

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 08 WATER POLLUTION

Chapter 12 Maryland Winter Salt Applicators; Voluntary Certification Program

Environment Article, §§9-313, 9-315, and 9-319; Annotated Code of Maryland

.01 Purpose.

The purpose of this chapter is to establish a voluntary Smart Salt Certification Program for winter salt applicators in Maryland managed by the Maryland Department of the Environment. Salt is a pervasive pollutant in fresh waters of the State, with few options to remove it from the environment after it has been applied to roads, parking lots, and sidewalks during winter precipitation and refreeze events. The program provides educational resources to public and commercial winter salt applicators on how to use less salt during winter storms while maintaining adequate public safety, to assist State efforts to protect and restore local waters and drinking water supplies from freshwater salinization while maintaining public safety.

The Department issues the final Smart Salt certification pending an applicant's completion of Department approved training and passing a Department-approved test to verify specific knowledge of enhanced winter applications. This program also uses record keeping and reporting to identify and track improvements made throughout the State to reduce the overuse of winter salt.

.02 Scope.

A. This chapter establishes Maryland's Smart Salt Voluntary Certification Program and sets forth the criteria under which the Smart Salt Program will operate. Participation in the Program is voluntary.

.03 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Deicer" means any substance used to melt any form of frozen winter precipitation, or used for its anti-icing effects, on public or privately owned surfaces traveled by pedestrians and vehicles.

(2) "Department" means the Maryland Department of the Environment.

(3) "Enhanced winter application" means the suite of management practices used to reduce the amount of winter deicer used on impervious surfaces during winter precipitation events.

(4) "Public applicator" means a municipal, county, state, or other government employee who supervises or applies deicer to parking lots and sidewalks for their respective agencies. This does not include public roads crews.

(5) "Seasonal applicator" means any individual who applies deicer but does not supervise other employees applying deicer. It does not include municipal, state, or other government employees.

(6) "Smart Salt professional" means an individual who has completed enhanced winter application training approved by the Department and passed a Department-approved examination after completing the training.

(7) "Winter salt applicator" means any individual who applies deicer or supervises employees who apply deicers for hire, but does not include municipal, state, or other government employees.

.04 Maryland's Smart Salt Certification Program.

A. The Department shall develop a training program that promotes enhanced winter application for snow and ice removal.

B. The Department may certify a winter salt applicator, public applicator, or seasonal applicator as a Smart Salt professional if the applicator successfully completes an enhanced winter application training program.

C. Certification of a winter salt applicator, public applicator, or seasonal applicator as a Smart Salt professional lasts for up to 5 years.

D. The Department shall provide additional training for recertification for Smart Salt professionals.

E. The Department shall provide the enhanced winter application training program online and in-person at several locations Statewide, and may make the recertification training available online.

F. The Department shall annually post a list of Smart Salt professionals on its website.

G. The Department may revoke its Smart Salt certification for a Smart Salt professional's failure to maintain records according to COMAR 26.08.12.05, a failure to provide information according to COMAR 26.08.12.06, or for any other reason it deems necessary.

H. The Department may delegate any responsibilities in (A), (B), (D), or (E) of this regulation to another entity.

.05 Record Keeping.

A. The Department will only recertify Smart Salt professionals that maintain the following records:

(1) A copy of their original certification approved by the Department and their most recent recertification;

(2) Copies of the most recent winter maintenance assessment tool requirements used by the Department; and

(3) Records, print or electronic, identifying and describing the amount and type of impervious area treated, and practices used for enhanced winter application. The records shall include the type and rate of application of deicer used, the dates of treatment, the impervious area surface conditions, and the weather conditions for each event requiring deicing. The records shall be kept for a minimum of three years.

B. Proof of compliance with the reporting requirements under Regulation .06 of this chapter.

.06 Required Reporting.

A. To maintain its certification, July 1 each year, a Smart Salt professional shall submit to the Department the amounts and types of deicers used in the previous winter season, as well as the total surface area treated, via an electronic form prescribed by the Department.

B. The Department shall annually post on the Department's website the statewide results of all Smart Salt professional reports in an aggregated format.