



Maryland
Department of
the Environment

FILE COPY

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 31, 2022

The Honorable Larry Hogan
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Bill Ferguson
President
Senate of Maryland
State House, H-107
Annapolis Maryland 21401

The Honorable Adrienne A. Jones
Speaker
Maryland House of Delegates
State House, H-101
Annapolis Maryland 21401

Re: Report required by State Government Article § 4-802 (MSAR #12147)

Dear Governor Hogan, President Ferguson and Speaker Jones:

As required in Section 4-802 (d) of the Environment Article, *Annotated Code of Maryland*, states that the Maryland Department of the Environment respectfully submits the *2021 Annual Report on Environmental Violations* (MSAR #12147). A required five (5) hard color copies of each report will be mailed to the DLS library.

If you or your staff would like to discuss any aspect of this report, please call me at 410-537-3084 or Tyler Abbott, Chief of Staff, at 410-537-3537 or by email at tyler.abbott@maryland.gov.

Sincerely,

Ben Grumbles
Secretary

cc: Sarah Albert, Department of Legislative Services (5 copies)
Tyler Abbott, Chief of Staff, Maryland Department of the Environment



Maryland
Department of
the Environment

Annual Report on Environmental Violations -2021-

Prepared for:
Senate Education, Health, and Environmental Affairs Committee
House Environment and Transportation Committee

Larry Hogan, Governor
State of Maryland

Boyd K. Rutherford, Lt. Governor
State of Maryland

Bill Ferguson, Senate President
Maryland General Assembly

Adrienne A. Jones, House Speaker
Maryland General Assembly

March 2022

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard | Baltimore, MD 21230 | mde.maryland.gov
410-537-3314 | 800-633-6101 x3314 | TTY Users: 7-1-1

Larry Hogan, Governor | Boyd K. Rutherford, Lt. Governor | Ben Grumbles, Secretary | Horacio Tablada, Deputy Secretary

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I. Introduction

Under the Environment Article, Title 4, Subtitle 1, the Maryland Department of the Environment (Department or MDE) is required to implement an erosion and sediment control program to control sediment-laden runoff from land disturbing activities. The law allows for the delegation of enforcement authority to local jurisdictions found capable of enforcing compliance with the provisions of this subtitle, and that have the capability comparable to that of the Department in terms of laws and procedures, manpower, equipment, and overall effectiveness. Obligations for the delegation include reporting the number of permits issued and violations that occurred within the jurisdiction.

In 2019, Governor Hogan approved Chapters 517 and 518 of the Acts of 2019 (HB 703/SB 505), which requires that delegated jurisdictions provide additional reporting to the Department on environmental violations in the Critical Area and Sensitive Areas of the state. In addition, the legislation requires the Department to publish the data submitted by the jurisdictions and submit the data to the Governor and General Assembly on or before March 1 of each year. To meet these requirements, the Department revised its data collection and submission process for the delegation of enforcement authority to reflect the recently enacted law. These changes included developing an internet-based data collection form that was shared with the delegated jurisdictions. This form included two new sections on inspection and enforcement in the Critical Area and Sensitive Areas.

This *Annual Report on Environmental Violations, 2021*, published March 2022 (Annual Report), fulfills the requirement of §4-802(d), Environment Article, Subtitle 8 of the *Annotated Code of Maryland*. The following summarizes the data collected by the Department from the delegated jurisdictions.

II. Primary Information

The enforcement of erosion and sediment control laws and regulations has been delegated by the Department to 22 jurisdictions (see Table 1) that include 12 counties, 9 municipalities, and the Washington Suburban Sanitary Commission (WSSC). Delegation is granted to each jurisdiction for a period of 2 years, unless renewed by the Department. In the year preceding the expiration of the delegation authority, the Department conducts a review of each jurisdiction's program to determine if it should be granted continued delegation authority.

Table 1. Delegated Jurisdictions for Erosion and Sediment Control

Counties:		Municipalities:	
1.	Anne Arundel	1.	Aberdeen
2.	Baltimore City	2.	Annapolis
3.	Baltimore	3.	Bel Air
4.	Calvert ¹	4.	Bowie
5.	Carroll	5.	Gaithersburg
6.	Charles	6.	Greenbelt
7.	Frederick	7.	Laurel
8.	Harford	8.	Rockville
9.	Howard	Other:	
10.	Kent	1.	Washington Suburban Sanitary Commission (WSSC)
11.	Montgomery		
12.	Prince George's		
13.	Worcester		

¹ Calvert County has been delegated enforcement authority for single-lot residential construction only.

III. Summary of Environmental Violations in Maryland

Data collected from the 22 delegated jurisdictions are presented in Tables 2 through 8. The summary presented below covers data submitted by all 22 jurisdictions for FY21 (i.e., July 1, 2020 to June 30, 2021).

Permit Information

- A total of 4,100 major permits were issued.
 - Major permits typically include grading, building, and sediment control associated with an engineered erosion and sediment control plan.
 - The total disturbed acreage for the major permits was 7,235 acres.
- A total of 5,725 other permits were issued.
 - Other permits typically include those associated with a standard erosion and sediment control plan for minor earth disturbances or single-lot residential agreements in lieu of requiring custom designed or engineered plans.
 - The total disturbed acreage for these other issued permits was 5,153 acres.

**NOTE: In the following tables the use of “-” indicates that data were not reported by the delegated jurisdiction.*

Table 2. Total Number of Permits Issued

Jurisdiction	Major Permits				Other Permits			
	Issued		Active		Issued		Active	
	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres
Counties:								
Anne Arundel	416	396	1,023	978	246	423	192	20
Baltimore City	101	220	237	922	183	2	183	2
Baltimore	145	849	263	3,631	972	-	-	-
Calvert	597	206	660	360	0	0	0	0
Carroll	103	695	100	906	753	260	491	264
Charles	1,099	684	1,417	3,845	28	1,612	31	1,767
Frederick	59	635	178	4,723	2,649	254	382	97
Harford	29	369	319	1,618	145	1,473	145	1,473
Howard	202	437	416	1,994	54	32	63	43
Kent	61	22	23	15	401	251	312	126
Montgomery	572	564	1,083	406	35	36	30	33
Prince George's	164	1,403	854	4,772	63	765	57	20
Worcester	216	170	183	145	-	-	-	-
Municipalities:								
Aberdeen	3	14	11	70	66	13	7	1
Annapolis	22	12	62	74	0	0	0	0
Bel Air	3	11	2	6	1	0	0	0
Bowie	15	14	15	14	0	0	0	0
Gaithersburg	7	10	12	119	0	0	0	0

Greenbelt	3	16	5	28	0	0	0	0
Laurel	1	14	4	14	127	32	53	159
Rockville	10	16	46	111	0	0	0	0
Other:								
WSSC	272	477	162	283	2	-	3	-
TOTALS	4,100	7,235	7,075	25,033	5,725	5,153	1,949	4,006

Site Inspections and Enforcement Efforts

Inspections

- A total of 82,670 site inspections were performed to monitor earth disturbance activities.
- The inspections were performed by 112 inspectors.

Violations

- A total of 4,958 sediment control violation notices were issued.
- A total of 2,900 building and grading violation notices were issued.
- A total of 306 stop work orders were issued.

Fines and Compliance Assistance

- The sum of \$146,960 was collected in fines or securities.
- A total of 12 court cases were reported.
- 1,389 sediment control complaints were received.
- Assistance was provided to correct violations in 1,445 instances.

Table 3. Total Inspection and Enforcement Data - Violations and Fines

Jurisdiction	Sediment Control		Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
	Inspectors	Inspections Performed	Sediment Control	Building and Grading		Penalties	Amount (\$)
Counties:							
Anne Arundel	13	14,565	1,327	1,431	80	24	15,500
Baltimore City	7	2,763	52	52	22	31	32,800
Baltimore	5	5,013	326	326	34	-	-
Calvert	3	5,848	1,125	56	31	31	930
Carroll	5	4,895	348	421	10	0	0
Charles	4	5,624	24	47	15	15	7,530
Frederick	3	2,961	98	98	12	12	18,000
Harford	6	3,335	896	0	17	0	0
Howard	16	8,094	107	107	8	0	0
Kent	1	1,250	0	0	0	0	0
Montgomery	8	15,493	293	293	28	30	22,950
Prince George's	19	7,623	87	5	25	19	35,500
Worcester	1	600	50	45	20	1	750
Municipalities:							
Aberdeen	1	158	2	0	2	0	0
Annapolis	3	1,085	25	7	0	1	500
Bel Air	1	146	14	0	1	0	0
Bowie	2	47	3	0	0	0	0
Gaithersburg	2	100	4	12	0	0	0
Greenbelt	3	195	6	0	0	0	0
Laurel	3	122	7	0	0	0	0
Rockville	1	632	118	0	0	5	10,500
Other:							
WSSC	5	2,121	71	-	1	4	2,000
TOTALS	112	82,670	4,958	2,900	306	173	146,960

Table 4. Total Inspection and Enforcement Data - Court Cases and Complaints Received

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded (\$)		
Counties:				
Anne Arundel	2	-	403	101
Baltimore City	0	0	32	32
Baltimore	-	-	200	-
Calvert	-	-	5	-
Carroll	0	0	94	4
Charles	0	0	40	0
Frederick	0	0	74	74
Harford	0	0	55	0
Howard	0	0	98	373
Kent	0	0	15	5
Montgomery	10	6,600	199	612
Prince George's	0	0	64	20
Worcester	0	0	65	0
Municipalities:				
Aberdeen	0	0	2	10
Annapolis	0	0	10	10
Bel Air	0	0	0	0
Bowie	0	0	2	0
Gaithersburg	0	0	3	0
Greenbelt	0	0	0	17
Laurel	0	0	12	12
Rockville	0	0	2	118
Other:				
WSSC	0	0	14	57
TOTALS	12	6,600	1,389	1,445

Inspections and Enforcement in the Critical Area

- 10 jurisdictions indicated that they have Critical Area within their boundary.
- A total of 3,799 sediment control inspections were performed in the Critical Area.
- A total of 284 sediment control violation notices were issued.
- A total of 80 building and grading violation notices were issued.
- A total of 77 stop work orders were issued.
- The sum of \$9,090 was collected in fines or securities.
- 108 complaints were received.
- The jurisdictions provided assistance to correct violations in 95 instances.

Table 5. Inspection and Enforcement Data for Critical Area - Violations and Fines

Jurisdiction	Critical Area within Jurisdiction	Total Number of Sediment Control Inspections	Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
			Sediment Control	Building and Grading		Number	Amount (\$)
Counties:							
Anne Arundel	Yes	2,126	218	-	53	2	1,000
Baltimore City	Yes	170	0	0	0	0	0
Baltimore	Yes	-	-	-	-	-	-
Calvert	Yes	462	8	39	8	8	240
Carroll	No	-	-	-	-	-	-
Charles	Yes	37	21	10	2	7,100	7,100
Frederick	No	-	-	-	-	-	-
Harford	Yes	1	0	0	0	0	0
Howard	No	-	-	-	-	-	-
Kent	Yes	32	0	0	0	0	0
Montgomery	No	-	-	-	-	-	-
Prince George's	Yes	0	0	0	0	0	0
Worcester	Yes	427	35	31	14	1	750
Municipalities:							
Aberdeen	No	-	-	-	-	-	-
Annapolis	Yes	529	2	-	0	2	0
Bel Air	No	-	-	-	-	-	-

Bowie	No	-	-	-	-	-	-
Gaithersburg	No	-	-	-	-	-	-
Greenbelt	No	-	-	-	-	-	-
Laurel	No	-	-	-	-	-	-
Rockville	No	-	-	-	-	-	-
Other:							
WSSC	Yes	16	0	-	0	0	0
TOTALS	10	3,799	284	80	77	7,113	9,090

Table 6. Total Inspection and Enforcement Data for Critical Area - Court Cases and Complaints Received

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded (\$)		
Counties:				
Anne Arundel	-	-	34	76
Baltimore City	0	0	1	1
Baltimore	-	-	-	-
Calvert	-	-	-	-
Carroll	-	-	-	-
Charles	0	0	10	10
Frederick	-	-	-	-
Harford	0	0	0	0
Howard	-	-	-	-
Kent	0	0	12	8
Montgomery	-	-	-	-
Prince George's	0	0	0	0
Worcester	0	0	46	0
Municipalities:				
Aberdeen	-	-	-	-
Annapolis	0	0	5	0
Bel Air	-	-	-	-
Bowie	-	-	-	-
Gaithersburg	-	-	-	-

Greenbelt	-	-	-	-
Laurel	-	-	-	-
Rockville	-	-	-	-
Other:				
WSSC	0	0	0	0
TOTALS	0	0	108	95

Inspections and Enforcement in Sensitive Areas

- 17 jurisdictions indicated that they have Sensitive Areas within their boundary.
- A total of 3,555 sediment control inspections were performed in Sensitive Areas.
- A total of 365 sediment control violation notices were issued.
- A total of 84 building and grading violation notices were issued.
- A total of 47 stop work orders were issued.
- The sum of \$7,850 was collected in fines or securities.
- There were no court cases.
- 119 complaints were received.
- The jurisdictions provided assistance to correct violations in 112 instances.

Table 7. Inspection and Enforcement Data for Sensitive Areas - Violations and Fines

Jurisdiction	Do You Have Any Sensitive Area(s)?	Total Number of Sediment Control Inspections	Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
			Sediment Control	Building and Grading		Number	Amount (\$)
Counties:							
Anne Arundel	Yes	903	172	-	19	2	-
Baltimore City	Yes	160	1	1	0	1	0
Baltimore	Yes	-	-	-	-	-	-
Calvert	No	-	-	-	-	-	-
Carroll	Yes	516	69	15	1	0	0
Charles	Yes	376	21	10	2	7,100	7,100
Frederick	No	-	-	-	-	-	-
Harford	Yes	193	3	-	2	0	0
Howard	Yes	248	2	2	2	0	0
Kent	Yes	18	0	0	0	0	0
Montgomery	Yes	373	13	13	2	0	0
Prince George's	Yes	0	0	0	0	0	0
Worcester	Yes	583	48	43	19	1	750
Municipalities:							

Aberdeen	No	-	-	-	-	-	-
Annapolis	Yes	6	0	0	0	0	0
Bel Air	Yes	11	0	0	0	0	0
Bowie	No	-	-	-	-	-	-
Gaithersburg	Yes	18	4	0	0	0	0
Greenbelt	No	-	-	-	-	-	-
Laurel	Yes	0	0	0	0	0	0
Rockville	Yes	39	22	0	0	0	0
Other:							
WSSC	Yes	265	11	-	0	0	0
TOTALS	17	3,555	365	84	47	7,104	7,850

Table 8. Total Inspection and Enforcement Data for Sensitive Areas - Court Cases and Complaints Received

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded Cases (\$)		
Counties:				
Anne Arundel	-	-	14	25
Baltimore City	0	0	3	3
Baltimore	-	-	-	-
Calvert	-	-	-	-
Carroll	0	0	3	1
Charles	0	0	10	10
Frederick	-	-	-	-
Harford	0	0	2	0
Howard	0	0	4	24
Kent	0	0	8	6
Montgomery	0	0	15	46
Prince George's	0	0	0	0
Worcester	0	0	63	0
Municipalities:				
Aberdeen	-	-	-	-
Annapolis	0	0	0	0

Bel Air	0	0	0	0
Bowie	-	-	-	-
Gaithersburg	0	0	3	0
Greenbelt	-	-	-	-
Laurel	0	0	0	0
Rockville	0	0	0	0
Other:				
WSSC	0	0	5	11
TOTALS	0	0	119	112

IV. Appendices

Appendix A. Environment Article §4-802
Environmental Violations - Reporting Requirements

§4-802.

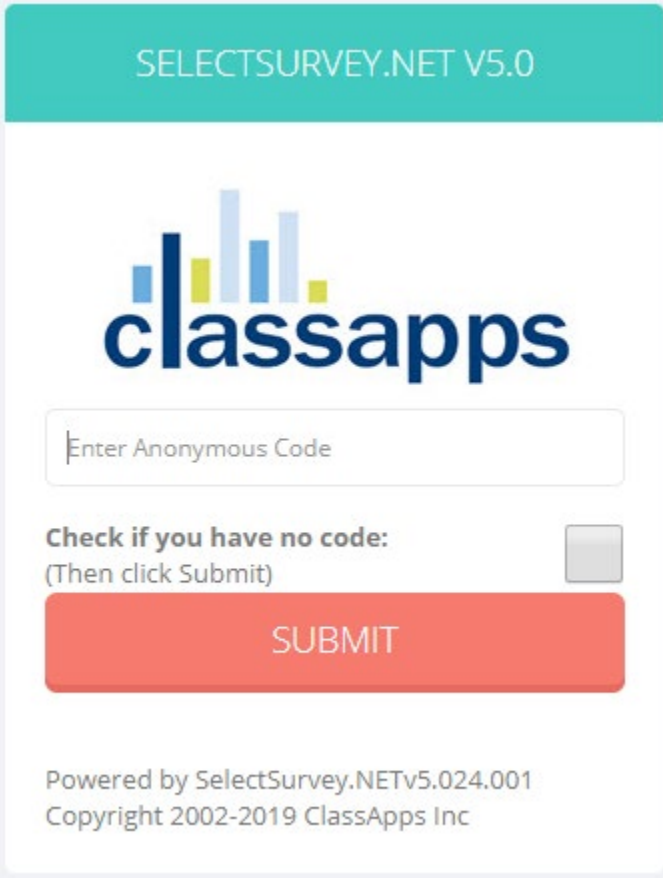
- (a) (1) On or before January 1 each year, each jurisdiction that has delegated authority under Subtitle 1 of this title to enforce sediment and erosion control laws and regulations shall report to the Department on:
- (i) The total number of cases alleging violations of:
 - 1. Sediment and erosion control laws and regulations; and
 - 2. Building and grading permits; and
 - (ii) The total number of cases alleging violations in the Critical Area of:
 - 3. Sediment and erosion control laws and regulations; and
 - 4. Building and grading permits.
- (2) The information reported to the Department under paragraph (1) of this subsection shall include:
- (i) The number and nature of:
 - 1. Formal complaints issued by the jurisdiction and whether the complaint is in the Critical Area;
 - 2. Stop work orders issued by the jurisdiction; and
 - 3. Alleged violations reported by citizens to the jurisdiction;
 - (ii) The number of court proceedings involving an alleged violation, including the final disposition of each court proceeding;
 - (iii) The dollar amount of fines levied and collected by the jurisdiction as a result of a violation;
 - (iv) The dollar amount of civil and criminal penalties imposed and collected as a result of a violation;
 - (v)
 - 1. Whether the jurisdiction provided compliance assistance to correct a violation and the nature of that assistance; and
 - 2. Whether the compliance assistance provided by the jurisdiction led to compliance; and
 - (vi) The number of inspectors and other staff of the jurisdiction assigned to inspection and enforcement of:
 - 1. Title 8, Subtitle 18 of the Natural Resources Article;
 - 2. Sensitive areas ordinances;
 - 3. 100-year floodplain ordinances;
 - 4. Sediment and erosion control laws and regulations; and
 - 5. Building and grading permits.

Appendix B. Instructions to Jurisdictions on Using the Web Application to Submit the Requested Data


Step 1: Navigate to the Department's Application Page:

The screenshot displays the Maryland Department of the Environment website. At the top, there is a navigation bar with links for Maryland.gov, Phone Directory, State Agencies, Online Services, and En Español. The main header features the Maryland logo and the text "MARYLAND Department of the Environment". A search bar is located on the right side of the header. Below the header is a blue navigation menu with links for HOME, ABOUT MDE, AIR, LAND, WATER, MARYLANDER, PERMITS, and NEWSROOM. The main content area is divided into two columns. The left column is titled "Stormwater Management Program" and contains a list of links: "Soil Erosion & Sediment Control", "Stormwater Management", "Dam Safety", and "SSDS Home". The right column is titled "Delegation of Erosion and Sediment Control Enforcement Authority" and contains the following text: "2019 Application Form", "Please use [this online form](#) to apply for the 2019 Delegation of Erosion and Sediment Control Enforcement Authority.", "IMPORTANT: When you first access the form, click the check box for 'Check if you have no code' then click 'Submit'. This will open the form with an 'Anonymous Login Code'. Make sure to copy this code. It will enable you to go back and update your form entries/responses over a period of 30 days.", and "If you have any questions, please contact Mary Dewa at mary.dewa@maryland.gov". At the bottom of the page, there is a footer with links for Contact Us, Privacy, and Accessibility, the address "1800 Washington Boulevard, Baltimore, MD 21230", the phone number "(410) 537-3000", and social media icons for Facebook, Twitter, LinkedIn, and YouTube.

Step 2: Follow the steps to generate a login code:



SELECTSURVEY.NET V5.0


classapps

Enter Anonymous Code

Check if you have no code:
(Then click Submit)

SUBMIT

Powered by SelectSurvey.NETv5.024.001
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Step 3: Copy the Code found on the next screen and proceed to Login:

Delegation of Erosion and Sediment Control Enforcement Authority Application - 2019

Anonymous Login Code: m2K01n9KH41 [Code Entry Page](#) Page 1 of 7

Save this code which is required to update your response at a later time.

This is the Login Code

The Maryland Department of the Environment, Water and Science Administration (the Department) is pleased to announce that applications are being accepted for continued delegation of erosion and sediment control enforcement authority for the fiscal year 2021. The Department has revised the application process and application form this year to reflect regulatory changes enacted in March of 2019 that require new reporting on environmental violations in sensitive areas of the State. Details on the Law can be found [here](#).

Instructions:

Please make sure to copy your Anonymous Login Code displayed at the top of this form. This code is needed so you may be able to resume or update your entries/responses on the form over a period of 30 days.

You may leave the form using the **Cancel** button and use your Login Code to get back into the form. To re-enter the form, use the "this online form" link found here:

<https://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Pages/ESC-enf-delegation.aspx>

Then click "Code Entry Page" to enter your Login Code.

All questions with a red asterisk (*) are required.

Clicking the **Done** button at the end of this Application Form will trigger recording of all your final responses. It will also trigger sending you an email (using the email address you provided on the form) with a copy of all your responses.

1. Jurisdiction*
2. Email address*
3. Full Name of Contact Person*
4. Phone*