

MDEStat Meeting

November 22, 2010



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Table 1: LMA Use of ARRA Funds for LUST Cleanups, Updated 11/15/10

	Target by 9/30/11*	3/26/10	5/10/10	8/23/10	10/4/10	11/15/10
Percent obligated	58%	37%	38%	41.14%	56%	58% ¹
Percent expended	100%	13%	15%	21.11%	22.5%	24% ¹
Number of sites	NA	77	77	82	82	82
Number of sites identified for file review (total, including those for which file reviews have been completed)	NR	NR	NR	68	44	44
Number of file reviews performed	NR	35	35	38	35	35
Number of draft file reviews submitted to MDE	NR	NR	10	23	23	24
Number of final file reviews submitted to MDE	44	10	10	20	20	20
Number of UST closures performed	13	2	3	4	4	4
Number of draft UST closures reports received	NR	NR	1	4	4	4
Number of final UST closures received	13	1	1	4	4	4
Number of site assessments initiated (total, whether completed or not)	47	NR	NR	37	37	36 ²
Number of site assessments completed	25	NR	NR	7	7	8 ²
Number of cleanups initiated (total, whether completed or not)	12	NR	NR	5	5	4 ²
Number of cleanups completed	30	NR	NR	4	4	3 ²
Total number of cases closed	30	NR	0	2		8
Number of sites where no further ARRA-funded work will be performed	NR	NR	NR	NR	NR	8

1. Percentages are through September 2010.

2. EPA quarterly reporting measure. Data is through September 2010.

* All targets are based on the Spending Plan submitted to the EPA on August 23, 2010 (Attachment F) and are subject to change due to complexity and uncertainties of groundwater cleanups.

Table 2: 12 Sites Anticipated to Use Most Remaining ARRA Funds *(Continued on Next Slide)*

Case Name	Estimated Spend ¹	Current Obligated ²	Current Spend ²	Access Concerns
Stebbins Burnham	\$518,070	\$142,364	\$133,280	None
Bauchman Store	\$405,083	\$147,708	\$24,556	Access needed for one parcel. Initial access agreement was returned undeliverable. Working with bank to resolve access. Case will be forwarded to the OAG for assistance.
Faststop	\$370,845	\$61,903	\$37,228	None
Big Red (Uncle Marvin's Oasis)	\$231,357	\$33,948	\$15,917	None
Harnes Store	\$212,068	\$323,712	\$91,345	None
Rockville	\$146,795	\$87,545	\$17,875	None
K&J Market	\$145,250	\$12,202	\$0	None

Table 2: 12 Sites Anticipated to Use Most Remaining ARRA Funds

Case Name	Estimated Spend ¹	Current Obligated ²	Current Spend ²	Access Concerns
Darlington Citgo	\$97,535	\$37,565	\$7,535	None
Highway Petroleum Management	\$63,079	\$18,818	\$8,079	Property is being foreclosed upon and Cumberland is in the process of acquiring. Case will be forwarded to the OAG for assistance.
Waljacks	\$62,803	\$46,953	\$15,556	None
Zion	\$58,534	\$16,709	\$3,534	New property owner, access agreement is being sent.
Brown Derby	\$56,155	\$15,408	\$6,155	Property is in the middle of tax default property auction. Town acquiring property. Will be sending additional access requests to all potential property owners. Case will be forwarded to the OAG for assistance.
TOTAL	\$2,367,574³	\$944,835	\$361,060	

1. From Spending Plan submitted to the EPA with revisions on August 23, 2010 (Attachment F).
2. Amounts are through September 30, 2010.
3. 64% of grant

**Table 3: CAFO/MAFO Permitting Activity, Updated
11/15/10 (continued)**

	3/29/10	5/10/10	6/14/10	7/26/10	8/23/10	10/4/10	11/15/10
1. Total number of NOIs received	518	524	526	529	531	541	550
1a. Total number of CAFO NOIs							432
1b. Total number of MAFO NOIs							103
1c. Number of NOIs withdrawn							17
2. Number of CAFO sites for which a Comprehensive Nutrient Management Plan (CNMP) has been received (total, including both those that have completed internal review and those that have not)	72	91	107	121	130	148	186
3. Number of CAFO sites with CNMPs currently in review by CAFO Section							58
4. Number of CAFO sites currently in library	NR	8	9	15	27	0	0

Table 3: CAFO/MAFO Permitting Activity, Updated 11/15/10

	3/29/10	5/10/10	6/14/10	7/26/10	8/23/10	10/4/10	11/15/10
5. Cumulative number of CAFO sites that have completed the public review process and been registered ^[1]	0	0	0	9	15	27	28
6. Number of CAFO sites that have submitted compliance schedules							320
7. Number of CAFO sites with compliance schedules executed	NR	99	166	243	266	293	301
8. Number of farms that were required to submit CNMP Status Forms for June 2010 but did not do so	NR	NR	NR	NR	NR	73	23

¹ LMA's target, as reported in October, is 150 registered by February 1.

Table 4: CAFO Inspection Tracking, Updated 11/15/10

FY10 (inspections started in June 2010)	
“Notified” (ie NOI submitted) CAFO AIs Inspected	38
“Notified” (ie NOI submitted) MAFO AIs Inspected	2
Non-notified Sites Inspected and Found to be CAFOs or MAFOs*	1
Total Inspections to date (including sites found not to be CAFOs or MAFOs)	52
Minor Violations Found	5
Significant Violations Found	0
FY11	
“Notified” (ie NOI submitted) CAFO AIs Inspected	18
“Notified” (ie NOI submitted) MAFO AIs Inspected	2
Non-notified Sites Inspected and Found to be CAFOs or MAFOs*	12
Total Inspections to date (including sites found not to be CAFOs or MAFOs)	68
Minor Violations Found	2
Significant Violations Found	0

* Sites found to be CAFOs are given 30 days to send in the required NOI.

**Table 5: LMA Enforcement Cases in OAG
By Priority Level** *(Continued on Next Slide)*

Priority Category	12/14/09	1/26/10	3/1/10	5/10/10	7/26/10
5	Lead – 5	Lead - 1	Lead - 1 SWP-0 OCP – 3 HWP – 0	Lead –3 SWP -0 OCP-3 HWP - 0	Lead-4 SWP-0 OCP-3 HWP-0
4	Data not requested.	Lead - 14 OCP – 3	Lead - 14 SWP-0 OCP – 7 HWP- 0	Lead - 26 SWP -2OCP-1 HPW - 0	Lead-29 SWP-4 OCP-1 HWP-0
3		Lead - 66 SWP – 7 OCP – 1	Lead - 66 SWP-7 OCP – 1 HWP – 0	Lead-110 SWP - 7 OCP-6 HWP -0	Lead-128 SWP-6 OCP-7 HWP-1
2		Lead - 39	Lead - 39 SWP-0 OCP – 1 HWP – 0	Lead –74 SWP - 1 OCP-4 HWP - 1	Lead-80 SWP-3 OCP-4 HWP-0
1		Lead - 48 SWP – 3 OCP – 3 HWP – 2	Lead - 48 SWP-3 OCP – 3 HWP – 2	Lead – 33 SWP - 3 OCP-4 HWP - 5	Lead-35 SWP-3 OCP-4 HWP-3

Table 5: LMA Enforcement Cases in OAG By Priority Level

Priority Category	12/14/09	1/26/10	3/1/10	5/10/10	7/26/10	11/15/10
No Priority Level Designated		Lead – 82*	Lead – 82* SWP – 0 OCP – 0 HWP – 0	Lead – 0 SWP - 0 OCP-0 HWP - 0	Lead-0 SWP-0 OCP-0 HWP-11	Lead-0 SWP-0 OCP-0 HWP-0 (see note 2)
Total	Lead – 112 SWP - 18 OCP – 11 HWP – 1 All – 142	Lead – 250 SWP - 10 OCP – 7 HWP – 2 All - 269	Lead - 250 SWP – 10 OCP – 15 HWP - 2 Total - 277	Lead-246 SWP - 13 OCP-18 HWP – 6 Total-283	Lead-276 SWP-16 OCP-19 HWP-15 Total-326	Lead-284 SWP-16 OCP-21 HWP-14 Total-335

NOTE 1: Per discussions at previous MDEStat meetings, lead case counts ONLY include both pending and “legally resolved” cases. Counts for all other programs include pending cases only.

NOTE 2: The HWP cases (11 total) indicated in the column for 7-26-2010 with no priority level were for cases initiated prior to implementation of a priority rating. HWP has taken those 11 cases and re-evaluated and assigned a priority designation.

Table 6: Hazardous Waste Program Inspections

1. Inspection Type	2. Universe of Sites to be Inspected	3. Number of Sites Inspected in FFY10	4. Number of Sites HWP to Inspect per RCRA Grant Commitment During FFY11 (10/1/0 through 11/1/11)	5. Number of Sites Inspected in FFY11
Inspections of TSDs	21	21	13	3
Inspections of non-bridge LQGs	375	133	80	7
Inspections of bridges registered as LQGs	187	7	0	0
Inspections of CESQGs	4,736	9	5	3
Inspections of SQGs	4,956	68	15	2
Inspections of non-notifiers (NNs)	Unknown	1	Unknown/Can't be determined	0
Totals	10,275	239	113	15

Table 7: Targeted LQG Inspections, Updated 11/15/10

	7/26	8/30	10/4	11/15
Number of "Targeted"* LQG Inspections	47	14	14	7

* An LQG site is in the backlog if it was registered prior to 12/1/05 and has not been inspected since 12/1/05.

Table 8: Addressing Unregistered Pre-1950 Residential Rental Properties

Task	Original/Updated Target Completion Date	Previous Status	11/15 Status
Use information from City to reduce target universe of pre-1950 rentals.	Orig 4/30/10 Now 6/30/10	Working on targeted zip codes in City; targeting based on EBL data. Obtained the number of vacant units. Requested a listing of the 16,594 units. Will use data to identify Baltimore City unregistered units. Will do remainder of State next. Working on targeted zip codes in City; targeting based on EBL data.	No change
Compare Lead Rental Registry and SDAT Registry and send letters to unmatched addresses.	Orig 6/15/10 Now 8/1/10 Delayed because of preparations for 2011 mail out. 11/30/2010	Have run an updated version of the State Department of Assessments and Taxation database.	No change
Review responses to letter to determine number of units still unregistered.	Orig 8/1/10 Now 9/1/10 12/31/2010	Not yet underway.	No change

Table 9: Manufacturers Required to Submit E-cycling Registrations

	6/14/10	7/26/10	8/23/10	10/4/10	11/15/10
Number of electronics manufacturers required to register	228	224	225	223	223
Number of electronics manufacturers currently registered and in good standing	47	62	60	66	67
Number of electronics manufacturers required to register but not currently registered	181	162	165	157	156
Number of enforcement letters mailed	0	0	0	0	25

Table 10: Execution of Consent Documents For Open Oil Remediation Cases

	5/11/10	11/15/10
Number of Open Oil Remediation Cases	847	866
Number of Cases Identified as Needing Consent Documents (OCP Priority One or Two cases)	36	35
Number of Cases with Consent Documents Executed [targets are as follows: 11/15/10 – 20 3/15/11 – 28 7/15/11 – 35]	13	13

Table 11: LMA Vacancies of Concern (Continued)

PIN	Vacancy Date	Reason(s) for Delay, Current Status, and EDC for Next Step
Positions Vacant Over Four Months		
014522 PM IV	6/18/2010	Interviews completed 11/5/2010. Checking references. Selection packet should be received in HR 11/17/2010.
018156 Admin III	6/18/2010	<p>7/2/2010 – MS-22 sent to DBM for review 7/6/2010 – PRF to ASA Director 7/22/2010 – PRF approved by Executive Staff 7/23/2010 – Hiring exception forwarded to MDE Office of Budget 7/30/2010 – Hiring exception forwarded to DBM 8/11/2010 – DBM approved MS-22 8/19/2010 – DBM approved hiring exception 8/25/2010 – Interview questions received 8/27/2010 Interview questions forwarded to OFP who approved on 8/31/2010 9/14/2010 – Announcement forwarded to Recruitment Unit 9/24/2010 – Announcement posted with a closing date of 10/8/2010 10/8/2010 – 82 applications received. Recruitment Unit to test. 11/10/2010 – 25 applicants in Best band. Applications forwarded to HRC to apply screening criteria. Will forward applications to hiring manager once interview panel is approved. EDC 11/15/2010</p>

Table 11: LMA Vacancies of Concern (Continued)

PIN	Vacancy Date	Reason(s) for Delay, Current Status, and EDC for Next Step
Positions Vacant Over Four Months		
049217 AO II	07/01/2010	<p>6/8/2010 – PRF submitted to ASA Director 6/14/2010 – PRF approved by Executive Staff 6/16/2010 – Hiring exception submitted to MDE Budget Officer who then forwarded to DBM on 6/18/2010 7/16/2010 – Hiring exception approved. 7/19/2010 – Draft job announcement sent to Recruitment Unit. 7/29/2010 – Job announcement posted with closing date of 8/16/2010. 8/16/2010 – Received 58 applications. 8/25/2010 – Recruitment Unit began testing applicants. 9/2/2010 – Eligibles list created. 16 candidates in best band. 9/28/2010 – after screening criteria was applied, forwarded six applicants to hiring manager. 10/19/2010 – hiring manager requested remaining applicants from best band. 11/1/2010 – will conduct second interviews due to tied score. Hiring manager on vacation for two weeks. Expect to complete process beginning of December.</p>

Table 11: LMA Vacancies of Concern (Continued)

PIN	Vacancy Date	Reason(s) for Delay, Current Status, and EDC for Next Step
Positions Vacant Over Four Months		
074044 ADMIN II	7/3/2009	<p>7/3/2009 - Vacancy occurred; incumbent took a leave of absence and was to return December 2009. Never heard from incumbent.</p> <p>2/25/2010 – MS-22 submitted to DBM for class determination.</p> <p>3/14/2010 - DBM approved MS-22. Determined classification is an Administrator II.</p> <p>5/21/2010 - PRF sent to ASA Director</p> <p>6/6/2010 - Executive staff approved PRF</p> <p>6/18/2010 - Hiring exception forwarded to DBM</p> <p>7/16/2010 - DBM approved hiring exception. HRC emailed hiring manager asking for preferred or selective qualifications.</p> <p>7/20/2010 - Hiring manager provided some suggestions. Will begin to draft announcement.</p> <p>8/4/2010 - Draft announcement sent to Recruitment Unit.</p> <p>8/17/2010 - Forwarded the job posting announcement created by the Recruitment Unit to hiring manager for review. Hiring manager emailed that he was preparing a formal response.</p> <p>8/25/2010 - Email received from LMA Director advising to move ahead with the posting.</p> <p>8/26/2010 - HRC emailed Recruitment Unit asking them to move ahead with the posting.</p> <p>8/31/2010 - DBM posted the position with a closing date of 9/17/2010</p> <p>9/17/2010 - Closing date. 16 applications received.</p> <p>9/22/2010 - Emailed hiring manager requesting interview questions.</p> <p>9/23/2010 - Received copy of memo from hiring manager to LMA Director explaining why there is no need to hire this position. Awaiting direction from LMA Director</p> <p>10/8/2010 – LMA Director sent email to hiring manager to complete interview questions by COB 10/13/2010</p> <p>10/13/2010 – Interview questions provided.</p> <p>10/21/2010 – Test booklets were mailed to applicants with a deadline of 11/3/2010</p> <p>10/25/2010 – Interview questions forwarded to OFP and approved 10/27/2010.</p> <p>11/10/2010 – Testing complete. Registered forwarded to HRC to provide to hiring manager. 8 candidates qualified. Will forward applications to hiring manager 11/15/2010.</p>

Table 11: LMA Vacancies of Concern (Continued)

PIN	Vacancy Date	Reason(s) for Delay, Current Status, and EDC for Next Step
Positions Vacant Over Four Months		
083385 AS II	12/29/2008	<p>12/29/2008 – Was housed in Land Restoration Program. Held for budget reasons</p> <p>12/17/2009 - Position moved to the Oil Control Program.</p> <p>12/28/2009 - PRF forwarded to ASA Director.</p> <p>1/4/2010 - Executive staff put PRF on hold until contractual conversion matrix could be developed</p> <p>8/6/2010 - LMA decided to move forward with a regular recruitment. Hiring manager submitted MS-22 and hiring exception to HRC</p> <p>8/11/2010 - PRF forward to ASA Director</p> <p>8/12/2010 - Reclass packet submitted to DBM.</p> <p>8/18/2010 - Received email from ASA Director. PRF reviewed but more information is requested. LMA Director to respond.</p> <p>8/26/2010 - Received email from ASA Director. PRF has been approved. 8/27/2010 - Hiring exception forwarded to MDE Office of Budget</p> <p>8/30/2010 - DBM CAS approved MS-22.</p> <p>9/17/2010 - Hiring exception sent to DBM.</p> <p>10/12/2010 – Hiring exception approved by DBM</p> <p>10/26/2010 – HRC met with program to discuss recruitment strategy – in-house; State employees only; or open to all. Program to get back to HRC.</p> <p>11/9/2010 – HRC met with hiring manager to discuss announcement and screening criteria. Program wants to open recruitment to all.</p> <p>11/10/2010 – Draft announcement sent to Recruitment Unit who finalized and forwarded to DBM for approval.</p> <p>11/12/2010 – DBM approved announcement. Closing date for applications 11/30/2010.</p>

Table 11: LMA Vacancies of Concern (Continued)

PIN	Vacancy Date	Reason(s) for Delay, Current Status, and EDC for Next Step
Positions Vacant Over Four Months		
Vacancies on Hold for Budget Reasons		
066396 GEO I	9/24/2010	9/24/2010 – PIN moved from Land Restoration to Mining Program. 10/13/2010 – Put recruitment on hold due to budget constraints
Recruitments Overdue for Action by LMA (no need to repeat those listed above)		
074106 TBD	11/3/2010	HRC meeting with hiring manager 11/17/2010 to discuss organizational issues.