



MARYLAND ENVIRONMENTAL SERVICE

FY2016 Responses to DLS Operating Budget Analysis and Testimony

1) Corporate and State National Pollutant Discharge Elimination System Violations Increase - The Department of Legislative Services (DLS) recommends that MES comment on the troublesome facilities with plant design problems and on MES's role in resolving these violations.

MES provides certified operators and expertise needed to comply with environmental permits as a fee for service. Many of the corporate clients who come to MES for assistance own marginal facilities which are antiquated or in need of significant maintenance/upgrades and have extremely limited financial resources. The Owner is given a budget for certified operational support, and an evaluation of the facilities with recommendations for improvements to achieve environmental compliance. MES also provides the client an annual report that provides a comprehensive evaluation of operations, compliance, challenges, and maintenance performed.

MES would like to contribute comments on two troublesome facilities. One is in a small town in Southern Maryland that began construction to upgrade their WWTP in 2011 and is responsible for nearly 50% of the violations reported. In anticipation that the plant would not be able to meet their current NPDES permit discharge limitations during the construction, the Town entered into a Consent Order with MDE on October 3, 2011 (FY 2012). The Consent Order allowed for relaxed permit discharge limitations during the upgrade to the wastewater treatment plant. During FY 2013 and FY 2014 various components to the plant were inoperable or bypassed because they were being rehabbed or replaced, leading to increased stress on the operable portions of the plant. Whenever the plant did not meet the original permit limitations, the exceedances were reported to MDE, however the plant was meeting the Consent Order limitations for the majority of those exceedances reported by MES.

At the second, privately owned plant, MES assumed operational responsibility of the water treatment plant (WTP) and WWTP at the start of FY 2013 (August 2012). At the time, the plant was in need of mechanical upgrades and repairs and was not meeting many of the facility's NPDES permit discharge limitations. MES worked with the client to diagnose the operational problems and bring the plant into compliance with the permit. While MES operations has been able to assist with decreasing the number of violations occurring at this facility, there remain failing components to this system that are not attributable to operations.

MES communicates to our customers that there are additional engineering and grant application resources we have that can be made available if technical or financial support is needed to achieve environmental compliance.

2) Used Oil Recycling Continues to Decline - DLS recommends that MES comment on whether the recent reduction in oil prices will impact the price of used oil and thus perhaps encourage counties to return to MES's program.

The recent reduction in oil prices has impacted the price of used oil. MES has been in negotiations with our vendor, and expects to see approximately \$1/gallon decrease. The new contract pricing will be based on the Department of Energy New York Harbor Ultra Low Sulfur #2 Diesel Index and the purchase price will fluctuate.

Regarding the participation of Counties, MES would offer that when Counties are no longer receiving revenue and recognize the liability of the program they may consider reengaging the services of MES. MES will initiate an outreach program when the pricing has stabilized.

3). Worker Safety Meets Goals - DLS recommends that MES comment on how it is addressing the increased exposure to accidents from environmental project field work.

Response:

MES employs a multi-step approach to safety within the Agency. Each major facility has a safety representative who holds monthly tailgate sessions to discuss specific site safety hazards that employees may come across during their day-to-day activities. The representative also attends quarterly meetings with other reps to discuss accidents and incidents that have occurred, and develop strategies to assure that appropriate actions are taken for prevention in the future.

Each month the safety statistics are discussed with Group Executive Directors, who then meet with their management teams. Accidents and injuries are illustrated in charts and graphs, and are analyzed to detect trends and the need to focus on a specific area. Quarterly, these statistics are compared to the Agency's safety goals contained in the BEST program, and adjustments are made as needed.

The increase in accidents that are a result of environmental project field work are related to new projects for the Agency. Hydrilla control services, geotechnical support, and stormwater climate change assessments are a few of the new services that MES is providing to our customers. Some sites that employees are visiting expose them to tick bites and poison ivy. Insect repellents applied to the skin represent one of the first lines of defense against attacks by blood feeding ticks. In FY15 MES will begin using clothing that is pretreated with Permethrin, which kills ticks. Applying Permethrin to clothing lasts up to 6 washes; however, clothing can be purchased pretreated and will last up to 70 washes.