

MDEStat Meeting

June 29, 2009



Shari T. Wilson, Secretary

Sue Battle-McDonald, Stat Director

Table 1: Title V Permitting Summary

	7/14/08	5/18/09	6/22/09
Applications pending for new Title V permits	10	1	2
Applications pending for new Title V permits that were received three years prior	4	1	1
Applications pending for renewal Title V permits	18	33	34
Applications pending for renewal Title V permits that were received 12 months prior	NA	1	2
Facilities with expired Title V permits	8	7	6

Table 2: Facilities with Applications Pending for New Title V Permits

Facility	Date Application Received	Projected Issuance Date
Mirant Chalk Point	6/5/02	Unresolved compliance issue - not under Permits Program's control.
Constellation Gould Street	6/1/09	Company claims application is "renewal" but MDE does not agree with this assessment and considers application an initial application. In a letter dated October 13, 2004, Constellation sent a letter to MDE stating that the "Gould Street Generating Station was permanently retired from service in November 2003". Subsequently, Constellation decided to reactivate Gould Street as a synthetic minor (less than 25 tons NOx) natural gas fired only power plant. Even though emissions are low, facility is still subject to Title V because of other reasons (Acid Rain)

Table 3: Facilities with Expired Title V Permits

Facility	Permit Expiration Date	Date Renewal App. Received	Projected Issuance Date
U. S. Gypsum	6/30/06	1/26/06	Delayed due to compliance issue. Delayed again due to company making significant changes to plant operations. Public comment period ends on 5/7/09; EPA 45-day review period ends on 6/20/09. Issued Effective 7/1/09
AES Warrior Run	8/31/08	2/28/08	Delayed due to deficient Compliance Assurance Monitoring (CAM) Plan - this issue has been resolved as of 10/9/08. EPA 45-day review period ends on 7/31/09. Projected Issuance Date 8/1/09
Lehigh Union Bridge	9/30/08	3/31/08	Permit is being drafted but there is a pending enforcement case as well as a mercury issue. Permits also expects significant comments from environmental groups on this permit which could delay issuance after it goes out for public review Projected Issuance date unknown
Transconti-ental Pipeline	11/30/08	5/30/08	Tentative determination to issue permit on 3/25/09. Public comment period ends on 5/2/09. EPA 45-day review period ends on 6/21/09. Issued effective 7/1/09
Fort Detrick	3/31/09	10/3/08	Draft permit sent to company on 6/3/09; Fort Detrick is currently reviewing and will be submitting comments by 6/30/09. Projected issuance date: 9/1/09
Redland Brick	4/30/09	8/5/08	Company has requested synthetic minor status. Redland installed controls to meet the requirements of the now vacated brick manufacturing MACT. As a result, Redland's emissions are less than the Title V applicability thresholds. The issue was whether EPA's policy of "Once in, always in" applies where the MACT has been vacated. On 5/19/09, EPA has provided guidance that, assuming appropriate limits are established through a federally enforceable permit, Redland Brick can become synthetic minor for Title V. The permit engineer for this facility is currently drafting a permit to construct and State permit to operate for this facility. Once these permits are issued, Redland Brick will no longer be a Title V source. Projected issuance date for Synthetic minor permits: 8/1/09
Holcim	4/30/09	11/14/08	Permit is being drafted but there is an ongoing Compliance issue. Projected Issuance date unknown
Kaydon Ring and Seal	5/31/09	12/1/08	Tentative determination to issue permit on 6/3/09. EPA's 45-day review period ends on 7/22/09 Projected issuance date: 8/1/09

Table 4: Radiation Machines Division Enforcement Backlog

<u>11/10/08</u>	<u>12/11/08</u>	<u>1/22/2009</u>	<u>2/26/2009</u>	<u>4/16/2009</u>	<u>5/21/2009</u>	<u>6/22/2009</u>
325	297	333	280	240	253	120

Table 5: Asbestos Enforcement Data

	FY05	FY06	FY07	FY08	FY09 through 3/31
1. Notifications Received	3,273	3,201	3,277	3,283	1,953
2. Number of Inspections, Audits, and Spot Checks	1,267	1,217	1,008	916	582
3. Number of Sites Inspected	961	922	814	723	480
4. Number of Sites Inspected for Which a Notification Was Received	*	*	*	708	465
5. Number of Sites Inspected for Which No Notification Was Received	*	*	*	15	15
6. Number of Sites Inspected Where Asbestos-Related Activity Was Performed by a Party Other Than a Licensed Asbestos Contractor	*	*	*	1	1
7. Coverage Rate	29%	29%	25%	22%	25%
8. Total Number of NOVs Issued	66	35	36	42	35
9. Number of NOVs Issued to Parties Other Than Licensed Asbestos Contractors	*	*	*	22	29
10. Total Significant Violations	39	15	5	13	22
11. Total Penalties Collected	\$75,000	\$15,000	\$750	\$6,750	\$4,500
12. Penalties Collected From Parties Other Than Licensed Asbestos Contractors	\$75,000	0	0	0	0

* data not available

Table 6: Local Jurisdiction That Include Asbestos Requirements on Zoning Forms

COUNTY, LOCALITIES	ZONING, PERMITS HAVE ASBESTOS AS REQUIREMENT
Allegany	Yes
Anne Arundel	Yes
Baltimore	Yes
Baltimore City	Partial
Calvert	No
Caroline	No
Carroll	Yes
Cecil	No
Charles	No
Denton	Yes
Dorchester	Yes
Easton	Yes
Frederick	Yes
Garrett	No
Harford	Yes, except Bel Air
Howard	Yes
Kent	No
Montgomery	Yes
Prince George's	Partial
Queen Anne's	No
St Mary's	No
Somerset	No
Talbot	Yes
Washington	Yes
Wicomico	Yes

Table 7: ARRA DERA Funds: Recent and Upcoming Milestones

4/17/09	MDE received the \$1.73M state grant award.
4/23/09	MDE applied for \$7.5M in competitive funds for school bus retrofits throughout the state.
6/1/09	EPA's target date for awarding competitive grants.
7/6/09	State component project selections finalized.
7/31/09	Competitive component project selections finalized.
9/30/09	Execute agreements with project partners.
10/31/09	Projects begin.
6/30/10	Projects completed