

# *MDEStat Meeting*

*July 1, 2008*



# *Definition*

A violator is in **Significant Non-Compliance (SNC)** if the violation(s) meets any of the following criteria:

- exceeds SNC thresholds established by a corresponding federal program;
- has caused actual, or has the potential to cause adverse impact to public health or the environment;
- represents willful, chronic or recalcitrant behavior;
- substantially deviates from the terms of a permit, order, settlement agreement, or from statutory or regulatory requirements; or
- is not corrected within 60 days following the issuance of a Notice of Violation, Site Complaint or Inspection Report by the Department.

# Table 1: Laboratory Certification Applications Pending

	January	March	April 30	June 15
number of annual renewal applications from laboratories pending review	60	48	70	<b>55*</b>
target date for backlog elimination	not requested		12/31/08	12/31/08

\* 11 of 21 June renewals have been received as of 6/23/08

## Table 2: Backlogged Triennial On-Site Laboratory Inspections as of June 30, 2008

Inspection Type	3/31/08	6/30/08
Microbiological	6	7
Chemistry (Inorganic)	18	19
Other (Radiological/organic chemistry)	14	15
Total	37	40
<b>Backlog Elimination Targets</b>		
target date for eliminating micro backlog		March 2009
target date for initiating chemistry on-site inspections via RFP/contract		Sept. 2008
target date for eliminating chem. Backlog		Sept. 2009

Table 3: WSP On-Site Inspections Performed  
January Through June 2008

	Number Of On-Site Inspections Performed	Of Those Inspected, The Number Where Significant Problems Were Found
microbiology	15	3
chem. (inorganic)	8	0

# Table 4: Nontidal and Tidal Wetlands Compensation Fund FY04 – FY 08 Q1 & Q2

	FY04	FY05	FY06	FY07	FY08 Q1&2
<b>Nontidal Wetlands Compensation Fund</b>					
revenue	\$351,361	\$649,964	\$503,928	\$704,313	\$178,820
expenditures (actual, not including encumbrances)	\$201,678	\$315,536	\$491,037	\$293,411	\$164,046
number of completed projects	3	6	3	3**	2**
number of acres created, restored or enhanced	97.8	28.1	0.86	73	56
linear feet of stream restored	0	0	1,700	0	0
number of acres required to be placed in easements through the regulatory program [1]	Unknown	Unknown	Unknown	Unknown	Unknown
end-of-period balance *	\$2,067,993	\$2,157,709	\$2,482,959	\$2,855,340	\$2,865,462
<b>Tidal Wetlands Compensation Fund</b>					
revenue	\$150,270	\$302,292	\$401,855	\$888,300	\$163,922
expenditures (actual, not including encumbrances)	\$235,000	\$310,150	\$132,803	\$494,933	\$108,921
number of completed projects	0	2	0	3	2
number of acres created, restored or enhanced	0	To be determined	0	0.69	0.17
end-of-period balance *	\$403,716	\$509,755	\$873,632	\$1,459,961	\$1,538,053

\* Also includes accrued revenue and encumbrances

\*\* Conclusion of multi-year projects to enhance Delmarva Bays and other Nontidal Wetlands of Special State Concern

[1] The Program does not consistently track information on easements at this time. Consequently, reliable information on past acreage cannot be reported. The Program, however, can track this easement information, including verification of its recordation, in the future.

## Table 5: Tidal Wetland Compensation Fund Projects for FY07-08

Contractor	Contract Amount	Project	MDE Staff Overseeing Project	Status of Project
FY07				
St. John's College	\$50,000	College Creek Shoreline Restoration	Rick Ayella Reginald Graves	Completed
U.S. Dept. of Interior, U.S. Geological Survey	\$233,250	Water Quality of Little Blackwater River Watershed	Gary Setzer	Completed
MD DNR	\$25,225	Funding Assistance for Phragmites Control Cost Share	George Beston	Completed
MES	\$13,724	GIS County Index Map Layer for Loading & Viewing Digital Maps	Rick Ayella	Completed
FY08				
MD Eastern Shore RC & D Council	\$50,000	Little Aberdeen Lagoon Associations Community Cove Replacement of bulkhead	Rick Ayella Reginald Graves	Completed
MD Eastern Shore RC & D Council	\$30,650	Pleasant Plains Homeowner Assoc. AA Co. Restoration of marsh	Reginald Graves	Completed
U.S Dept. of Interior, U.S. Geological Survey	\$75,000	Data collection and analysis of Hydrologic Characteristics of Little Blackwater River Assoc.	Gary Setzer	On-going
MD DNR	\$24,507.50	Funding assistance for Phragmites Control	George Beston	On-going

## Table 6: NonTidal Wetland Compensation Fund Projects for FY07-08

Contractor	Contract Amount	Project	MDE Staff Overseeing Project	Status of Project
FY07				
Harford Soil Conservation District	\$117,157	Restoration of eight acres of wetlands Deer Creek Watershed, Harford Co.	George Beston Kelly Neff	Completed
MD Easter Shore RC & D Council & MD DNR	\$13,125	Restoration of six acres of wetlands on Marshyhope Creek, Dorchester Co.	George Beston	Completed
MD Eastern Shore RC & D & Town of Federalsburg	\$33,652	Repair of eroded streamback on Marshyhope Creek, Federalsburg	George Beston	Completed
Delmarva Forestry Services, John S. Ayton State Tree Nursery	\$3,161 (Tree Nursery) \$3,000 (Delmarva)	Purchase of 15,000 seedlings & planning at Bounds Mitigation Project	George Beston, Josh Tiralla, Kelly Neff	Completed
University of MD	\$20,000	Purchase soil monitoring equipment various mitigation sites throughout the State	NA	Completed
FY08				
MES & MDE Dam Safety Division	\$11,194	Bathymetric survey to investigate potential wetland creation project	Jeff Thompson Kelly Neff	On-going
MES	\$32,220	Correct malfunctions in existing nontidal wetlands impact and gains geodatabase	Denise Clearwater	On-going
Worcester Soil Conservation District & MD DNR	\$66,315	Restoration of 20 acres of nontidal wetlands at Dunn Swamp Wetland Mitigation Project – Lower Pocomoke River	George Beston	Completed
Queen Anne’s Soil Conversation District & Landowner	\$112,829	Restoration of 10.3 acres of forested nontidal wetlands at Mudford Farm Mitigation Project	George Beston	90% Complete
John S. Ayton State Tree Nursery & Delmarva Forestry Services	\$3,667 (Tree Nursery) \$3,181.50 (Delmarva)	Purchase 15,150 seedlings from John S. Ayton State Tree Nursery and have Delmarva Forestry Service plant them at Dun Swamp & Bounds Mitigation Projects in Pocomoke River drainage	George Beston Josh Tiralla Kelly Neff	Completed

## Table 7: Requests for Loans and Supplemental Funds for Sanitary Sewer Overflows FY08-10

Year	No. of Projects	Total Requested	Total Appropriation
FY08	64	\$278,999,630	\$115,000,000
FY09	45	\$110,316,945	\$95,000,000
FY10	46	\$136,988,871	\$111,000,000
Total		\$526,305,446	\$321,000,000

Appropriations have averaged 61% of requests.

*Table 8: WMA Vacancy Summary*

	12/19/07	1/31/08	3/5/08	4/17/08	5/22/08	6/26/08
Total positions vacant	38	34	27	27	28	30
Vacancies with exceptions approved by DBM	24	19	11	13	16	18
Positions vacant more than 4 months	27	25	19	20	22	21
Positions vacant more than 6 months	22	21	12	18	17	19

# ATTACHMENT C/Table 9 WMA VACANCIES as of 6/26/08

PIN	Program/ Division	Vacancy Date	Class/ Grade	Except- ions to OB	Excep. To DBM	Excep. Apprvd by DBM	MS 22 to OHR	MS 22 Apprvd by OHR	Interv. Quests to OHR	Interview Questions Recvd & Approved by OFP	Announcement Posted/ Closed	Notes
C-4020	Wastewater/ Industrial	03/01/06	PH Engineer III/17	06/08/07	07/21/07	08/13/07	09/25/07	10/03/07	11/21/07	R01/03/08 A01/09/08	Multiple past postings. Reposted 5/6/08 – OC	4, 5, 6, 10, 12, 13, 14, 17
C-4031	Water Supply SDWA Impl.	09/28/06	PH Engineer III/17	09/11/06	DNR	09/28/06	12/14/06	01/12/07	02/01/07	R02/05/07 A02/09/07	Multiple past postings. Reposted 5/6/08 - OC	8, 7, 5, 6, 12, 14 Start Date 7/9/08
C-4032	Water Supply/ Eng. & Tech.	09/28/06	PH Engineer III/17	09/11/06	DNR	09/28/06	12/06/07	12/14/07	12/13/07	R12/17/07 A12/20/07	Multiple past postings. Reposted 5/6/08 on Careerbuilder.	7, 5, 6, 12, 14 Selection made
048661	Wetlands/ Nontidal	02/27/07	Water Resource Engineer/19	02/28/07 resub. 3/13/08	DNR resub 4/17/08	04/17/07 Approv. 5/14/08	01/08/08 resub. 3/31/08	4/18/08	3/22/08	R 4/24/08 A 4/25/08	P EDC 6/30/08	3, 10, 12, 17
C-4034A	Operational Services/ Admin. Serv.	06/04/07	Agcy. Grants Spec. Tr./12  Changed class to: Admin. III/18	06/04/07 resub. 4/9/08	07/21/07 Resub 5/6/08		7/16/07 EDC 06/30/08	07/27/07	DNR	R 09/06/07 A 09/10/07		11, 10
C-4034B (50%)	Mining /Bureau of Mine	NA	OS III/10	6/19/08	6/23/08			EDC 6/30/08				
064000	Compliance/ Central	06/05/07	Env. Comp. Series/13	09/27/07	5/28/08		10/01/07	10/04/07	10/04/07	R 10/04/07 A 10/05/07	P 3/19/08 C O/C	10, 12, 13

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C-4039	Water Supply/ Source Prot.	07/01/07	Geologist III/16	8/22/07	5/28/08		EDC 5/23/08 2 <sup>nd</sup> EDC 6/30/08		EDC 5/23/08 2 <sup>nd</sup> EDC 6/30/08			1
055542	Water Supply/ Eng. & Tech.	7/17/07	PH Engineer III/17	8/09/07	8/22/07	9/06/07	9/20/07	10/02/07	DNR	R 11/1/07 A 11/2/07	R 11/1/07 A 11/2/07  Reposted 4/15/08 C 5/2/08	3, 5, 6, 12  Interviews Completed 5/23/08
051718	Wetlands/ Nontidal	9/11/07	Water Res. Engineer IV/18 Changed to: WRE IV Hyrdology	9/13/07	9/25/07	2/5/08	2/11/08  resub. EDC 6/30/08	3/21/08	2/11/08  resub. EDC 6/30/08	R 3/24/08 A 3/24/08	P3/26/08 C 4/18/08	6, 3, 11, 12, 14 Interviews completed 5/21/08
018285	Wastewater/ Indust. Surf. Discharge	9/11/07	Prog. Mgr. II/20  Class changed to: Water Res. Eng. V/19	3/10/08	4/17/08	5/14/08	1/16/08  resub. 5/19/08  resub. 6/5		EDC 6/12/08  2 <sup>nd</sup> EDC 7/3/08			10, 12, 13, 14
046633	Sediment & Stormwater/ Plan Review	9/19/07	Water Res. Engineer V/18	12/6/06	DNR	1/4/07	2/27/08	3/21/08	1/9/08	R 2/12/08 A 2/13/08	P 1/14/08 C 2/8/08  reposted 5/23/08 Closing 6/20/08	9, 9, 12, 14

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PIN	Program/ Division	Vacancy Date	Class/ Grade	Except- ions to OB	Excep. To DBM	Excep. Apprvd by DBM	MS 22 to OHR	MS 22 Apprvd by OHR	Interv. Quests to OHR	Interview Questions Recvd & Approved by OFP	Announ- cement Posted/ Closed	Notes
047533	Water Supply/ Water Policy	10/09/07	Nat. Res. Planner IV/17 Class changed to WRE III/17	10/29/07  resub. 3/5/08	4/17/08	5/14/08	7/11/07  resub. 01/28/08  resub. 6/24/08	7/27/07  resub. 9/25/07  resub. 6/24/08	7/25/07  resub. 10/5/07	R 10/5/07 A 10/9/07	P10/23/07 C11/13/07  reposting EDC 7/3/08	3, 9, 10, 12, 17
C-4027	Wetlands & Waterways Nontidal	10/09/07	Nat. Res. Planner III/15	10/15/07	3/5/08	3/18/08	2/20/08	2/21/08	2/12/08	R 2/25/08 A 2/27/08	P 3/20/08 C 4/14/08 Reposted 5/22/08 C 6/30/08	3, 5, 10
C-7018	WQIP/Capital Program	10/12/07	OS III/10	10/10/07	5/28/08		2/11/08	3/5/08	2/7/08	R 2/7/08 A 2/7/08		10, 12, 14
055579	Compliance/ Enforcement	11/30/07	Sanitarian II Reg./13	10/18/07	4/17/08	6/3/08	3/25/08	5/2/08	3/12/08	R 5/5/08 A 5/6/08	Response Deadline 7/2/08	11, 10, 12, 14
014127	Water Supply/ Water Policy	12/18/07	Nat. Res. Planner V/18	2/7/08	4/17/08	5/14/08	2/6/08	2/8/08	3/11/08	R 3/12/08 A 3/14/08	P 6/3/08 C 6/20/08	3, 10, 12, 13, 14
014594	Wastewater/ On-Site Systems	01/01/08	Env. Prog. Mgr. I/19	01/03/08	3/5/08	3/18/08	2/20/08	2/21/08	2/12/08	R 2/25/08 A 2/27/08	P 3/25/08 C 4/18/08	7, 3, 10, 12, 14 Selection made
065115	Water Supply	1/8/08	Admin. Aide/ 11	2/7/08	4/17/08	6/3/08	1/28/08	1/29/08	2/5/08	R 2/5/08 A 2/5/08		8, 7, 11, 10 Start date 7/2/08
053939	Compliance/ Enforcement	2/12/08	Sanitarian IV Reg./15	2/25/08	4/17/08	6/3/08	3/25/08	4/2/08	3/12/08	R 5/5/08 A 5/6/08	Response deadline 7/2/08	11, 10



# Table 9: WMA VACANCIES as of 5/22/08

## Key

Yellow highlighting: date seems late or item seems overdue.

EDC: Estimated Date of Completion DNR: Did not Record P: Posted C: Closed R: Received A: Approved

Codes: 1-Budget/funding holds, 2-Admin. has not responded to Notice of Vacancy letter sent by HRC within 10 working days, 3-Testing or developing test for position specific requirements, 4-Testing or developing test to produce new eligibility list, 5-Position was advertised, but received no qualified applicants, 6-Insufficient applicant continue recruitment, 7-Selection made, 8-Appointment pending, 9-Applicant declined position, 10-Office of Budget did not submit hiring exception to DBM within 15 days of receipt, 11-DBM did not approve hiring exception within 30 days of receipt, 12-Admin. did not submit MS-22 within 30 days of vacancy, 13-Admin. did not submit hiring exception within 30 days of vacancy, 14-Admin did not submit interview questions within 30 days of vacancy, 15-OHR did not approve MS-22 within 45 days of receipt, 16-OPF did not approve interview questions within 10 days of receipt, 17-Hold pending organizational decisions, 18 key codes don't apply, 19 in process of interviewing, 20 Position Review Form