 |
| Number of stop work orders | 0 0 0 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 34 0 34 |
| Number of referrals to Attorney General for possible criminal action | 0 |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$41,950 |

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 Quality Compliance 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 the 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 may lead to 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 reoccur, and result in no actual harm to public health or the environment.

SUCSESSES /CHALLENGES

The Air Quality Compliance Program received about 500 complaints in FY 2012. The Program responds to all complaints by telephone, prioritizing those that merit a field inspection. Some complaint situations needed multiple follow-up inspections to ensure compliance with air quality requirements. Based on their nature, some complaints at non-permitted sites need follow-up enforcement action to achieve compliance.

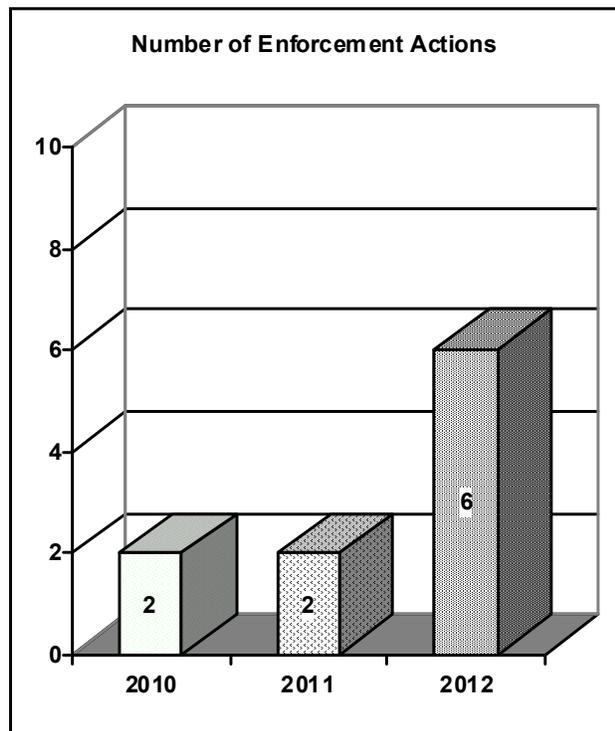
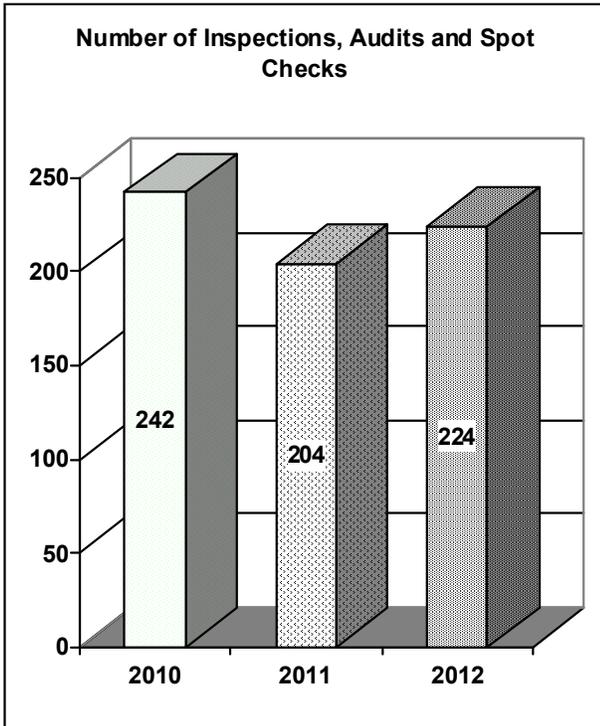
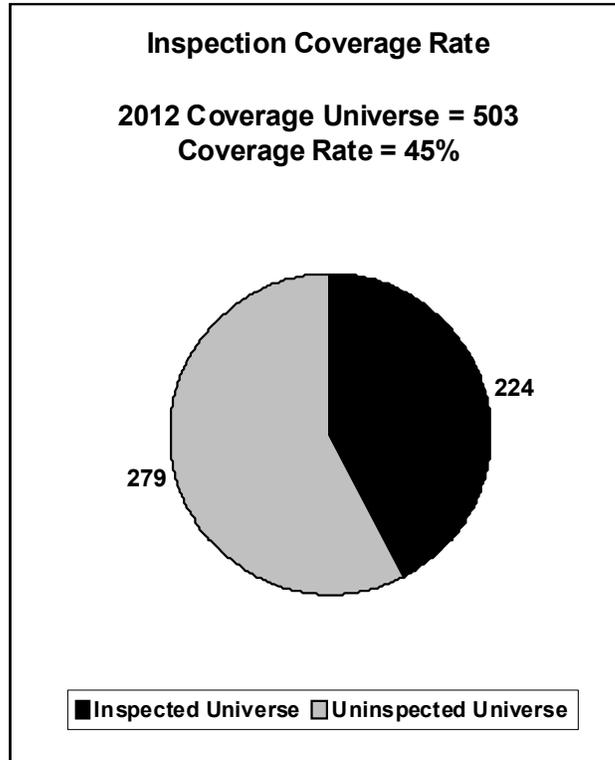
Many complaints are successfully resolved by the Program leading to improved quality of life for Maryland citizens. However some complaint situations can be challenging due to the sporadic nature of the problem, leading to difficulty in locating the source.

Air Quality Complaints

| Performance Measure | TOTAL |
|--|---|
| PERMITTED SITES/FACILITIES | |
| Number of sites/facilities | N/A |
| Number of permits/licenses issued | N/A |
| Number of permits/licenses in effect at fiscal year end | N/A |
| OTHER REGULATED SITES/FACILITIES | |
| Complaints received at all sites | 503 |
| Complaints received at unregistered/unpermitted sites | 382 |
| INSPECTIONS | |
| Number of unregistered/unpermitted sites inspected ("inspected" defined as at the site) | 149 |
| Number of inspections, spot checks at unregistered/unpermitted sites (captures number of compliance activities at sites) | 264 |
| Number of initial complaint inspections at all sites* | 224 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 6 |
| Percentage of inspected sites/facilities with significant violations | 4% |
| Inspection coverage rate (number of sites inspected/coverage universe) | 45% |
| SIGNIFICANT VIOLATIONS | |
| Number of significant violations involving environmental or health impact | 6 |
| Number of significant violations based on technical/preventative deficiencies | 0 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 7 |
| Total number of significant violations (sum of the three measures above) | 13 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 9 |
| Ongoing | 4 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 12 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 0 0 0 |
| Number of stop work orders | 0 0 0 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 6 0 6 |
| Number of referrals to Attorney General for possible criminal action | |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$1,325 |

*This line includes responses to complaints at permitted sites and unregistered/unpermitted sites and is used to calculate the coverage rate for complaints. The inspections and any enforcement actions at any permitted sites are captured in the sections for registered sources.

Air Quality Complaints



Asbestos

PURPOSE

The Air Quality Compliance Program's Asbestos Division manages the licensing of asbestos removal contractors and oversees their efforts when removing or encapsulating asbestos to ensure that asbestos is handled in a manner that is protective of human health. Any project that involves demolition or the removal of more than 240 linear feet or more than 160 square feet of asbestos-containing material is subject to federal 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 other large facility.

AUTHORITY

FEDERAL: Clean Air Act, Title 1, Section 112

STATE: Environment Article, Title 6, Subtitle 4; COMAR 26.11.21

PROCESS

Removing or encapsulating asbestos is required to be done by a contractor licensed by MDE. 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 such 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 the standards designed to protect workers and the public from exposure to asbestos.

INSPECTION COVERAGE RATE

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.

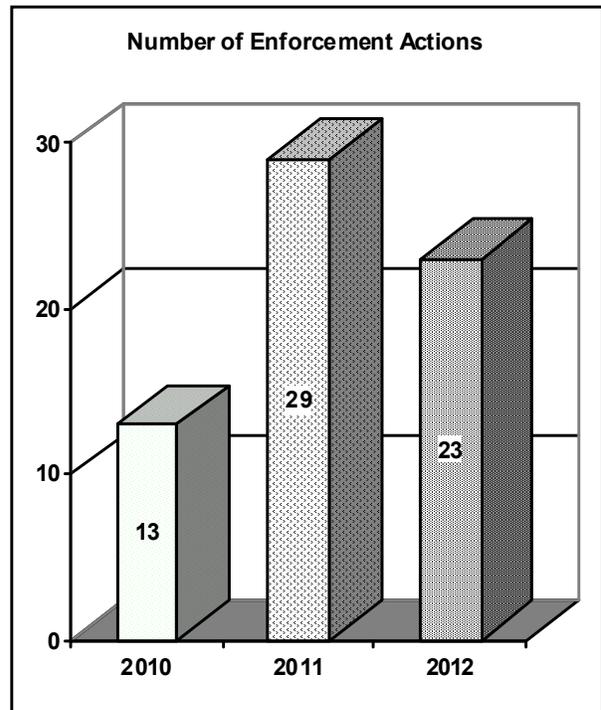
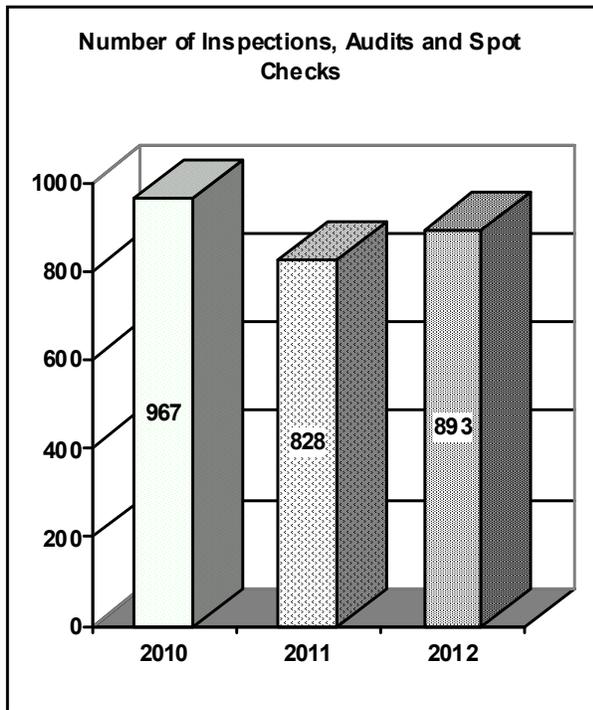
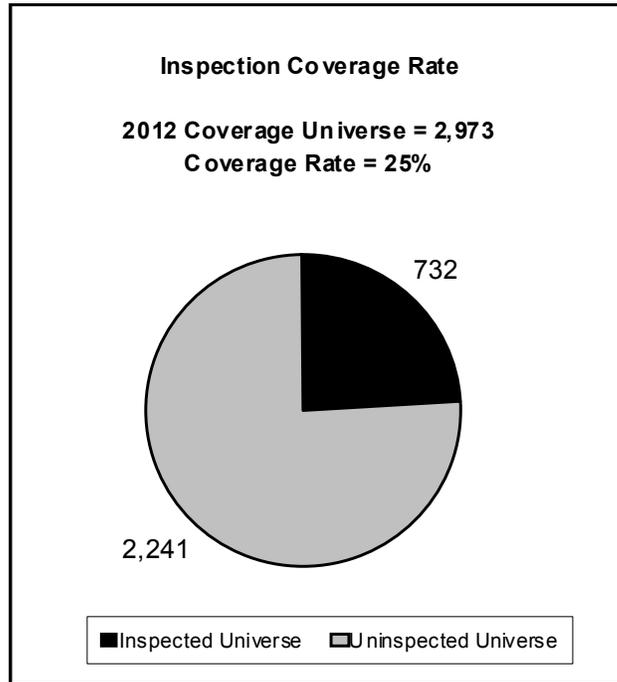
SUCSESSES/CHALLENGES

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 2012, the Division inspected about 25% of sites that provided notification to MDE, an increase over the 21% in FY 2011.

Asbestos

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|----|---|----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued (Asbestos Contractor Licenses) | 145 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 137 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of Asbestos Notifications Received | 2,973 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected (“inspected” defined as at the site) | 732 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 732 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 893 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 893 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 16 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 2% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 25% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 25 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 15 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 40 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 27 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 13 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 12 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">23</td> <td style="text-align: center;">0</td> <td style="text-align: center;">23</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td colspan="2"></td> <td style="text-align: center;">1</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | Number of stop work orders | 0 | 0 | 0 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 23 | 0 | 23 | Number of referrals to Attorney General for possible criminal action | | | 1 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 23 | 0 | 23 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 1 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 23 | 0 | 23 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 1 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$43,850 | | | | | | | | | | | | | | | | | | | | | | |

Asbestos



Radiation Machines Division

PURPOSE

The Radiation Machines Division (RMD) regulates manufactured electronic sources of radiation 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 security screening devices used in research or industry.

State regulations, which derive in part from U. S. Food and Drug Administration (FDA) statutory and regulatory directives and guidelines, require that all radiation exposures be “As Low As Reasonably Achievable” (ALARA). Radiation exposure can cause adverse health effects, with risk that varies depending upon the amount of radiation received, frequency of radiation exposures, and radio-sensitivity of body parts. Although the medical benefits of diagnostic and therapeutic treatment procedures far outweigh potential risks of sustained biological damage, evidence suggests that cells in the human body can be damaged by numerous small exposures over time, and that these multiples exposures have a cumulative health effect that may be as detrimental as receiving a single large exposure. There is growing awareness in the health community that human health impacts from radiation machine procedures, such as computed tomography (CT), are on the rise due to the increased use of this radiation machine. To some degree, x-ray imaging has replaced procedures that do not require radiation, such as ultrasound or magnetic resonance, causing the general public to increase their level of radiation exposure.

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

The RMD ensures all radiation machine facilities are inspected on cycles required by statute, regulation, administrative policy, or contract. Note that while mammography inspection reports are provided to the FDA for follow-up enforcement actions, the FDA’s response actions are not included in this report.

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 certification are required to renew the radiation machine facility registration on the same schedule as the certification inspection frequency presented in the chart below.

SUCCESSSES/CHALLENGES

Medical facilities continue to have a high rate of compliance. A contributing factor to the increased compliance is believed to be the relatively new regulatory requirement that all radiation machines be maintained according to manufacturer specifications. For a radiation

machine, the potential consequence of failure to perform recommended maintenance is greater radiation exposure than clinically necessary to patients and occupational workers. Machine maintenance is now reported to and tracked by the RHP. The RMD has replaced the current Paradox database system with a new database that houses all of the radiation machines information in one location, making it a more efficient system. The RMD continues to work with the regulated community regarding health issues.

The number of enforcement actions against dental facilities has decreased significantly in FY 2012 due to a change in state law that took effect on June 1, 2010. The change provides that if dental facilities correct violations of regulatory requirements within twenty working days of an inspection the Department is prevented from assessing a financial penalty for those violations, unless they are deemed to present a serious and probable danger to the patients or employees of a dental facility.

Whenever a misadministration or an overexposure at a registered facility occurs, the RMD attends all radiation safety meetings held by the facility. These meetings are mandated by a Departmental Order and provide a forum to address public health concerns and improve radiation safety procedures.

The chart below shows the types of facilities regulated 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 | 2 facilities, 2 Certified Tubes | Annual |
| Medical (Therapy) Accelerators | 43 facilities, 76 Certified Tubes | Annual |
| Hospitals | 63 facilities, 1,188 Certified Tubes | Biennial |
| Physicians: Chiropractic, MD, GP, Podiatric | 1,230 facilities, 1,848 Certified Tubes | Biennial |
| Industrial | 298 facilities, 624 Certified Tubes | Triennial |
| Dental | 2,806 facilities, 10,191 Tubes | Triennial |
| Veterinary | 450 facilities, 617 Tubes | Triennial |
| Mammography | 139 facilities, 194 tubes | Annual |

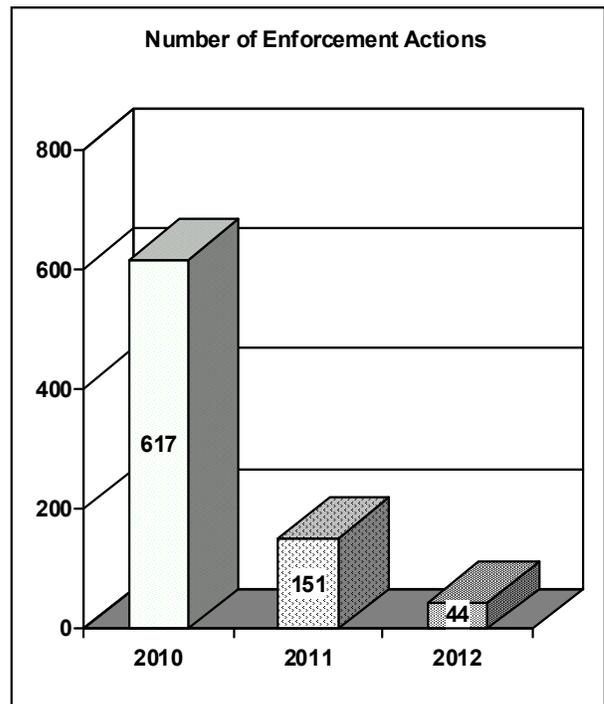
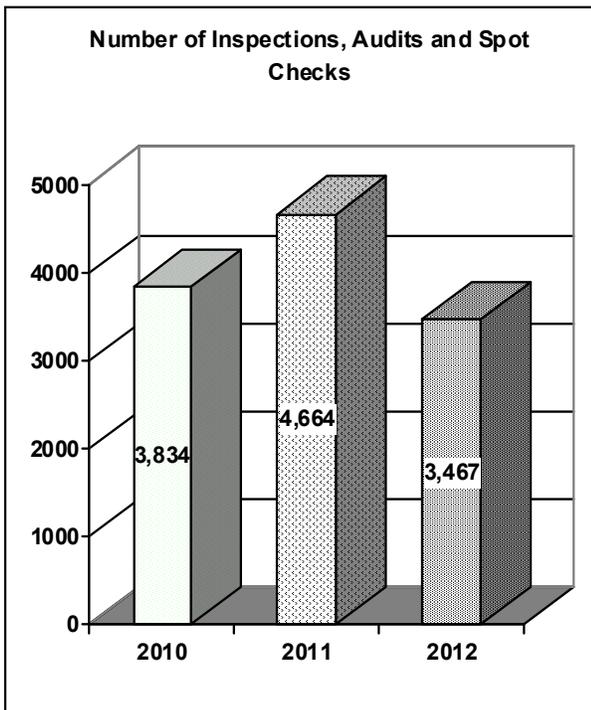
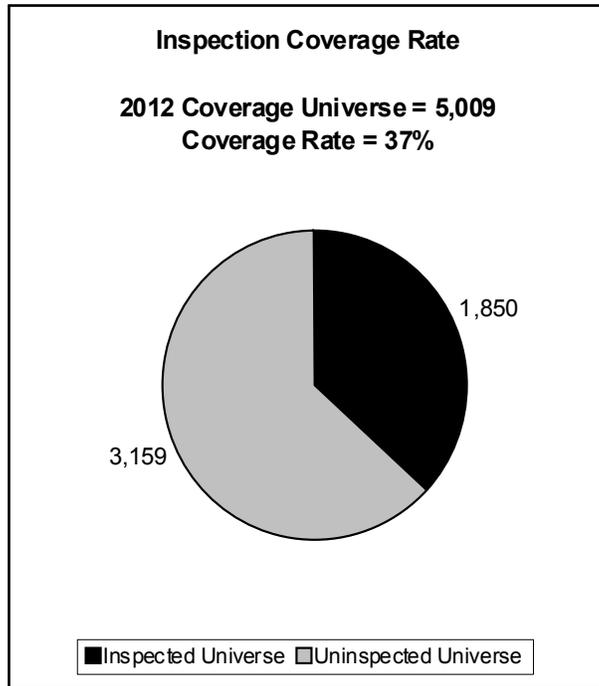
*Code of Maryland Regulations (COMAR) 26.12.03 states that "Radiation Machine" means a device that is capable of producing radiation. On any radiation-producing equipment with more than one x-ray tube, or other single point from which radiation may be emitted, each x-ray tube or radiation emission point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

| Performance Measure | | TOTAL | |
|---|----------------|----------------|----------|
| PERMITTED SITES/FACILITIES | | | |
| Number of new facility registrations issued | | 305 | |
| Number of facility registrations in effect at fiscal year end | | 5,009 | |
| OTHER REGULATED SITES/FACILITIES | | | |
| Number of service companies registered at fiscal year end | | 219 | |
| Number of licensed private inspectors at fiscal year end | | 84 | |
| Number of plan review or area surveys reviewed at fiscal year end | | 175 | |
| INSPECTIONS | | | |
| Number of sites inspected ("inspected" defined as at the site) | | 1,850 | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | 0 | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | 1,850 | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | 3,467 | |
| Number of audits (captures number of reviews of file/submittals for compliance) | | 0 | |
| Number of inspections, audits, spot checks (sum of the two measures above,) | | 3,467 | |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations | | 354 | |
| Percentage of inspected sites/facilities with significant violations | | 21% | |
| Inspection coverage rate (number of sites inspected/coverage universe) * | | 37% | |
| SIGNIFICANT VIOLATIONS | | | |
| Number of significant violations involving environmental or health impact | | 0 | |
| Number of significant violations based on technical/preventative deficiencies | | 715 | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | | 181 | |
| Total number of significant violations (sum of the three measures above) | | 896 | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | 730 | |
| Ongoing | | 166 | |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | | 0 | |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 9 | 3 | 12 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 32 | 0 | 32 |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$91,573 |

* 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 Division



Radioactive Materials Licensing and Compliance

PURPOSE

The Radioactive Materials Licensing and Compliance Division (RAMLCD) issues licenses to, and inspects, hospitals, cancer treatment and diagnostic imaging centers, private medical practices, construction, research and development firms, academic institutions, nuclear pharmacies, and manufacturers and distributors of sealed sources and devices (SS&D). Regulation of the use, handling, and control of both generally and specifically licensed radioisotopes is mandated to protect the health and safety of radiation workers and the general public as well as minimize environmental contamination. Facility radiation safety programs and authorized activities are evaluated during the licensing and inspection process to confirm a strong radiation safety culture and to establish compliance with Maryland ionizing radiation regulations in such areas as security of radioactive material; training of personnel; possession of adequate protective devices; and control of radiation hazards. The RAMLCD is also the primary State responder to public hazards involving radioactive material, such as transportation incidents or any other incidents involving loss of control of radioactive material in a Maryland jurisdiction. The RAMLCD also provides radiological technical input and coordination for statewide emergency preparedness in the areas of shipment of high level radioactive waste through Maryland; increased security of certain types of facilities possessing radioactive material; facilitation of training of local responders to radiation emergencies; and assistance in the evaluation, coordination, and implementation of policies and procedures for preventive radiological nuclear detection. RHP is also one of the primary State responders should there be a radiation incident at a fixed nuclear facility with potential impact to Maryland residents. The RAMLCD also evaluates new and modified devices containing sealed radiation sources submitted by Maryland companies for radiation safety and engineering reliability prior to the issuance of 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 RAMLCD issues licenses with a seven-year term for approximately 52 types of radioactive material use in accordance with established guidance. The RAMLCD inspects facilities for compliance with radiation regulations and adherence to license conditions and radiation safety procedures and practices. Inspections are performed over a one-to-four-day period by one inspector or a team of inspectors at a frequency based on the quantity, activity and toxicity of the radioisotope(s), the potential hazard resulting from its use, and the nature of the operation. Inspection frequency ranges from annual to every five years, with possible modification for licensees with a poor compliance history. When violations occur, corrective actions are required and are verified through several means, including possible follow-up inspections. RAMLCD also conducts investigations throughout Maryland in response to radioactive materials (RAM) incident reports, complaints, suspected

violations, or unauthorized RAM use. The Division also oversees the decommissioning of previously-licensed RAM facilities, conducts safety evaluations on RAM sources and devices, and performs pre-licensing visits to all applicants prior to the issuance of a license. Additionally, the RAMLCD performs inspections on at least 25% of the most hazardous radiation operations conducted in Maryland by out-of-state radioactive material licensees under reciprocal recognition of their licenses.

SUCSESSES/CHALLENGES

Successes in FY 2012 include the continued implementation, through the licensing and inspection process, of increased security controls for those licensees with sufficient quantities and types of radioactive materials, that if stolen would pose a national security threat; the evaluation of the radiation safety and engineering, and the device registration, of a complex sealed source medical device prior to allowing the use and sale of the device across the nation; Maryland’s continued implementation of the National Source Tracking System; training of state and local personnel to assure statewide preparedness for a nuclear utility accident; and assisting in the implementation of policies and procedures for the State’s preventive radiological nuclear detection activities and radiological response capabilities regarding a malicious use of radioactive material. Challenges include the further evaluation and implementation of increased security for radioactive material in Maryland, continued outreach and education of Maryland citizens regarding the actual hazards of ionizing radiation, and further implementation of preventive radiological detection in Maryland.

INSPECTION COVERAGE RATE

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:

| Inspection Frequency | Number of Licenses | Examples of License Types |
|-----------------------------|---------------------------|--|
| Annual | 8 | Academic & Medical Research Nuclear Pharmacies Gamma Knife (cancer therapy) Remote Afterloader (cancer therapy) Industrial Radiography |
| 2 Years | 49 | Mobile Medical Vans |
| 3 Years | 121 | Hospitals Brachytherapy (cancer therapy) Medical Offices |
| 5 Years | 400 | Fill/Density Gauges Nuclear Pacemakers Diagnostic Nuclear Medicine |

Notes for above table:

Licenses inspected in the annual, two-year and three-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 half a day with one inspector for the five-year inspection frequency, to a four-day inspection with three inspectors for certain extremely complex annual inspections.

Radioactive Materials

| Performance Measure | | | TOTAL |
|---|--------------------|----------------|--------------------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | | | 333 |
| Number of permits/licenses in effect at fiscal year end | | | 579 |
| OTHER REGULATED SITES/FACILITIES | | | |
| Sources from other jurisdictions | | | 48 |
| INSPECTIONS | | | |
| Number of sites inspected ("inspected" defined as at the site) [*] | | | 88 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | | 0 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | | 136 ^{***} |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | | 113 |
| Number of audits (captures number of reviews of file/submittals for compliance) | | | 0 |
| Number of inspections, audits, spot checks (sum of the two measures above) | | | 113 |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations | | | 1 |
| Percentage of inspected sites/facilities with significant violations | | | 1% |
| Inspection coverage rate (number of sites inspected/coverage universe) ^{**} | | | 14% |
| SIGNIFICANT VIOLATIONS | | | |
| Number of significant violations involving environmental or health impact | | | 0 |
| Number of significant violations based on technical/preventative deficiencies | | | 3 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | | | 3 |
| Total number of significant violations (sum of the three measures above) | | | 6 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | | 6 |
| Ongoing | | | 0 |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | | | 27 |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 15 ^{****} | 1 | 16 |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$46,684 |

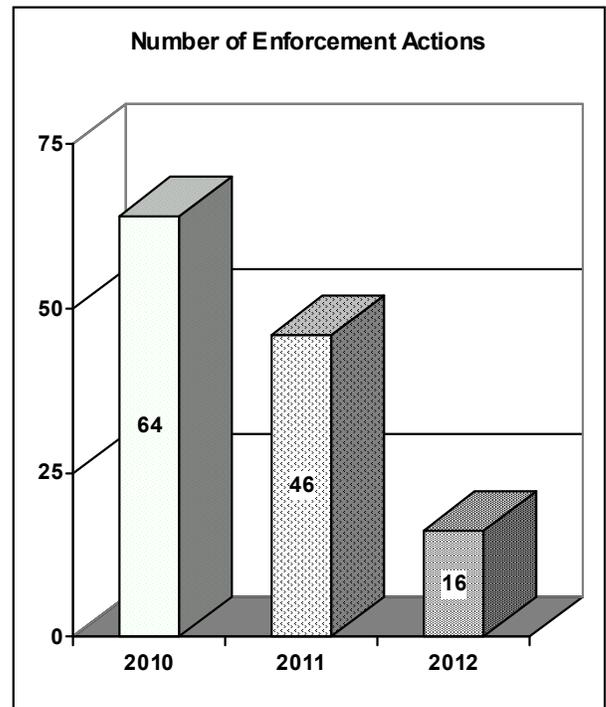
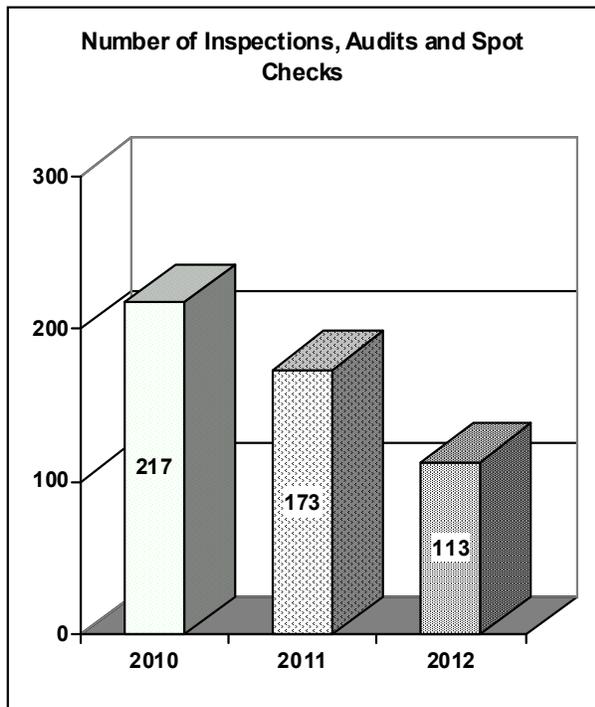
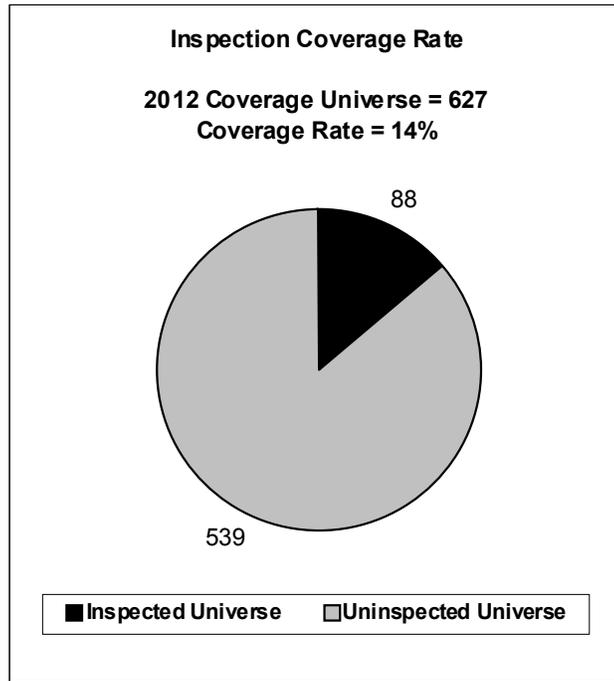
* Number of licensees inspected at least once

** 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.

***This value exceeds the sum of the two rows above due to radioactive material inspections sometimes being conducted at more than one site for a given source.

****This number includes notices of violation issued for non-significant violations.

Radioactive Materials



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LAND MANAGEMENT ADMINISTRATION

Land Management Administration Executive Summary

The Land Management Administration (LMA) is responsible for enforcing requirements related to underground storage tanks, lead paint, and solid and hazardous waste management at municipal landfills, military bases, large industrial complexes, and farms.

In FY 2012, the number of sites inspected and the number of site inspections conducted decreased as compared to FY 2011. The total number of inspections, spot checks, and audits decreased by 2% in FY 2012 as compared to FY 2011. Compliance assistance actions were essentially unchanged from FY 2011. The number of enforcement actions increased by 17% in FY 2012 as compared to FY 2011. There was a slight decrease in number of permits and licenses in effect during FY 2012 as compared to FY 2011 and the number of other regulated sites/facilities slightly increased in FY 2012.

Hazardous Waste staff ensure protection of public health and the environment from releases of hazardous waste. In FY 2012, there were 20 permitted Treatment, Storage, and Disposal (TSD) facilities in Maryland. Waste minimization activities by generators of hazardous waste continue to reduce the need for treatment, storage and disposal of hazardous waste. The number of inspections, audits, and spot checks of Hazardous Waste sites increased in FY 2012 to 580 from 426 in FY 2011.

In the Lead Poisoning Prevention Program, the percentage of children statewide with blood lead levels equal to or greater than 10 micrograms per deciliter decreased from the previous year. The total number of inspections, audits and spot checks decreased to 29,520 in FY 2012 from 36,750 in FY 2011. In FY 2012, the number of enforcement actions increased to 978 from 884 in FY 2011. Many of the enforcement actions continue to result 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 (OCP) from 990 in FY 2011 to 937 in FY 2012, the seventh consecutive year of decrease. The number of above-ground oil storage facilities inspected decreased to 356 in FY 2012 from 390 in FY 2011, and the number of inspections, audits, and spot checks increased to 917 in FY 2012 from 638 in FY 2011. Spill response activities increased to 174 in FY 2012 from 121 in FY 2011. The number of underground storage tank sites inspected decreased to 1,247 in FY 2012 from 2,392 in FY 2011. However, due to OCP's private third-party inspection program and the filling of staff vacancies, the number of inspections, audits, and spot checks increased rapidly in recent years from just 399 in FY 2006 to 5,645 in FY 2012. Concurrently, the enforcement activities increased to 143 in FY 2012 from 132 in FY 2011.

The Solid Waste Program's Enforcement Division is responsible for overseeing Refuse Disposal, Scrap Tires Enforcement, Sewage Sludge Utilization, and Natural Wood Waste Recycling Activities' enforcement. In the refuse disposal function, the inspection coverage rate for permitted facilities was maintained during FY 2012 at 100%. The Solid Waste Program's number of refuse disposal site inspections increased during FY 2012 to 1,068 from 1,064 in FY 2011 with visits to 286 sites. The enforcement actions increased to 118 from 59 in FY 2011. A total of 59 significant violations were resolved and 19 compliance assistance actions rendered in FY 2012.

During FY 2012, 160 operators submitted Notices of Intent to be covered by either a Concentrated Animal Feeding Operation (CAFO) or a Maryland Animal Feeding Operation (MAFO) permit and 324 operations were fully registered under the General Discharge Permit. A total of 174 inspections were conducted at CAFO/MAFO Sites and 14 enforcement actions were issued.

The Program continued the cleanup of scrap tire stockpiles, with 62 stockpiles and approximately two million scrap tires remaining to be cleaned up. New stockpiles are still discovered every year, and during FY 2012 a total of 55 new sites were discovered. A total of 56 stockpiles were cleaned up in FY 2012, resulting in removal of 1,031,821 scrap tires. There was a decrease in the numbers of scrap tire site inspections conducted in FY 2012 to 598 from 801 in FY 2011. In addition, there were 754 audits of semi-annual scrap tire reports, which resulted in the decrease cumulative count of 1,352 inspections and audits. The number of scrap tire enforcement actions increased to 16 in FY 2012 from 12 in FY 2011, and 25 significant violations were resolved in FY 2012.

There were no enforcement actions related to unpermitted land application of sewage sludge during FY 2012. The Program's number of inspections decreased to 336 during this reporting period compared to 453 in FY 2011. Enforcement actions in FY 2012 increased to 5 from 2 in FY 2011.

The Mining Program achieved 100 percent inspection rate for coal mining sites again in FY 2012. The inspection rate for non-coal mining sites decreased in FY2012 to 78% from 97% in FY 2011 due to vacancies in staff. The Governor established The Marcellus Shale Safe Drilling Initiative in 2011 via executive order. The Marcellus Shale Advisory Commission is currently developing recommendations for best drilling practices in Maryland and more information is available on MDE's web page.

**Land Management Administration
Performance Measures Executive Summary**

| | <u>2011 Totals</u> | <u>2012 Totals</u> |
|---|--------------------|--------------------|
| <u>PERMITTED SITES/FACILITIES</u> | | |
| Number of Permits/licenses Issued | 3,025 | 2,401 |
| Number of Permits/Licenses in Effect at Fiscal Year End | 9,772 | 9,329 |
| <u>OTHER REGULATED SITES/FACILITIES</u> | | |
| Other Sites | 150,213 | 150,272 |
| <u>INSPECTIONS</u> | | |
| Number of Sites Inspected | 41,499 | 32,667 |
| Number of Sites Audited but Not Inspected | 3,508* | 2,482 |
| Number of Inspections, Audits, Spot Checks | 61,035 | 51,580 |
| <u>ENFORCEMENT ACTIONS</u> | | |
| Number of Compliance Assistance Rendered | 14,301 | 14,551 |
| Number of Enforcement Actions Taken | 1,223 | 1,440 |
| <u>PENALTIES</u> | | |
| Amount of Administrative or Civil Penalties Obtained | \$1,077,067 | \$1,095,590 |

*A math error in the FY 2011 report led to this being incorrectly reported as 9,617.

Land Restoration Program

PURPOSE

The Land Restoration Program (LRP) protects public health and the environment by identifying sites that are, or potentially are, contaminated by controlled hazardous substances. Until 1997, Maryland placed sites where hazardous substances were released or possibly released on the State Master List (see Appendix I) and in the Disposal Site Registry. The sites were prioritized for remedial activities. Starting in 1997, newly identified sites have been recorded on the State Non-Master List. The Non-Master List sites can be found on the Department's website at this link:

<http://www.mde.state.md.us/programs/Land/MarylandBrownfieldVCP/LRPSites/Pages/LRP.aspx>

Check the box for "Non-Master List" and click "Submit". The Department is developing a combined list, which will be implemented in FY 2013.

AUTHORITY

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

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

PROCESS

LRP conducts and/or oversees environmental assessment and cleanup projects in Maryland. The assessment activities include investigating and sampling sites to determine whether cleanup is necessary. If the identified contamination is determined to represent a risk to public health or the environment, remedial activities are conducted to address the sites contaminated by controlled hazardous substances. Assessments and cleanups are conducted based on available resources. The Disposal Site Registry shall include all the sites for which the State performed a preliminary site assessment, determined hazardous waste is present, and shall use State funds to conduct remedial action as no viable responsible party has been identified. This list shall be updated annually. The Disposal Site Registry shall include all the information and ranking set forth in Title 7-233(f)(2).

SUCCESSSES/CHALLENGES

The number of sites on the State Master List at the end of FY 2012 was 229. During the year, an additional 22 sites were moved to the Formerly-Investigated Sites category (see Appendix J) for a total of 209 sites given this designation. The Disposal Site Registry included 19 National Priority List (NPL) sites, which are addressed by USEPA under the federal Superfund law. The Non-Master List contains 89 sites that have been identified statewide with known or potential contamination and another 174 sites that have been archived and transferred to the Non-Master List – Formerly Investigated Sites.

The LRP is continuing to work with EPA on seven active private NPL sites and one site that is being managed under the EPA's Superfund Alternative Site (SAS) Initiative, which allows the Responsible Party to implement a NPL-caliber remediation without NPL listing. Because of a recent reorganization, the LRP also addresses 10 Federal NPL sites. The Program

conducted 29 Pre-CERCLIS Screening Reports, two Preliminary Assessments, five combined Preliminary Assessment/Site Investigations, one Site Investigation, two Expanded Site Investigations, one Formerly Used Defense Sites (FUDS) Preliminary Assessment and one FUDS Site Investigation during FY12.

Hazardous Waste

PURPOSE

The Resource Conservation and Recovery Act (RCRA) established a system for controlling the disposition of hazardous waste from generation to disposal. Responsibility for implementing Maryland's hazardous waste regulatory program has been assigned to the Land Management Administration's Waste Diversion and Utilization Program (WDUP), Solid Waste Program (SWP) and Operational Services Program (OSP) in a reorganization that occurred in the beginning of FY 2012. WDUP is responsible for the review and issuance of hazardous waste treatment, storage, or disposal (TSD) facility permits. WDUP also partners with the U.S. Environmental Protection Agency in the review, issuance, and monitoring of Corrective Action Permits. The SWP's Compliance Division 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, Consent Orders and Complaint and Orders. OSP is responsible for issuing EPA generator ID numbers.

AUTHORITY

FEDERAL: Resource Conservation and Recovery Act (RCRA) - Subtitle C

STATE: Environment Article, Title 7, Subtitle 2; COMAR 26.13

PROCESS

SWP's Compliance Division is responsible for violation discovery and compliance activities. The focus of the enforcement program is on permitted hazardous waste 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 TSD facilities, as well as those that receive off-site waste, are inspected at least once a year.

The program targets and regularly inspects federally-defined large quantity generators (LQGs). LQGs are defined in Federal regulations as generating 2200 pounds or more of hazardous waste in any calendar month. New generators that have never been inspected are the first priority along with those that have not been inspected in the last three years. There were approximately 375 LQGs in Maryland in FY 2012. In addition to TSDs and LQGs, Maryland also has almost 10,000 facilities that are federally registered as generating smaller quantities of hazardous waste. Resources do not allow routine inspection of these generators, so they are generally inspected only when complaints are received.

SUCCESSSES/CHALLENGES

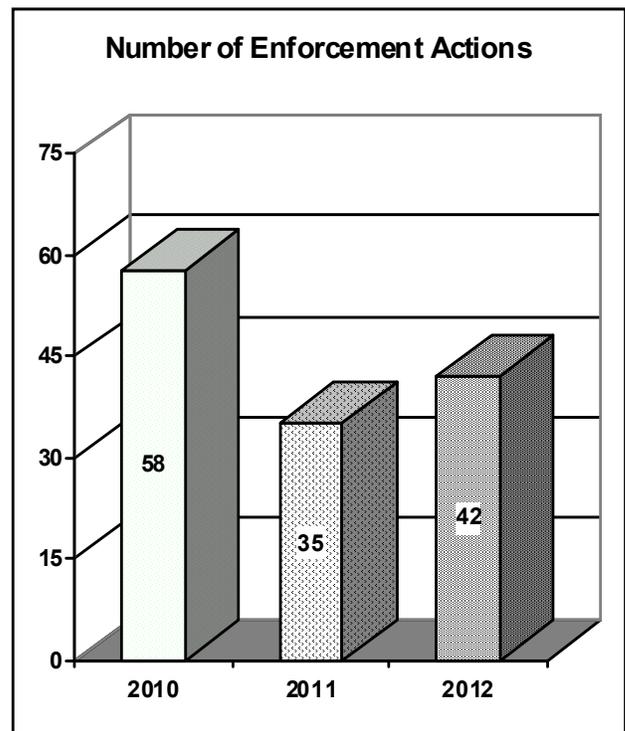
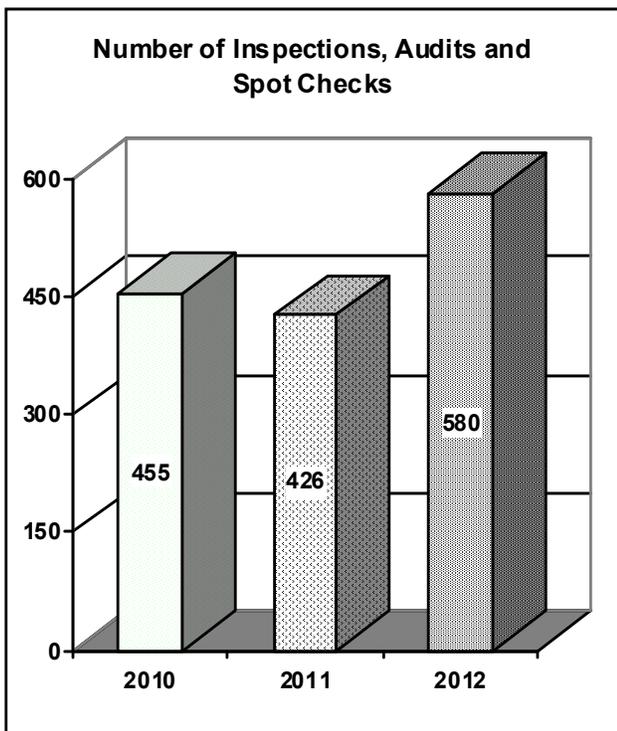
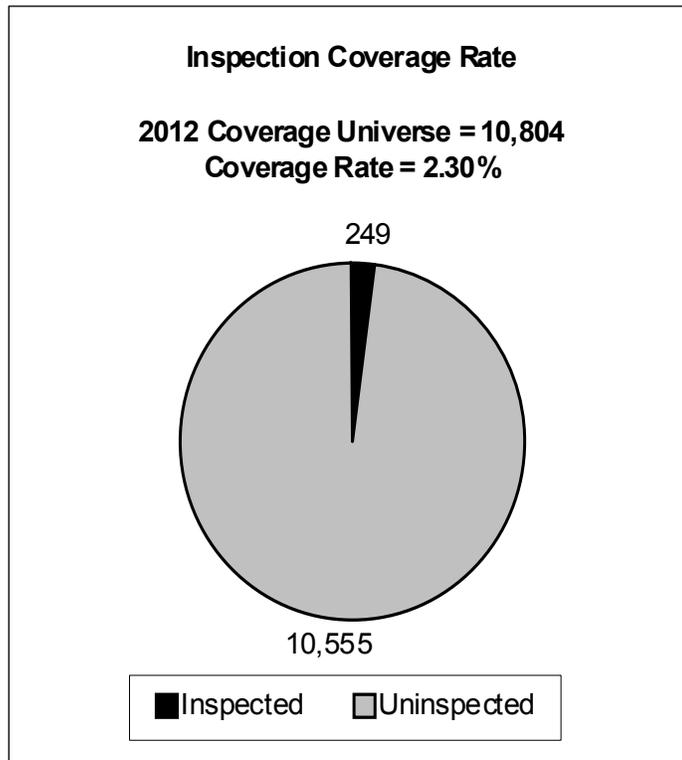
SWP's enforcement and compliance program found fewer significant violations in FY 2012 but more minor violations that were addressed through Notice of Violation letters. During FY 2012, the inspection coverage rate increased from 1.57% in FY 2011 to 2.30% in FY 2012. A total of 316 sites were evaluated for compliance and 249 of these sites received on-site inspections.

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Hazardous Waste

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|----|---|----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/registrations issued | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/registrations in effect at fiscal year end | 20 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hazardous waste generators | 10,804 | | | | | | | | | | | | | | | | | | | | | | | | |
| New EPA ID numbers Issued | 400 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected (“inspected” defined as at the site) | 249 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites receiving off-site audits and record reviews, but not inspected | 67 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 316 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 511 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of off-site audits (captures number of reviews of file/submittals for compliance) | 69 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of inspections, audits and spot checks | 580 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 0% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 2.30 % | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 23 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 24 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 14 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 10 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 37 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">42</td> <td style="text-align: center;">0</td> <td style="text-align: center;">42</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td colspan="2"></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | Number of stop work orders | 0 | 0 | 0 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 42 | 0 | 42 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 42 | 0 | 42 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$50,100 | | | | | | | | | | | | | | | | | | | | | | | | |

Hazardous Waste



Lead Poisoning Prevention Program

PURPOSE

The Lead Poisoning Prevention Program (LPPP) oversees activities designed to reduce the incidence of childhood lead poisoning. These activities involve accreditation and oversight of lead abatement services contractors, maintenance of a registry of children with elevated blood lead levels (greater than or equal to 10 micrograms per deciliter), and enforcement of the statute and regulations. OSP works closely with LPPP and is responsible for the maintenance of the registry of rental properties.

AUTHORITY

FEDERAL: Toxic Substances Control Act

STATE: Environment Article, Title 6, Subtitles 3, 8 & 10; COMAR 26.16.01-.04 and Environment Article, Title 7, Subtitle 2; COMAR 26.02.07

PROCESS

All affected properties (pre-1950 rental dwelling properties) must meet specified standards of care: risk reduction standards, registration of the rental property, and distribution to tenants of two documents explaining tenant rights and the hazards of lead paint. Maryland law requires that all blood lead level test results be reported to MDE, which in turn reports all results for children at risk to the local Health Departments for case management.

SUCSESSES/CHALLENGES

The number of children tested with blood lead levels greater than or equal to 10 micrograms per deciliter ($\leq 10 \mu\text{g}/\text{dl}$) decreased from 539 in CY 2010 to 432 in CY 2011. The percentage of children with blood levels $\leq 10 \mu\text{g}/\text{dl}$ dropped from 0.5% in CY 2010 to 0.4% in CY 2011. However, testing of children between the ages of 0-72 months decrease from 23.4% in CY 2010 to 21.9% in CY 2011. It should be noted that the population of children between the ages of 0-72 months increased in Maryland from 491,598 in CY 2010 to 500,702 in CY 2011. The 2000 Targeting Plan used to lead screen children in Maryland is currently being re-evaluated.

Staffing shortage continues to affect our inspection coverage rate. The inspection coverage of the regulated community decreased from 27% in FY 2011 to 22% in FY 2012. The number of compliance inspections performed by MDE inspectors decreased from 3,664 in FY 2011 to 3,402 in FY 2012. The Program continues to establish compliance partners by collaborating with other government agencies statewide. This coordination has allowed the Program to do more targeted enforcement in the State. As a result of this coordination the number of enforcement actions increased from 607 in FY 2011 to 656 in FY 2012.

Most of the decrease in the coverage rate was a result of a decrease in the reported inspections by MDE accredited lead inspectors. These accredited third-party inspectors provide an important role in compliance with the lead paint laws in Maryland. Accredited inspectors are hired by property owners primarily to perform lead inspections required by law on pre-1950 residential rental properties. Inspections are mandated before tenants move into pre-1950 residential rental units. The results of their inspections are submitted to MDE which may result in oversight of the inspectors work. MDE does not directly control the activities of these accredited inspectors.

An additional factor that affected this year's number is a change to the form and quality assurance procedures for the data entry of the accredited inspector reports. These reports are entered by a contractual data entry service. The program implemented new procedures this year that reduced the possibility of overcounting the activities.

Lead Poisoning Prevention

| Performance Measure | TOTAL |
|---|---|
| PERMITTED SITES/FACILITIES | |
| Number of permits/registrations issued (accreditations) | 1,246 |
| Number of permits/registrations (accreditations) in effect at fiscal year end | 2,800 |
| OTHER REGULATED SITES/FACILITIES | |
| Rental dwelling units registered this year* | 50,561 |
| Total rental dwelling units in registered properties** | 85,363 |
| Affected properties as of end FY | 134,530 |
| INSPECTIONS | |
| Number of sites inspected ("inspected" defined as at the site) | |
| By accredited lead paint service providers | 25,557 |
| By MDE | 3,402 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 9 |
| Number of sites evaluated for compliance (sum of the three measures above, same as #11 on the prior charts) | 28,968 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | |
| By accredited lead paint service providers | 25,557 |
| By MDE | 3,954 |
| Number of audits (captures number of reviews of file/submittals for compliance) | 9 |
| Number of inspections, audits, spot checks (sum of the three measures above) | 29,520 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 247 |
| Percentage of inspected sites/facilities with significant violations *** | 7% |
| Inspection coverage rate (number of sites inspected/coverage universe) **** | 22% |
| SIGNIFICANT VIOLATIONS | |
| Number of significant violations involving environmental or health impact | 878 |
| Number of significant violations based on technical/preventative deficiencies | 17 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 790 |
| Total number of significant violations (sum of the three measures above) | 1,685 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 711 |
| Ongoing | 974 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 119 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 656 0 656 |
| Number of stop work orders | 0 0 0 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 322 0 322 |
| Number of referrals to Attorney General for possible criminal action | 1 |
| Number of SEPs entered into / units affected | 9/1,238 |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$694,689 |

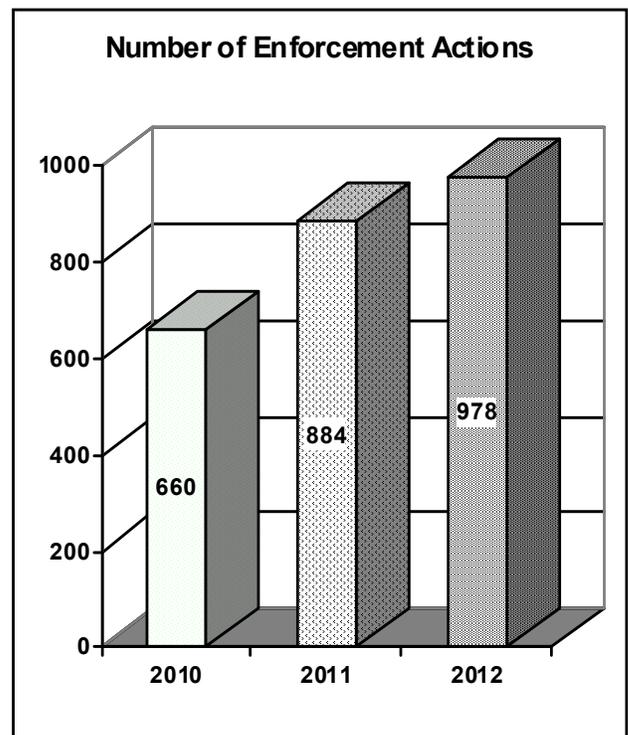
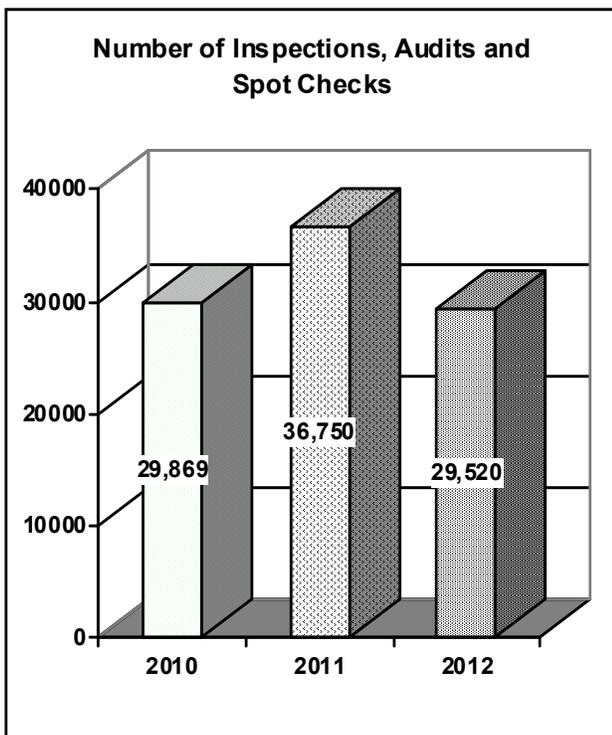
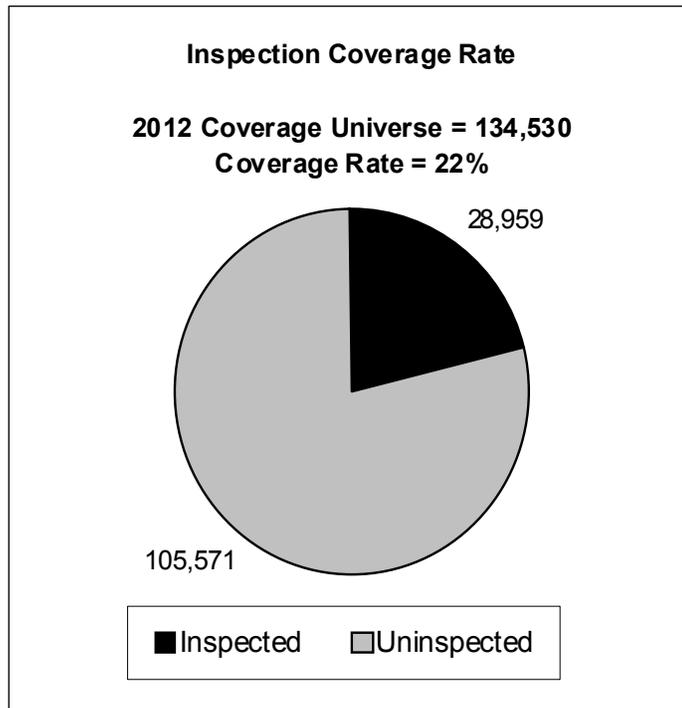
*New registrations

** Registrations through 12/31/11 (new and renewal). Registration is filed on CY basis – numbers reflect CY 2011 (Q1 & Q2) and for CY 2012 (Q3 & Q4). 13,555 units were accounted for in this total which are government fee exempt units.

*** Significant violation percentage is based on MDE inspections only.

****Inspection coverage rate includes MDE and third-party inspections.

Lead Poisoning Prevention



Oil Control Program - Aboveground Facilities

PURPOSE

The Oil Control Program (OCP) performs a broad range of activities related to the safe handling, storage, and remediation of petroleum products. OCP issues permits and performs oversight for aboveground storage facilities and transportation facilities, oil-contaminated soil treatment facilities, and the discharge of treated oil-contaminated water. OCP also issues licenses and collects fees for the import of petroleum products into Maryland.

AUTHORITY

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

PROCESS

Two regulatory/compliance engineers (RCEs) are responsible for reviewing permit applications, inspecting sites prior to writing permits, and issuing Oil Operation Permits for facilities handling oil in Maryland. The site visits may also lead to the discovery of compliance violations. Staff is also responsible for the licensing of entities that transfer oil into Maryland and collecting a fee on the transfers (i.e. Oil Transfer Licenses). In addition, regional environmental compliance specialists (ECSs) and geologists may perform inspections at aboveground storage 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 MDE guidelines and procedures. The OCP staff also responds to aboveground oil spills throughout the State.

SUCSESSES/CHALLENGES

The combination of compliance assistance, regular permit application and review, and enforcement continues to result in good management of aboveground storage tanks containing petroleum. Permit application reviews, permit renewal site visits, and random inspections continue to reveal violations that, if left unaddressed would result in release to the environment or catastrophic tank failure during a fire or other emergency at a facility.

Inspection of aboveground oil storage facilities remained relatively steady from FY 2011 to FY 2012 with 359 facilities inspected. The number of permits/licenses issued this fiscal year decreased from 539 in FY 2011 to 225 in FY 2012 primarily because of the Oil Transfer Licenses. Oil Transfer Licenses are issued every 5 years and the majority was renewed in FY 2011.

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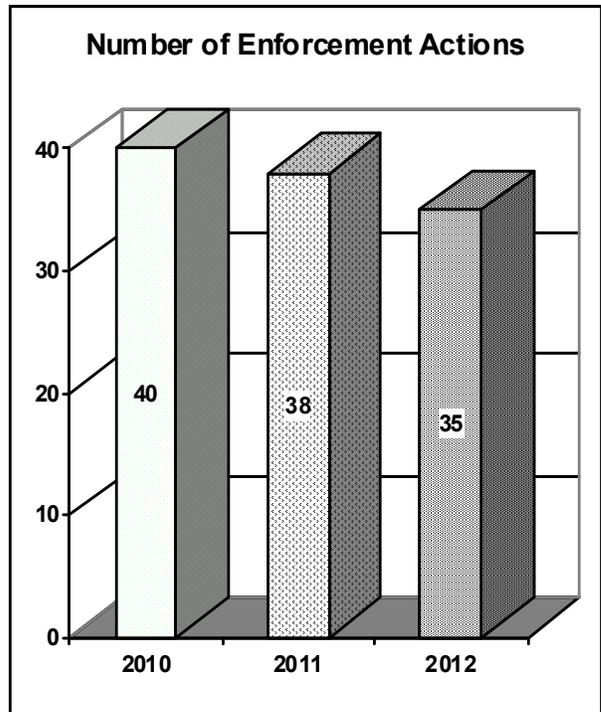
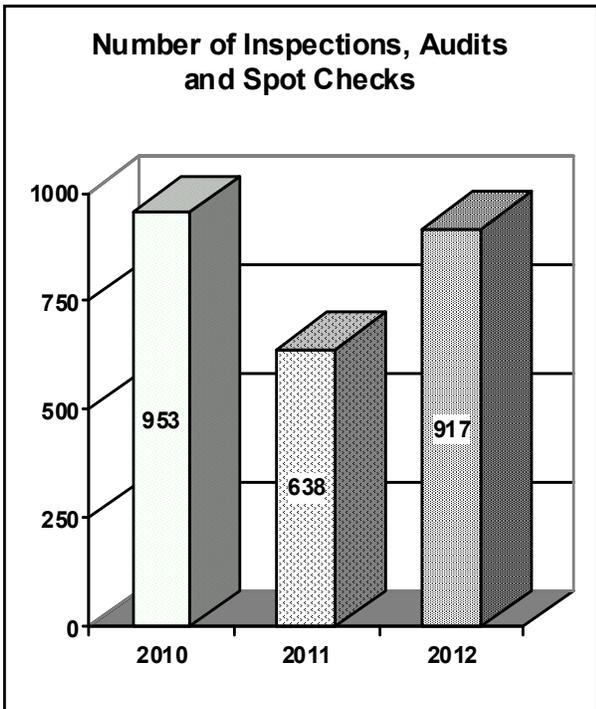
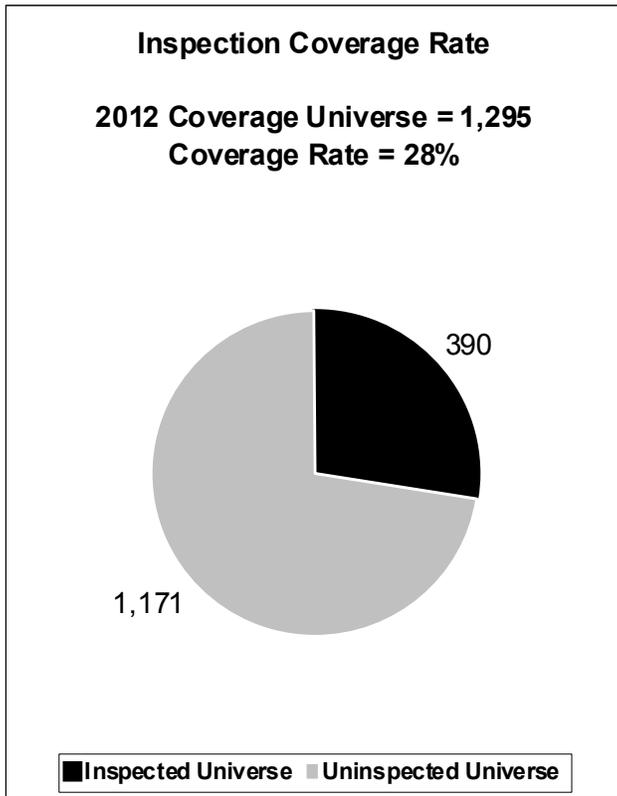
OCP - Aboveground Facilities

| Performance Measure | | | TOTAL |
|---|----------------|----------------|----------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | | | 225 |
| Number of permits/licenses in effect at fiscal year end* | | | 1,295 |
| OTHER REGULATED SITES/FACILITIES | | | |
| Initial spill response | | | 174 |
| INSPECTIONS | | | |
| Number of sites inspected ("inspected" defined as at the site) | | | 359 |
| Number of sites receiving off-site audits and record reviews, but not inspected | | | 55 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | | 411 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | | 860 |
| Number of audits (captures number of reviews of file/submittals for compliance) | | | 57 |
| Number of inspections, audits, spot checks (sum of the two measures above) | | | 917 |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations | | | 10 |
| Percentage of inspected sites/facilities with significant violations | | | 3% |
| Inspection coverage rate (number of sites inspected/coverage universe)** | | | 28% |
| SIGNIFICANT VIOLATIONS | | | |
| Number of significant violations involving environmental or health impact | | | 10 |
| Number of significant violations based on technical/preventative deficiencies | | | 0 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | | | 6 |
| Total number of significant violations (sum of the three measures above) | | | 16 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | | 12 |
| Ongoing | | | 4 |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | | | 907 |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 10 | 0 | 10 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 25 | 0 | 25 |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$30,215 |

* Permits/licenses. This includes aboveground storage tanks and oil-contaminated soil operations. The Oil (Contaminated Soil) Operations Permit is issued to facilities 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 FY 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 aboveground storage tank 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.

OCP - Aboveground Facilities



Oil Control Program - Pollution Remediation Activities

PURPOSE

The Oil Control Program (OCP) 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. The majority of sites are gasoline service stations, both operating and closed. Sites also include businesses that have their own petroleum distribution systems for use in vehicle fleets and commercial and residential heating oil systems.

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 highly technical in nature, usually requiring numerous site visits, meetings, and staff time. When a release of petroleum product is reported to OCP, a team of specialists is assigned to investigate. The team prioritizes 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 release has occurred. Inspection frequency is also determined as site 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 MDE's guidelines and procedures.

SUCCESSSES/CHALLENGES

The field activity performed by OCP staff continues to reflect the commitment in time and resources needed to adequately oversee the cleanups performed by responsible parties. Multiple site visits are needed to ensure compliance with approved corrective action plans, especially at release sites that could impact drinking-water wells. OCP has found that a strong field presence and frequent communication with the responsible party increases compliance. 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, OCP has again reduced the number of active remediation sites from 990 in FY 2011 to 937 in FY 2012. This continued decrease in active remediation cases is due to a strong underground storage tank compliance program (prevention) and having committed and technically proficient staff managing the cleanups. During FY 2012, the OCP continued to use American Reinvestment and Recovery Act (ARRA) funds to address remediation of orphaned leaking underground storage tanks sites.

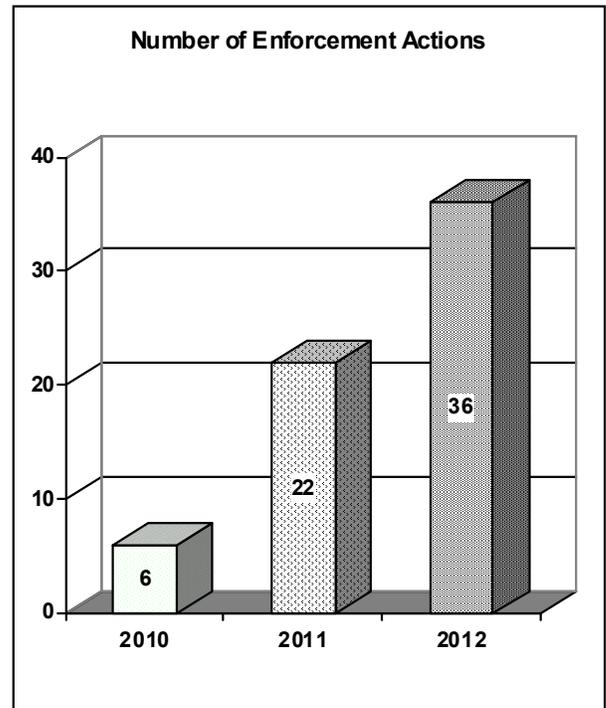
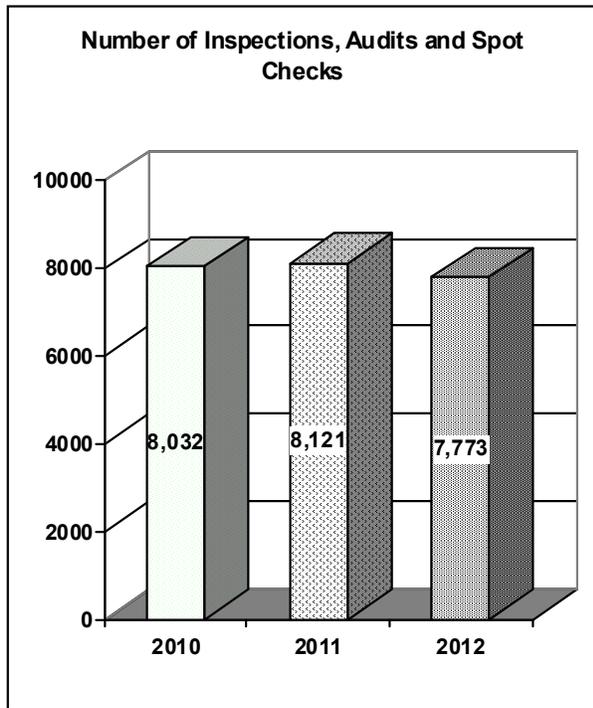
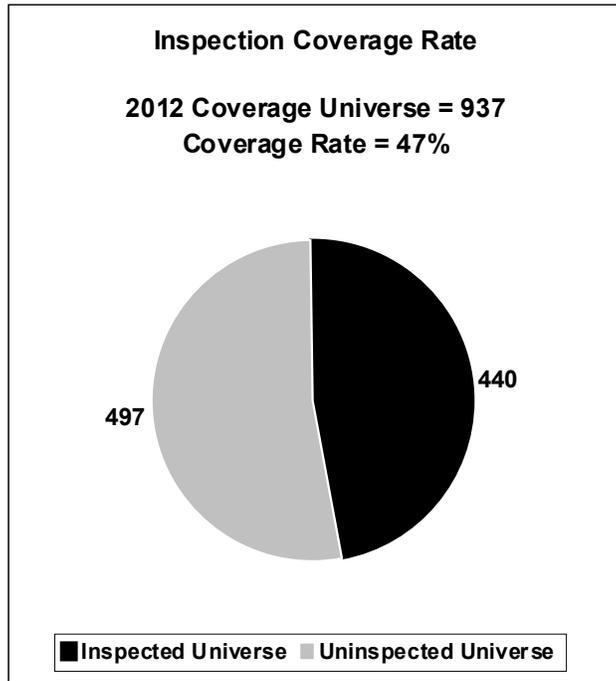
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Oil Pollution Remediation Activities

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|----|---|----|----------------------------|---|---|---|--------------------------------|---|---|---|---|----|---|----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Groundwater remediation sites | 937 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected ("inspected" defined as at the site) | 440 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 878 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 1,318 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 1,851 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 5,922 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 7,773 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 21 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 5% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 47% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 21 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 12 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 33 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 22 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 11 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 7,752 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 25%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">21</td> <td style="text-align: center;">0</td> <td style="text-align: center;">21</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">15</td> <td style="text-align: center;">0</td> <td style="text-align: center;">15</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td></td> <td></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 21 | 0 | 21 | Number of stop work orders | 0 | 0 | 0 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 15 | 0 | 15 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 21 | 0 | 21 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 15 | 0 | 15 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 21 | 0 | 21 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 15 | 0 | 15 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$18,250 | | | | | | | | | | | | | | | | | | | | | | |

* Prior to FY 1999, this number only included releases from federally-regulated UST motor fuel. After FY 1999 the number reflects all oil releases that have impacted the subsurface environment from any oil storage tank or transport facility.

Oil Pollution Remediation Activities



Oil Control Program – 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 incidence and severity of releases associated with the storage of regulated substances in underground storage tank (UST) systems. This is accomplished by ensuring compliance with operational requirements at sites that include service stations, oil terminals, hospitals, schools, military facilities, marinas and similar facilities. These requirements relate to release detection, corrosion and overfill prevention, insurance, and construction standards.

AUTHORITY

FEDERAL: Resource Conservation and Recovery Act - Subtitle I

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

PROCESS

All regulated UST systems in Maryland must be registered with the Department. All tank technicians, removers, and inspectors must pass a MDE test and maintain a certification with the Program. Beginning in 2006, to increase the coverage rate for UST inspections, MDE established a new EPA-authorized program using certified, highly-trained private UST inspectors. When a tank owner receives notice for inspection from MDE, they must hire one of these private inspectors. When these certified private inspectors find violations, MDE inspectors conduct followup inspection and enforcement activities.

SUCSESSES/CHALLENGES

The EPA requires that UST facilities be inspected once every three years. The OCP has consistently met this requirement by inspecting more than one third of the UST facilities (1,247/3,079) annually. The facilities inspected continue to show a high compliance rate that is above the national average, due at least in part to the continuing education of OCP-certified private inspectors, and to followup activities performed by MDE inspectors.

The Oil Control Program implemented new database procedures for FY 2012. These new procedures were based on additional understanding of how the database is structured, OCP processes, and the definitions of the data requested for this report. The new procedures have resulted in a reduction in the reported number of unique sites evaluated for compliance, both sites inspected and sites audited but not inspected. Reinspections may have sometimes been counted as initial inspections under the previous procedures. Note that these reporting changes only affect the calculation for the number of unique sites that are evaluated for compliance; the calculation of the total number of compliance evaluations is unchanged.

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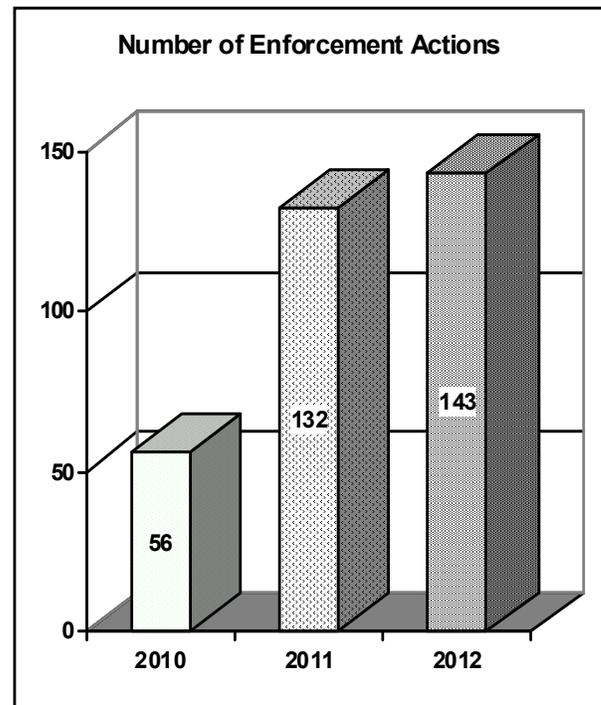
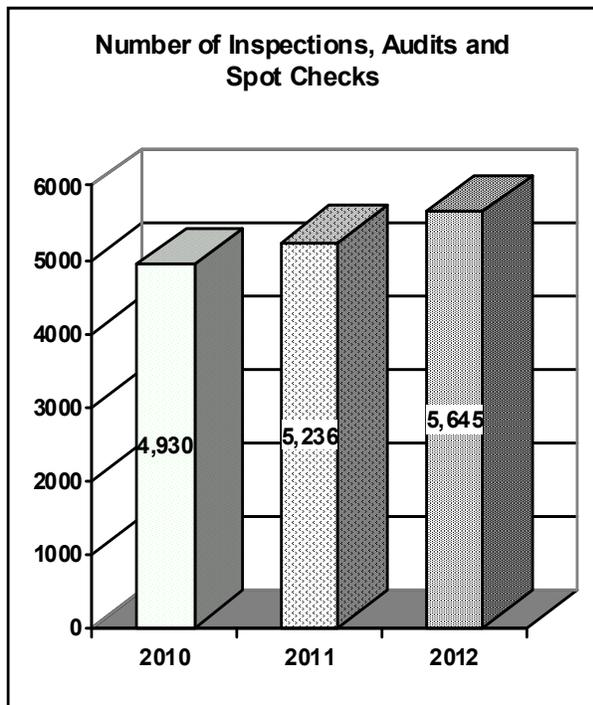
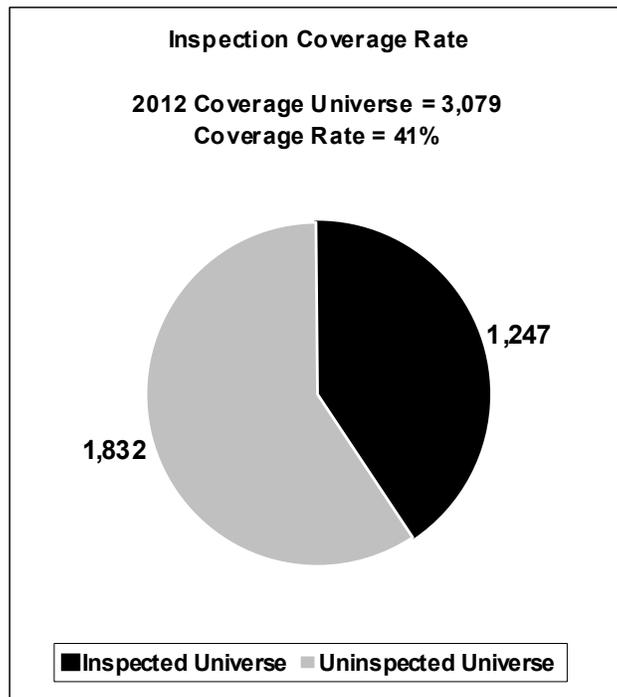
Oil Underground Storage Tank Systems

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|----|---|----|----------------------------|----|---|----|--------------------------------|---|---|---|---|----|---|----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 217 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end * | 417 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Registered UST facilities | 3,079 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected ("inspected" defined as at the site) | 1,247 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites receiving off-site audits and record reviews, but not inspected. | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 1,247 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 3,879 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 1,766 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 5,645 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 76 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 6% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe)** | 41% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 76 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 72 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 148 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 91 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 57 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 5,569 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 25%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">76</td> <td style="text-align: center;">0</td> <td style="text-align: center;">76</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">14</td> <td style="text-align: center;">0</td> <td style="text-align: center;">14</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">53</td> <td style="text-align: center;">0</td> <td style="text-align: center;">53</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td colspan="2"></td> <td style="text-align: center;">2</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 76 | 0 | 76 | Number of stop work orders | 14 | 0 | 14 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 53 | 0 | 53 | Number of referrals to Attorney General for possible criminal action | | | 2 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 76 | 0 | 76 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 14 | 0 | 14 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 53 | 0 | 53 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 76 | 0 | 76 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 14 | 0 | 14 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 53 | 0 | 53 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 2 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$90,575 | | | | | | | | | | | | | | | | | | | | | | | | |

* Certified UST technicians and removers are part of the regulated community and, therefore, the inspection universe, and were included in this report starting in FY 2000.

** Coverage rate is computed as the total number of sites inspected divided 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, and land-clearing debris landfills, non-hazardous industrial waste landfills, municipal incinerators, solid waste processing facilities, and transfer stations. The Solid Waste Program is also responsible for the review of technical information for new coal combustion by-product (CCB) landfills and provides inspection and enforcement of permitted CCB landfills, as well as CCB storage sites and transportation vehicles.

AUTHORITY

FEDERAL: Resource Conservation and Recovery Act - Subtitle D; 40 CFR 257 and 258
STATE: Environment Article, Title 9, Subtitle 2; COMAR 26.04.07, 26.04.10

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. 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.

SUCCESSES/CHALLENGES

The Solid Waste Program's refuse disposal inspection coverage rate was 100% in FY 2012 as it was in FY 2011, with every permitted site (82) inspected. In addition, the program inspected 204 sites for complaints, unpermitted dumping, open burning and groundwater discharges. A total of 78 of the sites inspected, including both permitted and unpermitted

sites, were found to be in significant violation. Overall a total of 59 of 153 significant violations were resolved. There was an increase in enforcement actions against open burning violations in FY 2012 after MDE issued further clarification of the open burning regulations. Further, there were 142 audits performed during FY 2012, including reviews of Solid Waste Tonnage Reports and groundwater monitoring reports for landfills.

The number of refuse disposal enforcement actions greatly increased from 59 in FY 2011 to 118 in FY 2012 and the number of inspections increased during FY 2012 to 1,068 from 1,064 in FY 2011 with visits to 286 sites. The increased number of inspections and enforcement actions are due to an increased focus on refuse disposal activities by Solid Waste Program inspectors.

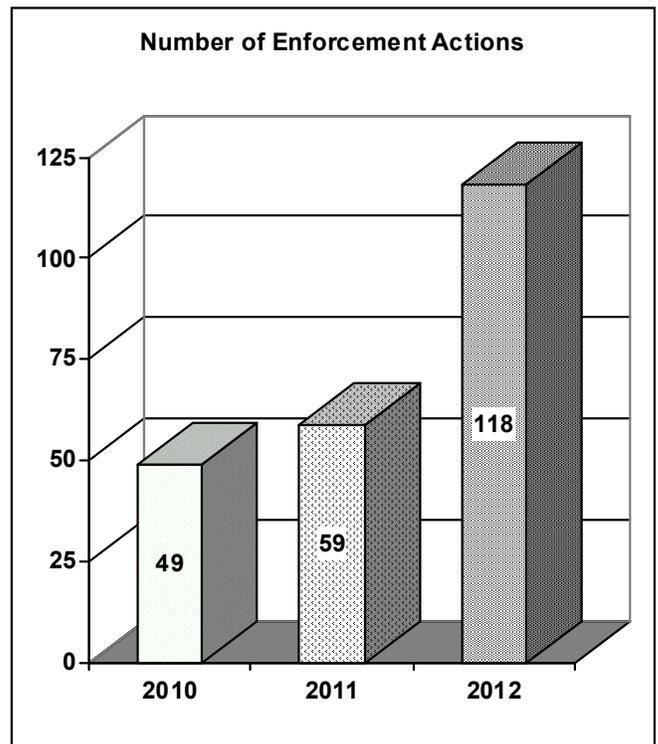
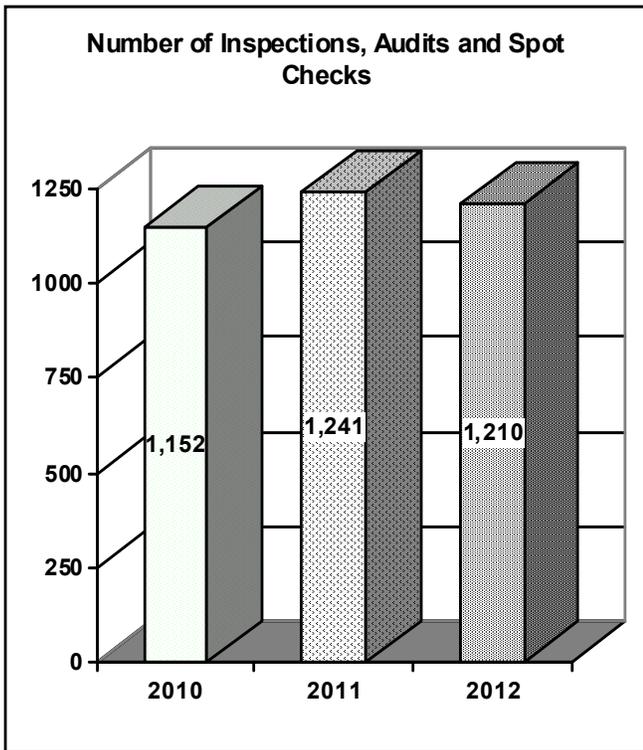
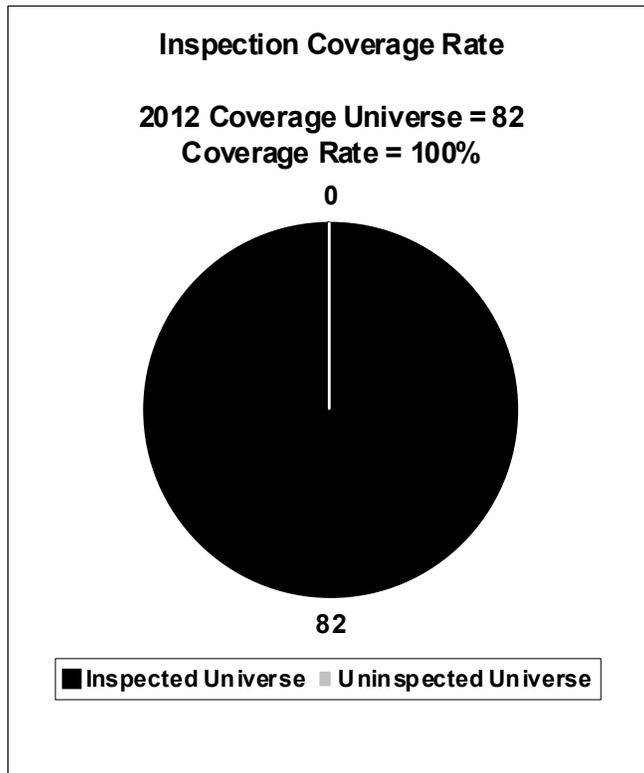
Refuse Disposal

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|----------------|----------------|----------------|-------|---|----|---|----|----------------------------|---|---|--|--------------------------------|---|---|---|---|-----|---|-----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 9 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end* | 82 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unpermitted sites | 234 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected ("inspected" defined as at the site)** | 286 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites receiving off-site audits and record reviews, but not inspected. | 30 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above) | 316 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 1,068 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 142 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 1,210 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 78 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 27% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 100% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 103 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 50 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 153 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 59 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 94 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 19 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">15</td> <td style="text-align: center;">0</td> <td style="text-align: center;">15</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td></td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">2</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">101</td> <td style="text-align: center;">0</td> <td style="text-align: center;">101</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td></td> <td></td> <td style="text-align: center;">7</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 15 | 0 | 15 | Number of stop work orders | 0 | 0 | | Number of injunctions obtained | 0 | 2 | 2 | Number of penalty and other enforcement actions | 101 | 0 | 101 | Number of referrals to Attorney General for possible criminal action | | | 7 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 15 | 0 | 15 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 2 | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 101 | 0 | 101 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 15 | 0 | 15 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 2 | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 101 | 0 | 101 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 7 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$137,311 | | | | | | | | | | | | | | | | | | | | | | | | |

* There were 18 active groundwater discharge permits during FY 2012.

** 82 of the 247 sites inspected were permitted facilities. The remaining sites included unpermitted dumpings, citizen complaints, other similar solid waste issues, and groundwater discharge permits at closed rubble landfills.

Refuse Disposal



Scrap Tires

PURPOSE

Licenses are required for the hauling, collection, storage, processing, recycling, and burning (tire-derived fuel) of scrap tires. 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. Depending on available revenue, a State special fund can be used 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, unless the owner qualifies for an inheritance exemption. Corrective orders and penalties may be issued for violations in accordance with Department guidelines and procedures.

SUCSESSES/CHALLENGES

The Program continued the cleanup of scrap tire from illegal stockpiles. New stockpiles are still discovered every year and during FY 2012 a total of 55 new sites containing approximately 86,326 scrap tires were discovered. A total of 56 stockpiles were cleaned up in FY 2012 resulting in removal of 1,031,821 scrap tires. Since the inception of the Scrap Tire Program in 1992, the Scrap Tire Unit has cleaned up 10,629,068 scrap tires from 916 stockpiles. At the end of FY 2012, there were 62 stockpiles (including 2 licensed facilities over their collection limits) containing less than 370,000 scrap tires remaining to be cleaned up, 150,000 of which are located at one site.

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.

Scrap tire inspections are performed by inspectors in the Solid Waste Program. There was a 34% decrease in the number of scrap tire site inspections conducted, from 801 in FY 2011 to 598 in FY 2012. The inspection coverage rate in FY 2012 was 13%, a decrease from the 17% rate reported in FY 2011.

Scrap tire site inspections declined due to the need to focus more inspector time on Refuse Disposal, especially unpermitted activities and enforcement actions. As a result, inspectors were unable to devote as much time to performing site inspections of scrap tire activities.

There were 641 audits of scrap tire semi-annual reports performed during the first quarter of FY 2012. Due to staff shortages, during the second through fourth quarters of FY 2012, the Scrap Tire Unit only reviewed 113 late semi-annual reports received from previous reporting periods. The staffing circumstances in both the Solid Waste Program and the Scrap Tire Unit contributed to the decreased cumulative count of 1,352 inspections and audits. This steep

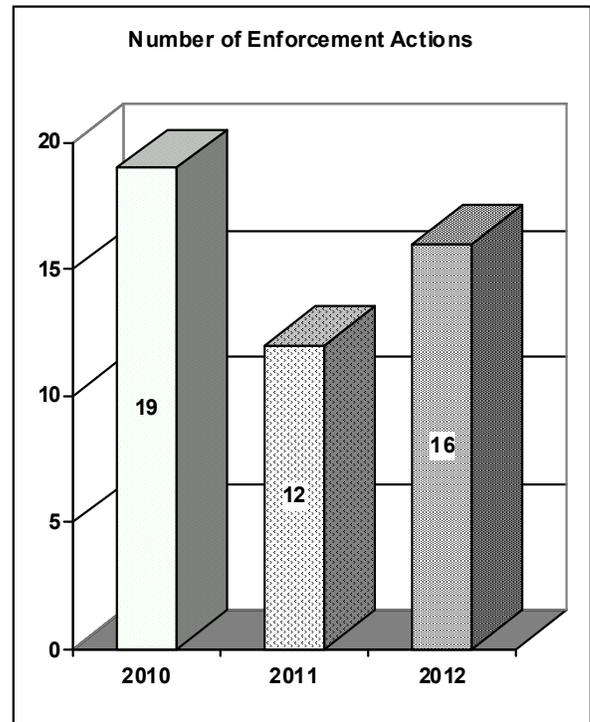
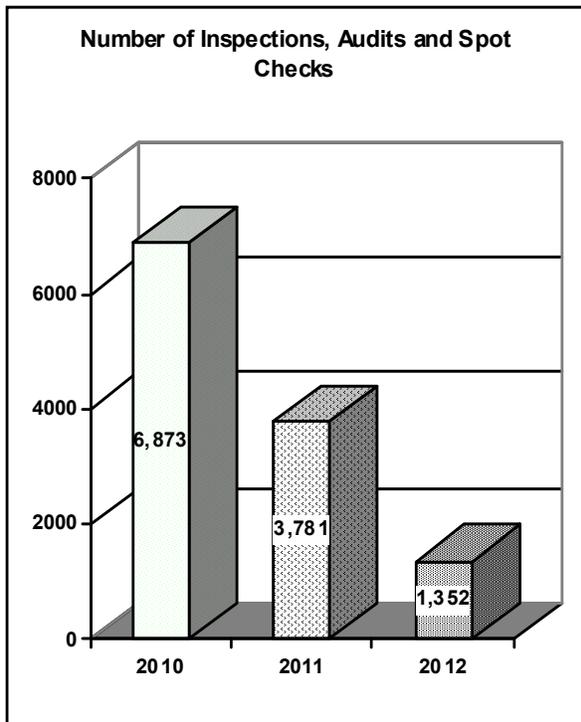
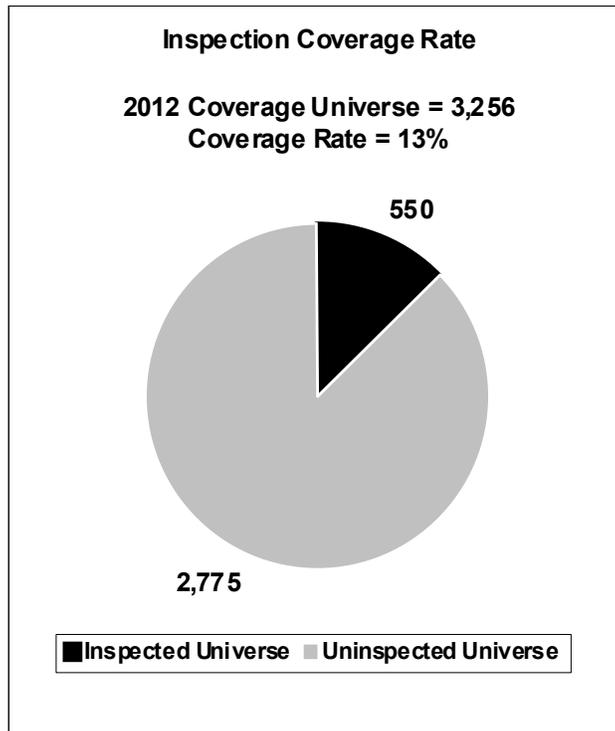
decline in the review of semi-annual reports is reflected in the bar graph of total inspections, audits and spot checks. Significant violations increased from 11 in FY 2011 to 17 in FY 2012.

Scrap Tires

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|----|---|----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/registrations issued | 299 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/registrations in effect at fiscal year end | 3,256 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Stockpiles to be cleaned up | 62 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected ("inspected" defined as at the site) | 416 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 754 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 1,170 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 598 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 754 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 1,352 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 15 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 4% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe)* | 13% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 17 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 152 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 169 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 25 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 144 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 7 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">2</td> <td style="text-align: center;">0</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">14</td> <td style="text-align: center;">0</td> <td style="text-align: center;">14</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td colspan="2"></td> <td style="text-align: center;">2</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 2 | 0 | 2 | Number of stop work orders | 0 | 0 | 0 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 14 | 0 | 14 | Number of referrals to Attorney General for possible criminal action | | | 2 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 2 | 0 | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 14 | 0 | 14 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 2 | 0 | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 14 | 0 | 14 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 2 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$4,400 | | | | | | | | | | | | | | | | | | | | | | |

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

Scrap Tires



Sewage Sludge Utilization

PURPOSE

Permits are required for the transportation, collection, handling, storage, treatment, land application, and 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.

SUCSESSES/CHALLENGES

The Program's number of inspections decreased during FY 2012 to 336 from 545 in FY 2011. The reason for the decline is there has been more focus on Refuse Disposal, especially unpermitted activities and enforcement actions by Solid Waste Program inspection staff. There was one situation where unpermitted land application occurred and the responsible party was penalized.

The inspection coverage rate decreased to 23% in FY 2012 from 33% during FY 2011; staff inspected 173 unique sites. Further, there were 1,637 audits performed during FY 2012, which resulted in raising the cumulative count for inspections and audits to 1,973. In addition, 4 enforcement actions were taken and a total of 2 compliance assistance actions were rendered. Most violations are not significant violations and 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. The Program will continue reporting the total coverage value for consistency with past values, and for comparison to other programs.

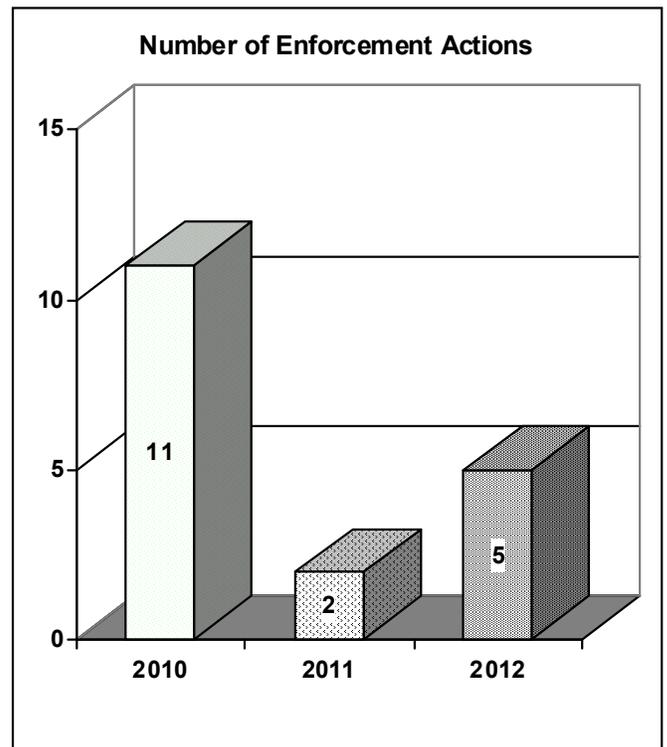
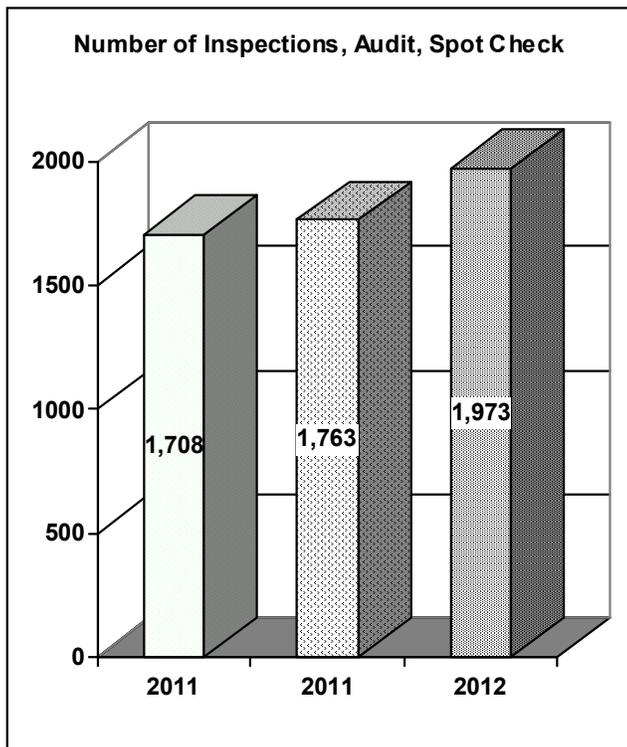
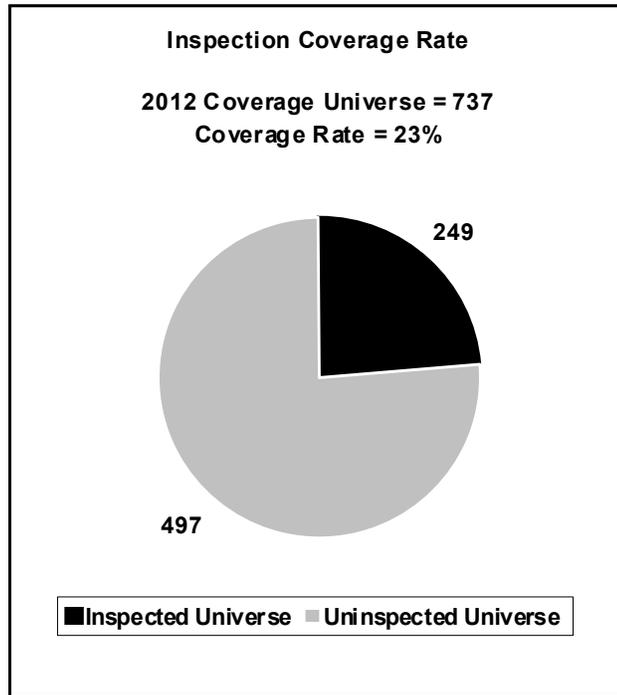
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Sewage Sludge Utilization

| Performance Measure | TOTAL |
|---|---|
| PERMITTED SITES/FACILITIES | |
| Number of permits/registrations issued | 155 |
| Number of permits/registrations in effect at fiscal year end | 737 |
| OTHER REGULATED SITES/FACILITIES | |
| Unpermitted sites | 18 |
| INSPECTIONS | |
| Number of sites inspected ("inspected" defined as at the site) | 173 |
| Number of sites receiving off-site audits and record reviews, but not inspected. | 317 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 490 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 336 |
| Number of audits (captures number of reviews of file/submittals for compliance) | 1,637 |
| Number of inspections, audits, spot checks (sum of the two measures above) | 1,973 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 3 |
| Percentage of inspected sites/facilities with significant violations | 2% |
| Inspection coverage rate (number of sites inspected/coverage universe)* | 23% |
| SIGNIFICANT VIOLATIONS | |
| 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 | 3 |
| Total number of significant violations (sum of the three measures above) | 8 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 3 |
| Ongoing | 5 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 2 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 1 0 1 |
| Number of stop work orders | 0 0 0 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 4 0 4 |
| Number of referrals to Attorney General for possible criminal action | 0 |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$33,000 |

* 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



Animal Feeding Operations

PURPOSE

The Animal Feeding Operations (AFO) Section regulates discharges from farms with animals that are stabled or confined for 45 days or more in any 12-month period in an area where crops/forage are not grown. Animal feeding operations have the potential to discharge nutrients and sediments to surface waters if improperly designed, constructed, operated, or maintained. These operations are subject to regulation through registration as a Concentrated Animal Feeding Operation (CAFO) or a Maryland Animal Feeding Operation (MAFO) under a General Discharge Permit for Animal Feeding Operations. The classification as a CAFO or MAFO is determined by a combination of factors including the number and type of animals, and the potential for discharge to waters of the State. This General Discharge Permit requires these operations to be designed, constructed, operated and maintained according to specific standards which control or eliminate discharges of pollutants to the waters of the State.

AUTHORITY

FEDERAL: Federal Clean Water Act

STATE: Environment Article, Title 9, Subtitle 3; COMAR 26.08.01 through 26.08.04.

PROCESS

During the five-year duration of the General Permit, every registered operation will be inspected at least once to ensure compliance with the permit conditions, which incorporate relevant portions of farm-specific Comprehensive Nutrient Management Plans (CNMP), written in accordance with state and federal requirements. Complaints involving CAFOs or MAFOs are addressed by inspectors specifically assigned to the CAFO Section. Enforcement is accomplished through site complaints, notices of violation, and administrative, civil and criminal mechanisms. The inspector may recommend corrective actions if any are required. If a significant violation is found, site complaints are issued and penalties are assessed. Corrective orders and penalties may be issued for violations in accordance with Department guidelines and procedures. Inspectors also investigate citizens' complaints related to CAFOs and MAFOs and provide compliance assistance to these operations.

SUCCESSSES/CHALLENGES

The CAFO/MAFO program began its implementation phase on July 1, 2009 after a Department reorganization shifting the program to Land Management Administration.

By the end of the FY 2012, 561 operators had submitted Notices of Intent to be covered by either a CAFO or a MAFO permit and 237 operations were registered under the General Discharge Permit. 370 of the CAFO operators entered into General Compliance Schedules with MDE that set schedules and requirements related to compliance and a timeframe for reporting the status of the operators' completion of a CNMP. The General Compliance Schedules are necessary because the technical assistance needed to develop CNMPs is far exceeded by the number of farms required by the General Discharge Permit to have those Plans. The State is continuing to identify additional avenues for technical assistance with CNMPs.

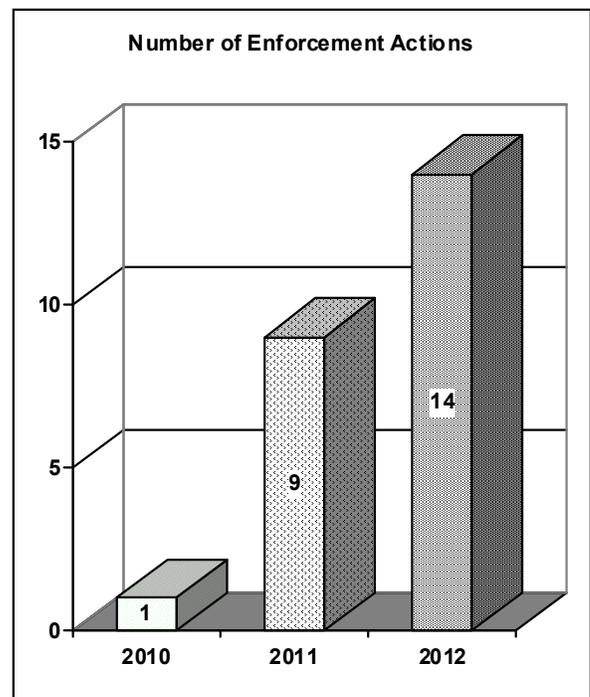
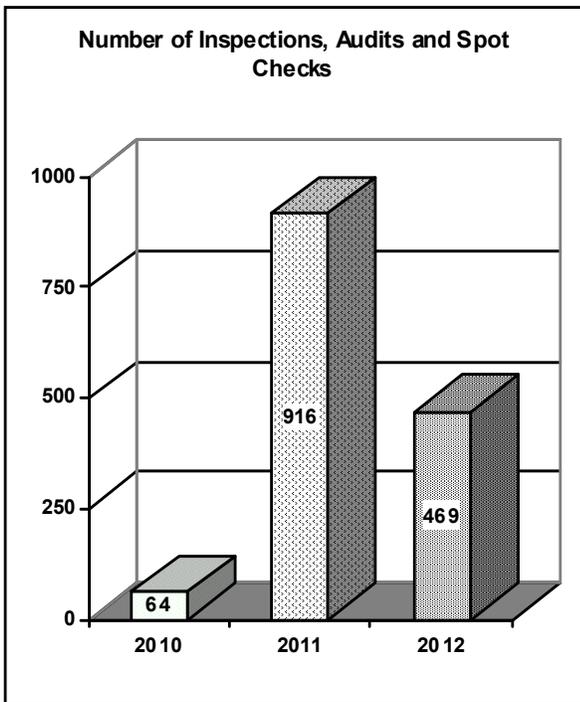
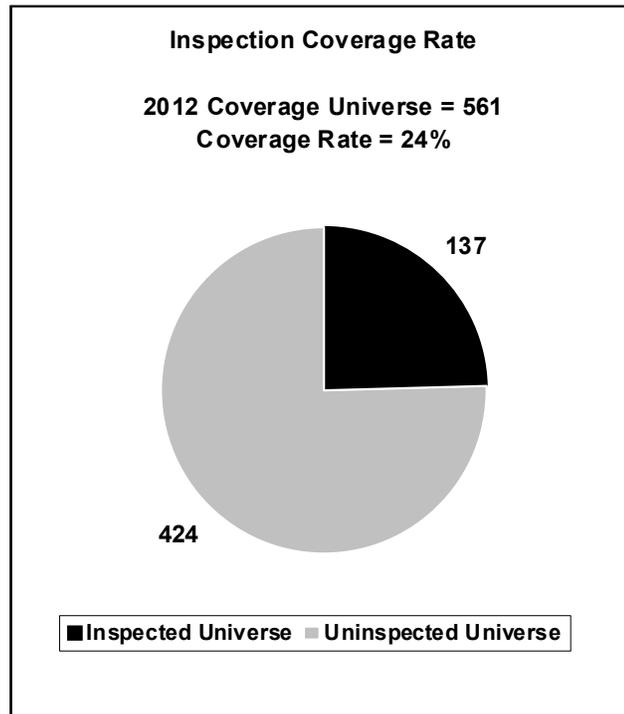
Although not all operations have been registered under the General Discharge Permit, the conditions contained in the General Compliance Schedule allowed inspectors to perform full inspections of both registered operations and those under the General Compliance Schedule, currently a total of 561 farms. MDE completed 469 inspections, audits, and spot checks by the end of the fiscal year. The number of sites inspected during FY 2012 decreased from 345 to 137 because of the loss of one inspector and the hiring and training of a new one.

Permit fees were waived during FY 2012. FY 2012 was the second full year of operation for the program.

Animal Feeding Operations

| Performance Measure | TOTAL |
|---|---|
| PERMITTED SITES/FACILITIES | |
| Number of permits/registrations issued | 160 |
| Number of permits/registrations in effect at fiscal year end | 237 |
| OTHER REGULATED SITES/FACILITIES | |
| Sites with pending registrations | 324 |
| INSPECTIONS | |
| Number of sites inspected (“inspected” defined as at the site) | 137 |
| Number of sites receiving off-site audits and record reviews, but not inspected | 305 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 442 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 174 |
| Number of audits (captures number of reviews of file/submittals for compliance) | 295 |
| Number of inspections, audits, spot checks (sum of the two measures above) | 469 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 1 |
| Percentage of inspected sites/facilities with significant violations | 1% |
| Inspection coverage rate (number of sites inspected/coverage universe) | 24% |
| SIGNIFICANT VIOLATIONS | |
| Number of significant violations involving environmental or health impact | 0 |
| Number of significant violations based on technical/preventative deficiencies | 1 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 5 |
| Total number of significant violations (sum of the three measures above) | 6 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 0 |
| Ongoing | 6 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 42 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 1 0 1 |
| Number of stop work orders | 0 0 0 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 13 0 13 |
| Number of referrals to Attorney General for possible criminal action | 0 |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$8,350 |

Animal Feeding Operations



Natural Wood Waste Recycling

PURPOSE

The purpose of the 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.

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.

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.

SUCSESSES/CHALLENGES

The Solid Waste Program's natural wood waste facility inspection coverage rate was 100%; 64 unique sites were inspected and 5 out of 12 significant violations were resolved at the end of the FY 2012.

The Solid Waste Program's number of natural wood waste facility inspections decreased slightly in FY 2012 with 155 as opposed to 171 reported in FY 2011. The reason for the decline is due to more focus on Refuse Disposal activities, especially unpermitted activities and enforcement actions by Solid Waste Program inspection staff. The number of compliance assistance actions rendered increased in FY 2012 to 14 verses 10 that were reported in FY 2011. There were 31 audits performed during FY 2012.

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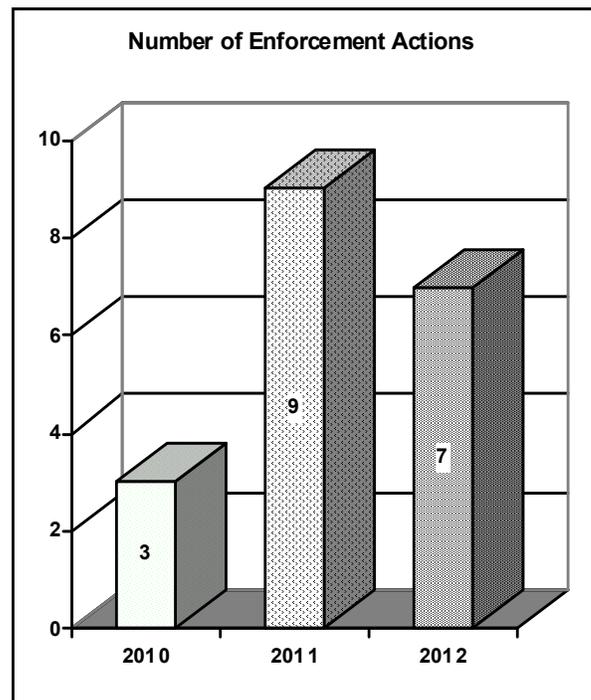
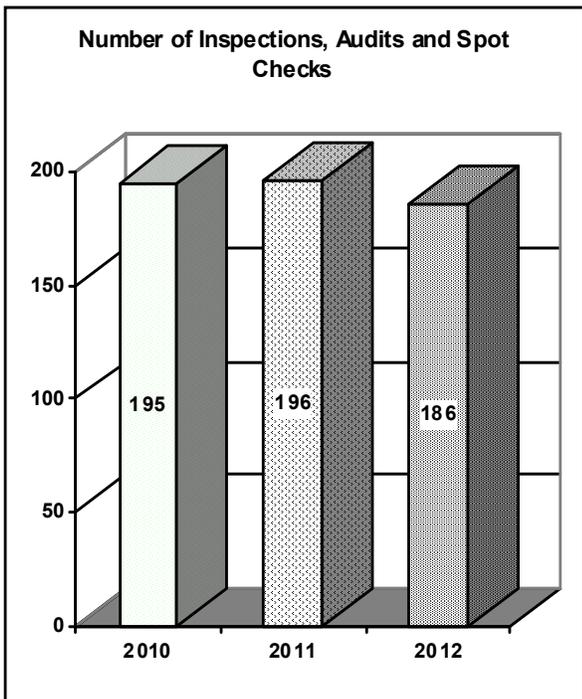
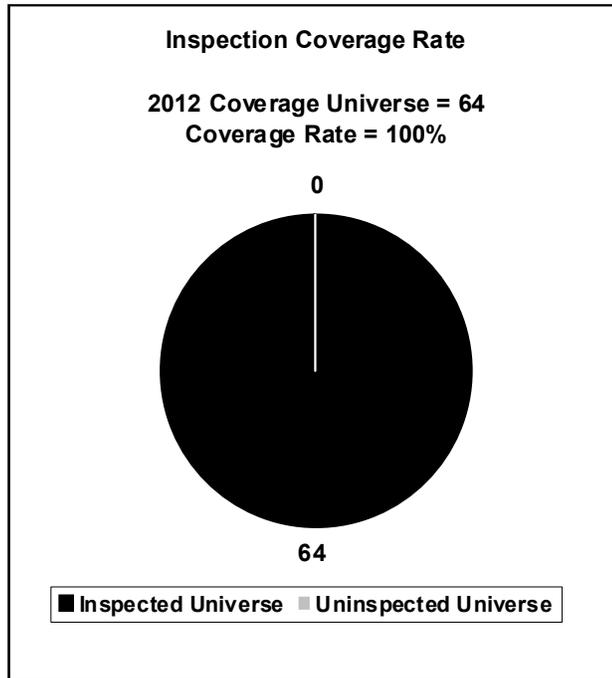
Natural Wood Waste Recycling

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|---|---|---|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/registrations issued | 7 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/registrations in effect at fiscal year end | 32 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unpermitted sites at fiscal year end | 32 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected ("inspected" defined as at the site)* | 64 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites receiving off-site audits and record reviews, but not inspected | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 64 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 155 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 31 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 186 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 6 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 9% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe)** | 100% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 8 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 4 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 12 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 7 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 14 | | | | | | | | | | | | | | | | | | | | | | | | |
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| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$4,000 | | | | | | | | | | | | | | | | | | | | | | | | |

* 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.

Natural Wood Waste Recycling



Mining – Coal

PURPOSE

The purpose of a coal mining permit is to allow, where appropriate, for the utilization of the resource while minimizing the effects of coal mining on the environment. In addition to environmental controls, the permit provides for proper land reclamation and ensures public safety. Performance bonds must also be posted and are released after satisfactory reclamation. Permits issued by the Bureau of Mines Division 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. Coal mining permitting, compliance, and enforcement activity has been managed under LMA since July 1, 2009.

AUTHORITY

FEDERAL: Surface Mining Control and Reclamation Act of 1977

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

PROCESS

Upon receipt of the required performance bonds and issuance of a coal mining permit, the permittee is required to install all environmental controls such as stormwater management and sediment control ponds and water conveyance structures so that no water can leave the site without going through a pond where it can be tested and treated if necessary before discharging. Haulage roads are constructed and all permit-required facilities are certified by a professional engineer and inspected to insure compliance before mining can begin. By agreement with the federal Office of Surface Mining (OSM), the Division is required to inspect each permitted facility at least once a month. Some mining sites are inspected more frequently. In addition to State inspections, the Office of Surface Mining also regularly conducts oversight inspections and provides their findings to the Division. The mine inspectors schedule routine inspections of the facilities and complete an inspection report that documents the condition of the mine site and the environmental controls. Permittees are not given advance notification of routine inspections. At any time and if determined necessary, the inspection frequency can be increased to ensure that compliance is maintained on each site. If the mining site is not in compliance with the requirements of the regulatory program or special permit conditions, a violation is issued that documents the specific matter that must be corrected with a deadline to do so and a fine is assessed. If compliance problems continue, the Division may revoke the mining permit, forfeit the performance bonds and complete the reclamation of the mining site. Any person or company that has ever had a performance bond forfeited can never be issued a coal mining permit in the State again. The required conditions of all other permits issued by the State such as water quality permits, wetland and waterway permits, and sediment control plans are inspected as part of the routine mine permit inspection.

The State Land Reclamation Committee (LRC) must approve a proposed reclamation plan before the Division can issue the mining permit. Once portions of the permit are reclaimed the LRC makes a site inspection and approves or rejects the reclamation of that area. Proper implementation of the approved reclamation plan after the completion of the mining activity provides a benefit to the water quality as well as productive use of the land.

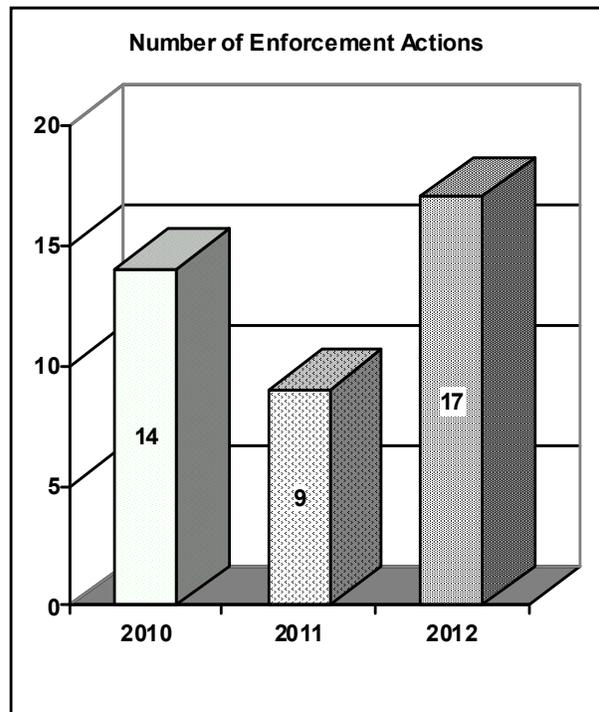
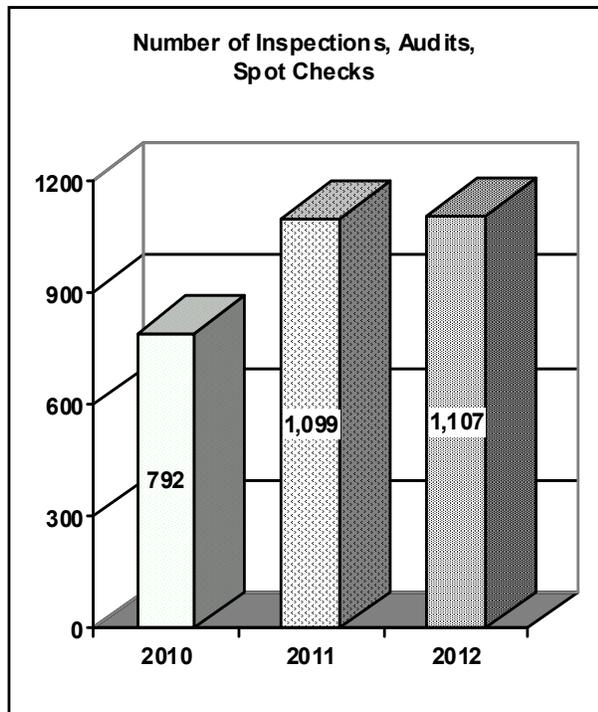
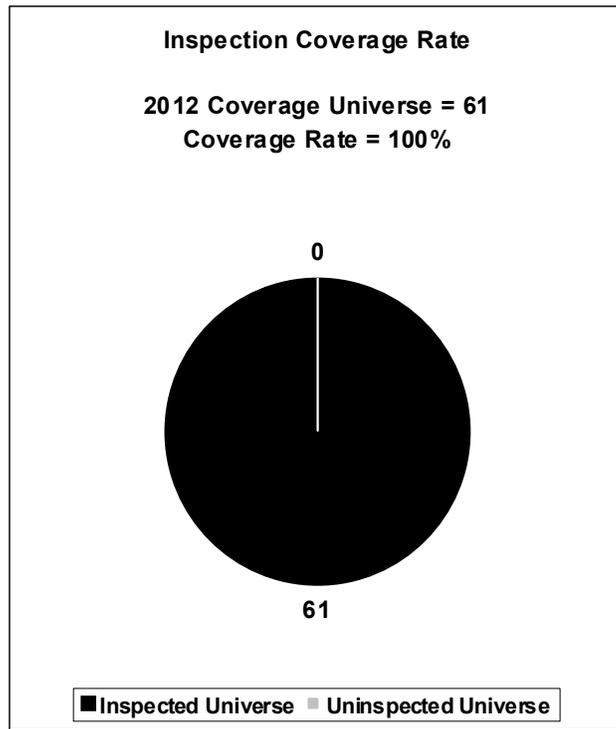
SUCSESSES/CHALLENGES

The Bureau of Mines Division met 100% of their inspection frequencies of all coal mining sites in FY 2012.

Mining – Coal

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|---|---|---|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 11 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 52 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Prospect and forfeiture sites | 9 | | | | | | | | | | | | | | | | | | | | | | | | |
| Coal mining operator licenses issued | 30 | | | | | | | | | | | | | | | | | | | | | | | | |
| Coal mining operator licenses in effect at fiscal year end | 30 | | | | | | | | | | | | | | | | | | | | | | | | |
| Surface coal mining blaster certifications issued | 8 | | | | | | | | | | | | | | | | | | | | | | | | |
| Surface coal mining blaster certifications at fiscal year end | 39 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected (“inspected” defined as at the site) | 61 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 61 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 820 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 287 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 1,107 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 0% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 100% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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 | 2 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 2 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 2 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 71 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">7</td> <td style="text-align: center;">0</td> <td style="text-align: center;">7</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">3</td> <td style="text-align: center;">0</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">7</td> <td style="text-align: center;">0</td> <td style="text-align: center;">7</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td></td> <td></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 7 | 0 | 7 | Number of stop work orders | 3 | 0 | 3 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 7 | 0 | 7 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 3 | 0 | 3 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 3 | 0 | 3 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$13,950 | | | | | | | | | | | | | | | | | | | | | | | | |

Mining – Coal



Mining – Non-Coal

PURPOSE

The purpose of mining permits is to allow, where appropriate, for utilization of the resource while minimizing 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 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 the site is assigned an inspection frequency, which the Department makes every effort to fulfill. Routine inspectors are then scheduled at the facilities adhering to the assigned priority as much as workload allows. At any time during the process, the inspection frequency can be adjusted as site conditions or workload demand. All media such as water quality permits, wetland and waterway and sediment approvals are inspected as part of the mine permit inspection.

MDE does not have statutory authority to collect administrative penalties for non-coal mining permits but violations of other media associated with mining may be penalized as warranted. Mining laws do provide for civil and criminal penalties.

Improperly maintained environmental controls have the potential to degrade water quality through the transport of sediment-laden water from drainage and 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. The program evaluates mining practices, reclamation and stormwater management for compliance to ensure that adverse impacts to surface and groundwater are minimized. §15-828(a) of the Environment Article 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...” The Mining Program performs inspections as resources allow.

SUCCESSES/CHALLENGES

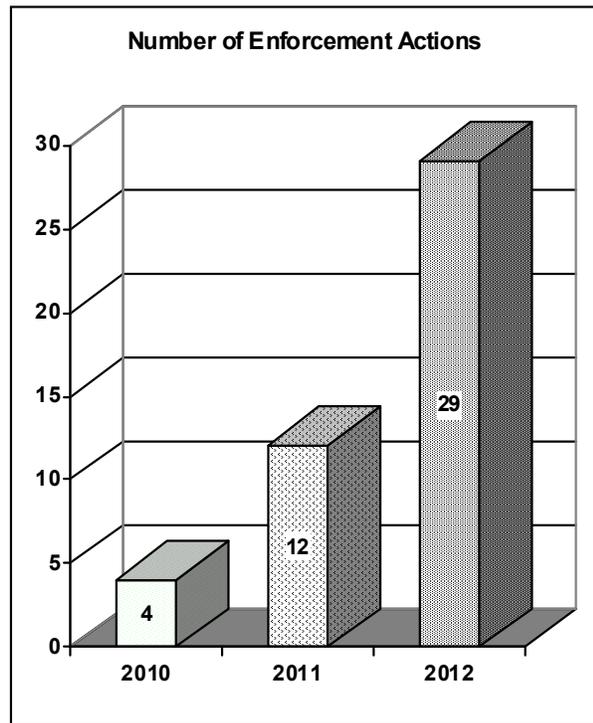
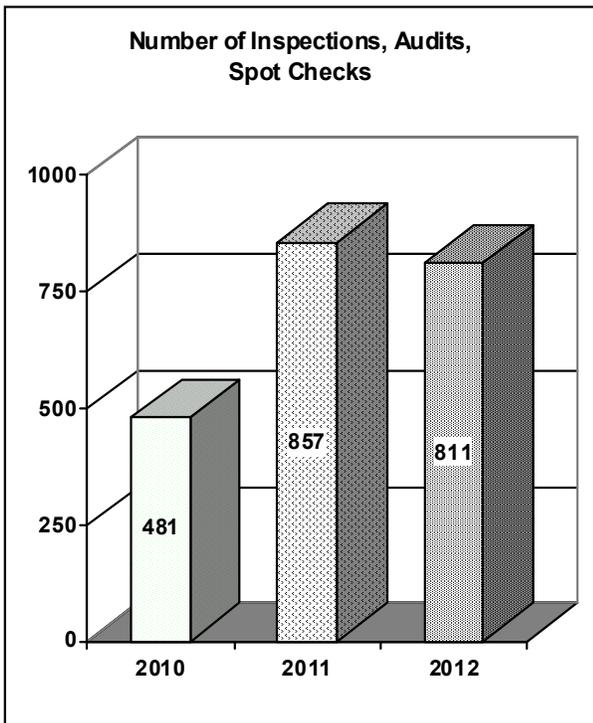
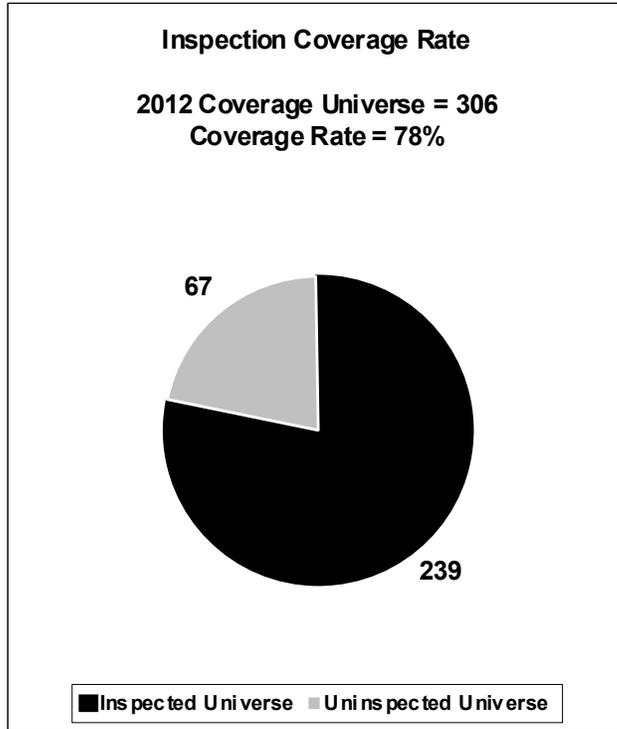
The Minerals, Oil and Gas Division achieved a coverage rate of 78% in FY 2012. Two positions became vacant in October 2011. At least one of those positions will be filled in FY 2013.

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Mining – Non-Coal

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|----|---|----|----------------------------|---|---|---|--------------------------------|---|---|---|---|----|---|----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 46 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 306 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected (“inspected” defined as at the site) | 239 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 67 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 306 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 322 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 489 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 811 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 2% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 78% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 12 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">12</td> <td style="text-align: center;">0</td> <td style="text-align: center;">12</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">1</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">16</td> <td style="text-align: center;">0</td> <td style="text-align: center;">16</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td></td> <td></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 12 | 0 | 12 | Number of stop work orders | 1 | 0 | 1 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 16 | 0 | 16 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 12 | 0 | 12 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 1 | 0 | 1 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 16 | 0 | 16 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 12 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 16 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$10,750 | | | | | | | | | | | | | | | | | | | | | | | | |

Mining – Non-Coal



Oil and Gas Exploration and Production

PURPOSE

Permits are required for the drilling and operation of a gas or oil well, the operation of a natural gas storage facility, and for oil and natural gas exploration using seismic operations. Permits include environmental controls to ensure public safety, to provide for the protection of public and private property, and 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, or authorization, the site is assigned an inspection frequency. Routine inspections of the facilities are scheduled in accordance with the assigned priority. Site inspections may be adjusted to reflect changing workloads or inspection priorities. The inspectors assess whether the operator is in compliance with permit conditions and determines whether corrections are required. The Mining Program strives to perform inspections of these facilities as resources allow. Frequent inspections are required during active drilling operations but a more infrequent inspection schedule may be sufficient once the well is complete.

SUCSESSES/CHALLENGES

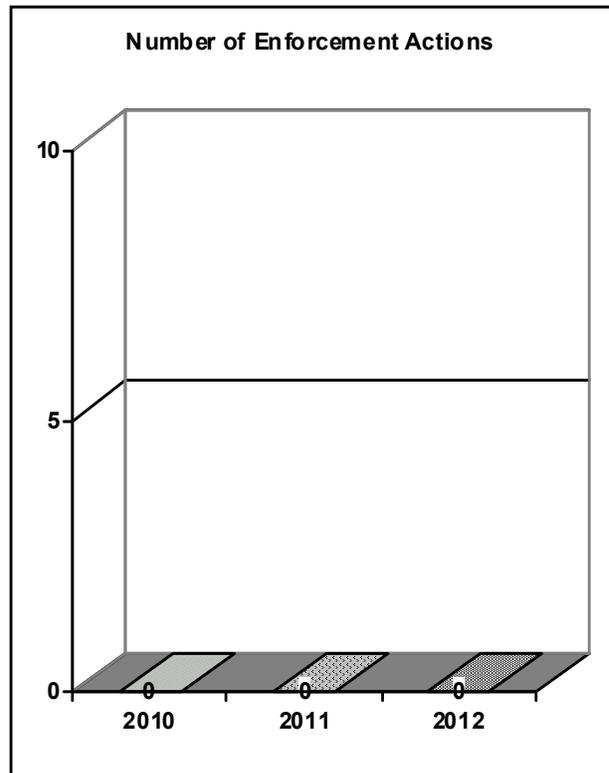
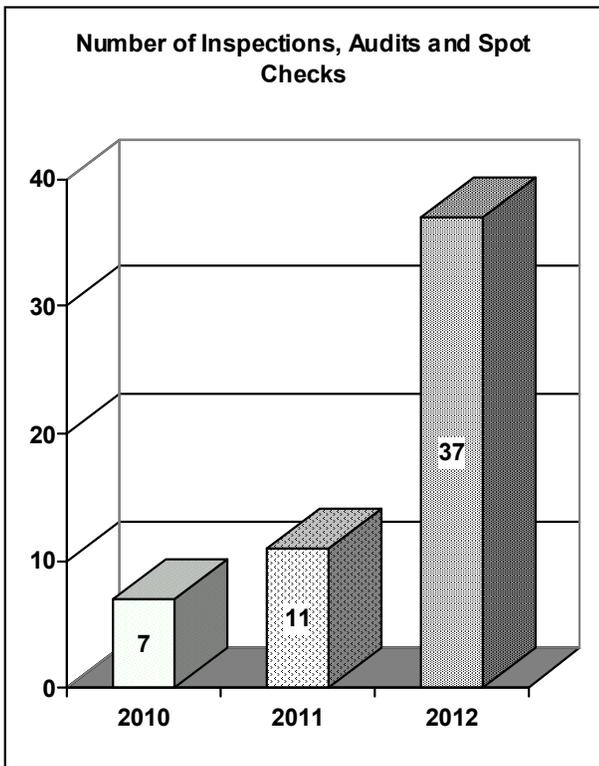
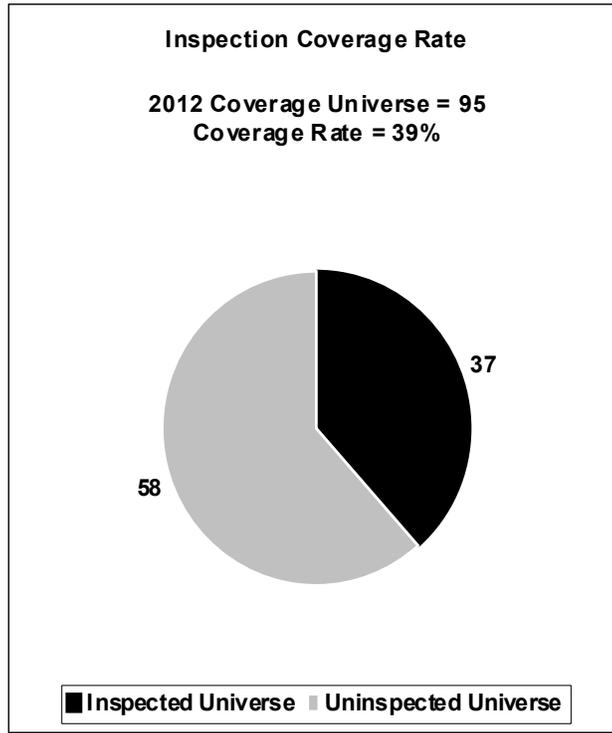
Many of the sites are not in current production mode. There were no new wells drilled in FY 2012. Via executive order The Governor established The Marcellus Shale Safe Drilling Initiative in 2011. As part of that Executive order, the Marcellus Shale Advisory Commission was formed. The Advisory Commission is currently developing recommendations for best practices in Maryland.

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Oil and Gas Exploration and Production

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|---|---|---|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 26 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 95 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected ("inspected" defined as at the site) | 37 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 37 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 37 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 37 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 0% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 39% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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 number of significant violations (sum of the three measures above) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
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| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$0 | | | | | | | | | | | | | | | | | | | | | | | | |

Oil and Gas Exploration and Production



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WATER MANAGEMENT ADMINISTRATION

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 Compliance Program is responsible for compliance associated with groundwater discharges, surface water discharges and federal discharge permits, pretreatment, erosion and sediment control for construction activity, waterway construction, and tidal and non-tidal wetlands. The Water Supply Program (WSP) is responsible for public drinking water and water appropriation permit compliance, and the Sediment, Stormwater and Dam Safety Program is responsible for dam safety compliance.

WMA's Compliance Program inspects sites to check for compliance with numerous laws, regulations and permits or other authorizations addressing wastewater discharges, surface water and groundwater pollution, stormwater discharges and erosion and sediment control, tidal and nontidal wetlands and waterway construction so many of the enforcement cases address numerous categories of violations and injunctive relief. The number of inspection and enforcement personnel relative to the number of regulated entities continues to be a challenge. For example, the WMA Compliance Program does not have a sufficient number of inspectors to meet the goal of inspecting every active construction site disturbing 5,000 square feet or more every two weeks. WMA focuses on large construction sites in non-delegated areas and State and federal projects, along with sites brought to MDE's attention by citizen complaints.

BMP retrofit requirements for State and federal agencies subject to NPDES municipal stormwater permits has increased the number of erosion and sediment control and stormwater management plans submitted to the Sediment, Stormwater, and Dam Safety Program for review. MDE has been working with the State Highway Administration to streamline the review time for retrofitting through the use of a general approval for certain small types of projects. This option will be considered for other project types and other agencies as the need arises.

The mission of the Water Supply Program is accomplished through proper planning for water withdrawal, protection of water sources 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, review of design plans for new or upgraded water treatment, and prompt response to water supply emergencies.

In FY 2012, Maryland adopted the Long Term 2 Surface Water Treatment Rule, the Lead and Copper Rule, and the Ground Water Rule that affect community and nontransient noncommunity water systems. These regulations are complex, and, in many cases, result in increased monitoring and capital costs for the regulated communities. To assist them with meeting the compliance requirements of the newly adopted rules, WSP provided training and on-site technical assistance to impacted water systems throughout the State. However, it is typical that even with the additional assistance from the WSP, the impacted systems would have difficulties with the implementation of new regulations in the first year when the rules become effective resulting in an increase in the number of technical violations. Consequently, this fiscal year our data highlights the additional violations that were incurred by community and non-transient non-community water systems as a result of the newly-adopted rules.

Compliance with the new regulations is expected to improve as water systems become familiar with the new requirements.

During FY2012, the WSP provided additional focus by assigning staff to review compliance with special conditions in Water Appropriation and Use permits. In addition, WSP increased the compliance rate for annual and semi-annual water use reporting to 98% as a result of major efforts involving communications by phone and mail. Notices of violation were sent to systems with outstanding reporting requirements, expired permits, and those who used water in excess of their permitted allocation.

Public water system enforcement included 412 notices of violation which were issued to 199 community and nontransient noncommunity water systems. Seventy-four of these water systems had violations that were based on drinking water health standards. The remaining violations were technical violations.

Maryland's inventory of dams contains a total of 482 structures with 588 permits in effect as of the end of FY2012. This number reflects the number of inventoried dams plus the number of small pond permits issued for structures that are not large enough to be part of the Dam Safety Division's inventory. This past fiscal year, 27 of these structures were added to those permits in effect. The Division receives many weekly requests for technical expertise of all kinds of small embankment facilities that are not its direct responsibility. The Division is engaging the soil conservation districts and local county stormwater management officials in helping with this extra workload.

**Water Management Administration
Performance Measures Executive Summary**

| | <u>2011 Totals</u> | <u>2012 Totals</u> |
|---|--------------------|--------------------|
| <u>PERMITTED SITES/FACILITIES</u> | | |
| Number of Permits/Licenses Issued | 4,432 | 4,397 |
| Number of Permits/Licenses in Effect at Fiscal Year End | 52,011 | 52,112 |
| <u>OTHER REGULATED SITES/FACILITIES</u> | | |
| Other Sites | 4,069 | 4,146 |
| <u>INSPECTIONS</u> | | |
| Number of Sites Inspected | 6,877 | 6,468 |
| Number of Sites Audited but Not Inspected | 3,313 | 3,256 |
| Number of Inspections, Audits, Spot Checks | 58,845 | 60,167 |
| <u>ENFORCEMENT ACTIONS</u> | | |
| Number of Compliance Assistance Rendered | 6,800 | 6,395 |
| Number of Enforcement Actions Taken* | 1,077 | 1,063 |
| <u>PENALTIES</u> | | |
| Amount of Administrative or Civil Penalties Obtained | \$1,480,440 | \$1,879,858 |

* Calculated as the sum of all enforcement actions for each program as listed in the chart for each.

Discharges – Groundwater (Municipal & Industrial)

PURPOSE

Excessive nutrients, bacteria, and industrial pollutants in wastewater have the potential to impact the quality of groundwater. The groundwater discharge permitting process provides a means of managing these impacts through monitoring, inspection and enforcement. The Wastewater Permits Program issues groundwater discharge permits to control the disposal of treated municipal or industrial wastewater into the State's groundwater via spray irrigation or other land-treatment methods such as subsurface discharge. Upon permit issuance, the Compliance Program is responsible for inspections and compliance assurance. Groundwater discharge permits establish pollutant discharge limits and require the permit holder to meet self-monitoring, record-keeping, and reporting requirements to protect public health and minimize groundwater pollution.

AUTHORITY

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

PROCESS

The Compliance Program performs inspections of sites with groundwater discharge permits as part of its overall inspection priority scheme, with priority given to sites that are the subject of complaints or are in violation based on failure to perform required self-monitoring and reporting, or due to violations of the effluent limitations in the permit. The inspector may conduct unannounced inspections and may collect samples for independent laboratory analysis as necessary to verify compliance with permit limits. Self-monitoring results are filed at the frequency specified by the permit (usually monthly or quarterly) in the form of Discharge Monitoring Reports (DMRs). DMRs are reviewed in the office and at the facilities in order to determine whether the facility is in compliance with applicable requirements. DMR reviews are shown in the following table on the line identified as "Inspections, Audits, Spot Checks." DMR reviews are not included in the determination of the inspection coverage rate.

SUCCESSES/CHALLENGES

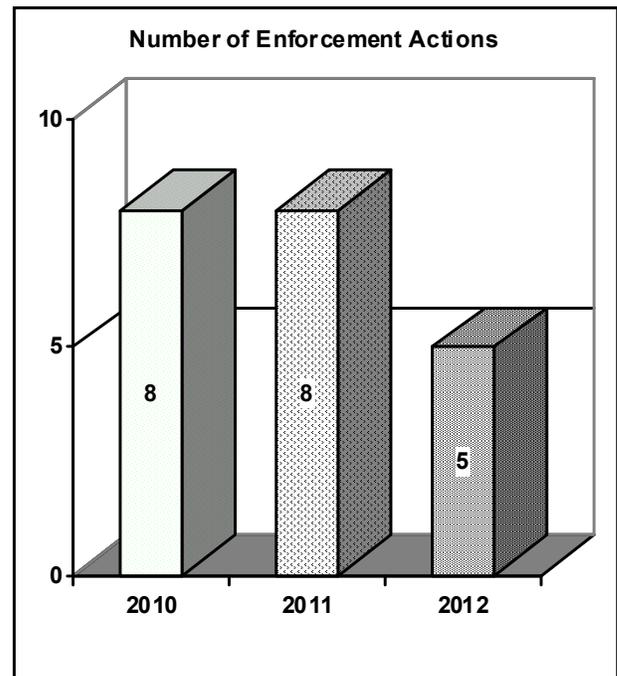
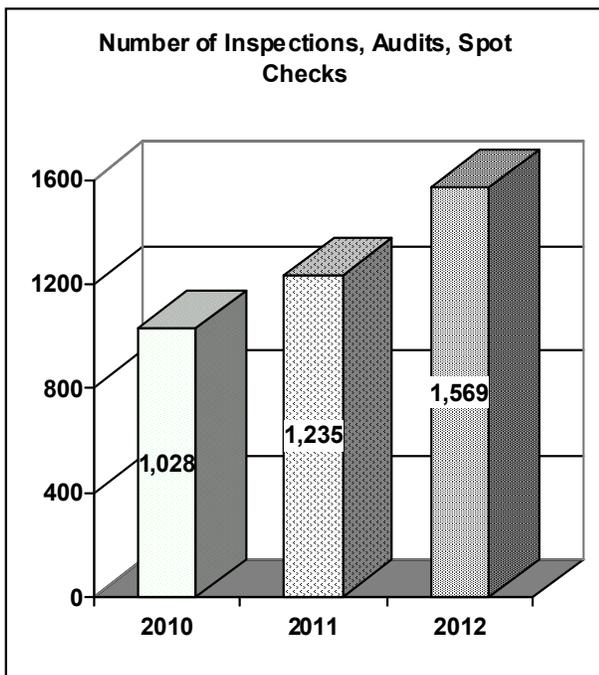
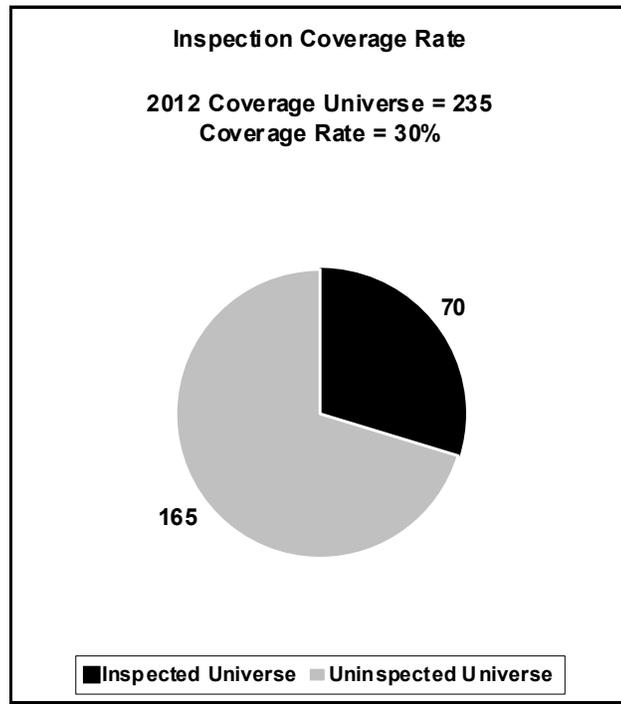
WMA continues to investigate and pursue enforcement cases to address cases involving groundwater pollution. WMA is currently working with the Attorney General's Office on a number of additional enforcement cases to address groundwater pollution concerns.

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Discharges – Groundwater (Municipal and Industrial)

| Performance Measure | | | TOTAL |
|---|----------------|----------------|-----------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | | | 45 |
| Number of permits/licenses in effect at fiscal year end | | | 235 |
| INSPECTIONS | | | |
| Number of sites inspected (“inspected” defined as at the site) | | | 70 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | | 111 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | | 181 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | | 134 |
| Number of audits (captures number of reviews of file/submittals for compliance) | | | 1,435 |
| Number of inspections, audits, spot checks (sum of the two measures above) | | | 1,569 |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations | | | 5 |
| Percentage of inspected sites/facilities with significant violations | | | 7% |
| Inspection coverage rate (number of sites inspected/coverage universe) | | | 30% |
| SIGNIFICANT VIOLATIONS | | | |
| Number of significant violations involving environmental or health impact | | | 4 |
| Number of significant violations based on technical/preventative deficiencies | | | 1 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | | | 21 |
| Total number of significant violations (sum of the three measures above) | | | 26 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | | 5 |
| Ongoing | | | 21 |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | | | 0 |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 5 | 0 | 5 |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$136,400 |

Discharges – Groundwater (Municipal and Industrial)



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

PURPOSE

The federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES) Program controls water pollution generated from a wide variety of sources including industrial activities, sewage treatment plants, certain agricultural activities and stormwater runoff from industrial, municipal and agricultural sources. All industrial, commercial or institutional facilities that discharge wastewater, including stormwater from certain industrial facilities, directly to surface waters of Maryland need a permit. Permittees include local, state, and federal government agencies, as well as privately-owned treatment systems and private residences. Some industrial discharges to municipal wastewater collection systems may require a pretreatment permit. Certain agricultural activities, specifically concentrated animal feeding operations, are also required to obtain a NPDES discharge permit.

The NPDES permit system includes a stormwater component to control pollution generated from runoff associated with industrial sites, municipal storm sewer systems, construction activities, and concentrated animal feeding operations. Eleven categories of industry, and storm sewer systems operated by certain government agencies, are required under the Clean Water Act to have their stormwater covered under an NPDES permit. For any construction activity that disturbs one or more acres, coverage must be obtained under the MDE's general and individual NPDES permits for construction activity. These permits require developers to perform self-inspection and record keeping to ensure that sediment and erosion control measures are maintained and functioning in accordance with approved plans to prevent water pollution and stream bank erosion caused by excess erosion, siltation, and stormwater flows from construction sites.

Surface water discharge permits combine applicable State and NPDES requirements into one permit for facilities that discharge to State surface waters. The permit is designed to protect water quality in the water receiving the discharge.

AUTHORITY

FEDERAL: Clean Water Act

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

PROCESS

The Compliance Program performs inspections of sites with surface water discharge permits as part of its overall inspection priority scheme, with priority given to sites that are the subject of complaints or in violation based on failure to perform permit required self-monitoring and reporting or due to violations of the effluent limitations in the permit. The inspector may conduct unannounced inspections and may collect samples for independent laboratory analysis as necessary to verify compliance with permit limits. Self-monitoring results are filed at the frequency specified by the permit (usually monthly

or quarterly) in the form of Discharge Monitoring Reports (DMRs). DMRs are reviewed in the office and at the facilities in order to determine whether the criteria for “Significant Noncompliance” have been met. DMR reviews performed by the Compliance Program’s Enforcement Division are included in the following Table on the line identified as “Inspections, Audits, Spot Checks.” DMRs were reviewed for all permitted sites that require DMR submittals as a part of their permit.

SUCSESSES/CHALLENGES

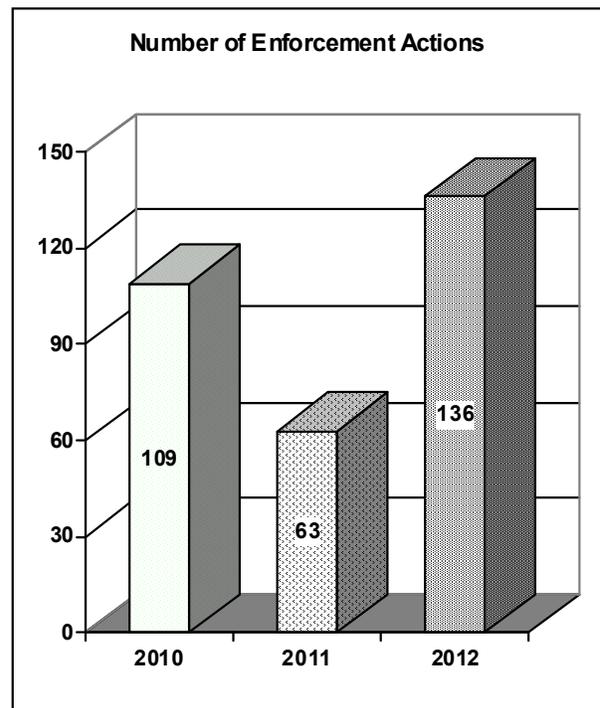
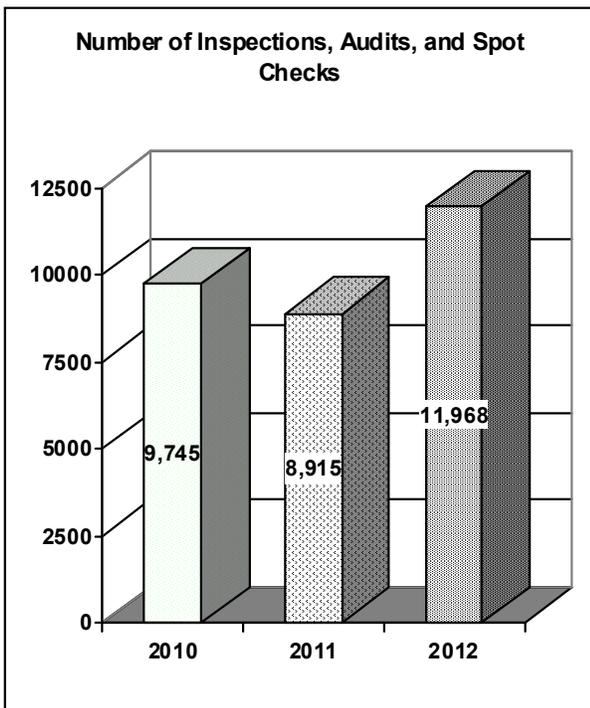
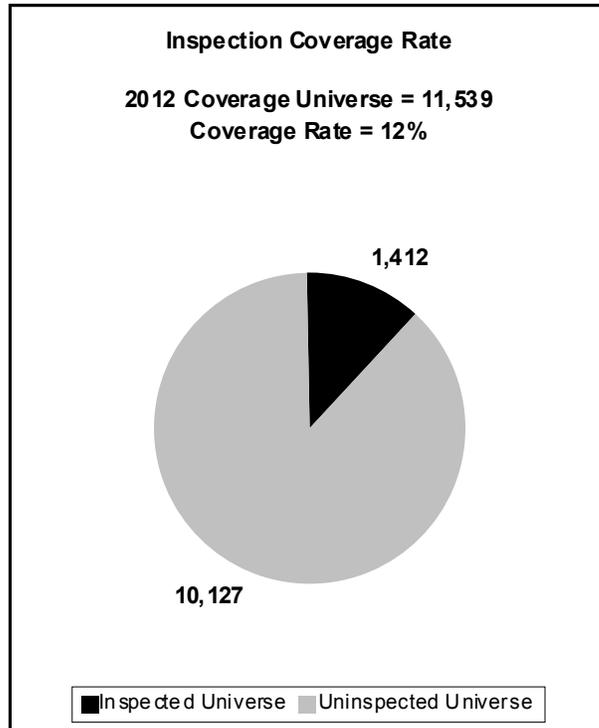
WMA is actively pursuing hundreds of cases involving surface water pollution. WMA’s Compliance Program inspects sites to check for compliance with numerous laws, regulations and permits or other authorizations addressing wastewater discharges, surface water and groundwater pollution, stormwater discharges and erosion and sediment control, tidal and nontidal wetlands and waterway construction so many of the enforcement cases address numerous categories of violations and injunctive relief. An anticipated decrease in enforcement actions occurred concurrent with the deployment of new inspection technology in FY 2009 and FY 2010. In addition, the number of inspection and enforcement personnel relative to the number of regulated entities continues to be a challenge.

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

| Performance Measure | TOTAL |
|---|---|
| PERMITTED SITES/FACILITIES | |
| Number of permits/licenses issued* | 1,199 |
| Number of permits/licenses in effect at fiscal year end | 11,539 |
| INSPECTIONS | |
| Number of sites inspected (“inspected” defined as at the site) | 1,412 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 710 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 2,122 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 2,879 |
| Number of audits (captures number of reviews of file/submittals for compliance) | 9,089 |
| Number of inspections, audits, spot checks (sum of the two measures above) | 11,968 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 92 |
| Percentage of inspected sites/facilities with significant violations | 5% |
| Inspection coverage rate (number of sites inspected/coverage universe) | 12% |
| SIGNIFICANT VIOLATIONS | |
| Number of significant violations involving environmental or health impact | 100 |
| Number of significant violations based on technical/preventative deficiencies | 11 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 225 |
| Total number of significant violations (sum of the three measures above) | 336 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 136 |
| Ongoing | 210 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 17 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 24 2 26 |
| Number of stop work orders | 0 0 0 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 108 2 110 |
| Number of referrals to Attorney General for possible criminal action | 0 |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$1,035,190 |

* This number includes new permits, renewals, and conversions/modifications of permits.

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



Discharges – Pretreatment (Industrial)

PURPOSE

The Pretreatment Program is responsible for regulating wastewaters from industrial and other non-domestic sources discharged into publicly-owned treatment works (POTW) to prevent the discharge of toxic or corrosive discharges to the collection systems serving POTWs that may result in process upsets and failure of critical infrastructure. In accordance with its authority as delegated by EPA, MDE oversees 20 local pretreatment programs that are responsible for 173 industrial sources. In addition, pretreatment permits are issued directly to four industries discharging to non-delegated POTWs. 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 operator of the POTW and WMA, and incorporated by reference into the NPDES permit issued by WMA. Local governments are responsible for issuing penalties and enforcement actions associated with this program; therefore, those numbers are not reflected in WMA's enforcement statistics.

AUTHORITY

FEDERAL: Clean Water Act

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

PROCESS

The Pretreatment Program oversees local pretreatment program implementation. This oversight is performed by the permitting program staff by conducting pretreatment compliance inspections of pretreatment programs; audits of pretreatment programs; joint review of industrial user permits; independent and joint industrial inspections with the POTW; review of quarterly status reports from the delegated POTWs; and 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.

WMA oversees delegated pretreatment programs and takes enforcement action when needed to support the proper treatment of industrial discharges to wastewater collection and treatment systems to prevent damage to the treatment processes or infrastructure and pass through of pollutants to waters of the State.

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 to 20 delegated pretreatment programs with technical and regulatory assistance. The Pretreatment Program also performed inspections at several industrial

users that are permitted by local delegated pretreatment programs. The inspection coverage rate includes these industrial users as well as the entities directly permitted by WMA.

SUCSESSES/CHALLENGES

The Program is responsible for inspecting the permittees, the POTWs and only some of the industrial users permitted by the delegated POTWs. The Program is required by statute to provide a 100% coverage rate of those facilities. In FY 2012, the program met that requirement.

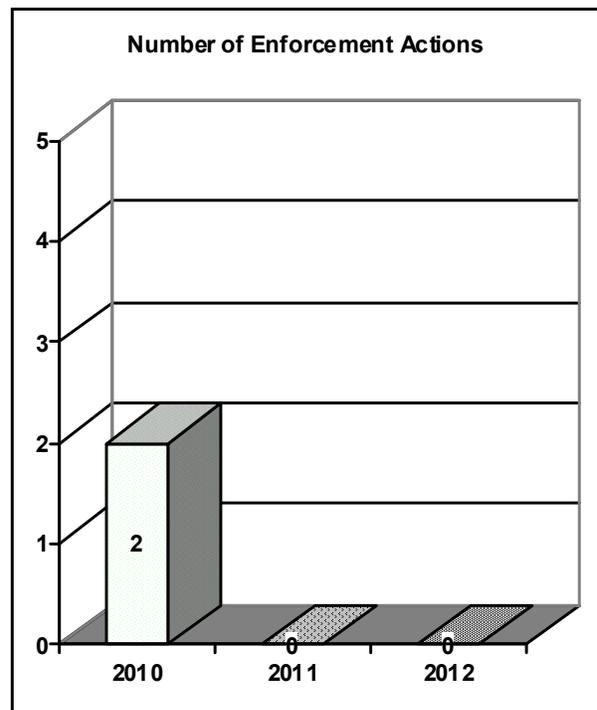
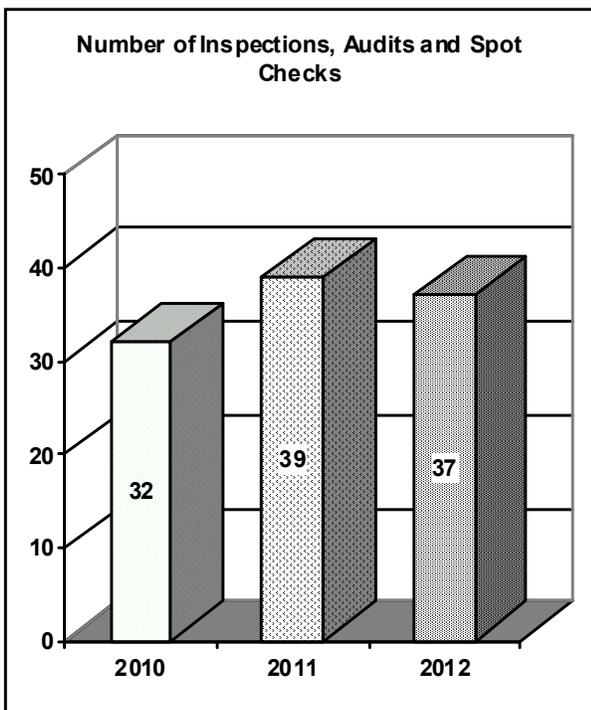
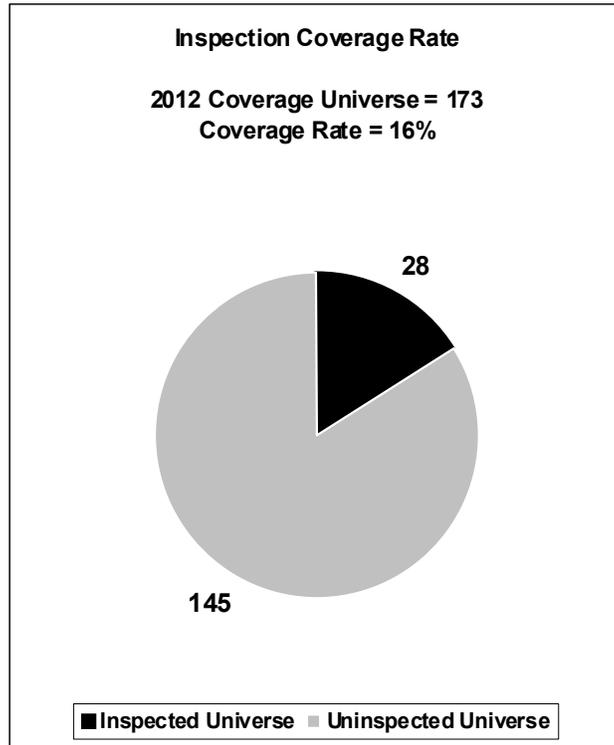
Discharges – Pretreatment (Industrial)

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|---|---|---|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end * | 4 | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER REGULATED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| POTWs | 20 | | | | | | | | | | | | | | | | | | | | | | | | |
| POTW issued permits (delegated programs)** | 173 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected (“inspected” defined as at the site) | 28 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 9 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 37 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 28 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 9 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 37 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 0% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 16% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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 number of significant violations (sum of the three measures above) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td colspan="2"></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | Number of stop work orders | 0 | 0 | 0 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 0 | 0 | 0 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$0 | | | | | | | | | | | | | | | | | | | | | | | | |

* These are State-permitted industries subject to Categorical Pretreatment Standards under U.S. EPA regulations 40 CFR 403.6 and 40 CFR Chapter I, Subpart N.

** Coverage rate is defined as the number of sites inspected divided by the sum of permits/licenses in effect, the POTWs and the significant industrial users.

Discharge – Pretreatment (Industrial)



Stormwater Management and Erosion & Sediment Control for Construction Activity

PURPOSE

The purpose of the erosion and sediment control program is to lessen the impact to the aquatic environment caused by sediment leaving construction sites. The purpose of the 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 using environmental site design practices and techniques. 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 erosion and sediment control and stormwater management plans before construction begins.

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 14 counties and ten municipalities by the state. MDE inspections cover construction projects in non-delegated counties and State and federal projects. 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 non-federal projects is, by law, the responsibility of each local jurisdiction. MDE inspections of stormwater management facilities are performed for State and federal projects only. Upon issuance of a permit or authorization (whether by WMA's Sediment and Stormwater Plan Review Division or by the local sediment control approval authority), a project file is transferred to the Compliance Program where an inspection priority is assigned. Routine inspections are scheduled based on the assigned priority and 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 demand.

Stormwater and Erosion and Sediment Control are combined into one table because at the State level these projects are reviewed and approved as one project. For State and federal projects, plan review is performed by the Sediment, Stormwater, and Dam Safety Program and inspections are performed by the Compliance Program. All other 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.

Inspections performed related to an NPDES permit for the discharge of stormwater associated with construction activities are included in the table for surface water discharges.

SUCSESSES/CHALLENGES

Although inspections remain a priority, the WMA Compliance Program does not have a sufficient number of inspectors to meet the goal of inspecting every active construction site disturbing 5,000 square feet or more every two weeks. WMA focuses on large construction sites in non-delegated areas and State and federal projects, along with sites brought to MDE's attention by citizen complaints.

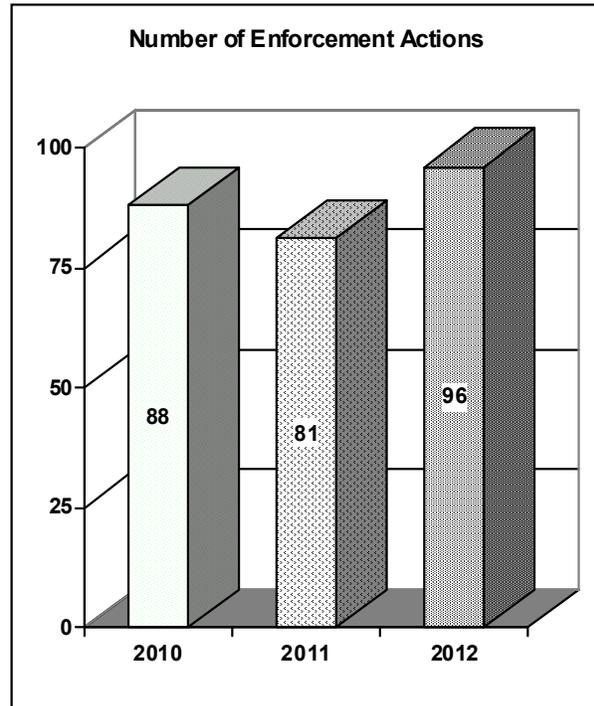
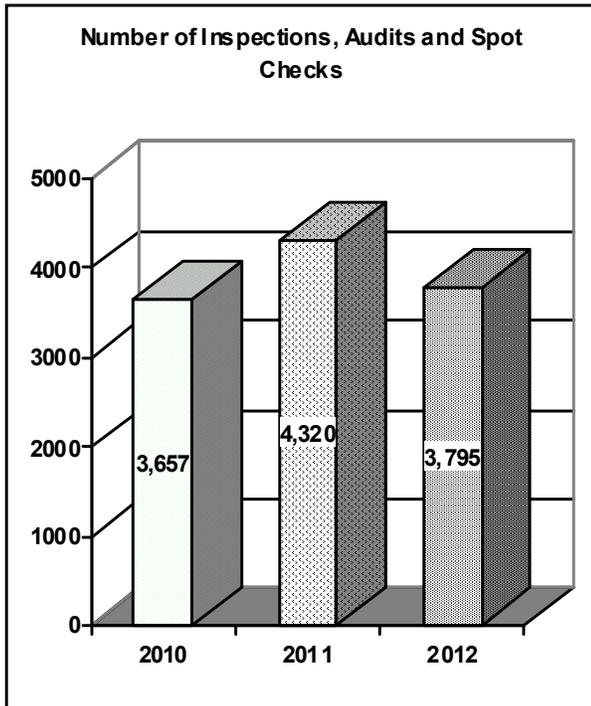
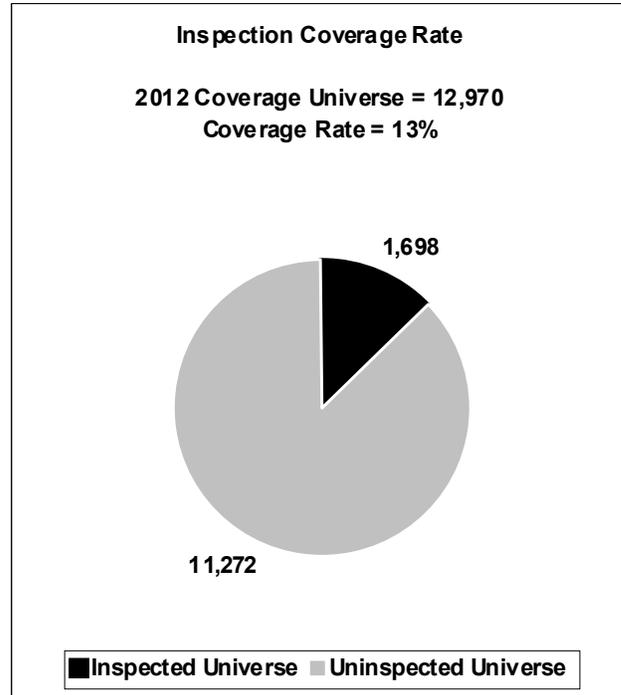
As in previous years, the Allegany, Caroline, Frederick, and Queen Anne's Soil Conservation Districts continued to perform Erosion and Sediment Control inspections on behalf of MDE as part of a Memorandum of Understanding. These districts are independent of county government. The numbers of sites inspected and numbers of inspections on the following table only include MDE's activities.

Anticipated BMP retrofit requirements for State and federal agencies subject to NPDES municipal stormwater permits have increased the number of erosion and sediment control and stormwater management plans submitted to the Sediment, Stormwater, and Dam Safety Program for review. Current program staff resources will continue to be stretched as this workload increases in the coming year. MDE has been working with the State Highway Administration to streamline the review time for retrofitting through the use of a general approval for certain small types of projects. This option will be considered for other project types and other agencies as the need determines.

Stormwater Management and Erosion & Sediment Control for Construction Activity

| Performance Measure | TOTAL |
|---|---|
| PERMITTED SITES/FACILITIES | |
| Number of approvals issued | 263 |
| Number of approvals in effect at fiscal year end | 12,970 |
| INSPECTIONS | |
| Number of sites inspected ("inspected" defined as at the site) | 1,698 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 0 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 1,698 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 3,795 |
| Number of audits (captures number of reviews of file/submittals for compliance) | 0 |
| Number of inspections, audits, spot checks (sum of the two measures above) | 3,795 |
| COMPLIANCE PROFILE | |
| Number of inspected sites/facilities with significant violations | 63 |
| Percentage of inspected sites/facilities with significant violations | 4% |
| Inspection coverage rate (number of sites inspected/coverage universe) | 13% |
| SIGNIFICANT VIOLATIONS | |
| Number of significant violations involving environmental or health impact | 62 |
| Number of significant violations based on technical/preventative deficiencies | 1 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 93 |
| Total number of significant violations (sum of the three measures above) | 156 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | |
| Resolved | 91 |
| Ongoing | 65 |
| ENFORCEMENT ACTIONS | |
| Number of compliance assistance rendered | 36 |
| | Administrative Civil/Judicial Total |
| Number of show cause, remedial, corrective actions issued | 10 0 10 |
| Number of stop work orders | 5 0 5 |
| Number of injunctions obtained | 0 0 0 |
| Number of penalty and other enforcement actions | 79 2 81 |
| Number of referrals to Attorney General for possible criminal action | 0 |
| PENALTIES | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$644,036 |

Stormwater Management and Erosion & Sediment Control for Construction Activity



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 current and future users in Maryland, and that appropriate usage, planning, and conservation policies are implemented for Maryland's water resources. This mission is accomplished through proper planning for water withdrawal, protection of water sources 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, review of design plans for new or upgraded water treatment, and prompt response to water supply emergencies. In addition to ensuring that public drinking water systems meet federal and State requirements under the Public Water System Supervision program, the WSP also administers the wellhead protection program, manages water resources, and issues water appropriation permits for both public and private water users, and commercial and agricultural entities statewide. Because all of these activities reside together in the WSP, Maryland has the unique opportunity to evaluate and regulate public drinking water systems from a broad perspective that includes an evaluation of the resource for both quantity and quality. The WSP's activities help to ensure safe drinking water for over five million Marylanders.

Community and Non-Transient Non-Community Water Systems

The WSP regulates approximately 1,023 community water systems (including municipal, county, and private systems), and non-transient non-community water systems (such as businesses, schools, and day cares). These systems must test for over 90 regulated contaminants on schedules that vary based on water source, system type and population.

Transient Non-Community Water Systems

In addition, there are approximately 2398 transient non-community water systems (such as rest areas, gas stations, campgrounds, and restaurants) throughout the State, which are regularly inspected and tested for acute contaminants. Since 1998, the WSP 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 the WSP has direct enforcement of the requirements for the three remaining counties.

Drinking Water Laboratory Certification

This program is mandated by the federal Safe Drinking Water Act. The certification assures the reliability of the compliance samples that are analyzed by State-certified laboratories. Providing high quality data is critical to evaluating public water systems, and is the primary means of evaluating the safety of the drinking water supplies. The laboratories that are certified under this program are also used by the county health departments and other MDE programs to analyze drinking water for private wells, and for investigation of underground storage tanks.

Water Appropriation Permits

The Water Supply Program (WSP) regulates water withdrawals and diversions through a permitting program to conserve and protect the State's water resources. Water uses for most purposes, including public supply, business, institutional, subdivision of land, or agricultural use over 10,000 gallons per day (gpd), require a permit. Groundwater users of 5,000 gpd or less may file for a Notice of Exemption in lieu of obtaining a permit unless the use is by a community water system, or within a designated water management strategy area. Maryland regulates water use under the doctrine of reasonable use. This means that the quantity must be reasonable for its intended purpose, the impacts of the use to the natural resources of the State must not be unreasonable, and the impacts to other users must not be unreasonable.

AUTHORITY

Public Drinking Water and Drinking Water Laboratory Certification

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

STATE: Environment Article, Title 9, Subtitles 2, 4, and 5; COMAR 26.04.01 and COMAR 26.08.05

Water Appropriation Permits

STATE: Environment Article, Title 5, Subtitles 2, 3, 4, and 5; COMAR 26.17.06 and COMAR 26.17.07

PROCESS

Community and Non-Transient Non-Community Water Systems

WSP 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 ensuring licensed operators are employed by water treatment facilities.

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. WSP reviews and evaluates more than 35,000 water quality records each year. Emphasis is placed on preventive measures to avoid 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

Twenty of the twenty-three counties are delegated responsibilities for transient non-community water systems. 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. In addition to providing funding, the

WSP provides guidance and training to the counties, and reports only health-based violations to EPA for these systems. WSP is in the process of concluding statewide evaluations to determine whether groundwater systems are under the influence of surface water. Groundwater 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. In addition, the WSP performs audits of the delegated counties every three years in order to determine that regulations are implemented appropriately.

WSP directly oversees implementation of federal and State regulations for 108 transient non-community water systems in Prince George's, Montgomery and Wicomico counties since these three counties declined acceptance of the delegated program and funding assistance. Oversight includes regular inspections of the systems, enforcement of monitoring requirements, and follow-up to occasional water quality problems that arise. WSP reports technical and health-based violations to EPA on a quarterly basis for these systems.

Drinking Water Laboratory Certification

The Water Supply Program regulates approximately 109 in-State and out-of-State laboratories that analyze compliance samples for public drinking water systems. All in-state laboratories are inspected on a triennial basis. In addition, laboratories submit an annual renewal package that includes performance testing results for each approved test method, standard operating procedures, and method detection limit studies. An inspection is required before a laboratory receives certification, or approval for a new test method.

Water Appropriation Permits

The Water Appropriation Permit review process is complex, and requires significant technical evaluation. Applicants are required to submit the results of aquifer tests and hydrogeologic investigations for review by program geologists. In some cases, the WSP may determine that the requested withdrawal could have a major impact on the water resource and/or other users in the vicinity and, as a result, the permit may be denied or modified. Technical assistance is provided to correct reporting errors, and permits are revised as needed.

In FY 2012, 662 water appropriation permits were issued. At the end of the FY 2012, 10,858 permits were in effect. Inspection of regulated permittees is not a statutory requirement of this program.

SUCSESSES/CHALLENGES

Community and Non-transient Non-community Water Systems

In FY 2012, Maryland adopted the Long Term 2 Surface Water Treatment Rule, the Lead and Copper Rule, and the Ground Water Rule. These regulations are complex, and, in many cases, result in increased monitoring and capital costs for the regulated

communities. To assist them with meeting the compliance requirements of the newly adopted rules, WSP provided training and on-site technical assistance to impacted water systems throughout the State. However, it is typical that even with the additional assistance from the WSP, the impacted systems would have difficulties with the implementation of new regulations in the first year when the rules become effective resulting in an increase in the number of technical violations. Consequently, this fiscal year our data highlights the additional violations that were incurred by community and non-transient non-community water systems as a result of the newly adopted rules. Compliance with the new regulations is expected to improve as water systems become familiar with the new requirements.

In FY 2013, the WSP will continue to evaluate options for replacing the current program database that was developed in the early 1990s. The new system will be modified to incorporate activities that are available in the program's existing system.

Water Appropriation Permits

The Department awarded a contract to build a new database management system that will replace the existing legacy system. The current database is not capable of maintaining data related to enforcement actions. The new system is scheduled to be functional in 2014.

The Water Supply Program is in the process of revising its regulations to incorporate statutory changes that (1) allow uses of 5,000 gallons per day or less to obtain a waiver from the permit requirements, and (2) provide the Department with the authority to allocate additional water to public water systems that serve municipal corporations or priority funding areas in Frederick, Carroll, and Washington Counties that were established prior to January 1, 2000. The revised regulations will be proposed in 2012.

The Water Supply Program is conducting water supply studies in both the Coastal Plain and Fractured Rock areas of the State, with assistance from the Maryland Geological Survey and the U.S. Geological Survey. These studies will improve the understanding of water availability in Maryland, and identify the potential impacts of withdrawals on the resource, aquatic habitat, and other water users. The studies will assist the Department with better management of the State water resources. The studies began in 2006 and are scheduled to be completed in 2014.

During FY2012, the WSP provided additional focus by assigning staff to review compliance with special conditions in Water Appropriation and Use permits. In addition, WSP increased the compliance rate for annual and semi-annual water use reporting to 98% as a result of major efforts involving communications by phone and mail. Notices of violation were sent to systems with outstanding reporting requirements, expired permits, and those who used water in excess of their permitted allocation.

Laboratory Certification

The Environmental Protection Agency (EPA) requires that all certification officers are trained and certified by EPA. The training is offered annually in Cincinnati, Ohio, and attendance requires approval from EPA. WSP has two certification officers that are fully trained, and has a plan to train existing staff to assist intermittently, as necessary. In FY 2012, the Laboratory Certification Program was not able to complete all triennial inspections for the year. Maryland has the highest ratio of laboratories per certification officer in the region. Since the Program cannot meet the triennial inspection requirements with the existing staff, a third-party contract was awarded in FY2012. It is expected that the work will be completed in FY 2013.

Public Water System Enforcement

412 notices of violation were issued to 199 community and non-transient non-community water systems. 74 of these water systems had violations that were based on drinking water health standards. The remaining violations were technical violations.

In FY2012, the WSP enforcement section issued 64 formal notices of violation, and \$11,664 was collected from water systems with significant violations.

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Water Supply Program

Community and Non-Transient Non-Community Water Systems

| Performance Measure | | | TOTAL |
|---|----------------|----------------|----------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | | | 0 |
| Number of permits/licenses in effect at fiscal year end | | | 0 |
| OTHER REGULATED SITES/FACILITIES | | | |
| Number of community and non-transient non-community water systems * | | | 1,022 |
| INSPECTIONS | | | |
| Number of sites inspected ("inspected" defined as at the site) | | | 786 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | | 236 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | | 1,023 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | | 786 |
| Number of audits (captures number of reviews of file/submittals for compliance) | | | 26,238 |
| Number of inspections, audits, spot checks (sum of the two measures above) | | | 27,024 |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations ** | | | 0 |
| Percentage of inspected sites/facilities with significant violations | | | 0% |
| Inspection coverage rate (number of sites inspected/coverage universe) *** | | | 77% |
| SIGNIFICANT VIOLATIONS | | | |
| 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 | | | 5 |
| Total number of significant violations (sum of the three measures above) | | | 5 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | | 3 |
| Ongoing | | | 2 |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered **** | | | 1,025 |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 412 | 0 | 412 |
| Notices given to public by water systems under Section 9-410 | | | 180 |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$11,667 |

* This number includes 473 community water systems and 549 non-transient non-community water systems.

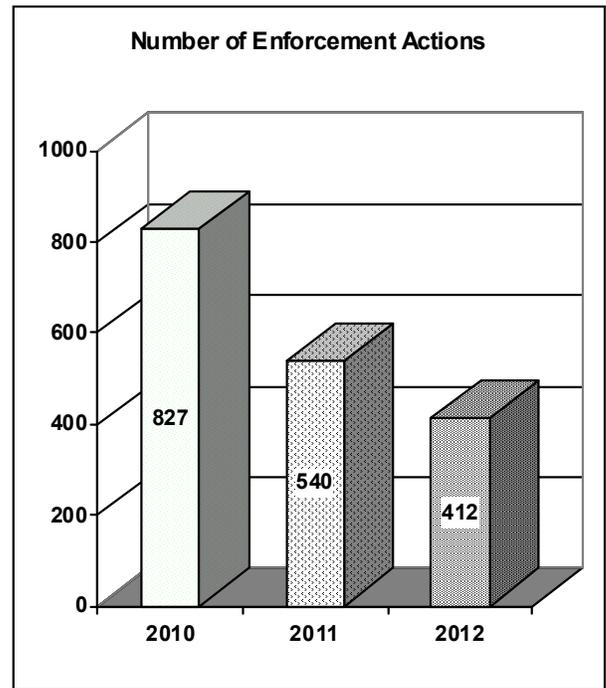
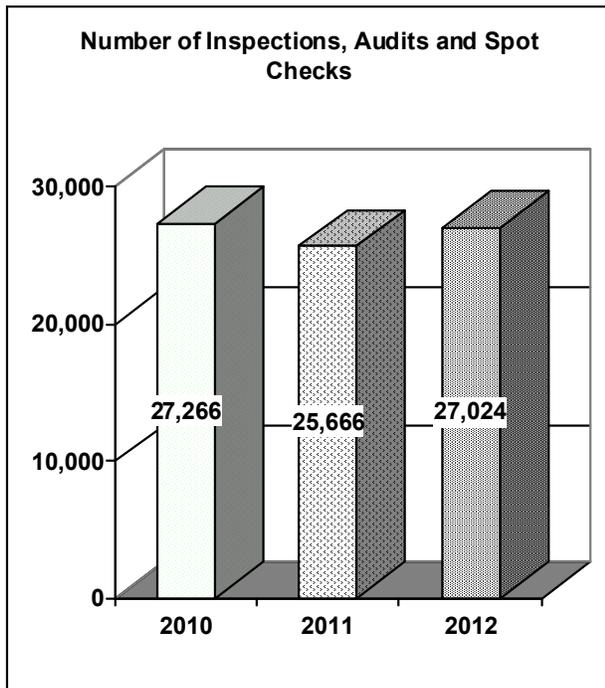
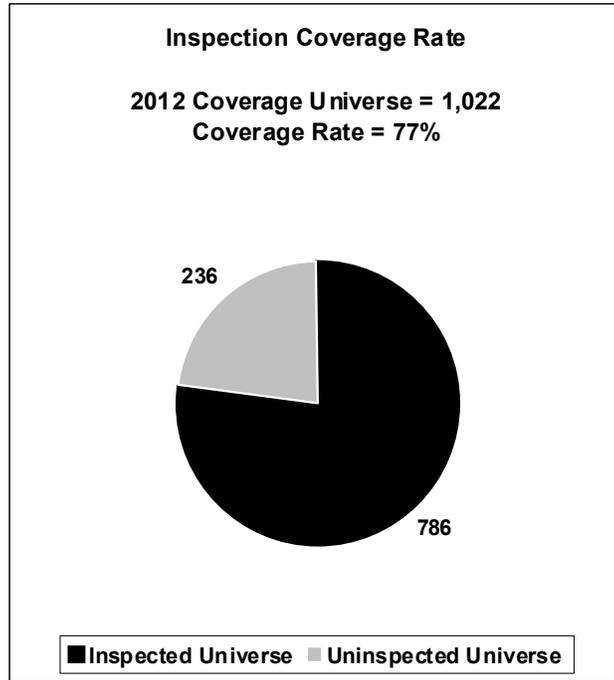
** Number of sites in significant violation includes sites with violations carried over. MDE adopted a new policy for significant violations that was implemented in FY 2009.

*** Coverage rate 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

| Performance Measure | | | TOTAL |
|---|----------------|----------------|--------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | | | N/A |
| Number of permits/licenses in effect at fiscal year end | | | N/A |
| OTHER REGULATED SITES/FACILITIES | | | |
| Number of transient non-community water systems | | | 2,398 |
| INSPECTIONS | | | |
| Number of sites inspected ("inspected" defined as at the site) | | | 378 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | | 1,808 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | | 2,186 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | | 378 |
| Number of audits (captures number of reviews of file/submittals for compliance) | | | 11,652 |
| Number of inspections, audits, spot checks (sum of the two measures above) | | | 12,030 |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations | | | 0 |
| Percentage of inspected sites/facilities with significant violations | | | 0% |
| Inspection coverage rate (number of sites inspected/coverage universe) * | | | 16% |
| SIGNIFICANT VIOLATIONS | | | |
| 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 | | | 3 |
| Total number of significant violations (sum of the three measures above) | | | 3 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | | 1 |
| Ongoing | | | 2 |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | | | 0 |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 287 | 0 | 287 |
| Notices given to public by water systems under Section 9-410 ** | | | 139 |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$0 |

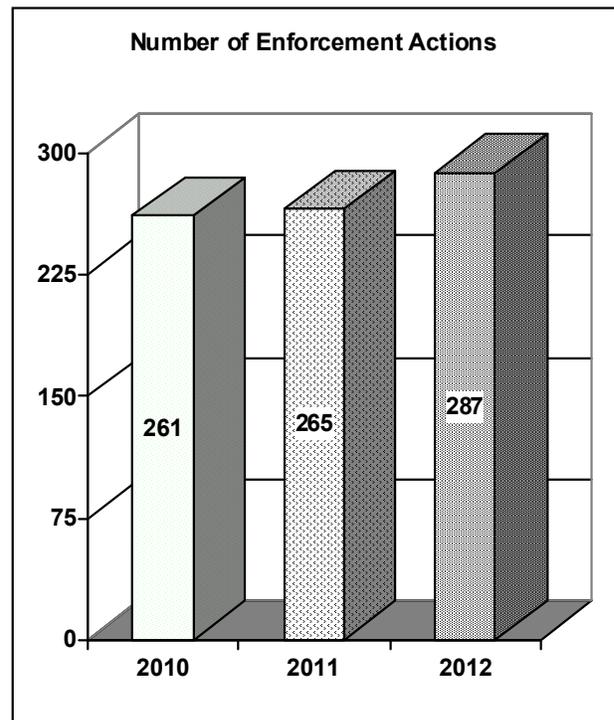
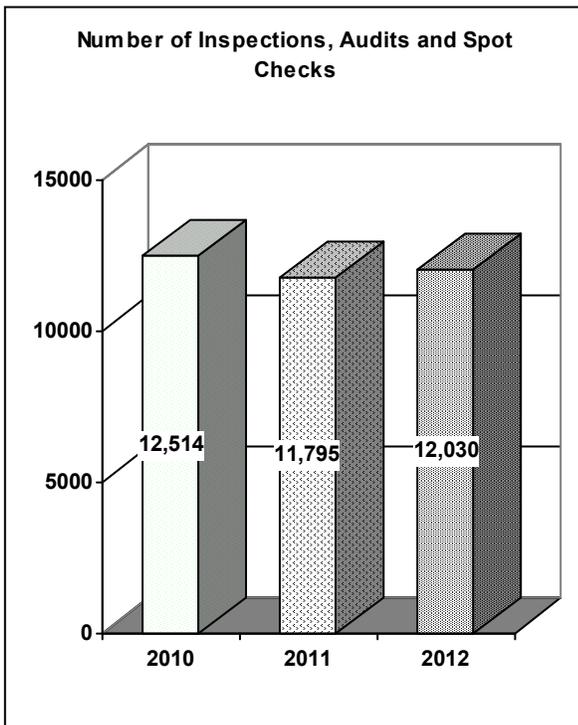
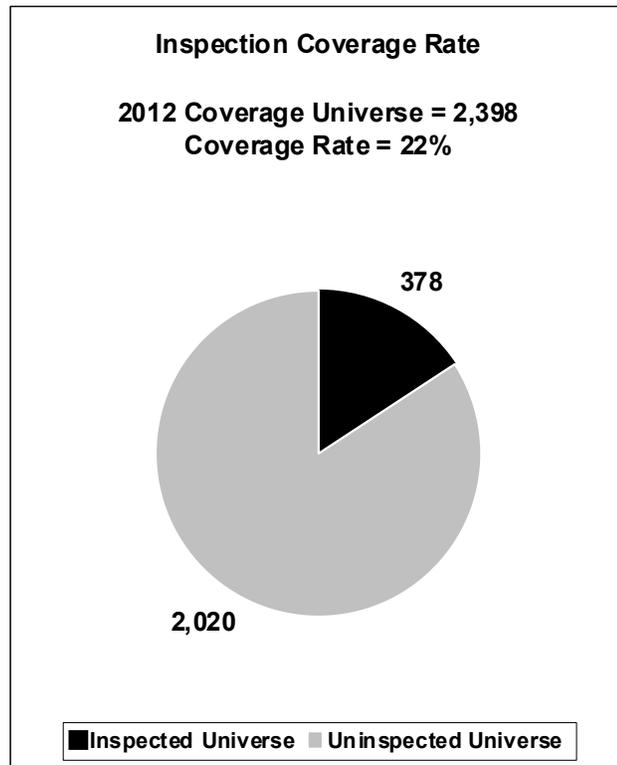
* Coverage rate is computed by dividing the number of inspected systems by the total number of transient non-community water systems.

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

Note: MDE adopted a new policy for significant violations that was implemented in FY 2009.

Water Supply Program

Transient Non-Community Water Systems



Water Supply Program

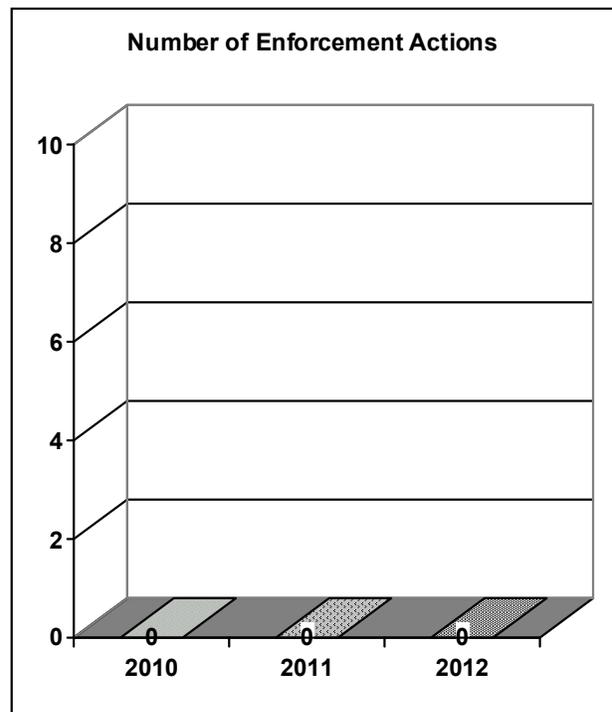
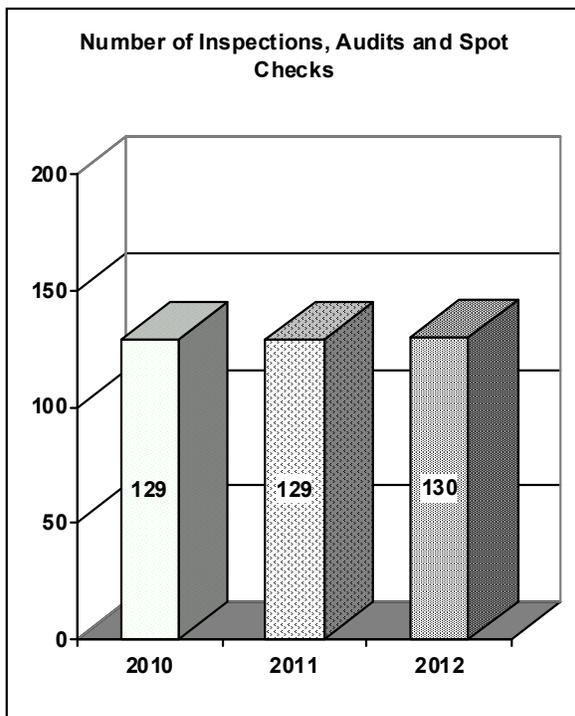
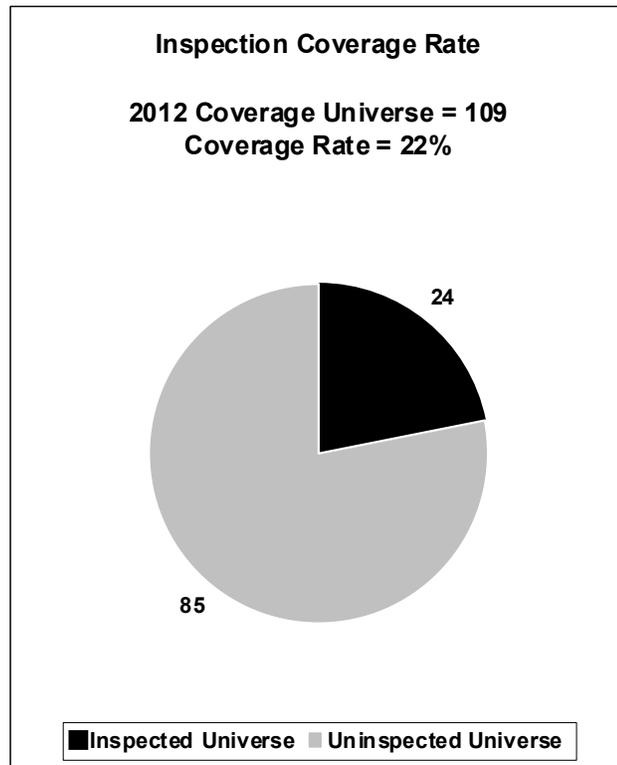
Drinking Water Laboratory Certification

| Performance Measure | TOTAL | | |
|---|----------------|----------------|-------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | 111 | | |
| Number of permits/licenses in effect at fiscal year end | 109 | | |
| OTHER REGULATED SITES/FACILITIES | | | |
| Number of state-certified drinking water laboratories | 109 | | |
| INSPECTIONS | | | |
| Number of sites inspected ("inspected" defined as at the site) | 24 | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 101 | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 125 | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 28 | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 102 | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 130 | | |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations | 0 | | |
| Percentage of inspected sites/facilities with significant violations | 0% | | |
| Inspection coverage rate (number of sites inspected/coverage universe)* | 22% | | |
| SIGNIFICANT VIOLATIONS | | | |
| 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 number of significant violations (sum of the three measures above) | 0 | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | 0 | | |
| Ongoing | 0 | | |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | 0 | | |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 0 | 0 | 0 |
| Notices given to public by water systems under Section 9-410 | N/A | | |
| Number of referrals to Attorney General for possible criminal action | 0 | | |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$0 | | |

* Coverage rate is computed by dividing the number of inspected systems by the total number of water quality laboratories.

Water Supply Program

Drinking Water Laboratory Certification



Water Supply Program

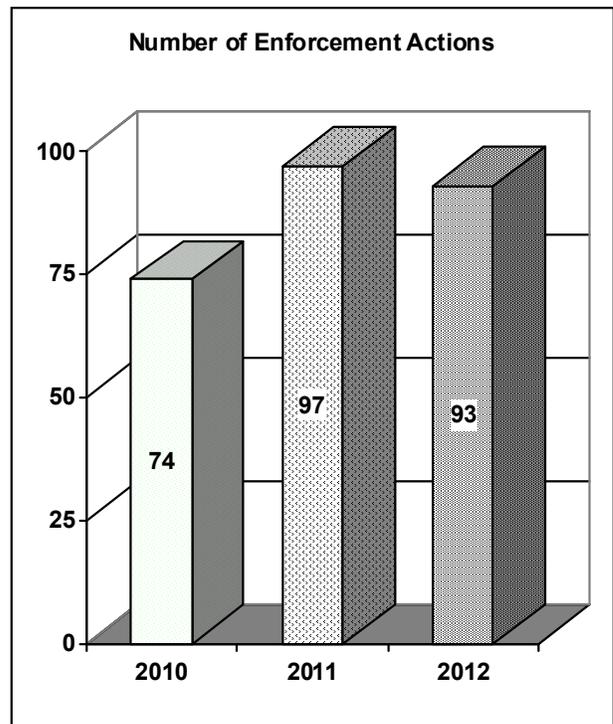
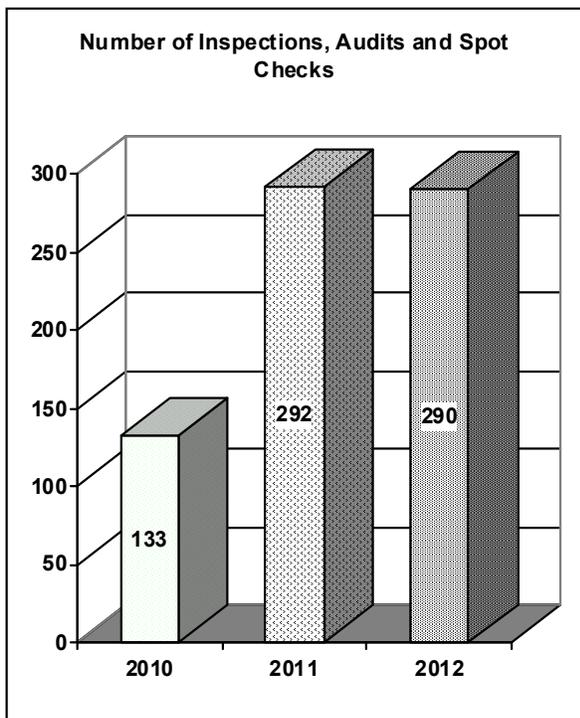
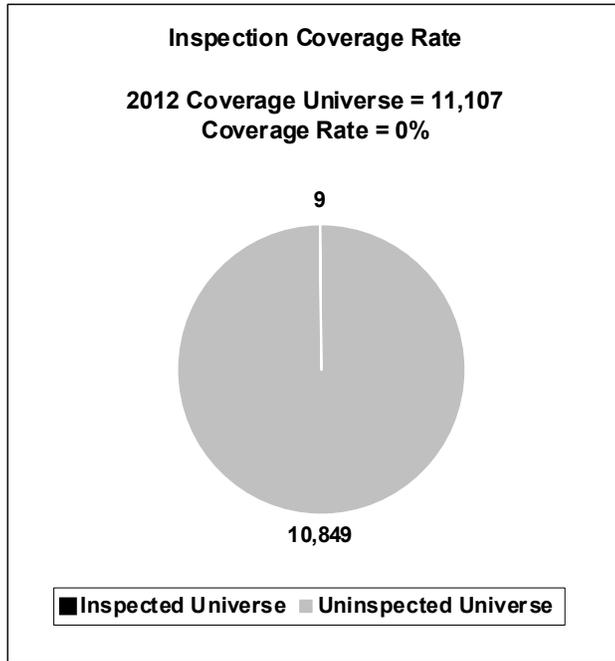
Water Appropriation Permits

| Performance Measure | | TOTAL | |
|---|----------------|----------------|-------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | | 662 | |
| Number of permits/licenses in effect at fiscal year end | | 10,858 | |
| OTHER REGULATED SITES/FACILITIES | | | |
| | | N/A | |
| INSPECTIONS | | | |
| Number of sites inspected ("inspected" defined as at the site) | | 9 | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | 281 | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | 290 | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | 9 | |
| Number of audits (captures number of reviews of file/submittals for compliance) | | 281 | |
| Number of inspections, audits, spot checks (sum of the two measures above) | | 290 | |
| COMPLIANCE PROFILE* | | | |
| Number of inspected sites/facilities with significant violations | | 0 | |
| Percentage of inspected sites/facilities with significant violations | | 0% | |
| Inspection coverage rate (number of sites inspected/coverage universe) | | 0% | |
| SIGNIFICANT VIOLATIONS | | | |
| 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 number of significant violations (sum of the three measures above) | | 0 | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | 0 | |
| Ongoing | | 0 | |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | | 5211 | |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 93 | 0 | 93 |
| Notices given to public by water systems under Section 9-410 | | | N/A |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$0 |

* This activity does not include inspections. Annual or semiannual reports are required for certain water appropriation permits.

Water Supply Program

Water Appropriation Permits



Waterway Construction – Dam Safety

PURPOSE

The purpose of the Dam Safety Division is to ensure 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 (SCDs).

Many dams in Maryland were constructed decades ago and are now showing signs of deterioration. In order to provide safe service, dams require frequent safety inspections, monitoring, maintenance, and rehabilitation. In addition to larger dams, thousands of smaller dams (typically under 20 feet high) were constructed decades ago with corrugated metal pipe spillways. Often constructed on farms that have since been developed into residential communities, many of these dams are now in poor condition and threaten the safety of residents who live in newer homes constructed downstream of them.

The Dam Safety Division, through its dam inspection, dam owner assistance, permitting, and enforcement activities, seeks to prevent dam failures and the resultant loss of life, property damage, and environmental impacts. In addition to possible loss of life and significant property damage, significant erosion of stream channels and sediment deposition occur downstream of a failed embankment structure. 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.

AUTHORITY

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

PROCESS

Upon issuance of a permit, copies of the approved plans and a copy of the Permit 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, perform sediment control inspections at the request of the Dam Safety Division, or respond to citizens' complaints.

Dams are classified into three categories according to the consequences of a potential failure:

- 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:

| Hazard Class | Number in Category | Inspection Frequency | Sites Targeted/Year |
|--------------|--------------------|----------------------|---------------------|
| High | 82 | Annually | 82 |
| Significant | 106 | Every 3 years | 36 |
| Low | 236 | Every 6 years | 39 |
| Total | 424 | -- | 151 |

In addition, the Division inspects sites with permits to construct new dams, reinspects existing dams when problems are found during the initial inspection, and inspects SCD ponds and Natural Resources Conservation Service dams.

Based upon the inspection findings, the Dam Safety Division may initiate enforcement actions, varying from a letter advising the owner to correct routine deficiencies up to issuing an order requiring immediate repairs to be performed or removing the structure due to an unsafe condition. MDE does not have the statutory authority to collect administrative or civil penalties for this program. However, MDE has statutory authority to collect criminal penalties.

SUCCESSSES/CHALLENGES

Maryland’s inventory of dams contains a total of 482 structures. 58 dams have been breached leaving a total of 424 that are operational. Of these, 82 dams are considered “high hazard,” 106 are “significant hazard,” and 236 are “low hazard.” The Dam Safety Division performed 216 inspections in FY2012. A total of 56 “high hazard” dams out of 82 have been inspected with the remaining structures scheduled for inspection by the end of calendar year 2012.

As shown below, 588 permits were in effect as of the end of FY 2012. This number reflects the number of inventoried dams (482) plus the number of small pond permits issued for structures that are not large enough to be part of the Dam Safety Division’s inventory. This past fiscal year, 27 of these structures were added to those permits in effect.

The total number of dams required to be inspected by the Dam Safety Division plus the small pond permits that have been issued over the last several years have made it very difficult for MDE to keep up with routine evaluations of dams that are on Maryland’s inventory. The Division receives many weekly requests for technical expertise of all kinds of small embankment facilities that are not its direct responsibility. This has taxed current staff. The Division is engaging the soil conservation districts and local county stormwater management officials in helping with this extra workload. In some areas of the State, this has helped significantly. The Division will continue these efforts in the future.

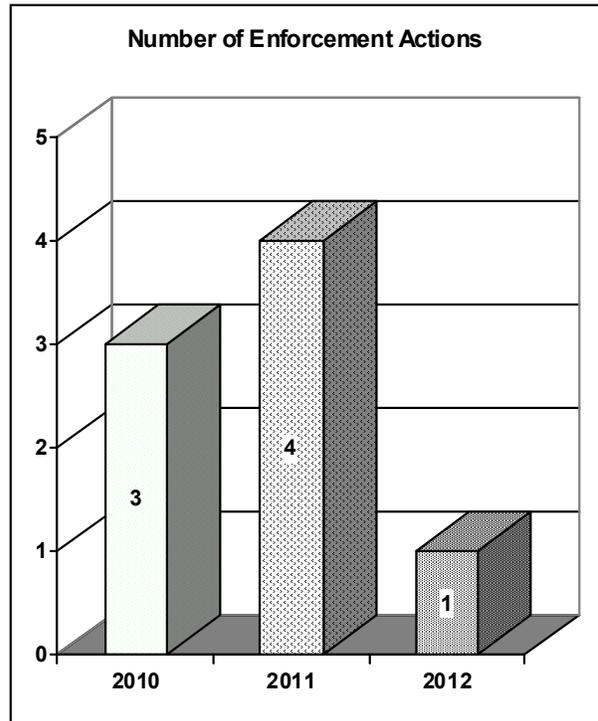
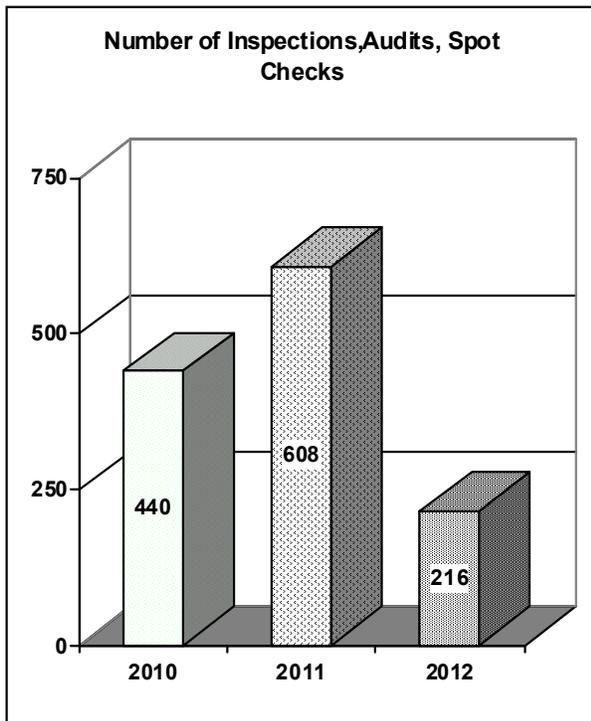
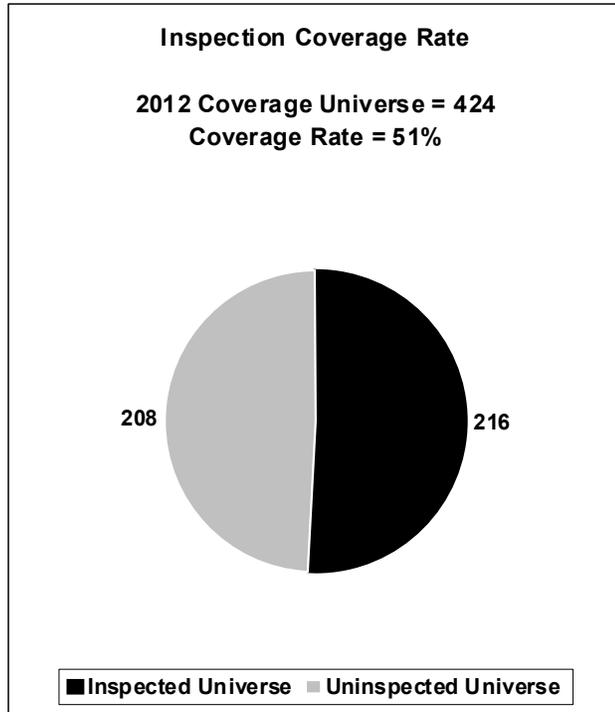
Waterway Construction – Dam Safety

| Performance Measure | | | TOTAL |
|---|----------------|----------------|-------|
| PERMITTED SITES/FACILITIES | | | |
| Number of permits/licenses issued | | | 8 |
| Number of permits/licenses in effect at fiscal year end | | | 588 |
| OTHER REGULATED SITES/FACILITIES | | | |
| Dams in operation | | | 424 |
| INSPECTIONS | | | |
| Number of sites inspected (“inspected” defined as at the site) | | | 216 |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | | | 0 |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | | | 216 |
| Number of inspections, spot checks (captures number of compliance activities at sites) | | | 216 |
| Number of audits (captures number of reviews of file/submittals for compliance) | | | 0 |
| Number of inspections, audits, spot checks (sum of the two measures above) | | | 216 |
| COMPLIANCE PROFILE | | | |
| Number of inspected sites/facilities with significant violations | | | 12 |
| Percentage of inspected sites/facilities with significant violations | | | 6% |
| Inspection coverage rate (number of sites inspected/coverage universe)* | | | 51% |
| SIGNIFICANT VIOLATIONS | | | |
| Number of significant violations involving environmental or health impact | | | 0 |
| Number of significant violations based on technical/preventative deficiencies | | | 10 |
| Number of significant violations carried over awaiting disposition from previous fiscal year | | | 7** |
| Total number of significant violations (sum of the three measures above) | | | 17 |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | |
| Resolved | | | 1 |
| Ongoing | | | 16 |
| ENFORCEMENT ACTIONS | | | |
| Number of compliance assistance rendered | | | 88 |
| | Administrative | Civil/Judicial | Total |
| Number of show cause, remedial, corrective actions issued | 0 | 1 | 1 |
| Number of stop work orders | 0 | 0 | 0 |
| Number of injunctions obtained | 0 | 0 | 0 |
| Number of penalty and other enforcement actions | 0 | 0 | 0 |
| Number of referrals to Attorney General for possible criminal action | | | 0 |
| PENALTIES | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$0 |

* Coverage rate above is computed as the total number of sites inspected and dividing that by the dams in operation. See narrative for more detail about the Dam Safety Division’s approach to inspection frequency.

**Last year’s report incorrectly showed 10 ongoing significant violations.

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 is a comprehensive regulatory program that targets all activities that have a potential to adversely impact non-tidal wetlands. These activities include the following:

- 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, MDE first prevents 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 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, or 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 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 demand. 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. 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.

MDE does not have the statutory authority to collect administrative penalties for this program.

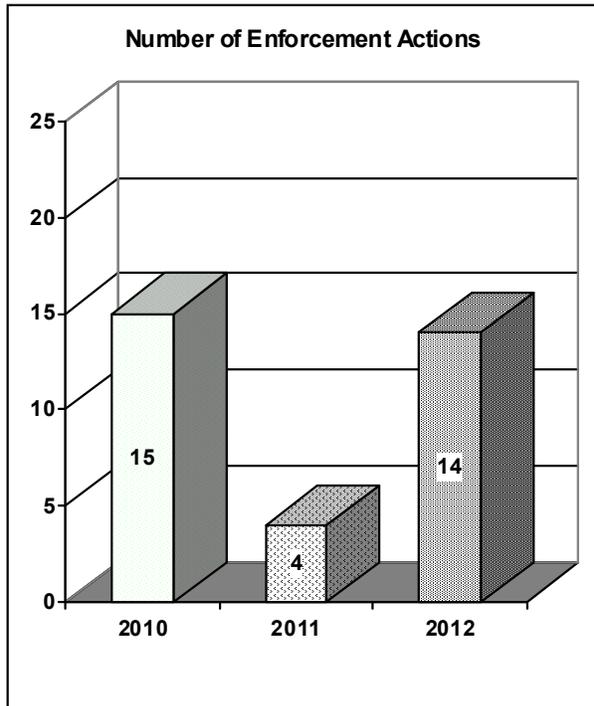
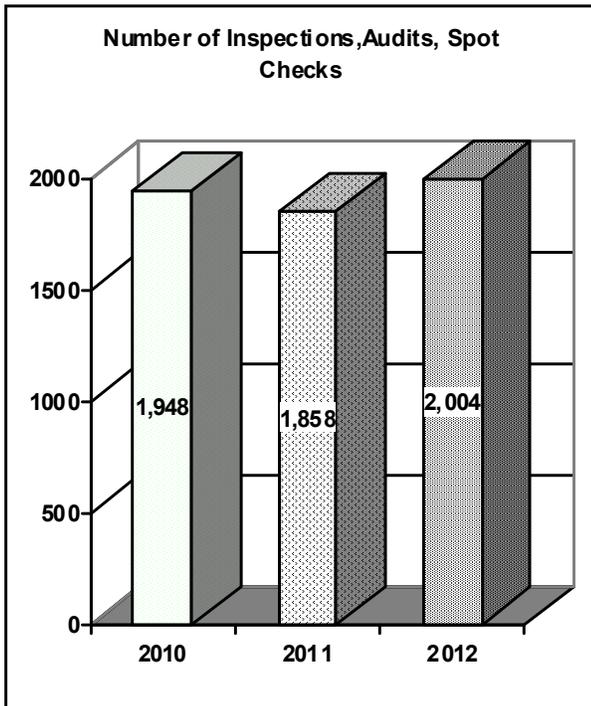
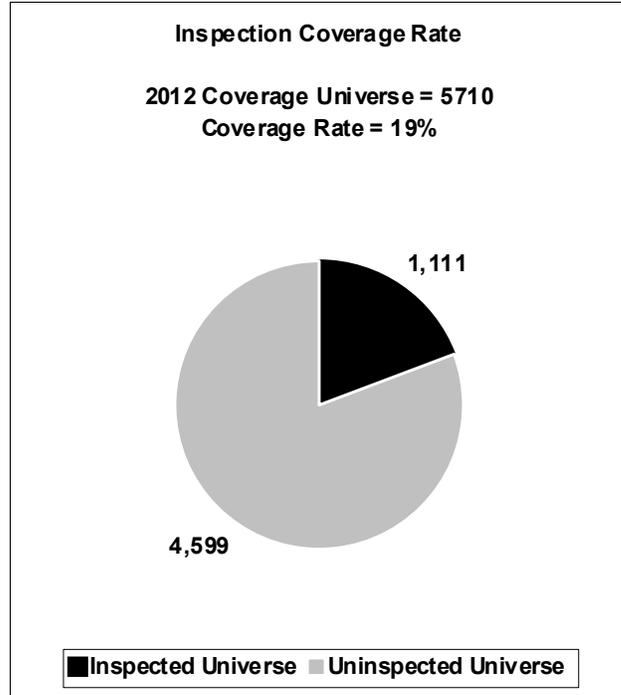
SUCSESSES/CHALLENGES

WMA continues to inspect and take enforcement actions to address violations impacting non-tidal wetlands and waterways. WMA is currently pursuing a large number of enforcement cases involving nontidal wetlands through referrals to the Attorney General's Office, many as a result of investigation of citizen complaints. A challenge is the limited number of WMA inspectors, enforcement staff, and attorneys to handle legal actions.

Wetlands and Waterways – Non-Tidal and Floodplain

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|---|---|---|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 959 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 5,710 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected (“inspected” defined as at the site) | 1,111 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 1,111 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 2,004 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 2,004 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 20 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 2% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 19% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 20 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 84 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 104 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 13 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 91 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 9 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">3</td> <td style="text-align: center;">3</td> <td style="text-align: center;">6</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">1</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">7</td> <td style="text-align: center;">0</td> <td style="text-align: center;">7</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td colspan="2"></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 3 | 3 | 6 | Number of stop work orders | 1 | 0 | 1 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 7 | 0 | 7 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 3 | 3 | 6 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 1 | 0 | 1 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 3 | 3 | 6 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 1 | 0 | 1 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 7 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$29,075 | | | | | | | | | | | | | | | | | | | | | | | | |

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 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.

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, 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, 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 or 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 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 demand. 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.

MDE does not have the statutory authority to collect administrative penalties for this program.

SUCSESSES/CHALLENGES

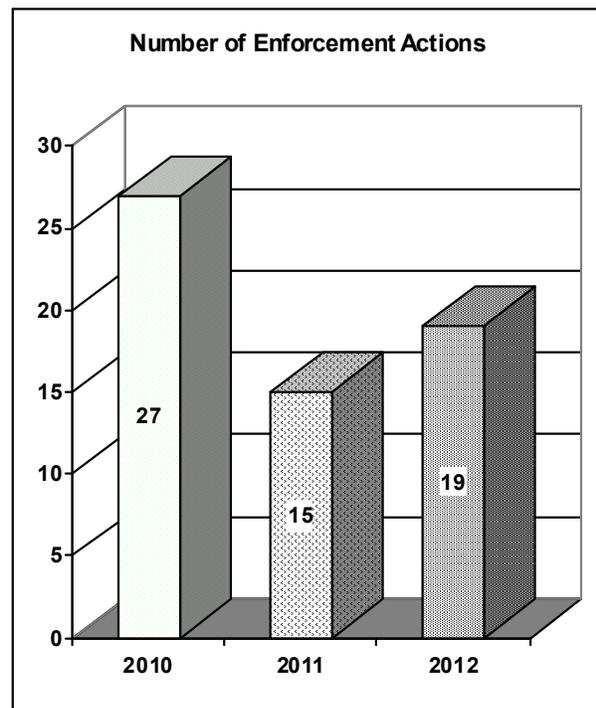
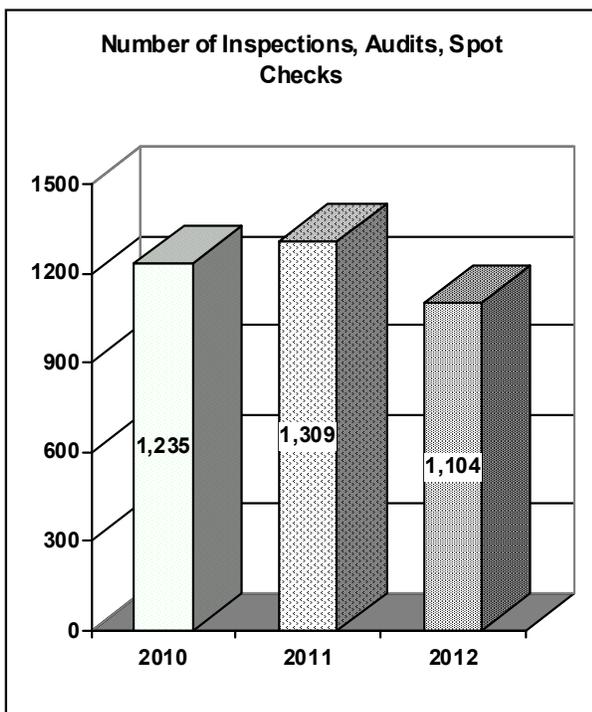
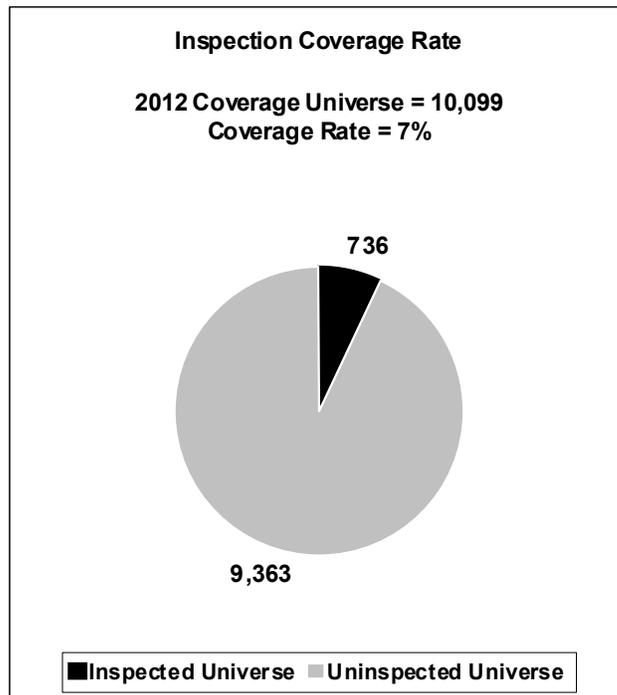
WMA actively worked in close cooperation with the Attorney General's Office to resolve numerous cases involving unauthorized impacts to tidal wetlands. Many of the cases are developed as the result of citizen complaints about pier extensions, adding boat lifts or boat houses, or building or extending bulkheads.

WMA is responding to a large number of citizen complaints in certain areas of the State to identify the majority of tidal wetlands violations through on-site inspections. Development of improved access to regular aerial photography of tidal coastlines with sufficient staff to review the information to identify work underway that has not been approved by MDE could help identify many other sites in violation. The on-site investigation and enforcement process is impacted by the limited number of inspectors, enforcement staff, and attorneys available to devote to tidal wetlands actions, and many cases will require significant time from identification to conclusion if a court action is needed.

Wetlands – Tidal

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|----|---|----|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 1,150 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 10,099 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected (“inspected” defined as at the site) | 736 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 736 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 1,104 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 1,104 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 41 | | | | | | | | | | | | | | | | | | | | | | | | |
| Percentage of inspected sites/facilities with significant violations | 5% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 7% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations involving environmental or health impact | 41 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations based on technical/preventative deficiencies | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of significant violations carried over awaiting disposition from previous fiscal year | 125 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total number of significant violations (sum of the three measures above) | 166 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 19 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 147 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 9 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Administrative</th> <th style="width: 25%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">2</td> <td style="text-align: center;">0</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">17</td> <td style="text-align: center;">0</td> <td style="text-align: center;">17</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td colspan="2"></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 2 | 0 | 2 | Number of stop work orders | 0 | 0 | 0 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 17 | 0 | 17 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 2 | 0 | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 17 | 0 | 17 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 2 | 0 | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 17 | 0 | 17 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | | | \$36,583 | | | | | | | | | | | | | | | | | | | | | | |

Wetlands – Tidal



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OFFICE OF BUDGET AND FINANCE

Water Supply and Sewerage Construction

PURPOSE

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 principles and comply with the State design guidelines to protect water quality and public health. These 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: The applicant must show that the proposed water or sewerage facility is included in the current county water and sewerage plans, has a valid NPDES discharge permit (if applicable), and 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 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 MDE. 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. For projects where MDE 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 failure of the facility to meet its discharge permit requirements 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 MDE. Once construction has begun, these funded projects are inspected on a routine basis through completion.

SUCSESSES/CHALLENGES

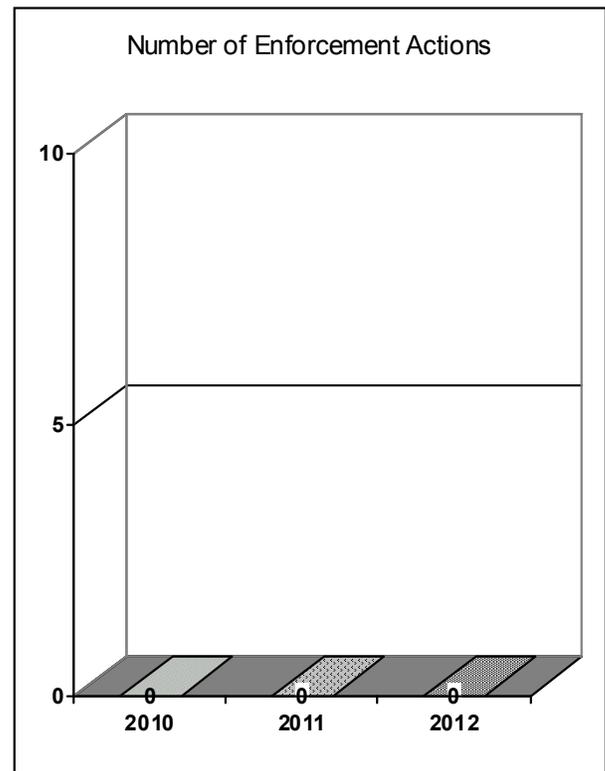
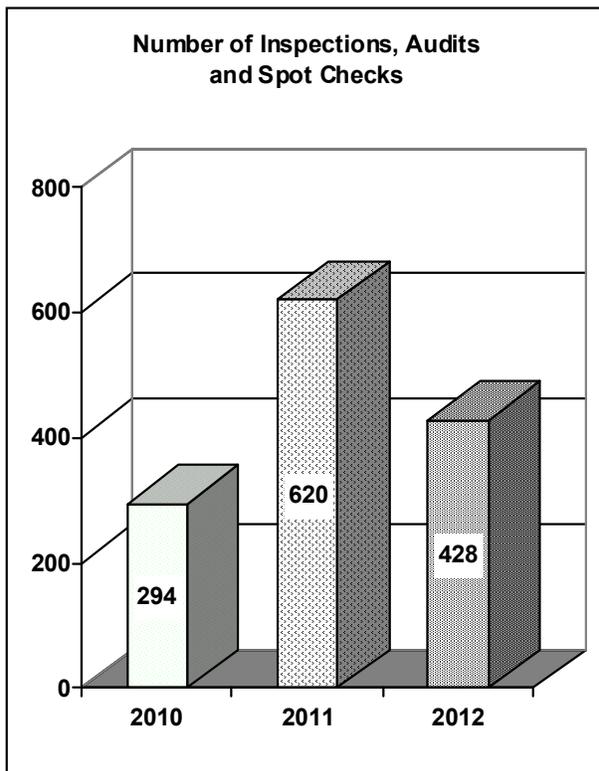
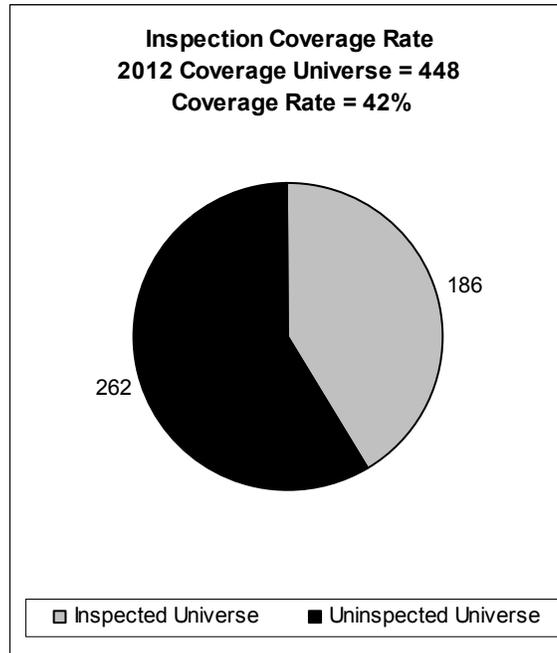
MDE monitors all projects for which State financial assistance is being provided. Accordingly, the annual number of inspections will vary as the number of financed projects initiate and complete construction. The program is on target with its goals.

Water Supply and Sewerage Construction

| Performance Measure | TOTAL | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|-------|---|---|---|---|----------------------------|---|---|---|--------------------------------|---|---|---|---|---|---|---|--|--|--|---|
| PERMITTED SITES/FACILITIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses issued | 130 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of permits/licenses in effect at fiscal year end | 448 | | | | | | | | | | | | | | | | | | | | | | | | |
| INSPECTIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites inspected ("inspected" defined as at the site) | 186 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts) | 186 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, spot checks (captures number of compliance activities at sites) | 428 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of audits (captures number of reviews of file/submittals for compliance) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspections, audits, spot checks (sum of the two measures above) | 428 | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLIANCE PROFILE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of inspected sites/facilities with significant violations | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| % of inspected sites/facilities with significant violations | 0% | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection coverage rate (number of sites inspected/coverage universe) | 42% | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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 number of significant violations (sum of the three measures above) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| DISPOSITION OF SIGNIFICANT VIOLATIONS | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resolved | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Ongoing | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| ENFORCEMENT ACTIONS* | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of compliance assistance rendered | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 20%;">Administrative</th> <th style="width: 20%;">Civil/Judicial</th> <th style="width: 10%;">Total</th> </tr> </thead> <tbody> <tr> <td>Number of show cause, remedial, corrective actions issued</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of stop work orders</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of injunctions obtained</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of penalty and other enforcement actions</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Number of referrals to Attorney General for possible criminal action</td> <td></td> <td></td> <td style="text-align: center;">0</td> </tr> </tbody> </table> | | Administrative | Civil/Judicial | Total | Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | Number of stop work orders | 0 | 0 | 0 | Number of injunctions obtained | 0 | 0 | 0 | Number of penalty and other enforcement actions | 0 | 0 | 0 | Number of referrals to Attorney General for possible criminal action | | | 0 |
| | Administrative | Civil/Judicial | Total | | | | | | | | | | | | | | | | | | | | | | |
| Number of show cause, remedial, corrective actions issued | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of stop work orders | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of injunctions obtained | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of penalty and other enforcement actions | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| Number of referrals to Attorney General for possible criminal action | | | 0 | | | | | | | | | | | | | | | | | | | | | | |
| PENALTIES | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount of administrative or civil penalties obtained (\$ collected in FY) | \$0 | | | | | | | | | | | | | | | | | | | | | | | | |

* Program does not have direct legal authority to pursue traditional enforcement actions for violations. It may require the return of State funding if significant problems arise. MDE may indirectly use its general water pollution authority if a constructed facility violates the law.

Water Supply and Sewerage Construction



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**OFFICE OF THE ATTORNEY GENERAL
ENVIRONMENTAL CRIMES UNIT**

Environmental Crimes Unit Executive Summary

The Environmental Crimes Unit (ECU) of the Criminal Division of the Maryland Attorney General's Office investigates and prosecutes environmental crimes in Maryland. During FY 2012, ECU handled one hundred and thirty-three inquiries, referrals, and requests. Of that total, ECU opened seventy-nine in-depth criminal investigations. ECU filed charges in forty-three of the cases opened. Of the seventy-nine cases, seventeen were the result of referrals from MDE administrators. Thirty-one prosecutions were completed in the state courts during the fiscal year, resulting in jail terms totaling over eleven years, probation terms totaling over thirty-four years and imposed fines totaling \$238,560. Courts additionally ordered community work service and other penalties. The matters investigated and reviewed without opening a full-scale criminal investigation were the result of: insufficient information available to justify a full-scale investigation; matters readily resolved; or matters sent to another, more appropriate agency to handle.

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 Division of the Attorney General's Office. ECU utilizes the prosecutorial authority of the Attorney General and also, in part, when available, the investigative skills and law enforcement authority of the Maryland State Police, Natural Resources Police and local police departments to investigate environmental violations. When appropriate, ECU files 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 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. Criminal investigations will be pursued based on an assessment by the attorneys. Criminal charges are pursued when repeated unsuccessful civil actions have been attempted, or when the offenses are particularly significant or involve immediate danger to the environment, as well as under other circumstances. Criminal enforcement is used whenever the prospect of imprisonment and/or being stigmatized by a criminal conviction is deemed a necessary tool to protect health and the quality of Maryland's air, land and water resources.

ECU has jurisdiction throughout the State. ECU's statewide multi-media responsibilities are currently carried out with a smaller staff than in the past, numbering only five at the end of the fiscal year. Staff currently includes two investigators and two prosecutors, all of whom are directly involved in the criminal investigation and enforcement work of the unit throughout

the State. The decreased staffing dramatically hampers the ability of ECU to function properly. Additionally, various outside police agencies which have historically had officers assigned to this division have taken all officers out of the unit completely because of their own budgetary constraints. It is only through complete and full investigation that criminal cases can be properly assessed and charges filed. The minimal investigative and prosecutorial resources currently available to ECU translates directly to fewer viable cases investigated and charged.

AUTHORITY

STATE: The General Assembly, through the *Environment Article*, provides the Attorney General exclusive or concurrent authority to prosecute criminal violations stemming from investigations involving water pollution, air pollution and hazardous waste. Additionally, through the *Natural Resources Article*, the Critical Area Commission may refer matters to the Attorney General for prosecution. 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. Historically the Governor 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 either a case-by-case basis, or based on specific areas of concern.

PROCESS

ECU receives complaints about possible criminal activity from multiple sources: citizen complaints, other governmental and law enforcement agencies, the MDE Administrations, or from their own initiatives. Complaints are initially reviewed by an ECU prosecutor and investigator to determine the appropriateness and available resources for a full investigation. Cases deemed potentially appropriate for prosecution are subjected to 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.

MDE REFERRALS

In FY 2012, ECU successfully assisted MDE in furthering its compliance and enforcement goals by opening seventeen new in-depth criminal cases referred by MDE and filing charges in twenty cases based upon referrals from MDE. Twelve prosecutions were completed during the fiscal year from cases referred by MDE, resulting in jail terms totaling eleven years, probation terms totaling over thirty-four years and imposed fines totaling \$196,355, in addition to community work service and other penalties.

SUCCESSSES/CHALLENGES

A continuing challenge is to restore attorney and investigative resources at least to minimal levels of effectiveness in the State. Sworn law enforcement personnel with statewide authority

assigned to this Unit have now been reduced by 100% from FY 1999; ECU has no such officers now. This is a significant problem. All police agencies have removed their officer positions previously assigned to the Unit. The lack of sworn police officers assigned to the division limits the actions which ECU can pursue. Attorney personnel has been reduced 33% in the past year due to budget constraints.

Restoration to previous staffing levels will allow ECU to be more proactive in the pursuit of businesses and individuals who commit environmental crimes. The cases can be complex and involved, especially in a pro-active form, and without the proper staffing, results will be limited.

CHART 1 shows the number of investigations conducted by ECU during FY 2012 and the source of the complaints leading to the investigations.

| FY '12 – INVESTIGATIONS OPENED | | |
|--------------------------------|------|-----------------------|
| SOURCE OF COMPLAINTS | | INVESTIGATIONS OPENED |
| M D E | ARMA | 4 |
| | LMA | 7 |
| | WMA | 5 |
| | ERD | 1 |
| MDE TOTAL | | 17 |
| OTHER SOURCES | | 58 |
| TOTAL | | 79 |

The MDE administrations, ARMA, WAS, and WMA, have traditional enforcement programs. The 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 2012. The chart distinguishes between the number of cases where prosecution was initiated during FY 2012 and the number of cases concluded during FY 2012. 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.

| FY '12 – PROSECUTIONS | | | |
|-----------------------|------|--------------------|------------------------|
| SOURCE OF COMPLAINTS | | NO. OF CASES FILED | NO. OF CASES CONCLUDED |
| M D E | ARMA | 4 | 4 |
| | LMA | 11 | 6 |
| | WMA | 5 | 2 |
| | ERD | 0 | 0 |
| | OS | 0 | 0 |
| MDE TOTAL | | 20 | 12 |
| OTHER SOURCES | | 23 | 19 |
| TOTAL | | 43 | 31 |

CHART 3 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.

| FY '12 – YEARLY TOTALS | ENVIRONMENTAL ARTICLE (EN) | | | | | | | CL | NR | | | TOTAL |
|--|----------------------------|------------|------------|------------|------------|------------|------------|------------|-------------|-------------|-------------|----------|
| | Title 1 | Title 2 | Title 4 | Title 7 | Title 9 | | Title 13 | Title 10 | Title 4 | | Title 8 | |
| | Subtitle 3 | Subtitle 6 | Subtitle 4 | Subtitle 2 | Subtitle 2 | Subtitle 3 | Subtitle 5 | Subtitle 1 | Subtitle 2A | Subtitle 12 | Subtitle 18 | |
| * Number of Convictions Obtained | 2 | 4 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 10 | 2 | 26 |
| Imprisonment Time Ordered (Years) | 0 | 0 | 6 mos | 5 yrs | 1 yr | 2 mos | 3 mos | 5 yrs | 0 | 0 | 0 | 11.8 yrs |
| Imprisonment Time To Be Served | 0 | 0 | 0 | 1 yr | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 yr |
| Probation Ordered (Years) | 4.5 yrs | 3 yrs | 2 yrs | 5 yrs | 8 yrs | 1 yr | 3 yrs | 3 yrs | 0 | 0 | 5 yrs | 34.4 yrs |
| Community Service Ordered (Hours) | 0 | 30 | 0 | 0 | 250 | 50 | 0 | 100 | 0 | 0 | 0 | 430 hrs |
| Criminal Fines, Restitution & Costs Imposed | 28,000 | 9,000 | 2,865 | 75,145 | 51,145 | 10,000 | 200 | 20,000 | 6,276 | 4,285 | 31,645 | 238,560 |
| Criminal Fines, Restitution & Costs to be Paid | 8,000 | 9,173 | 2,865 | 75,145 | 15,290 | 1,000 | 0 | 5,145 | 128 | 4,785 | 21,790 | 143,319 |

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

Environmental Article (EN)

- Title 1 – Enforcement
- Title 2 – Air
- Title 4 – Water Management/Waste Mgmt.
- Title 7 – Hazardous Materials & Substances
- Title 9 – Water
- Title 13 – Well Drillers

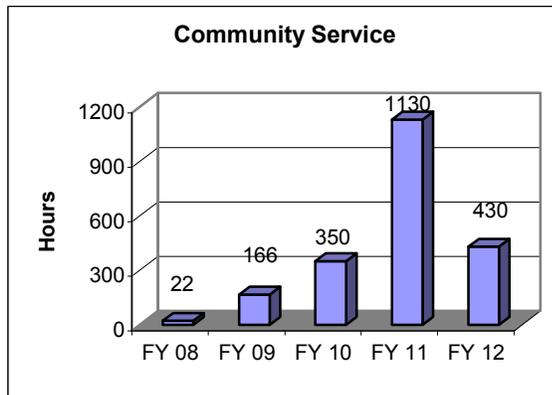
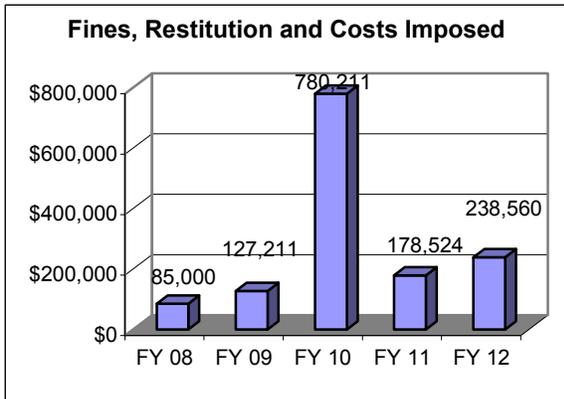
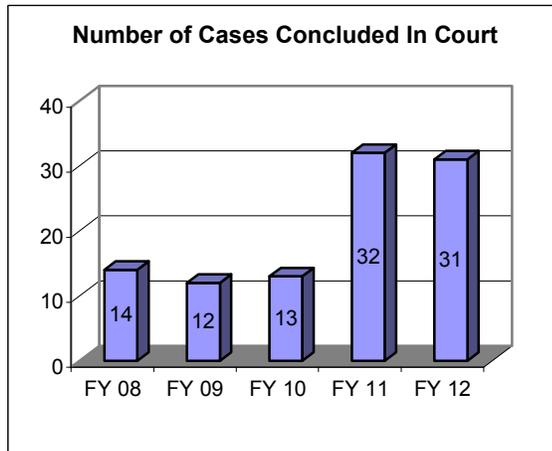
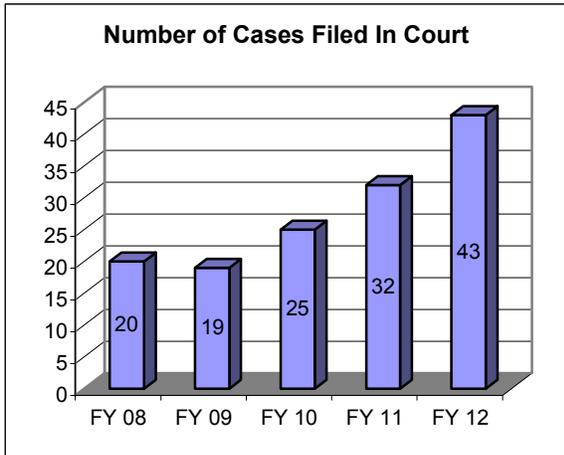
Criminal Law Article (CL)

- Title 10 – Crimes Against Public Health

Natural Resources Article (NR)

- Title 4 – Fish and Fisheries
- Title 8 – Water & Water Resources

Environmental Crimes Unit



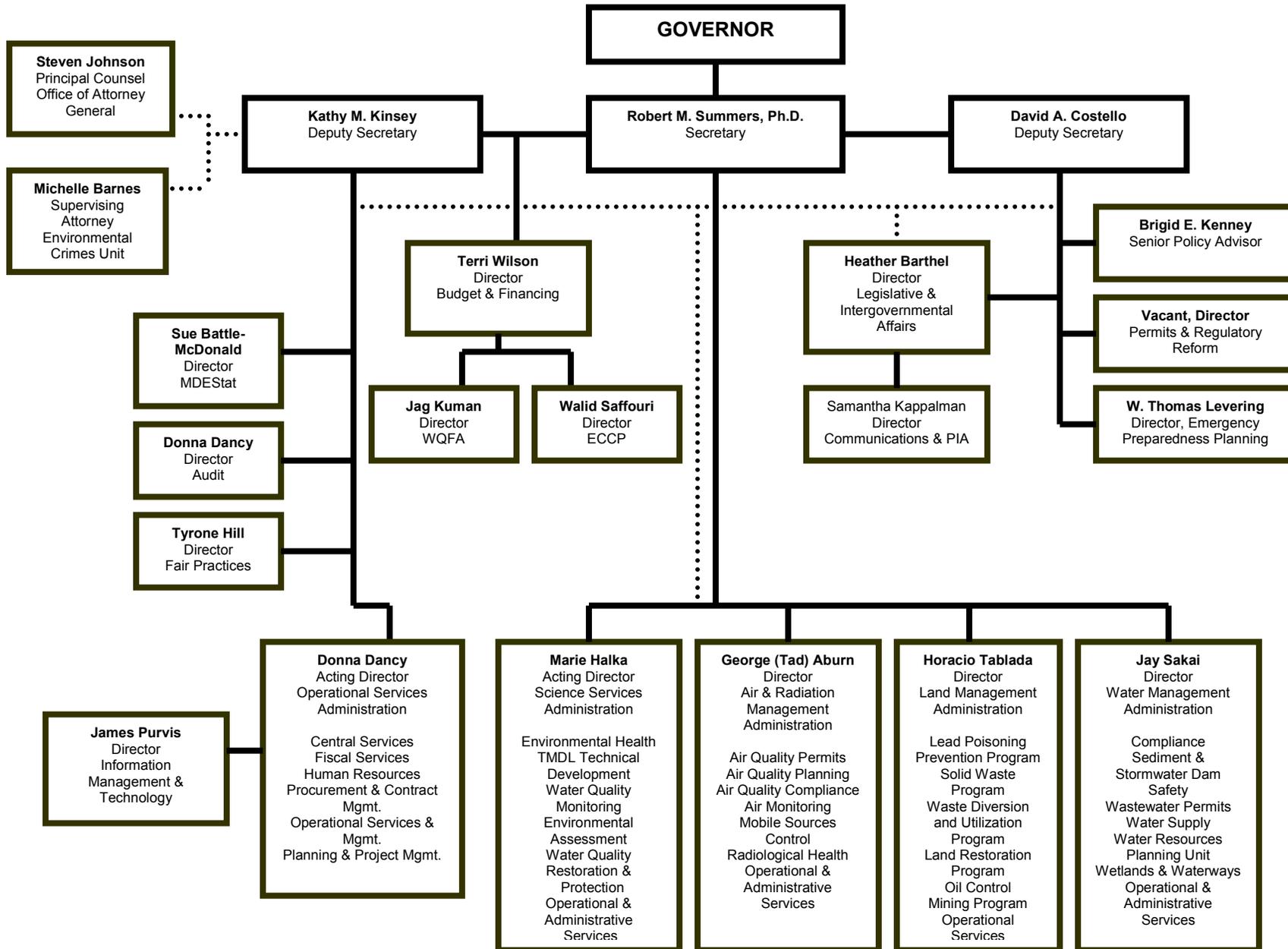
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SECTION THREE
APPENDICES

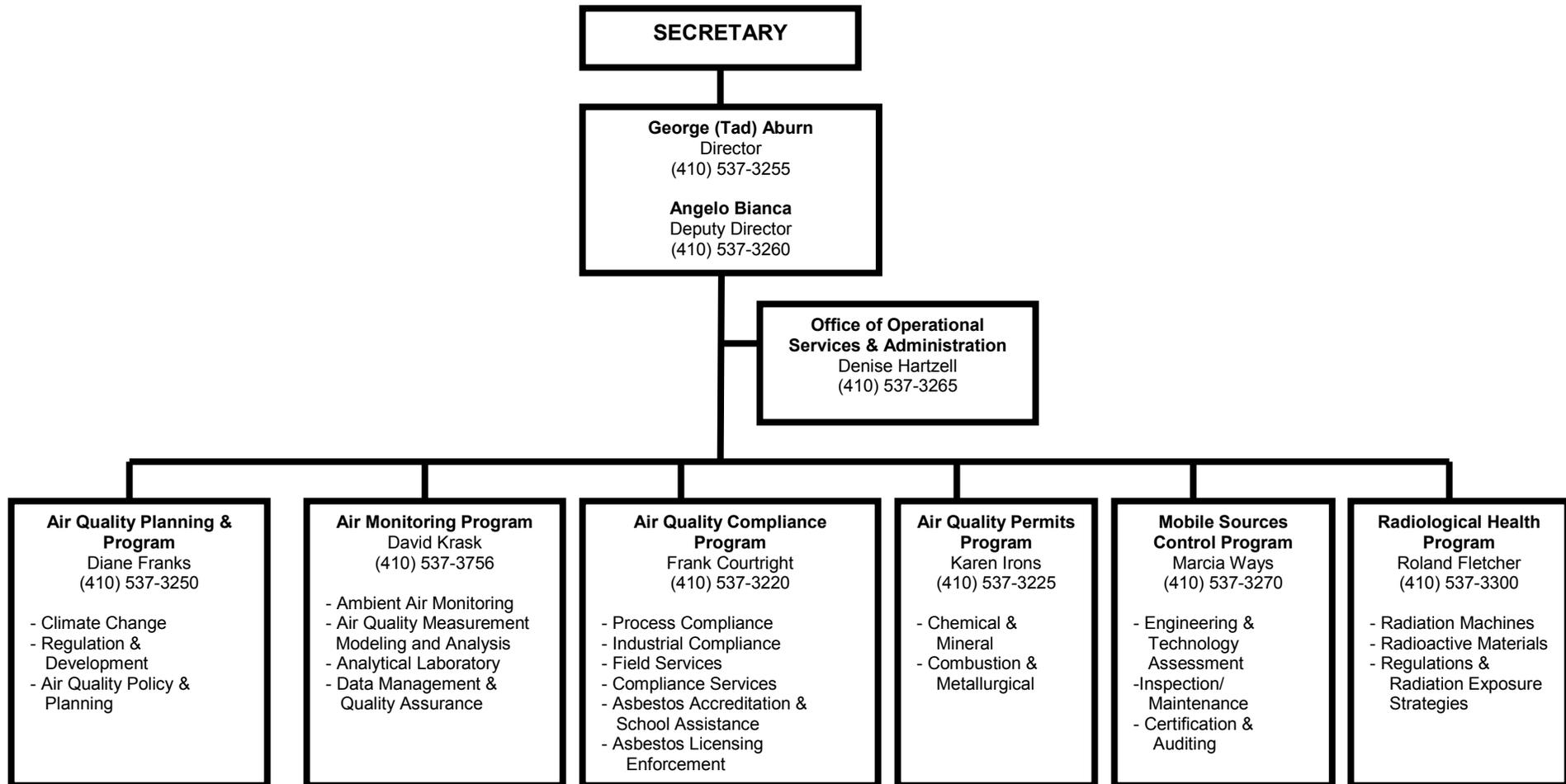
APPENDIX A

MDE Organization

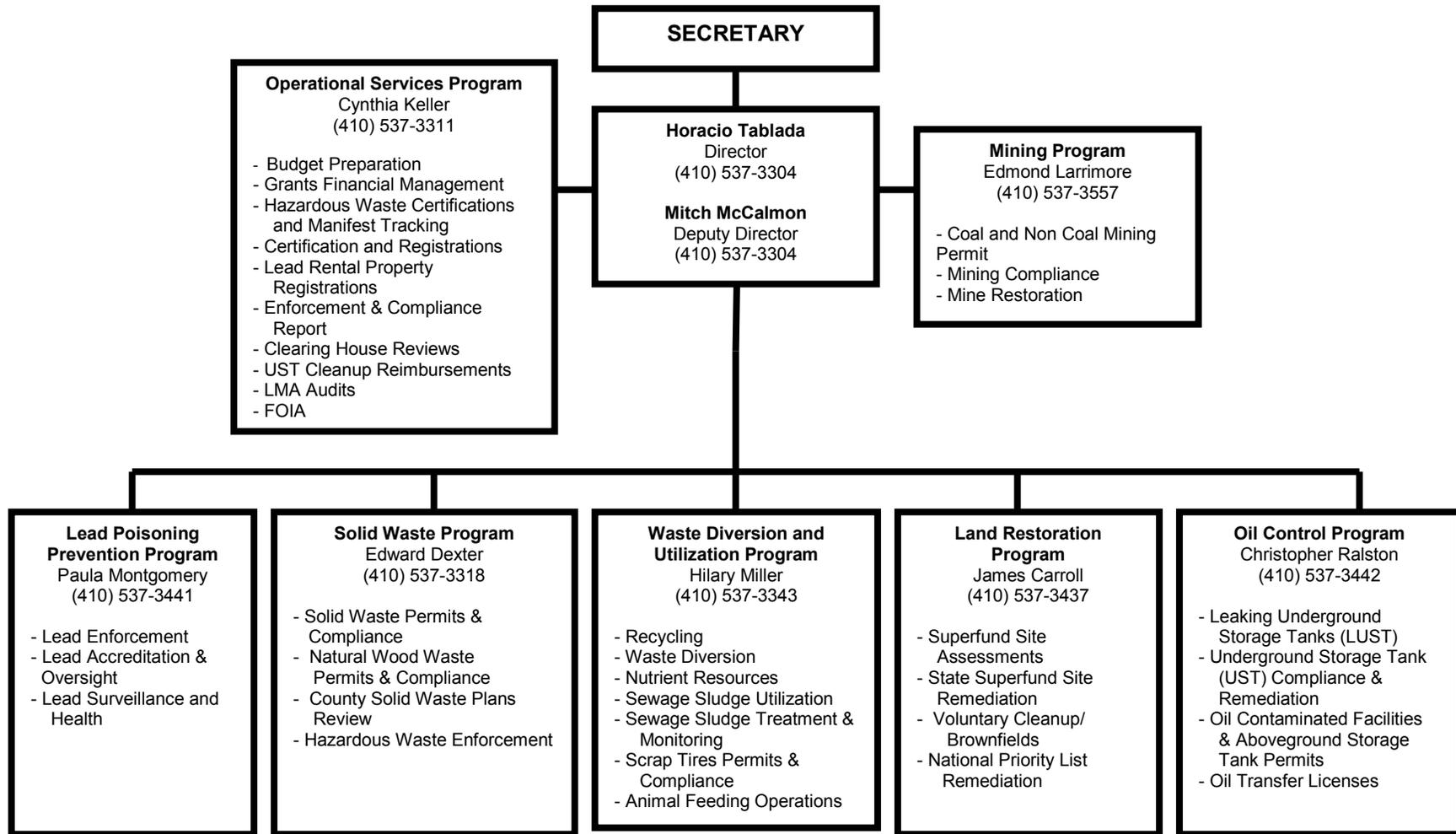
MARYLAND DEPARTMENT OF THE ENVIRONMENT



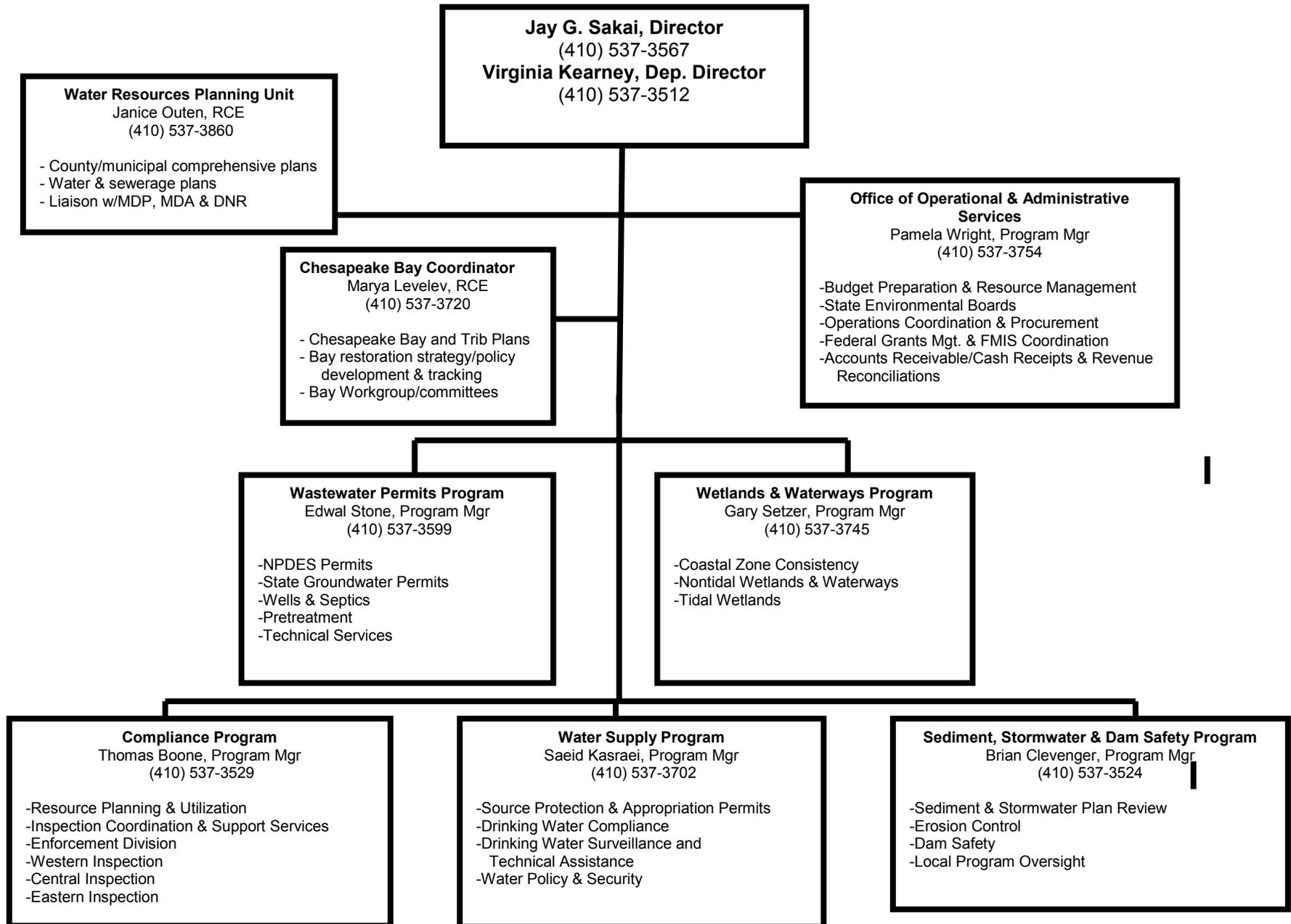
Air and Radiation Management Administration



Land Management Administration



Water Management Administration



APPENDIX B

List of Programs Included In This Report

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
- Animal Feeding Operations
- Natural Wood Waste Recycling
- Mining – Coal
- Mining – Non-Coal
- Oil and Gas Exploration and Production
- 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
- Water Supply Program – Community and Non-transient Non-community Water Systems
- Water Supply Program – Transient Non-community Water Systems
- Water Supply Program – Laboratory Certification
- Water Supply Program – Water Appropriation and Use
- Water Supply and Sewerage Construction
- Waterway Construction – Dam Safety
- Wetlands and Waterways – Non-tidal and Floodplain
- Wetlands – Tidal
- Environmental Crimes Unit

APPENDIX C

Environmental Article Section 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 §2-1246 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 D

Legislation Enacted During 2012 Affecting Enforcement and Penalties

HB0190 - Environment - Noise Control

This bill repeals the requirement for MDE to enforce noise control standards and implement a coordinated statewide noise control program while keeping statewide requirements for maximum noise levels. Local governments would choose whether or not to enforce the state statute.

HB 1123/SB 636 Environment - Presumptive Impact Areas – Contamination Caused by Gas Wells in Deep Shale Deposits

This bill sets a standard that assumes if drinking water well within a half mile of gas well becomes contaminated within one year of the drilling or hydraulic fracturing that the activity caused the contamination.

HB 551/SB540 State Board of Environmental Health Specialists

Renaming the State Board of Environmental Sanitarians to be the State Board of Environmental Health Specialists; transferring the Board and specified functions, powers, duties, assets, liabilities, and records from the Department of the Environment to the Department of Health and Mental Hygiene; renaming environmental sanitarians to be environmental health specialists; altering the length of terms and the number of terms specified Board members may serve; establishing a State Board of Environmental Health Specialists Fund; etc.

HB 644 - Reducing the Incidence of Lead Poisoning

This bill allows MDE to seek delegation to administer a federal rule that regulates renovations, repairs and painting in pre-1978 and facilities for young children. The legislation also expands the law to pre-1978 rental properties beginning in January 2015 and raises the annual registration fee.

APPENDIX E

MDE Penalty Policy

MDE's Approach to Determining the Appropriate Response to Violations

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 MDE'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 MDE 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.

MDE 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 MDE's determination of a reasonable penalty.

APPENDIX F

Environmental Audit Guidance

(Revised 5/15/2006)

The Maryland Department of the Environment (MDE) 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. MDE encourages self-auditing and compliance management as effective environmental management techniques. MDE may use its enforcement discretion in evaluating penalties for regulated entities that disclose violations of environmental laws or regulations as provided herein.

This guidance is not intended nor should it be construed to be a regulation as defined in Section 10-101, State Government Article. It sets forth criteria and guidelines for use by MDE 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

APPENDIX G

Supplemental Environmental Projects

A Supplementary Environmental Project (SEP) is an enforcement tool that augments traditional penalty actions. They are important because the projects provide direct environmental benefits to communities beyond those achieved by facilities returning to compliance. The Land Management Administration made use of SEPs during FY 2012 totaling \$8,435,000. The administrations issued eight SEPs during FY 2012. Details about each administration's SEPs are on the following pages.

| Administration | Number of SEPs | | Total Value of SEPs | |
|---|----------------|----------|---------------------|--------------------|
| | 2011 | 2012 | 2011 | 2012 |
| Air and Radiation Management Administration | 2 | 0 | \$175,000 | 0 |
| Land Management Administration | 6 | 9 | \$494,000 | \$8,435,000 |
| Water Management Administration | 0 | 0 | \$0 | \$0 |
| TOTALS | 8 | 9 | \$669,000 | \$8,435,000 |

Air and Radiation Management Administration SEPs, FY 2012

Total SEPs: 0
Total Cost: \$0

ARMA did not authorize any SEPs in FY 2012.

Land Management Administration SEPs, FY 2012

Total SEPs: 9

Total Cost: \$8,435,000

All of the Land Management Administration SEPs in FY 2012 were for lead enforcement cases. Most of these required property owners to replace all windows in rental units containing lead based paint. A few other properties were required to exceed State Standards by obtaining a Lead Free Certificate. The following table lists the individual SEPs:

| Program | Case # | Property Owner | Units | SEP Value |
|----------------|---------------|--|--|------------------|
| Lead | 10-21-13550 | BYE-CLIP LLC | 3 – Lead Free Units | \$30,000 |
| Lead | 09-16-13190 | Oxon Terrace Apts Inc., Hanger Mgmt. | 228 - Units Requiring Window Replacement | \$912,000 |
| Lead | 10-30-14719 | Kevin Richards | 1 - Unit Requiring Window Replacement | \$4,000 |
| Lead | 10-30-14420 | Garbett-Parker Enterprises Elaine Garbett | 6 - Units Requiring Window Replacement | \$24,000 |
| Lead | 11-15-15293 | Amir Dahan | 1 - Unit Requiring Window Replacement | \$4,000 |
| Lead | 10-30-14944 | Gwendolyn Noble | 2 - Units Requiring Window Replacement | \$8,000 |
| Lead | 11-03-15822 | Loch Raven Holdings, LLC | 495 – Limited Lead Free Units | \$2,475,000 |
| Lead | 11-03-15822 | Loch Raven Holdings, LLC | 495 - Lead Free Units | \$4,950,000 |
| Lead | 11-02-15298 | 167 Green St., LLC | 7 - Units Requiring Window Replacement | \$28,000 |

Water Management Administration SEPs, FY 2012

Total SEPs: 0
Total Cost: \$0

WMA did not authorize any SEPs in FY 2012.

APPENDIX H
Land Restoration Program State Master List

**Maryland Department of the Environment
State Master List
July 2012**

ALLEGANY

- Site Name:** CABIN RUN LANDFILL
Address: CABIN RUN RD, FROSTBURG, MD 21532
- Site Name:** CELANESE FIBERS CO - AMCELLE PLANT
Address: US RT 220 S, CUMBERLAND, MD 21502
- Site Name:** CUMBERLAND GAS LIGHT CO
Address: N MECHANIC ST, CUMBERLAND, MD 21502
- Site Name:** FROSTBURG GAS LIGHT CO
Address: WEST SIDE OF GRANT ST, FROSTBURG, MD 21532
- Site Name:** HOFFMAN LANDFILL
Address: FROSTBURG IND PARK RT 36, FROSTBURG, MD 21532
- Site Name:** KELLY SPRINGFIELD TIRE CO
Address: 800 KELLY RD, CUMBERLAND, MD 21502
- Site Name:** KOPPERS CO INC-OLDTOWN
Address: RUBY RD, LAVALE, MD 21502
- Site Name:** LIMESTONE ROAD SITE
Address: LIMESTONE RD OFF RT 51, CUMBERLAND, MD 21502
- Site Name:** OLD CUMBERLAND CITY/COUNTY DUMP
Address: LIMESTONE RD, CUMBERLAND, MD 21502
- Site Name:** VALE SUMMIT LANDFILL
Address: RT 36 & 38, FROSTBURG, MD 21532

ANNE ARUNDEL

- Site Name:** ALCO-GRAVURE, INC
Address: 7364 BALTIMORE ANNAPOLIS BLVD, GLEN BURNIE, MD
- Site Name:** B & O RAILROAD LANDFILL
Address: KEMBO RD, FOREMANS CORNER, MD 21226
- Site Name:** BROWNING FERRIS IND SOLLEY RD LANDFILL
Address: 7890 SOLLEY RD, GLEN BURNIE, MD 21060
- Site Name:** COX CREEK REFINING
Address: 1000 KEMBO RD, FOREMANS CORNER, MD 21226
- Site Name:** DAVID TAYLOR/ANNAPOLIS-LAUNCH
Address: BAY HEAD RD, ANNAPOLIS, MD 21401

Site Name: DRUMCO DRUM DUMP
Address: ASPEN ST OFF PENNINGTON AVE, BROOKLYN, MD 21225

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

Site Name: FORT SMALLWOOD-LAUNCH
Address: 9034 FORT SMALLWOOD RD, PASADENA, MD 21122

Site Name: GENERAL SERVICE ADMIN.-CURTIS BAY DEPOT
Address: 710 ORDNANCE RD, BROOKLYN, MD 21226

Site Name: GREEN VALLEY ROAD SITE
Address: GREEN VALLEY RD, ARNOLD, MD 21012

Site Name: HONEYWELL INC
Address: 2ND ST EXT GREENWOOD ACRES, ANNAPOLIS, MD 21404

Site Name: JOY BOEHM LANDFILL
Address: 137 ST STEPHENS CHURCH RD, CROWNSVILLE, MD

Site Name: JOY RECLAMATION CO
Address: 6400 ARUNDEL CORP RD, GLEN BURNIE, MD 21060

Site Name: SNOW HILL LANE SITE
Address: SNOW HILL LN & CEDAR HILL LN, BROOKLYN, MD 21225

Site Name: US COAST GUARD
Address: HAWKINS POINT RD, CURTIS BAY, MD 21226

Site Name: US NAVAL STATION
Address: ANNAPOLIS NAVAL COMPLEX, ANNAPOLIS, MD 21402

Site Name: USA FORT GEORGE MEADE
Address: FORT MEADE, FORT MEADE, MD 20755

Site Name: USN COMMISARY STORE PARK LOT AREA SOUTH
Address: KINKAID RD, ANNAPOLIS, MD 21402

Site Name: USN NAVAL ACADEMY
Address: PUBLIC WKS DEPT, ANNAPOLIS, MD 21402

Site Name: WOODS ROAD SITE
Address: END WOODS RD\BORDER MAGOTHY BR RD,

BALTIMORE

Site Name: 68TH STREET DUMP
Address: 68TH ST & PULASKI HWY, ROSEDALE, MD 21237

Site Name: AVESTA SHEFFIELD

Address: ROLLING MILL RD, ROSEDALE, MD 21224

Site Name: BALTIMORE GALVANIZING COMPANY INC.
Address: 7110 QUAD AVE, ROSEDALE, MD 21237

Site Name: BAUER FARM
Address: OFF NORTH PT RD & BAUERS FARM, EDGEMERE, MD

Site Name: BEACHWOOD DEVELOPMENT
Address: MORSE LN & TODD POINT, EDGEMERE, MD 21219

Site Name: BENDIX CORP
Address: 1300 JOPPA RD, TOWSON, MD 21204

Site Name: BROWNING FERRIS IND - CHEM PROCESSING CNTR
Address: 101 NORRIS LN, DUNDALK, MD 21222

Site Name: COLGATE PAY DUMP
Address: 6700 PULASKI HWY, BALTIMORE, MD 21237

Site Name: CUTRONICS
Address: 1925 & 1941 GREENSPRING DR, TIMONIUM, MD 21093

Site Name: DUNDALK MARINE TERMINAL
Address: 2701 BROENING HWY, BALTIMORE, MD 21222

Site Name: FORK - CONTROL
Address: END OF HUTSCHENREUTER RD, KINGSVILLE, MD 21057

Site Name: FORK - LAUNCH
Address: OFF STOCKDALE RD, KINGSVILLE, MD 21057

Site Name: GIBSON HOMANS
Address: 1101 HANZLIK AVE, ROSEDALE, MD 21237

Site Name: GRANITE - CONTROL
Address: 2845 HERNWOOD RD, WOODSTOCK, MD 21163

Site Name: Granite Launch
Address: 3085 HERNWOOD RD, WOODSTOCK, MD 21163

Site Name: GREENSPRING - CONTROL
Address: GREENSPRING AVE, GREENSPRING, MD 21117

Site Name: INDUSTRIAL ENTERPRISES
Address: 7100 QUAD AVE, ROSEDALE, MD 21237

Site Name: MARTIN MARIETTA CORP
Address: 1601 S. ROLLING RD, RELAY, MD 21227

Site Name: MARTIN'S STATE AIRPORT

Address: 701 WILSON POINT RD BOX 1, MIDDLE RIVER, MD 21220

Site Name: MARTIN'S STATE AIRPORT SITE II (ANG)
Address: EASTERN BLVD AND WILSON POINT RD, MIDDLE RIVER,

Site Name: PARKTON LANDFILL
Address: INTERSCT. I-83 & STABLERS CHURCH, PARKTON, MD

Site Name: RM WINSTEAD CO
Address: 68TH ST & PULASKI HWY, ROSEDALE, MD 21237

Site Name: SAUER DUMP
Address: 4225 LYNHURST RD, NORTH POINT, MD 21222

Site Name: STANSBURY PARK
Address: STANSBURY & HYDRANGEA RDS, DUNDALK, MD 21222

Site Name: TOWSON LAUNCH BA-92 (same as MD-213)
Address: RIDGE RD NEAR RT 45, TOWSON, MD 21136

Site Name: U S ARMY PHOENIX -LAUNCH
Address: PAPERMILL RD, JACKSONVILLE RD, MD 21131

Site Name: U S ARMY PHOENIX-CONTROL
Address: SUNNYBROOK RD, JACKSONVILLE, MD 21131

BALTIMORE CITY

Site Name: 1ST PLANT
Address: GUILFORD & SARATOGA STS, BALTIMORE, MD 21202

Site Name: 2ND PLANT
Address: SARATOGA & HOLIDAY STS, BALTIMORE, MD 21202

Site Name: AINSWORTH PAINT MFG SITE
Address: 3200 BIDDLE ST, BALTIMORE, MD 21231

Site Name: ALLIED CHEM CORP- AG PLT
Address: 2000 RACE ST \ 200? RACE ST., BALTIMORE, MD 21230

Site Name: ALLIED CHEM CORP BALTIMORE WKS
Address: BLOCK & WILLS ST, BALTIMORE, MD 21231

Site Name: AMERICAN CHEMMATE
Address: HOWARD & WEST STS, BALTIMORE, MD 21230

Site Name: AMERICAN RECOVERY CORP
Address: 1901 BIRCH ST, BALTIMORE, MD 21226

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

Site Name: BAYARD STATION
Address: BAYARD AND BUSH ST, BALTIMORE, MD 21230

Site Name: BLOEDE MANUFACTURER PROPERTY
Address: CORNER OF WILKENS & CATON AVE, BALTIMORE, MD

Site Name: BOWLEY'S LANE LANDFILL
Address: MORAVIA RD, BALTIMORE, MD 21206

Site Name: BROWNING FERRIS IND-QUARANTINE RD
Address: 5901 QUARANTINE RD, BALTIMORE, MD 21226

Site Name: CANTON STATION
Address: FAIT AND LAKEWOOD STS, BALTIMORE, MD 21224

Site Name: CHEMICAL METALS IND
Address: 2001\2103 ANNAPOLIS RD, BALTIMORE, MD 21230

Site Name: CHEVRON USA/ BALTIMORE REFINERY
Address: 1955 CHESAPEAKE AVE, BALTIMORE, MD 21226

Site Name: CONOCO CHEMICAL CO-BALTIMORE PLT
Address: 3441 FAIRFIELD RD, BALTIMORE, MD 21226

Site Name: CONRAIL ORANGEVILLE YARD
Address: 6000 E LOMBARD ST, BALTIMORE, MD 21224

Site Name: CROWN CENTRAL PETROLEUM CORP
Address: 6000 PENNINGTON AVE, BALTIMORE, MD 21226

Site Name: CROWN CENTRAL PETROLEUM CORP
Address: 1622 S CLINTON ST, BALTIMORE, MD 21224

Site Name: ESTECH GENERAL CHEM CO
Address: 5500 CHEM RD, BALTIMORE, MD 21226

Site Name: FMC CORP
Address: 1701 E PATAPSCO AVE, BALTIMORE, MD 21226

Site Name: HAWKINS PT / MD. PORT ADMIN.
Address: 5501 QUARANTINE RD, BALTIMORE, MD 21226

Site Name: HIGHLAND TOWN GAS
Address: 3913 PULASKI HWY, BALTIMORE, MD 21224

Site Name: HUTTON AVENUE LF, EAST AND WEST
Address: 4825-4835 WINDSOR MILL RD, BALTIMORE, MD 21207

Site Name: KANE & LOMBARD STREET DRUMS
Address: KANE & LOMBARD STS, BALTIMORE, MD 21224

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

Site Name: M & T CHEM INC
Address: 1900 CHESAPEAKE AVE, BALTIMORE, MD 21226

Site Name: MONUMENT ST LANDFILL
Address: MONUMENT ST AND EDISON HWY, BALTIMORE, MD

Site Name: NIH-NIA GERONTOLOGY RESEARCH CENTER
Address: 4040 EASTERN AVE, BALTIMORE, MD 21224

Site Name: OLIN CORP-CURTIS BAY
Address: 5501 PENNINGTON AVE, BALTIMORE, MD 21226

Site Name: PEMCO PRODUCTS
Address: 5601 EASTERN AVE, BALTIMORE, MD 21224

Site Name: PICORP INC
Address: 6508 E LOMBARD ST, BALTIMORE, MD 21224

Site Name: REEDBIRD LANDFILL
Address: POTE ST & ROADBIRD AVE, BALTIMORE, MD 21225

Site Name: SAFETY KLEEN CORP
Address: 1448-50 DESOTO RD, BALTIMORE, MD 21230

Site Name: SCM CORP QUARANTINE RD SITE
Address: 5901 QUARANTINE RD, BALTIMORE, MD 21226

Site Name: SCOTT STREET STATION
Address: SCOTT & OSTEND STS, BALTIMORE, MD 21230

Site Name: SEVERN ST STATION
Address: 1400 BLOCK SEVERN ST, BALTIMORE, MD 21230

Site Name: SHERWIN WILLIAMS
Address: 2325 HOLLINS FERRY RD, BALTIMORE, MD 21230

Site Name: SPRING GARDENS
Address: FORT & LEADENHALL STS, BALTIMORE, MD 21201

Site Name: TEXACO INC
Address: 3820 FOURTH AVE, BALTIMORE, MD 21226

Site Name: W.R.GRACE & CO.- DAVIDSON CHEM DIV.
Address: 5500 CHEMICAL RD, BALTIMORE, MD 21226

CALVERT

Site Name: USN NAVAL RESEARCH LAB-CHES BAY DETACH

Address: RT 261, RANDLE CLIFF, MD 20732

Site Name: USN SURFACE WARFARE CNTR-SOLOMON'S ISLAND

Address: DEPT OF THE NAVY, SOLOMON'S ISL, MD 20688

CARROLL

Site Name: BACHMANS VALLEY LANDFILL

Address: 1920 BACHMANS VALLEY RD, MANCHESTER, MD 21157

Site Name: BLACK & DECKER

Address: HANOVER PIKE, HAMPSTEAD, MD 21074

Site Name: CRANBERRY RUN SUB STATION

Address: OLD MANCHESTER RD, WESTMINSTER, MD 21157

Site Name: HODGES LANDFILL

Address: HODGES RD, ELDERSBURG, MD 21784

Site Name: MIL SPEC FASTENERS CORP

Address: RT 30 BOX 59A (HANOVER PIK), HAMPSTEAD, MD 21074

CECIL

Site Name: ANCHOR MARINA ASSESSMENT

Address: 0.5 OFF RT 272 IRIQUOIS DR, NORTH EAST, MD 21901

Site Name: CHILDS PROPERTY

Address: 180 CHILDS RD, CHILDS, MD 21921

Site Name: DWYER PROPERTY

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

Site Name: ELKTON FARM

Address: 183 ZEITLER RD, ELKTON, MD 21921

Site Name: ELKTON GAS LIGHT CO

Address: WATER ST, ELKTON, MD 21921

Site Name: G.E. RAIL

Address: TRINCO INDUSTRIAL PARK, ELKTON, MD 21921

Site Name: HOPKINS QUARRY

Address: HOPKINS QUARRY, PORT DEPOSIT, MD 21904

Site Name: IP, INC

Address: TRINCO INDUSTRIAL PARK PARCE, ELKTON, MD 21921

Site Name: MONTGOMERY BROTHERS

Address: OFF NAZARENE CAMP RD, NORTHEAST, MD 21901

Site Name: NATIONAL FIREWORKS

Address: FAIRHILL RD PARCELS 75 & 1075, ELKTON, MD 21921

Site Name: NAVAL TRAINING CENTER BAINBRIDGE
Address: BAINBRIDGE RD, BAINBRIDGE, MD 21904

Site Name: ORDNANCE PRODUCTS INC
Address: MECHANICS VALLEY RD, NORTHEAST, MD 21901

Site Name: RTE 7 CHEM DUMP SITE
Address: OLD PHILADELPHIA RD EAST, ELKTON, MD 21921

Site Name: SAND GRAVEL & STONE SITE
Address: PULASKI HWY, ELKTON, MD 21921

Site Name: SPECTRON INC
Address: 111 PROVIDENCE RD, ELKTON, MD 21921

Site Name: THIOKOL CORP ELKTON
Address: 500 PULASKI HWY WEST, ELKTON, MD 21921

Site Name: TRIUMPH INDUSTRIAL PARK / W.L. GORE
Address: 3 BLUE BALL RD P.O. BOX 1130, ELKTON, MD 219211130

Site Name: VICON PROPERTY
Address: DOGWOOD RD & SINGERLY RD, ELKTON, MD 21921

Site Name: W L GORE- CHERRY HILL
Address: 2401 SINGERLY RD, CHILDS, MD 21921

Site Name: WOODLAWN LANDFILL
Address: 400 WAIBEL RD, WOODLAWN, MD 21904

CHARLES

Site Name: BLOSSOM POINT FIELD TEST AREA
Address: CEDAR POINT NECK, LA PLATA, MD 20646

Site Name: CHARLES COUNTY SANITARY LF
Address: RT 425, PISGAH, MD 20640

Site Name: INDIAN HEAD NAVAL SURFACE WARFARE CENTER
Address: RT 210, INDIAN HEAD, MD 20640

Site Name: POMONKEY - CONTROL
Address: BUMPY OAK RD, POMONKEY, MD 20646

Site Name: POMONKEY - LAUNCH
Address: BUMPY OAK RD, POMONKEY, MD 20646

Site Name: US NAVAL RESEARCH LAB - CONTROL
Address: END OF LAUREL BRANCH RD, WALDORF, MD 20601

Site Name: WALDORF - CONTROL
Address: COUNTRY LN, WALDORF, MD 20601

DORCHESTER

Site Name: BEULAH LANDFILL
Address: GALLIGHER FARM RD, BEULAH, MD 21643

Site Name: NELSONS BODY SHOP
Address: RT 16 & CHESAPEAKE DR, CAMBRIDGE, MD 21613

Site Name: USN BLOODSWORTH ARCHIPELAGO
Address: N POTOMAC R RUNS CHESPKE BAY, NA, MD 21613

FREDERICK

Site Name: EASTALCO ALUMINUM CO
Address: 5601 MANOR WOODS RD, FREDERICK, MD 217017999

Site Name: FORT DETRICK AREA B
Address: ROSEMONT AVE, FREDERICK, MD 21702

Site Name: FREDERICK TOWN GAS
Address: 350 CHURCH ST, FREDERICK, MD 21701

Site Name: NCI FREDERICK CANCER RESEARCH
Address: FORT DETRICK, FREDERICK, MD 21702

Site Name: USA FORT DETRICK
Address: FORT DETRICK, FREDERICK, MD 21702

Site Name: USN NAVAL SUPORT FACILITY
Address: POST OFFICE BOX 1000, THURMONT, MD 21788

GARRETT

Site Name: OAKLAND JUNKYARD SITE
Address: RT 219, OAKLAND, MD 21053

Site Name: TEXAS EASTERN-ACCIDENT STATION
Address: FRIENDSVILLE RD, ACCIDENT, MD 21520

HARFORD

Site Name: ABERDEEN DUMP
Address: MICHAEL LN, ABERDEEN, MD 21005

Site Name: ABERDEEN PROVING GROUND - EDGEWOOD AREA
Address: OFF PULASKI HWY, ABERDEEN P G, MD 21010

Site Name: ABERDEEN PROVING GROUND - MICHAELSVILLE LF
Address: OFF PULASKI HWY, ABERDEEN P G, MD 21005

Site Name: ABINGDON LANDFILL
Address: 3111 OLD PHILADELPHIA RD (RT.7), ABINGDON, MD

Site Name: BRAXTON PROPERTY LANDFILL
Address: BUSH RD, ABINGDON, MD 21009

Site Name: BUSH VALLEY LANDFILL
Address: BUSH RD POB 246, ABINGDON, MD 21009

Site Name: HAVRE DE GRACE DUMP
Address: QUARRY RD, HAVRE DE GRACE, MD 21078

Site Name: HAVRE DE GRACE PLANT
Address: 200 BLOCK JUNIATA ST, HAVRE DE GRACE, MD 21078

Site Name: JOHNSON PROPERTY LANDFILL
Address: BUSH RD, ABINGDON, MD 21009

Site Name: LONGS SEPTIC
Address: 4025 GRAVEL HILL RD, HAVRE DE GRACE, MD 21078

Site Name: MILLER CHEMICAL & FERTILIZER CORP
Address: RTS 136 & 165, WHITEFORD, MD 21160

Site Name: MULLINS LANDFILL
Address: OLD POST RD RT 132, HAVRE DE GRACE, MD 21078

Site Name: SCARBORO LANDFILL
Address: SCARBORO RD, DUBLIN, MD 21154

Site Name: UNION ROAD DUMP
Address: 1515 UNION RD, ABERDEEN, MD 21001

HOWARD

Site Name: CEMETARY LN
Address: MAYFIELD & MEADOWBRIDGE, ELKRIDGE, MD 21227

Site Name: GENERAL ELECTRIC CO
Address: APPLIANCE PARK EAST, COLUMBIA, MD 21046

Site Name: LONG LIFE TREATED WOOD INC
Address: DORSEY RACEWAY RD, DORSEY, MD 21227

Site Name: W.R. GRACE WASHINGTON RESEARCH CENTER
Address: 7379 GUILFORD RD (RT 32), COLUMBIA, MD 21044

KENT

Site Name: CHESTERTOWN GAS CO
Address: W HIGH ST, CHESTERTOWN, MD 21620

Site Name: CHESTERTOWN MUN DUMP
Address: FLATLAND RD, CHESTERTOWN, MD 21620

Site Name: KENT PIT
Address: CEDAR AVE, CHESTERTOWN, MD 21620

Site Name: LAURENCE J NICHOLSON LANDFILL
Address: NICHOLSON RD, CHESTERTOWN, MD 21620

Site Name: TENNACO INC-CHESTERTOWN PLT
Address: RT 297, CHESTERTOWN, MD 21620

Site Name: TOLCHESTER - CONTROL
Address: TOLCHESTER BEACH RD, TOLCHESTER, MD 21661

Site Name: TOLCHESTER - LAUNCH
Address: ROCK HALL - TOLCHESTER RD, TOLCHESTER, MD 21661

MONTGOMERY

Site Name: DAVID TAYLOR RESEARCH CENTER
Address: MACARTHUR BLVD, BETHESDA, MD 20084

Site Name: GAITHERSBURG - CONTROL
Address: 8510 SNOUFFERS SCHOOL RD, GAITHERSBURG, MD

Site Name: GAITHERSBURG - LAUNCH
Address: OFF SNOUFFERS SCHOOL RD, GAITHERSBURG, MD

Site Name: KENNETH SHUMAKER DUMP
Address: BARNESVILLE RD, BARNESVILLE, MD 20872

Site Name: LAYTONSVILLE - CONTROL
Address: ZION RD, LAYTONSVILLE, MD 20879

Site Name: NATIONAL INST OF HEALTH
Address: 900 ROCKVILLE PIKE, BETHESDA, MD 20014

Site Name: NAVAL MEDICAL COMMAND
Address: 8901 WISCONSIN AVE, BETHESDA, MD 208145000

Site Name: ROCKVILLE - CONTROL
Address: 10901 DARNSTOWN RD, GAITHERSBURG, MD 20878

Site Name: ROCKVILLE - LAUNCH
Address: MUDDY BRANCH RD, GAITHERSBURG, MD 20878

Site Name: SAFETY KLEEN CORP-SILVER SPRING
Address: 12164 TECH RD, SILVER SPRING, MD 20904

Site Name: USN NAVAL SURFACE WARFARE CTR-WHITE OAK

Address: 10901 NEW HAMPSHIRE AVE, SILVER SPRING, MD

Site Name: WALTER REED AMC FOREST GLEN ANNEX

Address: 2961 LINDEN LN, SILVER SPRING, MD 20910

Site Name: WALTER REED ARMY MEDICAL CENTER

Address: MD RT 193, WHEATON, MD 20902

PRINCE GEORGE'S

Site Name: ADELPHI LABORATORY CENTER

Address: 2800 POWDER MILL RD, ADELPHI, MD 20783

Site Name: AGGREGATE INDUSTRIES

Address: DOWER HOWSER RD, MELLWOOD, MD 20772

Site Name: ANACOSTIA RIVER PARK

Address: S OF BLADENSBURG RD, BLADENSBURG, MD 20722

Site Name: BELTSVILLE AGRICULTURAL RESEARCH (USDA)

Address: BUILDINGS 1321 & 204 BARL, BELTSVILLE, MD 20705

Site Name: BRANDYWINE - CONTROL

Address: 13400 EDGEMEADE RD, NAYLOR, MD 20613

Site Name: BRANDYWINE - LAUNCH

Address: CANDY HILL RD, NAYLOR, MD 20613

Site Name: BRANDYWINE DRMO SALVAGE YARD

Address: BRANDYWINE RD, ANDREWS, MD 20331

Site Name: CROOM - CONTROL

Address: 15100 MT CALVERT RD, UPPER MARLBORO, MD 20772

Site Name: GLENDALE PLANT GERMPLASM QUARANTINE FAC

Address: 11601 OLD POND DR, GLENN DALE, MD 20769

Site Name: KOPPERS CO LAUREL

Address: RIVERSIDE DR, LAUREL, MD 20707

Site Name: LAUREL CITY LANDFILL

Address: RT 198 FT MEADE RD, LAUREL, MD 20707

Site Name: MID ATLANTIC WOOD FINISHING INC.

Address: 4656 ADDISON RD, CAPITOL HEIGHTS, MD 20743

Site Name: MINERAL PIGMENTS CORP-BELTSVILLE

Address: 7011 MUIRKIRK RD, MUIRKIRK, MD 20705

Site Name: NASA-GODDARD SPACE FLIGHT CENTER

Address: GREENBELT RD, GREENBELT, MD 20770

Site Name: NELSON PERRIE DUMP
Address: 15200 NELSON PERRIE RD, BALD EAGLE, MD 20613

Site Name: OLD FORT ROAD SITE (A-D-base listed as FIS)
Address: 11920 S OLD FORT RD, FORT WASHINGTON, MD 20744

Site Name: PAINT BRUSH LF AREA #3
Address: UNIV OF MD COLLEGE PARK CAMP, COLLEGE PARK,

Site Name: PATUXENT WILDLIFE RESEARCH CENTER
Address: RT 197 AND POWDERMILL RD, LAUREL, MD 20708

Site Name: U.S. NAVAL COMMUNICATION UNIT
Address: DANGERFIELD RD AND COMMO RD, CHELTENHAM, MD

Site Name: UNITED RIGGING & HAULING
Address: 6701 AMMENDALE RD, BELTSVILLE, MD 20705

Site Name: USAF ANDREWS AIR FORCE BASE
Address: PERIMETER RD, ANDREWS AFB, MD 20331

Site Name: W P BALLARD BUILDING
Address: 10722 TUCKER ST, BELTSVILLE, MD 20705

Site Name: WALDORF - LAUNCH
Address: COUNTRY LANE, BRANDYWINE, MD 20601

SOMERSET

Site Name: BEITZEL CABINET & MILLWORK INC.
Address: BROAD ST, PRINCESS ANNE, MD 21853

Site Name: CRISFIELD CITY DUMP
Address: WATER ST, CRISFIELD, MD 21817

Site Name: CRISFIELD LIGHT & POWER CO
Address: RT 413, CRISFIELD, MD 21817

Site Name: RING LANDFILL
Address: MILLARD RD, WESTOVER, MD 21871

Site Name: WESTOVER LANDFILL
Address: ARDEN STATION RD, WESTOVER, MD 21871

ST MARY'S

Site Name: PATUXENT RIVER NAVAL AIR STATION
Address: BUTT RIFLE RANGE LANDFILL, PATUXENT, MD 20670

Site Name: THIOKOL CORP MECHANICSVILLE
Address: RT 235, MECHANICSVILLE, MD 20659

Site Name: USN NAVAL ELECTRONICS SYS ENG ACT
Address: VILLA RD OFF RT 5, ST. INIGOES, MD 20684

TALBOT

Site Name: DOC NAT'L MARINE FISHERIES SERV.
Address: SOUTH MORRIS ST EXT, OXFORD, MD 21654

WASHINGTON

Site Name: ANGSTROHM PRECISION INC.
Address: 1 PRECISION PLACE, HAGERSTOWN, MD 21742

Site Name: CENTRAL CHEMICAL CORP (SITE)
Address: 705 MITCHELL AVE, HAGERSTOWN, MD 21742

Site Name: FAIRCHILD REPUBLIC CO PLANT 11
Address: SHOWALTER RD, HAGERSTOWN, MD 21740

Site Name: GENUINE PARTS CO - RAYLOCK DIV.
Address: 100 RAYLOCK DR, HANCOCK, MD 21750

Site Name: HAGERSTOWN - AMERICAN LIGHT & HEAT CO
Address: SYCAMORE ST / SPRUCE ST.?, HAGERSTOWN, MD 21740

Site Name: HAGERSTOWN LIGHT & HEAT CO
Address: SOUTH LOCUST ST, HAGERSTOWN, MD 21740

Site Name: HAGERSTOWN LIGHT & HEAT CO (see MD-194)
Address: WEST WASHINGTON ST, HAGERSTOWN, MD 21740

Site Name: HAGERSTOWN-BROADFORDING ROAD
Address: CEARFOSS & BROADFORDING RD, HAGERSTOWN, MD

Site Name: W.D. BYRON & SONS INC.
Address: FENTON AVE, WILLIAMSPORT, MD 21795

WICOMICO

Site Name: ATLANTIC WOOD INDUSTRIES
Address: OLD EDEN RD, FRUITLAND, MD 21826

Site Name: DRESSER INDUSTRIES
Address: 124 WEST COLLEGE AVE, SALISBURY, MD 21801

Site Name: KOPPERS CO SALISBURY
Address: QUANTICO RD, SALISBURY, MD 21801

Site Name: LONG-LIFE TREATED WOOD INC
Address: OLD RAILRD RD, HEBRON, MD 21830

Site Name: SALISBURY TOWN GAS

Address: 520 COMMERCE ST, SALISBURY, MD 21801

WORCESTER

Site Name: BERLIN LANDFILL

Address: HONEYSUCKLE RD, BERLIN, MD 21811

Site Name: CHESAPEAKE WOOD TREATING CORP

Address: POCOMOKE, POCOMOKE CITY, MD 21851

APPENDIX I
Formerly-Investigated Sites List

**Maryland Department of the Environment
Formerly Investigated Sites
July 2012**

ALLEGANY

- Site Name:** AETNA LUMBER
Address: MC MULLEN HWY, LOWNDES, MD 21502
- Site Name:** LAVALE WAREHOUSE FIRE
Address: 1210 NATIONAL HWY, LAVALE, MD 21502
- Site Name:** PRECISE METALS AND PLASTICS, INC
Address: DAY RD, CUMBERLAND, MD 21502
- Site Name:** WILLISON OIL COMPANY
Address: BALTIMORE PIKE, CRESAPTOWN, MD 21502

ANNE ARUNDEL

- Site Name:** A. S. PEARMON
Address: 1270 HARDY RD, ARNOLD, MD 21012
- Site Name:** ANNAPOLIS PLT
Address: CALVERT & ST JOHN STS, ANNAPOLIS, MD 21401
- Site Name:** ANNE ARUNDEL CO LANDFILL
Address: DOVER ST, GLEN BURNIE, MD 21060
- Site Name:** CHERRY PIT DRUM SITE B
Address: 701 PITTMAN ROAD - SITE B, BALTIMORE, MD 21226
- Site Name:** DAVID TAYLOR/ANNAPOLIS-CONTROL
Address: 640A BRDNECK RD, ANNAPOLIS, MD 21401
- Site Name:** DAVIDSONVILLE-CONTROL
Address: QUEEN ANNE BRIDGE RD & WAYSON, DAVIDSONVILLE,
- Site Name:** DAVIDSONVILLE-LAUNCH
Address: 3737 ELMER F HAGNER LN, DAVIDSONVILLE, MD 21035
- Site Name:** DIAMOND SHAMROCK CORP CHEMETALS DIV
Address: 711 PITTMAN RD, BALTIMORE, MD 21226
- Site Name:** EPA CENTRAL REGIONAL LABORATORY
Address: 839 BESTGATE RD, ANNAPOLIS, MD 21401
- Site Name:** FRESH POND
Address: FOREST GLEN DR, JACOBSTOWN, MD 21122
- Site Name:** KOP-FLEX, INC

Address: 101 HARMANS RD, HARMONS, MD 21077

Site Name: MID-ATLANTIC WOOD PRESERVERS
Address: P O BOX 58 SHIPLEY AVE, HARMANS, MD 21077

Site Name: MIDDLETOWN ROAD DUMP SITE
Address: MIDDLETOWN RD, ANNAPOLIS, MD 21401

Site Name: NEVAMAR CORP
Address: 8339 TELEGRAPH RD, ODENTON, MD 21113

Site Name: NOVA-KOTE INC.
Address: 7615 ENERGY PKWY, RIVIERA BEACH, MD 21226

Site Name: PUBLISHERS PRINTING SERVICE INC.
Address: 10650 RIGGS HILL RD, JESSUP, MD 20794

Site Name: VECTRA CORP ODENTON
Address: 8305 TELEGRAPH RD, ODENTON, MD 21113

BALTIMORE

Site Name: BACK RIVER
Address: BEACHWOOD AVE AT PORTER POINT, ESSEX, MD 21221

Site Name: BATAVIA LANDFILL
Address: 619 BATAVIA FARM RD, ROSEDALE, MD 21237

Site Name: BAUSCH & LOMB, DIECRAFT
Address: 14600 YORK RD, SPARKS, MD 21152

Site Name: BUCKS STEEL DRUM
Address: 8234 ROSEBANK AVE, NORTH POINT, MD 21222

Site Name: CIRCUIT CITY
Address: 6211 ROSSVILLE BLVD, ESSEX, MD 21237

Site Name: FOUR CORNERS (JACKSONVILLE)
Address: JARRETSVILE PK & SWEET AIR RD, JACKSONVILLE, MD

Site Name: GREENSPRING - LAUNCH (Towson Launch MD-412)
Address: RIDGE RD, GREENSPRING, MD 21117

Site Name: J & L INDUSTRIES INC
Address: 6923 EBENEZER RD, CHASE, MD 21220

Site Name: KOPPERS CO- GLEN ARM
Address: GLEN ARM RD, GLEN ARM, MD 21087

Site Name: LEO J. MCCOURT DUMP
Address: MORSE RD, SPARROWS POINT, MD 21219

Site Name: MARYVALE PREPARATORY SCHOOL
Address: 11300 FALLS RD, BROOKLANDVILLE, MD 21093

Site Name: METALS & RESIDUES PROCESSING
Address: 10107 MARBLE CT, COCKEYSVILLE, MD 21030

Site Name: METALS & RESIDUES PROCESSING
Address: 4400 MILFORD MILL RD, PIKESVILLE, MD 21208

Site Name: NATIONAL CIRCUIT INC-TIMONIUM PROPERTY
Address: 108 TIMONIUM RD, TIMONIUM, MD 21093

Site Name: NATIONAL CIRCUITS INC-PIKESVILLE PROPERTY
Address: PARK CIR, TOWSON, MD 21286

Site Name: O.H. WILLIAMSON
Address: WILLIAMSON LN, COCKEYSVILLE, MD 21030

Site Name: REISTERS PROPERTY
Address: JUNCTION MD RTS 30 & 140, REISTERSTOWN, MD 21136

Site Name: RELAY MUD SLIDE
Address: WOODLAND & VIADUCT AVES, RELAY, MD 21227

Site Name: SAFETY KLEEN CORP-CATONSVILLE
Address: 1012-1/2 LESLIE AVE, CATONSVILLE, MD 21228

Site Name: SECURITY BLVD SITE
Address: 1718 K BELMONT AVE, WOODLAWN, MD 21207

Site Name: SMUCK DUMP
Address: HOLLINS FERRY RD, HALETHORPE, MD 21227

Site Name: SPARROWS POINT PATAPSCO RIVER
Address: PATAPSCO RIVER, BALTIMORE, MD 21226

Site Name: SUN CHEMICAL CORP-GPI DIV
Address: 42 GWYNNS MILL CT, OWINGS MILLS, MD 21117

Site Name: THOMPSON STEEL COMPANY INC
Address: NORTH POINT BLVD, SPARROWS POINT, MD 21219

Site Name: VULCAN MATERIALS METALS DIV
Address: 2415 GRAYS RD, SPARROWS PT, MD 21222

BALTIMORE CITY

Site Name: 4TH GAS HOUSE (Same as MD-159)
Address: LANCASTER AND PATAPSCO STS, BALTIMORE, MD 21224

Site Name: AMERICAN NATIONAL CAN CO

Address: BOSTON & HUDSON ST, BALTIMORE, MD 21224

Site Name: AMERICAN SHOT & LEAD CO
Address: FAYETTE, PITT & FRONT STS, BALTIMORE, MD 21202

Site Name: AMOCO OIL CO
Address: 3901 ASIATIC AVE, BALTIMORE, MD 21226

Site Name: ARMCO BALTIMORE WKS
Address: 3501 E BIDDLE ST, BALTIMORE, MD 21213

Site Name: BALTIMORE IRON & METAL
Address: PIER 11, PATAPSCO RIVER E NEWGATE, BALTIMORE,

Site Name: BALTIMORE STEEL DRUM CORP
Address: 910 KRESSON ST, BALTIMORE, MD 21224

Site Name: BIOCHEM
Address: 3901 ASIATIC AVE, BALTIMORE, MD 21226

Site Name: BIOCHEM MANAGEMENT INC
Address: 1917 BENHILL AVE, BALTIMORE, MD 21226

Site Name: BOARMAN, JW CO, INC
Address: 2821-23 FOSTER AVE, BALTIMORE, MD 21224

Site Name: BRUNING PAINT CO
Address: 601 S HAVEN ST, BALTIMORE, MD 21224

Site Name: CAPITAL ASSAY LABS SITE
Address: 2901 WHITTINGTON AVE, BALTIMORE, MD 21230

Site Name: CONOCO INC BALTIMORE TERM
Address: 3410 FAIRFIELD RD, BALTIMORE, MD 21226

Site Name: CONTINENTAL CAN CO.- USA PLANT #16
Address: 3701 DUNCANWOOD LN, BALTIMORE, MD 21213

Site Name: DYNASURF CHEMICAL CORP
Address: 1411 FLEET ST, BALTIMORE, MD 21231

Site Name: EAST FEDERAL STREET SITE
Address: EAST OF 3520 EAST FEDERAL ST, BALTIMORE, MD

Site Name: EXXON CO USA
Address: 3801 BOSTON ST, BALTIMORE, MD 21224

Site Name: FORT HOLABIRD CRIME RECORDS CENTER
Address: CORNER OF OAKLAND & DETROIT AVES, BALTIMORE,

Site Name: G & M TERMINAL

Address: 1549 WARWICK AVE, BALTIMORE, MD 21216

Site Name: KEY HIGHWAY SHIPYARD
Address: 1101 KEY HWY, BALTIMORE, MD 21230

Site Name: KOPPER CO INC - METAL PRODUCTS DIVISION
Address: 200 SCOTT ST, BALTIMORE, MD 21230

Site Name: KOPPERS CO BALTIMORE TREATING PLT LANDFILL
Address: CHILDS ST, BALTIMORE, MD 21226

Site Name: LOCOMOTIVE JUNKYARD
Address: NEAR 6000 CHEMICAL ROAD, BALTIMORE, MD 21226

Site Name: MORGAN STATE UNIVERSITY SITE
Address: COLD SPRING LN & HILLEN RD, BALTIMORE, MD 21239

Site Name: MRI CORPORATION
Address: 414 CHESAPEAKE AVE, BALTIMORE, MD 21226

Site Name: M-V SANTA CLARA I
Address: DUNDALK MARINE TERMINAL/SEA, DUNDALK, MD 21222

Site Name: NL INDUSTRIES INC-BALTIMORE METAL PLT
Address: 214 W HENRIETTA ST, BALTIMORE, MD 21230

Site Name: NL INDUSTRIES INC-WHITE LEAD PLT
Address: 204 SPEARS WHARF, BALTIMORE, MD 21202

Site Name: PLATING SITE
Address: 1009 W. BALTIMORE ST, BALTIMORE, MD 21223

Site Name: PORT LIBERTY INDUSTRIAL PARK
Address: 1800 FRANKFURST AVE, BALTIMORE, MD 21202

Site Name: ROBERT E. LEE PARK/LAKE ROLAND BRIDGE
Address: RAILROAD MARKER 387, MT.WASHINGTON, MD 21212

Site Name: SMITH, F. BOWIE & SON INC
Address: 4500 E LOMBARD ST, BALTIMORE, MD 21224

Site Name: SOUTHGATE INDUSTRIAL PARK
Address: 2147 WICOMICO ST, BALTIMORE, MD 21230

Site Name: STRIEGAL SUPPLY & EQUIPMENT CO.
Address: 6001 CHEMICAL RD, BALTIMORE, MD 21226

Site Name: TANK BARGE #626
Address: PIER ONE / CLINTON ST, BALTIMORE, MD 21224

CAROLINE

Site Name: DAVES RELOADING & GUN REPAIR
Address: FLEETWOOD RD, DENTON, MD 21629

Site Name: OLD WEST DENTON DUMP
Address: RIVER RD, DENTON, MD 21629

Site Name: RELIANCE WOOD PRESERVING CO
Address: RELIANCE RD, FEDERALSBURG, MD 21632

Site Name: SKIPJACK CHEMICALS, INC.
Address: HARMONY RD, DENTON, MD 21629

CARROLL

Site Name: 3M NATIONAL ADVER.-WESTMINSTER
Address: 1030 BALTIMORE BLVD, WESTMINSTER, MD 21157

Site Name: BACHMAN VALLEY LANDFILL-LOCATION II
Address: 1920 BACHMAN VALLEY RD, MANCHESTER, MD 21102

Site Name: CATALYST RESEARCH
Address: 1125 POOLE RD, WESTMINSTER, MD 21157

Site Name: KATE WAGNER LANDFILL
Address: OLD WESTMINSTER RD & KATE WAGNER,

Site Name: LANG'S JUNKYARD
Address: RT 30 - BETWEEN 232 & 242, HAMPSTEAD, MD 21074

Site Name: LEHIGH PORTLAND CEMENT COMPANY
Address: 117 SOUTH MAIN ST, UNION BRIDGE, MD 21791

Site Name: NORTH CARROLL SHOPPING PLAZA
Address: RT 30 & BRODBECK RD, HAMPSTEAD, MD 21074

Site Name: POWRMATIC INC
Address: INDUSTRIAL PARK DR, FINKSBURG, MD 21048

Site Name: RAY'S AUTO PARTS E.R.
Address: 7571 MIDDLEBERG ROAD, DETOUR, MD

Site Name: SMALL LAB SITE
Address: 7606 PATAPSCO DR, SYKESVILLE, MD 21784

Site Name: W. DORSEY PROPERTY
Address: 804 E RIDGEVILLE RD, MT. AIRY, MD 21771

Site Name: WESTMINSTER PLANT
Address: GEORGE ST, WESTMINSTER, MD 21157

Site Name: WOLF HILL

Address: OFF OF RT 30, HAMPSTEAD, MD 21074

CECIL

Site Name: BIG ELK CHAPEL ROAD LANDFILL

Address: OFF BIG ELK CHAPEL RD, PROVIDENCE, MD 21921

Site Name: CECIL COUNTY LANDFILL

Address: OLD ELK NECK RD, ELKTON, MD 21901

Site Name: CENTRAL CHEMICAL CO

Address: TRINCO INDUSTRIAL PARK, ELKTON, MD 21921

Site Name: CROUSE BROS. EXCAVATING, INC.

Address: PULASKI HWY WEST \ RT 40 & RT 279, ELKTON, MD 21921

Site Name: FIRESTONE PERRYVILLE PLANT

Address: FIRESTONE RD, PERRYVILLE, MD 21903

Site Name: HOG HILL LANDFILL

Address: PHILADELPHIA RD, NORTH EAST, MD 21921

Site Name: IRON HILL ROAD DRUM SITE

Address: 117 IRON HILL RD, ELKTON, MD 21921

Site Name: LOUISA LANE DUMPSITE

Address: LOUISA LN EXTENDED, CHARLESTOWN, MD 21914

Site Name: MALMO FARMS

Address: 1435 CAYOTS CORNER RD, CHESAPEAKE CITY, MD

Site Name: OLD ELKTON DUMP

Address: JONES CHAPEL RD, ELKTON, MD 21921

Site Name: PRINCIPIO ROAD

Address: 551 PRINCIPIO RD, CRAIGTOWN, MD 21904

Site Name: REEVES SITE

Address: 400 MARLEY RD, ELKTON, MD 21921

Site Name: RMR

Address: 695 N BRIDGE ST, ELKTON, MD 21921

Site Name: STAUFFER CHEM CO

Address: BLUEBELL RD TRINCO IND COM, ELKTON, MD 21921

Site Name: STEMMERS RUN

Address: STEMMERS RUN RD, EARLESVILLE, MD 21919

Site Name: USCG BACK CREEK REAR RANGE STRUCTURE

Address: WELCH POINT, CHESAPEAKE CITY, MD 21921

Site Name: WHITTAKER TROJAN YACHT
Address: OLDFIELD POINT RD, ELKTON, MD 21921

CHARLES

Site Name: DEAD TREES IN A POND SITE
Address: 0.6 MILES PAST CORNER OF GLYM, PISGAH, MD 20640

Site Name: HUGHESVILLE TIRE SITE
Address: GALLANT GREEN RD, HUGHESVILLE, MD 20601

Site Name: US NAVAL RESEARCH LAB - LAUNCH
Address: BERRY RD, WALDORF, MD 20601

DORCHESTER

Site Name: CAMBRIDGE CY DISP PLT WWTP
Address: 1010 ROSELIN AVE, CAMBRIDGE, MD 21613

Site Name: CAMBRIDGE SITE
Address: 311 TRENTON, CAMBRIDGE, MD 21613

Site Name: CAMBRIDGE TOWN GAS
Address: 403 CHERRY ST, CAMBRIDGE, MD 21613

Site Name: CONTINENTAL CAN CO-USA PLANT 24
Address: RAILRD AVE, HURLOCK, MD 21643

Site Name: EASTERN MD WOOD TREATING CO
Address: CLARKS CANNING HOUSE RD, FEDERALSBURG, MD

Site Name: WESTERN PUBLISHING CO
Address: WOODS RD, CAMBRIDGE, MD 21613

FREDERICK

Site Name: ABRAMSON PROPERTY
Address: 9925 PINE TREE RD, WOODSBORO, MD 21798

Site Name: FREDERICK TOOL AND DIE CO INC
Address: 579 E.CHURCH ST, FREDERICK, MD 21701

Site Name: TRANS TECH / ADAMSTOWN SITE
Address: ADAMSTOWN RD, ADAMSTOWN, MD 21710

GARRETT

Site Name: BAUSCH & LOMB INC - OAKLAND PLANT
Address: RT 135, OAKLAND, MD 21550

Site Name: HARBISON WALKER REFRACTORIES-NEW SAVAGE
Address: RT 495, GRANTSVILLE, MD 21536

Site Name: UMBELL PROPERTY
Address: RT 42, FRIENDSVILLE, MD 21531

Site Name: WOOD PRODUCTS
Address: 8TH ST EXT, OAKLAND, MD 21550

HARFORD

Site Name: BATA SHOE (LATEX LAGOON)
Address: BELCAMP RD, BELCAMP, MD 21017

Site Name: BATA SHOE (MAIN PLANT AND LANDFILL)
Address: PULASKI HWY, BELCAMP, MD 21017

Site Name: I.W. JENKINS-MOUNTAIN ROAD PROPERTY
Address: 2206 MOUNTAIN RD, JOPPA, MD 21085

Site Name: MOORE PROPERTY LANDFILL
Address: BUSH RD, ABINGTON, MD 21009

Site Name: MOUNTAIN ROAD EMERGENCY RESPONSE
Address: MOUNTAIN RD & I-95, JOPPA-MAGNOLIA, MD 21040

HOWARD

Site Name: CHESAPEAKE FINISHED METALS INC
Address: 6754 SANTA BARBARA CT, BALTIMORE, MD 21227

Site Name: HOWARD COUNTY LANDFILL
Address: 4361 NEWCUT RD, ELLICOTT CITY, MD 21043

Site Name: JOHNS HOPKINS APPLIED PHYSICS LAB
Address: JOHNS HOPKINS RD, COLUMBIA, MD 207076099

Site Name: MAYFIELD REPAIR FACILITY
Address: 7751 MAYFIELD AVE, ELKRIDGE, MD 21227

Site Name: MULLINEX FARM
Address: FLORENCE RD & A E MULLINEX RD, LISBON, MD 21797

Site Name: OLGA NELSON ENTERPRISES
Address: 7269 WASHINGTON BLVD, DORSEY, MD 21227

Site Name: SCOVITCH PROPERTY
Address: 9530 N WASHINGTON BLVD, LAUREL, MD 21227

Site Name: TATE ACCESS FLOORS INC
Address: 7510 MONTERIDEO RD, JESSUP, MD 20794

Site Name: WESTVACO CORPORATION
Address: 11101 JOHNS HOPKINS RD, LAUREL, MD 20707

KENT

Site Name: DUTCH FAMILY DELI OIL SPILL
Address: INTERSECTION RTS 301 & 291, MILLINGTON, MD 21651

MONTGOMERY

Site Name: LAYTONSVILLE - LAUNCH
Address: 5321 RIGGS RD, LAYTONSVILLE, MD 20879

Site Name: MARYLAND WOOD PRESERVING CORP
Address: 235 DERWOOD CIR, ROCKVILLE, MD 20850

Site Name: MCCORMICK PAINT WORKS
Address: 2355 LEWIS AVE, ROCKVILLE, MD 20851

Site Name: MICRODYNE CORP
Address: 627 LOFERRAND LN, ROCKVILLE, MD 20850

Site Name: NAT'L INSTITUTE OF STANDARD TECHNOLOGY
Address: INTERSTATE 270 & QUINCE ORCHAR, GAITHERSBURG,

Site Name: NORTH POTOMAC PCP
Address: 13801 TURKEY FOOT ROAD, NORTH POTOMAC, MD

Site Name: PROTO CIRCUITS
Address: 14674 D SOUTLAWN LN, ROCKVILLE, MD 20850

Site Name: SILVER SPRINGS CUSTOM FURNITURE
Address: 8943 BROOKVILLE RD, SILVER SPRING, MD 20910

Site Name: VECTROL INC
Address: 1010 WESTMORE AVE, ROCKVILLE, MD 20850

Site Name: WATKINS JOHNSON COMPANY
Address: 700 QUINCE ORCHARD RD, GATHERSBERG, MD 20760

Site Name: WEINSCHEL ENGINEERING
Address: 1 WEINSCHEL LN, GAITHERSBURG, MD 20878

PRINCE GEORGE'S

Site Name: BEAVERDAM CREEK PCB
Address: 0.5 OFF KENNILWORTH AVE, CHEVERLY, MD 20743

Site Name: BLADENSBURG ACETYLENE
Address: 2900 52ND AVE, HYATTSVILLE, MD 20781

Site Name: BOWIE-BELAIR LANDFILL
Address: RT 3 & RT 450, BOWIE, MD 20715

Site Name: CAPITOL WIRE & FENCE

Address: 3334 KENILWORTH AVE, HYATTSVILLE, MD 20781

Site Name: CELIA LUST
Address: BALTIMORE BLVD & SOUTHARD DR, BELTSVILLE, MD

Site Name: CHELTENHAM BATTERY
Address: 10800 FRANK TIPPETT RD, CHELTENHAM, MD 20623

Site Name: CITY OF GREENBELT
Address: 555 CRESCENT RD, GREENBELT, MD 20770

Site Name: CLARK, J L MFG CO STONE INDUST
Address: 51ST AVE AND CREE LNE, COLLEGE PARK, MD 20740

Site Name: COLUMBIA PARK DRUM SITE
Address: GEORGE PALMER HWY & COLUMB, COLUMBIA PARK,

Site Name: CONTEE SAND & GRAVEL
Address: OFF VIRGINIA MANOR RD, BELTSVILLE, MD 20705

Site Name: CROOM - LAUNCH
Address: 8520 DUVALL RD, UPPER MARLBORO, MD 20772

Site Name: CROOM MILITARY HOUSING
Address: 15512 MOUNT CALVERT RD, UPPER MARLBORO, MD

Site Name: EAGLE HARBOR TIRE FIRE
Address: EAGLE HARBOR RD, EAGLE HARBOR, MD 20608

Site Name: EVANS TRAIL DUMP SITE
Address: EVANS TRAIL, CALVERTON, MD 20705

Site Name: HYATTSVILLE GAS & ELECTRIC
Address: 5022 RHODE ISLAND AVE, EDMONSTON, MD 20781

Site Name: KOPPERS CO DUMPSITE LAUREL
Address: RT 1 & CONTEE RD, LAUREL, MD 20707

Site Name: LONDON HILLS DEVELOPMENT
Address: END OF HIGHVIEW PLACE, CAPITOL HEIGHTS, MD 20743

Site Name: PISCATAWAY WWTP
Address: RT 210 & FARMINGTON RD BOX 327, ACCOKEEK, MD

Site Name: ROGERS ELECTRIC
Address: 5720 COLUMBIA PARK, CHEVERLY, MD 20785

Site Name: WILLIAM PLEASANTS
Address: ALLENTOWN RD, FRIENDLY, MD 20744

Site Name: WINDSOR MANOR RD

Address: WINDSOR MANOR RD, BRANDYWINE, MD 20613

QUEEN ANNE'S

Site Name: TOM DODD SPORTING CLAYS SITE

Address: 620 TOM DODD FARM LN, QUEENSTOWN, MD 21658

SOMERSET

Site Name: SHERWIN WILLIAMS RUBBERSET DIV

Address: RT 413, CRISFIELD, MD 21817

ST MARY'S

Site Name: CALIFORNIA DRUM SITE

Address: ST ANDREWS CHURCH RD, CALIFORNIA, MD 20619

Site Name: GENSTAR STONE PRODUCTS

Address: RT 235, HOLLYWOOD, MD 20619

Site Name: SOUTHERN MARYLAND WOOD TREATING

Address: STATE RT 235, HOLLYWOOD, MD 20636

Site Name: SPRINGER SEPTIC SERVICES

Address: 8 & CHAPTICO HWY RD, CHAPITCO, MD 20621

Site Name: ST. MARY'S SALVAGE

Address: ST MARY'S INDUSTRIAL PARK, ST MARY'S, MD 20686

TALBOT

Site Name: EASTON GAS & LIGHT CO

Address: 1 S WEST ST, EASTON, MD 21601

Site Name: EASTON UTILITIES COMM MUNI ELE

Address: 219 NORTH WASHINGTON S, EASTON, MD 21601

Site Name: EASTON UTILITIES COMM POWER PL

Address: AIRPORT INDUSTRIAL PARK, EASTON, MD 21601

Site Name: NOBLE MOTOR REBUILDERS

Address: N. AURORA ST, EASTON, MD 21601

WASHINGTON

Site Name: CENTRAL CHEMICAL (OFFICE)

Address: 49 N JONATHAN ST, HAGERSTOWN, MD 21740

Site Name: CERTAIN TEED METALS

Address: INTRASTATE INDUSTRIAL PARK, WILLIAMSPORT, MD

Site Name: CHEVRON CHEMICAL CO - WILLIAMSPORT

Address: ARTISAN AVE, WILLIAMSPORT, MD 21795

Site Name: CHEWSVILLE CO-OP
Address: MAIN ST, CHEWSVILLE, MD 21721

Site Name: DANZER METAL WORKS CO
Address: 2000 YORK RD, HAGERSTOWN, MD 21740

Site Name: FRANKLIN SPICKLER PROPERTY SITE
Address: GREENCASTLE PIKE, MAUGANSVILLE, MD 21740

Site Name: KOPPERS CO HAGERSTOWN PLT
Address: 100 CLAIR ST, HAGERSTOWN, MD 21740

Site Name: NEWELL ENTERPRISES INC.
Address: LESLIE RD, HAGERSTOWN, MD 21740

Site Name: RUST-O- LEUM CORPORATION
Address: INTERSTATE INDUSTRIAL PAR, WILLIAMSPORT, MD

Site Name: SUN CHEMICAL CORP GPI DIV
Address: INDUSTRIAL LN, WILLIAMSPORT, MD 21795

Site Name: WEST MANUFACTURING COMPANY
Address: 910 ELDRIDGE DR, HAGERSTOWN, MD 21740

WICOMICO

Site Name: ADAMS CO AND SON INC
Address: NORTHWOOD DR & ARLINGTON RD, SALISBURY, MD

Site Name: BLACKWATER SOLID WASTE TRANSFER STATION
Address: WALLER RD, SALISBURY, MD 21801

Site Name: CHESAPEAKE SHIPBUILDERS,INC.
Address: 710 FITZWATER ST, SALISBURY, MD 21801

Site Name: CHEVRON CHEM CO - SALISBURY
Address: 125 BATEMAN RD, SALISBURY, MD 21801

Site Name: GRIGCO WASTE OIL RECYCLING INC
Address: WATER ST, SHARPTOWN, MD 21861

Site Name: RIVER HARBOR DEVELOPMENT
Address: RIVER HARBOR DR EXTENDED, SALISBURY, MD 21801

Site Name: SALISBURY MARKETING INC
Address: N SALISBURY BLVD & BRIDGEVIEW, SALISBURY, MD

WORCESTER

Site Name: BISHOP PROCESSING CO
Address: OLD STAGE RD, BISHOP, MD 21813

Site Name: WEST OCEAN CITY LANDFILL
Address: LEWIS RD, OCEAN CITY, MD 21811