

MDEStat Meeting

April 13, 2015



Table 1: WMA Staffing, Vacancies and Performance Evaluations, As of 4/2/15

WMA Program/Office	Number of Budgeted Positions	Total Current Vacancies	Current Vacancies Approved for Filling	Overdue December 2014 PEPs
Director's Office, including Water Resources Planning, Chesapeake Bay coordination, and WMA-funded OAG staff	14	1	0	0
Compliance	65	15*	2**	0
Operational Services, including WMA-funded personnel in OHR	10	0	0	0
Sediment, Stormwater, and Dam Safety	34.5	11	5***	0
Wastewater Permits	40	3	0	3
Water Supply	48.5	8*	0	1
Wetlands	59.5	4*	3	0
Total	271.5	42	10	4

* Includes contractual positions

** Includes 1 appointment pending

*** 4 appointments pending

Table 2: Judicial Review Regulation Schedule, Revised 4/6/15

ACTION	TARGET DATE
Scheduled Meetings with the Office of the Attorney General	04/06/15 – 05/15/15
Submit proposed regulation package to WMA Director for 14-day review and approval.	05/18/15
Submit proposed regulation package to the Office of the Secretary for 14-day review and approval.	06/02/15
Submit proposed regulations package to Division of State Documents for AELR 15-day review	06/17/15
Submit proposed regulations package to Division of State Documents	07/06/15
Proposed action on regulations published in the Maryland Register	07/24/15
End of comment period for proposed regulations package	08/24/15
Address comments and prepare regulation package for final publication	08/25/15 – 09/08/15
Submit final regulations package to Division of State Documents	09/09/15
Final action on regulations published in the Maryland Register	09/18/15
Effective date of regulations	09/28/15

Table 3: Facilities Operating on Administratively-Extended WMA Permits

	Target	6/21/10	11/19/12	11/25/13	3/20/2014	8/6/14	10/16/14	4/6/15
Surface Discharge Permit Major Facilities	10%	22% (19/85)	7 % (6/86)	15% (13/86)	14% (12/86)	17% (15/86)	14% (12/86)	21% (18/85)
Surface Discharge Major & Minor Facilities	10%	Not requested	13.4% (73/544)	15% (80/520)	19% (102/525)	19% (98/504)	19% (97/502)	21% (101/482)
ENR Facilities	10%	13% (10/75)	1% (1/75)	1% (1/75)	1% (1/75)	1% (1/75)	1% (1/75)	1% (1/75)
Ground-water	20%	23% (54/231)	20.8% (50/240)	21.7% (47/216)	21.66% (47/217)	22.8% (50/219)	22% (48/218)	23.7% (51/215)
Total Extended			123	127	149	163	145	151

Table 4: Extended Major and Minor Discharge Permits

	March 2013	May 2013	June 2013	November 2013	March 2014	8/8/14	10/16/14	2/23/15	4/6/15
Extended 5-10 years	17	19	14	13	8	6	5	5	5
Extended More than 10 years	9	9	7	6	5	4	4	4	4

Table 5: Discharge Permits Extended More Than Ten Years or of Special Concern to EPA for Bay TMDL Purposes (*)

Facility	Orig. Exp. Year
Hampstead WWTP*	1995
Potomac WWTP	2002
GenOn Faulkner	2002
GenOn Westland	2000
Allen Family Foods*	2010

Table 6: General Permit Progress, 4/2/15

	2/23/15	4/2/15
Number of renewal applications received	2,032	2,166
Number of new applications received	283	401
Total Applications received	2315	2,567
Number of applications received through the online application	2,308	2,560
Number of applicants paying through the online system	867	982
Dollars collected through the online system		\$803,500

Table 7: SSO Penalty Assessment Penalty Tracker through 4/2/15

	Number of SSO penalty settlement letters issued to date	Total penalties in initial settlement offers	Number who accepted settlement offer, still to pay	Number of agreements paid to date	Penalties paid to date	Number of SSO penalty settlement letters drafted/ under review	Remaining number of letters to be drafted
9/20/14	15	\$230,362	5	3	\$6,900	22	38
2/23/15	27	\$345,987	4	15	\$36,300	8	12
4/2/15	32	\$411,412	3	22	\$161,000	9	6

Table 8: MS4 Permit Litigation Chart

(Continued on next slide)

Phase I Jurisdictions	MDE	Circuit Court			Court of Special Appeals		
	Final Determination	Judicial Petition	Decision	W/L/R	Appeal	Decision	Lead Petitioners
Montgomery County	2/16/10	3/15/10	12/2/13	R	1/15/2014		Earth Justice
Baltimore County	12/1/13	1/22/14	10/7/14	W	11/3/2014		Earth Justice
Baltimore City	12/27/13	1/22/14					Earth Justice
Prince George's County	1/2/14	1/30/14	12/18/14	W	1/20/2014		Earth Justice
Anne Arundel County	2/12/14	3/14/14	12/2/14	W	12/22/2014		Chesapeake Bay Foundation
Howard County	12/18/14	1/16/15					Chesapeake Bay Foundation

Table 8: MS4 Permit Litigation Chart

(Continued on next slide)

Phase I Jurisdictions	MDE	Circuit Court			Court of Special Appeals		
	Final Determination	Judicial Petition	Decision	W/L/R	Appeal	Decision	Lead Petitioners
Charles County	12/26/14	1/21/15					Charles County, Chesapeake Bay Foundation
Carroll County	12/29/14	1/22/15					Carroll County, Chesapeake Bay Foundation
Frederick County	12/30/14	1/26/15					Frederick County, Chesapeake Bay Foundation

Table 8: MS4 Permit Litigation Chart

	MDE	Circuit Court			Court of Special Appeals		
Phase I Jurisdictions	Final Determination	Judicial Petition	Decision	W/L/R	Appeal	Decision	Lead Petitioners
Harford County	12/30/14	1/23/15					Harford County, Chesapeake Bay Foundation
SHA	TD 12/26/14						
Phase II Jurisdictions							
Municipalities	TBD						
State and Federal	TBD						
Notes: TD = Tentative Determination; TBD to be determined; W = win; L = lose; R = remand							

Table 9: High-Hazard Dams in Service in Maryland Without Current EAPs

	1/27/14	3/20/14	5/1/14	7/2/14	8/8/14	10/16/14	2/23/15	4/6/15
		4			4	4		
Last EAP update was more than a year ago	NR	53	55	51	56	43	38	42
Last EAP update was more than three years ago	31	33	38	29	31	25	16	20
Last EAP update was more than five years ago, or no EAP on file	20	18	19	16	17	15	13	15

NR means "not requested".

Table 10: Significant-Hazard Dams in Service in Maryland: EAP Status

	5/1/14	7/2/14	8/8/14	10/16	2/23/15	4/6/15
EAP on file	89	86	86	87	86	86
No EAP on file	23	26	26	27	27	27

Table 11: Department Web Page Totals

	Number of pages	Percent of Department's Total
Total Pages	7542	100.00%
Total identified ARMA Pages	321	4.26%
Total identified LMA Pages	364	4.83%
Total identified WMA Pages	1731	22.95%
Total identified SSA Pages	402	5.33%
Total pages reviewed by OC	1823	24.17%
Total pages reviewed and delivered by OC	1676	22.22%
Total pages reviewed and returned	849	11.26%
Total pages edited or deleted	634	8.41%

Table 12: Web Update Progress by Administration

Administration	Total Pages Identified for Review and Delivered to Administration by OC	Pages Overdue for Response by Administration	
		Number	Percentage
SSA	266	33	12%
WMA	377	321	85%
ARMA	154	111	72%
LMA	177	109	62%