

# Maryland WIP Webinar Q &A

## Topics: Rural County Information

July 14, 2011, 10 AM

Presentation – Jim George, MDE

Q: Is this an option - Stormwater in rural for redevelopment for smart growth when not enough room to do everything onsite?

A: PPT focuses on rural/ag areas. Offsets are important. Can SW be done offsite – there is discussion regarding moving in this direction.

Q: Are the State agencies given their own nutrient load reduction goal? Is the load reduction achieved by State agencies then deducted from the County's load reduction goal?

A: For State lands that fall under Phase II permits will receive an allocation, therefore a reduction goal. It also applies to federal facilities. The State would like to give every entity its own targets, but data is not good enough and there are time constraint so MDE is thinking of giving aggregate targets for all of federal and refine those numbers over time

Q: Is there a consistent MDE policy for shared systems or package plants? Our local Environ. Health Dept. disapproves of them especially for retrofits.

A: Permitted entity like a WWTP has a cap, questions of O&M, and counties do not want O&M responsibility so details are not clear.

Q: There are septic system upgrades that can achieve over 90% reduction. These are rarely mentioned. They are more expensive. Should the state be giving these systems more attention?

A: Local staff can weigh in and suggest options to WIP and or pass local ordinances, if desired. Cost effectiveness is a priority.

Q: Are there state standards for allowable loads from the small or shared treatment systems?

A: When cost is right, it becomes attractive: if cheaper and effective. Question of who would administer the new system.

Q: Some environmental health officers have mentioned the "BAT" systems have not been proven to reduce Nitrogen loads significantly more than traditional septic systems, has

there been long term testing with a new BAT system to show the N reduction? Is there a specific type of BAT system that will be required by MDE to be installed for a failing tradition septic system?

A: The understanding is that MDE does not easily accept new innovative systems. MDE did look at lab data.

Q: In the rural counties, septic owners will be very upset paying fees to upgrade a WWTP that they will never hook up to or benefit from on their property. There are some Counties that pay their own local septic tax, which means they pay the "flush tax" twice already. That additional fee would be a huge hot button. Maybe the fee would work for properties adjacent to municipalities that could possibly hook into the WWTP if upgraded

A: Flush tax: no one is paying twice. Septic owners do pay into BRF for Cover Crops and major WWTP upgrades. Septics are polluting so polluter pays is principle. We have exhausted cost effective options to reduce nutrients. Septic owners will probably be happier paying the least cost option.

Q: Can you elaborate more on the Narrative required along with the strategies for Phase II WIP? We have not heard much about this to date.

A: Some issues can be dealt with at State level or County by County or it can be a combo with flexibility. The WIP may be challenging at the local level to write a strategy but a County could say: we will work with State to develop strategies like septic system, more guidance to come from state.

Q: A local complaint is that the Flush Tax fee has been raided to balance the state budget.

A: Personally am not aware that this is the case. There is a BRF committee.

Q: If the State considers legislation to require septic upgrades, they should consider requiring the upgrade at time of sale.

A: Yes, many considerations are in the mix. Examples of septic upgrade and local WWTP hook ups, suggestion of different ways to structure it (point of sale).

Q: How will states that are already strapped for funds fund programs to give rebates to homeowners?

A: There are funding sources. Example: of raising commodities. Social aspect of restoration of Bay and we will see if revenues can be generated.

Q: Is the fee one-time or periodic?

A: This is not a proposal just a suggestion. Pay into a large pot of money, put into place by legislation, many structures to pay (one lump sum or financing over time, e.g. mortgage system)

Q: In summary, the septic conundrum is that upgrades need to be done sooner than 2017, but each implementation will require case-by-case study and approval and that a funding stream needs to be established to avoid imposing financial hardships to rural residents?

A: Yes, time schedule is extremely tight. One example is taking a loan, bonds, e.g., rural legacy program used bonds to purchase land for future generations. Mortgage comparison to WIP Phase II

Q: Just to clarify, a farmer could plan an acre of trees in lieu of upgrading their septic system?

A: The ballpark number is correct but how to do it is a question. Your suggestion could be an option.

Q: Have you looked at the number of installers that would be required to meet the 78% goal

A: Yes, this would create jobs at home here in Maryland, keeping the money in the family, simulative effect, good news story, generating some jobs

Q: Are these projects eligible for state revolving fund from EPA?

A: Not sure. EPA wants this to succeed so perhaps.

Q: Has there been any thought given to aquatic based nutrient reduction strategy in Counties with waterfronts - i.e. oysters that remove X lbs of N/acre? Living shorelines for comparison receive a load reduction coefficient.

A: Under discussion at MDE, increased oysters could mean the TMDL could be reduced, modified. WQ is the key measure so more oysters (if they achieved WQ faster) would assist us in meeting the targets.

Q: It was my understanding that EPA was mapping certain sub-basins (4-5 in Calvert) and thought that a WIP was required for each sub-basin. Our DNR liaison has indicated that we will need just one WIP for the County. How do the EPA sub-basins play into the WIP process?

A: Planning can be done at any scale, but County is what we have picked.

Q: Though this webinar is directed at Rural Counties, will Counties with municipalities that each have their own MS4 permits each receive their own urban stormwater allocation, or will there be just one allocation for the entire county and require the county and municipalities decide how to divvy it up?

A: It may be a mix of those two options. State striving to have individual allocations, so Phase I has an allocation; Phase IIs (towns within the County) will be an aggregation but it is likely that the State will have informal ballpark allocations for the towns. Concern is that the data is imperfect; time frame is too quick thus the approach would be a mix of formal and informal with the commitment to refine the numbers over time.

Q: Considering the distance from the Bay, will the efficiency of reductions in loading from septic systems be reduced?

A: Yes – See June webinar

{ Questions not answered because of time constants }

Q: Are MS4 permits based upon an area's population or percent imperviousness?

Q: Are there state standards for allowable loads from the small or shared treatment systems?

Q: Can a County upgrade minor WWTP's (or connect minors to ENOR) in lieu of meeting all or a portion of the septic goal.

Q: Seems like it would be difficult for a rural jurisdiction to include any of the septic options in the Phase 2 WIP.

Q: What is the goal of the Governor's blue ribbon panel on septic?