

# FILE COPY



## Maryland Department of the Environment

Larry Hogan, Governor

Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary

Horacio Tablada, Deputy Secretary

August 27, 2021

The Honorable Larry Hogan  
State House  
100 State Circle  
Annapolis, Maryland 21401

The Honorable Bill Ferguson  
President  
Senate of Maryland  
State House, H-107  
Annapolis Maryland 21401

The Honorable Adrienne A. Jones  
Speaker  
Maryland House of Delegates  
State House, H-101  
Annapolis Maryland 21401

Re: Report required by State Government Article § 4-802 (MSAR #12147)

I am pleased to provide you with the *Annual Report on Environmental Violations, 2020*, prepared as required in Section 4-802(d) of the Environment Article, *Annotated Code of Maryland* (MSAR #12147). The October 2020 revisions to Maryland's erosion and sediment control program resulted in new reporting requirements for the jurisdictions within the State of Maryland that are delegated the authority to enforce sediment and erosion control laws and regulations. Provided in this report is the Maryland Department of the Environment's summary of delegated authorities' environmental violations.

This report is the culmination of numerous local and state employees' work, your support, and the support of other elected officials. All are commended for their efforts in developing and implementing this important environmental program for improving local water resources and restoring the Chesapeake Bay.

If you or your staff would like to discuss any aspect of this report, please call me at 410-537-3084 or  
Mr. Lee Currey, Director, Water and Science Administration at 410-537-3567 or [lee.currey@maryland.gov](mailto:lee.currey@maryland.gov)

Sincerely,

Ben Grumbles  
Secretary

cc: Sarah Albert, Department of Legislative Services (5 copies)  
Lee Currey, Director, Water and Science Administration



## **Annual Report on Environmental Violations -2020-**

Prepared by:  
The Maryland Department of the Environment

Prepared for:  
**Governor Larry Hogan**  
**The Senate Education, Health, and Environmental Affairs  
Committee**  
**The House Environment and Transportation Committee**

**May 2021**

Larry Hogan, Governor | Boyd K. Rutherford, Lt. Governor | Ben Grumbles, Secretary | Horacio Tablada, Dep. Secretary

For further information concerning this document contact:

Legislative and Intergovernmental Relations  
Maryland Department of the Environment  
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## **I. Introduction**

Environment Article, Title 4, Subtitle 1, requires the Maryland Department of the Environment (Department or MDE) to implement an erosion and sediment control program to control sediment-laden runoff from land disturbing activities. The law allows for the delegation of enforcement authority to local jurisdictions found capable of enforcing compliance with the provisions of this subtitle, and that have the capability comparable to that of the Department in terms of laws and procedures, manpower, equipment, and overall effectiveness. Obligations for delegation include reporting the number of permits issued and violations that occurred within the jurisdiction.

In 2019, Governor Hogan approved Chapters 517 and 518, of the Acts of 2019 (House Bill 703/Senate Bill505). This law requires that delegated jurisdictions provide additional reporting to the Department on environmental violations in the Critical Area and Sensitive Areas of the state. In addition, the legislation requires the Department to publish the data submitted by the jurisdictions and submit the data to the Governor and General Assembly on or before March 1 of each year. To meet these requirements, the Department revised its data collection and submission process for the delegation of enforcement authority to reflect the recently enacted law. These changes included developing an internet-based data collection form that was shared with the delegated jurisdictions. This form included two new sections on inspection and enforcement in the Critical Area and Sensitive Areas.

This *Annual Report on Environmental Violations, 2020*, published May 2021 (Annual Report), fulfills the requirement of §4-802(d), Environment Article, Subtitle 8 of the *Annotated Code of Maryland*. The following summarizes the data collected by the Department from the delegated jurisdictions.

## II. Primary Information

The enforcement of erosion and sediment control laws and regulations has been delegated by the Department to 22 jurisdictions (see Table 1) that include 12 Counties, nine municipalities and the Washington Suburban Sanitary Commission (WSSC). Delegation is granted to each jurisdiction for a period of two years, unless renewed by the Department. In the year preceding the expiration of the delegation authority, the Department conducts a review of each jurisdiction's program to determine if it should be granted continued delegation authority.

**Table 1. Delegated Jurisdictions for Erosion and Sediment Control**

<b>Counties:</b>		<b>Municipalities:</b>	
1.	Anne Arundel	1.	Aberdeen
2.	Baltimore	2.	Annapolis
3.	Calvert <sup>1</sup>	3.	Baltimore City
4.	Carroll	4.	Bel Air
5.	Charles	5.	Bowie
6.	Frederick	6.	Gaithersburg
7.	Harford	7.	Greenbelt
8.	Howard	8.	Laurel
9.	Kent	9.	Rockville
10.	Montgomery	<b>Other:</b>	
11.	Prince George's	1.	WSSC
12.	Worcester		

<sup>1</sup> Calvert County has been delegated authority for single-lot residential construction only.

### III. Summary of Environmental Violations in Maryland

Data collected from the delegated jurisdictions are presented in Tables 2 through 8. The summary presented below covers data submitted by all 22 jurisdictions for fiscal year 2020 (i.e., July 1, 2019 to June 30, 2020) or FY20.

#### Permit Information

- A total of 4,015 major permits were issued. Major permits typically include grading, building, and sediment control associated with an engineered erosion and sediment control plan.
  - The total disturbed acreage for the major permits was 9,721 acres.
- A total of 4,552 other permits were issued. Other permits typically include those associated with a standard erosion and sediment control plan for minor earth disturbances or single-lot residential agreements in lieu of requiring custom designed or engineered plans.
  - The total disturbed acreage for these other issued permits was 4,233 acres.

*\*NOTE: In the following tables the use of “-” indicates that data were not reported by the local jurisdiction or were marked “N/A”.*

**Table 2. Total Number of Permits Issued**

Jurisdiction	Major Permits				Other Permits			
	Issued		Active		Issued		Active	
	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres
<b>Counties:</b>								
Anne Arundel	388	498	1,184	1,388	253	30	253	30
Baltimore County	150	617	300	2,634	1,306	-	-	-
Calvert <sup>1</sup>	703	850	800	1,200	-	-	-	-
Carroll	132	979	109	852	1,752	2,750	712	1,132
Charles	701	535	1,295	4,498	22	1,026	46	2,845
Frederick	213	951	298	3,988	548	103	503	108
Harford	155	2,001	100	1,500	355	260	182	112
Howard	214	493	402	2,164	63	43	70	50
Kent	123	321	14	24	-	-	-	-
Montgomery	454	587	1,063	420	3	7	0	0
Prince George's	144	956	854	7,876	0	0	0	0
Worcester	204	225	169	187	-	-	-	-
<b>Municipalities:</b>								
Aberdeen	2	4	14	103	31	7	17	4
Annapolis	42	35	70	37	0	0	0	0
Baltimore City	107	121	288	685	196	2	196	2
Bel Air	4	18	1	1	3	1	2	1
Bowie	9	69	6	66	0	0	0	0

Gaithersburg	5	10	8	121	1	1	0	0
Greenbelt	4	37	4	37	0	0	0	0
Laurel	0	-	4	115	15	3	25	3
Rockville	16	12	61	121	0	0	0	0
<b>Other:</b>								
WSSC	245	402	172	367	4	-	4	-
<b>TOTALS</b>	<b>4,015</b>	<b>9,721</b>	<b>7,216</b>	<b>28,384</b>	<b>4,552</b>	<b>4,233</b>	<b>2,010</b>	<b>4,287</b>

<sup>1</sup> Data were reported for CY20.

## Site Inspections and Enforcement Efforts

### *Inspections*

- A total of 84,321 site inspections were performed to monitor earth disturbance activities.
- The inspections were performed by 118 inspectors.

### *Violations*

- A total of 5,343 sediment control violation notices were issued.
- A total of 3,479 building and grading violation notices were issued.
- A total of 422 stop work orders were issued.

### *Fines and Compliance Assistance*

- The sum of \$151,209 was collected in fines or securities.
- A total of 38 court cases were reported.
- 1,528 sediment control complaints were received.
- Assistance was provided to correct violations in 1,655 instances.

**Table 3. Total Inspection and Enforcement Data - Violations and Fines**

Jurisdiction	Sediment Control		Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
	Inspectors	Inspections Performed	Sediment Control	Building and Grading		Penalties	Amount (\$)
<b>Counties:</b>							
Anne Arundel	13	13,248	1,229	1,229	120	10	8,000
Baltimore County	6	4,128	642	642	76	-	-
Calvert <sup>1</sup>	3	4,800	80	-	25	25	1,250
Carroll	5	3,756	1,210	575	9	0	0
Charles	4	8,053	12	23	23	0	11,109
Frederick	4	2,837	176	176	6	0	0
Harford	5	3,231	934	-	27	0	0
Howard	18	8,956	78	78	16	0	0
Kent	2	750	1	2	20	-	500
Montgomery	11	14,874	414	414	47	49	34,800
Prince George's	19	11,698	132	12	14	76	33,250
Worcester	1	612	46	48	28	1	500
<b>Municipalities:</b>							
Aberdeen	1	143	0	0	0	0	0
Annapolis	3	1,232	74	57	0	31	17,700
Baltimore City	4	2,428	12	12	5	1	100
Bel Air	1	164	18	0	1	0	0
Bowie	3	36	3	0	0	0	0
Gaithersburg	2	142	3	28	0	0	0
Greenbelt	4	231	19	0	0	0	0
Laurel	3	203	9	1	1	0	0
Rockville	1	699	182	182	4	17	41,000
<b>Other:</b>							
WSSC	5	2,100	69	-	0	10	3,000
<b>TOTALS</b>	<b>118</b>	<b>84,321</b>	<b>5,343</b>	<b>3,479</b>	<b>422</b>	<b>243</b>	<b>151,209</b>

<sup>1</sup> Data were reported for calendar year 2020

**Table 4. Total Inspection and Enforcement Data - Court Cases and Complaints Received**

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded (\$)		
<b>Counties:</b>				
Anne Arundel	2	0	348	28
Baltimore County	-	-	134	-
Calvert <sup>1</sup>	0	0	225	225
Carroll	0	0	195	52
Charles	0	0	12	0
Frederick	0	0	76	0
Harford	0	0	35	0
Howard	0	0	39	78
Kent	1	1	25	25
Montgomery	35	22,800	112	830
Prince George's	0	0	108	24
Worcester	0	0	52	0
<b>Municipalities:</b>				
Aberdeen	0	0	0	19
Annapolis	0	0	31	0
Baltimore City	0	0	103	103
Bel Air	0	0	3	0
Bowie	0	0	2	5
Gaithersburg	0	0	0	0
Greenbelt	0	0	0	19
Laurel	0	0	3	6
Rockville	0	0	7	182
<b>Other:</b>				
WSSC	0	0	18	59
<b>TOTALS</b>	<b>38</b>	<b>22,800</b>	<b>1,528</b>	<b>1,655</b>

<sup>1</sup> Data were reported for calendar year 2020

## Inspections and Enforcement in the Critical Area

- 111 jurisdictions indicated that they have Critical Area within their boundary.
- A total of 2,628 sediment control inspections were performed in the Critical Area.
- A total of 178 sediment control violation notices were issued.
- A total of 135 building and grading violation notices were issued.
- A total of 51 stop work orders were issued.
- The sum of \$20,000 was collected in fines or securities.
- 106 complaints were received.
- The jurisdictions provided assistance to correct violations in 80 instances.

**Table 5. Inspection and Enforcement Data for Critical Area - Violations and Fines**

Jurisdiction	Critical Area within Jurisdiction	Total Number of Sediment Control Inspections	Violation Notices Issued	Stop Work Orders Issued	Fines or Securities Number	Fines or Securities Amount (\$)
<b>Counties:</b>						
Anne Arundel	Yes	498	59	59	14	4,000
Baltimore County	Yes	-	-	-	-	-
Calvert <sup>1</sup>	Yes	385	30	0	0	0
Carroll	No	-	-	-	-	-
Charles	Yes	63	2	1	2	1,000
Frederick	No	-	-	-	-	-
Harford	Yes	-	-	-	-	-
Howard	Yes	-	-	-	-	-
Kent	Yes	200	2	5	4	10,000
Montgomery	No	-	-	-	-	-
Prince George's	Yes	0	0	0	0	0
Worcester	Yes	337	28	28	29	0
<b>Municipalities:</b>						
Aberdeen	No	-	-	-	-	-
Annapolis	Yes	951	52	40	0	10 5,000
Baltimore City	Yes	169	2	2	0	0
Bel Air	No	-	-	-	-	-

Bowie	No	-	-	-	-	-	-
Gaithersburg	No	-	-	-	-	-	-
Greenbelt	No	-	-	-	-	-	-
Laurel	No	-	-	-	-	-	-
Rockville	No	-	-	-	-	-	-
<b>Other:</b>							
WSSC	Yes	25	3	2	0	0	0
<b>TOTALS</b>	<b>11</b>	<b>2,628</b>	<b>178</b>	<b>135</b>	<b>51</b>	<b>20</b>	<b>20,900</b>

<sup>1</sup> Data for calendar year 2020

**Table 6: Total Inspection and Enforcement Data for Critical Area - Court Cases and Complaints Received**

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded (\$)		
<b>Counties:</b>				
Anne Arundel	0	0	0	0
Baltimore	-	-	-	-
Calvert <sup>1</sup>	0	0	25	60
Carroll	-	-	-	-
Charles	0	0	5	0
Frederick	-	-	-	-
Harford	-	-	-	-
Howard	-	-	-	-
Kent	0	0	20	20
Montgomery	-	-	-	-
Prince George's	0	0	0	0
Worcester	0	0	31	0
<b>Municipalities:</b>				
Aberdeen	-	-	-	-
Annapolis	0	0	25	0
Baltimore City	0	0	0	0
Bel Air	-	-	-	-
Bowie	-	-	-	-

Gaithersburg	-	-	-
Greenbelt	-	-	-
Laurel	-	-	-
Rockville	-	-	-
<b>Other:</b>			
WSSC	0	0	0
<b>TOTALS</b>	<b>0</b>	<b>106</b>	<b>80</b>

<sup>1</sup> Data for calendar year 2020

## Inspections and Enforcement in Sensitive Areas

- 17 jurisdictions indicated that they have Sensitive Areas within their boundary.
- A total of 2,831 sediment control inspections were performed in Sensitive Areas.
- A total of 183 sediment control violation notices were issued.
- A total of 136 building and grading violation notices were issued.
- A total of 41 stop work orders were issued.
- The sum of \$8,000 was collected in fines or securities.
- There were no court cases.
- 95 complaints were received.
- The jurisdictions provided assistance to correct violations in 112 instances.

Table 7: Inspection and Enforcement Data for Sensitive Areas - Violations and Fines

Jurisdiction	Do You Have Any Sensitive Area(s)?	Total Number of Sediment Control Inspections	Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
			Sediment Control	Building and Grading		Number	Amount (\$)
<b>Counties:</b>							
Anne Arundel	Yes	540	44		44	5	5
Baltimore County	Yes	-	-		-	-	-
Calvert <sup>1</sup>	-	-	-		-	-	-
Carroll	Yes	241	32	22	1	0	0
Charles	Yes	630	1	1	0	0	0
Frederick	-	-	-	-	-	-	-
Harford	Yes	6	3	-	3	0	0
Howard	Yes	-	-	-	-	-	-
Kent	No	-	-	-	-	-	-
Montgomery	Yes	338	35	35	0	3	3,000
Prince George's	Yes	0	0	0	0	0	0
Worcester	Yes	459	32	31	30	0	0
<b>Municipalities:</b>							
Aberdeen	No	-	-	-	-	-	-

Annapolis	Yes	3	0	0	0	0	0
Baltimore City	Yes	149	5	3	2	0	0
Bel Air	Yes	49	2	0	0	0	0
Bowie	Yes	5	0	0	0	0	0
Gaithersburg	Yes	6	0	0	0	0	0
Greenbelt	No	-	-	-	-	-	-
Laurel	Yes	54	3	0	0	0	0
Rockville	Yes	4	4	0	0	0	0
<b>Other:</b>							
WSSC	Yes	347	22	-	0	4	1,000
<b>TOTALS</b>		<b>17</b>	<b>2,831</b>	<b>183</b>	<b>136</b>	<b>41</b>	<b>8,000</b>

<sup>1</sup> Data for calendar year 2020

**Table 8: Total Inspection and Enforcement Data for Sensitive Areas - Court Cases and Complaints Received**

Jurisdiction	Court Cases		Sediment Control Complaints (\$)	Compliance Assistance Provided to Correct Violations
	Number	Awarded Cases (\$)		
<b>Counties:</b>				
Anne Arundel	0	0	0	0
Baltimore	-	-	-	-
Calvert <sup>1</sup>	-	-	-	-
Carroll	0	0	22	9
Charles	0	0	2	0
Frederick	-	-	-	-
Harford	0	0	2	0
Howard	-	-	-	-
Kent	-	-	-	-
Montgomery	0	0	37	103
Prince George's	0	0	0	0
Worcester	0	0	32	0
<b>Municipalities:</b>				
Aberdeen	-	-	-	-

Annapolis	0	0	0	0	0	0
Baltimore City	0	0	0	3	0	3
Bel Air	0	0	0	0	0	0
Bowie	0	0	0	0	0	0
Gaithersburg	0	0	0	0	0	0
Greenbelt	-	-	-	-	-	-
Laurel	0	0	1	1	4	4
Rockville	0	0	0	0	0	0
<b>Other:</b>						
WSSC	0	0	0	0	18	18
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>95</b>	<b>112</b>		

<sup>1</sup> Data for calendar year 2020

## **II. Appendices**

## **Appendix A: Environment Article §4-802**

### **Environmental Violations - Reporting Requirements**

§4-802.

(a) (1) On or before January 1 each year, each jurisdiction that has delegated authority under Subtitle 1 of this title to enforce sediment and erosion control laws and regulations shall report to the Department on:

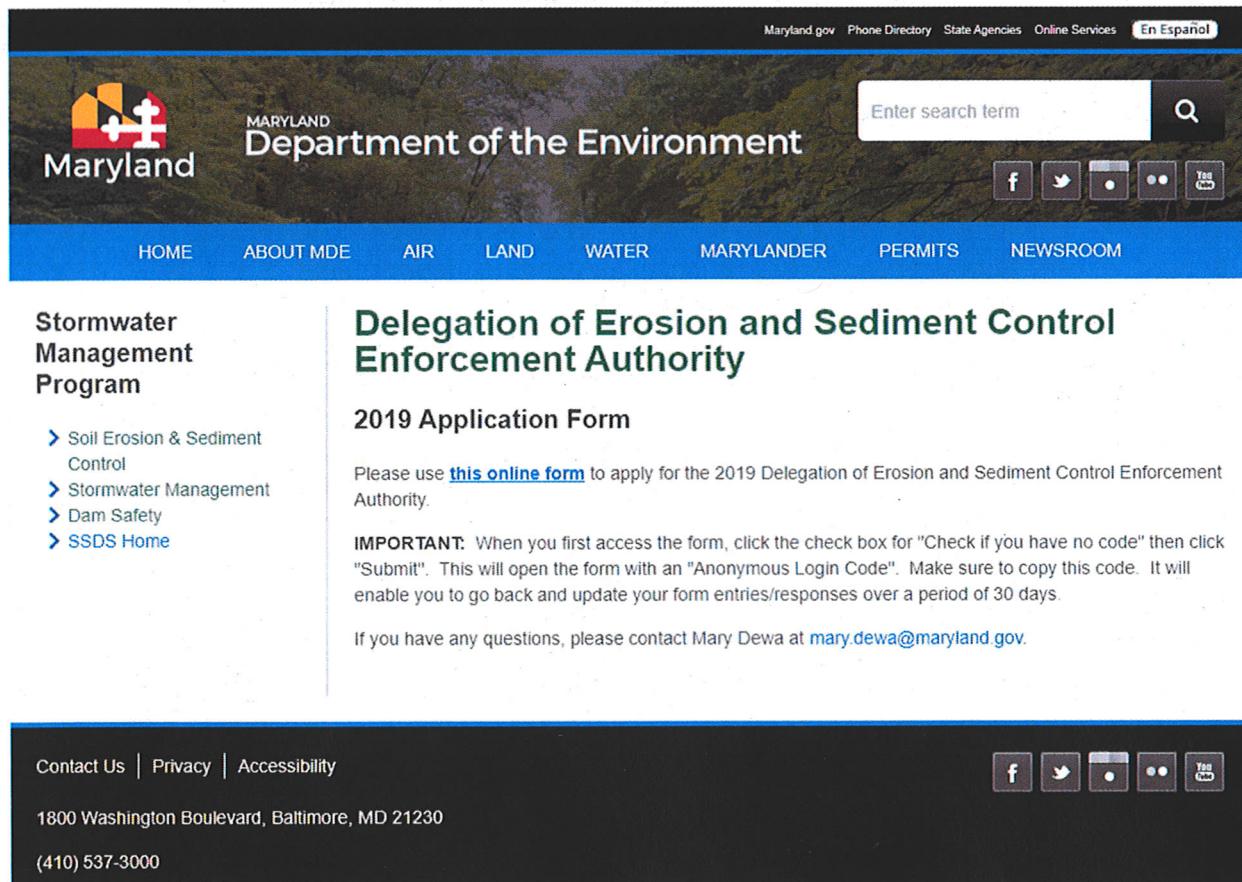
- (i) The total number of cases alleging violations of:
  1. Sediment and erosion control laws and regulations; and
  2. Building and grading permits; and
- (ii) The total number of cases alleging violations in the Critical Area of:
  3. Sediment and erosion control laws and regulations; and
  4. Building and grading permits.

(2) The information reported to the Department under paragraph (1) of this subsection shall include:

- (i) The number and nature of:
  1. Formal complaints issued by the jurisdiction and whether the complaint is in the Critical Area;
  2. Stop work orders issued by the jurisdiction; and
  3. Alleged violations reported by citizens to the jurisdiction;
- (ii) The number of court proceedings involving an alleged violation, including the final disposition of each court proceeding;
- (iii) The dollar amount of fines levied and collected by the jurisdiction as a result of a violation;
- (iv) The dollar amount of civil and criminal penalties imposed and collected as a result of a violation;
- (v) 1. Whether the jurisdiction provided compliance assistance to correct a violation and the nature of that assistance; and  
2. Whether the compliance assistance provided by the jurisdiction led to compliance; and
- (vi) The number of inspectors and other staff of the jurisdiction assigned to inspection and enforcement of:
  1. Title 8, Subtitle 18 of the Natural Resources Article;
  2. Sensitive areas ordinances;
  3. 100-year floodplain ordinances;
  4. Sediment and erosion control laws and regulations; and
  5. Building and grading permits.

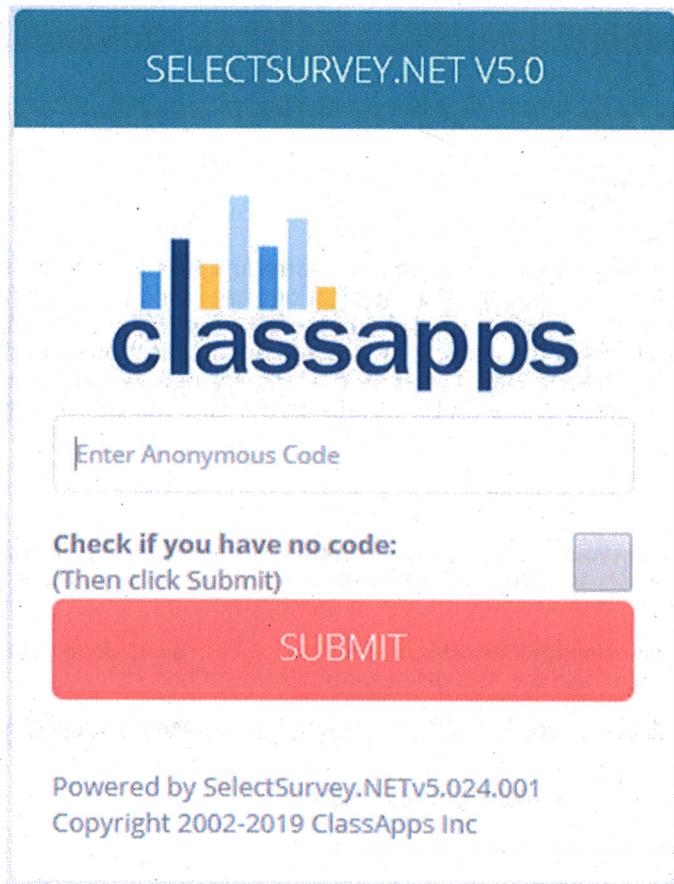
## Appendix B: Instructions to Jurisdictions on Using the Web Application to Submit the Requested Data

Step 1: Navigate to the Department's Application Page:



The screenshot shows the Maryland Department of the Environment website. The header includes the Maryland logo, the text "MARYLAND Department of the Environment", a search bar, and links for Maryland.gov, Phone Directory, State Agencies, Online Services, and En Español. The main navigation menu below the header includes links for HOME, ABOUT MDE, AIR, LAND, WATER, MARYLANDER, PERMITS, and NEWSROOM. On the left, there is a sidebar for the "Stormwater Management Program" with links for Soil Erosion & Sediment Control, Stormwater Management, Dam Safety, and SSDS Home. The main content area is titled "Delegation of Erosion and Sediment Control Enforcement Authority" and "2019 Application Form". It instructs users to use [this online form](#) to apply for the 2019 Delegation of Erosion and Sediment Control Enforcement Authority. It also provides an "IMPORTANT" note about using an "Anonymous Login Code" and enables users to go back and update their form entries over 30 days. Contact information at the bottom includes "Contact Us | Privacy | Accessibility", the address "1800 Washington Boulevard, Baltimore, MD 21230", and the phone number "(410) 537-3000". Social media links for Facebook, Twitter, YouTube, and other platforms are also present.

Step 2: Follow the steps to generate a login code:



Step 3: Copy the Code found on the next screen and proceed to Login:

**Delegation of Erosion and Sediment Control Enforcement Authority Application - 2019**

Anonymous Login Code: m2K01n9KH41 [Code Entry Page](#) | Page 1 of 7

Save this code which is required to update your response at a later time.

**This is the Login Code**

The Maryland Department of the Environment, Water and Science Administration (the Department) is pleased to announce that applications are being accepted for continued delegation of erosion and sediment control enforcement authority for the fiscal year 2021. The Department has revised the application process and application form this year to reflect regulatory changes enacted in March of 2019 that require new reporting on environmental violations in sensitive areas of the State. Details on the Law can be found [here](#).

**Instructions:**

Please make sure to copy your Anonymous Login Code displayed at the top of this form. This code is needed so you may be able to resume or update your entries/responses on the form over a period of 30 days.

You may leave the form using the **Cancel** button and use your Login Code to get back into the form. To re-enter the form, use the "this online form" link found here:

<https://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Pages/ESC-enf-delegation.aspx>

Then click "Code Entry Page" to enter your Login Code.

All questions with a red asterisk (\*) are required.

Clicking the **Done** button at the end of this Application Form will trigger recording of all your final responses. It will also trigger sending you an email (using the email address you provided on the form) with a copy of all your responses.

1. **Jurisdiction\***

2. **Email address\***

3. **Full Name of Contact Person\***

4. **Phone\***

**Cancel** **Next**