

# ***MDEStat Meeting***

## ***September 23, 2013***



# ***Table 1: Overdue Annual Reports Still With Administration***

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<b>Report Name</b>	<b>Due Date</b>
2010-2011 Nontidal Wetlands Compensation Fund	due now
Groundwater Protection Report Annual Report	July 1, 2013

## **Table 2: Pending Wetlands Applications: 9/16/13 Status**

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	10/1/12		4/24/13		9/16/13					
	Total Pending	Percent Overdue	Total Pending	Percent Overdue	Total Pending	Number Overdue	Percent Overdue	Active Applications Only		
								Pending	Number Overdue	Percent Overdue
Nontidal	414	43%	405	30.6%	<b>425</b>	<b>109</b>	<b>25.6%</b>	<b>283</b>	<b>27</b>	<b>9.5%</b>
Tidal	194	14%	230	12.2%	<b>227</b>	<b>24</b>	<b>10.6%</b>	<b>219</b>	<b>19</b>	<b>8.7%</b>
Totals	608	34%	635	23.9%	<b>652</b>	<b>133</b>	<b>20.4%</b>	<b>502</b>	<b>46</b>	<b>9.2%</b>

## **Table 3: In-Lieu Fee Regulations Promulgation**

<b>ACTION</b>	<b>Most Recent Target Date</b>	<b>Status Revised Target Date</b>
Submit proposed regulation package to WMA Director for 14-day review and approval.	07/31/13	<b>10/08/13</b>
Submit proposed regulation package and Governor's briefing paper to the Office of the Secretary for 14-day review and approval.	08/15/13	<b>10/23/13</b>
Submit proposed regulations package to Division of State Documents for AELR 15-day review	08/29/13	<b>11/08/13</b>
Submit proposed regulations package to Division of State Documents	09/16/13	<b>11/25/13</b>
Proposed action on regulations published in the Maryland Register	10/4/13	<b>12/13/13</b>
Public Hearing on proposed regulations package	10/16/13	<b>01/07/14</b>
End of comment period for proposed regulations package	11/04/13	<b>01/13/13</b>
Address comments and prepare regulation package for final publication	11/05/13 – 11/19/13	<b>01/14/14 - 01/28/14</b>
Submit final regulations package to Division of State Documents	11/20/13	<b>01/29/14</b>
Final action on regulations published in the Maryland Register	11/29/13	<b>02/07/14</b>
Effective date of regulations	12/9/13	<b>02/17/14</b>

**Table 4: Number of Non-Major Facilities in Significant Noncompliance / Category 1 Noncompliance (EPA and State)**

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	2011	2012	2013
Maryland	260	238	215
Pennsylvania	35	25	24
Virginia	26	12	6

Note: The information above was reported to EPA by each state. The reporting is voluntary, and Maryland generally reports more complete information than many other states do. The differences appearing in this table are probably largely due to disparate reporting procedures from state to state.

## **Table 5: Implementation of Online Training and Certification for the Responsible Personnel (Green Card) Program, Status as of 9/16/13**

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Date	Status
June 24, 2013	<p><i>MDE's powerpoint training presentation has been updated to cover the 2011 regulations and new Standards. The powerpoint has also been transcribed into a video by Michael Gebreyesus for online viewing and includes narrations from Program staff. The online web application is being tested in-house for errors prior to being released for public participation. Currently there are 30,000 certified personnel in the State that will need to be re-certified under the new regulations. The Program has been discussing with the OAG the possibility of charging for online training and certification. Express authority in the sediment control statute to pay for training materials and administrative costs does not exist. A decision to charge would require additional collaboration (and time) between the MES contractor and MDE's OIMT. Advice from the OAG is pending.</i></p>
September 16, 2013	<p><i>All of the training material (PowerPoint presentations) has been updated with the 2011 erosion and sediment control regulations. The training class has also been transformed from a PowerPoint presentation into 19 video segments that can be taken on-line, including exam and certification procedures. Project staff from SSDS are working with MES in testing the application and working out final bugs. The class should be ready for release sometime this Fall.</i></p>

**Table 6: NPDES Phase I Municipal Stormwater Permits  
(MS 4) Renewals Schedule,  
Status as of 9/9/2013** *(continued on next slide)*

<b>Key:</b>
issued
tentative determination
awaiting EPA concurrence
final drafting by MDE

Jurisdiction	Issue Date	Status	Tentative	Final	Status
Montgomery	2/16/2010	current	N/A	2/16/2010	Case continues; MDE and complainants filed court briefs on July 26, 2013; judicial process granted "standing" under new permit issuing rules
Baltimore City	1/3/2005	expired	6/19/2013	Pending	Baltimore City's permit will be advertised final subsequent to the completion of the tentative determination/public hearing process for all phase I permits; public hearing occurred on August 2, 2012 and the public record was open until September 21, 2012
Prince George's	10/31/2004	expired	4/18/2013	Pending	Prince George's County's permit will be advertised final subsequent to the completion of the tentative determination/public hearing process for all phase I permits; public hearing occurred on May 15, 2013 and the public record was open until June 27, 2013

# **Table 6: NPDES Phase I Municipal Stormwater Permits (MS 4) Renewals Schedule, Status as of 9/9/2013** *(Continued on next slide)*

<b>Key:</b>
issued
tentative determination
awaiting EPA concurrence
final drafting by MDE

Jurisdiction	Issue Date	Status	Tentative	Final	Status
Anne Arundel	11/8/2004	expired	6/12/2013	Pending	A public hearing on Anne Arundel County's permit was held on August 7, 2013 and the public record for comment will be open until August 19, 2013; tentative determination was advertised June 12 and June 19, 2013
Baltimore	1/3/2005	expired	5/2/2013	Pending	Baltimore County's permit will be advertised final subsequent to the completion of the tentative determination/public hearing process for all phase I permits; public hearing occurred on June 26, 2012 and the public record was open until July 10, 2012
Howard	6/20/2005	expired			Awaiting EPA concurrence; draft permit including TMDL attachment sent to EPA June 30, 2013; EPA objection letter on June 27, 2013 requesting TMDL attachment; draft permit sent to EPA, III for approval on May 31, 2013



## **Table 6: NPDES Phase I Municipal Stormwater Permits (MS 4) Renewals Schedule, Status as of 9/9/2013**

<b>Key:</b>
issued
tentative determination
awaiting EPA concurrence
final drafting by MDE

Jurisdiction	Issue Date	Status	Tentative	Final	Status
Carroll	7/14/2005	expired			Awaiting EPA concurrence; draft permit including TMDL attachment sent to EPA June 30, 2013; EPA objection letter on June 27, 2013 requesting TMDL attachment; draft permit sent to EPA, III for approval on May 31, 2013
Charles	7/31/2002	expired	TBD		EPA "no objection" letter received September 11
Frederick	3/11/2002	expired	TBD		EPA "no objection" letter received September 11
Harford	11/1/2004	expired	TBD		EPA "no objection" letter received September 11
State Highway Administration	10/21/2005	expired			Draft permit to be sent to EPA, III for approval by December 30, 2013 in conjunction with Phase II General Permits for small storm drain systems.

## **Table 7: Upgraded Septic System Installations By Priority Level**

Priority Level and Description	Number Installed		
	FY11	FY12	FY13
Priority 1 – Failing OSDS or holding tanks in the Critical Areas	532	507	<b>417</b>
Priority 2 – Failing OSDS or holding tanks not in the Critical Areas	64	107	<b>205</b>
Priority 3 - Non-failing OSDS in the Critical Areas including new BAT installation	40	33	<b>157</b>
Priority 4 - Non-failing OSDS outside the Critical Areas	17	3	<b>76</b>

OSDS: on-site disposal system, also called a septic system

BAT: best available technology

## ***Table 8: Extended Discharge Permits***

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	March 2013	May 2013	June 2013
5-10 years	17	19	<b>14</b>
More than 10 years	9	9	<b>7</b>