

STATE WATER QUALITY ADVISORY COMMITTEE

April 6, 2007

MINUTES

ATTENDEES:

Members/Alternates: Michael Clar, Dave Duree, Jan Graham, Louise Lawrence, Shannon Lucas, Ed Merrifield, Matthew Pajerowski, Nancy Pentz, Fred Samadani, Edwin Singer, John Scarborough, Mark Symborski, George Wilmot, Frank Wise, Steve Witt, Victoria Woodward

Excused Absences: Thaddeus Graczyk, Anne Pearson, Bill Stack, Burt Sklar

Others: Ginny Kearney (MDE), Dave Goshorn (DNR), Sherm Garrison (DNR), Jay Prager (MDE), Bob Mitchell (Worcester County), Larry Fogelson (MD), Robert Mitchell, Edward Dexter (MDE), A. Hussain Alhija (MDE), Vince Berg, Chris Thomas (MDE)

Frank Wise opened the meeting with introductions at 9:30 a.m. Change in the agenda – John Backus will not be here today, so there will be no news presented from TARSA. **Motion** to approve the February 2, 2007 minutes approved.

News from MDE – Ginny Kearney (*attachment*)

- **Compliance Program**
 - In the process of filling vacancies
 - There has been an upswing in tidal wetlands cases – a number of violations in construction of piers, bulkheads
- **NPDES Permit**
 - Much opposition to fee proposal
 - Requires all states to have permit fees
 - Need to do better looking at our own fee structure
 - POTWs are exempt
- **Governor's Advisory Committee**
 - A final report to the Governor is expected by July 1, 2008
- **Safe Drinking Water Regulations**
 - Four major regulations finalized by EPA in 2006
 - Addressing surface and groundwater
- **AMD Projects**
 - Jay Rice AMD remediation project just completed
- **McDonald Mine**
 - Experts have come in to look at situation and make recommendations
 - Costs and operating expense would exceed what is currently available
 - Will continue to dose to keep in an acceptable range

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News from DNR – Sherm Garrison (*attachment*)

- **Corsica River Update**
 - Reports such as the Corsica will soon be available on DNR's website
- **Bay Grass**
 - Losses of 25% overall in the Bay
 - One third of the way to statewide goal
- **Regulations**
 - Not a lot of changes
 - Only Fisheries Service have drafted and proposed regulations – these are prior to what is put in the Maryland Register
- **Chesapeake Health Report**
 - Delayed until April 18th
 - Copies will be sent to SWQAC

Special Presentations

Biosolids Regulations – Ed Dexter & A. Hussain Alihija - MDE's Waste Management Administration

- Solid Waste Program - Ed Dexter:
 - Landfills
 - Biosolids
 - Natural wood waste composting facilities
 - Scrap tires – extensive program – permitting/enforcement - \$6 million/year
 - Major cleanup program – 8 ½ million tires removed since 1991
 - Burning tires – causes significant release of petroleum
 - Reimburse firefighters for foam used to put out tire fires
 - Plant managed by MES – crumb rubber- used in ball playing fields & rubberized mulch
- Design & Certification – A. Hussain Alihija:
 - Biosolids Task Force – representatives from MDE, MDA USDA, Univ. of Md., solid waste generators and applicators
 - Task Force working since September and met four times
 - Established several focus groups
 - Groups to report back in April
 - Next meeting is mid or late May
- Regulations – Why are they Changing:
 - Regulations went into effect 1986
 - Proposal will provide consistency in sewage sludge permit (land applications, incinerations and any products that use sewage sludge)
 - Incorporate new technologies
 - Fee adjustments
 - Sewage sludge financed through Special Funds generated – FY 07 est. \$670,000
 - \$300 application does not cover costs and time put into them
 - Fiscal impact – higher cost to WWTP, especially public-owned
 - Anticipate sludge going out of state, because of lower costs

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- Anticipate less land available, because of new phosphorous regulations
- Restructuring whole regulation
- Very complicated regulations and group is working very hard on them
- It is very early in development process
- Sludge permits – 800 active – mostly land applications
- Counties interested – help them finance inspections
- One SWQAC member as official member on Task Force, but others can attend meetings

Other Business

- **Retreat held on March 2, 2007**
 - Very successful – disappointed in attendance
 - Looked at who we are & what we are doing
 - Subcommittee Structure – keep as is & review annually
 - Need to get more subcommittee members and non-members, use email, etc.
 - Better use of MDE/DNR time – get issues to them 2-3 weeks before of meetings
 - Legislation – need someone to keep up with legislation
 - Issues from Brainstorming session – sent to subcommittee chairs to discuss and come back with ideas, prioritize, etc.
 - Commitment of members
 - Commitment to issues
 - If subcommittee cannot take on issue, individual to take on
 - Subcommittee members can be recruited
 - Summary of issues to be sent out to members
 - Eric Swab, Deputy Secretary of DNR attended
 - Governor's transition report – solicited comments
 - Very short turnaround time, since agencies had to get comments to Governor by today
 - Letter went out that Executive Subcommittee put together
 - Sent nice thank you letter to Arlington Echo for using their facility – we were one of very few non-school groups allowed to used facility
 - EMDE Article – Victoria Woodward & Frank Wise were interviewed for article – did a little recruiting plug
- **Power Plants**
 - Ed Merrifield asked question on which of 3 options would have least impact on environment – what are standards.
 - Ask Pete Dunbar come to talk to SWQAC
- **Draft Guidance Document**
 - Sent out by email on March 20, 2007 for comment with cover email from Larry Fogelson
 - If significant response – letter will be generated
 - This is very early stage in peer review process
 - Will allow comments over time
 - Have George Hanson send his comments – as not endorsed by SWQAC
 - SWQAC at this point will not send comments

Subcommittee Reports

Watershed Subcommittee – Mike Clar

- Letter sent to MDE Secretary about sediment and erosion control and stormwater concerns

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- Letter is asking MDE to reconvene stakeholder group
- Bills introduced:
 - Stormwater Act of 2007 – unanimous support in House & Senate
 - It will require that MDE make LID a requirement rather than option
 - Task Force to evaluate effectiveness of program
 - Short meeting after this meeting to go over list from Retreat

Water Resources Subcommittee – Frank Wise

- Frank did not attend the last Governor's Advisory Committee
- Water Quality Subcommittee – meeting since November
 - Looking at list of contaminants
 - Looking at addressing water quality problems in Maryland
- Next meeting in May
- Subcommittee draft should be available
- Focusing on water quality problems affecting drinking water

Wastewater – Victoria Woodward

- Response letter was received from Secretary on Triennial Review
- Have been give opportunity to come in and work on sewage regulations
- Working on:
 - Discharging into intermittent streams
 - Formulating list of emergency situations where that might have to occur
 - Definitions, so there is no question regarding what type of flow
 - Sewage sludge regulations
- Next, will be working on mixing zones
- Retreat assignments:
 - Urban renewal – Watershed may pick up this issue
 - Intermittent streams – already working on it
 - BRF – most interest
 - Bay Restoration Fund
- Anyone interested in working on sewage sludge regulations – contact Victoria

Nomination of Officers

- Open floor for nominations for Executive Officers
- Chair and 2 Vice Chairs – nominations at June meeting & elections at next meeting
- Shannon Lucas to put list together:
 - Frank Wise will not accept nomination for Chair
 - Dave Duree nominated Victoria Woodward – Ed Merrifield seconded nomination
 - Vice Chair nominees – Steve Witt for 1st Vice Chair nominated by Mike Clar and seconded by Frank Wise
 - 2nd Vice Chair nominees – Frank Wise and Mary Marsh

Meeting Adjourned 12:30