

MDEStat Meeting ***September 8, 2009***



Shari T. Wilson, Secretary

Sue Battle-McDonald, Stat Director

Table 1: End-Cycle PEPs Due in FY09 But Not Yet Complete

Admin.	5/4/09	6/1/09	7/8/09	8/5/09	9/1/09
ARMA	20	20	34	27	26
SSA	3	5	6	3	2
LMA	15	18	19	17	2
WMA	82	88	90	76	66
ASA	7	2	0	5	5

Table 2: Overdue (30+ days) End-Cycle PEPs Due in FY10

Admin.	9/1/09		
ARMA	11		
SSA	3		
LMA	3		
WMA	9		
ASA	Not listed		

Table 5: Radiation Machines Division Enforcement Backlog

11/10/08	12/11/08	1/22/09	2/26/09	4/16/09	5/21/09	6/22/09	7/27/09	8/31/09
325	297	333	280	240	253	120	61	15

Table 6: Title V Permitting Summary

	7/14/08	5/18/09	6/22/09	7/17/09	8/31/09
Applications pending for new Title V permits	10	1	2	2	3
applications pending for new Title V permits that were received three years prior	4	1	1	1	1
Applications pending for renewal Title V permits	18	33	34	35	33
Applications pending for renewal Title V permits that were received 12 months prior	NA	1	2	1	1
facilities with expired Title V permits	8	7	6	4	4
Title V permits issued since last submission	These measures were established in August 09.				(4) Title V renewals on 8/1/09; (6) Title V renewals on 9/1/09
Title V permits issued since last submission within applicable turnaround time					(9); (1) AES Warrior Run took over 12 months

Table 7: 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)
Center Point Terminal	8/5/09	

Table 8: Facilities Operating on Expired Title V Permits

Facility	Permit Expiration Date	Date Renewal App. Received	Projected Issuance Date
Lehigh Union Bridge	9/30/08	3/31/08	Permit is being drafted; requirements from particulate consent order, permit to construct for utilizing biosolids and mercury agreement need to be incorporated into permit. Permits expects significant public interest in this project Projected Issuance date: 2/1/10
Fort Detrick	3/31/09	10/3/08	All technical issues are resolved and permit undergoing required public participation requirements. However, Fort Detrick is now over four months late paying its annual emission fee. Per COMAR, renewal permits to operate cannot be issued if a facility fails to pay its permit fee. Projected Issuance date: Unknown
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. A draft permit to construct and State permit to operate has been sent to Redland Brick for review; company has requested additional time to review documents; company also wants to meet with ARMA before permits are issued. Once these permits are issued, Redland Brick will no longer be a Title V source. Meeting with company on 8/28/09 Projected issuance date for Synthetic minor permits: 10/1/09
Holcim	4/30/09	11/14/08	Permit is being drafted but there is an ongoing Compliance issue. Also pending PSD approval. Permits is working with Attorney General's office on these issues. Projected Issuance date unknown

Table 9: Asbestos Enforcement Data

	FY05	FY06	FY07	FY08	FY09
1. Notifications Received	3,273	3,201	3,277	3,283	2,669
2. Number of Inspections, Audits, and Spot Checks	1,267	1,217	1,008	916	784
3. Number of Sites Inspected	961	922	814	723	643
4. Number of Sites Inspected for Which a Notification Was Received	Data not available.			708	614
5. Number of Sites Inspected for Which No Notification Was Received				15	29
6. Number of Sites Inspected Where Asbestos-Related Activity Was Performed by a Party Other Than a Licensed Asbestos Contractor				1	3
7. Coverage Rate	29%	29%	25%	22%	24%
8. Total Number of NOV's Issued	66	35	36	42	45
9. Number of NOV's Issued to Parties Other Than Licensed Asbestos Contractors	Data not available.			22	36
10. Total Significant Violations				13	43
11. Number of Sites with Significant Violation	12	5	2	6	10
12. Total Penalties Collected	\$75,000	\$15,000	\$750	\$6,750	\$11,250
13. Penalties Collected From Parties Other Than Licensed Asbestos Contractors	\$75,000	0	0	0	0