



# 2008 GUIDE TO ENVIRONMENTAL PERMITS AND APPROVALS



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# **2008 MDE Guide to Environmental Permits and Approvals**

## **Table of Contents**

### **Section 1: Basic Information and Orientation**

• How to use this book: Four Easy Steps	5
• The Process	
○ The Approval Process	7
▪ Certification of Workers Compensation Insurance Coverage	7
▪ Verification of Tax Payment	8
▪ Other Approvals	8
○ Individual versus General Permits	9
▪ General Permits Issued by MDE	9
○ Approvals Arranged by Activity, Sites and Equipment	10
○ Pre-application	12
• Permitting and Customer Services Office	14
○ MDE's Predictable Permitting Services Program	15
• Information for Small Businesses and Homeowners	16
• Twenty Questions: Checklist to Determine the Approvals that May be Applicable to Your Facility	17

### **Section 2: Approval Fact Sheets**

#### **Air and Radiation Management Administration**

1.01 Air Quality General Permits to Construct	24
1.02 Air Quality Permit to Construct	25
1.03 New Source Review Approval	27
1.04 Prevention of Significant Deterioration Approval	29
1.05 Air Quality State Permit to Operate	31
1.06 Part 70 (Title V) Operating Permit	33
1.07 Asbestos Contractor License	35
1.08 Asbestos Training Provider Approval	36
1.09 Asbestos Photo Identification Card	37
1.10 Incinerator Operator Certification and Training Course Approval	38
1.11 Fleet Inspection Station License	39
1.12 Certified Emissions Repair Facility Certification	40
1.13 Master Certified Emissions Technician Certification	41
1.14 Radiation Machine Facility Registration	42
1.15 Certification of Machines Emitting Radiation	43
1.16 Radioactive Materials License	44
1.17 Private Inspector License For Inspecting X-Ray Machines	45
1.18 Reciprocal Recognition of Out-of-State Radioactive Material Licenses	46
1.19 Radioactive Material General License Registration	47
1.20 Registered Service Provider for X-Ray Machines	48
1.21 Energy Facilities Permitting Information: Certificate of Public Convenience & Necessity	49

## **Waste Management Administration**

2.01 Refuse Disposal Permit	51
2.02 Ground Water Discharge Permit for Rubble Landfills	53
2.03 Sewage Sludge Utilization Permits	54
2.04 Natural Wood Waste Recycling Facility Permit	56
2.05 Scrap Tire Management Licenses and Approvals	57
2.06 Oil Operations Permit	58
2.07 Oil Operations Permit for Oil-Contaminated Soils	59
2.08 Oil Transfer License	60
2.09 Oil Control Program General Wastewater Discharge Permits	61
2.10 Surface Water Discharge Permit for Oil Terminals	62
2.11 Ground Water Discharge Permit for Oil Terminals	63
2.12 Underground Storage Tank Technician or Remover Certification	64
2.13 Underground Storage Tank Removal/Abandonment 30-Day Written Notification	65
2.14 Notification for Underground Storage Tanks	66
2.15 Controlled Hazardous Substance Facility Permit	68
2.16 Hazardous Waste; EPA Identification Number	69
2.17 Controlled Hazardous Substance Hauler, Vehicle and Driver Certification	70
2.18 Special Medical Waste Hauler and Vehicle Certification and Identification Number	71
2.19 Lead Paint Accreditations	72
2.20 Lead Paint Training Course and Instructor Approvals	73
2.21 Lead Paint Rental Unit Registration	74
2.22 Voluntary Cleanup Program	75

## **Water Management Administration**

3.01 Surface Water Discharge Permit (Industrial)	76
3.02 General Discharge Permits	77
3.03 General Discharge Permit for Stormwater Associated with Industrial Activity	78
3.04 Surface Water Discharge Permit (Municipal)	79
3.05 Ground Water Discharge Permit (Municipal or Industrial)	80
3.06 Toxic Materials Permit	81
3.07 Water and Sewerage Construction Permit	82
3.08 Coal Mining Permit	84
3.09 Surface Coal Mining Blaster Certification	85
3.10 Coal Mining Operator License	86
3.11 Non-Coal Mining Permit	87
3.12 Surface Mining License	88
3.13 Oil and Gas Exploration and Production	89
3.14 Well Construction Permit	90
3.15 Water Appropriation and Use Permit	91
3.16 Drinking Water Sampler Certification	92
3.17 Drinking Water Laboratory Certification	93
3.18 Tidal Wetland Licenses and Permits	94
3.19 Nontidal Wetlands (Nontidal Wetlands and Waterways Permits)	96
3.20 Waterway and 100-year Floodplain (Nontidal Wetlands and Waterways Permits)	98

3.21 Erosion/Sediment Control and Stormwater Management Plan Approvals	100
3.22 Responsible Person Training & Certification Program for Erosion/Sediment Control	102
3.23 General Permit for Construction Activity	103
3.24 Municipal Separate Storm Sewer Permit	104
3.25 Dam Safety Permit/Waterway Construction Permit	105
3.26 Environmental Sanitarian License	106
3.27 Waterworks and Waste Systems Operator Certification	107
3.28 Well Driller License	108

### **Science Services Administration**

4.01 Relaying Oysters for Commercial Harvest Off-Bottom Aquaculture	109
4.02 Relaying Oysters for Commercial Harvest Private Oyster Lease Holders	110

## **Section 3: Appendices**

• 1. Acronyms and Definitions	112
• 2. Pre-Application Form (See applicability in Section 1)	114
• 3. Summary of Approval Fact Sheet Questions	116
• 4. Useful Websites	121
• 5. Go Green with MDE's Pollution Prevention Services	122
• 6. MDE Permit Guide and Customer Service Survey	123
• 7. MDE Numbers to Know	126
• 8. Organization Charts	129
▪ Maryland Department of the Environment (MDE)	129
▪ Air and Radiation Management Administration (ARMA)	130
▪ Water Management Administration (WMA)	131
▪ Waste Management Administration (WAS)	132
▪ Science Services Administration (SSA)	133
• 9. Directory of MDE Contacts for Each Approval	134
• 10. Twenty Questions	139

This Guide is a result of the cooperative efforts of the Administrations of the Maryland Department of the Environment coordinated by the Permitting and Customer Services Office (PCS), Gary F. Kelman, Director. PCS welcomes any suggestions or comments to make this Guide more useful. E-mail us at [PCS@mde.state.md.us](mailto:PCS@mde.state.md.us).

The Guide to Environmental Permits and Approvals is not intended nor should it be interpreted to be a regulation as defined under the Maryland Administrative Procedures Act. It is a non-binding, informational document which sets forth the purpose, legal authority, requirements, governmental approvals, application process and other information which is useful in understanding the environmental permits and approvals which MDE is responsible for issuing under the Maryland Environment Article. The Guide is not intended to confer any legal rights on any person under Maryland law.

# **SECTION 1**

## **Basic Information and Orientation**

# **How to Use This Book**

Welcome to the newly revised MDE Guide to Environmental Permits, Approvals, Licenses, Registrations and Certifications. Please use this guide to determine what environmental permits and other approvals your business, your employees and your household may need in order to comply with Maryland's environmental requirements. Throughout this Guide the word "approvals" will be used to refer to the permits and similar reviews needed by our customers.

## **Four Easy Steps**

FIRST, read about the approval process. Make sure that you consider the "Standard Turnaround Time" of the approvals that apply to you when developing the schedule to develop your business, or tackle your household project. When renewing approvals, assure that you re-apply with enough lead time to allow the Department to develop your new approval.

SECOND, answer "yes" or "no" to the "Twenty Questions". This will help you determine which categories of approvals you may need.

THIRD, based on your answers to the "Twenty Questions," go directly to the descriptions of the pertinent approvals. These descriptions have one or two questions at the beginning that will help you determine whether that particular approval may be required. Each approval description answers the following questions, where applicable:

- Do I need this approval?
- What must I do to get this approval?
- How long will it take to get the approval once I submit a complete and accurate application?
- Who do I contact with questions about this approval?
- Do I need to get any approvals from my local or Federal government before I can get this approval?
- How much will the approval cost?
- Once I get the approval, how long will the permit last?
- Do I need to know any other information to get this approval?
- If you need this, you'll probably need that: What other approvals might I need for this activity?
- What is MDE's legal authority to issue this approval?

FOURTH, contact the approval program directly or go to the MDE website in order to obtain the applications you need. The individual program contacts can help you fill out the applications. These program contacts are on each individual approval description or in a directory in Section 3 of this guidebook.

That's all there is to it. If you need any additional assistance in the process, please contact the Permitting and Customer Services Office (PCS) at 410-537-3772 or [PCS@mde.state.md.us](mailto:PCS@mde.state.md.us).

Other materials in this book to make the process even easier include:

- Information for Small Businesses
- Information for Homeowners
- Individual versus General Permits
- Permitting and Customer Services Office

The Section 3 appendices include:

- Acronyms and Definitions
- Pre-application form
- Summary of Approval-Specific Questions

- Activities, Sites and Equipment
- Useful websites
- Go Green with MDE's Pollution Prevention Services
- MDE Permit Guide and Customer Service Survey
- MDE Numbers to Know
- MDE Organization Charts
- Directory of Program Contacts for each approval

Last, please check the MDE website for new approval requirements that may have been implemented since the publication of this Guide. Go to [www.mde.state.md.us](http://www.mde.state.md.us) and click on "Permits" and then "New".

### **Feedback to MDE**

The Department is very interested in hearing from our stakeholders on our permitting and approval process. Applicants are encouraged to complete the Customer Survey form shown in the Appendix on page 123. This form is available on-line at [http://www.mde.state.md.us/Surveys/cs\\_survey.asp](http://www.mde.state.md.us/Surveys/cs_survey.asp).



## **The Approval Process**

MDE issues many different types of approvals. These range from simple registrations to licenses for individuals to permits that contain specific limitations on pollutants. The more complex environmental approvals are necessary to control the amount of pollutants released to the air, water and land. Where it has been deemed necessary to control specific chemicals (i.e. mercury or lead) or groups of chemicals (i.e. volatile organic compounds or petroleum hydrocarbons) or the effects of groups of pollutants (i.e. biochemical oxygen demand or sediment) limitations are placed in approvals. If limiting the activities of applicants can reduce releases from regulated entities, best management practices may be included in the approval, sometimes in combination with limitations.

The first step in the process is determining what approvals may be necessary for the activity you have planned. MDE has a variety of resources, including this Guide and the Permitting and Customer Services Office that can help you figure this out. After you know what approvals you need, please obtain the application forms. These forms vary in the amount of information required based on the needs of the programs that issue the approval.

Once completed, the application and appropriate fee is submitted to the appropriate program within MDE and is checked for completeness and accuracy. At this point those approvals that are primarily registrations and many types of general permits can be issued within days. For approvals that require public participation, when the application is deemed complete, the Department publishes a “notice of an opportunity for a public information meeting” in the local newspaper and notifies parties on the interest list for that facility. The Department maintains an interest list for most areas of the State. The applicant has a chance to present their project with MDE and interested parties present and receive feedback at the meeting.

The applicable program then drafts an approval. This task ranges in complexity and can include using mathematical models, reviewing environmental policies, determining regulatory requirements and other scientific input. Each approval has a “standard turnaround time” which is the time that the Department typically takes to issue the approval. The more complex the approval, the more public interest, the longer the standard turnaround time. Approvals that do not require public participation are issued at this point. Approvals that require public participation must proceed with the process below.

Once an approval is drafted, the Department publishes a “notice of an opportunity for public hearing and comment period” in the local newspaper as well as notifies parties on the interest list for that facility/area of the State. The hearing is a formal proceeding where MDE presents the tentative decision (draft approval) to the interested parties. The public hearing only occurs when there are parties that have a basis for commenting on the draft approval. Otherwise the public can submit written comments to the Department within a certain period of time.

The Department reviews the testimony from the hearing and all comments received and may generate a “response to comments” document. If only minor adjustments to the draft approval are necessary, MDE makes these and issues the approval. If more extensive changes are necessary, the approval is redrafted and the interested parties are notified of the changes. If there are no significant comments on the redraft, the approval is issued.

Once the approval is issued, the applicant or other parties can still appeal its conditions through the Office of Administrative Hearings and then through the courts.

## **Certification of Workers’ Compensation Insurance Coverage**

Section 1-202 of the Environment Article provides that the applicant for a permit or license to engage in any activity in which the applicant may employ a “covered employee”, as defined in §9-101 of the Labor and Employment Article of the Annotated Code of Maryland (“LE”), shall provide to the Maryland Department of the Environment the policy of binder number of a valid workers’ compensation insurance policy that has



been issued to the applicant. Such a filing is required before the Department may issue any such license or permit.

Alternatively, the applicant shall file a Certificate of Compliance issued by the Maryland Workers' Compensation Commission only in cases where the applicant is either:

- (a) A sole proprietorship with no employees;
- (b) A partnership with no employees other than individual partners;
- (c) A Farm Corporation, a Maryland Close Corporation, a Professional Corporation or a Limited Liability Company with no employees other than corporate officers or limited liability company members who have elected, under LE §9-206, to be excluded from workers' compensation coverage;
- (d) A business that is an employer of only "casual employees" as provided under LE §9-205 and defined in Maryland Law; or
- (e) A business that is the owner of a Class F (Tractor) Vehicle who meets the requirements of exclusion as defined under LE §9-218.

### **Verification of Tax Payments**

As part of the approval process, if the purpose of an approval application is to renew an existing approval, disclosure of the organization's Federal Tax Identification Number or the owner's personal Social Security Number (only if the Federal Tax Identification Number is not available) is mandatory. Maryland Environment Article, Section 1-203 (2003) requires MDE to verify that applicants for the renewal of permits or licenses have paid all undisputed taxes and unemployment insurance. Once obtained, this information is not used for any purposes other than to determine payment of taxes.

### **Other Approvals**

In addition to permits, MDE issues other regulatory approvals such as Wastewater Operator Licenses, Asbestos Training Provider Approvals, Radioactive Materials Licenses, Surface Coal Mining Blaster Certifications, Well Driller Licenses, Notifications for Underground Storage Tanks, etc. Each has its own issuance and application procedures. Some include public notification requirements and some do not.

## **Individual versus General Permits**

Most MDE permits are issued as either individual permits or general permits (see list below). An individual permit is custom crafted to the specific needs of the facility while a general permit is a generic document appropriate for a specific type of activity that has similar environmental impacts. Accordingly, since the general permit has already gone through any required public participation and the conditions have already been developed, to have your activity covered under the applicable general permit takes less time than the equivalent individual permit. In addition, to obtain an individual permit, the applicant must complete a detailed form that described their activity while a general permit can be obtained by simply filling out a simple form called a “Notice of Intent to Comply” (NOI), which is a statement by the operator agreeing to abide by the terms of the permit.

The disadvantage of general permits is the operator must accept the terms of the permit as written. One can obtain a copy of all of our general permits by mail or from the Department’s website (<http://www.mde.state.md.us/Permits/download.asp>)

## **General Permits Issued by MDE**

### **Air and Radiation Management Administration**

- 1.01 Air Quality General Permits to Construct
  - Perchloroethylene dry cleaning equipment
  - Charbroilers and Pit barbeques
  - Small fuel burning equipment
  - Small stationary gasoline storage tanks
  - Groundwater air stripper/soil extraction systems
  - Sheetfed non-heatset lithographic printers
  - Vehicle refinishing (autobody)
  - Medium fuel burning equipment
  - Ready mix concrete batch plants

### **Waste Management Administration**

- 2.04 Natural Wood Waste Recycling Facility General Permit
- 2.09 Oil Control Program General Discharge Permits
  - Storm water and hydrostatic test water from oil terminals
  - Treated groundwater from oil contaminated groundwater sources

### **Water Management Administration**

- 3.02 General Discharge Permits
  - Surface coal mines
  - Mineral mines, quarries, borrow pits, ready-mix concrete and asphalt plants
  - Seafood processors
  - Hydrostatic testing of tanks and pipelines
  - Marinas
  - Swimming pools
  - Concentrated animal feeding operations
- 3.03 General Discharge Permit for Stormwater Associated with Industrial Activity
- 3.23 General Permit for Construction Activity
- 3.24 Municipal Separate Storm Sewer General Permits
  - Local Governments
  - State and federally owned storm drain systems

## **Activities, Sites and Equipment**

Environmental approvals are required for activities conducted by people, sites and equipment. Activities like training, operating equipment and hauling usually get licenses or certifications. Sites are facilities, buildings, gas stations, factories or wastewater/water treatment plants and usually get permits or registrations. Equipment can be tanks, boilers and measurement devices usually get permits or certifications. We divided approvals into groups to assist you in determining which approvals your activities, sites and equipment may require.

### **Activity Approvals**

#### **Air and Radiation Management Administration**

- 1.08 Asbestos Training Provider Approval
- 1.09 Asbestos Photo Identification Card
- 1.10 Incinerator Operator Certification and Training Course Approval
- 1.13 Master Certified Emissions Technician Certification
- 1.16 Radioactive Materials License
- 1.17 Private Inspector License for Inspecting X-Ray Machines
- 1.18 Reciprocal Recognition of Out-of-State Radioactive Materials Licenses
- 1.20 Registered Service Provider for X-Ray Machines

#### **Waste Management Administration**

- 2.05 Scrap Tire Licenses and Approvals
- 2.08 Oil Transfer License
- 2.12 Underground Storage Tank Technician or Remover Certification
- 2.17 Controlled Hazardous Substance Hauler, Vehicle and Driver Certification
- 2.18 Special Medical Waste Hauler, Vehicle Certification and ID Number
- 2.19 Lead Paint Accreditations
- 2.20 Lead Paint Training and Instructor Approvals

#### **Water Management Administration**

- 3.06 Toxic Materials Permit
- 3.09 Surface Coal Mining Blaster Certification
- 3.10 Coal Mining Operator License
- 3.15 Water Appropriation and Use Permit
- 3.16 Drinking Water Sampler Certification
- 3.22 Responsible Person Training and Certification Program for Erosion/Sediment Control
- 3.26 Environmental Sanitarian License
- 3.27 Waterworks and Waste System Operator Certification
- 3.28 Well Driller License

#### **Science Services Administration**

- 4.01 Relaying Oysters for Commercial Harvest: Off-Bottom Aquaculture
- 4.02 Relaying Oysters for Commercial Harvest: Private Oyster Lease Holders

### **Site Approvals**

#### **Air and Radiation Management Administration**

- 1.03 New Source Review Approval
- 1.04 Prevention of Significant Deterioration Approval
- 1.06 Part 70 (Title V) Operating Permit
- 1.07 Asbestos Contractor License
- 1.11 Fleet Inspection Station (FIS) License
- 1.12 Certified Emissions Repair Facility (CERF) Certification

- 1.14 Radiation Machine Facility Registration

### **Waste Management Administration**

- 2.01 Refuse Disposal Permits
- 2.02 Ground Water Discharge Permit for Rubble Landfills
- 2.03 Sewage Sludge Utilization Permits
- 2.04 Natural Wood Waste Recycling Facility Permits
- 2.06 Oil Operations Permit
- 2.07 Oil Operations Permit for Oil Contaminated Soils
- 2.09 Oil Control Program General Wastewater Discharge Permits
- 2.10 Surface Water Discharge Permit for Oil Terminals
- 2.11 Ground Water Discharge Permit for Oil Terminals
- 2.15 Controlled Hazardous Substances Facility Permit
- 2.16 Hazardous Waste; EPA Identification Number
- 2.21 Lead Paint Rental Unit Registration
- 2.22 Voluntary Cleanup Program

### **Water Management Administration**

- 3.01 Surface Water Discharge Permit (Industrial)
- 3.03 General Permit for Stormwater Associated with Industrial Activity
- 3.04 Surface Water Discharge Permit (Municipal)
- 3.05 Ground Water Discharge Permit (Municipal or Industrial)
- 3.07 Water and Sewerage Construction Permit
- 3.08 Coal Mining Permit
- 3.11 Non-Coal Mining Permit
- 3.12 Surface Mining License
- 3.13 Oil and Gas Exploration and Production
- 3.14 Well Construction Permit
- 3.18 Tidal Wetland Licenses and Permits
- 3.19 Non-tidal Wetlands (Non-tidal Wetlands and Waterways Permits)
- 3.20 Waterway and 100-year Floodplain (Non-tidal Wetlands and Waterways Permit)
- 3.21 Erosion/Sediment Control and Storm Water Management Plan Approvals
- 3.23 General Permit for Construction Activity
- 3.24 Municipal Separate Storm Sewer Permit
- 3.25 Dam Safety Permit/Waterway Construction Permit

### **Equipment Approvals**

#### **Air and Radiation Management Administration**

- 1.01 Air Quality General Permits to Construct
- 1.02 Air Quality Permit to Construct
- 1.05 Air Quality State Permit to Operate
- 1.10 Incinerator Operator Certification and Training Course Approval
- 1.15 Certification of Machines Emitting Radiation
- 1.19 Radioactive Material General License Registration

#### **Waste Management Administration**

- 2.13 Underground Storage Tank Removal/Abandonment 30-day Written Notification
- 2.14 Notification for Underground Storage Tanks

#### **Water Management Administration**

- 3.07 Water and Sewerage Construction Permit

## **Pre-Application**

As a service to applicants, MDE is providing you with an opportunity to complete a “pre-application” for select approvals. The Pre-Application Form is in the Appendices on Page 114 and is available on the MDE website at <http://www.mde.state.md.us/Permits/download.asp>. Pre-Application allows the applicant to register basic information about your facility with MDE while you are completing the details of the technical application. The Pre-Application requires the following information and is returned to the Permitting and Customer Services Office for processing prior to submission of the actual approval application:

- Name and physical address of the facility that requires the approval
- Name and mailing address of responsible person or organization to which the approval will be issued
- Name and mailing address of the applicant’s parent company, if applicable
- Name and mailing address of the owner of the property where the facility is located
- The business activity or activities conducted at the facility or SIC or NAICS Codes for the facility
- The type of approval for which you are applying
- The purpose of the application: new approval, renewal approval, modification or records update
- Other approvals that the applicant holds from MDE
- Signatory authority identification

The Pre-application is completely voluntary but can expedite the processing of your approval. See the appendix or the MDE website at <http://www.mde.state.md.us/Permits/download.asp> for the Pre-application form. The completed form should be sent to:

Maryland Department of the Environment    or e-mailed to: PCS@mde.state.md.us  
Permitting and Customer Services Office  
1800 Washington Blvd, Suite 735  
Baltimore, Maryland 21230

Pre-applications are available for the following types of approvals:

### **Air and Radiation Management Administration**

- 1.02 Air Quality Permit to Construct
- 1.05 Air Quality State Permit to Operate
- 1.06 Part 70 (Title V) Operating Permit
- 1.03 New Source Review Approval
- 1.04 Prevention of Significant Deterioration Approval
- 1.14 Certification of Machines Emitting Radiation
- 1.13 Radiation Machine Facility Registration

### **Waste Management Administration**

- 2.01 Refuse Disposal Permit
- 2.02 Ground Water Discharge Permit for Rubble Landfills
- 2.04 Natural Wood Waste Recycling Facility Permit
- 2.15 Controlled Hazardous Substance Facility Permit
- 2.06 Oil Operations Permit
- 2.07 Oil Operations Permit for Oil-Contaminated Soils

- 2.10 Surface Water Discharge Permit for Oil Terminals
- 2.11 Ground Water Discharge Permit for Oil Terminals
- 2.03 Sewage Sludge Utilization Permits
- 2.05 Scrap Tire Management Licenses and Approvals

## **Water Management Administration**

- 3.01 Surface Water Discharge Permit (Industrial)
- 3.03 Surface Water Discharge Permit (Municipal)
- 3.04 Ground Water Discharge Permit (Municipal or Industrial)
- 3.05 Toxic Materials Permit
- 3.07 Water and Sewerage Construction Permit
- 3.08 Coal Mining Permit
- 3.11 Non-Coal Mining Permit
- 3.14 Well Construction Permit
- 3.15 Water Appropriation and Use Permit
- 3.18 Tidal Wetland Licenses and Permits
- 3.19 Nontidal Wetlands (Nontidal Wetlands and Waterways Permits)
- 3.20 Waterway and 100-year Floodplain (Nontidal Wetlands and Waterways Permits)
- 3.24 Municipal Separate Storm Sewer Permit
- 3.25 Dam Safety Permit/Waterway Construction Permit

## **Permitting and Customer Services Office**

Your satisfaction during the entire process is important to MDE: from determining which permits and other approvals you need, to understanding your environmental obligations once your approval is issued. The Permitting and Customer Services Office (PCS) is here to assist you during the approval process.

In order to help you get off to a great start, PCS, MDE's central point of contact for applicants, provides the following services:

- One-stop shop for approval questions
  - PCS can answer your approval process questions or guide you to the person in MDE who can. Call 410-537-3772.
- Applicant meetings with all pertinent approval programs ("multi-media meetings")
  - PCS will coordinate a multi-media meeting for your facility to establish a relationship between you and MDE's approval programs with a face-to-face meeting. Navigating the environmental approvals maze has never been easier. Call 410-537-4478 to set up a multi-media meeting.
- Special assistance for small businesses
  - PCS has established a Small Business Assistance Coordinator to help small businesses with their approval issues. Call 410-537-4478.
- Special assistance for homeowners
  - PCS is available to homeowners having specific questions about applicable environmental requirements or how to perform certain tasks around the house in an environmentally neutral way. Call 410-537-4119.
- Go Green with MDE's Pollution Prevention (P2) Assistance
  - PCS, in partnership with the University of Maryland Technology Extension Service, provides free, on-site P2 technical assistance to help facilities reduce their environmental impact and save money. Additional information on P2 can be found the Appendix. Call MDE's Pollution Prevention Coordinator at 410-537-4119.
- Free Environmental Management System (EMS) Training
  - PCS, in association with the University of Maryland Technology Extension Service, provides a free, six-month program to help your organization establish an EMS that will improve your facility's overall environmental performance. Businesses participate in small groups through workshops and on-site assistance. Call (410) 537-4119 for more information.

To contact the Permitting and Customer Services Office, please call 410-537-3772 or [PCS@mde.state.md.us](mailto:PCS@mde.state.md.us).



## **MDE's Predictable Permitting Services Program**

MDE issues over 70% of its permits, licenses and approvals in 30 days or less and continually looks for ways to improve permit application review processes without compromising environmental protection. As part of this ongoing effort, MDE has established the Predictable Permitting Services Program. This program affects certain major permits, which typically require more review time and can help businesses plan around the time required for permitting.

The specific types of permits that are covered can be found in §1-607 and §1-601 of the Environment Article and are listed below:

- 1.02 Air Quality Permit to Construct
- 2.01 State Refuse Disposal Permit
- 2.02 Groundwater Discharge Permit for Rubble Landfill
- 2.03 Sewage Sludge Utilization Permit
- 2.15 Controlled Hazardous Substances Facility Permit
- 3.01 Surface Water Discharge Permit (Industrial)
- 3.02 General Permit for Industrial Wastewater Discharges
- 3.04 Surface Water Discharge Permit (Municipal)
- 3.05 Groundwater Discharge (Municipal or Industrial)

Once the application has been determined to be complete, applicants for these permits can obtain from MDE a guaranteed time by which MDE will issue a tentative determination on their application. If the deadline is missed, MDE will refund all or part of any permit application fee paid, barring delays beyond the Department's control. (Please note that a tentative determination is not a permit, and that the time between issuance of a tentative determination and issuance of a final permit generally depends on the level of public interest in the permit application.)

The Department hopes this program highlights the fact that customers can count on reliable, high-quality service when applying for MDE permits. More information is available from the contact people in each permitting program, or from the Permitting and Customer Services Office at 410-537-3772.

## **Information for Small Businesses**

MDE is aware that special issues exist for small businesses during the environmental approval process. The first is “What approvals do I need to comply with environmental laws and regulations?” This guide will assist you in answering the question. Although a handful of these approvals do not apply to small businesses due to *de minimus* exemptions, that most of these approvals may be appropriate depending on the activities that take place at the facility.

The Permitting and Customer Services Office (PCS) is available to assist small businesses to navigate the environmental maze. From coordinating meetings with the appropriate approval programs, to small business loans to finding the right person to discuss your approval application with, PCS is here to help. PCS can be reached at 410-537-3772 or [PCS@mde.state.md.us](mailto:PCS@mde.state.md.us)

## **Information for Homeowners**

Although the requirements for many environmental approvals are not applicable to homeowners, a few activities undertaken by homeowners require approvals including:

- Lead Paint Removal (see page 72)
- Installation of a pier (see pages 94 – 99)
- Installation of a boathouse (see pages 94 – 99)
- Any construction in a wetland (see pages 94 – 99)
- Use of chemicals in water bodies to eliminate nuisance plants and animals (see page 81)
- Removal of asbestos from a residence (see page 35)
- Use of composting toilets (see page 80)
- Use of wood-fired boilers is illegal in Maryland. For details contact MDE’s Air Quality Compliance Program at 410-537-3215.

If you are a homeowner and plan to perform any of the above projects, you should read the applicable sections of this Guide and phone either the contact listed on the approval description or the Permitting and Customer Services Office of the Department at 410-537-3772 or [PCS@mde.state.md.us](mailto:PCS@mde.state.md.us)

Many other activities performed by homeowners may have environmental impacts. These include:

- |                           |  |
|---------------------------|--|
| • Washing cars            | • Filling heating oil tanks              |
| • Watering lawns          | • Pumping gas                            |
| • Fertilizing lawns       | • Disposing of household hazardous waste |
| • Septic tank use         | • Recycling yard waste                   |
| • Digging wells           | • Refuse disposal                        |
| • Construction            | • Grilling                               |
| • Changing automobile oil | • Dry cleaning                           |

For more information and advice on performing these in an environmentally constructive way, click on “Go Green” in the Featured Links section of the MDE homepage or contact the Permits and Customer Service Office of the Department at 410-537-3772.

## **TWENTY QUESTIONS**

***DIRECTIONS: Answering “yes” to these questions will guide you to the page numbers for the applicable fact sheets describing the environmental approvals you may need to carry out the operations at your facility. The fact sheets contain additional questions allowing you to narrow down the necessary approvals you will most likely require.***

### **Air and Radiation Management Administration**

☐ **1. Do you store gasoline, operate boilers or generators, use solvents, or otherwise cause emissions of smoke or vapors to the atmosphere?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
1.01	Air Quality General Permits to Construct	24
1.02	Air Quality Permit to Construct	25
1.03	New Source Review Approvals	27
1.04	Prevention of Significant Deterioration Approval	29
1.05	Air Quality State Permit to Operate	31
1.06	Part 70 (Title V) Operating Permit	33
1.10	Incinerator Operator Certification and Training Course Approval	38

☐ **2. Do you operate or work in a Vehicle Emissions Inspection Station or Repair facility?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
1.11	Fleet Inspection Station License	39
1.12	Certified Emissions Repair Facility Certification	40
1.13	Master Certified Emissions Technician Certification	41

☐ **3. Do you perform remediation work or train people to perform remediation work in buildings that may contain asbestos?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
1.07	Asbestos Contractor License	35
1.08	Asbestos Training Provider Approval	36
1.09	Asbestos Photo ID Card	37

☐ **4. Do you operate X-Ray machines or use equipment that contains any radioactive materials or service X-Ray machines?**

NUMBER	APPROVAL TYPE	PAGE
1.14	Radiation Machine Facility Registration	42
1.15	Certification of Machines Emitting Radiation	43
1.16	Radioactive Materials License	44
1.17	Private Inspector License for Inspecting X-ray Machines	45
1.18	Reciprocal Recognition of Out-of-State Radioactive Material Licenses	46
1.19	Radioactive Material General License Registration	47
1.20	Registered Service Provider for X-Ray Machines	48

**Water Management Administration**

☐ **5. Do you perform any activity that generates wastewater?**

NUMBER	APPROVAL TYPE	PAGE
3.01/3.04	Surface Water Discharge Permit (Industrial)/(Municipal)	76/79
3.02	General Discharge Permits	77
3.03	General Permit for Discharges of Stormwater Associated with Industrial Activity	78
3.05	Ground Water Discharge Permit (Municipal or Industrial)	79
3.27	Waterworks and Waste Systems Operator Certification	107

☐ **6. Do you perform construction projects that may affect tidal or non-tidal wetlands or flood plains?**

NUMBER	APPROVAL TYPE	PAGE
3.18	Tidal Wetland Licenses and Permits	94
3.19	Non-Tidal Wetlands (Non-tidal Wetlands and Waterways Permits)	96
3.20	Waterway and 100-year Floodplain (Non-tidal Wetlands and Waterways Permits)	98

☐

**7. Do you use any chemicals to control the growth of nuisance plants or animals in a water body or perform commercial harvesting of oysters?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
3.06	Toxic Materials Permit	81
4.01	Relaying Oysters for Commercial Harvest: Off Bottom Aquaculture	109
4.02	Relaying Oysters for Commercial Harvest: Private Oyster Lease Holders	110

☐

**8. Do you perform construction that involves earth moving or excavation?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
3.07	Water and Sewerage Construction Permit	82
3.21	Erosion/Sediment Control and Storm water Management Plan Approvals	100
3.23	General Permit for Construction Activity (if disturbed area is 1 acre or more)	103
3.22	Responsible Person Training and Certification Program for Erosion/Sediment Control	102

☐

**9. Are you an owner of a municipal separate storm sewer system serving large, medium and small municipalities?**

<b>NUMBER</b>	<b>APPROVAL</b>	<b>PAGE</b>
3.24	Municipal Separate Storm Sewer Permit	104

☐

**10. Do you operate or plan to construct a bridge, dam or other obstruction to a waterway?**

<b>NUMBER</b>	<b>APPROVAL</b>	<b>PAGE</b>
3.19	Non-Tidal Wetlands (Non-tidal Wetlands and Waterways Permits)	96
3.20	Waterway and 100-year Floodplain (Non-tidal Wetlands and Waterways Permits)	98
3.25	Dam Safety Permit/Waterway Construction Permit	105

☐ **11. Do you perform any type of mining including exploration for oil and gas?**

NUMBER	APPROVAL	PAGE
3.02	General Discharge Permits	77
3.08	Coal Mining Permit	84
3.09	Surface Coal Mining Blaster Certification	85
3.10	Coal Mining Operator License	86
3.11	Non-Coal Mining Permit	88
3.12	Surface Mining License	88
3.13	Oil and Gas Exploration and Production	89

☐ **12 Do your activities involve drinking water or withdrawal of waters of the State?**

NUMBER	APPROVAL TYPE	PAGE
3.07	Water and Sewerage Construction Permit	82
3.14	Well Construction Permit	90
3.15	Water Appropriation and Use Permit	91
3.16	Drinking Water Sampler Certification	92
3.17	Drinking Water Laboratory Certification	93
3.27	Waterworks and Waste Systems Operators Certification	107
3.28	Well Driller License	108

☐ **13. Are you or do you plan to practice as an environmental sanitarian?**

NUMBER	APPROVAL TYPE	PAGE
3.26	Environmental Sanitarian License	106

### **Waste Management Administration**

☐ **14. Do you operate a facility where solid waste such as trash, rubble, wood or other forms of refuse are accepted for disposal, incineration, transfer or processing?**

NUMBER	APPROVAL TYPE	PAGE
2.01	Refuse Disposal Permit	51
2.02	Ground Water Discharge Permit for Rubble Landfills	53
2.04	Natural Wood Waste Recycling Facility Permit	56
3.02	General Discharge Permits	77

☐ **15. Do you perform any activity that involves the generation, treatment, storage, transport, or disposal of hazardous waste or plan on developing a site that was previously involved in industrial activity?**

NUMBER	APPROVAL TYPE	PAGE
2.15	Controlled Hazardous Substance Facility Permit	68
2.16	Hazardous Waste; EPA Identification Number	69
2.17	Controlled Hazardous Substance Hauler, Vehicle and Driver Certification	70
2.22	Voluntary Cleanup Program	75

☐ **16. Do you transport or generate any special medical waste?**

NUMBER	APPROVAL TYPE	PAGE
2.18	Special Medical Waste Hauler and Vehicle Certification and Identification Number	71

☐ **17. Do you have tanks on your property that contain or have contained any petroleum product?**

NUMBER	APPROVAL TYPE	PAGE
1.01	Air Quality General Permits to Construct	24
1.02	Air Quality Permit to Construct	25
1.05	Air Quality State Permit to Operate	31
2.06	Oil Operations Permit	58
2.07	Oil Operations Permit for Oil-Contaminated Soils	59
2.08	Oil Transfer License	60
2.09	Oil Control Program General Wastewater Discharge Permits	61
2.10	Surface Water Discharge Permit for Oil Terminals	62
2.11	Ground Water Discharge Permit for Oil Terminals	63
2.12	Underground Storage Tank Technician or Remover Certification	64
2.13	Underground Storage Tank Removal/Abandonment 30-day Written Notification	65
2.14	Notification for Underground Storage Tanks	66



☐ **18. Do you generate or plan to utilize sewage sludge?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
2.03	Sewage Sludge Utilization Permits	54

☐ **19. Do you generate or transport scrap tires?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
2.05	Scrap Tire Management Licenses and Approvals	57

☐ **20. Do you do anything involving lead paint abatement work?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
2.19	Lead Paint Accreditations	72
2.20	Lead Paint Training Course and Instructor Approvals	73
2.21	Lead Paint Registry	74

## **SECTION 2**

# **Approval Fact Sheets by Administration**

## 1.01 AIR QUALITY GENERAL PERMITS TO CONSTRUCT

- ❑ *Question: Am I planning on installing new equipment or modifying, replacing or moving existing equipment that is included in the list below and will be a source of air emissions?*

### Why do I need this approval?

General permits with standardized permit conditions have been established for businesses with the following equipment:

- Perchloroethylene dry cleaning equipment
- Charbroilers
- Pit barbecues
- Small fuel burning equipment
- Small stationary gasoline storage tanks
- Groundwater air stripper/soil vapor extraction systems
- Sheetfed non-heatset lithographic printers
- Vehicle refinishing (autobody)
- Medium fuel burning equipment
- Ready-Mix Concrete Batch Plants

If you perform any of the above, a general permit makes the permitting process easier and quicker. Permits to construct establish the conditions and limitations for the operation so that appropriate emissions controls are included in the design of the facility.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 2, Subtitle 4; COMAR 26.11.02.

### What is the process to get this approval?

1) Complete a "request for coverage" form. To request a general permit to construct package call (410) 537-3230 or go to

[http://www.mde.state.md.us/Permits/AirManagementPermits/Air\\_Permit/index.asp](http://www.mde.state.md.us/Permits/AirManagementPermits/Air_Permit/index.asp).

2) Mail the completed form and payment to:  
MDE/ARMA  
P.O. Box 2037  
Baltimore MD 21203-2037

Coverage under the general permit becomes effective on the date the Department receives the completed request for coverage form and fee. The Department mails a letter acknowledging the receipt of the request and fee payment.

### Are there any other requirements?

To obtain coverage under the general permit, all applicability requirements listed in the air quality general permit to construct package must be met. Each package is different based on the type of business activity covered.

### How long should I expect it to take to get this approval once I submit a complete application?

30 days

### Once I get this approval, how long will it last?

This is a one-time permit required prior to construction and/or installation or modification of the regulated emission source. If construction or installation does not take place within 18 months of permit issuance, then approval terminates.

### How much will this approval cost?

Type of Equipment	Fee per Operation
Charbroiler or pit barbecue	\$200
Small stationary gasoline storage tank farm	\$200
Groundwater air stripper/soil vapor extraction system	\$250
Perchloroethylene dry cleaning equipment	\$500
Small fuel burning equipment	\$500
Printing operation	\$500
Vehicle refinishing operation	\$500
Medium fuel burning equipment	\$500
Ready-Mix concrete batch plant	\$250

### Who do I contact with additional questions?

John Scherer  
Air Quality Permits Program  
jscherer@mde.state.md.us  
(410) 537-3230

## 1.02 AIR QUALITY PERMIT TO CONSTRUCT

- ❑ *Question: Am I planning on installing new equipment or modifying, replacing or moving existing equipment that will be a source of air emissions?*

### Why do I need this approval?

Any operation/equipment that discharges emissions to the outside air needs an air quality permit to construct.

Examples of such operations are:

- Coating and painting operations
- Asphalt plants
- Incinerators
- Quarry operations
- Paint spray booths
- Chemical-processing equipment
- Fuel-burning equipment
- Printing presses

Air quality standards have been adopted to protect public health, vegetation, and forests from activities that discharge emissions to the outside air. Requiring a business to secure an air quality permit to construct ensures that any new, modified, replaced or relocated source of air pollution complies with all air quality requirements.

Specific sources that do not need an air quality permit are listed in COMAR 26.11.02.10. COMAR 26.11.02.10(x) lists the thresholds for the *de minimus* exemption.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: The Clean Air Act, Section 110 and Title V, 42 U.S.C. 7401 et seq.

STATE: Environment Article, Title 2, Subtitle 4; COMAR 26.11.02.01 through 26.11.02.21.

### What is the process to get this approval?

There are two different procedures to get a permit to construct, dependent on whether public review is necessary. You can determine which of these is applicable to your situation by referring to COMAR 26.11.02.13.

For applications that are not subject to public review:

- 1) The Department reviews the permit application for completeness. The applicant is notified of any deficiencies.
- 2) The Department invoices the applicant for the appropriate fee.
- 3) The Department examines the application to determine compliance with all applicable air pollution control regulations.
- 4) The Department makes a final determination and either issues or denies the permit to construct.

For applications that are subject to public review (see COMAR 26.11.02.11 and .13 for a list of sources that are required to undergo public review):

- 1) The Department receives the permit application and reviews it for completeness. The applicant is notified of any deficiencies.
- 2) The Department invoices the applicant for the appropriate fee.
- 3) The Department prepares a notice of application for publication in the local newspaper. This notice either provides an opportunity to request an informational meeting or announces the date, time and location of the scheduled meeting.
- 4) The Department reviews the application to determine compliance with all applicable air pollution control regulations and reviews any information presented at the informational meeting, if one was held.
- 5) The Department prepares a tentative determination and draft permit, which are available for review at the local library. A notice is prepared for publication in the local newspaper. This notice either provides an opportunity to request a public hearing or announces the date, time, and location of the scheduled public hearing.
- 6) If neither a request for a public hearing nor comments opposing the tentative determination are received by the Department, the tentative determination becomes final and the permit is issued.
- 7) If a public hearing is held:
  - a) The Department prepares a final determination on the application after comments are received and addressed.
  - b) A notice of final determination is published with the opportunity to request a contested case hearing. If no requests are filed, the permit is issued.
  - c) If a request for a contested case hearing is received the Department will transmit the request to the Office of Administrative Hearings within five business days.
  - d) The administrative law judge makes a recommendation to the Secretary of the Department, who then makes the final decision.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Applicants are required to demonstrate compliance with local zoning for permits subject to public participation per the Environment Article section 2-404 prior to the permit application being processed.

**Are there any other requirements?**

PRE-APPROVAL: Before an air pollution source is constructed or modified, a permit must be obtained from the Air and Radiation Management Administration.

POST-APPROVAL: Periodic emissions tests and/or reports may be required of some sources, depending on the nature of the operation and its emissions.

**How long should I expect it to take to get this approval once I submit a complete application?**

Extent of Public Interest	Turnaround Time
Applications not subject to public review.	3 months
Applications subject to public review and generate little public interest.	6 months
Applications subject to public review and generate extensive public interest.	11 months

**Once I get this approval, how long will it last?**

This is a one-time permit required prior to construction and/or installation. You may need to obtain a new permit to construct if you make changes to the equipment, process, material or emissions. If construction or installation does not take place within

18 months of permit issuance, then approval terminates.

**How much will this approval cost?**

Current fees range from \$200 to \$20,200 as specified in COMAR 26.11.02.17 - 18. The Department will notify the applicant of the appropriate fee upon receiving the completed application.

**Do I need to know any additional information?**

- 1) A pre-submittal meeting with the Department is recommended for larger businesses in order to expedite the review process.
- 2) The most frequent causes of delay in processing permit applications are failure to pay fees and to supply complete permit applications: for example, many applications lack supporting documentation for the air toxics compliance demonstration.
- 3) Technical assistance documents are available to explain emission control requirements for some air pollution source categories.

**Who do I contact with additional questions?**

Justin Hsu or William Paul  
Air Quality Permits Program  
[jhsu@mde.state.md.us](mailto:jhsu@mde.state.md.us) or  
[bpaul@mde.state.md.us](mailto:bpaul@mde.state.md.us)  
(410) 537-3846 or 537-3230

## 1.03 NEW SOURCE REVIEW APPROVAL

- ❑ *Question: Am I planning on installing new equipment or modifying, replacing or moving existing equipment that will be a source of air emissions?*

### Why do I need this approval?

Portions of Maryland have been designated as ozone non-attainment areas, which means that ozone levels in the ambient air occasionally exceed federal air quality standards. Air is considered unhealthful to breathe when federal air quality standards are exceeded. Therefore, any new major stationary source that will discharge significant amounts of volatile organic compounds (VOCs), oxides of nitrogen (NO<sub>x</sub>) or fine particulate matter (PM – 2.5) must obtain a New Source Review (NSR) approval prior to construction. The primary purpose for obtaining this approval is to ensure that new major sources will not worsen existing ozone levels or impede the State's efforts to achieve compliance with the federal ozone and fine particulate standard.

### NSR approval is needed for:

A. New or modified air pollution sources that have the potential to emit the following levels of VOCs and are located in the areas listed below:

- 25 tons per year or more: Baltimore City, Anne Arundel, Baltimore, Calvert, Carroll, Cecil, Charles, Frederick, Harford, Howard, Montgomery, or Prince George's Counties.
- 50 tons per year or more for all other counties in Maryland.

Note: In December 2004 the following areas were designated as non-attainment for fine particulate (PM<sub>2.5</sub>) pollution - Anne Arundel, Baltimore, Carroll, Charles, Frederick, Harford, Howard, Montgomery, Prince George's, and Washington Counties, and Baltimore City. MDE has adopted interim guidance from EPA on PM<sub>2.5</sub> New Source Review implementation for the time period between the effective date of the implementations (April 5, 2005) and the date that a final PM<sub>2.5</sub> implementation rule is promulgated.

B. New or modified air pollution sources that have the potential to emit the following levels of NO<sub>x</sub> and are located in the areas listed below:

- 25 tons per year or more: Baltimore City, Anne Arundel, Baltimore, Calvert, Carroll, Cecil, Charles, Frederick, Harford, Howard, Montgomery, or Prince George's Counties.
- 100 tons per year or more for all other counties in Maryland.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Air Act, Subchapter I, Part D, 42 USC sec. 7501 et seq.

STATE: Environment Article, Title 2, Subtitle 4; COMAR 26.11.02.09 and 12; COMAR 26.11.17.

### What is the process to get this approval?

Applicants for NSR approval are strongly urged to solicit input from the Department prior to beginning the approval process. The approval can piggyback on the Permit to Construct public review process or go a separate route, which is more involved than the one discussed here.

1) The Department receives the NSR approval application and reviews it for completeness. The applicant is notified of any deficiencies.

2) The Department invoices the applicant for the application fee.

3) The Department examines the application to determine compliance with all applicable federal and state regulations and makes a preliminary determination.

4) The Department publishes its preliminary determination and solicits comments from EPA, neighboring states, and the public.

5) The Department officially responds to all comments received and makes a final determination to issue or deny the approval.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Applicants should check with county zoning authorities to see whether they need zoning approval.

### Are there any other requirements?

PRE-APPROVAL: The NSR application should be submitted with a permit to construct application and must include:

- 1) Emission controls that meet the Lowest Achievable Emission Rate (LAER).
- 2) Emission offsets which provide a net decrease in VOC and/or NO<sub>x</sub> emissions in accordance with the various ratios listed under COMAR 26.11.17 for different geographical areas.

3) Evidence that all major sources owned by the applicant in Maryland comply with all state and federal air pollution regulations.

**How long should I expect it to take to get this approval once I submit a complete application?**

10 months

**Once I get this approval, how long will it last?**

This is a one-time approval, as long as conditions do not change, i.e., sources of air emissions are not modified, replaced or moved or new equipment is installed. If construction or installation does not take

place within 18 months of permit issuance, then approval terminates.

**How much will this approval cost?**

\$20,200 which is assigned to the permit to construct application for the project for which NSR approval is sought.

**Who do I contact with additional questions?**

Justin Hsu or William Paul  
Air Quality Permits Program  
[jhsu@mde.state.md.us](mailto:jhsu@mde.state.md.us) or  
[bpaul@mde.state.md.us](mailto:bpaul@mde.state.md.us)  
(410) 537-3846 or (410) 537-3230



## 1.04 PREVENTION OF SIGNIFICANT DETERIORATION APPROVAL

- ❑ *Question: Am I planning on installing new equipment or modifying, replacing or moving existing equipment that will be a source of air emissions?*

### Why do I need this approval?

To prevent significant deterioration of ambient air quality, the Prevention of Significant Deterioration (PSD) approval seeks to limit the amount of air pollutants released by a new or modified facility proposing to locate in an area that meets national ambient air quality standards (NAAQS). NAAQS have been established by EPA for the following air pollutants: particulate matter (PM<sub>10</sub>), sulfur oxides, carbon monoxide, ozone, nitrogen dioxide, and lead. With the exception of ozone levels in portions of the state, Maryland does not have any other significant air pollution problems.

The PSD approval is needed for:

A. New air pollution sources that have the potential to emit at least 100 tons per year of any regulated pollutant, if the proposed source belongs to one of 26 named PSD source categories listed below (see COMAR 26.11.01.01B(37)):

- Fossil fuel-fired steam electric plants of more than 250 million btu/hr heat input
- Municipal incinerators capable of charging more than 250 tons of refuse per day
- Fossil fuel boilers (or combination of them) totaling more than 250 million btu/hr heat input
- Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels
- Coal cleaning plants with thermal dryers
- Kraft pulp mills
- Portland cement plants
- Primary zinc smelters
- Primary aluminum ore reduction plants
- Iron and steel mill plants
- Primary copper smelters
- Hydrofluoric, sulfuric, and nitric acid plants
- Petroleum refineries
- Lime plants
- Phosphate rock processing plants
- Coke oven batteries
- Sulphur recovery plants
- Primary lead smelters
- Carbon black plants (furnace process)
- Fuel conversion plants
- Secondary metal production plants
- Sintering plants
- Chemical process plants
- Taconite ore processing plants
- Glass fiber processing plants
- Charcoal production plants

B. New air pollution sources that have the potential to emit at least 250 tons per year of a regulated pollutant from unlisted source categories.

C. Major modifications to an existing major facility which will result in a net emissions increase above the following levels:

Pollutant	Tons per Year
Carbon Monoxide	100
Nitrogen Oxide	40
Sulfur Dioxide	40
Tsp/Pm-10	20/15
Volatile Organic Compounds (VOC)	40
Lead	0.6

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Air Act, Part C, 42 USC sec. 7470 et seq., 40 CFR Part 52.21 1994 Edition.

STATE: Environment Article, Title 2, Subtitle 4; COMAR 26.11.02.09 and 12; COMAR 26.11.06.14.

### What is the process to get this approval?

Applicants for PSD approval are strongly urged to solicit input from the Department prior to beginning the application process. The approval can piggyback on the Permit to Construct public review process or go a separate route which is more involved than the one discussed here.

- 1) The Department receives the application and reviews it for completeness. The applicant is notified of any deficiencies.
- 2) The Department invoices the applicant for the application fee.
- 3) The Department examines the application to determine compliance with all applicable federal and state regulations and makes a preliminary determination.
- 4) The Department publishes its preliminary determination and solicits comments from EPA, neighboring states, and the public.
- 5) The Department officially responds to all comments received and makes a final determination to issue or deny the approval.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Applicants should check with county zoning authorities to see whether they need zoning approval.

**Is this approval directly related or contingent on other approvals?**

A permit to construct is required in addition to the PSD approval prior to construction. It is preferred that the applicant submit an application for a permit to construct when submitting a request for PSD approval. For any source having the potential to adversely impact a federally-protected Class I area \*, the Department will notify and involve the Federal Land Manager who is the designated authority for protecting these areas.

**Are there any other requirements?**

PRE-APPROVAL: The PSD application requires the following:

- 1) One year of preconstruction air quality monitoring, including meteorological data for the relevant area, if suitable data are not currently available;
- 2) Emission control plans that include the best available control technology;
- 3) Ambient impact analysis based on air quality dispersion modeling and;
- 4) Additional impact analyses on nearby federally-designated Class I areas \*. This assessment includes possible adverse effects on soil, vegetation, or visibility.

\* Class I areas in this region include Dolly Sods and Otter Creek Wildernesses in West Virginia, Shenandoah National Park in Virginia, and Brigantine National Wildlife Refuge in New Jersey.

POST-APPROVAL: Continued approval depends on meeting federally-enforceable emission limits and the best available control technology requirements.

**How long should I expect it to take to get this approval once I submit a complete application?**

14 months

**Once I get this approval, how long will it last?**

This is a one-time approval.

**How much will this approval cost?**

\$20,200 which becomes part of the permit to construct application fee for the project for which the PSD approval is sought.

**Who do I contact with additional questions?**

William Paul or Justin Hsu  
Air Quality Permits Program  
[bpaul@mde.state.md.us](mailto:bpaul@mde.state.md.us) or  
[jhsu@mde.state.md.us](mailto:jhsu@mde.state.md.us)  
(410) 537-3846 or (410) 537-3230

## 1.05 AIR QUALITY STATE PERMIT TO OPERATE

- ❑ *Question: Did I receive an air quality permit to construct that required me to obtain an Air Quality State Permit to Operate?*

### Why do I need this approval?

Sources of air pollution with the potential to significantly affect air quality must obtain a permit to operate. The Department may impose reasonable terms and conditions on the permit to ensure compliance and to protect public health. Sources required to obtain state permits to operate are listed in COMAR 26.11.02.13. A permit to operate differs from a permit to construct because the permit to operate includes operating conditions.

The following are examples of air pollution sources that will generally require state permits to operate:

- Incinerators
- Sintering machines
- Scarfing machines
- Metal reclamation furnaces
- Lime kilns
- Rendering cookers
- Crushing equipment
- Distillation equipment
- Gypsum calcining kettles
- VOC storage tanks
- Galvanizing operations
- Chemical reclamation process
- Glass melting furnaces
- Large fuel burning equipment
- Grain elevators and terminals
- Inorganic pigment chemical process
- Portland cement clinker coolers
- Hot-mix asphalt plants
- Bulk gasoline storage terminals
- Metallurgical furnaces
- Impregnating operations
- Cement kilns
- By-product recovery furnaces
- Wood digesters
- Through-circulation dryers
- Chemical reactors
- Ball mills & roller mills
- Web printing lines
- Spray dryers
- Frit smelters
- Pulverized material separators
- Brick manufacturing
- Crematories
- Large coating operations
- Large paint or adhesive manufacturing
- Asphalt roofing
- Yeast manufacturing
- Ethylene oxide sterilizers

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Air Act, sec. 110; 42 USC sec. 7410.

STATE: Environment Article, Title 2, Subtitle 4; COMAR 26.11.02.

### What is the process to get this approval?

#### For new permits:

- 1) The Department invoices the applicant for the appropriate fee and provides a blank application form.
- 2) The Department receives the permit application and reviews it for completeness. The applicant is notified of any deficiencies.
- 3) The Department determines the appropriate operational limits, work practices, monitoring, testing, record-keeping, and reporting that will be used to demonstrate compliance with the applicable air pollution control regulations and requests comments from the applicant on the permit conditions.
- 4) The Department makes a final determination, and issues the state permit to operate.

#### For permit renewals:

- 1) The company reapplies at least 60 days before the current permit expires.
- 2) The Department reviews the application and inspects the company to determine compliance with all applicable operating conditions required by permits to construct or orders, and all applicable state and federal air pollution control regulations.
- 3) The Department reissues the state permit to operate which may contain additional or revised conditions that enable the Department to ensure the company is operating in compliance with all applicable requirements of the Clean Air Act and state air pollution laws.

### How long should I expect it to take to get this approval once I submit a complete application?

90 days

### Once I get this approval, how long will it last?

Maximum of five years

### How much will this approval cost?

Sources requiring a state permit to operate pay an annual fee consisting of a base fee of \$200, plus an emission-based fee for each ton of emissions of a regulated pollutant excluding carbon monoxide. A

maximum of 4,000 tons of each regulated pollutant is used for fee calculation. The emissions-based fee is calculated by multiplying the total weight of annual emissions, in tons, of regulated pollutants times a dollar amount as follows:

\$41.02 per ton as of January 1, 2007, adjusted yearly according to the consumer price index.

**Do I need to know any additional information?**

Generally, temporary operating conditions are placed in a permit to construct, which allow the company to initiate operation for the purpose of conducting

emission tests and stabilizing the operation. The Department will issue a final state permit to operate when satisfied that the operations comply with all applicable air quality requirements.

**Who do I contact with additional questions?**

Justin Hsu or William Paul  
Air Quality Permits Program  
[jhsu@mde.state.md.us](mailto:jhsu@mde.state.md.us) or  
[bpaul@mde.state.md.us](mailto:bpaul@mde.state.md.us)  
(410) 537-3846 or 537-3230

## 1.06 PART 70 (TITLE V) OPERATING PERMIT

- ❑ *Question: Does my facility produce air emissions (actual or potential) of more than 10 tons per year?*

### Why do I need this approval?

Title V of the 1990 Clean Air Act (CAA) introduced an operating permit program whose purpose is to combine, into a single document, all the State and federal air quality requirements applicable to a company. Title V does not impose new substantive requirements above and beyond the State requirements. Companies subject to Title V operating permits include the following:

- A. Facilities subject to acid rain requirements under Title IV of the CAA.
- B. Facilities (major sources) with a potential to emit:
  - 100 tons per year or more of any regulated pollutant; or
  - 10 tons per year or more of a single hazardous air pollutant (HAP) or 25 tons per year of any combination of HAPs; or
  - More than any applicable non-attainment major source threshold specified in COMAR 26.11.02.01.C.
- C. Medical waste incinerators
- D. Municipal solid waste landfills with a capacity of 2.75 million tons or greater
- E. Facilities subject to CAA §111 (federal New Source Performance Standards) or §112 (HAPs). At this time, facilities not listed under C or D that do not fall in the major source categories defined under B are deferred from Part 70 requirements.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Air Act, Title V (42 USC § 7401et seq) ; 40 CFR Part 70.

STATE: Environment Article, Title 2, Annotated Code of Maryland; COMAR 26.11.02 and .03.

### What is the process to get this approval?

- 1) Facilities newly subject to Title V must submit a Title V application within 12 months from date of initial operation.
- 2) Within 60 days of receipt of an application, the Department makes a completeness determination. Once a company's application is deemed administratively complete, it is shielded from any enforcement action for failure to have a Title V operating permit. This "application shield" does not exempt the facility from complying with any applicable federal or state requirements.
- 3) If the Department, in the course of reviewing the complete permit application, determines that additional information is necessary to take final action on the application, the applicant must respond to the Department's written request in order to maintain the application shield.

4) A facility that has been issued a Part 70 Permit must submit a permit to construct application for any physical or operational change that is subject to the Air Quality Permit to Construct requirements. Many of these changes qualify to be processed as "On-permit" or "Off-permit" changes to the Part 70 permit. "On permit" or "Off permit" changes are rolled into the Part 70 permit upon permit renewal or reopening of the permit. For changes that do not qualify as "On permit" or "Off permit" changes, the Part 70 permit must be revised. There are three types of revisions: administrative amendments, minor modifications, and significant modifications. Each of the three types of revisions has a unique application form. These are available at

[http://www.mde.state.md.us/Permits/AirManagementPermits/ptc/part70\\_applications.asp](http://www.mde.state.md.us/Permits/AirManagementPermits/ptc/part70_applications.asp).

### Is this approval directly related or contingent on other approvals?

Neighboring states and the federal EPA have the opportunity to review draft permits. The EPA also has the authority to object to a Title V operating permit. A citizen may also petition the EPA to make an objection.

### Are there any other requirements?

PRE-APPROVAL: In addition to describing and quantifying pollution sources, a complete application must identify all federally-enforceable requirements. After the Department deems an application complete, the Department will issue a draft permit, which is then subject to review by the public, affected states, and EPA (see "Is this approval directly related or contingent on other approvals?" above).

POST-APPROVAL: Companies must annually submit a certified emission report and certification of compliance.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
New permits	36 months
Renewals	18 months
Administrative amendments	60 days
Minor modifications	90 days
Significant modifications	9 months

### Once I get this approval, how long will it last?

Maximum of five years

### How much will this approval cost?

Companies subject to Title V operating permits are required to pay an annual fee consisting of \$200 plus

an emission-based fee for each ton of regulated air pollutants, excluding carbon monoxide, limited to a maximum of 4,000 tons per year of any single pollutant.

From January 1, 2007 to December 31, 2007: \$41.02 per ton with a maximum of \$328,046.73 per facility. These figures are adjusted annually according to the consumer price index.

**Do I need to know any additional information?**

A Title V facility that is also subject to state permit to operate requirements would not be covered under two

separate permits. The facility's Title V operating permit would incorporate state-specific requirements and conditions into a "State-Only" section of the permit.

**Who do I contact with additional questions?**

Karen Irons or Dave Mummert  
Air Quality Permits Program

[kiron@mde.state.md.us](mailto:kiron@mde.state.md.us) or  
[dmummert@mde.state.md.us](mailto:dmummert@mde.state.md.us)

(410) 537-3206

## 1.07 ASBESTOS CONTRACTOR LICENSE

- ❑ *Question: Do I own or manage a company that performs activities involving the disturbance of friable asbestos?*

### Why do I need this approval?

The purpose of this license is to minimize the risk of asbestos exposure to workers and to the public. Businesses, contractors and others engaged in any activities involving the disturbance of friable asbestos must apply for this license.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Air Act, sections 112, 42 USC sec. 7412, National Emissions Standards for Hazardous Air Pollutants (NESHAPS); Asbestos NESHAP Revision, 40 CFR Part 61, Subpart M, dated November 20, 1990. STATE: Environment Article, Title 6, Subtitle 4; COMAR 26.11.21, Control of Asbestos, as amended through July 16, 1990.

### What is the process to get this approval?

- 1) The completed application form, with the proper fee, is submitted to the Department. Receipt of the application will be acknowledged by the Department within 15 working days.
- 2) The application is reviewed for completeness and accuracy. The Department will notify the applicant of any deficiencies.
- 3) The Department will issue or deny the permit no later than 60 days after receipt of the completed application.

### Are there any other requirements?

PRE-APPROVAL: An applicant must submit a completed license application including documentation of approved current asbestos handling training for

workers and supervisors. The application must describe work practices and demonstrate that the applicant has an understanding of asbestos regulations. Workers and supervisors must be medically monitored and they must complete annual refresher courses to continue working in an environment which exposes them to asbestos. In order to work in Maryland, the supervisors and workers must have a valid photo id with training information.

### How long should I expect it to take to get this approval once I submit a complete application?

60 days

### Once I get this approval, how long will it last?

Must be renewed annually.

### How much will this approval cost?

Fees are listed below and are payable by company check, certified check or money order to the MDE/Clean Air Fund. There are no fees for public agencies. The annual fee for each contractor is based on the number of employees engaged in asbestos

Number of Employees	Annual License Fee
2 or less	\$ 125
3 or more	\$ 750

projects.

### Who do I contact with additional questions?

Lorraine Anderson  
Division of Asbestos Licensing and Enforcement  
[landerson@mde.state.md.us](mailto:landerson@mde.state.md.us)  
(410) 537-3200



## 1.08 ASBESTOS TRAINING PROVIDER APPROVAL

- ❑ *Question: Do I intend to be an asbestos training provider?*

### **Why do I need this approval?**

The purpose of these approval procedures is to ensure that the persons requiring asbestos training receive training that meets certain standards. To become a Maryland Approved Training Provider, you must apply for approval of your course. The following types of initial and review courses may be approved: worker, supervisor, inspector, management planner, project designer, foreign language worker, and operations and maintenance.

### **What laws or regulations give MDE the legal authority to issue this approval?**

FEDERAL: Asbestos Hazard Emergency Response Act (10/22/86) which contained several provisions, one of which is TITLE II of the Toxic Substances Act (TSCA) 15 U.S.C. sections 2641 through 2654. Section 206 of Title II, 15 U.S.C. section 2646 required the EPA to issue by April of 1987, a final model accreditation plan (MAP) for those persons who inspect for asbestos, develop management plans, and conduct or design response actions. States were required to develop their accreditation plan 180 days after their next legislative session (subsequent to April 30, 1987). The MAP was revised in February 1994 and extended provisions of the MAP to certain activities in public and commercial buildings. STATE: Environment Article §§6-401 and 6-417. COMAR 26.11.23: School Asbestos Accreditation and Approval of Training Courses published as final regulations 9/16/91. These were revised effective 8/24/98 to comply with the revised MAP. Operations and Maintenance (O&M) courses are covered under COMAR 26.11.21, Control of Asbestos.

### **What is the process to get this approval?**

- 1) A completed application with the required fee is submitted. The Department acknowledges receipt of the application within 10 working days.
- 2) The application is reviewed for completeness and accuracy. The training provider is notified of any deficiencies.
- 3) The course approval will be issued within 90 days after the application is complete and applicable fees are paid.

### **Are there any other requirements?**

INTERIM APPROVAL: A training provider must complete an application for each type of training course and pay the applicable fee for each type of course. The training provider must provide a copy of the course materials, instructors' resumes, a detailed course outline, and demonstrate that the training provider is able to provide training that meets the requirements of the regulations. When hands-on training is a requirement for a training course, the training provider must provide extensive detail on how this is to be accomplished.

FINAL APPROVAL: The course will be granted final approval after a successful on-site audit has been completed by the Department.

### **How long should I expect it to take to get this approval once I submit a complete application?**

3 months

An application is not processed until the applicable fee has been paid. A complete and accurate application speeds up the process.

### **Once I get this approval, how long will it last?**

Must be renewed annually

### **How much will this approval cost?**

The fees listed below are payable by company check, cashier's check, certified check, or money order to the Maryland Clean Air Fund. Public schools systems, Maryland School for the Deaf, Department of Health and Mental Hygiene schools, Department of Juvenile Justice schools, and Maryland Department of the Environment do not pay any fees. Fees are neither refundable nor pro-rated.

The fee is \$100 per day, or portion thereof, of approved training. For example a 5 day supervisor's course would cost \$500 for the annual application fee. There are no fees for the operation and maintenance applications.

### **Who do I contact with additional questions?**

Asbestos Accreditation & School Assistance Division  
(410) 537-3200

## 1.09 ASBESTOS PHOTO IDENTIFICATION CARD

- ❑ *Question: Do I intend to be an asbestos inspector, management planner, project designer, worker, foreign language worker or supervisor?*

### **Why do I need this approval?**

The purpose of the photo identification card is to easily identify those persons who are properly accredited to engage in these six asbestos occupations – inspector, management planner, project designer, worker, foreign language worker and supervisor.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article §§6-401 and 6-417.

COMAR 26.11.23: Asbestos Accreditation of Individuals and Approval of Training Courses. These regulations were published as final regulations 9/16/91 and revised on 8/24/98 to comply with the requirements of EPA's Model Accreditation Plan. Those performing Operations & Maintenance activities as described in COMAR 26.11.21 Control of Asbestos are not required to have a photo identification card. The State added a 6<sup>th</sup> category of asbestos occupation – the foreign language worker for those who do not speak English. The training requirements, etc. are the same as for the worker who speaks English.

### **What is the process to get this approval?**

Persons attending a Maryland-approved training course, who attend for the required time and pass the course exam, will be issued a photo identification at that time. For persons who have lost their card or who do not have an acceptable photo identification card, they will need to come to MDE headquarters on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month from 8 – 9:30 AM. They will need \$25 per discipline and must bring their current training certificate, in the original, not a copy.

If all requirements are met, they are issued a photo identification card at that time.

### **Are there any other requirements?**

The photo identification card must be with the persons while any of these asbestos activities are being performed. The photo identification card is required for any of these activities in all public and commercial buildings, including schools in Maryland. There is not requirement for management plans in any buildings other than public and private schools.

### **How long should I expect it to take to get this approval once I submit a complete application?**

The same day.

### **Once I get this approval, how long will it last?**

Photo identification cards issued by the training providers expire one year after issue. The photo identification cards issued at MDE have the same expiration date as the training certificate that the applicant brings to our office. The photo identification cards must be renewed each year. There is no grace period.

### **How much will this approval cost?**

The fee is \$25.00 cash or money order only (no personal or company checks) for those who obtain their photo identification cards at MDE.

### **Who do I contact with additional questions?**

Asbestos Accreditation & School Assistance Division  
(410) 537-3200

## 1.10 INCINERATOR OPERATOR CERTIFICATION AND TRAINING COURSE APPROVAL

- ❑ *Question: Do I operate an incinerator that processes special medical wastes, industrial wastes, sewage sludge, municipal wastes or hazardous wastes?*
- ❑ *Question: Do I provide a training course for incinerator operators?*

### Why do I need this approval?

To ensure safety and protect the environment, all incinerator operators are required to be properly trained and certified prior to the operation of any incinerator. Incinerator operators must receive certification from a training course provider approved by the Department.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Section 2-406; COMAR 26.11.08.09.

### What is the process to get this approval?

#### For incinerator operator certification:

- 1) Attend an approved training course.
- 2) Pass an examination administered by the training provider with at least a grade of 70%.
- 3) Upon successful completion of the examination, the incinerator operator will receive a certificate from either the Department or the training provider.

#### For training course approval:

- 1) Submit the training course package.
- 2) The Department will review the proposed training course and make recommendations.
- 3) Once the recommendations have been included, the Department will issue a "letter of approval".

### Are there any other requirements?

There are four types of incinerator operator certifications:

- 1) Special Medical Waste and Industrial Waste Incinerator Certification: This certification requires the completion of a generalized course which has a three 8-hour day initial training course with an annual 8 hour recertification training. Currently, there are two approved training providers for this certification:  
General Physics Corporation  
Mac Hunter  
(800) 727-6677 or (410) 379-3650  
University of Maryland at Baltimore  
Pat Wolfe  
(410) 706-7207
- 2) Sewage Sludge Incinerator Certification: There is a three 8-hour day initial training requirement with an

annual 8 hour recertification training which is usually conducted at the incinerator site.

3) Municipal Waste Combustor Certification: There is a five 8-hour day initial training requirement with an annual 8 hour recertification training which is usually conducted at the incinerator site.

4) Hazardous Waste Incinerator Certification: There is a five 8-hour day initial training requirement with an annual 8 hour recertification training which is usually conducted at the incinerator site.

#### Training course approval:

For certifications 2, 3, and 4 above, the Department approved training course may be given by either the company or a consultant.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Incinerator operator certification	30 days
Training course approval	60 days

### Once I get this approval, how long will it last?

Type of Approval	Term
Incinerator operator certification:	Must renew annually
Training course approval:	Must renew every two years

### How much will this approval cost?

Training course approval: No fee.

However, the training entities charge fees to attend special medical waste incinerators and industrial waste incinerators training classes.

### Do I need to know any additional information?

There is a 45-day grace period after the expiration date to renew the certification. Incinerator operator certifications are not transferable from one incinerator classification to another.

### Who do I contact with additional questions?

Mitch Greger  
Air Quality Compliance Program  
[mgreger@mde.state.md.us](mailto:mgreger@mde.state.md.us)  
(410) 537-3231

## **1.11 FLEET INSPECTION STATION (FIS) LICENSE**

### **(Not Accepting New Applications Until 2009)**

#### **Why do I need this approval?**

The Department issues this license as a service in order to allow owners of fleet vehicles to perform official emissions inspections on their fleets or, in the case of automobile dealers, to inspect both their own fleets and/or those belonging to other automobile dealers.

#### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Transportation Article, Title 23, Subtitle 2, Sec. 23.201- 23.209; COMAR 11.14.08.32-.42 and 11.14.08.29.

#### **What is the process to get this approval?**

The Department is currently not accepting new applications.

This licensing service is expected to be reinitialized in 2009 when the Department establishes an on board diagnostics (OBD) testing program for fleets.

#### **Are there any other requirements?**

PRE-APPROVAL: The prospective FIS must own or operate a fleet of at least 25 vehicles, maintain a repair facility, employ a Master Certified Emissions Technician (see 1.12), and possess specific equipment and tools.

POST-APPROVAL: The facility agrees to participate in the Vehicle Emissions Inspection Program's quality assurance program by calibrating the analyzer at least once a week and participating in a cost free, monthly, quality assurance audit.

#### **How long should I expect it to take to get this approval once I submit a complete application?**

Not applicable

#### **Once I get this approval, how long will it last?**

Existing licenses remain in effect as long as conditions are met.

#### **How much will this approval cost?**

No fee.

However, the FIS must pay \$14.00 to the Maryland Motor Vehicle Administration for each vehicle emissions test performed. Call the Motor Vehicle Administration at (410) 787-2941 for more information.

#### **Who do I contact with additional questions?**

Peggy Courtright  
Mobile Sources Control Program  
[pcourtright@mde.state.md.us](mailto:pcourtright@mde.state.md.us)  
(410) 537-3270

## 1.12 CERTIFIED EMISSIONS REPAIR FACILITY (CERF) CERTIFICATION

- ❑ *Question: Do I operate a facility that performs vehicle engine repairs? If so, am I interested in participating in the Vehicle Emissions Inspection Program?*

### **Why do I need this approval?**

This certification ensures that motor vehicle repair facilities that meet minimum requirements established by the State are available to the general public to adequately perform engine repairs to ensure healthy air quality.

This voluntary certification may be sought by owners or operators of vehicle repair facilities.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Transportation Article, Title 23, Subtitle 2, Sec. 23.201-23.209; COMAR 11.14.08.30 and 11.14.08.29.

### **What is the process to get this approval?**

- 1) After receiving a complete application, the Department schedules a new facility inspection and emissions analyzer audit.
- 2) If the applicant passes the inspection and audit, the facility is given a CERF number and can begin work in the program.
- 3) The official CERF sign is provided free of charge by the Department and is posted out of doors at each CERF. A temporary certificate can be issued at the time the CERF passes its first quality assurance audit. The permanent certificate is mailed within two weeks.

### **Are there any other requirements?**

PRE-APPROVAL: Certification requirements include an emissions analyzer that meets 1980 California Bureau of Automotive Repair standards, ownership of specified tools and the employment of a certified emissions technician. The emissions analyzer must pass an entry audit.

POST-APPROVAL: Each facility participates in the Vehicle Emissions Inspection Program's Quality Assurance Program by calibrating its analyzer at least once every two weeks and participating in a bimonthly quality assurance audit.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

Certification remains valid as long as program requirements are met.

### **How much will this approval cost?**

No fee.

### **Who do I contact with additional questions?**

Rita Mudd  
Mobile Sources Control Program  
[rmudd@mde.state.md.us](mailto:rmudd@mde.state.md.us)  
(410) 537-3270

## 1.13 MASTER CERTIFIED EMISSIONS TECHNICIAN CERTIFICATION

- ❑ *Question: Am I a vehicle repair technician who performs engine repairs or works at a Certified Emissions Repair Facility or Fleet Inspection Station? If so, am I interested in participating in the Vehicle Emissions Inspection Program?*

### **Why do I need this approval?**

The Department certifies automotive repair technicians to perform emissions related repairs after they have successfully earned certain Automotive Service Excellence (ASE) certifications. This license improves the quality of emissions related repairs on citizens' vehicles. By reducing the amount of ozone producing pollutants coming from motor vehicles, these vehicle repair technicians help to improve the air quality in Maryland. Improved automotive emissions related repairs also reduce the number of citizens' vehicles which fail the mandatory emissions test required by the State's Vehicle Emissions Inspection Program. The Certificate may be sought by technicians who work at:

- Fleet inspection stations and who want to perform vehicle vehicle emissions inspections and repairs according to the State's program; and
- Certified emissions repair facilities who want to make certified repairs to vehicle emissions control equipment.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Transportation Article, Title 23, Subtitle 2, Section 23.201-23.209 and 11.14.08.29.

### **What is the process to get this approval?**

- 1) The Department reviews the application for completeness.
- 2) The Department examines the application to determine compliance with the applicable requirements.

- 3) The certificate is mailed within 2 weeks of application approval.

### **Are there any other requirements?**

**PRE-APPROVAL:** The prospective Master Certified Emissions Technician (MCET) must be an automotive technician with a minimum of 5 years experience in engine repair and must possess ASE certifications in electrical systems (A-6), engine performance (A-8) and advanced engine performance (L-1). Call (703) 713-3800 for information about ASE exams. The MCET applicant may also be required to take a course on State requirements.

**POST-APPROVAL:** The initial MCET license shall be renewed as each ASE certification expires.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

Maximum of five years

The renewal time is dependant upon the earliest ASE Certificate expiration. The MCET must notify the Department of each required ASE re-certification.

### **How much will this approval cost?**

No fee.

### **Who do I contact with additional questions?**

Imoni Bouler  
Mobile Sources Control Program  
[ibouler@mde.state.md.us](mailto:ibouler@mde.state.md.us)  
(410) 537-3270



## 1.14 RADIATION MACHINE FACILITY REGISTRATION

❑ *Question: Do I own or operate a radiation machine (X-ray machine)?*

### **Why do I need this approval?**

This registration ensures that each x-ray tube and the facility in which it is used are registered with the State. Registration is required before operating any radiation machine or modifying any facility in which an x-ray machine is to be used for dental and medical diagnosis and therapy, industrial, scientific or veterinary purposes. It is also required when changing the location or ownership of a machine. This registration must be updated each time an x-ray machine (tube) is added to or removed from the facility inventory.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 8, Subtitle 3;  
COMAR 26.12.01 and 26.12.03.

### **What is the process to get this approval?**

- 1) An applicant submits a completed registration packet to the Department. When required, the applicant must also forward a plan review that has been prepared by a service provider registered by the State.
- 2) The Department sends the applicant an approval of the facility plans and shielding, if submitted.
- 3) The Department issues the applicant a registration number and Certificate of Registration.

### **Is this approval directly related or contingent on other approvals?**

A State form, MDE RX 24 "Report of Assembly, Reassembly, or Removal of Radiation Machine," must be sent to the Department by the registered service provider who assembles/installs the radiation machine.

### **Are there any other requirements?**

**PRE-APPROVAL:** Registration is contingent upon completion of the registration packet which must contain the Radiation Machine Registration Form, the fee payment transmittal form, remittance of all appropriate fees, and a federal machine installation report. If applicable, a facility must submit construction or modification plans to ensure proper shielding. All radiation machine facilities must be registered before the radiation (x-ray) machine is operated. Radiation machine facilities with cardiac catheterization labs, computed tomography (CT) scanner(s), or linear accelerator(s) must provide a copy of the current license issued by the Maryland Department of Health and Mental Hygiene Office of Health Care Quality.

**POST-APPROVAL:** Any change in location of a radiation machine, even a move from one room to another, is subject to plan review and re-registration, and must be reported to the RHP.

### **How long should I expect it to take to get this approval once I submit a complete application?**

Up to 90 days for dental and veterinary machines  
Up to 6 months for all other machines

### **Once I get this approval, how long will it last?**

Each facility must apply for registration renewal every two years. Facilities must notify the Department in writing when they no longer own the x-ray unit and provide documentation from a registered service company that the radiation machine has been rendered inoperable, removed, or sold. Also, all fees must be paid before the Department will cancel the registration. The facility must also notify the Department in writing when the number of tubes increases or decreases.

### **How much will this approval cost?**

Type of Facility	Annual Fee per Machine
Dentists	\$80
Veterinarians	\$115
Mammography Facilities	\$100

For machines subject to certification, see the MDE approval, "Certification of Machines Emitting Radiation."

A late registration fee of from \$80 to \$2,500 per tube/facility/year may be assessed to facilities which do not register properly or on time as required.

### **Do I need to know any additional information?**

Fees are based on the number of operational tubes at a facility and must be paid before the registration process is complete. A payment transmittal form will be provided. All machines except those used in dental, veterinary, or mammography practices must also be periodically certified (see the MDE approval 1.15 "Certification of Machines Emitting Radiation.").

### **Who do I contact with additional questions?**

Eva Nair or Tina Rowand  
Radiological Health Program  
[enair@mde.state.md.us](mailto:enair@mde.state.md.us) or  
[crowand@mde.state.md.us](mailto:crowand@mde.state.md.us)  
(410) 537-3193

## 1.15 CERTIFICATION OF MACHINES EMITTING RADIATION

- ❑ *Question: Do I own a non-dental, non-veterinary, or non-mammography electronic radiation-producing machine?*

### Why do I need this approval?

All radiation machines in Maryland except mammography, dental and veterinary practices must be certified as meeting State performance standards to ensure minimal health risk and optimal safety of anyone exposed to its radiation. Affected facilities include hospitals, clinics, industries, government facilities and academic institutions that house operable x-ray machines.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: 21 Code of Federal Regulations, Chapter I, Subchapter J.

STATE: Environment Article, Title 8, Subtitle 3; COMAR 26.12.02.

### What is the process to get this approval?

- 1) Owners (other than dentists and veterinarians) must have a State licensed private inspector inspect the machine.
- 2) The inspector certifies to the Department that the machine functions properly and that necessary repairs have been made if violations have been cited.
- 3) The Department issues a certification approval letter. A state sticker with a unique machine number, which must be affixed to the machine, will be issued to machines not previously identified.

### Are there any other requirements?

PRE-APPROVAL: All applicants except dental and veterinary practices must hire a state licensed private inspector to examine the radiation machine and the facility, and produce certification data within the six months prior to the certification due date. If the machine is not in compliance, it must be repaired and then reevaluated by a state licensed inspector. An application must be submitted at least 45 days before the certification due date. Machines used by dentists and veterinarians are inspected by the Department every three years. Mammography facilities are inspected annually under the Mammography Quality Standards Act/ Food and Drug Administration contract

with the Department by certified mammography inspectors.

POST-APPROVAL: All radiation tubes and auxiliary devices, including film processing devices, are required to be maintained at optimum levels until the next scheduled certification.

### How long should I expect it to take to get this approval once I submit a complete application?

Up to 6 months

The certification processing time may be significantly reduced if the applicant contacts the Department well before the certification due date. To ensure that the inspection will be completed in time and that approval is issued prior to certification expiration, forward the necessary paperwork to the Radiological Health Program at least 45 days before the due date.

### Once I get this approval, how long will it last?

Must be renewed every one, two or three years depending on the equipment.

### How much will this approval cost?

Type of Equipment	Annual installments of a biennial fee:
Accelerators (a special high powered radiation machine)	\$500
Radiation machines used in general medical and hospitals	\$100
Machines used for research, other medical or industrial purposes	\$100

The fee must be paid before the machine can be certified.

### Who do I contact with additional questions?

Eva Nair  
Radiological Health Program  
[enair@mde.state.md.us](mailto:enair@mde.state.md.us)  
(410) 537-3193



## 1.16 RADIOACTIVE MATERIALS LICENSE

- ❑ *Question: Does my company in Maryland possess, manufacture, use or distribute radioactive materials for research, industrial or medical applications?*

### **Why do I need this approval?**

Many who intend to possess or use radioactive materials of certain quantities and types and establish a facility in Maryland must be licensed by the State to ensure that these materials are used properly and safely by qualified persons who have sufficient knowledge and training. Examples of such materials are either radioactive isotopes of elements that occur naturally (radium-226), are produced by an accelerator (fluorine-18), or generated as a by-product of a nuclear reactor (cobalt-60).

Industrial radiographers, hospitals, nuclear pharmacies, medical offices, radioactive source manufacturers, construction companies, laboratories (research and medical) and radiation consultants are among those who may require this license.

### **What laws or regulations give MDE the legal authority to issue this approval?**

FEDERAL: Section 274b. of the Atomic Energy Act, which gives Maryland full regulatory authority over radioactive materials users in the State.

STATE: Environment Article, Title 8, Subtitles 1 and 3; COMAR 26.12.01.01.

### **What is the process to get this approval?**

- 1) The licensee completes an initial or renewal application.
- 2) If the application is complete and satisfactory, and the appropriate fees are paid, a site visit is performed to verify new applicant data. Once accomplished the license is issued. If the application is incomplete, a deficiency letter is sent to the applicant.

### **Are there any other requirements?**

#### **PRE-APPROVAL:**

- 1) Training requirements for those who use radioactive materials range from four hours for the use of a well-shielded device containing sealed radioisotopes to a three-year training program for the use of sealed sources in medical therapy on humans.
- 2) Depending upon the specific use and circumstances, there may be a requirement for extensive protective and monitoring equipment.
- 3) The Radiological Health Program also evaluates the use of non-sealed source material that can readily contaminate the environment.

- 4) Prior to issuance of a new license, Radiological Health Program personnel will conduct an onsite inspection of facilities and personnel.

#### **POST APPROVAL:**

Continued license approval may depend on any or all of the following: occupational exposure, security and control of the material, inspection status reports, inventories, routine surveys, semi-annual leak tests, periodic meter calibration, and other routine equipment checks.

### **How long should I expect it to take to get this approval once I submit a complete application?**

Up to 7 months for new and renewal licenses

Up to 45 days for license amendments

There are many different types of radioactive material licenses. Processing times may vary within the 7 month period depending on the complexity of the process or operation covered by the application, the completeness of the initial application, the quality of any response to deficiencies and staff resources.

### **Once I get this approval, how long will it last?**

Seven years

### **How much will this approval cost?**

An annual fee of \$475 to \$9,125 will be assessed, depending on the complexity of the operation. Upon MDE receipt of your application, you will be billed for the appropriate annual fee. Do not send it with the application. This fee must be paid prior to licensing and is credited as the first year's annual fee. Once the annual licensing fees are paid, unlimited license amendments, inspections, investigations, etc. can occur at no further cost. The fee schedule is found in COMAR 26.12.03.

### **Do I need to know any additional information?**

Listing as an authorized user on a Nuclear Regulatory Commission or Agreement State license currently in effect is accepted as proof of adequate training and experience.

### **Who do I contact with additional questions?**

Barbara Park  
Radiological Health Program  
bpark@mde.state.md.us  
(410) 537-3301

## 1.17 PRIVATE INSPECTOR LICENSE FOR INSPECTING X-RAY MACHINES

- ❑ *Question: Do I intend to perform State of Maryland certification inspections for low and/or high-energy X-ray machines? **OR***
- ❑ *Question: Do I intend to perform mammography services?*

### **Why do I need this approval?**

This license is issued to qualified individuals who wish to inspect x-ray machines as part of the State's certification process. The license ensures that x-ray machines and accelerators are inspected by qualified health physicists who meet or exceed established criteria. Inspectors follow State approved and prescribed methods.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 8, Subtitle 3;  
COMAR 26.12.02.

### **What is the process to get this approval?**

- 1) The applicant must complete the required education and experience as found in COMAR 26.12.02.
- 2) The applicant must file a completed application with the Department.
- 3) The Department issues the license based on the applicant meeting the requirements.

### **Are there any other requirements?**

PRE-APPROVAL: Each applicant must forward a resume indicating formal education and applied radiation machine experience. The following experience is needed:

- a) The licensee shall have a level of training and applied radiation machine experience equal to or greater than one of the following sets of criteria:
  - (i) A bachelor's degree with 30 credit hours in the physical or biological sciences or mathematics, and 4 years of applied radiation machine experience acceptable to the Department,
  - (ii) A master's degree in health physics or medical radiological physics, and 2 years of applied radiation machine experience acceptable to the Department,
  - (iii) A doctor's degree in health physics or medical radiological physics, and 1 year of applied radiation machine experience acceptable to the Department,
  - (iv) Certification by the American Board of Health Physics or the American Board of Radiology, and 1 year of applied radiation machine experience acceptable to the Department, or
  - (v) An associate's degree with 15 credit hours in the physical or biological sciences or mathematics, and 10 years of applied radiation machine experience acceptable to the Department;

(b) In addition to the requirements listed above, a licensee who inspects radiation machines having energy levels greater than one million electron volts shall have at least 1 year of experience at activities that provide information useful in the determination of compliance of these radiation machines with Section F.9 and Part I of the Maryland Department of the Environment "Regulations for the Control of Ionizing Radiation (1994)" which is incorporated by reference in COMAR 26.12.01.01, or the equivalent regulations of the federal government or of any other state.  
POST-APPROVAL: At the Department's request, a state-licensed inspector must be prepared to demonstrate that the inspection methods used are at least as accurate and precise as those used by the Department. Inspectors must also be prepared to defend their work if the machine user should challenge it. The State licensed inspector must renew his or her license prior to the expiration date given by submitting an application.

### **How long should I expect it to take to get this approval once I submit a complete application?**

Up to 60 days

### **Once I get this approval, how long will it last?**

Maximum of three years

### **How much will this approval cost?**

No fee.

### **What about performing physics work for mammography facilities?**

For those individuals licensed to perform state certification inspections, an option also exists for receiving state approval to conduct physics work at mammography facilities. The Licensed Inspector must request a review for this approval and submit required documentation. The Department evaluates the submission based on 21 CFR Part 900 requirements and will issue the additional approval, if appropriate.

### **Who do I contact with additional questions?**

Eva Nair  
Radiological Health Program  
[enair@mde.state.md.us](mailto:enair@mde.state.md.us)  
(410) 537-3193

## 1.18 RECIPROCAL RECOGNITION OF OUT-OF-STATE RADIOACTIVE MATERIALS LICENSES

- ❑ *Question: Will my out-of-state company be able to conduct activities in Maryland that are authorized in my out-of-state radioactive material license under reciprocal recognition?*

### Why do I need this approval?

As an Agreement State under the Atomic Energy Act, Maryland is obliged to recognize radioactive material licenses (see section 1.15) issued by the U. S. Nuclear Regulatory Commission (NRC) or any of the other 32 Agreement States to licensees with out-of-state facilities. The licensee must, however:

- Meet procedural requirements for working in Maryland;
- Obtain an authorization letter from the Department;
- Pay a reciprocity fee; and
- Notify the Department three days (72 hours) prior to working in the State.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Atomic Energy Act of 1954, as amended, §274b.

STATE: Environment Article, Title 8; COMAR 26.12.01.01 Section C.90.

### What is the process to get this approval?

A licensee must file an authorization request that includes:

- a) A copy of the current NRC or agreement state license and referenced procedures;
- b) Documentation of radiation safety training for all users of radioactive materials;
- c) Exact dates of work and location(s) with approximate work time(s) of day;
- d) Names of scheduled workers;
- e) Vehicle identification for the vehicle that will be used to transport/store radioactive material at the job site including vehicle make, year, tag number;
- f) A list of emergency personnel and their phone numbers (24-hours);
- g) Name, address, and telephone number of client;
- h) Name and telephone number of a contact at the work site;
- i) Source and device information, including serial numbers and the date of the last leak test; and
- j) Storage method in Maryland.

### Are there any other requirements?

Reciprocal recognition requires written notification of a licensee's intent to work in Maryland. The Department now accepts reciprocity requests via e-mail at [reciprocity@mde.state.md.us](mailto:reciprocity@mde.state.md.us). Specific instructions for new requests, and changes or extensions to existing requests can be found on the Radiological Health section of the Department's web site at:

[http://www.mde.state.md.us/Programs/AirPrograms/RadiologicalHealth/radioactive\\_forms/recipnotify.asp](http://www.mde.state.md.us/Programs/AirPrograms/RadiologicalHealth/radioactive_forms/recipnotify.asp).

### How long should I expect it to take to get this approval once I submit a complete application?

Up to 21 days

### Once I get this approval, how long will it last?

Authorization to use radioactive materials under reciprocity shall not exceed 180 days in any twelve (12) consecutive month period. Prior to that time, a written request may be made that reciprocity remain in force.

### How much will this approval cost?

\$475-\$9,125 per year depending on the complexity of the operation and the content of the license. This fee must be paid before any work will be authorized and is identical to the fee for in-State licenses. The fee schedule is found in COMAR 26.12.03.

### Do I need to know any additional information?

Radioactive materials users approved to work in Maryland must have specific documents listed in the reciprocity letter, in their possession, as well as a copy of COMAR 26.12.01.01, entitled "Regulations for Control of Ionizing Radiation (1994)", and copies of both the request for authorization and the Department's reciprocity letter. Section C.90 of the regulations refers to requirements for reciprocity.

The Department must be notified in the event of the following changes:

- 1) By 9 AM, if previously scheduled work is not to be performed;
- 2) By 4 PM, if work scheduled after regular hours is not to be performed;
- 3) Anytime if personnel leave a work site before half of the scheduled work period has passed; and
- 4) Anytime submitted work times are rescheduled or changed.

Any incident occurring in Maryland such as personnel overexposure, loss or theft of any device containing a sealed radiation source, leakage due to loss of source integrity, severe damage to the device causing or threatening to cause excessive radiation or loss of source integrity or any other event requiring notification of local civil authorities shall be immediately reported to the Department:

- After hours (866) 633-4686
- During work hours (410) 537-3300

### Who do I contact with additional questions?

Jim Lewis  
Radiological Health Program  
[jlewis@mde.state.md.us](mailto:jlewis@mde.state.md.us)  
410-537-3301

## 1.19 RADIOACTIVE MATERIAL GENERAL LICENSE REGISTRATION

- ❑ *Question: Will my company be required to register its possession of generally licensed radioactive material and must I comply with existing Maryland regulations?*

### **Why do I need this approval?**

As an Agreement State under the Atomic Energy Act, Maryland requires most recipients of a generally licensed radioactive material to register with MDE's Radiological Health Program. The licensee must:

- Meet the requirements in the Maryland regulations;
- Register the general licensed sources of radiation with the Department; and
- Pay a \$100 fee for each separate facility site with possession of the general licensed material.

### **What laws or regulations give MDE the legal authority to issue this approval?**

FEDERAL: Atomic Energy Act of 1954, as amended, §274b.

STATE: Environment Article, Title 8; COMAR 26.12.01.01 Section C.22.

### **What is the process to get this approval?**

Within 30 days of receipt of the general licensed material the company must register the radiation sources with MDE's Radiological Health Program. Information specific to registration can be found on the MDE Website at [http://www.mde.state.md.us/Programs/AirPrograms/Radiological\\_Health/radioactive\\_forms/index.asp](http://www.mde.state.md.us/Programs/AirPrograms/Radiological_Health/radioactive_forms/index.asp). A company with generally licensed material must pay \$100 for each company site that has generally licensed radioactive material. All users of this material must

remain in compliance with COMAR 26.12.01.01 Section C.22 regulations.

### **Are there any other requirements?**

For certain types of general licensed radioactive material sources, General License Device Certification is required. The types of radioactive material and activity levels applicable to certification, as well as a link to the Certification form, can be found at the MDE Website listed above.

### **How long should I expect it to take to get this approval once I submit a complete application?**

Up to 30 days.

### **Once I get this approval, how long will it last?**

Registration for already possessed generally licensed radioactive material is valid for 12 months. Any newly acquired sources must be registered with MDE within 30 days of receipt.

### **How much will this approval cost?**

\$100 annual fee for each separate facility site with possession of the general licensed material.

### **Who do I contact with additional questions?**

Jim Lewis  
Radiological Health Program  
[jlewis@mde.state.md.us](mailto:jlewis@mde.state.md.us)  
410-537-3301

## 1.20 Registered Service Provider for X-ray Machines

- ❑ *Question: Do I own or operate a radiation machine service or sales company in Maryland? OR*
- ❑ *Question: Do I have a radiation machine service or sales company outside of Maryland, but provide services or sales within the state?*

### **Why do I need this approval?**

Registration with the State helps ensure that x-ray machines and accelerators are serviced, sold and installed by qualified persons and companies. Registration is required before you or your company can perform services that include the sale, lease, transfer, loan, or disassembly/disposal of any radiation machine in addition to the assembly of X-ray producing equipment.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 8, Subtitle 3; COMAR 26.12.01 and 02.

### **What is the process to get this approval?**

The applicant must file a completed application with the Department (RX-25).

The application specifies exactly the activities the person or entity proposes to perform.

The Department issues a letter of registration approval on review and acceptance of the application.

### **Are there any other requirements?**

The applicant must:

1. Attest to having the experience and skill base to perform the services indicated, and
2. Comply with COMAR 26.12.01.01 Section B.12 “Assembler and/or Transfer or Service Obligation”, and
3. Understand the requirements of COMAR 26.12.01.01B.4 - B.12.

Service Providers requesting to provide Inspection services must comply with the educational and experience requirements of 1.16 Private Inspector License for Inspecting X-ray Machines.

### **How long should I expect it to take to get this approval once I submit a complete application?**

Up to 60 days

### **Once I get this approval, how long will it last?**

Maximum of two years

### **How much will this approval cost?**

There are no fees for this registration.

### **Who do I contact with additional questions?**

Eva Nair  
Radiological Health Program  
[enair@mde.state.md.us](mailto:enair@mde.state.md.us)  
(410) 537-3193



## 1.21 Energy Facility Permitting Information: CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (PUBLIC SERVICE COMMISSION)

- ❑ *Question: Am I building a facility that generates electricity and connects with the electric grid?*

### **Why do I need this approval?**

Anyone constructing an electric generating station, including emergency back-up power, must apply for and obtain one of the following:

For larger power generation projects, a Certificate of Public Convenience and Necessity (CPCN) from the Public Service Commission (PSC); or

For smaller power generation projects which meet certain applicability thresholds established by the PSC, a CPCN waiver from the Public Service Commission. In addition to the waiver, an applicant must also apply for and receive an air quality permit to construct prior to constructing or operating the generator.

The Public Service Commission is required, pursuant to the Public Utility Companies (“PUC”) Article of the Annotated Code of Maryland to grant its approval prior to the construction of a generating station in Maryland.

Large generating stations routinely require a Certificate of Public Convenience and Necessity (CPCN) under PUC Article §§ 7-207 and 7-208. However, PUC Article §7-207.1 provides that certain power generation projects may be exempted from the CPCN process. In order to qualify for this exemption, applicants proposing to install these smaller electric generators must fill out a CPCN exemption application and obtain a waiver from the PSC.

### **What laws or regulations give MDE the legal authority to issue this approval?**

MDE does not issue the CPCN. Rather, the Public Service Commission (under the authority of Public Utility Companies Article, §§2-121 and 7-205 - 7-208 of the Annotated Code of Maryland) issues a CPCN. The CPCN incorporates Maryland’s pre-construction air permitting requirements, including non-attainment 1.03 New Source Review, 1.04 Prevention of Significant Deterioration (PSD) and other air quality regulations, as applicable. Once a facility is constructed, any additional permits such as a 1.05 State Permit to Operate or a federal 1.06 Part 70 Operating Permit are issued by MDE. The CPCN may also replace the 3.15 Water Appropriation and Use Permit.

### **What is the process to get this approval?**

(1) CPCN- Applicant must submit an application to the Public Service Commission which summarizes the proposed project and its impacts. Cases before the PSC are structured as administrative law proceedings before a Hearing Examiner with lawyers representing the various parties involved. Parties to a case include

the applicant, the Power Plant Research Program of the Department of Natural Resources (acting on behalf various State agencies), the PSC staff and the Office of People’s Counsel (acting on behalf of the Maryland ratepayers). Phasing of construction, various waivers, and specific scheduling requests are generally addressed in a pre-hearing conference or at various points along the process. The PSC’s Hearing Examiner takes into consideration the license conditions recommended by the state, and the testimony and briefs filed by the applicant and all other parties, and issues a decision in the form of a proposed order on whether the CPCN should be granted and under what conditions. After a prescribed appeal period, a final order is released.

(2) CPCN waiver- Applicant must submit an application to the Public Service Commission to obtain a waiver. These applications are available on the PSC’s website. Per the PSC’s website, the first step in obtaining a waiver is to contact the local power distribution company where the unit will be installed. The local power distribution company will provide a letter to you indicating that an inter-connection, maintenance and operation agreement is not necessary for the proposed project. Alternatively, the power distribution company will provide information that will allow you to complete such an agreement. The PSC also has requirements for who is eligible to sign the waiver application. Specifically, consultants or contractors assisting an applicant cannot sign the application on behalf of the owner/operator of the proposed generating unit.

### **Are there any other requirements?**

(1) CPCN- For further information on power plant licensing, contact the Public Service Commission or the Power Plant Research Program (PPRP) at the Maryland Department of Natural Resources (DNR) or visit the following website:

<http://esm.versar.com/pprp/licensing/licensing.html>

(2) CPCN waiver- For further information on the CPCN waiver, contact the Public Service Commission or visit the following website:

[http://www.psc.state.md.us/psc/electric/CPCNExemptions\\_FAQ.htm](http://www.psc.state.md.us/psc/electric/CPCNExemptions_FAQ.htm).

### **How long should I expect it to take to get this approval once I submit a complete application?**

(1) CPCN- See PSC’s website

(2) CPCN waiver- The PSC's website indicated that it can take up to two months for an installation that does not involve any interconnection issues.

**Once I get this approval, how long will it last?**

- (1) CPCN- the timeframe is as specified in the CPCN
- (2) CPCN waiver- No timeframe

**How much will this approval cost?**

- (1) CPCN- see PSC's website
- (2) CPCN waiver- \$500 filing fee (waived for Federal and State agencies)

**Do I need to know any additional information?**

- (1) CPCN- see PSC's website
- (2) CPCN waiver- see PSC's website

**Who do I contact with additional questions?**

- (1) Energy and Resources and Markets Division of the PSC  
410-767-8059
- (2) Air Quality Permits Program, MDE  
410-537-3230
- (3) Power Plant Research Program, DNR  
410-260-8660

## 2.01 REFUSE DISPOSAL PERMITS

❑ *Question: Do I accept, process, transfer or dispose of solid waste?*

### Why do I need this approval?

This permit ensures the proper disposal of solid waste in an environmentally acceptable manner while protecting public health and the environment including surface and ground water.

Any person who installs, materially alters, or extends a refuse disposal system must obtain this permit. Refuse disposal systems which require this permit include:

- Municipal landfills
- Land clearing debris landfills
- Industrial waste landfills (*NOTE: Pending regulations will require this permit for disposal of coal combustion byproducts in industrial waste landfills.*)
- Rubble landfills
- Incinerators (municipal and special medical wastes)
- Transfer stations
- Processing facilities
- Processing and transfer facilities

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Resource Conservation and Recovery Act (RCRA) Subtitle D and 40 CFR Parts 257 and 258 for municipal landfills only

STATE: Environment Article - Title 9, Subtitle 2, Annotated Code of Maryland; COMAR 26.04.07.

### What is the process to get this approval?

For transfer stations; processing facilities; processing and transfer facilities which are not subject to the public participation requirements of §1-601 of the Environment Article:

1) The required number of copies of the completed application and supporting information are filed.

Type of Facility	Number of Copies of Completed Application Required
Transfer Stations	12
Processing Facilities	12
Processing and Transfer Facilities	12
Landfills	13

2) The Department reports the finding of its preliminary technical review in writing to the local government. Approval from the local government must be received prior to the processing of the permit application.

3) The applicant prepares and submits detailed engineering plans and specifications including an operating manual for the proposed facility.

4) The Department distributes the application to interested local, State, and federal agencies for review and comment, and conducts an inspection of the proposed site.

5) Once the application is deemed technically complete and the review process is complete, the Department issues the permit.

For incinerators and all landfills which are subject to the public participation requirements of §1-601 of the Environment Article:

1) In addition to steps 1-2 above, the Department prepares and publishes a notice of the receipt of the application and an opportunity to request or schedule a public information meeting in accordance with §1-601 of the Environment Article. Designated elected and local officials are notified by certified mail.

2) For incinerators: a) The applicant prepares and submits detailed engineering plans and specifications including an operating manual for the proposed facility. b) The Department distributes these documents to interested local, State and federal agencies for review and comments.

3) For landfills: a) The applicant must submit a hydrogeological assessment of the site, a conceptual facility plan, and detailed engineering plans and specifications, including an operating manual for the proposed landfill, (municipal landfills must also submit one year of ground water data). b) The Department distributes these documents to interested local, State and federal agencies for review and comments. c) After review, the Department holds a plan review meeting with the applicant and other interested agencies. d) After evaluating this information, recommendations for design considerations are presented to the applicant, and plans and specifications are developed and submitted for review and comment. The plans are also submitted to other interested agencies for review and comment. e) Once the Department's technical requirements are satisfied, a draft tentative determination is prepared and a public hearing is scheduled.

4) Owners of adjacent properties are notified. The applicant is required to post a notice of the permit application and information relating to the public meeting and public hearing. Application documents are placed in a local repository for public review.

5) After completion of the technical review, the Department prepares and publishes:

a. A notice of tentative determination regarding the permit application, which may include a draft permit and provide an opportunity to request a public hearing or to schedule a public hearing.

b. After the close of the record, the Department provides written responses to the comments, makes a final determination on the application, and publishes a notice.



c. If a final determination is not required, the Department's tentative determination becomes a final decision. The issuance of a permit may be subject to a contested case proceeding pursuant to §1-605 of the Environment Article.

\* Public hearings for other permit applications for the same facility may be consolidated.

**Before I apply for this approval, do I need to get any approvals from the local or federal government?**

The local government must provide a written statement to the Department that the proposed refuse disposal system is in conformity with the approved solid waste management plan and meets all applicable local zoning and land-use requirements. For rubble landfills, specified wastes which are authorized to be disposed in the landfill must be listed in the county solid waste management plan.

A local construction or occupancy permit may also be required.

For incinerators, §9-204.1 of the Environment Article provides that the Department may not issue a permit unless the county where the proposed incinerator is to be located has a recycling plan submitted and approved in accordance with §9-505 of the Environment Article. Local authorities also approve any erosion and sediment control plans, and grading or building plans required for most proposals.

**Is this approval directly related or contingent on other approvals?**

Other approvals that may be required include:

Various facilities including landfills and processing facilities may require air management or water discharge permits, a water quality certification issued by the Water Management Administration and/or a joint State/Federal Wetlands permit. Unlined rubble landfills are required to maintain a groundwater discharge permit until such time as the Department determines that a regulated discharge is no longer occurring (2.02);

Erosion/sediment control approval (3.21);  
Federal Aviation Administration approval of stack height or landfill location.

In some instances, State/Federal Joint wetlands permits (3.19, 3.20) may also be required.

**Are there any other requirements?**

**PRE-APPROVAL:**

Applications for refuse disposal permits for landfills and incinerators are subject to the public participation requirements of the Administrative Procedure Act (APA) as defined in §1-601 of the Environment Article.

§9-204(e)(1)(::) of the Environment Article provides that an applicant for any solid waste acceptance facility in areas of Baltimore City designated by the U.S Post Office as zip codes 21225, 21226 and 21230 must submit to the Department a groundwater and surface water impact analysis prepared at the expense of the

applicant regarding the proposed installation, alteration or extension.

§9-204(k)(1) of the Environment Article provides that the Department may not issue any permit to construct or operate an incinerator for disposal of a solid waste stream within one (1) mile of a public or private elementary or secondary school.

§9-204(l)(1) of the Environment Article provides that the Department may not issue any permit to construct or operate a transfer station in Prince George's County for disposal of solid waste within 2 miles of Bowie State University.

§9-204(m) of the Environment Article provides that the Department may not issue a permit to construct and operate a landfill within 4 miles of Unicorn Lake in Queen Anne's County, or within 1 mile of any other tributary in Prince George's County that flows directly or indirectly into the Potomac River.

Also, §9-225 of the Environment Article provides that the Department may not issue a permit for a landfill that would be located within one half mile of any hospital.

Prior to issuance of a permit to a private person for a landfill, incinerator or transfer station, the applicant must provide a bond or security payable to the county government where the facility is to be located in an amount consistent with the provisions of §9-211 of the Environment Article.

Applicants for landfills must provide documentation of deed amendments which restrict future land use on the site and must submit documentation of compliance with worker's compensation insurance coverage as required by §1-202 of the Environment Article.

**How long should I expect it to take to get this approval once I submit a complete application?**

Applicants may expedite this process by submitting complete applications with all supporting documentation and approvals.

Type of Facility	Turnaround Time
Solid waste transfer station	7 months
Solid waste processing facility	9 months
Processing and transfer facility	9 months
Solid waste incinerator & land clearing debris landfill	12 months
Industrial landfill	24 months
Rubble and municipal landfills	36 months

**Once I get this approval, how long will it last?**

Maximum of five years

**How much will this approval cost?**

No fee.

**Who do I contact with additional questions?**

A.Hussain Alhija or Kassa Kebede (Landfills only)  
Solid Waste Program

[halhija@mde.state.md.us](mailto:halhija@mde.state.md.us) or

[kkebede@mde.state.md.us](mailto:kkebede@mde.state.md.us)

(410) 537-3375 or (410) 537-3318

## 2.02 GROUND WATER DISCHARGE PERMIT FOR UNLINED RUBBLE LANDFILLS

- ❑ *Question: Do I own a closed, unlined rubble landfill that discharges leachate to groundwater?*

### **Why do I need this approval?**

A groundwater discharge permit, along with a refuse disposal permit, includes limitations and requirements deemed necessary to protect public health and minimize groundwater pollution. Groundwater discharge permits for rubble landfills regulate the discharge of pollutants that may be generated as a result of rain water or groundwater passing through the rubble waste in an unlined disposal cell and seeping into groundwater beneath the landfill. Rubble waste consists primarily of waste resulting from construction and demolition activities and land clearing debris. All rubble landfills constructed after July 1, 2001 are required to have liners and leachate collection systems, so groundwater discharge permits are no longer needed for new rubble landfills. However, existing unlined rubble landfills are required to maintain these permits until such time as the Department determines that a regulated discharge is no longer occurring.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 9, Subtitle 3; COMAR 26.08.01 through 26.08.04 and COMAR 26.08.07.

### **What is the process to get this approval?**

- 1) Submit a complete application form.
- 2) The Department prepares and publishes a notice of the application received and provides an opportunity to request an informational meeting in accordance with §1-601 of the Environment Article.
- 3) The Department holds an informational meeting, if requested.
- 4) After completion of the technical review:
  - a. The Department prepares and publishes a notice of tentative determination regarding the permit application, which may include a draft permit and provide an opportunity to request a public hearing or to schedule a public hearing.
  - b. The Department holds a public hearing, if requested.

c. After the close of the record, the Department provides written responses to the comments, makes a final determination on the application, and publishes a notice of final determination.

d. If a final determination is not required, the Department's tentative determination becomes a final decision. The issuance of a permit may be subject to a contested case proceeding pursuant to §1-605 of the Environment Article.

### **Before I apply for this approval, do I need to get any approvals from the local or federal government?**

No.

### **Is this approval directly related or contingent on other approvals?**

No.

### **Are there any other requirements?**

PRE-APPLICATION REVIEW: No pre-application review is required.

POST-APPROVAL: The permittee must comply with the permit conditions to avoid enforcement actions.

### **How long should I expect it to take to get this approval once I submit a complete application?**

6 months

An applicant can reduce this time frame by sending a complete application including chemical test results.

### **Once I get this approval, how long will it last?**

Maximum of five years

### **How much will this approval cost?**

Annual permit fee: \$100 to \$5,000 depending on the volume of the discharge.

### **Who do I contact with additional questions?**

Kassa Kebede  
Solid Waste Program  
[kkebede@mde.state.md.us](mailto:kkebede@mde.state.md.us)  
(410) 537-3318

## 2.03 SEWAGE SLUDGE UTILIZATION PERMITS

- ❑ *Question: Am I utilizing, treating, composting, transporting, storing, distributing, applying on land, incinerating, conducting an innovative or research project or disposing of sewage sludge or a product containing sewage sludge?*

### Why do I need this approval?

Sewage sludge (also known as biosolids) is not sewage. It is one of the final products of the treatment of sewage at a wastewater treatment plant. After treatment to break down the organic matter and destroy disease causing organisms, the remaining fine particles ultimately become sewage sludge. The application of sewage sludge to land returns essential nutrients to the soil, adds organic matter, and can improve the tillability and moisture retention capability of the soil.

A sewage sludge utilization permit is required for any person who treats, composts, transports, stores, distributes, applies to land, incinerates, conducts innovative or research projects or disposes of sewage sludge or septage (effluent from septic tanks) in Maryland.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article - Title 9, Subtitle 2, Annotated Code of Maryland; COMAR 26.04.06.

### What is the process to get this approval?

1) The applicant submits a completed application and the six copies (4 copies for renewals) to be distributed to local agencies.

2) The Department conducts an inspection of the proposed site.

3a) For applications to apply sewage sludge to marginal land (reclamation site), or for the construction of a permanent facility (a treatment or composting facility, or an incinerator), the Department will publish a notice of application received in a local newspaper. Upon request from the local government, the Department will publish notice and conduct a public informational meeting for applications to apply sewage sludge to agricultural land or a public hearing on an application to apply sewage sludge to marginal land (reclamation site) or for construction of a permanent facility; or

3b) For applications to install, materially alter or materially extend a structure used for the storage or distribution of sewage sludge, After completion of the technical review of the application, the Department prepares and publishes a notice of tentative determination and public hearing regarding the permit application.

4) After the close of the public hearing record, the Department provides written responses to the comments and publishes a notice of final determination on the application, and if a final determination is not required, the Department's tentative determination becomes a final decision.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Some counties have delegated authority for septage management. Check with the specified county. Sewage sludge storage and composting facilities must comply with county zoning and land use requirements and provide a written statement that the county does not oppose the issuance of the permit for a composting facility.

### Are there any other requirements?

PRE-APPROVAL: Non-governmental permittees must maintain the bonding requirements as specified in COMAR 26.04.06.07.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Application to agricultural or marginal land	10 months
Innovative projects	24 months
Research projects	45 days
Utilization or disposal at municipal landfill	5 months
Transportation	4 months
Treatment, burning, or storage	23 months
Sewage sludge landfill	36 months
Handling/Distribution	6 months

### Once I get this approval, how long will it last?

Maximum of five years for all sewage sludge utilization permits except treatment (composting facilities), which are three-year permits.

### How much will this approval cost?

Type of Approval	Application and renewal fees:
Application to agricultural land	\$175
Application to marginal land (reclamation site)	\$350
Innovative projects (topsoil creation and use or other innovative projects)	\$750
Research projects	\$25
Utilization at a sanitary landfill (for closure cap)	\$125
Disposal at a sanitary landfill (mix with solid waste or as cover material)	\$350
Transportation (to out of state or another WWTP)	\$45

Type of Approval	Application and renewal fees:
Burning (construct and operate an incinerator)	\$750
Storage Facility	\$350
Sewage sludge landfill (construct and operate)	\$350
Treatment (construct and operate PSRP, PFRP facility)	\$350
Handling (distribution of PFRP or other distribution)	\$750
Minor modification	\$40
Major modification	\$130

#### **Do I need to know any additional information?**

The Department may enter into a contract with a county, upon request, to provide supplemental inspections and monitoring of sewage sludge utilization activities. Sewage sludge that is utilized on land requires the written consent of the property owner.

#### **Who do I contact with additional questions?**

A.Hussain Alhija  
Solid Waste Program  
[halhija@mde.state.md.us](mailto:halhija@mde.state.md.us)  
(410) 537-3375

## 2.04 NATURAL WOOD WASTE RECYCLING FACILITY PERMITS

- ❑ *Question: Am I recycling natural wood waste, like tree stumps, brush or limbs?*

### Why do I need this approval?

The permit assures the proper management and recycling of natural wood wastes such as tree stumps, brush and limbs, root mats, logs, leaves, grass clippings, unadulterated wood wastes, and other natural vegetative materials that are generated when land is cleared for construction purposes. These facilities produce a variety of products including compost and mulch which may be sold to consumers. The permit is required for those persons who construct and operate natural wood waste recycling facilities. (A natural wood waste recycling facility DOES NOT include a collection or processing facility operated by a nonprofit or governmental organization located in the State, or single individual or business that provides recycling services solely for its employees or for its own recyclable materials generated on its own premises.) Since the conditions required for several types of natural wood waste recycling facilities are similar regardless of location, and have been regulated by almost identical permit provisions, the Department developed a general permit for these similar activities. This general permit authorizes operation of certain types of natural wood waste recycling activities within the State of Maryland. The general permit contains conditions and parameters applicable to the several similar natural wood waste recycling facilities covered under the general permit. The Department may exclude a particular facility from coverage under the general permit and require the applicant to submit a separate application for an individual Natural Wood Waste Recycling Permit pursuant to COMAR 26.04.09.04A(2)a.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article - §9-1701 and §9-1708;  
COMAR 26.04.09.

### What is the process to get this approval?

#### FOR INDIVIDUAL PERMITS

- 1) Submit 11 copies of a completed application with supporting information to the Department.
- 2) Within 30 days of submitting an application, the applicant is required to publish a notice of application submitted and opportunity for comment in a newspaper with general circulation in the county where the proposed facility is to be located.
- 3) The Department distributes copies of the application to state, local and federal agencies for review and comment and conducts an inspection of the proposed site.
- 4) Once the application is deemed technically complete and the review process is complete, the Department issues the permit.

#### FOR GENERAL PERMITS:

- 1) Submit to the Department the required Notice of Intent (NOI) and Emergency Preparedness Manual (EPM). Submission of a NOI signifies that the signatory party intends to be authorized to operate a natural wood waste recycling facility.
- 2) The Department reviews the NOI and EPM for completeness.
- 3) Authorization to operate a natural wood waste recycling facility under the general permit is effective in the date the Department acknowledges receipt of the NOI.

### Is this approval directly related or contingent on other approvals?

No

### Are there any other requirements?

Applicants for an individual natural wood waste recycling facility permit must submit a completed application and documentation regarding other environmental permitting requirements to the Department. Applicants will be responsible for all publication costs for public notices. Responsible parties desiring to operate under a general natural wood waste recycling facility permit may submit to the Department a NOI and and EPM prepared in accordance with the requirements of COMAR 26.04.09.07F. In some instances, the Water Management Administration General Stormwater Permit (3.03) or Department of Natural Resources Management Permits may be required.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Individual Permits	9 months
General Permits	30 days

### Once I get this approval, how long will it last?

Maximum of five years

### How much will this approval cost?

No fee.

### Who do I contact with additional questions?

A.Hussain Alhija  
Solid Waste Program  
[halhija@mde.state.md.us](mailto:halhija@mde.state.md.us)  
(410) 537-3375



## 2.05 SCRAP TIRE LICENSES AND APPROVALS

❑ *Question: Am I accumulating, storing, hauling, recycling or processing scrap tires?*

### Why do I need this approval?

Any person who accumulates, stores, hauls, recycles or processes scrap tires as tire derived fuel (TDF) will require the appropriate authorization. The necessary licenses or approvals are listed below.

A Scrap Tire Hauler License is for persons who, as part of a commercial business, transport more than five scrap tires annually to or from a scrap tire facility licensed or approved by the Department.

A Scrap Tire Collection Facility License is for facilities which accumulate scrap tires temporarily and transfer the tires to other scrap tire facilities licensed or approved by the Department. The categories are based on the number of scrap tires at a site at any one time:

a) General Scrap Tire Collection Facility - accumulates no more than 50 scrap tires on site at any one time.

b) Secondary Scrap Tire Collection Facility - accumulates up to 1,500 scrap tires on the site at any one time.

c) Primary Scrap Tire Collection Facility - accumulates more than 1,500 scrap tires are on site at any one time.

A Scrap Tire Recycler License is for facilities that recycle or process scrap tires into raw materials or products that may be returned to the marketplace.

A Tire Derived Fuel or Substitute Fuel Facility Approval is for permission to utilize scrap tires (whole or chipped) as a fuel or supplemental fuel.

A Solid Waste Acceptance Facility Approval is to authorize the processing of scrap tires at any permitted landfill, incinerator, transfer station, or processing facility.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: §9-228 Environment Article, Annotated Code of Maryland; COMAR 26.04.08.

### What is the process to get this approval?

1) An applicant submits a completed application and the required information.

2) The Department may conduct a public information meeting for a primary scrap tire collection facility, scrap tire recycling facility or scrap tire derived fuel or substitute fuel facility.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Proper zoning from the county is required if the proposed facility is designated by the Maryland Environmental Service (MES) as a "scrap tire recycling system."

Any scrap tire facility that wants to be included in the scrap tire recycling system must make application to the MES and submit the following:

1) Certification by the county or municipal corporation that the facility meets all applicable zoning and land use requirements.

2) A letter from the county stating that the facility is in conformance with the county solid waste management plan and that the facility will be included in the next update of the plan.

3) Applicants applying to become part of a scrap tire recycling system must provide financial assurance documentation and certified financial statements.

### Is this approval directly related or contingent on other approvals?

No.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Scrap Tire Hauler, General and Secondary Scrap Tire Collection Facility	60 days
Scrap Tire Solid Waste Acceptance Facility and TDF/Substitute Fuel Facility	7 months
Primary Collection Facility and Scrap Tire Recyclers	9 months

### Once I get this approval, how long will it last?

All scrap tire licenses and approvals must be renewed every five years. General scrap tire collection facility licenses have no expiration date.

### How much will this approval cost?

No fee.

### Who do I contact with additional questions?

A.Hussain Alhija  
Solid Waste Program  
[halhija@mde.state.md.us](mailto:halhija@mde.state.md.us)  
(410) 537-3375

## 2.06 OIL OPERATIONS PERMIT

- ❑ *Question: Does my company have a total above ground tank capacity of 10,000 gallons or more for the storage of oil intended to be used as a motor fuel, lubricant or fuel source, including ethanol and biodiesel products? **OR***
- ❑ *Question: Does my company have a total above ground tank capacity of 1,000 gallons or more for the storage of used oil? **OR***
- ❑ *Question: Does my company transport oil within, into, or out of, the State in trucks, transports, or vacuum trucks having a hauling capacity of more than 500 gallons of oil?*

### **Why do I need this approval?**

Any person who stores 10,000 gallons or more of oil intended to be used as a motor fuel, lubricant or fuel source in above ground tanks, who stores 1,000 gallons or more of used oil, who transports oil in or out of Maryland or who operates an oil transfer facility must obtain this permit.

Any person who stores LESS than 10,000 gallons of non-edible oil in above ground tanks, LESS than 1,000 gallons of used oil or ANY quantity of edible oil not intended to be used as a motor fuel, lubricant or fuel source is NOT required to apply for this permit. These facilities are still responsible for meeting specific spill reporting, construction and attendance requirements in COMAR 26.10.01.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article - §4-405, Annotated Code of Maryland; COMAR 26.10.01.07.

### **What is the process to get this approval?**

1) Applications should be submitted to:  
Maryland Department of the Environment  
Permitting and Customer Services  
1800 Washington Boulevard, Suite 735  
Baltimore, MD 21230-1720  
Fax - (410) 537-4477

- 2) The Oil Control Program reviews the application and schedules with the applicant to inspect the site.
- 3) The Department issues or denies the permit.

### **Is this approval directly related or contingent on other approvals?**

Any person who owns or operates a stationary gasoline storage tank greater than 2,000 gallons capacity is required to have an Air Quality General Permit to Construct (1.01).

A person who owns or operates a gasoline storage tank, 20,000 gallons or greater capacity, must apply for an individual Air Permit to Construct (1.02).

### **How long should I expect it to take to get this approval once I submit a complete application?**

90 days

### **Once I get this approval, how long will it last?**

5 years

### **How much will this approval cost?**

No fee.

### **Who do I contact with additional questions?**

Permits and Support Division  
Oil Control Program  
(410) 537-3442

## 2.07 OIL OPERATIONS PERMIT FOR OIL CONTAMINATED SOILS

- ❑ *Question: Does my company plan to store, treat, handle or process soils that have been contaminated with oil?*

### **Why do I need this approval?**

An oil operations permit for treatment of oil-contaminated soils is required for anyone who stores and treats oil-contaminated soil.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article - §4-405, Annotated Code of Maryland; COMAR 26.10.13.

### **What is the process to get this approval?**

- 1) Applicant submits a completed application to the Department. Applications should be submitted to:  
Maryland Department of the Environment  
Oil Control Program  
Permits and Support Division  
1800 Washington Boulevard, Suite 735  
Baltimore, MD 21230-1720  
Fax - (410) 537-4477
- 2) The Oil Control Program conducts a review of the proposed operation and inspects the location of the facility.
- 3) The Oil Control Program conducts a public information meeting.
- 4) The Oil Control Program may prepare written responses to questions and comments on the proposed treatment facility.
- 5) The Department issues or denies the permit.

### **Before I apply for this approval, do I need to get any approvals from the local or federal government?**

Local zoning and land use approvals for the proposed treatment facility must be obtained and written documentation from the zoning authority must be provided.

### **Is this approval directly related or contingent on other approvals?**

Depending on equipment used to process or treat oil-contaminated soils, a permit may be required from the Air and Radiation Management Administration (1.01 – 1.05).

### **How long should I expect it to take to get this approval once I submit a complete application?**

90 days

### **Once I get this approval, how long will it last?**

5 years

### **How much will this approval cost?**

No fee.

### **Do I need to know any additional information?**

In the event that other permits are required, the Department may conduct combined public meetings for all permit applications.

### **Who do I contact with additional questions?**

Permits and Support Division  
Oil Control Program  
(410) 537-3442



## 2.08 OIL TRANSFER LICENSE

- ❑ *Question: Does my company import (transfer) oil into Maryland by tank truck, transport, rail car, pipeline or marine vessel/barge? If so, does my company own the oil at the first point of import (transfer) into Maryland?*

### **Why do I need this approval?**

An oil transfer license is required for any person who transfers oil intended to be used as a motor fuel, lubricant or fuel source in larger than 55-gallon drums into Maryland.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, §4-411, Annotated Code of Maryland; COMAR 26.10.01.06.

### **What is the process to get this approval?**

- 1) Application is submitted to the Oil Control Program.
- 2) The Oil Control Program reviews the application.
- 3) The Oil Control Program verifies the company has a business license and is in good standing with the Maryland Department of Assessment and Taxation.
- 4) The Department issues or denies the License.

### **Is this approval directly related or contingent on other approvals?**

No

### **Are there any other requirements?**

The licensee must submit quarterly reports indicating the volume of oil transferred and method of transfer into the State and the fee paid.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

Five years

### **How much will this approval cost?**

An oil transfer fee of \$0.0575 per barrel of oil transferred into the State is assessed at the first point of transfer and paid quarterly. The fee may change every five years.

### **Who do I contact with additional questions?**

Permits and Support Division  
Oil Control Program  
(410) 537-3442

## 2.09 OIL CONTROL PROGRAM GENERAL WASTEWATER DISCHARGE PERMITS

- ❑ *Question: Am I doing work at an oil-contaminated site that requires the treatment of groundwater? AND do I plan to discharge potentially oil-contaminated groundwater to the surface or ground waters of the State? OR*
- ❑ *Question: Do I have an oil terminal, not receiving oil by pipeline or marine transfer, that discharges storm water or hydrostatic test water to surface or ground waters of the State?*

### Why do I need this approval?

The general permits for wastewater discharges from oil related activities increase the efficiency of the Department's permitting process through the issuance of generic permits to categories of business activities which are generally very similar in their wastewater characteristics. General permits with standardized permit conditions have been established for:

- Storm water and hydrostatic test water from oil terminals. Oil terminals with 5 million gallons or less of total storage capacity and do not receive oil by pipeline or marine transfer capabilities must apply.
- Treated groundwater from oil contaminated groundwater sources. To qualify, chemical contaminants other than oil must not be present. The general permits are for ground or surface water discharges. If the discharge is to a sanitary sewer system, this permit is not required, but contact the local authorities to find out if there are any additional requirements.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act  
STATE: Environment Article, Title 9, Subtitle 3;  
COMAR 26.08.01 - .04.

### What is the process to get this approval?

- 1) Complete a Notice of Intent (NOI) form.
- 2) Mail the completed NOI form to:  
Maryland Department of the Environment  
Permitting and Customer Services  
1800 Washington Boulevard Suite 735  
Baltimore MD 21230-1720  
FAX: (410) 537-4477

- 3) Mail fee to:  
Maryland Department of the Environment  
P.O. Box 1417  
Baltimore MD 21203-1417

4) The Oil Control Program reviews the submitted NOI to ensure that the proposed discharge can be covered by a general permit.

5) The Department will notify the applicant in writing of the coverage and requirements under the general permit.

### Is this approval directly related or contingent on other approvals?

No.

### Are there any other requirements?

Oil terminals with greater than 5 million gallons total storage capacity and who receive oil by marine or pipeline transfer must apply for an individual permit (2.10 or 2.11).

Local government or State Highway Administration approval may also be required; verify before you submit NOI (notice of intent).

Post-approval: Must meet all effluent limits, monitoring requirements and other permit conditions.

### How long should I expect it to take to get this approval once I submit a complete application?

30 days

### Once I get this approval, how long will it last?

Maximum of five years

### How much will this approval cost?

Annual permit fee: \$120 per year due each July 1 or at the time of application (with prorating provisions at \$10 per month).

### Who do I contact with additional questions?

Permits and Support Division  
Oil Control Program  
(410) 537-3442

## 2.10 SURFACE WATER DISCHARGE PERMIT FOR OIL TERMINALS

- ❑ *Question: Does my company have over 5 million gallons of above ground oil storage and receive oil by pipeline or marine transfer? If so, does my company discharge storm water or hydrostatic test water to surface or ground waters of the State?*

### Why do I need this approval?

The surface water discharge permit for oil terminals combines the requirements of the State discharge permit program and the National Pollutant Discharge Elimination System (NPDES) into one permit for oil terminal facilities that discharge storm water or hydrostatic test water to State surface waters. The permit is designed to meet federal effluent guidelines where applicable and to ensure the discharge satisfies State water quality standards. Oil terminals receiving oil by pipeline or marine transfer and which have greater than 5 million gallons storage capacity must apply.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act.

STATE: Environment Article, Title 9, Subtitle 3;

COMAR 26.08.01 - .04. and COMAR 26.08.08.

### What is the process to get this approval?

1) Complete the application form and mail without fees to:

Maryland Department of the Environment  
WAS/Oil Control Program  
1800 Washington Blvd, Suite 620  
Baltimore, MD 21230-1719

2) Mail fees to:

Maryland Department of the Environment  
P.O. Box 1417  
Baltimore, MD 21203-1417

3) The Department publishes notice of the application and provides an opportunity for an informational meeting.

4) The Department develops permit limits.

5) The Department publishes a notice of tentative determination and conducts a public hearing, if requested.

6) The Department issues the permit if adverse comments are not received.

7) If adverse comments are received, the Department prepares a final determination and publishes additional notice providing 15 days to request a contested case hearing.

8) The Department issues the permit if the final determination is not contested.

9) If contested, the administrative procedures for the appeal process are followed.

### Is this approval directly related or contingent on other approvals?

This permit may be related to any of the following:

- 2.06 Oil Operations Permit
- 1.01, 1.02, 1.05 Air Quality Permits
- 3.15 Water Appropriations and Use Permit

### Are there any other requirements?

POST-APPROVAL: Must meet all effluent limits, monitoring requirements and other permit conditions.

### How long should I expect it to take to get this approval once I submit a complete application?

180 days

### Once I get this approval, how long will it last?

5 years

### How much will this approval cost?

Type of Fee	Fee
Application fee	\$50 to \$2,000 depending on the volume of discharge.
Annual permit fee	\$100 to \$5,000 depending on the volume of the discharge.

### Do I need to know any additional information?

If the facility stores 5 million gallons or less of oil and does not receive marine or pipeline transfers, you may be eligible to apply for a general discharge permit (2.09).

Bulk storage of products other than oil at a facility may require you to apply for an industrial discharge permit (3.03).

### Who do I contact with additional questions?

Permits and Support Division  
Oil Control Program  
(410) 537-3442

## 2.11 GROUND WATER DISCHARGE PERMIT FOR OIL TERMINALS

- ❑ *Question: Does my company have over 5 million gallons of above ground oil storage and receive oil by pipeline or marine transfer? If so, does my company discharge storm water or hydrostatic test water to surface or ground waters of the State?*

### Why do I need this approval?

The groundwater discharge permit for oil terminals combines the requirements of the State discharge permit program and the National Pollutant Discharge Elimination System (NPDES) into one permit for oil terminal facilities that discharge storm water or hydrostatic test water to State groundwater. The permit is designed to meet federal effluent guidelines where applicable and to ensure the discharge satisfies State water quality standards. Oil terminals receiving oil by pipeline or marine transfer and which have greater than 5 million gallons storage capacity must apply.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Water Act

STATE: Environment Article, Title 9, Subtitle 3;

COMAR 26.08.01 - .04. and COMAR 26.08.07.

### What is the process to get this approval?

1) Complete the application form and mail without fees to:

Maryland Department of the Environment  
WAS/Oil Control Program  
1800 Washington Blvd., Suite 620  
Baltimore, MD 21230-1719

2) Mail fees to:

Maryland Department of the Environment  
P.O. Box 1417  
Baltimore, MD 21203-1417

3) The Department publishes notice of the application and provides an opportunity to the public for an informational meeting.

4) The Department develops permit limits.

5) The Department publishes a notice of tentative determination and conducts a public hearing, if requested.

6) The Department issues the permit if adverse comments are not received.

7) If adverse comments are received, the Department prepares a final determination and publishes additional notice providing 15 days to request a contested case hearing.

8) The Department issues the permit if the final determination is not contested

.9) If contested, the administrative procedures for the appeal process are followed.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Local permits for building and sediment control may be needed for these projects but they are not required for the Department to process a groundwater discharge permit application.

### Is this approval directly related or contingent on other approvals?

This permit may be related to any of the following:

- 2.06 Oil Operations Permit
- 1.01, 1.02, 1.05 Air Quality Permits
- 3.15 Water Appropriations and Use Permit

### Are there any other requirements?

POST-APPROVAL: Must meet all effluent limits, monitoring requirements, and other permit conditions.

### How long should I expect it to take to get this approval once I submit a complete application?

180 days

### Once I get this approval, how long will it last?

5 years

### How much will this approval cost?

Type of Fee	Fee
Application fee	\$50 to \$2,000 depending on the volume of discharge.
Annual permit fee	\$100 to \$5,000 depending on the volume of the discharge.

### Do I need to know any additional information?

If the facility stores 5 million gallons or less of oil and does not receive marine or pipeline transfers, you may be eligible to apply for a general discharge permit (2.09)

Bulk storage of products other than oil at a facility may require you to apply for an industrial discharge permit (3.03).

### Who do I contact with additional questions?

Permits and Support Division  
Oil Control Program  
(410) 537-3442

## 2.12 UNDERGROUND STORAGE TANK TECHNICIAN, REMOVER, OR INSPECTOR CERTIFICATION

- ☐ *Question: Am I interested in being certified as an underground storage tank (UST) remover? **OR***
- ☐ *Question: Am I interested in being certified as an UST technician who can install, upgrade, repair, replace and remove UST systems? **OR***
- ☐ *Question: Am I interested in being certified as an underground storage tank inspector?*

### Why do I need this approval?

To protect ground water from leaks caused by improperly removed or installed underground storage tanks (USTs), any individual who removes, installs, upgrades, repairs or retrofits an UST, must be certified. To protect groundwater from leaks caused by USTs not being in compliance, any individual who inspects an UST must be certified.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, §4-405, Annotated Code of Maryland; COMAR 26.10.06.

### What is the process to get this approval?

- 1) New applicants must complete the application form, pay the appropriate fee and take either the technician examination (install, upgrade, repair, replace and remove), the heating oil technician examination (heating oil UST systems with capacity of 2,000 gallons or less of heating oil only), the remove examination (remover only) or the inspector examination (inspect only).
- 2) For technician and remover certificate renewal, applicants must submit proof of attending at least one approved UST training course and provide proof of performing work at 6 UST sites within the past two years **OR** retest.
- 3) For inspector certificate renewal, applicants must submit proof, 30 days prior to the certificate expiration date, of attending at least one Department approved training course for UST system compliance inspections, of a Department approved third party inspector update seminar and to performing inspections at 10 UST sites within the past two years **OR** retest.
- 4) For all renewal certifications, an application form must be submitted to the Oil Control Program and the appropriate fee must be paid. **ALL INFORMATION MUST BE SUBMITTED 30 DAYS PRIOR TO THE APPLICANT'S CERTIFICATE EXPIRATION DATE.**
- 5) The applicant must call the Department 30 days prior to certificate expiration to schedule a testing date.
- 6) Applicants with a test score of 90% or better are certified.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

No local approvals are required to obtain the certificate, however counties and municipalities may require that UST projects be approved by the local authority before work begins. Check with the county or local authorities.

### Are there any other requirements?

No.

### How long should I expect it to take to get this approval once I submit a complete application?

40 days

### Once I get this approval, how long will it last?

Two years

### How much will this approval cost?

Type of Approval	Fee
Technicians, Heating oil USTs	\$100 every 2 years
Technicians, All other USTs	\$200 every 2 years
Removers	\$50 every 2 years
Inspectors	\$300 every 2 years

### Do I need to know any additional information?

- Information on companies employing certified UST technicians, removers and inspectors is available from the Department upon request.
- Information on approved training for UST technicians, removers and inspectors is available from the Department and on-line at: [http://www.mde.state.md.us/Programs/LandPrograms/OilControl/USThome/ustcertification\\_programs.asp](http://www.mde.state.md.us/Programs/LandPrograms/OilControl/USThome/ustcertification_programs.asp)
- To become an approved UST training provider, submit your course outline and description to the Department for review.

### Who do I contact with additional questions?

Permits and Support Division  
Oil Control Program  
(410) 537-3442

## 2.13 UNDERGROUND STORAGE TANK REMOVAL/ABANDONMENT 30-DAY WRITTEN NOTIFICATION

- ❑ *Question: Am I planning on removing, or discontinuing the use of an underground storage tank (UST)? If so, does the UST contain, or was it ever used to store a regulated hazardous substance including all oil products?*

### Why do I need to submit this notification?

The purpose of the notification form is to inform the Oil Control Program 30 day's prior of the intent to permanently close underground tank systems that store, or have stored, regulated hazardous substances including all oil products. Confirmation of closure date and time must be made to the Oil Control Program 48 hours in advance of the planned closure.

### What laws or regulations give MDE the legal authority to require this notification?

FEDERAL: 40 CFR 280.22 Resource Conservation and Recovery Act (RCRA), Subtitle I  
STATE: Environment Article, §4-411.1 Annotated Code of Maryland, COMAR 26.10.03.09H

### What is the process to submit this notification?

- 1) The 2-page notification form (MDE/WAS/COM.039) is completed with the owner, operator, or owner's agent signature, and mailed or faxed 30 days prior to closure of the tank(s) to: Maryland Department of the Environment Waste Management Administration Oil Control Program 1800 Washington Boulevard, Suite 620 Baltimore MD 21230-1719 Fax: 410-537-3092
- 2) When received by the Oil Control Program, it is immediately directed to field staff to schedule the removal/closure of the UST with the owner, operator or owner's agent.

### Before I submit this notification, do I need to get any approvals from the local or federal government?

Local government agencies may require additional approvals (varies throughout the State) and must be contacted.

### Is this notification directly related or contingent on other approvals?

No.

### Are there any other requirements?

State regulations require the owner, operator or person in charge of an underground storage facility that stores regulated substances to notify the State, in writing, of

their intent to close the underground storage tank(s) 30 days prior to closure.

Underground tanks EXCLUDED from this notification requirement are:

- (1) single-family residence or farm tanks of 1,100 gallons or less capacity used for non-commercial or personal use;
- (2) septic tanks;
- (3) storm water or wastewater collection systems;
- (4) flow-through process tanks; or
- (5) storage tanks located in an underground area (such as a basement or vault) if the storage tank is situated above the surface of the floor.

### How long should I expect it to take once I submit a complete notification?

When received by the Oil Control Program, this form is immediately directed to the Environmental Compliance Specialist assigned to that area of the State to schedule the removal/closure of the UST with the owner.

### Once I get this approval, how long will it last?

N/A

### How much will this notification cost?

No fee.

### Do I need to know any additional information?

This completed 30-Day Written Notification (MDE/WAS/COM.039) along with an MDE Tank Removal/Abandonment form completed by the Environmental Compliance Specialist may be used as an amendment to the Notification for Underground Storage Tanks (2.14) for tanks currently on file with the Department. The Department reserves the right to require completion of the Notification for Underground Storage Tanks (2.14), if it is determined necessary to properly update Department records. This form CANNOT be used for new underground storage tank system installations, which must be reported on the Notification for Underground Storage Tanks (2.14).

### Who do I contact with additional questions?

Compliance Division  
Oil Control Program  
(410) 537-3442



## 2.14 NOTIFICATION FOR UNDERGROUND STORAGE TANKS

- ❑ *Question: Do I own or manage an underground storage tank (UST) that stores a hazardous substance including all oil products? **OR***
- ❑ *Question: Has your UST system been taken out of service, been upgraded, or had a change in product storage, owner, facility name or financial responsibility?*

### **Why do I need to submit this notification?**

The purpose of the notification form is to identify and to evaluate underground tanks that store, or have stored, regulated hazardous substances including all oil products. It is expected that the information provided will be based on reasonably available record, or, in the absence of such records, knowledge, belief or recollection.

### **What laws or regulations give MDE the legal authority to require this notification?**

FEDERAL: 40 CFR 280.22 Resource Conservation and Recovery Act (RCRA) Subtitle I  
STATE: Environmental Article, § 4-411.1 Annotated Code of Maryland; COMAR 26.10.03.09

### **What is the process to submit this notification?**

The notification form (MDE/WAS/PER.012) is completed expeditiously by the owner, operator or person in charge for all tanks currently and previously used to store regulated substances at each location owned. The completed notification form is then mailed to:

Maryland Department of the Environment  
Waste Management Administration  
Oil Control Program  
1800 Washington Boulevard, Suite 620  
Baltimore MD 21230-1719

Once documentation is reconciled, a Certificate of Registration is sent to the owner for all sites that have tanks currently in use.

### **Before I submit this notification, do I need to get any approvals from the local or federal government?**

No

### **Are there any other requirements?**

State law requires that the owner, operator or person in charge of an underground storage facility that stores regulated substances must immediately notify the State of the existence of their tanks and register them on a form provided by the Department of the Environment. Underground tanks EXCLUDED from this notification are:

- (1) single-family residence or farm tanks of 1,100 gallons or less capacity used for non-commercial or personal use;
- (2) septic tanks;
- (3) storm water or wastewater collection systems;
- (4) flow-through process tanks; or

(5) storage tanks located in an underground area (such as a basement or vault) if the storage tank is situated above the surface of the floor.

Unless an underground oil storage tank facility is registered with the Department of the Environment in accordance with State law, no product may be sold to or received by the underground storage tank facility.

### **Is this notification directly related or contingent on other approvals?**

Any person who owns or operates a stationary gasoline storage tank greater than 2,000 gallons and less than 20,000 gallons capacity is required to have an Air Quality General Permit to Construct (1.01).

A person who owns or operates a gasoline storage tank, 20,000 gallons or greater capacity, must apply for an individual Air Quality Permit to Construct (1.02).

### **How long should I expect it to take once I submit a complete notification?**

30 days

### **Once this notification is approved, how long will it last?**

The notification (registration) form is good until: any tank system is installed, becomes temporarily out of use or closed; the substance stored in any tank changes; the owner, operator or person in charge changes; the name of the facility changes; changes occur to the existing tank systems, such as upgrade; or the method of financial responsibility is changed. At that time a notification form must be submitted to include all changes that have occurred.

### **How much will this notification cost?**

There is no fee.

### **Do I need to know any additional information?**

Notify the Maryland Department of the Environment's Oil Control Program:

- (1) immediately if there are underground storage tanks in use and are not registered or have been taken out-of-service but are remaining in the ground;
- (2) prior to placing tanks in service, or
- (3) within 30 days after a change as described in the "Term of Permit". Submit an amended notification form (MDE/WAS/com .012) for any site change that affects information on a previously filed notification.

**Who do I contact with additional questions?**

For new underground storage tank sites:

Compliance Division

Oil Control Program

410-537-3442

For changes to existing underground storage tank sites:

Permits and Support Division

Oil Control Program

410-537-3442



## 2.15 CONTROLLED HAZARDOUS SUBSTANCES FACILITY PERMIT

- ❑ *Question: Do I generate or manage hazardous waste? If so, Do I store hazardous waste for more than 90 days, treat hazardous waste, dispose hazardous waste on-site, or accept hazardous waste from off-site?*

### Why do I need this approval?

The Controlled Hazardous Substance (CHS) Facility permit is required for the construction and operation of a facility used to treat, store or dispose of hazardous waste, the definition of which is found in COMAR 26.13.02.03.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Resource Conservation and Recovery Act - Subtitle C.

STATE: Title 7, Subtitle 2, Annotated Code of Maryland; COMAR 26.13.07.

### What is the process to get this approval?

- 1) The applicant submits an application fee and an application with supporting documents.
- 2) The Department prepares and publishes notice of receipt of the application and an opportunity to request a public information meeting or includes a date for the scheduled public information meeting. Applicants will be responsible for all costs for publication of public notices.
- 3) The Department conducts a review of the application for completeness, and technical and regulatory sufficiency. This may involve requests for additional information from the applicant. After the review, the Department prepares a tentative determination on the application that includes either a draft permit or a notice of intent to deny the application.
- 4) The Department prepares and publishes notice of the tentative determination that includes either an opportunity to request a public hearing or the date of the scheduled public hearing.
- 5) Following the close of the record for the public hearing, the Department reviews and prepares written responses to comments submitted and prepares a final determination if required. The Department publishes notice of the final determination.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Local zoning and land use approvals may be required.

### Is this approval directly related or contingent on other approvals?

A corrective action permit is required from the EPA. Application to the EPA should be made concurrently with the CHS application to the Department, and sent to the attention of:

Mr. Robert Greaves (3WC23)  
1650 Arch Street  
Philadelphia, PA 19103-2029  
(215) 814-3090

### Are there any other requirements?

PRE-APPROVAL: Applications for CHS permits are subject to the public participation requirements of the Administrative Procedure Act (APA) as defined in §1-601 of the Environment Article.

POST-APPROVAL: The permittee must pay an annual permit fee and maintain financial assurance for facility closure and liability.

### How long should I expect it to take to get this approval once I submit a complete application?

26 months

### Once I get this approval, how long will it last?

Maximum of ten years

### How much will this approval cost?

Permit fees are based upon the type and quantity of the CHS, type of operation, i.e. storage, treatment or disposal of CHS, and the anticipated costs of regulatory activities. For the CHS permits currently in effect, the annual permit fees range from \$12,000 - \$65,000. Permit application fees are credited towards the permit fee. The application fee is not refunded if the application is denied or the applicant withdraws the application. If the permit is issued, the application fee is applied towards the first year's permit fee.

### Who do I contact with additional questions?

Harold L. Dye Jr., Ed Hammerberg or Amin Yazdanian  
Hazardous Waste Program  
[bdye@mde.state.md.us](mailto:bdye@mde.state.md.us) or  
[ehammerberg@mde.state.md.us](mailto:ehammerberg@mde.state.md.us) or  
[ayazdanian@mde.state.md.us](mailto:ayazdanian@mde.state.md.us)  
(410) 537-3345

## 2.16 HAZARDOUS WASTE; EPA IDENTIFICATION NUMBER

- ❑ *Question: Do I generate, in a calendar month, 100 kilograms or more of hazardous waste or more than 1 kilogram of acute hazardous waste? OR*
- ❑ *Question: Do I have in inventory at any time of more than 100 kilogram of hazardous waste or 1 kilogram or more of acute hazardous waste?*

### Why do I need this approval?

Generators of hazardous waste, transporters of hazardous waste, and facilities which treat, store, or dispose of hazardous waste are required to notify the U.S. Environmental Protection Agency (EPA) and the Department before treating, storing, disposing, offering for transportation, or transporting hazardous waste. Large quantity handlers of universal waste are required to notify the Department before accumulating 5,000 Kilograms of universal waste for the first time. Upon receipt of a notification, the Department assigns an EPA Identification number to the notifier through the EPA RCRAInfo database.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: RCRA - Section 3010; 40 CFR Part 262.12, 263.11, 264.11 and 273.32

STATE: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland; COMAR 26.13.03.03, 26.13.04.01B, 26.13.05.02B and 26.13.10.19C

### What is the process to get this approval?

- 1) The applicant obtains EPA Form 8700-12 (RCRA Subtitle C Site Identification Form) , also known as “Notification of Regulated Waste Activity Form”, from the Department. The form is also available on-line at <http://www.epa.gov/epaoswer/hazwaste/data/form8700/forms.htm>
- 2) A completed application is submitted to the Department.
- 3) After review, the application is processed at the Department and a permanent EPA identification number is issued. The application data is also entered into EPA's RCRAInfo database by the Department.
- 4) Acknowledgement of the notification is mailed to the applicant along with the EPA identification number that has been assigned to the applicant.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

No.

### Are there any other requirements?

Generators: A generator may not treat, store, dispose, transport, or offer for transportation, hazardous waste without having received an EPA identification number. A generator may not offer hazardous waste to

transporters or to treatment, storage or disposal (TSD) facilities that have not received an EPA identification number.

Transporters: A transporter may not transport hazardous waste without having received an EPA identification number from the Department.

TSD Facilities: Every facility owner or operator who intends to treat, store or dispose of hazardous waste must apply to the Department for an EPA Identification Number.

Subsequent Notification Requirements: A subsequent notification is required if the contact for the site changes, an additional owner is added after the initial notification, the type of regulated hazardous waste activity conducted at the site changes, the generator status changes, or the site name changes. If a business moves to a different location, a new notification is required for the new location.

### How long should I expect it to take to get this approval once I submit a complete application?

30 days

### Once I get this approval, how long will it last?

For generators TSD facilities and large quantity handlers of universal waste: a given EPA identification number is permanently associated with the address at which the holders of the number was conducting hazardous waste activities was located when the number was assigned. If the generator, facility or handler moves to a new location, a new identification number must be obtained (or if there is an existing i.d. number for the new location, an application to have the i.d. number reassigned must be submitted).

For transporters: a given EPA Identification number is permanently assigned.

### How much will this approval cost?

No fee.

### Who do I contact with additional questions?

Harold L. Dye, Jr., Brian Sodeman or Floyd Owens  
Hazardous Waste Program

[bdye@mde.state.md.us](mailto:bdye@mde.state.md.us) or  
[psodeman@mde.state.md.us](mailto:psodeman@mde.state.md.us) or  
[fowens@mde.state.md.us](mailto:fowens@mde.state.md.us)  
(410) 537-3344

## 2.17 CONTROLLED HAZARDOUS SUBSTANCE HAULER, VEHICLE AND DRIVER CERTIFICATION

- ❑ *Question: Do I transport hazardous waste over public highways? If so, Does that transport require the use of a hazardous waste manifest? **OR***
- ❑ *Question: Are you a Maryland-domiciled driver of a vehicle used to transport hazardous waste over public highways, with the transportation of the waste requiring use of a hazardous waste manifest?*

### Why do I need this approval?

To ensure the safe transport of hazardous wastes within the State, the Department regulates the movements of controlled hazardous substances (CHS) by certifying CHS haulers, vehicles and Maryland-domiciled drivers.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: N/A

STATE: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland; COMAR 26.13.04.

### What is the process to get this approval?

- 1) Applicant submits a CHS hauler application and a CHS vehicle application for each vehicle with the required documents and the payment of the fee. Drivers domiciled in Maryland must submit an application for driver certification.
- 2) The Department reviews the application and issues or denies the certificate.

### Are there any other requirements?

PRE-APPROVAL: Applications must include the following:

- 1) Vehicle Inspection Certificates from a licensed inspection station approved by the Department of Motor Vehicles or other State agency;
- 2) Copy of vehicle registration certificate;
- 3) Either: a) CHS bond or letter of credit or  
b) Documentation of Exemption (Form MCS 82/MCS 90);

4) Proof of liability insurance (only required if CHS Bond or Letter of Credit used);

5) List of customers;

6) List of TSD facilities where approval has been received;

7) List of any environmental violations;

8) Hazardous Waste Tracking Form.

### How long should I expect it to take to get this approval once I submit a complete application?

30 days

### Once I get this approval, how long will it last?

Type of Approval	Term
Haulers/vehicles	12 month period
Drivers	12-month period

### How much will this approval cost?

Type of Approval	Fee
For each vehicle	\$50 annually (12 month period)
For domiciled drivers	\$20 annually (12 month period)

### Who do I contact with additional questions?

Harold L. Dye Jr. or Rosemary Peay

Hazardous Waste Program

[bdye@mde.state.md.us](mailto:bdye@mde.state.md.us) or

[repeay@mde.state.md.us](mailto:repeay@mde.state.md.us)

(410) 537-3344

## 2.18 SPECIAL MEDICAL WASTE HAULER AND VEHICLE CERTIFICATION AND IDENTIFICATION NUMBER

- ❑ *Question: Do I transport special medical waste over public highways? If so, Does that transport require the use of a shipping paper under U.S. Department of Transportation Hazardous Materials Transport regulations? **OR***
- ❑ *Question: Do I generate 50 pounds or more of special medical waste a month or accumulate more than 50 pounds of special medical waste?*

### **Why do I need this approval?**

To ensure the safe transport of medical wastes within Maryland, the Department regulates the movements of medical wastes by certifying haulers and vehicles.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland; COMAR 26.13.13.

### **What is the process to get this approval?**

Generators:

- 1) Applicant submits a Notification of Special Medical Waste (SMW) Activity Form (see website for form).
- 2) Department assigns a special medical waste Id number to the site.

Hauler/Vehicle:

- 1) Applicant submits a Special Medical Waste (SMW) Hauler Application, a SMW vehicle application for each vehicle with supporting documents and the fee.
- 2) The Department reviews the application and issues or denies the certificate.

### **Are there any other requirements?**

PRE-APPROVAL: Applications must include:

- 1) Vehicle Inspection Certificates from a licensed inspection station approved by the Maryland Department of Motor Vehicles or other State agency;

for out of state companies, a copy of the vehicle registration will be acceptable;

- 2) Copy of the vehicle registration certificate;
- 3) Proof of liability insurance (certificate of insurance);
- 4) List of customers;
- 5) List of destination facilities where approval has been received;
- 6) List of any environmental violations;
- 7) Hazardous waste tracking form; and
- 8) Certificate of insurance, and \$10,000 bond or letter of credit.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

12 months

### **How much will this approval cost?**

\$50 annually for each vehicle (12 month period)

### **Who do I contact with additional questions?**

Harold L. Dye Jr. or Rosemary Peay  
Hazardous Waste Program  
[bdye@mde.state.md.us](mailto:bdye@mde.state.md.us) or  
[repeay@mde.state.md.us](mailto:repeay@mde.state.md.us)  
(410) 537-3344

## 2.19 LEAD PAINT ACCREDITATIONS

- ❑ *Question: Will my activities disturb lead based paint in a residential dwelling? OR*
- ❑ *Question: Am I being employed to perform lead abatement work?*

### **Why do I need this approval?**

The purpose of this program is to oversee lead poisoning prevention activities to reduce the incidence of childhood lead poisoning. One of the activities included is the oversight of lead paint abatement work. This work includes any activity which eliminates or reduces lead paint hazards, including paint removal, replacement of components, encapsulation, repainting or inspection. Examples of people who provide lead paint services include contractors, workers, supervisors and inspectors.

If not detected early, children with high levels of lead in their bodies can suffer from hyperactivity, slowed growth, damage to their brain and nervous system, hearing problems and headaches.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article - Title 6, Subtitle 10, Annotated Code of Maryland; COMAR 26.16.01.

### **What is the process to get this approval?**

- 1) Submit application form, specifying type of accreditation desired.
- 2) Include application fee, payable to the Lead Accreditation Fund, to:  
Maryland Department of the Environment  
P.O. Box 1417  
Baltimore, Maryland 21203-1417
- 3) Include supporting documentation, verification of work experience and successful completion of the appropriate training courses which have been accredited by the Department. For a list of accredited lead paint abatement training providers, contact the Lead Program at (410) 537-3820.

### **Are there any other requirements?**

Abatement workers must be trained, but do not apply for the accreditation. Lead paint abatement workers include painters, carpenters and other trades qualified to work on residential, public, and commercial lead paint jobs; and structural steel workers who are qualified to remove lead paint from steel structures and

superstructures such as bridges and water storage tanks.

Contractors must be trained and accredited through the Department. Lead paint contractors include those who work on residential, public, and commercial buildings as well as the maintenance work required in rental housing; structural steel projects, such as bridges, water tanks, and industrial structures; and conduct lead paint inspections.

Supervisors must be trained and accredited through the Department. Lead paint supervisors include maintenance and repainting supervisors, lead paint removal and demolition supervisors, and structural steel supervisors who oversee lead paint activities on steel bridges, water tanks, and industrial structures. Lead paint inspectors must be trained and accredited through the Department. Lead paint inspectors include technicians approved to use lead paint detection equipment and to sample paint and dust for laboratory analysis, lead paint visual inspectors to conduct inspection of rental housing, and lead paint risk assessors who interpret information and provide advice regarding possible sources of lead exposure.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

2 years

### **How much will this approval cost?**

Application fees range from \$125 to \$250 based on the type of contractor and service. See COMAR 26.16.01.20 for the specific fee schedule. Renewal fees are the same as the application fee.

### **Who do I contact with additional questions?**

John O'Brien  
Lead Accreditation and Oversight Division  
[jobrien@mde.state.md.us](mailto:jobrien@mde.state.md.us)  
(410) 537-3825



## 2.20 LEAD PAINT TRAINING AND INSTRUCTOR APPROVALS

- ❑ *Question: Do I conduct a training course involved in the abatement of lead paint? OR*
- ❑ *Question: Am I an instructor who trains workers, supervisors, inspectors or risk assessors who provide lead paint abatement services?*

### Why do I need this approval?

Providers of training for persons involved in the abatement of lead paint must employ instructors and conduct training courses that are accredited by the Department.

Training courses for workers, supervisors, inspectors and risk assessors who provide lead paint abatement services or are involved with lead paint abatement in Maryland are designed to instruct those individuals of the potential toxic effects of exposure to lead and to provide methods to protect workers and sensitive populations from exposure to lead during abatement activities.

The primary hazard addressed in the training courses is exposure to lead from old painted surfaces containing lead in the paint. This exposure may contribute to childhood hyperactivity, slowed growth, and damage to a child's brain or nervous system.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article - Title 6, Subtitle 10, Annotated Code of Maryland; COMAR 26.16.01.

### What is the process to get this approval?

#### Lead paint course instructor:

- 1) Successfully complete an accredited course in the category which you intend to teach.
- 2) Submit a completed application form MDE-320 for courses you are qualified to teach.
- 3) Submit documentation including on-site experience with relevant lead abatement projects.
- 4) Pass an examination administered by the Department with at least a 90%.

#### Lead paint training course:

- 1) Submit a completed application form MDE-319 for each training course to be accredited.
- 2) Include a curriculum detailing: learning objectives; course outline; time allocated for specific topics; description of learning activities, teaching materials, training facility; and plans for administering examination, issuing ID cards, and reporting to the Department.
- 3) Include the qualifications of course instructor and expert instructor, and include the name of the designated primary instructor and each accredited instructor.

4) Mail application package to:  
Coordinator, Accreditation and Training  
Environmental Lead Division  
Maryland Department of the Environment  
1800 Washington Boulevard, Suite 630  
Baltimore, Maryland 21230-1719

5) The Department will review the package, discuss any deficiencies and/or schedule an on-site audit of a training class.

6) At the completion of a successful on-site audit, the Department will issue the approval.

### Are there any other requirements?

Lead paint course instructors are accredited by the Department after successfully completing specified training courses at least equivalent to the course which the applicant intends to teach, successfully passing an examination administered by the Department which covers essential technical and regulatory knowledge, and demonstrating relevant work experience in conducting lead paint abatement activities.

An instructor for lead paint inspector technician courses must be an accredited inspector with a minimum of 6 months experience in lead paint inspection.

Lead paint training courses are accredited by the Department based on the submission of a satisfactory curriculum, the use of accredited instructors, and the completion of a successful on-site audit by the Department.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Instructor approvals	30 days
Training course approvals	60 days

### Once I get this approval, how long will it last?

12 months

### How much will this approval cost?

Training Provider - \$300

### Who do I contact with additional questions?

John O'Brien  
Lead Accreditation and Oversight Division  
[jobrien@mde.state.md.us](mailto:jobrien@mde.state.md.us)  
(410) 537-3825

## 2.21 LEAD PAINT RENTAL UNIT REGISTRATION

❑ *Question: When do I have to register my rental unit(s) in Maryland?*

### **Why do I need this approval?**

The purpose of this program is to reduce childhood lead poisoning, maintain affordable housing, and provide liability relief to compliant property owners. If not detected early, children with high levels of lead in their bodies can suffer from hyperactivity, slowed growth, damage to their brain and nervous system, hearing problems and headaches.

Property owners with rental units constructed prior to 1950 are required to register with MDE. Property owners with rental units constructed after 1950 may choose to “opt-in” but must meet all applicable requirements for properties constructed prior to 1950. Liability for property owners who register their rental units, provide tenants with the required educational materials, and comply with all applicable risk reduction standards are capped at \$ 17,000.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article - Title 6, Subtitle 8, Annotated Code of Maryland; COMAR 26.16.01 – 26.16.04.

### **What is the process to get this approval?**

- 1) Submit rental property registration form, specifying the number of rental units being registered with MDE.
- 2) Include rental registration fees, payable to the Maryland Department of the Environment, to:  
Maryland Department of the Environment  
P.O. Box 23660  
Baltimore, Maryland 21203-5660

### **Are there any other requirements?**

Rental property owners must distribute tenant educational materials upon execution of leases to new tenants and redistribute every two (2) years thereafter. Property owners with rental units constructed after 1950 and choose to “opt-out” may still need to comply with disclosure requirements contained in the Federal law commonly known as Title X, Section 1018 of the Residential Lead-based Paint Hazard Reduction Act of

1992. Additional information on disclosure may be obtained by contacting the Environmental Protection Agency (EPA) at 1 (800) 438-2474 or (215) 514-5000. Properties must meet risk reduction standards at each change of occupancy that are verified through a “visual inspection” or “lead dust test” by an MDE accredited visual inspector or risk assessor. Rental properties can also be tested and certified as lead-free. For a list of accredited lead paint inspection and abatement contractors, contact the Lead Program at (410) 537-3825.

Property owners must disclose to prospective buyers any obligation to perform risk reduction treatments not yet performed that have been triggered to turnover, notice(s) of defect, or notice(s) of elevated blood lead levels that will not be performed prior to transfer.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

Rental property registration fees are required to registry annually with MDE by December 31st.

### **How much will this approval cost?**

Fees are \$ 15 for rental units that are not lead-free and are constructed prior to 1950 or for rental units that are constructed after 1950 that are not lead-free that property owners elect to “opt-in.” The annual rental unit renewal fee is the same as the initial registration fee (\$ 15). Fees are \$ 10 for each rental unit that is certified as lead-free.

### **Who do I contact with additional questions?**

Terry Phillips-Seitz  
Lead Rental Property Registry Section  
[tphillips-seitz@mde.state.md.us](mailto:tphillips-seitz@mde.state.md.us)  
(410) 537-4199



## 2.22 VOLUNTARY CLEANUP PROGRAM

- ❑ *Question: Am I cleaning up a property contaminated, or perceived to be contaminated, by hazardous substances? AND Are you interested in acquiring or using such a property? If so, do you want to participate in a program designed to reduce your environmental liability?*

### **Why do I need this approval?**

The Voluntary Cleanup Program streamlines and provides certainty in the process for cleaning up eligible properties contaminated, or perceived to be contaminated, by hazardous substances. The program also provides liability limitations to certain responsible persons and future owners of eligible properties. The liability limitations provided to future owners are broader and are designed to encourage new investment in properties.

A companion program, the Brownfields Revitalization Incentive Program administered by the Maryland Department of Business and Economic Development, may provide financial incentives to certain sites in the Voluntary Cleanup Program or those that are contaminated by oil.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 7, Subtitle 5; Article 83A, Sections 3-901 through 3-905; and Tax-Property Article, Sections 9-229 and 14-902.

### **What is the process to get this approval?**

- 1) File a complete application package.
- 2) Within 45 days, the Department will notify the applicant whether the site meets the eligibility requirements and is accepted. If accepted, the Department will determine the applicant's status as a responsible person or inculpable person. A responsible person includes the current property owner or other responsible persons as defined in 7-201(x) of the environment article and an inculpable person is someone who is not the current owner and has not caused or contributed to the contamination on site.
- 3) At this time, the Department may also make a determination of "no further requirements" at the site.
- 4) If required, the participant then submits a response action plan to the Department for approval. The plan must include detailed steps to clean up the property.
- 5) A performance bond or other security must be filed with the Department within 10 days of receiving Department approval of a response action plan.
- 6) After the response action plan has been satisfactorily completed, the Department will issue a Certificate of Completion.

Participants may withdraw from the program at any time if the site is stabilized and secured and the participant provides 10 days prior notice to the Department.

### **Are there any other requirements?**

PRE-APPROVAL: Applicants must conduct a Phase I environmental site assessment (ESA) and prepare a Phase II ESA workplan that identifies all areas and potential areas of contamination on the property and provide the assessment and plan to the Department. All environmental information known to the applicant about the property, a completed application and the application fee must be submitted.

### **How long should I expect it to take to get this approval once I submit a complete application?**

- 45 days to determine if the application is accepted
- 75 days to review the response action plan

### **Once I get this approval, how long will it last?**

One time approval

### **How much will this approval cost?**

- \$6,000 base fee plus additional fees detailed below for certain requests. The nonrefundable \$6,000 fee is for the review of the application and the direct oversight costs.
- If a "No Further Requirements Determination" or a "Certificate of Completion" is conditioned on certain uses of the land, the applicant must pay an additional \$2,000 fee.
- If the applicant requests an expedited determination of "inculpable person status", the applicant must pay an additional \$2,000.
- An applicant who submits a subsequent application for a property that is already in the VCP pays a nonrefundable \$2,000 fee.

### **Who do I contact with additional questions?**

Luke Wisniewski  
Voluntary Cleanup/Brownfields Division  
[lwisniewski@mde.state.md.us](mailto:lwisniewski@mde.state.md.us)  
(410) 537-3447

## 3.01 SURFACE WATER DISCHARGE PERMIT (Industrial)

- ❑ *Question: Will I discharge any wastewater from an industrial facility or landfill to any place other than the sanitary sewer?*

### Why do I need this approval?

The industrial surface water discharge permit is a combined state and federal permit under the National Pollutant Discharge Elimination System (NPDES). This permit is issued for industrial facilities that discharge to State surface waters. The permit is designed to meet federal effluent guidelines when applicable and also ensure the discharge satisfies State water quality standards.

All industrial, commercial, or institutional facilities that discharge wastewater (or storm water from certain facilities) to surface waters of Maryland may need this permit. Alternatively, an industrial discharge to the municipal wastewater collection system may require a pretreatment permit.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act.

STATE: Environment Article, Title 9, Subtitle 3;

COMAR 26.08.01 through 26.08.04 and for the Pretreatment Permit, COMAR 26.08.08.

### What is the process to get this approval?

Submit a completed application to the Department. To request a form, call (410) 537-3323 or download the form from our web site,

[http://www.mde.state.md.us/Permits/WaterManagement/Permits/water\\_permits/index.asp](http://www.mde.state.md.us/Permits/WaterManagement/Permits/water_permits/index.asp).

Participate in public notice events as specified in Environment Article §1-601, et seq.

The Department publishes notice of the application and provides an opportunity for an informational meeting. The Department develops permit limits.

5) The Department publishes a notice of tentative determination and conducts a public hearing, if requested.

6) The Department issues the permit if adverse comments are not received.

7) If adverse comments are received, the Department prepares a final determination and publishes additional notice providing 15 days to request a contested case hearing.

8) The Department issues the permit if the final determination is not contested.

9) If contested, administrative procedures for the appeal process are followed.

### Are there any other requirements?

POST-APPROVAL: Must meet all effluent limits, monitoring requirements, and other permit conditions.

### Is this approval directly related or contingent on other approvals?

PRETREATMENT PERMIT: A separate pretreatment permit is required for certain facilities that seek to discharge non-domestic wastewater to publicly-owned wastewater treatment systems (POTWs). The pretreatment permit is issued locally from the municipal wastewater treatment utility (POTW) as long as the POTW has an approved program delegated to it by the Department. If a facility is defined as a significant industrial user by 40 CFR 403, and is not located in an area that has been delegated pretreatment authority, the Department issues the pretreatment permit, which includes the state and federal requirements, in coordination with the POTW. As part of its permit streamlining efforts, the Department delegated the authority to many local municipalities to issue pretreatment permits for significant industrial users.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Facility/Approval	Turnaround Time
New minor facilities	9 months
New major facilities	12 months
Renewal minor facilities	14 months
Renewal facilities	according to watershed schedule

Also see [Predictable Permitting Services](#).

### Once I get this approval, how long will it last?

Maximum of five years

### How much will this approval cost?

Type of Fee	Fee
Application fee	\$50 to \$20,000 depending on the volume of discharge, the type of industry, and how the water is used.
Annual permit fee	\$100 to \$5,000 depending on the volume of the discharge.

### Do I need to know any additional information?

General permits have either been issued or are being developed for a variety of industrial discharge categories (see Industrial Wastewater/Stormwater General Discharge Permits, 3.02, 3.03).

### Who do I contact with additional questions?

Ed Gertler or Mike Mayenschein (Pretreatment Permits only)

Industrial Discharge Permits Division

[egertler@mde.state.md.us](mailto:egertler@mde.state.md.us) or

[mmayenschein@mde.state.md.us](mailto:mmayenschein@mde.state.md.us)

(410) 537-3323

## 3.02 INDUSTRIAL WASTEWATER/STORMWATER GENERAL DISCHARGE PERMITS

❑ *Question: Will I discharge any wastewater or stormwater to any place other than the sanitary sewer? OR*

❑ *Question: Do I own or operate a manufacturing facility, a fleet of vehicles or a recycling facility?*

### Why do I need this approval?

The general permits for industrial wastewater discharge increase the efficiency of the Department's permitting process through the issuance of generic permits to categories of business activities which are generally very similar in their wastewater characteristics. General permits with standardized permit conditions have been established for surface and ground water discharges from:

- Concentrated animal feeding operations
- Stormwater associated with industrial activities
- Surface coal mines
- Mineral mines, quarries, borrow pits, ready-mix concrete and asphalt plants
- Seafood processors
- Hydrostatic testing of tanks and pipelines
- Marinas
- Swimming pools and spas

Also, see the 3.22 General Permit for Construction Activities.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act

STATE: Environment Article, Title 9, Subtitle 3;

COMAR 26.08.01 through 26.08.04.

### What is the process to get this approval?

1) Complete a Notice of Intent (NOI) form and include a facility map, if required. To request a form, call (410) 537-3323 or download the form from our Web site:

[http://www/mde.state.md.us/Permits/WaterManagement/Permits/water\\_permits/index.asp](http://www/mde.state.md.us/Permits/WaterManagement/Permits/water_permits/index.asp).

2) Mail the completed form and payment to:  
MDE

Water Management Administration

P.O. Box 2057

Baltimore MD 21203-2057

3) The Department reviews the submitted NOI to ensure that the proposed discharge can be covered by a general permit.

4) The Department will notify the applicant in writing of coverage under the general permit.

### Are there any other requirements?

To obtain coverage under a general permit, all requirements listed in the general permit package must be met.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Concentrated animal feeding operations	150 days
Stormwater associated with industrial activities	60 days
All other general permits	90 days

### Once I get this approval, how long will it last?

The approval coverage lasts until the established expiration date of the general permit or as specified in the general permit, a maximum of five years.

### How much will this approval cost?

Type of Fee	Fee
Application fee	\$0 to \$1,000 depending on the volume of discharge, the type of industry, and how the water is used.
Annual permit fee	\$0 to \$5,000 depending on the volume of discharge.

### Who do I contact with additional questions?

Patsy Allen or Ed Gertler  
General Permits and Technical Support

[pallen@mde.state.md.us](mailto:pallen@mde.state.md.us) or

[egertler@mde.state.md.us](mailto:egertler@mde.state.md.us)

(410) 537-3634

### 3.03 GENERAL DISCHARGE PERMIT FOR STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES

- ❑ *Question: Will I discharge any storm water to the State's surface waters AND Do I operate an "industrial facility, as defined below"? AND Is there any potential for any pollutants from this activity to come in contact with storm water?*

#### What defines "State surface waters?"

The list consists of ponds, lakes, streams, tidal waters, wetlands, floodplains, and man-made conveyances leading to them, such as municipal storm drains and public ditches.

#### What defines an "Industrial Facility?"

For the purpose of this requirement, the list consists of any facility where the principal activity is manufacturing, mining operations, hazardous waste treatment or disposal facilities, landfills that have received any industrial waste, recycling facilities, steam electric power generating facilities, transportation facilities (but only those who do vehicle maintenance), sewage treatment works designed for over 1.0 mgd, and construction activity that disturbs over an acre.

#### What do I do?

If the answer is yes to all three questions, then you need a permit for the discharge of storm water from your operation. If the answer is yes to the first two questions only, then you must submit a formal statement to that effect called a "No Exposure Certification." The certification consists of a series of questions, the consideration of which would assure that you have considered all possible sources of potential pollution. If the answer is yes to all three questions, you will need a discharge permit. If you are under any of the industrial categories other than construction, you will mostly likely be able to fulfill your permitting obligations by obtaining coverage under the general permit for storm water associated with industrial activity or a few other industry specific general permits. But some will need to obtain an individual permit. The general permit is appropriate for facilities that can prevent the release of pollutants by good housekeeping practices. The individual permit is appropriate for facilities that cannot prevent pollutants from being picked up by storm water and thus need to treat the water to remove the pollutants, and for facilities that also have non-storm water discharges that require an individual permit.

#### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act

STATE: Environment Article, Title 9, Subtitle 3; COMAR 26.08.01 through 26.08.04.

#### What is the process to get this approval?

- 1) For general permits, complete a Notice of Intent (NOI) form and include a facility map, if required. To request a form, call (410) 537-3323 or download the form from the Web site:  
[http://www.mde.state.md.us/Permits/WaterManagement/Permits/water\\_permits/index.asp](http://www.mde.state.md.us/Permits/WaterManagement/Permits/water_permits/index.asp).
- 2) Mail the completed form and payment to:  
MDE  
Water Management Administration  
P.O. Box 2057  
Baltimore MD 21203-2057
- 3) The Department reviews the submitted NOI to ensure that the proposed discharge can be covered by a general permit.

#### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Individual permit	180 days
GP for stormwater associated with industrial activities	60 days
All other general permits	90 days

#### Once I get this approval, how long will it last?

For general permits, the approval coverage lasts until the established expiration date of the general permit or as specified in the general permit, a maximum of five years. For individual permits, it is five years.

#### How much will this approval cost?

Type of Fee	Fee
Application fee	\$0 to \$1,000 depending on the volume of discharge, the type of industry, and how the water is used.
Annual permit fee	\$0 to \$5,000 depending on the volume of discharge.

#### Who do I contact with additional questions?

Patsy Allen or Ed Gertler  
General Permits and Technical Support  
[pallen@mde.state.md.us](mailto:pallen@mde.state.md.us) or  
[egertler@mde.state.md.us](mailto:egertler@mde.state.md.us)  
(410) 537-3634

### 3.04 SURFACE WATER DISCHARGE PERMIT (Municipal)

- ❑ *Question: Will I discharge any wastewater to any place other than the sanitary sewer? OR*
- ❑ *Question: Do I own or operate a sewage or water treatment plant?*

#### Why do I need this approval?

The municipal surface water discharge permit is a combined state and federal permit under the National Pollutant Discharge Elimination System (NPDES). This permit is issued for sewage treatment plants and some water treatment plants that discharge to State surface waters. The permit is designed to protect the quality of the body of water receiving the discharge. Anyone who discharges wastewater to surface waters may need a surface water discharge permit. Applicants include municipalities, counties, federal facilities, schools, and commercial water and wastewater treatment plants, as well as treatment systems for private residences that discharge to surface waters.

#### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act.  
STATE: Environment Article, Title 9, Subtitle 3;  
COMAR 26.08.01 through 26.08.04.

#### What is the process to get this approval?

- 1) Submit a completed application form.
- 2) The Department publishes notice of the application and provides an opportunity for an informational meeting.
- 3) The Department checks that the project is in the county water and sewer plan.
- 4) The Department develops permit limits.
- 5) The Department publishes a notice of tentative determination and conducts a public hearing, if requested.
- 6) The Department issues the permit if adverse comments are not received.
- 7) If adverse comments are received, the Department prepares a final determination and publishes an additional notice providing 15 days for citizens to request a contested case hearing.
- 8) The Department issues the permit if the final determination is not contested.
- 9) If contested, administrative procedure for the appeal process is followed.

#### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Except for private residences, the proposal must be included in county water and sewer plans.

#### Is this approval directly related or contingent on other approvals?

No.

#### Are there any other requirements?

PRE-APPROVAL: The proposal must be included in the county water and sewer plan. Individual residences are exempted from this pre-approval requirement.  
POST-APPROVAL: Must meet all effluent limits, monitoring requirements, and other permit conditions. Applicant must obtain a Water and Sewerage Construction Permit prior to construction activity.

#### How long should I expect it to take to get the approval once I submit a completed application?

Type of Facility	Turnaround Time
New minor facilities	9 months
New major facilities	12 months
Renewal minor facilities	N/A, watershed schedule
Renewal major facilities	N/A, watershed schedule

Also see [Predictable Permitting Services](#).

#### Once I get this approval, how long will it last?

Maximum of five years

#### How much will this approval cost?

No fee, except for the cost of publishing required notices.

#### Who do I contact with additional questions?

Stephen Luckman  
Municipal Discharge Permits Division  
[sluckman@mde.state.md.us](mailto:sluckman@mde.state.md.us)  
(410) 537-3671



### 3.05 GROUND WATER DISCHARGE PERMIT (Municipal or Industrial)

❑ *Question: Will I discharge any wastewater to the groundwaters of the State?*

#### Why do I need this approval?

Ground Water Discharge Permits control the disposal of treated municipal or industrial wastewater into the State's ground water via spray irrigation and other land-treatment applications, as well as into the subsurface by a drainfield or seepage pit. A groundwater discharge permit will contain the limitations and requirements deemed necessary to protect public health and protect ground water quality.

#### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: 40 CFR Part 144  
STATE: Environment Article, Title 9, Subtitle 3;  
COMAR 26.08.01 through 26.08.04 and 26.08.07.

#### What is the process to get this approval?

- 1) The applicant submits a complete permit application.
- 2) The Department performs a preliminary site evaluation.
- 3) The applicant performs a hydrogeological study.
- 4) The Department publishes notice of permit application and provides an opportunity for an informational meeting.
- 5) The Department holds an information meeting, if requested.
- 6) The Department reviews and approves the hydrogeological report.
- 7) The Department drafts the permit and issues a notice of tentative determination.
- 8) The Department holds a public hearing, if requested.
- 9) The Department prepares the final determination with additional public notice, if any adverse comments are received at public hearing.
- 10) The Department issues the permit if the final determination is not contested.
- 11) If contested, administrative procedures for the appeal process are followed.

#### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Proposed municipal projects must be included in county water and sewer plans before the Department can process a permit. Locally issued permits for activities such as building and sediment control may be needed for these projects but are not required for the

Department to process a ground water discharge permit.

#### Is this approval directly related or contingent on other approvals?

No.

#### Are there any other requirements?

Pre-application review:

- 1) Favorable results from a preliminary site evaluation by the Department;
- 2) Municipal projects must be identified in a current county water and sewerage plan; and
- 3) Depending on the size of the projects, a copy of a hydrogeological study of the proposed site submitted to the Department for review and approval.

Post Approval: A Water and Sewerage Construction Permit (3.07) may be needed.

#### How long should I expect it to take to get this approval once I submit a complete application?

Type of Facility	Turnaround Time
New minor facilities	9 months
Renewal minor facilities	14 months

Also see Predictable Permitting Services: [Fee](#) and [Non-Fee](#).

#### Once I get this approval, how long will it last?

Maximum of five years

#### How much will this approval cost?

Type of Fee	Fee
Application fee (for industrial)	\$50 to \$20,000 depending on the volume of discharge, the type of industry, and how the water is used.
Annual permit fee (for industrial)	\$100 to \$5,000 depending on the volume of the discharge.
Municipal permits	No fee.

#### Who do I contact with additional questions?

Ching-Tzone Tien  
Groundwater Permits Division  
[ctien@mde.state.md.us](mailto:ctien@mde.state.md.us)  
410-537-3662

### 3.06 TOXIC MATERIALS PERMIT

- ❑ *Question: Do I want to use a chemical product to control nuisance aquatic plants or animals in State waters (State waters include streams, storm water ponds, wetlands and tidewater)?*

#### **Why do I need this approval?**

This permit is required for any homeowner, farmer, local government, or other person who wants to control nuisance aquatic life in ponds, ditches or waterways by the use of chemical products (e.g., mosquito control, algae removal).

#### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 9, Subtitle 3;  
COMAR 26.08.03.02.

#### **What is the process to get this approval?**

- 1) Submit a completed application.
- 2) The Department reviews, and issues or denies the application. Although public participation is not required for this permit, the Department recommends that the applicant keep the public informed.

#### **Is this approval directly related or contingent on other approvals?**

Commercial and public agency applicators of pesticides will also need a license from the Maryland Department of Agriculture.

#### **Are there any other requirements?**

The proposed product and method of application must be approved by the Department. The permit will also include a schedule for applying the product. The Maryland Department of Natural Resources must also signoff on this permit.

#### **How long should I expect it to take to get this approval once I submit a complete application?**

45 days

#### **Once I get this approval, how long will it last?**

Maximum of five years

#### **How much will this approval cost?**

No fee.

#### **Do I need to know any additional information?**

In case of an emergency, a limited permit for certain chemicals can be obtained from the local soil conservation district office in one to three days.

#### **Who do I contact with additional questions?**

Edward Gertler  
Industrial Discharge Permits Division  
[egertler@mde.state.md.us](mailto:egertler@mde.state.md.us)  
(410) 537-3323



## 3.07 WATER AND SEWERAGE CONSTRUCTION PERMIT

- ❑ *Question: Do I plan to install, extend or modify a community water supply and/or sewerage system?*

### Why do I need this approval?

The purpose of water and sewerage construction permit is to ensure that infrastructure projects throughout the State are designed on sound engineering principles and comply with State design guidelines to protect water quality and public health. Water and sewerage construction permits are required before installing, extending or modifying community water supply and/or sewerage systems including treatment plants, pumping stations and major water mains and sanitary sewers. These permits ensure conformity with local water and wastewater comprehensive plans and ensure that there is adequate funding for long-term operation. The following major water and sewerage facilities need construction permits:

Major water facilities (A major water supply system, including structures and equipment, treats raw water and distributes potable water to serve 25 or more of the same persons on a day-to-day basis at least six months out of a year, or to serve 15 or more residential connections.):

- Water mains (diameter >15")
- Pumping or booster station
- Elevated tank or storage tank
- Water treatment facilities
- Utilization of well water for public water supply

Major sewerage facilities (A major sewerage system, including structures and equipment, collects, conveys and treats wastewaters generated from domestic, industrial, and commercial establishments.):

- Gravity sewers (diameter >15")
- Pumping station
- Force mains
- Wastewater treatment facilities
- Community or multiuse septic tank system in which a pumping station and a force main are included.

The following minor water and sewerage facilities do not need water/sewerage construction permits:

- Gravity sewers or water mains with diameter 15" or smaller
- Pumping stations with average daily flow 5,000 gpd or less
- Installation of minor items such as a meter, valve or hydrant
- Replacing equipment with new equipment of equal capacity
- Well construction (drilling)

- Construction of conventional septic tank or mound system
- Construction of facilities unrelated to water/wastewater conveyance or treatment at a water/wastewater treatment plant

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 9; COMAR 26.03.12.

### What is the process to get this approval?

- 1) Submit plans and/or specifications with the permit application.
- 2) The Department acknowledges receipt of plans and/or specifications, determines the permit fee, and assigns a permit number.
- 3) The Department verifies that the project is within the service area of the current county water and sewerage comprehensive plans, and reviews/approves the financial management plan (if applicable) for the project.
- 4) The Department reviews the specifications for conformity with State design guidelines and COMAR 26.03.12. After engineering comments are addressed, the Department issues the permit.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

A building permit and septic system construction permit may be needed for the project, contact the county government.

### Is this approval directly related or contingent on other approvals?

A discharge permit must be issued first.

### Are there any other requirements?

PRE-APPROVAL: Applicants must show that the proposed facility is included in the current County Water and Sewerage Plan, and certify that the proposed facility will be operated either publicly or privately under a sound financial management plan.

POST-APPROVAL: The project must be constructed in accordance with the approved plans and specifications.

### How long should I expect it to take to get this approval once I submit a complete application?

3 months

**Once I get this approval, how long will it last?**

One time permit, assuming no changes to the equipment.

**How much will this approval cost?**

No fee. for projects that qualify for a local government waiver.

Privately financed water and sewerage capital projects are charged the following fees (COMAR 26.03.12.):

Type of Construction	Fee
Water mains and gravity sewers/force mains	\$125 to \$1800 depending on the length of the mains.
Water and wastewater pumping stations	\$400 to \$1400 depending on the design capacity.
Water treatment plants	\$250 to \$2000 depending on the design capacity and the number of treatment processes.
Wastewater treatment plants	\$450 to \$2000 depending on the design capacity and the number of treatment processes.

**Who do I contact with additional questions?**

Dr. Ta-Shon Yu

Water Quality Infrastructure Program

[tyu@mde.state.md.us](mailto:tyu@mde.state.md.us)

(410) 537-3758

## 3.08 COAL MINING PERMIT

❑ *Question: Do I plan to mine for coal?*

### Why do I need this approval?

Coal is an important natural resource for Maryland and the economy of Maryland's only coal producing counties - Allegany and Garrett.

Because of the potential environmental problems associated with the mining of coal, Maryland requires a permit prior to the start of any mining operation. Permits are required for surface coal mining, deep coal mining, prospecting, preparation plants, loading facilities and, refuse reclamation operations.

***(NOTE: Pending regulations will require special approval from the Department regarding the use of coal combustion byproducts for reclamation in a coal mining operation.)***

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87)

STATE: Environment Article, Title 15, Subtitle 5 and Subtitle 6; COMAR 26.20.

### What is the process to get this approval?

1) Submit an original and 3 copies of an application for distribution to federal and state agencies for review and comment to:

Department of the Environment  
Bureau of Mines  
160 South Water Street  
Frostburg Maryland 21532

2) Upon notification that the application is complete, the applicant shall publish notice at least once a week for 4 consecutive weeks in a newspaper of general circulation in the county where the proposed activity will be located. This notice will explain where to submit comments, how to request a public information hearing, or how to get on the interested persons mailing list.

3) A detailed review of the application is conducted by the Department. Once the application is determined to be in compliance with the regulatory program, a public informational hearing is held, if requested.

4) The permit will be issued or denied following the public hearing, or in the absence of a public hearing, upon final review and resolution of any outstanding issues, and submittal of the required performance bond.

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Operations that will occur in Allegany County or within the watershed of Deep Creek Lake in Garrett County must obtain approval from local zoning authorities to conduct a mining operation.

### Is this approval directly related or contingent on other approvals?

The applicant must apply for and obtain a Coal Mine Operator's License (3.10) prior to permit issuance and the Maryland Land Reclamation Committee must approve the reclamation plan in the application. Additionally, other local and state approvals may be required dependent upon the location of the proposed operation, and other features that may be affected incidental to the mining operation. Other approvals or permits that may be required include local planning and zoning permits; road entrance permits; county grading permit; industrial discharge permit (3.01); water appropriation and use permit (3.15); surface coal mining blaster certification (3.09); wetlands and waterways permit (3.19 or 3.20); erosion/sediment control approval (3.21); general permit for construction activity (3.23); and air quality permit (1.01, 1.02, 1.03, 1.04 or 1.05).

### Are there any other requirements?

Applicants must post a performance bond prior to issuance of a permit and provide proof of a public liability insurance coverage. Performance bond amount is based on size of the proposed operation and other factors, cannot be less than \$10,000, and is likely to range between \$2,000 and \$5,000 per acre of permit area. Public liability insurance must cover injury and property damage, including damage from use of explosives and damage to water supplies, with a minimum coverage of \$300,000 per occurrence and \$500,000 aggregate for each type.

### How long should I expect it to take to get this approval once I submit a complete application?

Application processing time varies depending upon the complexity of the proposed operation, the amount of public comment, and environmental issues. Twelve months is considered the standard processing time from the date of original submission to a permit decision.

### Once I get this approval, how long will it last?

Coal mine operations permits are issued for a period of five years with the right of successive renewal, as long as the operation is being conducted in compliance with the regulatory program. Renewal requires the filing of a Renewal Application 120 days prior to expiration of the permit. Maximum of five years

### How much will this approval cost?

Type of Approval	Fee
Surface coal mining permit	\$10
Special reclamation	\$75 for each acre to be affected
Deep coal mining permit	\$200

### Who do I contact with additional questions?

John E. Carey or Alan V. Hooker  
Mining Program  
Bureau of Mines  
[jcarey@mde.state.md.us](mailto:jcarey@mde.state.md.us) or  
[ahooker@mde.state.md.us](mailto:ahooker@mde.state.md.us)  
(301) 689-1440

## 3.09 SURFACE COAL MINING BLASTER CERTIFICATION

- ❑ *Question: As part of coal mining, do I plan to be responsible for the use of explosives in the project?*

### **Why do I need this approval?**

Blasting on surface coal mining operations is required to be conducted under the direction of a person who has been certified as a blaster by the Department. The blaster is the person who is directly responsible for the use of explosives on surface coal mining operations. The blaster must be familiar with the blasting plan and site specific performance standards for the mining operation.

### **What laws or regulations give MDE the legal authority to issue this approval?**

FEDERAL: Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87)  
STATE: Environment Article, Title 15, Subtitle 5 and 6; COMAR 26.20.22.08.

### **What is the process to get this approval?**

- 1) The Department examines candidates for the blaster certification who meet the qualifications for certification, including a training course issued by the Department, or have received training and certification as a blaster in a state with a federally approved blaster certification program.
- 2) Upon passing the examination, a candidate for blaster certification is issued a certificate indicating that they are a certified blaster for a period of three years.
- 3) An applicant for recertification must be currently certified and must submit proof that they have had at least one year of blasting experience in the last three years.

### **Are there any other requirements?**

Persons applying to become certified blasters shall:

- a) Be at least 21 years of age;
- b) Have received at least one year of qualifying experience under the direction and supervision of a certified blaster in the handling and use of explosives; and

c) Receive training including, but not limited to, the technical aspects of blasting operations; and state and federal laws concerning the storage, transportation and use of explosives.

### **How long should I expect it to take to get this approval once I submit a complete application?**

Once the applicant passes the exam, a certification card is mailed.

### **Once I get this approval, how long will it last?**

Three years

### **How much will this approval cost?**

No certification fee.

There is a minimal charge for the training course

### **Do I need to know any additional information?**

The certification of a blaster may be suspended or revoked by the Department in accordance with COMAR 26.20.22.08G for any of the following reasons:

- Noncompliance with any final order of the Department
- Unlawful use in the work place of, or current addiction to, alcohol, narcotics, or other dangerous drugs
- Violation of any provision of the State or federal explosives laws or regulations
- Providing false information or a misrepresentation to obtain certification
- Refusal to exhibit his or her certificate to any authorized representative of the Department

### **Who do I contact with additional questions?**

John E. Carey or Jeffrey A. Snyder  
Mining Program  
Bureau of Mines  
[jcarey@mde.state.md.us](mailto:jcarey@mde.state.md.us) or  
[jsnyder@mde.state.md.us](mailto:jsnyder@mde.state.md.us)  
(301) 689-1440

## 3.10 COAL MINING OPERATOR LICENSE

❑ *Question: Am I responsible for a coal mining operation?*

### **Why do I need this approval?**

Maryland requires that anyone responsible for a coal mining operation obtain a mining operator license from the Department.

The purpose of the license is to ensure that coal mining operations meet the Department's environmental standards, have proper credentials, have acceptable track records in Maryland and elsewhere, and meet financial accountability requirements.

### **What laws or regulations give MDE the legal authority to issue this approval?**

FEDERAL: Surface Mining Control and Reclamation Act of 1977, 30 U.S.C.A. §1201, et seq.

STATE: Environment Article, Title 15, Subtitle 5 and 6; Sections 15-504 and 15-605.

### **What is the process to get this approval?**

1) Submit the completed application to:  
Maryland Department of the Environment  
Bureau of Mines  
160 South Water Street  
Frostburg, MD 21532

2) The Department will review the application for completeness and verify that the applicant has not forfeited a bond in Maryland or in any other state.

### **Are there any other requirements?**

The application shall include the following:

- a) Identify if the application is for open pit or deep mine;
- b) Identify the business structure for the applicant, such as: corporation, partnership, association, individual, or other;

c) If the applicant is a corporation, indicate state in which incorporated, date of incorporation, name and address of resident agent; and

d) Include verification that the business has been registered with the Maryland Department of Assessment and Taxation.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

One year, January 1 to December 31.

### **How much will this approval cost?**

Type of Fee	Fee
Application fee	\$200
Renewal fee	\$10 annually

### **Do I need to know any additional information?**

The applicant will be denied a renewal if violations or corrective actions in Maryland or other states have not been corrected.

### **Who do I contact with additional questions?**

John E. Carey or Alan V. Hooker  
Mining Program  
Bureau of Mines  
[jcarey@mde.state.md.us](mailto:jcarey@mde.state.md.us) or  
[ahooker@mde.state.md.us](mailto:ahooker@mde.state.md.us)  
(301) 689-1440

### 3.11 NON-COAL MINING PERMIT

- ❑ *Question: Will earthen material (topsoil, sand, gravel, clay, stone, minerals) be removed from my property? AND Will the disturbance, including roads, stockpiles and drainage controls exceed one acre in size?*

#### **Why do I need this approval?**

Mining of non-coal minerals (sand, gravel, clay, limestone, granite, shale and dimension stone) is an essential activity making an important contribution to the economic well-being of the State. To minimize the effects of mining on the environment, provide proper land reclamation, and ensure public safety, a permit is required to conduct surface mining.

*(NOTE: Pending regulations will require special approval from the Department regarding the use of coal combustion byproducts for reclamation in a surface mining operation.)*

#### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article - Title 15, Subtitle 8;  
COMAR 26.21.01.

#### **What is the process to get this approval?**

- 1) An application for a permit is filed with the Department. A set of plans must be submitted with the application.
- 2) A detailed review is conducted by the Department including comments from other review agencies.
- 3) Once the application has been determined to be complete, an opportunity for a public hearing will be provided.
- 4) A decision on the application will be made within 30 days of the close of the record of the public hearing.
- 5) Submit application, plans and fee to:  
Maryland Department of the Environment  
Mining Program  
P.O. Box 2057  
Baltimore, MD 21203-2057

**Before I apply for this approval, do I need to get any approvals from the local or federal government?**

Local approvals must be obtained from local planning & zoning authorities, soil conservation districts, and county/state road departments.

#### **Is this approval directly related or contingent on other approvals?**

No.

#### **Are there any other requirements?**

PRE-APPROVAL: All other related permits (discharge permits, construction general permit, general permit for mining and water appropriation permit for dewatering, etc) must be obtained prior to issuance of a surface mining permit. A performance bond of \$1,250 per acre is required. A final inspection will be made by the Department prior to bond release.

#### **How long should I expect it to take to get this approval once I submit a complete application?**

7 months

#### **Once I get this approval, how long will it last?**

Maximum of five years, can be renewed.

#### **How much will this approval cost?**

Type of Fee	Fee
Permit fee	\$12 per acre per year (\$1,000 maximum)
Special reclamation fee	\$30 per acre
Right of entry recording	\$40.50

#### **Who do I contact with additional questions?**

C. Edmon Larrimore  
Mining Program  
[elarrimore@mde.state.md.us](mailto:elarrimore@mde.state.md.us)  
(410) 537-3557

## 3.12 SURFACE MINING LICENSE

❑ *Question: Am I responsible for a surface mining operation?*

### **Why do I need this approval?**

Maryland requires that anyone responsible for a surface mining operation obtain a license from the Department. The purpose of the license is to ensure that non-coal mining operations meet the Department's environmental standards, have proper credentials, have acceptable track records in Maryland and elsewhere, and meet financial accountability requirements.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article, Title 15, Subtitle 8;  
COMAR 26.21.01.

### **What is the process to get this approval?**

- 1) Submit the completed application and fees to:  
Department of the Environment  
Water Management Administration  
Mining Program  
P.O. Box 2057  
Baltimore, MD 21203-2057
- 2) The Department will review the application.
- 3) A decision on the application will be made within 30 days of receipt of a completed application.

### **Is this approval directly related or contingent on other approvals?**

The applicant, if a corporation, is screened with the Maryland Department of Assessment and Taxation for currency in their payment of taxes (per section 1-203)

and to assure that the business is registered to do business in Maryland.

### **Are there any other requirements?**

The application shall include the following:

- a) Identify business structure for applicant, such as: corporation, partnership, or individual;
- b) If applicant is a corporation, indicate if the corporation is registered to do business in Maryland;
- c) Identify all partners, registered agents, principle officers, and/or directors; and
- d) Include information concerning outstanding violations, and bond forfeitures in any state.

### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days

### **Once I get this approval, how long will it last?**

One year, January 1 to December 31

### **How much will this approval cost?**

Type of Fee	Fee
Application fee	\$300
Renewal fee	\$150 annually

### **Who do I contact with additional questions?**

C. Edmon Larrimore  
Mining Program  
[elarrimore@mde.state.md.us](mailto:elarrimore@mde.state.md.us)  
(410) 537-3557



## 3.13 OIL AND GAS EXPLORATION AND PRODUCTION

❑ *Question: Do I need a permit to search or use reserves of gas or oil?*

### **Why do I need this approval?**

The exploration for and subsequent development of oil and gas resources is an important economic factor for the State of Maryland. While promoting the development of these resources, it is necessary to employ environmentally sound drilling and production methods to prevent detrimental impacts to the general welfare, health, safety, and property interests of the citizens of Maryland.

Any person proposing to drill a well for oil or gas must submit a permit application to the Mining Program. The review process is to evaluate the technical adequacy of the project, ensure sufficient environmental controls are employed, and assure citizens that property and mineral interests are protected.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article - Title 14, Subtitle 1, 2 and 3; COMAR 26.19.01 and .02.

### **What is the process to get this approval?**

- 1) An application to drill and operate an oil and gas well or to conduct seismic operations must be submitted to the Department.
- 2) A detailed review of the application is conducted by the Department including comments from other review agencies including the Maryland Geologic Survey, the Department of Natural Resources and local review agencies.
- 3) Once the application has been determined to be complete, an opportunity for a public hearing will be provided.
- 4) A decision on the application will be made no later than 30 days of the close of the record of the public hearing.
- 5) Submit application and supporting documents to:  
Maryland Department of the Environment  
Mining Program  
1800 Washington Boulevard, Suite 435  
Baltimore, MD 21230-1708

### **Before I apply for this approval, do I need to get any approvals from the local or federal government?**

Local approvals from local planning & zoning authorities, soil conservation districts and county/state roads departments may be required.

### **Is this approval directly related or contingent on other approvals?**

No.

### **Are there any other requirements?**

PRE-APPROVAL: All other related approvals must be obtained prior to issuance of a gas/oil permit. A bond of up to \$100,000 is required prior to the issuance of a permit.

POST-APPROVAL: A final inspection will be made prior to bond release.

### **How long should I expect it to take to get this approval once I submit a complete application?**

5 months

### **Once I get this approval, how long will it last?**

Maximum of five years

### **How much will this approval cost?**

No fee.

### **Who do I contact with additional questions?**

C. Edmon Larrimore  
Mining Program  
[elarrimore@mde.state.md.us](mailto:elarrimore@mde.state.md.us)  
(410) 537-3557

### 3.14 WELL CONSTRUCTION PERMIT

- ❑ *Question: Am I planning on having a well constructed on my property to obtain groundwater? OR*
- ❑ *Question: Am I planning on having a geothermal heat pump HVAC system installed?*

#### **Why do I need this approval?**

To ensure a clean and adequate supply of underground drinking water, the State carries out programs to prevent contamination of aquifers from improper well construction and well abandonment.

A well construction permit (3.15) is required before installing any well that will explore for water, obtain or monitor ground water, or inject water into any underground formation from which ground water may be produced.

The well construction permit is obtained by the well driller from the local health department.

#### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article Title 9, Subtitle 13;  
COMAR 26.04.04.

#### **What is the process to get this approval?**

Contact the county health department for the application process.

#### **Before I apply for this approval, do I need to get any approvals from the local or federal government?**

County health departments generally issue these permits in coordination with the Department.

#### **Is this approval directly related or contingent on other approvals?**

The Department may require a water appropriation and use permit (3.15). If the well is to be used on a dairy farm, the project must be approved by the Maryland Department of Health and Mental Hygiene. If the well

is to be used for a public water supply, the Department will also require a water and sewerage construction permit (3.07).

#### **Are there any other requirements?**

PRE-APPROVAL: The site must be inspected before the permit is issued. Public water supplies must be inspected by MDE, non-public wells are inspected by the local authorities.

POST-APPROVAL: A certificate of potability, based upon the results of water quality sampling, must be issued by the local approving authority, or by the Department for public supplies, before the well can be placed in service as a potable supply.

#### **How long should I expect it to take to get this approval once I submit a complete application?**

30 days (This may vary depending on the local health department.)

#### **Once I get this approval, how long will it last?**

Twelve months

#### **How much will this approval cost?**

Environment Article Section 9-1307 allows up to \$160 per permit. Each county establishes the fee, but may not exceed \$160 per permit.

#### **Who do I contact with additional questions?**

Barry Glotfelty  
Delegated Program Section  
[bglotfelty@mde.state.md.us](mailto:bglotfelty@mde.state.md.us)  
(410) 537-3784

## 3.15 WATER APPROPRIATION AND USE PERMIT

- ❑ *Question: Am I planning to perform an activity that withdraws water from the State's surface and/or underground waters?*

### Why do I need this approval?

In order to conserve, protect, and use water resources of the State in the best interests of the people of Maryland, it is necessary to control the appropriation or use of surface and underground waters.

This permit is required for any activity that withdraws water from the State's surface and/or underground waters unless exempted below.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 5, §5-203 and §5-501 through §5-516 and §5-5B-01 through §5-5B-05, Annotated Code of Maryland; COMAR 26.17.06 and COMAR 26.17.07.

### What is the process to get this approval?

- 1) Obtain local land use zoning approvals and check for consistency with county water and sewer plan.
- 2) Submit application for technical review and include:
  - a. Map of project location and service area or structure;
  - b. For subdivisions: a preliminary plat with lot sizes;
  - c. Explanation of water use;
  - d. Average daily use calculated on an annual basis;
  - e. For groundwater withdrawal, average daily use during the month of highest use; and
  - f. For surface water, maximum daily use.
- 3) Submit plans and specifications for any facility or structure or conduct and submit special evaluations as requested.
- 4) A site inspection may be performed by the Department to obtain additional information.
- 5) Appropriation requests for an annual average withdrawal of more than 10,000 gallons per day (gpd) (as a new request or increase) will receive a detailed package of instructions for completing the application. These instructions may include aquifer testing, other technical analysis and are provided after the applicant completes the one-page form. Agricultural users are provided technical assistance by MDE in the permitting process. All applicants proposing a new use of increase of 10,000 gpd will be required to include certified notification of contiguous property owners and certification of compliance with Business Occupations and Professions, Article 12, §205, Annotated Code of Maryland (water conservation technology).
- 6) Requests for an annual average withdrawal of more than 10,000 gpd as a new request or increase are advertised for a public information hearing.

Forms for notice of exemptions, locations of water management strategy areas and permit applications can be downloaded from the MDE website at:

[http://www.mde.state.md.us/Permits/WaterManagementPermits/water\\_permits/index.asp](http://www.mde.state.md.us/Permits/WaterManagementPermits/water_permits/index.asp)

### Before I apply for this approval, do I need to get any approvals from the local or federal government?

County planning and zoning approval;  
County water and sewer plan approval;

### Is this approval directly related or contingent on other approvals?

3.14 Well construction permit  
3.18 or 3.19 Wetlands permit  
3.25 Waterway construction permit

### Are there any other requirements?

EXEMPTION: Uses exempt from the water appropriation and use permit process are:

- 1) Extinguishing a fire;
- 2) Agricultural use under 10,000 gallons/day;
- 3) Individual domestic use except withdrawals for heating and cooling;
- 4) Temporary dewatering during construction if:
  - a) The duration of the dewatering including intermittent non-pumping periods is expected to be less than 30 days; and
  - b) The average water use does not exceed 10,000 gallons/day.
- 5) Other users of ground water less than 5,000 gpd as an annual average:
  - a. that is not for a community water system, as defined by the Safe Drinking Water Act; or;
  - b. that is not within a water management strategy area; and
  - c. the user files a notice of exemption with MDE at least 30 days prior to the beginning of the use or prior to the expiration date for an existing permitted use.

### APPROVALS

PRE-APPROVAL: An applicant must provide satisfactory proof that the proposed withdrawal of water is reasonable and the impacts on the water resource and other users are acceptable. In addition, the proposed use must be consistent with the local planning and zoning requirements and the county water and sewer plan.

POST APPROVAL: The project must meet withdrawal limits and may be required to meet periodic reporting, environmental and other requirements specific to the permit.

### How long should I expect it to take to get this approval once I submit a complete application?

Appropriation Requested	Turnaround Time
Under 10,000 gallons per day	90 days
10,000 gallons per day or more	18 months

### Once I get this approval, how long will it last?

Maximum of twelve years

### How much will this approval cost?

No fee.

### Do I need to know any additional information?

The approved withdrawal must begin within two years of approval. Permits are subject to a review every three years and are not transferable to new ownership without written authorization by the Department.

### Who do I contact with additional questions?

John Grace  
Water Supply Program  
[jgrace@mde.state.md.us](mailto:jgrace@mde.state.md.us)  
(410) 537-3714

## 3.16 DRINKING WATER SAMPLER CERTIFICATION

- ❑ *Question: Will I take drinking water samples as part of my job or to satisfy any legal requirements?*

### **Why do I need this approval?**

This certification assures the reliability of the Safe Drinking Water Act compliance samples submitted to state certified laboratories. Performing the required sampling and testing of public water systems is the primary means of evaluating the safety of the drinking water supply.

The certification is for individuals collecting samples for Safe Drinking Water Act Compliance, including laboratory personnel, municipal and private water system operators and superintendents, county and state health department staff, and other individuals who collect samples for public drinking water systems. Due to limited class capacity, this certification will no longer be provided for individuals not specified above.

### **What laws or regulations give MDE the legal authority to issue this approval?**

FEDERAL: Safe Drinking Water Act; 40 Code of Federal Regulations 141.28  
STATE: Environment Article, Title 9 subtitle 10; COMAR 26.08.05.

### **What is the process to get this approval?**

1) An applicant registers to attend a certification class. For class scheduling and registration at the Department, contact the Water Supply Program at (410) 537-3729. An annual calendar of classes scheduled throughout Maryland is available at:

[http://www.mde.state.md.us/Programs/WaterPrograms/Water\\_Supply/drinkingwater/index.asp](http://www.mde.state.md.us/Programs/WaterPrograms/Water_Supply/drinkingwater/index.asp)

Provide your name, company, phone number and previous certification number.

The following local county health departments also schedule classes: Allegany, Anne Arundel, Carroll, Cecil, Charles, Frederick, Kent, Montgomery, St. Mary's, Washington, Wicomico, and Worcester. For class registration, please contact the county health department.

2) At the end of the four-hour certification class, an examination is given.

3) Upon passing the examination, the applicant is issued a certification card.

### **Are there any other requirements?**

- High school education
- No experience required

### **How long should I expect it to take to get this approval once I submit a complete application?**

Same day, upon passing the test.

Certification cards will be distributed at the end of the class or mailed.

### **Once I get this approval, how long will it last?**

Maximum of three years

Those who have been certified within the past three years are exempt from the practical exam. Those who do not pass the examination, are required to repeat the class. Staff in 12 counties are re-trained annually to offer the certification.

### **How much will this approval cost?**

No fee.

Some county health departments charge a fee for the certification class.

### **Do I need to know any additional information?**

An annual calendar of classes scheduled throughout Maryland is updated quarterly at:

[http://www.mde.state.md.us/Programs/WaterPrograms/Water\\_Supply/drinkingwater/index.asp](http://www.mde.state.md.us/Programs/WaterPrograms/Water_Supply/drinkingwater/index.asp)

### **Who do I contact with additional questions?**

Mark Jacobs

Water Supply Program

[mjacobs@mde.state.md.us](mailto:mjacobs@mde.state.md.us)

(410) 537-3729

### 3.17 DRINKING WATER LABORATORY CERTIFICATION

- *Question: Will my laboratory analyze drinking water samples for public water systems or to satisfy any legal requirements?*

#### **Why do I need this approval?**

This certification assures the reliability of the Safe Drinking Water Act compliance samples analyzed by state certified laboratories. Providing high quality data is critical to evaluating public water systems, and is the primary means of evaluating the safety of the drinking water supplies.

The certification is for both In-State and Out-of-State laboratories that analyze drinking water samples for water systems in Maryland. Laboratories may be either government-owned or privately owned.

#### **What laws or regulations give MDE the legal authority to issue this approval?**

FEDERAL: Safe Drinking Water Act; 40 Code of Federal Regulations 141.28  
STATE: Environment Article, Title 9 Subtitle 10; COMAR 26.08.05.

#### **What is the process to get this approval?**

A laboratory must submit an application package to the Department, contact the Water Supply Program at (410) 537-3729. New laboratories must pass performance testing for each parameter, have approved standard operating procedures, and quality assurance procedures. In addition an on-site evaluation must be completed by the Department or an approved third party agency for In-State laboratories.

An Out-of-State laboratory that is requesting certification in Maryland must hold certification in their home state or from EPA in order to receive reciprocal certification.

#### **Are there any other requirements?**

Laboratory personnel must meet the minimum education and experience requirements established under federal and State regulations and guidelines.

#### **How long should I expect it to take to get this approval once I submit a complete application?**

The timeframe for certification is dependent on the complexity of the laboratory services. Generally certification is determined within three to six months of the on-site assessment. The on-site assessment is not scheduled until the other requirements are satisfied.

#### **Once I get this approval, how long will it last?**

Maximum of three years. The certification must be renewed annually.

#### **How much will this approval cost?**

Fees are due annually. The fees are determined based on the laboratories In-State/Out-of-State status, and the number of approved chemical parameters. There is no fee for laboratories owned by local government agencies.

#### **Do I need to know any additional information?**

Information on this program is available at:  
[http://www.mde.state.md.us/Programs/WaterPrograms/Water\\_Supply/WSP-LabCert.asp](http://www.mde.state.md.us/Programs/WaterPrograms/Water_Supply/WSP-LabCert.asp)

#### **Who do I contact with additional questions?**

Linda Ames  
Water Supply Program  
[lames@mde.state.md.us](mailto:lames@mde.state.md.us)  
(410) 537-3729



### 3.18 TIDAL WETLAND LICENSES AND PERMITS

- ❑ *Question: Does the tide rise and fall at the site where you propose your project? If so, Does your project involve constructing a shore erosion control measure such as a bulkhead, stone revetment, pier or marsh? **OR** dredging any open water or marsh?*

#### Why do I need this approval?

Tidal wetlands, which fringe many of the shorelines of the Chesapeake Bay and its tidal tributaries, as well as the Coastal Bays, include marshes, shrub swamps, forested wetlands, submerged aquatic vegetation and open waters. Each type of wetland plays a vital role in the health of the Chesapeake and Coastal Bay estuaries. Roles of tidal wetlands include fish and wildlife habitat, water quality enhancement, natural shoreline protection, flood protection, recreational opportunities, and aesthetics.

The goal of the tidal wetlands program is to manage tidal wetlands to provide reasonable use while furnishing essential resource protection. To accomplish this goal, the following activities are regulated by the Department:

- Filling of open water and vegetated wetlands
- Construction of piers, bulkheads, revetments
- Dredging
- Marsh establishment

#### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article Title 16; COMAR 26.24

#### What is the process to get this approval?

1) Complete a "Joint Federal/State Application for the Alteration of any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland" application.

2) Mail the original plus four copies of the application, plans, vicinity maps and any supporting documentation to:

Regulatory Services Coordination Office (RSC)  
MDE, Water Management Administration  
1800 Washington Boulevard, Suite 430  
Baltimore, Maryland 21230-1708

3) Upon receipt of the application package, the RSC will determine what type of permit is necessary and will forward the application to the appropriate governmental agencies. The RSC receives applications for the Nontidal Wetlands and Waterways Division, Tidal Wetlands Division, and Dam Safety Division of the Maryland Department of the Environment, as well as the U.S. Army Corps of Engineers. The Department conducts the review in cooperation with local, state, and federal agencies. Although the Department often coordinates with local governments on specific applications, it is the applicant's responsibility to obtain all local approvals for the project.

4) Depending on the nature of the project, it may be advertised for comment and an opportunity for a public

informational hearing. The applicant may be required to notify adjacent property owners.

5) The Department may perform a site evaluation.

6) At the conclusion of the review process, the Department will make a decision on the application. Upon receipt of final construction plans, a permit or license is issued by the Department. In some instances, a license may be issued by the Maryland Board of Public Works (BPW) based on a recommendation from the Department.

#### WATER QUALITY CERTIFICATION

A State Water Quality Certification (WQC), which insures the protection of waters of the State, is necessary for activities requiring a U.S. Army Corps of Engineers Section 404 permit. When an activity is authorized by a permit or general wetlands license, the WQC is incorporated into that authorization. When a wetlands license is issued by the BPW or the activity is exempt from the requirement to obtain a wetlands license or permit, an individual WQC is issued by the Department.

#### Is this approval directly related or contingent on other approvals?

Chesapeake Bay Critical Area Protection Program;  
Erosion/sediment control and stormwater management plan approvals (3.20);  
Local building permits.

#### Are there any other requirements?

Applicants are required to demonstrate that proposed impacts to tidal wetlands are necessary and unavoidable. The application review process first eliminates then reduces impacts through avoidance and minimization. An alternatives analysis may be required as part of this process. Mitigation may be required for authorized impacts. Wetland mitigation monitoring may be required and may extend beyond construction of an approved mitigation project.

#### How long should I expect it to take to get this approval once I submit a complete application?

Type of Project *	Turnaround Time
Minor projects	5 months
Major projects	10 months

\* Major projects are those that require public notice or coordination with other State and federal regulatory and environmental review agencies.

Minor projects are those authorized by Category I of the Maryland State Programmatic General Permit (MDSPGP). MDSPGP is a federal permit issued by the Army Corps of Engineers on Behalf of the citizens

of Maryland. Category I activities of this general permit do not require any involvement of the federal government. The Department issues the federal authorization for these activities.

**Once I get this approval, how long will it last?**

Maximum of three years

**How much will this approval cost?**

A fee of up to \$1000 may be assessed by the BPW, depending on the purpose of the project. For example, projects necessary to protect property from damage (e.g. shore erosion control) are typically \$250 and projects that will economically benefit a landowner are typically \$1000. No fee is assessed for minor projects issued directly by the Department. Utility projects are

subject to a separate fee schedule maintained by the BPW.

**Do I need to know any additional information?**

Contact the Department at (410) 537-3837 for technical assistance and guidance on the preparation of a complete application. For permit application status call 1-800-876-0200.

**Who do I contact with additional questions?**

Richard J. Ayella  
Tidal Wetlands Division  
[rayella@mde.state.md.us](mailto:rayella@mde.state.md.us)  
(410) 537-3837



### 3.19 NONTIDAL WETLANDS (NONTIDAL WETLANDS AND WATERWAYS PERMITS)

- ❑ *Question: Does your project require work to be performed in a non-tidal wetland, the non-tidal wetland buffer?*

#### **Why do I need this approval?**

Nontidal wetlands are commonly known as marshes, swamps, bogs, wet meadows and bottomland forests. They are inland, freshwater areas usually covered or saturated with water for long periods during the growing season. Nontidal wetlands help protect the Chesapeake and Coastal Bays and streams by filtering phosphorus, nitrogen, and other pollutants from upland runoff. They form natural flood retention areas able to store floodwater and slowly release them downstream, reducing flood damages. Nontidal wetland vegetation helps stabilize streambanks and reduce streambank erosion. They also provide habitat for fish and wildlife, including many rare, threatened and endangered species, and organic material for the food chain. Nontidal wetlands are also areas of scenic beauty and provide recreational opportunities. The goal of the nontidal wetlands and waterways program is to manage nontidal wetlands and to provide essential resource protection by authorizing only necessary and unavoidable impacts. To accomplish this goal, the following activities are regulated by the Department:

- Grading or filling
- Excavating or dredging
- Changing existing drainage patterns
- Disturbing the water level or water table
- Destroying or removing vegetation

#### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article Title 5, Subtitle 5-901 through 5-911; Annotated Code of Maryland; COMAR 26.23.

#### **What is the process to get this approval?**

1) Complete a "Joint Federal/State Application for the Alteration of any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland" application.

2) Mail the original plus four copies of the application, plans, vicinity maps, and any supporting documentation to:

Regulatory Services Coordination Office (RSC)  
MDE, Water Management Administration  
1800 Washington Boulevard, Suite 430  
Baltimore, Maryland 21230-1708

3) Upon receipt of the application package, the RSC will determine what type of authorization is necessary and will forward the application to the appropriate governmental agencies. The RSC receives applications for the Nontidal Wetlands and Waterways Division, Tidal Wetlands Division and the Dam Safety Division of the Maryland Department of the Environment, as

well as the U.S. Army Corps of Engineers. The Department conducts the application review in cooperation with local, State and federal agencies.

4) Depending on the nature of the project, it may be advertised for comment and an opportunity for a public informational hearing. The applicant may be required to notify adjacent property owners. If requested, a public informational hearing is conducted by the Department

5) The Department may perform a site evaluation.

6) At the conclusion of the review process, the Department will make a decision on the application. Upon receipt of final construction plans, a permit or letter of authorization may be issued by the Department.

#### **WATER QUALITY CERTIFICATION**

A State Water Quality Certification (WQC), which insures the protection of waters of the State, is necessary for activities requiring a U.S. Army Corps of Engineers Section 404 permit. When an activity is approved by a nontidal wetlands and waterways authorization, the WQC is incorporated into that authorization. When an activity is exempt from the requirement to obtain a nontidal wetlands and waterways authorization, an individual WQC is issued by the Department.

#### **Is this approval directly related or contingent on other approvals?**

Chesapeake Bay Critical Area Protection Program; Erosion/sediment control and stormwater management plan approvals (3.20); and Local building permits.

#### **Are there any other requirements?**

An authorization is required for any activity that alters a nontidal wetland or its 25-foot buffer. The 25-foot buffer is expanded to 100 feet for wetlands of special state concern as defined in COMAR 26.23.06.

Applicants are required to demonstrate that proposed impacts to nontidal wetlands are necessary and unavoidable. The application review process first eliminates, then reduces impacts through avoidance and minimization. An alternatives analysis may be required as part of this process. Mitigation is required for all authorized impacts. Wetland mitigation monitoring is required and will extend beyond construction of an approved mitigation project.

**How long should I expect it to take to get this approval once I submit a complete application?**

Type of Project *	Turnaround Time
Minor projects	10 months (300 days)
Major projects	12 months (360 days)

\* **Minor Project:** Generally, projects that involve permanent impacts of less than 5,000 square feet to nontidal wetlands, or less than one acre of isolated nontidal wetlands. These projects do not require an alternative site analysis, public notice or mitigation by the applicant.

**Major Project:** Projects with permanent impacts to nontidal wetlands equal to or greater than 5,000 square feet; or projects with less than 5,000 square feet but within the Critical Area, a Nontidal Wetland of Special State Concern, or within a Use III or IV watershed. An alternative site analysis, public notice, including the opportunity for the public to request a public informational hearing, and mitigation by the applicant are required.

**Once I get this approval, how long will it last?**

Maximum of five years and may be extended for an additional five years. Construction must be initiated within three years.

**How much will this approval cost?**

No fee.

**Do I need to know any additional information?**

Contact the Department at (410) 537-3768 for technical assistance and guidance on the preparation of a complete application. For permit application status call 1-800-876-0200.

**Who do I contact with additional questions?**

Amanda Sigillito  
Nontidal Wetlands and Waterways Division  
[asigillito@mde.state.md.us](mailto:asigillito@mde.state.md.us)  
(410) 537-3766

## 3.20 WATERWAY AND 100-YEAR FLOODPLAIN (NONTIDAL WETLANDS AND WATERWAYS PERMIT)

- ❑ *Question: Does your project require work to be performed in a non-tidal wetland, the non-tidal wetland buffer?... or the 100-year floodplain?*

### Why do I need this approval?

Waterway construction regulations assure that activities in a waterway or its floodplain do not create flooding on upstream or downstream property, maintain fish habitat and migration, and protect waterways from erosion. Authorization is required for construction or repair of the following projects in a waterway or a 100-year floodplain:

- Dams and reservoirs
- Bridges and culverts
- Excavation, filling or construction
- Channelization
- Changing the course, current or cross-section of any stream
- Temporary construction (e.g. utility lines)
- Any other similar project.

Ponds and dams require a separate review. See Dam Safety.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article Title 5, Subtitle 5-501 through 5-514; COMAR 26.17.04.

### What is the process to get this approval?

- 1) Complete a "Joint Federal/State Application for the Alteration of any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland" application.
- 2) Mail the original plus four copies of the application, plans, vicinity maps and any supporting documentation to:

Regulatory Services Coordination Office (RSC)  
MDE, Water Management Administration  
1800 Washington Boulevard, Suite 430  
Baltimore, Maryland 21230-1708

- 3) The RSC will determine what type of permit is necessary and will forward the application to the appropriate governmental agencies. The RSC receives applications for the Nontidal Wetlands and Waterways (3.19), Tidal Wetlands (3.18) and the Dam Safety (3.25) Divisions of the Maryland Department of the Environment, as well as the U.S. Army Corps of Engineers. The Department conducts the permit application review in cooperation with local, State and federal agencies.

- 4) Depending on the nature of the project, it may be advertised for comment and an opportunity for a public informational hearing. The applicant may be required to notify adjacent property owners.
- 5) The Department may perform a site evaluation.

- 6) At the conclusion of the review process, the Department will make a decision on the application. Upon receipt of final construction plans, a permit or letter of authorization may be issued by the Department. A letter of authorization is not available for highway construction.

### WATER QUALITY CERTIFICATION

A State Water Quality Certification (WQC), which insures the protection of waters of the State, is necessary for activities requiring a U.S. Army Corps of Engineers Section 404 permit. When an activity is approved by a nontidal wetlands and waterways authorization (3.19), the WQC is incorporated into that authorization. When an activity is exempt from the requirement to obtain a nontidal wetlands and waterways authorization, an individual WQC is issued by the Department.

### Is this approval directly related or contingent on other approvals?

Chesapeake Bay Critical Area Protection Program  
Erosion/sediment control and stormwater management plan approvals; and  
Local building permits.

### Are there any other requirements?

A person is required to obtain a permit from the Department in order to change the course, current, or cross-section of a nontidal stream or body of water, including the 100-year floodplain. Activities are evaluated for impacts on the floodplain, public safety and welfare, and natural resources. An engineering analysis is required for bridges, culverts, filling, and other construction. In addition, environmental impacts associated with the proposed project, including impacts to nontidal wetlands, in-stream fisheries, wildlife, endangered species and their critical habitat, and alternatives to reduce or eliminate adverse impacts are required to be submitted with the application. Site location and design criteria are contained in the regulations.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Project *	Turnaround Time
Minor projects	10 months
Major projects	12 months

\* Minor Projects: Projects that involve: minor repair or maintenance; temporary construction; clearing and grading activities in the 100-year floodplain that involve less than 100 cubic yards of disturbance; or,

minor changes or modifications to existing permits.  
Minor projects are not placed on public notice.

Major Projects: Projects that propose permanent impacts to: construct, reconstruct a reservoir, dam or other waterway obstruction;; construct a waterway; or, dredge, fill, bulkhead or change the shoreline. Major projects are placed on public notice.

**Once I get this approval, how long will it last?**

Permits may be issued for a maximum of five years and may be extended for an additional five years. Construction must be initiated within two years.

**How much will this approval cost?**

No fee.

**Do I need to know any additional information?**

Contact the Department at (410) 537-3768 for technical assistance and guidance on the preparation of a complete application. For permit application status call 1-800-876-0200.

**Who do I contact with additional questions?**

Amanda Sigillito  
Nontidal Wetlands and Waterways Division  
[asigillito@mde.state.md.us](mailto:asigillito@mde.state.md.us)  
(410) 537-3766

## 3.21 EROSION/SEDIMENT CONTROL AND STORMWATER MANAGEMENT PLAN APPROVALS

- ❑ *Question: Is the project undertaken by a State or Federal agency or local government agencies or private concerns? If so, will 5000 square feet or more or 100 cubic yards or more of earth be disturbed? **OR***
- ❑ *Question: Will the project impact an existing storm water management facility?*

### Why do I need this approval?

The purpose of Maryland's erosion/sediment control and stormwater management programs is to reduce stream channel erosion, pollution, siltation, and local flooding caused by land use changes associated with urbanization.

Erosion/sediment control plan approval is required, before construction, to prevent siltation due to releases of sediment (soil) from active construction sites. For example, before a housing development begins, the land needs to be cleared and graded. Erosion/sediment control plan implementation is needed to control the exposed soil from washing away into the storm drains, streams, rivers, and the bay. Plan approval is required for any construction activity that disturbs 5,000 square feet or more of soil, or results in the excavation of 100 cubic yards or more of soil.

Stormwater management plan approval is required to prevent stream bank erosion by controlling the rate of stormwater runoff from newly developed areas by using infiltration practices, shallow marshes, retention, and detention ponds. For example, prior to construction, land is typically covered with grass and trees, which help slow down the rate of stormwater runoff and promotes infiltration. This reduces flooding and soil from being washed away. After construction, stormwater runoff typically increases due to the loss of ground cover and the increase of impervious surfaces such as roofs, sidewalks, roads, and parking lots. So, stormwater management is needed to control runoff to the same rate prior to construction. This approval is required for any new development project that disturbs 5,000 square feet or more of land. It can be obtained at the same time as the erosion and sediment control approval.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 4, Subtitle 1 for erosion and sediment control, and Subtitle 2 for stormwater management. These statutes are further defined in COMAR 26.17.01 and 26.17.02.

### What is the process to get this approval?

For erosion/sediment control and stormwater management plan approval for state and federal projects:

1) The applicant submits one set of erosion/sediment control and stormwater management plans and calculations to the Department.

2) The Department either approves the plans or responds with comments to be addressed by the applicant before approval can be granted.

3) Upon approval, the Department informs the applicant in writing.

4) The Department conducts site inspections. Plans must be approved and implemented prior to the start of construction.

For erosion/sediment control and stormwater management plan approval for private and local government projects:

1) Contact your local government for information on applications and review process for stormwater management plan approval.

2) Contact your local soil conservation district for application and review process for erosion/sediment control approval.

### Are there any other requirements?

#### STATE AND FEDERAL PROJECTS:

Erosion/sediment control plans and stormwater management plans are reviewed and approved by the Department. The erosion/sediment control plans must meet the 1994 Maryland Standards and Specifications for Soil Erosion and Sediment Control

(<http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/index.asp>)

and adhere to the Erosion and Sediment Control

Guidelines issued by the Department in January 1990

(<http://www.mde.state.md.us/assets/document/State%20Erosion%20Control%20Guidelines.pdf>)

Stormwater management plans must meet the 2000

Maryland stormwater design manual

(<http://www.mde.state.md.us/assets/document/Manual%202005.pdf>)

and Stormwater Management Guidelines For State and Federal Projects issued by the Department in July 2001

([http://www.mde.state.md.us/assets/document/sedimentstormwater/SWM\\_guidelines.pdf](http://www.mde.state.md.us/assets/document/sedimentstormwater/SWM_guidelines.pdf))

#### PRIVATE and local GOVERNMENT PROJECTS:

Erosion/sediment control plans and stormwater management plans are reviewed by the local authorities.

### How long should I expect it to take to get this approval once I submit a complete application?

6 months for erosion/sediment control and stormwater management plans for state and federal facilities.

Contact your local government and soil conservation district for review time for private and local government projects.

**Once I get this approval, how long will it last?**

Type of Approval	Term
Erosion/sediment control approval	Two years
Stormwater management plan approval	No expiration

**How much will this approval cost?**

No fee.

**Do I need to know any additional information?**

Copies of publications are available by calling (410) 537-3543. Local agencies may also require grading permits. You may also need the general permit for construction activity (see section 3.21).

**Who do I contact with additional questions?**

Jim Tracy  
Sediment, Stormwater, and Dam Safety Program  
[jtracy@mde.state.md.us](mailto:jtracy@mde.state.md.us)  
(410) 537-3563

## 3.22 RESPONSIBLE PERSON TRAINING & CERTIFICATION PROGRAM FOR EROSION/SEDIMENT CONTROL

- ❑ *Question: Are you a foreman, superintendent or project engineer who is in charge of on-site clearing and grading operations or sediment control? **OR***
- ❑ *Question: Do you install or oversee the installation of erosion and sediment controls? **OR***
- ❑ *Question: Are you involved with the design of erosion and sediment control strategies for land-disturbing activities?*

### Why do I need this approval?

Contractors, developers, and other construction industry personnel's knowledge about erosion and sediment control principles, implementation techniques, and specifications associated with various best management practices are an essential component of Maryland's statewide sediment control program. Recognizing the necessity of education to successfully implement the program, a certification for people in positions of responsibility for on-site sediment control implementation is conducted.

The purpose of the "Responsible Person" certification is to train field personnel on techniques and standards that assist with field implementation of erosion and sediment controls.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article §4-104, COMAR 26.17.01.06.

### What is the process to get this approval?

Responsible personnel training certification:

1. Prior registration to the class is not required.
2. Attend the training class.
3. Pass an examination.
4. The certification card will be mailed to you within two weeks.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
Certification of responsible personnel	2 weeks
Responsible personnel training program approval	4 weeks

### Are there any other requirements?

Anyone interested in learning about the best management practices associated with erosion and sediment control is encouraged to attend the one-day training seminar.

**PRE-APPROVAL:** As a condition of receiving plan approval, the developer/applicant must certify that a "responsible person" will be on-site during construction.

### Once I get this approval, how long will it last?

The certificate of training is valid for a three-year period and is automatically renewed unless the Department notifies the certification holder that additional training is required.

The training program approval does not require renewal.

### How much will this approval cost?

No fee.

### Do I need to know any additional information?

The training course is given by the Department and some local jurisdictions throughout the State. For information on a training course near you, call (410) 537-3543. The training course may also be scheduled by special request for 30 people or more.

### Who do I contact with additional questions?

Rick Trickett  
Sediment, Stormwater and Dam Safety Program  
[rtrickett@mde.state.md.us](mailto:rtrickett@mde.state.md.us)  
(410) 537-3543



## 3.23 GENERAL PERMIT FOR CONSTRUCTION ACTIVITY

- ❑ *Question: Am I planning a construction project in Maryland? AND Will my overall project disturb one acre or more of earth?*

### Why do I need this approval?

The purpose of the federal National Pollutant Discharge Elimination system (NPDES) stormwater program is to control pollution generated from runoff associated with industrial activity, including construction, and municipal separate storm sewer systems.

This general permit is required for all construction activity in Maryland with a planned total disturbance of 1 acre or more. Conditions of the permit include compliance with approved erosion/sediment control and stormwater management plans, self-monitoring and record keeping.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Water Act Section 402 and the Code of Federal Regulations (40 CFR 122.26).

STATE: Environment Article, Title 9, Subtitle 3:

COMAR 26.08.04.

### What is the process to get this approval?

1) Obtain an Notice of Intent form (NOI) from your local plan review office or by calling the Department at (410)537-3510. Complete the form and mail with payment to:

MDE, Water Management Administration

P.O. Box 2057

Baltimore, MD 21203-2057

The NOI can be submitted any time prior to the start of construction activity, as long as it reaches the Department at least 48 hours before construction begins. Applicants are encouraged to submit one NOI regardless of how many stages or phases of construction will occur over time.

2) The Department reviews the NOI to insure completion and scans site-specific data into an NOI database.

3) The Department then sends the applicant a package which includes a letter verifying coverage and issuing the project a unique NOI number, a copy of the general

permit, and a receipt card which must be posted at the site.

### Is this approval directly related or contingent on other approvals?

In addition to the general permit for construction activity, you may also need an erosion/sediment control plan approval (3.21).

### Are there any other requirements?

To obtain coverage, applicants must meet all the conditions outlined in the general permit.

### How long should I expect it to take to get this approval once I submit a complete application?

2 days

### Once I get this approval, how long will it last?

Coverage under the permit will expire five years from the date coverage is issued to the project or until a Notice of Termination has been completed. Permittees may continue coverage beyond the five-year expiration date by completing a Notice of Continuation of Coverage form.

### How much will this approval cost?

For private and federal projects, the application fee is based on the amount of land disturbance:

Size of Disturbance:	Fee
1 to less than 10 acres	\$100
10 to less than 15 acres	\$500
15 to less than 20 acres	\$1,500
20 acres or more	\$2,500

State and local government projects are exempt from the application fee.

### Who do I contact with additional questions?

Karen Smith

Compliance Program

[ksmith@mde.state.md.us](mailto:ksmith@mde.state.md.us)

(410) 537-3510

## 3.24 MUNICIPAL SEPARATE STORM SEWER PERMIT

- ❑ *Question: Are you a government agency, serving a large or medium population, that owns and operates a storm drain system within the urbanized area (localities with populations over 100,000) of Maryland? (individual permit) OR*
- ❑ *Question: Are you a government agency that owns and operates a storm drain system serving a facility over 5 acres, but with a population less than 100,000, within the urbanized area of Maryland? (general permit)*

### Why do I need this approval?

The purpose of the federal National Pollutant Discharge Elimination system (NPDES) stormwater program is to control pollution discharged from municipal separate storm sewer systems.

This permit is required for owners of municipal separate storm sewer systems serving large, medium and small municipalities. A large municipality is one that serves a population of 250,000 or more. A medium municipality is one that serves a population between 100,000 and 250,000. A small municipality is one that serves a population less than 100,000. The following jurisdictions in Maryland are large municipalities: Anne Arundel, Baltimore, Montgomery, and Prince George's Counties and Baltimore City. Carroll, Charles, Frederick, Harford and Howard Counties are considered medium municipalities. All other jurisdictions within these places are considered small municipalities for NPDES stormwater purposes.

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Water Act (CWA) Section 402 and the Code of Federal Regulations (40 CFR 122.26).  
STATE: COMAR 26.08.04.

### What is the process to get this approval?

- 1) Part 1 requires the local government to gather information regarding various existing programs to control storm drain system pollution, such as existing ordinances to control discharges into the local storm drain system, programs to control illegal system connections, and existing financing options. The application also includes extensive storm drain system mapping and monitoring a minimum of 500 outfalls under dry weather flow conditions.
- 2) Part 2 requires proposals for management programs that are required by the CWA to be developed, such as dumping and spill response, public education, and watershed studies. This part of local applications needs to include monitoring of storm water flows during three rain events at a minimum of five storm drain system outfalls.
- 3) After a completed application is submitted, there are opportunities for informational meetings and public hearings to allow input from interested parties.

- 4) The application for coverage under either of the general permits involves submitting a Notice of Intent (NOI) to comply. The NOI specifies how the six minimum control measures will be implemented.

### Are there any other requirements?

The application requirements are the same for both large and medium municipalities, only the deadlines for the applications are different. The application process is a 2-year task where local governments collect data regarding legal authority, pollutant source identification and mapping, discharge monitoring, pollutant management program development, and financing NPDES programs.

MDE has issued two general permits to cover small municipalities under the NPDES requirements. One general permit is designed for affected local governments and the other is designed for State and federally owned storm drain systems. Both permits require six minimum control measures to be implemented. These control measures include public participation, public education, illicit discharge control, erosion and sediment control, stormwater management, and good housekeeping.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Permit	Turnaround Time
Large and medium permits	18 months
General permit coverage	90 days

### Once I get this approval, how long will it last?

Maximum of five years

### How much will this approval cost?

No fee.

### Who do I contact with additional questions?

Brian S. Clevenger  
Sediment, Stormwater and Dam Safety Program  
[bclevenger@mde.state.md.us](mailto:bclevenger@mde.state.md.us)  
(410) 537-3543

## 3.25 DAM SAFETY PERMIT/ WATERWAY CONSTRUCTION PERMIT

❑ *Question: Will I be building a dam?*

### **Why do I need this approval?**

The Maryland Dam Safety Division issues waterway construction permits for new dams and ponds, and permits for alterations to existing impoundment structures. The major goal of this permit is to ensure that dams are built and operated properly to protect public safety.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Environment Article Title 5, Subtitle 05, COMAR 26.17.04.

### **What is the process to get this approval?**

- 1) Complete a "Joint Federal/State Application for the Alteration of any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland" application.
- 2) Mail the original plus four copies of the application, plans, vicinity maps, and any supporting documentation to: Regulatory Services Coordination Office (RSC)  
MDE, Water Management Administration  
1800 Washington Boulevard  
Baltimore, Maryland 21230
- 3) Upon receipt of the application package, the RSC will determine what type of permit you need and will forward copies of the application to the appropriate permitting groups. The RSC receives applications for the following groups: Nontidal Wetlands and Waterways Division, Tidal Wetlands Division, and Dam Safety Division. The RSC also sends copies of the application to the U.S. Army Corps of Engineers (if applicable), who will process the application jointly with the State.
- 4) The Department reviews the project and responds with comments to be addressed if necessary. Applications for new dams are reviewed to ensure that the project provides for the greatest feasible utilization of waters of the State, and adequately preserves public safety and the general public welfare.
- 5) Upon acceptance of the completed application, a Public Notice is prepared for the project. The notice of opportunity for public hearing is mailed to the interested persons list and is published for one day in a local newspaper by the Department. The applicant is invoiced for the cost of publishing the notice.
- 6) A public informational hearing is scheduled if requested or if deemed appropriate by the Department. Appropriate public comments are considered in the decision on the proposed application.
- 7) The permit is drafted with all appropriate conditions and mailed to the applicant for review and signature accepting the permit conditions. The applicant must submit a completed Memorandum of Land Restrictions for Dam or Reservoir with the recording fee for the Department to record the document in the county land records.
- 8) A permit is issued with appropriate conditions and a copy of the permit is mailed to the applicant. A copy of

the basis for the permit decision is mailed to the interested persons list.

### **Are there any other requirements?**

Any person who proposes to construct, reconstruct, repair, or alter a dam, reservoir, or similar waterway obstruction must obtain a permit prior to beginning any work. Certain small ponds are exempted from this permit and are reviewed and approved by the local soil conservation district only. Such ponds must meet the following criteria:

- drainage area to the pond is less than 640 acres
- embankment height is less than 20 feet
- structure classified in "low hazard" category
- the pond is not located in natural trout waters

The applicant is responsible for notifying all contiguous property owners and local authorities of the proposed project. The dam must be designed and inspected during construction by a professional engineer, licensed in Maryland, and experienced in dam design and construction.

Typically, permits are reviewed and issued in two phases, which can be combined at the applicant's request. The phases are as follows:

Phase 1: The feasibility of the project is evaluated in this phase. If the project is acceptable, a Plan Development Permit is issued which authorizes the applicant to proceed with detailed design of the dam. During the review, environmental impacts are evaluated, and the hazard classification, dam height and reservoir size are established. The hazard classification, which defines the potential for downstream damage if the dam were to fail, establishes minimum design criteria that the dam and spillway must safely accommodate.

Phase 2: The Waterway Construction Permit is issued after a very detailed review of the design construction documents and specifications which authorizes construction of the dam. The dam construction must be inspected by a professional engineer, preferably the design engineer.

### **How long should I expect it to take to get this approval once I submit a complete application?**

6 months

### **Once I get this approval, how long will it last?**

Maximum of two years

### **How much will this approval cost?**

No fee.

### **Who do I contact with additional questions?**

Cas Taherian  
Sediment, Stormwater and Dam Safety Program  
[ctaherian@mde.state.md.us](mailto:ctaherian@mde.state.md.us)  
(410) 537-3538

## 3.26 ENVIRONMENTAL SANITARIAN LICENSE

- ❑ *Question: Do you routinely perform inspections and investigations related to enforcing Maryland's health and environmental laws and regulations?*

### Why do I need this approval?

The State Board of Environmental Sanitarians regulates professionals who routinely perform inspections and investigations related to enforcing Maryland's health and environmental laws and regulations. These sanitarians work in the following areas:

- Manufacturing, preparation, handling, distribution or sale of food and milk control

- Air quality
- Solid waste disposal
- Insect & rodent control
- Recreational sanitation
- Water supply and treatment
- Wastewater management and disposal
- Vector control
- Noise control
- Institutional and residential sanitation
- Product safety

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 11; COMAR 26.07.01 through 26.07.04.

### What is the process to get this approval?

- 1) The Board normally meets on the first Wednesday of each month and reviews all completed applications.
- 2) Written notification of the Board's decision and additional instructions for completing the license requirements are sent to each applicant.

#### APPLICATIONS

[Application for a Sanitarian License](#) (Form MDE/WMA/BES/INT)

[Application for Training Program Approval](#) (Form MDE/WMA/BES/TRN)

### Are there any other requirements?

#### PRE-APPROVAL:

- 1) To qualify for a license, an applicant must pass the Board's comprehensive examination, or an equivalent examination given by a sanitarian licensing board in another state.
- 2) Qualification for examination: 24 months of experience in a sanitarian-in-training program

approved by the Board with a baccalaureate degree that includes at least 30 semester hours credit in the physical, biological, or environmental sciences, at least 1 laboratory course in 2 of the following fields: chemistry, physics, and biology; and a course in mathematics. Less experience is required with a masters degree in public health or a baccalaureate degree in environmental health or environmental science, or with 60 or more science credits in the baccalaureate degree.

#### 3) To apply:

a. Submit the application form and application fee to the Board;

b. Send transcripts of college course work directly from the educational institution to the Board.

POST-APPROVAL: To renew the license, submit to the Board, an application, a renewal fee and verification of completion of at least 20 clock hours of Board-approved training in environmental health during the previous two year period.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of License	Turnaround Time
New licenses	45 days
Renewal licenses	30 days

### Once I get this approval, how long will it last?

Must renew every two years

### How much will this approval cost?

Type of Fee	Fee
Application fee	\$50
Examination fee	\$90
License fee	\$50
Renewal fee	\$100 every two years

### Do I need to know any additional information?

Exams are generally held in April, August, and December each year.

### Who do I contact with additional questions?

E. Lee Haskins

Board of Environmental Sanitarians

[lhaskins@mde.state.md.us](mailto:lhaskins@mde.state.md.us)

(410) 537-3597

## 3.27 WATERWORKS AND WASTE SYSTEM OPERATOR CERTIFICATION

- ❑ *Question: Will I be the operator or superintendent of a water treatment plant, water distribution system, wastewater treatment plant, wastewater collection system, a pretreatment facility or industrial wastewater facility?*

### Why do I need this approval?

This certification helps to protect public health and the environment by setting minimum education, experience, and examination standards that applicants must satisfy. It is required for operators and/or superintendents of water treatment plants, water distribution systems, wastewater treatment plants, wastewater collection systems, certain pretreatment facilities that discharge to sanitary sewers, or industrial wastewater facilities.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 12; COMAR 26.06.01.

### What is the process to get this approval?

- 1) Submit completed application form for a certificate and the application fee to the Board of Waterworks and Waste Systems Operators.
- 2) Pass necessary certification examination(s).
- 3) Complete experience and education requirements.
- 4) Submit a completed application for full certification and the application fee to the Board.

#### APPLICATIONS

[Application for a Temporary Certificate](#) (Form MDE/WMA/BWW/TMP)

[Application for Operator Examination](#) (Form MDE/WMA/BWW/EXM)

[Board of Waterworks and Waste Systems Operators 2007 Examination Schedule](#)

[2007 Waterworks Board Meetings Schedule](#)

[Application for Operator Certificate](#) (Form MDE/WMA/BWW/OPR)

[Application for Superintendent Certificate](#) (Form MDE/WMA/BWW/SUP)

[Application for Reciprocity Certificate](#) (Form MDE/WMA/BWW/REC)

[Application for Training Approval](#) (Form MDE/WMA/BWW/TRN)

### Are there any other requirements?

PRE-APPROVAL: A minimum of a high school education and six months to three years of related work

experience (varies according to the specific work certification) and passing the appropriate written examination.

POST-APPROVAL: The triennial renewal requires completion of a specified number of hours of Board-approved training (see COMAR 26.06.01.13). There are additional education, experience, and examination requirements for superintendent certification. The Department should be contacted for the details.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of Certificate	Turnaround Time
New certificates	45 days
Renewal certificates	30 days

### Once I get this approval, how long will it last?

Maximum of three years

### How much will this approval cost?

Type of Fee	Fee
Examination	\$75
Application fee for a temporary, operator or superintendent certificate	\$75
Renewal for the first certificate	\$75
Renewal fee for each additional certification category	\$75 each with a cap of \$150 during any 3 year renewal period

### Do I need to know any additional information?

Exams are given monthly. Examination applications must be submitted at least three weeks before the date of the examination.

### Who do I contact with additional questions?

E. Lee Haskins

Office of Operational Services and Administration

[lhaskins@mde.state.md.us](mailto:lhaskins@mde.state.md.us)

(410) 537-3167



## 3.28 WELL DRILLER LICENSE

- ❑ *Question: Do you intend to make a hole into the ground for the purpose of either transferring water or heat to or from the ground, or obtaining aquifer data? **OR***
- ❑ *Question: Do you intent to install or repair any equipment that is necessary to draw or purify water from a cased borehole?*

### Why do I need this approval?

As part of Maryland's strategy to protect its groundwater resources, the State Board of Well Drillers was created in 1968. The Board of Well Drillers is responsible for ensuring that the groundwater used for drinking water supplies is not contaminated due to improper well construction activities and for protecting the public from unqualified or incompetent practitioners. The Board sets standards and administers qualifying examinations to license any person who drills water supply and geotechnical wells, or installs water pumps or water conditioning equipment. The practice of well drilling includes making, altering, repairing or sealing a well, and installing, altering, repairing or disconnecting well system equipment.

### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 13; COMAR 26.05.01 through 26.05.04.

### What is the process to get this approval?

- 1) Complete the Board's "Application for License" form.
- 2) Include a detailed account of actual years of experience installing wells, or well system equipment, or both, along with the name and phone number of previous employers in the groundwater industry.
- 3) Include a \$50 non-refundable application fee payable to the State Board of Well Drillers:

#### APPLICATIONS

[Application for Initial License](#) (Form MDE/WMA/BWD/INT)

[Application for Reactivation](#) (Form MDE/WMA/BWD/REA)

[Application for Reinstatement](#) (Form MDE/WMA/BWD/RES)

### Are there any other requirements?

PRE-APPROVAL: A person who satisfies the experience requirements for the class and category of license sought, and passes the Board examination will be licensed.

POST-APPROVAL: All licenses expire on June 1 of each odd-numbered year. A license may be renewed for a two-year term upon payment of the renewal fee, the submission of proof of satisfactory completion of 20 hours of Board-approved training related to the practice, and in where appropriate, the submission of valid bond and insurance documents.

### How long should I expect it to take to get this approval once I submit a complete application?

Type of License	Turnaround Time
New licenses	6 months
Renewal licenses	30 days

### Once I get this approval, how long will it last?

Maximum of two years

### How much will this approval cost?

Type of Fee	Fee
Application fee	\$50
Initial license fee	\$50-\$150 depending on the class and category
Renewal fee	\$100-\$200 every two years depending on the class and category

For a listing of fees for each class and category see COMAR 26.05.02.10.

### Do I need to know any additional information?

The following permits are required from the Department before a licensee constructs or modifies a well:

Water appropriation and use permit; and  
Well construction permit.

### Who do I contact with additional questions?

Willie Everett  
State Board of Well Drillers  
[weverett@mde.state.md.us](mailto:weverett@mde.state.md.us)  
(410) 537-3644

## 4.01 RELAYING OYSTERS FOR COMMERCIAL HARVEST OFF-BOTTOM AQUACULTURE

- ❑ **Question:** *What are the requirements for Off-Bottom Oyster Aquaculture to Relay Shellstock from Polluted Waters for the Purpose of Natural Cleansing*

### **Why do I need this approval?**

Oysters, clams, or mussels transplanted from a polluted to a clean environment will cleanse themselves of the polluting bacteria or viruses. This cleansing ability is a phenomenon of the shellfish feeding process. The time required for this cleansing is influenced by many factors, including the original level of pollution, water temperature, salinity, and presence of chemicals inhibitory to physiological activity of shellfish. To protect public health and to make good use of a valuable natural resource, approval from Maryland Department of the Environment, the Department, is required.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Natural Resources Article, Title 4, Subtitle 1006

### **What is the process to get this approval?**

The applicant shall request in writing to the Department for permission to relay shellfish from polluted water to approved waters for the purpose of natural cleaning.

The letter of application shall specify:

Name, address, phone number, Tidal Wetlands license number, and aquaculture permit # (for the site or origin) for each applicant;

The number of oyster bags or containers to be relayed and the approximate beginning and ending date of the relay operation;

A letter from a licensed shellstock shipper agreeing to sell the relayed product and a letter of permission to use the approved site for relay. The letter shall include the aquaculture permit number of the site the oysters are going to and the receiving dealer's Shellstock Shipper license/certification number issued by Department of Health & Mental Hygiene (DHMH). This written procedure shall be included in the shipper/dealers records. The letter shall also include the information that will be used on the shipping tag to identify the product when it is offered for sale; and Evidence that all licenses, permits, and approvals have been obtained.

3) The Department reviews water quality data, and approves or denies the request.

### **Is this approval directly related or contingent on other approvals?**

This activity can only occur when oyster season is closed as determined by the Department of Natural Resources. The applicant must verify that he or she has:

Tidal Wetlands License from the Department for both the growing and relay sites

Water a Column Lease from Board of Public Works

Aquaculture Permit issued by the Maryland

Department of Natural Resources

Shellstock Shippers License from DHMH

### **Are there any other requirements?**

Arrangements must be made by the applicant with the Department of Natural Resources, Maryland Natural Resources Police (MNRP) to determine if sufficient officers are available to patrol the area.

The entire relay operation is to be carried out under the supervision of MNRP or DHMH or other personnel approved by those agencies. Staff from DHMH will oversee the removal and overland transport by truck from the restricted areas to the transplant site. The DNR will oversee any transportation by water, and MNRP may patrol the receiving transplant area.

### **How long should I expect it to take to get this approval once I submit a complete application?**

3- 7 days

### **Once I get this approval, how long will it last?**

Approval is good only for the one relay activity and the time it takes to complete the relay activity requested. A minimum of two weeks natural cleansing is required.

### **How much will this approval cost?**

No fee.

### **Do I need to know any additional information?**

Additional information can be found on MDE's website:

<http://www.mde.state.md.us/assets/document/factsheet/s/shellstock.pdf>

### **Who do I contact with additional questions?**

Shellfish Certification Section

Public Health Division

Science Services Administration

(410) 537-3906



## 4.02 RELAYING OYSTERS FOR COMMERCIAL HARVEST PRIVATE OYSTER LEASE HOLDERS

- ❑ *Question: What are the requirements for On-Bottom Private Oyster Lease Holders to Relay Shellstock from Polluted Waters for the Purpose of Natural Cleansing?*

### **Why do I need this approval?**

Oysters, clams, or mussels transplanted from a polluted to a clean environment will cleanse themselves of the polluting bacteria or viruses. This cleansing ability is a phenomenon of the shellfish feeding process. The time required for this cleansing is influenced by many factors, including the original level of pollution, water temperature, salinity, and presence of chemicals inhibitory to physiological activity of shellfish. To protect public health and to make good use of a valuable natural resource, approval from Maryland Department of the Environment, the Department, is required.

### **What laws or regulations give MDE the legal authority to issue this approval?**

STATE: Natural Resources Article, Title 4, Subtitle 1006

### **What is the process to get this approval?**

- 1) The applicant shall request in writing to the Department for permission to relay shellfish from polluted water to approved waters for the purpose of natural cleansing.
- 2) The letter of application shall specify:
  - Name, address and phone number of the applicant.
  - The approximate number of bushels to be relayed and the approximate beginning and ending date of the relaying operation.
  - The type of gear to be used to relay shellstock.
  - The name and address of the private leaseholder owning the leased grounds from which the shellstock is relayed.
  - Department of Natural Resources (DNR) identification number for the private lease from which the shellstock will be relayed.
  - Name, address and phone number of the owner of the leased ground to which the shellstock is relayed.
  - DNR identification number for the private lease to which the shellstock will be relayed.

- 3) The Department reviews water quality data, and approves or denies the request.

### **Is this approval directly related or contingent on other approvals?**

This activity can only occur when oyster season is closed as determined by the Department of Natural Resources.

### **Are there any other requirements?**

Arrangements must be made by the applicant with the Department of Natural Resources, Maryland Natural Resources Police (MNRP) to determine if sufficient officers are available to patrol the area.

### **How long should I expect it to take to get this approval once I submit a complete application?**

3- 7 days

### **Once I get this approval, how long will it last?**

Approval is good only for the one relay activity and the time it takes to complete the relay activity requested. A minimum of two weeks natural cleansing is required.

### **How much will this approval cost?**

No fee.

### **Do I need to know any additional information?**

Additional information can be found on MDE's website:  
<http://www.mde.state.md.us/assets/document/factsheet/s/shellstock.pdf>

### **Who do I contact with additional questions?**

Shellfish Certification Section  
Public Health Division  
Science Services Administration  
(410) 537-3906

# **SECTION 3:**

## **Appendices**

## **Appendix 1: Acronyms and Definitions**

APA – Administrative Procedures Act

Approval – An approval is any type of permission to perform an activity that the Department issues such as a permit, registration, certification or license. An approval can also be a particular type of permission to perform a particular function where the Department reviews an activity and that activity is being performed in accordance with Departmental methods and accepted procedures.

ARMA – Air and Radiation Management Administration

ASE – Automotive Service Excellence

BPW – Board of Public Works

CAA – Clean Air Act

CERF – Certified Emissions Repair Facility

Certification – A certification is an approval mechanism that recognizes an individual or a facility as having met special qualifications.

CFR – Code of Federal Regulations

CHS – Controlled Hazardous Substance

COMAR – Code of Maryland Regulations

CSC – Customer Service Center

CWA – Clean Water Act

EMP – Emergency Preparedness Manual

Environment Article – The Maryland Environmental Statute/Law is contained in Title 26 of the Environmental Article.

ESA – Environmental Site Assessment

Final determination – The final decision of the Department on the conditions in an approval that will appear in the issued approval.

FIS – Fleet Inspection Station

General Permit – A general permit is a generic document crafted to be appropriate for a group of similar entities where the same permit conditions are applicable. A particular general permit is issued using procedures, including public participation, similar to individual permits. Once issued, entities can be included under the general permit by submitting a “Notice of Intent to Comply” (NOI) with the particular general permit. Not all programs or activities have the ability to use the general permit strategy.

HAPs – Hazardous Air Pollutant

LAER – Lowest Achievable Emission Rate

License - A permission granted by competent authority to engage in a business or occupation or in an activity otherwise unlawful.

MAP – Model Accreditation Plan

MCET – Master Certified Emissions Technician

MDE – Maryland Department of the Environment

NAAQS – National Ambient Air Quality Standards

NESHAPS – National Emission Standards for Hazardous Air Pollutants

NOI – Notice of Intent

Notification – In several cases, an owner or operator of a facility or piece of equipment may have to send a notification to the Department of the completion, commencement or stoppage of an act, operation, emission or discharge.

NOx – Oxides of Nitrogen

NPDES – National Pollutant Discharge Elimination System

NRC – U. S. Nuclear Regulatory Commission

NSR – New Source Review

NSR – New Source Review

PCS – Permitting and Customer Services Office

Permit - An authorization, license, or equivalent control document issued by EPA or an approved state agency to implement the requirements of an environmental regulation; e.g. a permit to operate a wastewater treatment plant or to operate a facility that may generate harmful emissions.

PFRP – Process to Further Reduce Pathogens

PM – Particulate Matter

Pollution Prevention - a proactive approach to environmental management by eliminating pollution prior to recycling, treatment, or disposal. Examples of P2 measures include equipment and process modifications, changes in product design, substitution of raw materials, improved housekeeping, preventative maintenance, employee training, and inventory control.

PSD – Prevention of Significant Deterioration

PSRP – Process to Significantly Reduce Pathogens

RCRA – Resource Conservation and Recovery Act

Registration – Formal listing.

RSC – Regulatory Services Coordination

SMW – Special Medical Waste

TDF – Tire Derived Fuel

Tentative determination – A draft approval that contains the conditions the Department intends to include in the final approval. The tentative determination is usually the subject of a public notice and may be modified as a result of a public hearing or other comments by stakeholders.

TSCA – Toxic Substances Control Act

TSD – Treatment, Storage or Disposal

TSP – Total Suspended Particulate

UST – Underground Storage Tank

VCP – Voluntary Cleanup Program

VOC – Volatile Organic Compounds

WAS – Waste Management Administration

WQC – Water Quality Certification

## Appendix 2: Pre-Application Form

### MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230  
410-537-3000 • 1-800-633-6101 • <http://www.mde.state.md.us>

#### MDE APPROVAL PRE-APPLICATION FORM

THIS FORM WILL ALLOW EXPEDITED PROCESSING OF APPROVALS

##### SECTION A: NAME & GENERAL INFORMATION

1. Name and physical address of place at which Maryland Department of the Environment (MDE) permit/license/registration is being sought. If a specific postal address (e.g. 1800 Washington Blvd STE 735) is unavailable, describe location and provide a map on which the location is clearly depicted):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Latitude (Decimal Degrees)\*: \_\_\_\_\_ Longitude (Decimal Degrees)\*: \_\_\_\_\_ Legislative District\*: \_\_\_\_\_

Facility Contact Name & Title: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.\*: \_\_\_\_\_ E-Mail Address\*: \_\_\_\_\_

2. Name & mailing address of responsible person or organization to which the permit/license/registration is to be issued (Applicant):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant Contact Name & Title (if different from Facility Contact): \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.\*: \_\_\_\_\_

3. Name and mailing address of applicant's parent company, if applicable. Check here if NOT Applicable ☐

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

4. Name and mailing address of owner of property described in Section A1, if different from applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.\*: \_\_\_\_\_

\* Optional Information, if available

Form Number MDE/OSP/PER/\_\_\_\_\_  
Revision Date January 11, 2008  
TTY Users 1-800-735-2258

##### MDE USE ONLY

Agency Interest Number: \_\_\_\_\_

Date Received: \_\_\_\_\_



**SECTION B: APPLICATION DESCRIPTION & BACKGROUND INFORMATION ON ACTIVITY**

1. Describe the business activity or activities conducted by the applicant at the location described in Section A1, and/or provide Standard Industrial Classification(s) or NAICS Code(s) (see <http://www.census.gov/epcd/naics02/naicod02.htm>): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. List the type of approval for which an application is being filed with this form: \_\_\_\_\_  
\_\_\_\_\_
3. Purpose of Application: \_\_\_\_\_ New Approval \_\_\_\_\_ Renewal of Approval \_\_\_\_\_ Modification \_\_\_\_\_ Records Update

**SECTION C: OTHER APPROVALS**

Does the applicant or its affiliates hold other MDE permits/licenses/registrations, etc.? Y \_\_\_ N \_\_\_

**SECTION D: SIGNATORY AUTHORITY IDENTIFICATION**

Identify the responsible official that signed the application being filed with this form:

<b>Name and Title (please print)</b>	<b>Phone Number</b> E-Mail Address*
<b>Organization of Affiliation</b>	<b>Mailing Address</b>

**SECTION E: SUBMITTAL OF APPLICATION**

See instructions on distribution for the particular application(s) being submitted. Retain a copy for your records.

\* Optional Information, if available


Please return this form to:

By mail to:  
Maryland Department of the Environment  
Permitting and Customer Services  
1800 Washington Blvd., Suite 735  
Baltimore, Maryland 21230

By e-mail to:  
[PCS@mde.state.md.us](mailto:PCS@mde.state.md.us)

By FAX to:  
410-537-4477

Form Number MDE/OSP/PER/\_\_\_\_\_  
Revision Date January 11, 2008  
TTY Users 1-800-735-2258

2 of 2 

## **Appendix 3: Summary of Approval Fact Sheet Questions**

<b>WASTE MANAGEMENT APPROVALS</b>			
<b>AIR AND RADIATION MANAGEMENT APPROVALS</b>			
<b>Questions</b>	<b>Yes</b>	<b>No</b>	<b>If Yes, Go To</b>
1. Am I planning on installing new equipment or modifying, replacing or moving existing equipment that is included in the list under 1.01 and will be a source of air emissions?			1.01, 1.02, 1.03, 1.04, on Pages 24 - 29
2. Did I receive an air quality permit to construct that required me to obtain an Air Quality State Permit to Operate?			1.05 on Page 31
3. Does my facility produce air emissions (actual or potential) of more than 10 tons per year?			1.06 on Page 33
4. Do I own or manage a company that performs activities involving the disturbance of friable asbestos?			1.07 on Page 35
5. Do I intend to be an asbestos training provider?			1.08 on Page 36
6. Do I intend to be an asbestos inspector, management planner, project designer, worker, foreign language worker or supervisor?			1.09 on Page 37
7. Do I operate an incinerator that processes special medical wastes, industrial wastes, sewage sludge, municipal wastes or hazardous wastes?			1.10 on Page 38
8. Do I provide a training course for incinerator operators?			1.10 on Page 38
9. Do I operate a facility that performs vehicle engine repairs? If so, am I interested in participating in the Vehicle Emissions Inspection Program?			1.12 on Page 40
10. Am I a vehicle repair technician who performs engine repairs or works at a Certified Emissions Repair Facility or Fleet Inspection Station? If so, am I interested in participating in the Vehicle Emissions Inspection Program?			1.13 on Page 41
11. Do I own or operate a radiation machine (X-Ray machine)?			1.14 on Page 42
12. Do I own a non-dental, non-veterinary, or non-mammography electronic radiation-producing machine?			1.15 on Page 43
13. Does my company in Maryland possess, manufacture, use or distribute radioactive materials for research, industrial or medical applications?			1.16 on Page 44
14. Do I intend to perform State of Maryland certification inspections for low and/or high-energy X-ray machines? <b>OR</b> 15. Do I intend to perform mammography services?			1.17 on Page 45
16. Will my out-of-state company be able to conduct activities in Maryland that are authorized in my out-of-state radioactive material license under reciprocal recognition?			1.18 on Page 46
17. Will my company be required to register its possession of generally licensed radioactive material and must I comply with existing Maryland regulations?			1.19 on Page 47
18. Do I own or operate a radiation machine service or sales company in Maryland? <b>OR</b> 19. Do I have a radiation machine service or sales company outside of Maryland, but provide services or sales within the state?			1.20 on Page 48
20. Am I building a facility that generates electricity and connects with the electric grid?			1.21 on Page 49
<b>Questions</b>	<b>Yes</b>	<b>No</b>	<b>If Yes, Go To</b>
21. Do I accept, process, transfer or dispose of solid waste?			2.01 on Page 51



22. Do I own a closed, unlined rubble landfill that discharges leachate to groundwater?			2.02 on Page 53
23. Am I utilizing, treating, composting, transporting, storing, distributing, applying on land, incinerating, conducting an innovative or research project or disposing of sewage sludge or a product containing sewage sludge?			2.03 on Page 54
24. Am I recycling natural wood waste, like tree stumps, brush or limbs?			2.04 on Page 56
25. Am I accumulating, storing, hauling, recycling or processing scrap tires?			2.05 on Page 57
26. Does my company have a total above ground tank capacity of 10,000 gallons or more for the storage of oil intended to be used as a motor fuel, lubricant or fuel source, including ethanol and biodiesel products? <b>OR</b> 27. Does my company have a total above ground tank capacity of 1,000 gallons or more for the storage of used oil? <b>OR</b> 28. Does my company transport oil within, into, or out of, the State in trucks, transports, or vacuum trucks having a hauling capacity of more than 500 gallons of oil?			2.06 on Page 58
29. Does my company plan to store, treat, handle or process soils that have been contaminated with oil?			2.07 on Page 59
30. Does my company import (transfer) oil into Maryland by tank truck, transport, rail car, pipeline or marine vessel/barge? If so, 31. Does my company own the oil at the first point of import (transfer) into Maryland?			2.08 on Page 60
32. Am I doing work at an oil-contaminated site that requires the treatment of groundwater? <b>AND</b> 33. Do I plan to discharge potentially oil-contaminated groundwater to the surface or ground waters of the State? <b>OR</b> 34. Do I have an oil terminal, not receiving oil by pipeline or marine transfer, that discharges storm water or hydrostatic test water to surface or ground waters of the State?			2.09 on Page 61
35. Does my company have over 5 million gallons of above ground oil storage and receive oil by pipeline or marine transfer? If so, 36. Does my company discharge storm water or hydrostatic test water to surface or ground waters of the State?			2.10 or 2.11 on Pages 62 or 63
37. Am I interested in being certified as an underground storage tank (UST) remover? <b>OR</b> 38. Am I interested in being certified as an UST technician who can install, upgrade, repair, replace and remove UST systems? <b>OR</b> 39. Am I interested in being certified as an UST inspector?			2.12 on Page 64
40. Am I planning on removing, or discontinuing the use of an UST? If so, 41. Does the UST contain, or was it ever used to store a regulated hazardous substance including all oil products?			2.13 on Page 65
42. Do I own or manage an UST that stores a hazardous substance including all oil products? <b>OR</b> 43. Has your UST system been taken out of service, been upgraded, or had a change in product storage, owner, facility name or financial responsibility?			2.14 on Page 66
44. Do I generate or manage hazardous waste? If so, 45. Do I store hazardous waste for more than 90 days, treat hazardous waste, dispose hazardous waste on-site, or accept hazardous waste from off-site?			2.15 on Page 68

46. Do I generate, in a calendar month, 100 kilograms or more of hazardous waste or more than 1 kilogram of acute hazardous waste? <b>OR</b> 47. Do I have in inventory at any time of more than 100 kilograms of hazardous waste or 1 kilogram or more of acute hazardous waste?			2.16 on Page 69
48. Do I transport hazardous waste over public highways? If so, 49. Does that transport require the use of a hazardous waste manifest? <b>OR</b> 50. Are you a Maryland-domiciled driver of a vehicle used to transport hazardous waste over public highways, with the transportation of the waste requiring use of a hazardous waste manifest?			2.17 on Page 70
51. Do I transport special medical waste over public highways? If so, 52. Does that transport require the use of a shipping paper under U.S. Department of Transportation Hazardous Materials Transport regulations? <b>OR</b> 53. Do I generate 50 pounds or more of special medical waste a month or accumulate more than 50 pounds of special medical waste?			2.18 on Page 71
54. Will my activities disturb lead based paint in a residential dwelling? <b>OR</b> 55. Am I being employed to perform lead abatement work?			2.19 on Page 72
56. Do I conduct a training course involved in the abatement of lead paint? <b>OR</b> 57. Am I an instructor who trains workers, supervisors, inspectors or risk assessors who provide lead paint abatement services?			2.20 on Page 73
58. When do I have to register my rental unit(s) in Maryland?			2.21 on Page 74
59. Am I cleaning up a property contaminated, or perceived to be contaminated, by hazardous waste? <b>AND</b>  60. Are you interested in acquiring or using such a property? If so, do you want to participate in a program designed to reduce your environmental liability?			2.22 on Page 75
<b>WATER MANAGEMENT APPROVALS</b>			
<b>Questions</b>	<b>Yes</b>	<b>No</b>	<b>If Yes, Go To</b>
61. Will I discharge any wastewater from an industrial facility or landfill to any place other than the sanitary sewer?			3.01 on Page 76
62. Will I discharge any wastewater or stormwater to any place other than the sanitary sewer? <b>OR</b> 63. Do I own or operate a manufacturing facility, a fleet of vehicles or a recycling facility?			3.02 on Page 77
64. Will I discharge any storm water to the State's surface waters <b>AND</b> 65. Do I operate an " industrial facility, as defined below"? <b>AND</b> 66. Is there any potential for any pollutants from this activity to come in contact with storm water?			3.03 on Page 78
67. Will I discharge any wastewater to any place other than the sanitary sewer? <b>OR</b> 68. Do I own or operate a sewage or water treatment plant?			3.04 on Page 79

69. Will I discharge any wastewater to the groundwaters of the State?			3.05 on Page 80
70. Do I want to use a chemical product to control nuisance aquatic plants or animals in State waters (State waters include streams, storm water ponds, wetlands and tidewater)?			3.06 on Page 81
71. Do I plan to install, extend or modify a community water supply and/or sewerage system?			3.07 on Page 82
72. Do I plan to mine for coal?			3.08 on Page 84
73. As part of coal mining, do I plan to be responsible for the use of explosives in the project?			3.09 on Page 85
74. Am I responsible for a coal mining operation?			3.10 on Page 86
75. Will earthen material (topsoil, sand, gravel, clay, stone, minerals) be removed from my property? <b>AND</b> 76. Will the disturbance, including roads, stockpiles and drainage controls exceed one acre in size?			3.11 on Page 87
77. Am I responsible for a surface mining operation?			3.12 on Page 88
78. Do I need a permit to search or use reserves of gas or oil?			3.13 on Page 89
79. Am I planning on having a well constructed on my property to obtain groundwater? <b>OR</b> 80. Am I planning on having a geothermal heat pump HVAC system installed?			3.14 on Page 90
81. Am I planning to perform an activity that withdraws water from the State's surface and/or underground waters?			3.15 on Page 91
82. Will I take drinking water samples as part of my job or to satisfy any legal requirements?			3.16 on Page 92
83. Will my laboratory analyze drinking water samples for public water systems or to satisfy any legal requirements?			3.17 on Page 93
84. Does the tide rise and fall at the site where you propose your project? If so, 85. Does your project involve constructing a shore erosion control measure such as a bulkhead, stone revetment, pier or marsh? <b>OR</b> 86. dredging any open water or marsh?			3.18 on Page 94
87. Does your project require work to be performed in a non-tidal wetland, the non-tidal wetland buffer?			3.19 on Page 96
88. ... or the 100-year floodplain?			3.20 on Page 98
89. Is the project undertaken by a State or Federal agency or local government agency or private concerns? If so, will 5000 square feet or more or 100 cubic yards or more of earth be disturbed? <b>OR</b> 90. Will the project impact an existing storm water management facility?			3.21 on Page 100
91. Are you a foreman, superintendent or project engineer who is in charge of on-site clearing and grading operations or sediment control? <b>OR</b> 92. Do you install or oversee the installation of erosion and sediment controls? <b>OR</b> 93. Are you involved with the design of erosion and sediment control strategies for land-disturbing activities?			3.22 on Page 102
94. Am I planning a construction project in Maryland? <b>AND</b> 95. Will my overall project disturb at least one acre or more of earth?			3.23 on Page 103
96. Are you a government agency, serving a large or medium population, that owns and operates a storm drain system within			3.24 on Page 104

the urbanized area (localities with populations over 100,000) of Maryland? (individual permit) <b>OR</b> 97. Are you a government agency that owns and operates a storm drain system serving a facility over 5 acres, but with a population less than 100,000, within the urbanized area of Maryland? (general permit)			
98. Will I be building a dam?			3.25 on Page 105
99.. Do you routinely perform inspections and investigations related to enforcing Maryland's health and environmental laws and regulations?			3.26 on Page 106
100. Will I be the operator or superintendent of a water treatment plant, water distribution system, wastewater treatment plant, wastewater collection system, a pretreatment facility or industrial wastewater facility?			3.27 on Page 107
101. Do you intend to make a hole into the ground for the purpose of either transferring water or heat to or from the ground, or obtaining aquifer data? <b>OR</b> 102. Do you intent to install or repair any equipment that is necessary to draw or purify water from a cased borehole?			3.28 on Page 108
<b>SCIENCE SERVICES ADMINISTRATION APPROVALS</b>			
<b>Questions</b>	<b>Yes</b>	<b>No</b>	<b>If Yes, Go To</b>
103. What are the requirements for Off-Bottom Oyster Aquaculture to Relay Shellstock from Polluted Waters for the Purpose of Natural Cleansing			4.01 on Page 109
104. What are the requirements for On-Bottom Private Oyster Lease Holders to Relay Shellstock from Polluted Waters for the Purpose of Natural Cleansing?			4.02 on Page 110

## **Appendix 4: Useful Websites**

We have included a few websites that will give you more information on approvals and the approval process, regulations and business assistance from other Maryland State agencies.

### **MDE:**

<http://www.mde.state.md.us>

### **MDE's Permitting Customer Survey**

[http://www.mde.state.md.us/Surveys/cs\\_survey.asp](http://www.mde.state.md.us/Surveys/cs_survey.asp)

### **Maryland Department of Business and Economic Development**

<http://www.choosemaryland.org>

### **Maryland Department of Natural Resources**

<http://www.dnr.state.md.us>

### **Maryland Department of Agriculture**

<http://www.mda.state.md.us>

### **Maryland Energy Administration**

<http://www.energy.state.md.us>

### **Public Service Commission**

<http://www.psc.state.md.us/psc/>

### **US Environmental Protection Agency's website:**

<http://www.epa.gov>

### **Maryland Business License Information System:**

<http://blis.state.md.us/>

### **Environmental Regulations: Code of Maryland Regulations (COMAR on-line)**

[http://www.dsd.state.md.us/comar/subtitle\\_chapters/26\\_Chapters.htm](http://www.dsd.state.md.us/comar/subtitle_chapters/26_Chapters.htm)

### **Annotated Code of Maryland**

[http://mlis.state.md.us/asp/web\\_statutes.asp](http://mlis.state.md.us/asp/web_statutes.asp)

## **Appendix 5: Go Green with MDE's Pollution Prevention Services**

### **Reduce Your Costs and Permitting Requirements through Pollution Prevention Techniques**

Pollution prevention, or P2, is a proactive approach to environmental management that aims to reduce or eliminate pollution at its source, rather than through control and treatment technologies at the end of a process. P2 endorses a whole facility perspective as a way to avoid measures that simply transfer pollutants from waste stream to another.

Typical P2 measures include

- Substituting less harmful substances for hazardous materials;
- Using resources, including energy and water, more efficiently;
- Preventative maintenance;
- Improved housekeeping; and
- Re-design of products to reduce life-cycle costs.

The benefits include:

- Reduced raw material and energy costs;
- Reduced waste disposal and handling costs;
- Reduced regulatory compliance and liability costs;
- Reduced worker health and safety risks; and
- Enhanced business image.

### **Free Pollution Prevention Services**

*On Site P2 Assessments:* A lot of good information on environmental best management practices can be found on the Internet on (see links to websites and P2 case studies by clicking on “Go Green” on MDE’s website), but sometimes nothing beats a fresh set of eyes to identify opportunities at your facility. MDE offers free on-site P2 technical assistance through the engineers at the Maryland Technology Extension Service. Most site visits take about an hour to complete. Following the visit, you’ll receive a report summarizing the P2 opportunities at your facility and an offer for further assistance in implementing them. To schedule an assessment, simply call MDE’s P2 Coordinator at 1-800-633-6101, ext. 4119.

*Environmental Management Systems:* MDE also offers Maryland businesses free assistance in implementing Environmental Management Systems (EMSs). EMSs are considered by many to be the future of environmental management because they not only strengthen an organization’s compliance with environmental laws and regulations, but also ensure that an organization is considering its unregulated impacts. Addressing these unregulated impacts, including energy, water, and other natural resource use, often leads to significant cost savings. EMSs ensure that an organization explores these opportunities on an ongoing basis. For more information on this valuable program, call MDE’s P2 Coordinator at 1-800-633-6101, ext. 4119.

## **Appendix 6: Maryland Department of the Environment Permitting Guide and Customer Services Survey – Twenty More Questions**

Thank you for using the 2008 Guide to Environmental Permits and Approvals. We are committed to continuously assessing and improving our level and quality of services and our publications. To assist us in this commitment, please take a few minutes to tell us about your experience with this Guide, the quality of service you received from MDE and your satisfaction with it. Thank you.

+++++

1. Overall, how useful did you find this publication?

- ☐ Very useful
- ☐ Somewhat useful
- ☐ Somewhat unhelpful
- ☐ Not helpful at all

2. How can we make it more useful?

3. Did you use this Guide to determine:  
Check all that apply.

Yes		Yes	
	If you need a permit		Which permit you need
	Why you need a permit		How to apply for any permit you need
	How long it will take to get the permit you need		How much the permit will cost
	Who to call for more information		None of these

4. For the items you checked above, were you able to find the answers?

Yes	No		Yes	No	
		If you need a permit			Which permit you need
		Why you need a permit			How to apply for any permit you need
		How long it will take to get the permit you need			How much the permit will cost
		Who to call for more information			None of these

5. Have you ever contacted, or attempted to contact MDE yourself? If not, skip to question 10.

Yes

No

6. How did you contact, or attempt to contact MDE?  
Check all that apply.

- ☐ Telephone
- ☐ Electronic mail
- ☐ In person
- ☐ Paper mail
- ☐ Fax



7. Why did you contact MDE?

Check all that apply.

- ☐ To find out if I needed a permit
- ☐ To ask about an existing permit
- ☐ To ask about MDE policy
- ☐ To obtain a permit
- ☐ To report a compliance problem
- ☐ Other (please describe)

8. Was the outcome of your contact with MDE satisfactory to you?

Yes

No

9. Please briefly describe the results of your contact with MDE.

10. If you received a permit from MDE, approximately when did you receive it?

Month \_\_\_\_\_

Year \_\_\_\_\_

11. What type of permit did you receive? \_\_\_\_\_

12. Overall, based on your own experience, how would you rate MDE's customer service?

- ☐ Very satisfied
- ☐ Somewhat satisfied
- ☐ Somewhat dissatisfied
- ☐ Very dissatisfied

13. Please check the best description for your organization or facility:

- ☐ Small business employing less than 25 people
- ☐ Large business employing over 100 people
- ☐ Medium-sized business employing 25 to 100 people
- ☐ Non profit institution
- ☐ Local government
- ☐ State government
- ☐ Federal government
- ☐ Other (please describe)

14. What else can MDE do to better serve customers like you?

- ☐ Improve form usability such as on-line permitting
- ☐ Be more transparent
- ☐ Respond quicker to requests

15. Were you aware that you could request a pre-application or multi-media meeting to discuss your permitting needs by dialing the Permitting and Customer Services Office at 410-537-3772?

Yes

No

16. Were you aware that you could contact managers or customer service specialists in MDE's Permitting and Customer Services Office at 410-537-3772 if you encounter unsatisfactory customer service during the processing of your permit?

Yes

No

17. If you called MDE during this process, were all your calls returned within one business day?

Yes

No

18. Are you aware that you can go to MDE's web site, [www.mde.state.md.us](http://www.mde.state.md.us), to download permit applications?

Yes

No

19. If your permit required a hearing, how satisfied were you with that process?

- ☐ Very satisfied
- ☐ Somewhat satisfied
- ☐ Somewhat dissatisfied
- ☐ Very dissatisfied

20. If you ran MDE, what would you do to improve its web site, its public involvement process, or overall permitting process for customers like you?

Thank you for completing this survey! Please FAX the completed survey to the Permitting and Customer Services Office at 410-537-4477 or scan and e-mail to [PCS@mde.state.md.us](mailto:PCS@mde.state.md.us) with a subject "Customer Services Survey" or mail the survey to:

Permitting and Customer Services  
Attn: Customer Services Survey  
Maryland Department of the Environment  
1800 Washington, Blvd, Suite 735  
Baltimore, Maryland 21230

## **Appendix 7: MDE Numbers to Know**

### **AIR AND RADIATION MANAGEMENT ADMINISTRATION**

Director	410-537-3255
Air Quality Compliance	410-537-4225
Air Monitoring and Information	410-537-3240
Air Quality Permit	410-537-3230
Air Quality Planning	410-537-3240
Asbestos	410-537-3200
<a href="#"><u>Field Offices:</u></a>	
Hagerstown Maryland	301-665-2860
Eastern Shore	410-543-6913
Mobile Sources	410-537-3270
Radiological Health	410-537-3300

### **SCIENCE SERVICES ADMINISTRATION**

Director	410-537-3691
Community Right to Know Information	410-537-3800
Computer Modeling	410-537-3902
Public Bathing Beaches	410-537-3906
Emergency Operations & Technical Support (See also <a href="#"><u>MDE Emergency Numbers</u></a> )	410-537-3994
Environmental Assessment & Standards Program	410-537-3906
Regulations Coordination	410-537-3173
Shellfish Waters	410-537-3906
Water Quality Monitoring	443-482-2700

### **WASTE MANAGEMENT ADMINISTRATION**

Director	410-537-3304
<a href="#"><u>Field Offices:</u></a>	
Western Maryland	301-665-2810
Eastern Shore	410-819-4060
Hazardous and Medical Waste Information	410-537-3344
Lead Poisoning Prevention	410-537-3859
Oil Control	410-537-3442
Recycling	410-537-3314
Scrap Tires	410-537-3315
Solid Waste and Sewage Sludge Complaints	410-537-3415
Solid Waste and Sewage Sludge Permits	410-537-3375
Superfund/Voluntary Cleanups	410-537-3437
Underground Storage Tank Loan Program	410-537-3437

## WATER MANAGEMENT ADMINISTRATION

Director	410-537-3567
Financial Assistance Programs	410-537-3574
Individual Drinking Water Supplies	410-537-3784
Inspection and Compliance Days Nights/Weekends	410-537-3510 866-MDE GO TO
Mining Operations Permitting Coal Non-Coal	301-689-1440 410-537-3557
<a href="#">Western Maryland</a>	301-665-2850
Sediment, Stormwater & Dam Safety Program	410-537-3543
Water Supply Program	410-537-3702
Sewage Disposal Systems	410-537-3778
Wastewater Permit Program	410-537-3599
Wetland Permitting Tidal Non-Tidal	410-537-3837 410-537-3768

## EMERGENCY NUMBERS

(To report suspected pollution problems)

Air Pollution Violations Days/Nights/Weekends	866-MDE GO TO
Fish Kills and Algae Blooms Days/Nights/Weekends	866-MDE GO TO
Hazardous Material & Oil Spills Days/Nights/Weekends	866-MDE GO TO
Mining & Agriculture Days/Nights/Weekends	866-MDE GO TO
Public Sewer Leaks/Overflows Days/Nights/Weekends	866-MDE GO TO
Public Water Supply Problems Days/Nights/Weekends	866-MDE GO TO
Radiation Accidents or Safety Violations Days/Nights/Weekends	866-MDE GO TO
Sediment, Wetland Days/Nights/Weekends	866-MDE GO TO
Underground Tank Leaks Days/Nights/Weekends	866-MDE GO TO

## 24-HOUR INFORMATION

Chesapeake Bay Safety & Environmental Hotline	877-224-RBAY
Daily Air Quality Report (Recording)	410-537-3247
Shellfish Waters: Information on Conditional Restrictions (Recording)	800-541-1210
Recycling Hotline (Recording)	800-IRECYCLE

## GENERAL NUMBERS

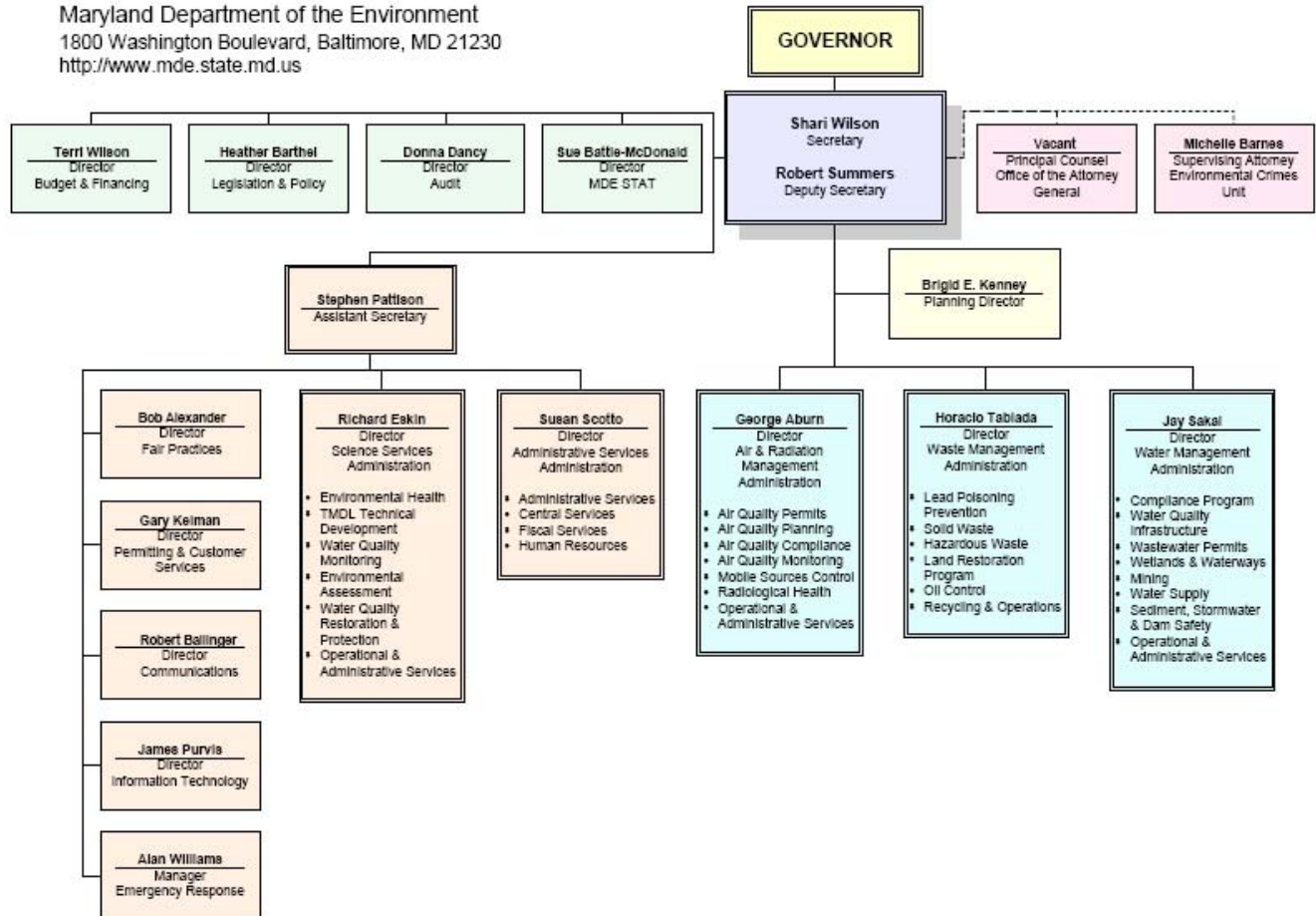
Information	410-537-3000
Toll Free	800-633-6101
TTY For the Deaf	410-537-4396
Americans With Disabilities Act Compliance	410-537-3964
Environmental Justice Program	410-537-3899
Permitting & Customer Service	410-537-3772
Minority Business Enterprise Program	410-537-3964
Office of Communications	410-537-3003
Public Information Act Requests	410-537-4120
Small Business Assistance Program	410-537-4478

# Appendix 8: Organizational Charts

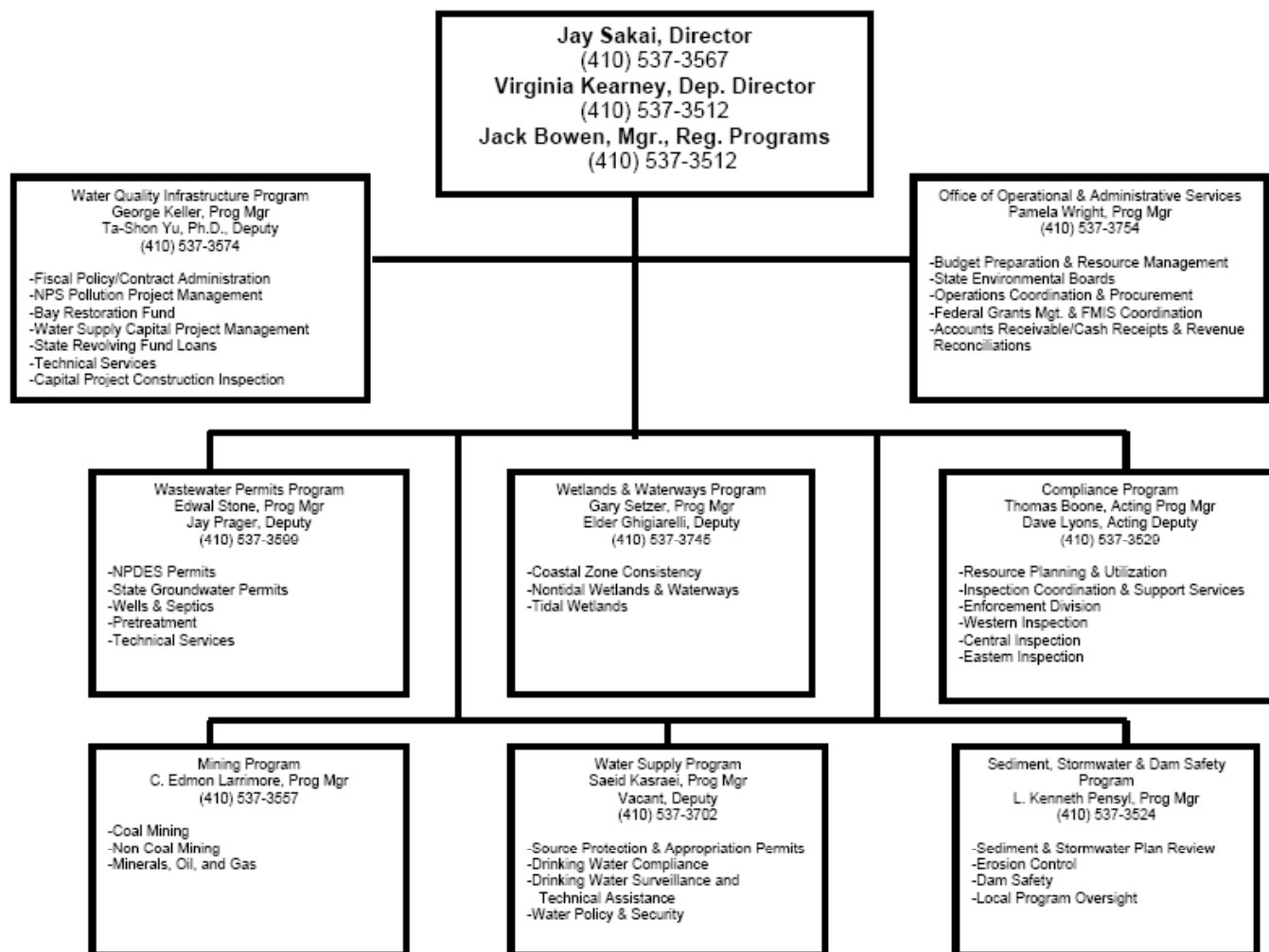
## MDE Organization Chart

Updated 12-10-2007

Maryland Department of the Environment  
1800 Washington Boulevard, Baltimore, MD 21230  
<http://www.mde.state.md.us>



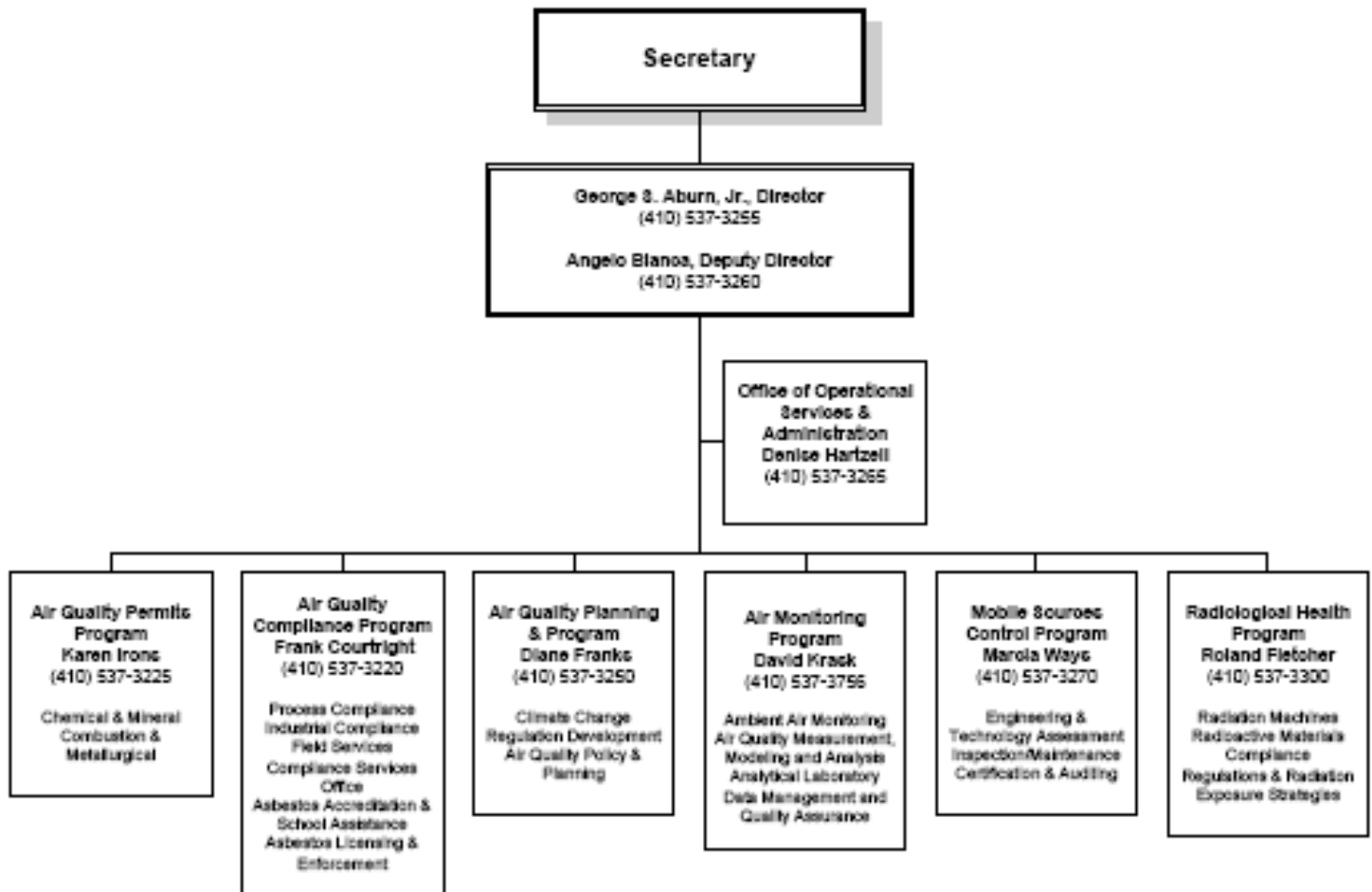
# WATER MANAGEMENT ADMINISTRATION



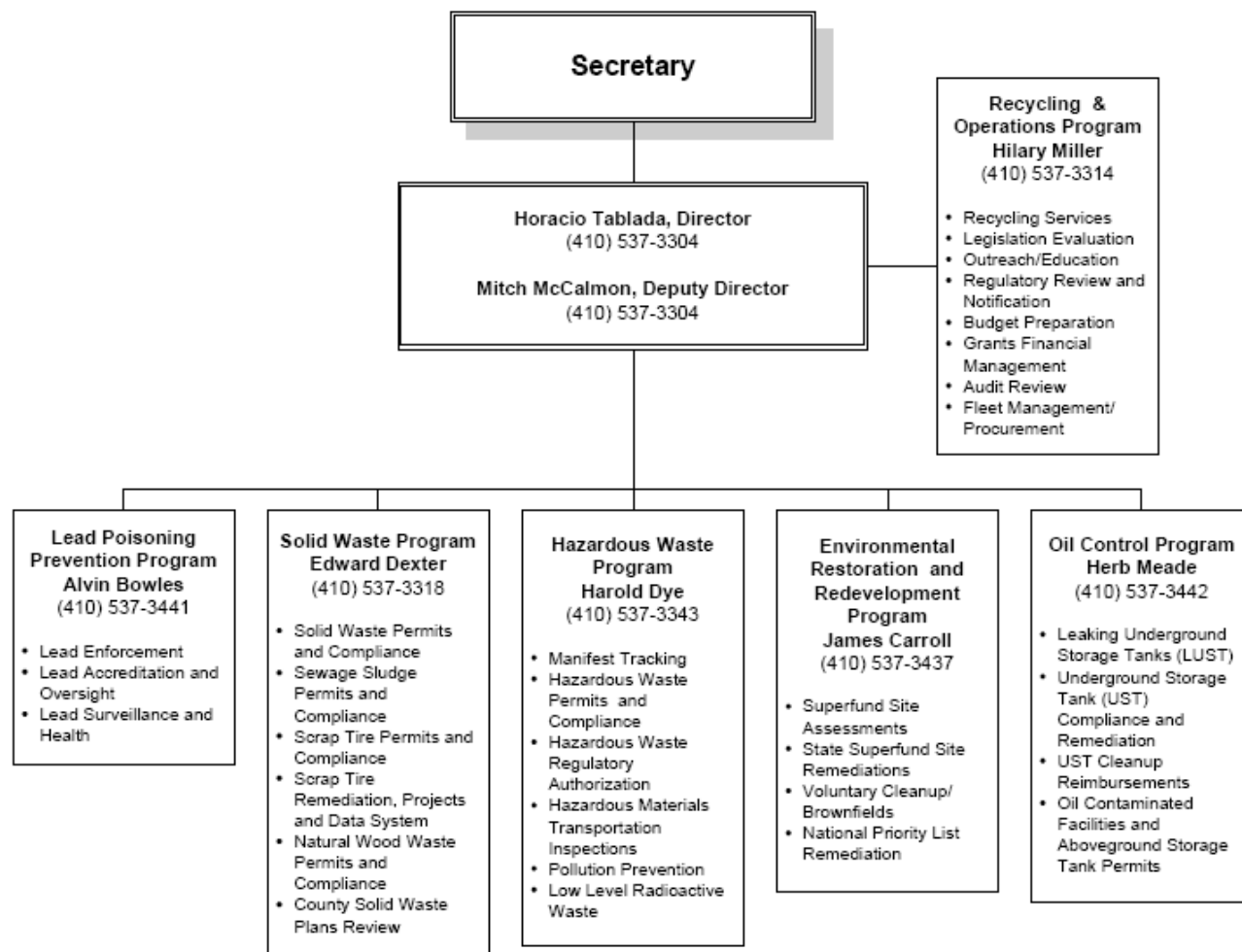


# AIR AND RADIATION MANAGEMENT ADMINISTRATION

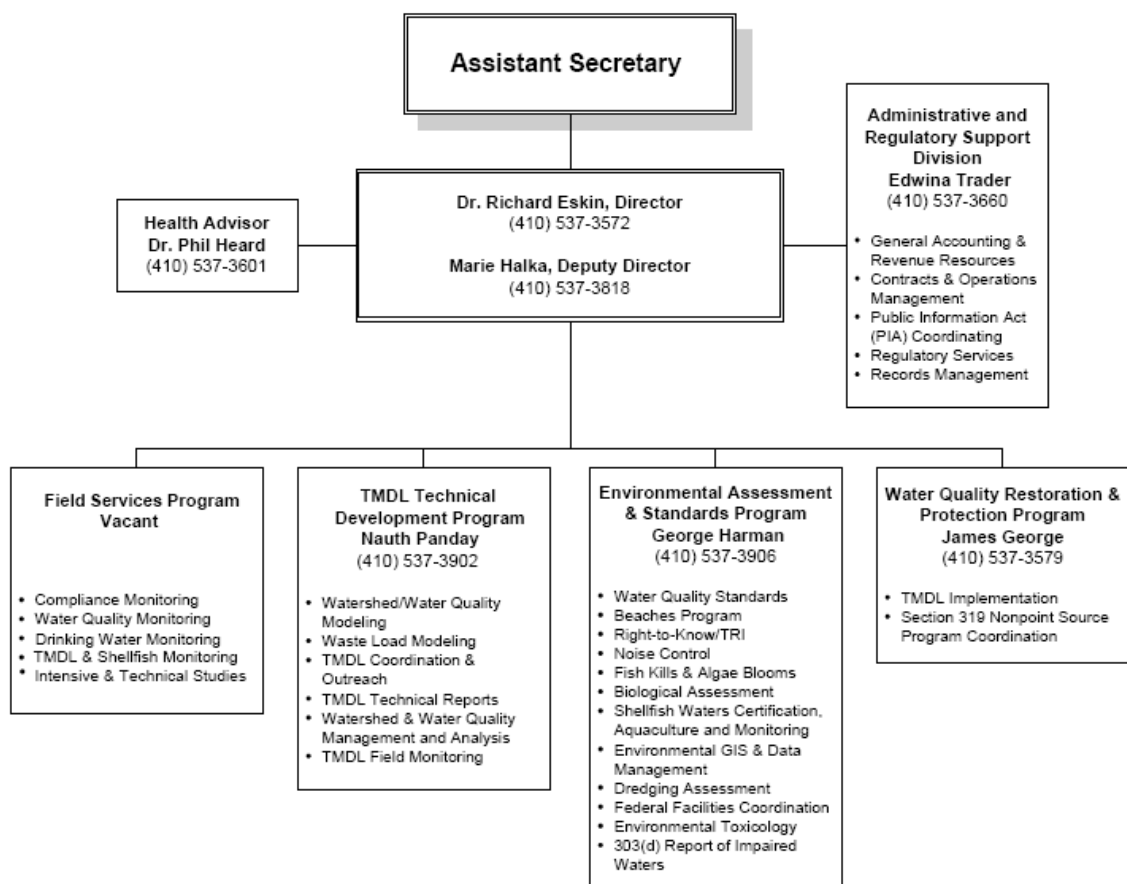
Revised February 1, 2008



# WASTE MANAGEMENT ADMINISTRATION



## SCIENCE SERVICES ADMINISTRATION



## **Appendix 9: Contacts for MDE Approvals**

<b>Approval</b>	<b>Contact Name</b>	<b>Contact Phone</b>	<b>Contact E-Mail Address</b>
<b>Air and Radiation Management Administration</b>			
1.01 Air Quality General Permits to Construct	John Scherer	410-537-3230	<a href="mailto:jscherer@mde.state.md.us">jscherer@mde.state.md.us</a>
1.02 Air Quality Permit to Construct	Justin Hsu William Paul	410-537-3846 410-537-3230	<a href="mailto:jhsu@mde.state.md.us">jhsu@mde.state.md.us</a> <a href="mailto:bpaul@mde.state.md.us">bpaul@mde.state.md.us</a>
1.03 New Source Review Approval	Justin Hsu William Paul	410-537-3846 410-537-3230	<a href="mailto:jhsu@mde.state.md.us">jhsu@mde.state.md.us</a> <a href="mailto:bpaul@mde.state.md.us">bpaul@mde.state.md.us</a>
1.04 Prevention of Significant Deterioration Approval	Justin Hsu William Paul	410-537-3846 410-537-3230	<a href="mailto:jhsu@mde.state.md.us">jhsu@mde.state.md.us</a> <a href="mailto:bpaul@mde.state.md.us">bpaul@mde.state.md.us</a>
1.05 Air Quality State Permit to Operate	Justin Hsu William Paul	410-537-3846 410-537-3230	<a href="mailto:jhsu@mde.state.md.us">jhsu@mde.state.md.us</a> <a href="mailto:bpaul@mde.state.md.us">bpaul@mde.state.md.us</a>
1.06 Part 70 (Title V) Operating Permit	Karen Irons Dave Mummert	410-537-3206	<a href="mailto:kiron@mde.state.md.us">kiron@mde.state.md.us</a> <a href="mailto:dmummert@mde.state.md.us">dmummert@mde.state.md.us</a>
1.07 Asbestos Contractor License	Lorraine Anderson	410-537-3200	<a href="mailto:landerson@mde.state.md.us">landerson@mde.state.md.us</a>
1.08 Asbestos Training Provider Approval	Asbestos Accreditation and School Assistance Division	410-537-3200	
1.09: Asbestos Photo Identification Card	Asbestos Accreditation and School Assistance Division	410-537-3200	
1.10 Incinerator Operator Certification and Training Course Approval	Mitch Greger	410-537-3231	<a href="mailto:mgreger@mde.state.md.us">mgreger@mde.state.md.us</a>
1.11 Fleet Inspection Station License	Peggy Courtright	410-537-3270	<a href="mailto:pcourtright@mde.state.md.us">pcourtright@mde.state.md.us</a>
1.12 Certified Emissions Repair Facility Certification	Rita Mudd	410-537-3270	<a href="mailto:rmudd@mde.state.md.us">rmudd@mde.state.md.us</a>
1.13 Master Certified Emissions Technician Certification	Imoni Boulter	410-537-3270	<a href="mailto:iboulter@mde.state.md.us">iboulter@mde.state.md.us</a>
1.14 Radiation Machine Facility Registration	Eva Nair Tina Rowand	410-537-3193	<a href="mailto:enair@mde.state.md.us">enair@mde.state.md.us</a> <a href="mailto:crowand@mde.state.md.us">crowand@mde.state.md.us</a>
1.15 Certification of Machines Emitting Radiation	Eva Nair	410-537-3193	<a href="mailto:enair@mde.state.md.us">enair@mde.state.md.us</a>
1.16 Radioactive Materials License	Barbara Park	410-537-3301	<a href="mailto:bpark@mde.state.md.us">bpark@mde.state.md.us</a>
1.17 Private Inspector License For Inspecting X-Ray Machines	Eva Nair	410-537-3193	<a href="mailto:enair@mde.state.md.us">enair@mde.state.md.us</a>

<b>Approval</b>	<b>Contact Name</b>	<b>Contact Phone</b>	<b>Contact E-Mail Address</b>
1.18 Reciprocal Recognition of Out-of-State Radioactive Material Licenses	Jim Lewis	410-537-3301	<a href="mailto:jlewis@mde.state.md.us">jlewis@mde.state.md.us</a>
1.19 Radioactive Material General License Registration	Jim Lewis	410-537-3301	<a href="mailto:jlewil@mde.state.md.us">jlewil@mde.state.md.us</a>
1.20 Registered Service Provider for X-Ray Machines	Eva Nair	410-537-3193	<a href="mailto:enair@mde.state.md.us">enair@mde.state.md.us</a>
1.21 Energy Production Facilities Special Permitting Information: Certificate of Public Convenience and Necessity	PSC MDE PPRP, DNR	410-767-8059 410-537-3230 410-260-8660	
<b>Waste Management Administration</b>			
2.01 Refuse Disposal Permit	A. Hussain Alhija Kassa Kebede (landfills)	410-537-3375 410-537-3318	<a href="mailto:halhija@mde.state.md.us">halhija@mde.state.md.us</a> <a href="mailto:kkebede@mde.state.md.us">kkebede@mde.state.md.us</a>
2.02 Ground Water Discharge Permit for Rubble Landfills	Kassa Kebede	410-537-3318	<a href="mailto:kkebede@mde.state.md.us">kkebede@mde.state.md.us</a>
2.03 Sewage Sludge Utilization Permits	A. Hussain Alhija	410-537-3375	<a href="mailto:halhija@mde.state.md.us">halhija@mde.state.md.us</a>
2.04 Natural Wood Waste Recycling Facility Permit	A. Hussain Alhija	410-537-3375	<a href="mailto:halhija@mde.state.md.us">halhija@mde.state.md.us</a>
2.05 Scrap Tire Management Licenses and Approvals	A. Hussain Alhija	410-537-3375	<a href="mailto:halhija@mde.state.md.us">halhija@mde.state.md.us</a>
2.06 Oil Operations Permit	Permits and Support Division	410-537-3442	
2.07 Oil Operations Permit for Oil-Contaminated Soils	Permits and Support Division	410-537-3442	
2.08 Oil Transfer License	Permits and Support Division	410-537-3442	
2.09 Oil Control Program General Wastewater Discharge Permits	Permits and Support Division	410-537-3442	
2.10 Surface Water Discharge Permit for Oil Terminals	Permits and Support Division	410-537-3442	
2.11 Ground Water Discharge Permit for Oil Terminals	Permits and Support Division	410-537-3442	
2.12 Underground Storage Tank Technician or Remover Certification	Permits and Support Division	410-537-3442	

<b>Approval</b>	<b>Contact Name</b>	<b>Contact Phone</b>	<b>Contact E-Mail Address</b>
2.13 Underground Storage Tank Removal/Abandonment 30-Day Written Notification	Compliance Division	410-537-3442	
2.14 Notification for Underground Storage Tanks	Permits and Support Division	410-537-3442	
2.15 Controlled Hazardous Substance Facility Permit	Harold L. Dye, Jr. Ed Hammerberg Amin Yazdanian	410-537-3345	<a href="mailto:bdye@mde.state.md.us">bdye@mde.state.md.us</a> <a href="mailto:ehammerberg@mde.state.md.us">ehammerberg@mde.state.md.us</a> <a href="mailto:ayazdanian@mde.state.md.us">ayazdanian@mde.state.md.us</a>
2.16 Hazardous Waste; EPA Identification Number	Harold L. Dye, Jr. Brian Sodeman Floyd Owens	410-537-3344	<a href="mailto:bdye@mde.state.md.us">bdye@mde.state.md.us</a> <a href="mailto:psodeman@mde.state.md.us">psodeman@mde.state.md.us</a> <a href="mailto:fowens@mde.state.md.us">fowens@mde.state.md.us</a>
2.17 Controlled Hazardous Substance Hauler, Vehicle and Driver Certification	Harold L. Dye, Jr. Rosemary Peay	410-537-3344	<a href="mailto:bdye@mde.state.md.us">bdye@mde.state.md.us</a> <a href="mailto:repeay@mde.state.md.us">repeay@mde.state.md.us</a>
2.18 Special Medical Waste Hauler and Vehicle Certification and Identification Number	Harold L. Dye, Jr. Rosemary Peay	410-537-3344	<a href="mailto:bdye@mde.state.md.us">bdye@mde.state.md.us</a> <a href="mailto:repeay@mde.state.md.us">repeay@mde.state.md.us</a>
2.19 Lead Paint Accreditations	John O'Brien	410-537-3825	<a href="mailto:jobrien@mde.state.md.us">jobrien@mde.state.md.us</a>
2.20 Lead Paint Training Course and Instructor Approvals	John O'Brien	410-537-3825	<a href="mailto:jobrien@mde.state.md.us">jobrien@mde.state.md.us</a>
2.21 Lead Paint Rental Unit Registration	John O'Brien	410-537-3825	<a href="mailto:jobrien@mde.state.md.us">jobrien@mde.state.md.us</a>
2.22 Voluntary Cleanup Program	Luke Wisniewski	410-537-3447	<a href="mailto:lwisniewski@mde.state.md.us">lwisniewski@mde.state.md.us</a>
<b>Water Management Administration</b>			
3.01 Surface Water Discharge Permit (Industrial)	Ed Gertler	410-537-3323	<a href="mailto:egertler@mde.state.md.us">egertler@mde.state.md.us</a>
3.02 General Discharge Permits	Patsy Allen Ed Gertler	410-537-3634	<a href="mailto:pallen@mde.state.md.us">pallen@mde.state.md.us</a> <a href="mailto:egertler@mde.state.md.us">egertler@mde.state.md.us</a>
3.03 General Discharge Permit for Stormwater Associated with Industrial Activity	Ed Gertler	410-537-3323	<a href="mailto:egertler@mde.state.md.us">egertler@mde.state.md.us</a>
3.04 Surface Water Discharge Permit (Municipal)	Stephen Luckman	410-537-3671	<a href="mailto:Sluckman@mde.state.md.us">Sluckman@mde.state.md.us</a>
3.05 Ground Water Discharge Permit (Municipal or Industrial)	Ching-Tzone Tien	410-537-3662	<a href="mailto:ctien@mde.state.md.us">ctien@mde.state.md.us</a>
3.06 Toxic Materials Permit	Ed Gertler	410-537-3323	<a href="mailto:egertler@mde.state.md.us">egertler@mde.state.md.us</a>
3.07 Water and Sewerage Construction Permit	Dr. Ta-Shon Yu	410-537-3758	<a href="mailto:tyu@mde.state.md.us">tyu@mde.state.md.us</a>
3.08 Coal Mining Permit	John E. Carey Alan V. Hooker	301-689-1440	<a href="mailto:jcarey@mde.state.md.us">jcarey@mde.state.md.us</a> <a href="mailto:ahooker@mde.state.md.us">ahooker@mde.state.md.us</a>

<b>Approval</b>	<b>Contact Name</b>	<b>Contact Phone</b>	<b>Contact E-Mail Address</b>
3.09 Surface Coal Mining Blaster Certification	John E. Carey Jeffrey A. Snyder	301-689-1440	<a href="mailto:jcarey@mde.state.md.us">jcarey@mde.state.md.us</a> <a href="mailto:jsnyder@mde.state.md.us">jsnyder@mde.state.md.us</a>
3.10 Coal Mining Operator License	John E. Carey Alan V. Hooker	301-689-1440	<a href="mailto:jcarey@mde.state.md.us">jcarey@mde.state.md.us</a> <a href="mailto:ahooker@mde.state.md.us">ahooker@mde.state.md.us</a>
3.11 Non-Coal Mining Permit	C. Edmon Larrimore	410-537-3557	<a href="mailto:elarrimore@mde.state.md.us">elarrimore@mde.state.md.us</a>
3.12 Surface Mining License	C. Edmon Larrimore	410-537-3557	<a href="mailto:elarrimore@mde.state.md.us">elarrimore@mde.state.md.us</a>
3.13 Oil and Gas Exploration and Production	C. Edmon Larrimore	410-537-3557	<a href="mailto:elarrimore@mde.state.md.us">elarrimore@mde.state.md.us</a>
3.14 Well Construction Permit	Barry Glotfelty	410-537-3784	<a href="mailto:bglotfelty@mde.state.md.us">bglotfelty@mde.state.md.us</a>
3.15 Water Appropriation and Use Permit	John Grace	410-537-3714	<a href="mailto:jgrace@mde.state.md.us">jgrace@mde.state.md.us</a>
3.16 Drinking Water Sampler Certification	Mark Jacobs	410-537-3729	<a href="mailto:mjacobs@mde.state.md.us">mjacobs@mde.state.md.us</a>
3.17 Drinking Water Laboratory Certification	Linda Ames	(410) 537-3729	<a href="mailto:lames@mde.state.md.us">lames@mde.state.md.us</a>
3.18 Tidal Wetland Licenses and Permits	Richard J. Ayella	410-537-3837	<a href="mailto:rayella@mde.state.md.us">rayella@mde.state.md.us</a>
3.19 Nontidal Wetlands (Nontidal Wetlands and Waterways Permits)	Amanda Sigillito	410-537-3766	<a href="mailto:asigillito@mde.state.md.us">asigillito@mde.state.md.us</a>
3.20 Waterway and 100-year Floodplain (Nontidal Wetlands and Waterways Permits)	Amanda Sigillito	410-537-3766	<a href="mailto:asigillito@mde.state.md.us">asigillito@mde.state.md.us</a>
3.21 Erosion/Sediment Control and Stormwater Management Plan Approvals	Jim Tracy	410-537-3563	<a href="mailto:jtracy@mde.state.md.us">jtracy@mde.state.md.us</a>
3.22 Responsible Person Training & Certification Program for Erosion/Sediment Control	Rick Trickett	410-537-3543	<a href="mailto:rtrickett@mde.state.md.us">rtrickett@mde.state.md.us</a>
3.23 General Permit for Construction Activity	Karen Smith	410-537-3510	<a href="mailto:ksmith@mde.state.md.us">ksmith@mde.state.md.us</a>
3.24 Municipal Separate Storm Sewer Permit	Brian S. Clevenger	410-537-3543	<a href="mailto:bclevenger@mde.state.md.us">bclevenger@mde.state.md.us</a>
3.25 Dam Safety Permit	Cas Taherian	410-537-3538	<a href="mailto:ctaherian@mde.state.md.us">ctaherian@mde.state.md.us</a>
3.26 Environmental Sanitarian License	E. Lee Haskins	410-537-3597	<a href="mailto:lhaskins@mde.state.md.us">lhaskins@mde.state.md.us</a>
3.27 Waterworks and Waste Systems Operator Certification	E. Lee Haskins	410-537-3167	<a href="mailto:lhaskins@mde.state.md.us">lhaskins@mde.state.md.us</a>
3.28 Well Driller License	Willie Everett	410-537-3644	<a href="mailto:weverett@mde.state.md.us">weverett@mde.state.md.us</a>
<b>Science Services Administration</b>			
4.01 Relaying Oysters for Commercial Harvest Off-Bottom Aquaculture	Shellfish Certification Section	410-537-3906	



<b>Approval</b>	<b>Contact Name</b>	<b>Contact Phone</b>	<b>E-Mail</b>
4.02 Relaying Oysters for Commercial Harvest Private Oyster Lease Holders	Shellfish Certification Section	410-537-3906	
General Permit Information	Permitting and Customer Services Office	410-537-3772	PCS@mde.state.md.us

## **TWENTY QUESTIONS**

***DIRECTIONS: Answering “yes” to these questions will guide you to the page numbers for the applicable fact sheets describing the environmental approvals you may need to carry out the operations at your facility. The fact sheets contain additional questions allowing you to narrow down the necessary approvals you will most likely require.***

### **Air and Radiation Management Administration**

☐ **11. Do you store gasoline, operate boilers or generators, use solvents, or otherwise cause emissions of smoke or vapors to the atmosphere?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
1.01	Air Quality General Permits to Construct	24
1.02	Air Quality Permit to Construct	25
1.03	New Source Review Approvals	27
1.04	Prevention of Significant Deterioration Approval	29
1.05	Air Quality State Permit to Operate	31
1.06	Part 70 (Title V) Operating Permit	33
1.10	Incinerator Operator Certification and Training Course Approval	38

☐ **12. Do you operate or work in a Vehicle Emissions Inspection Station or Repair facility?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
1.11	Fleet Inspection Station License	39
1.12	Certified Emissions Repair Facility Certification	40
1.13	Master Certified Emissions Technician Certification	41

☐ **13. Do you perform remediation work or train people to perform remediation work in buildings that may contain asbestos?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
1.07	Asbestos Contractor License	35
1.08	Asbestos Training Provider Approval	36
1.09	Asbestos Photo ID Card	37

☐ **14. Do you operate X-Ray machines or use equipment that contains any radioactive materials or service X-Ray machines?**

NUMBER	APPROVAL TYPE	PAGE
1.14	Radiation Machine Facility Registration	42
1.15	Certification of Machines Emitting Radiation	43
1.16	Radioactive Materials License	44
1.17	Private Inspector License for Inspecting X-ray Machines	45
1.18	Reciprocal Recognition of Out-of-State Radioactive Material Licenses	46
1.19	Radioactive Material General License Registration	47
1.20	Registered Service Provider for X-Ray Machines	48

**Water Management Administration**

☐ **15. Do you perform any activity that generates wastewater?**

NUMBER	APPROVAL TYPE	PAGE
3.01/3.04	Surface Water Discharge Permit (Industrial)/(Municipal)	76/79
3.02	General Discharge Permits	77
3.03	General Permit for Discharges of Stormwater Associated with Industrial Activity	78
3.05	Ground Water Discharge Permit (Municipal or Industrial)	79
3.27	Waterworks and Waste Systems Operator Certification	107

☐ **16. Do you perform construction projects that may affect tidal or non-tidal wetlands or flood plains?**

NUMBER	APPROVAL TYPE	PAGE
3.18	Tidal Wetland Licenses and Permits	94
3.19	Non-Tidal Wetlands (Non-tidal Wetlands and Waterways Permits)	96
3.20	Waterway and 100-year Floodplain (Non-tidal Wetlands and Waterways Permits)	98

☐ **17. Do you use any chemicals to control the growth of nuisance plants or animals in a water body or perform commercial harvesting of oysters?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
3.06	Toxic Materials Permit	81
4.01	Relaying Oysters for Commercial Harvest: Off Bottom Aquaculture	109
4.02	Relaying Oysters for Commercial Harvest: Private Oyster Lease Holders	110

☐ **18. Do you perform construction that involves earth moving or excavation?**

<b>NUMBER</b>	<b>APPROVAL TYPE</b>	<b>PAGE</b>
3.07	Water and Sewerage Construction Permit	82
3.21	Erosion/Sediment Control and Storm water Management Plan Approvals	100
3.23	General Permit for Construction Activity (if disturbed area is 1 acre or more)	103
3.22	Responsible Person Training and Certification Program for Erosion/Sediment Control	102

☐ **19. Are you an owner of a municipal separate storm sewer system serving large, medium and small municipalities?**

<b>NUMBER</b>	<b>APPROVAL</b>	<b>PAGE</b>
3.24	Municipal Separate Storm Sewer Permit	104

☐ **20. Do you operate or plan to construct a bridge, dam or other obstruction to a waterway?**

<b>NUMBER</b>	<b>APPROVAL</b>	<b>PAGE</b>
3.19	Non-Tidal Wetlands (Non-tidal Wetlands and Waterways Permits)	96
3.20	Waterway and 100-year Floodplain (Non-tidal Wetlands and Waterways Permits)	98
3.25	Dam Safety Permit/Waterway Construction Permit	105

☐ 11. Do you perform any type of mining including exploration for oil and gas?

NUMBER	APPROVAL	PAGE
3.02	General Discharge Permits	77
3.08	Coal Mining Permit	84
3.09	Surface Coal Mining Blaster Certification	85
3.10	Coal Mining Operator License	86
3.11	Non-Coal Mining Permit	88
3.12	Surface Mining License	88
3.13	Oil and Gas Exploration and Production	89

☐ 12 Do your activities involve drinking water or withdrawal of waters of the State?

NUMBER	APPROVAL TYPE	PAGE
3.07	Water and Sewerage Construction Permit	82
3.14	Well Construction Permit	90
3.15	Water Appropriation and Use Permit	91
3.16	Drinking Water Sampler Certification	92
3.17	Drinking Water Laboratory Certification	93
3.27	Waterworks and Waste Systems Operators Certification	107
3.28	Well Driller License	108

☐ 13. Are you or do you plan to practice as an environmental sanitarian?

NUMBER	APPROVAL TYPE	PAGE
3.26	Environmental Sanitarian License	106

### **Waste Management Administration**

☐ 14. Do you operate a facility where solid waste such as trash, rubble, wood or other forms of refuse are accepted for disposal, incineration, transfer or processing?

NUMBER	APPROVAL TYPE	PAGE
2.01	Refuse Disposal Permit	51
2.02	Ground Water Discharge Permit for Rubble Landfills	53
2.04	Natural Wood Waste Recycling Facility Permit	56
3.02	General Discharge Permits	77

☐ **15. Do you perform any activity that involves the generation, treatment, storage, transport, or disposal of hazardous waste or plan on developing a site that was previously involved in industrial activity?**

NUMBER	APPROVAL TYPE	PAGE
2.15	Controlled Hazardous Substance Facility Permit	68
2.16	Hazardous Waste; EPA Identification Number	69
2.17	Controlled Hazardous Substance Hauler, Vehicle and Driver Certification	70
2.22	Voluntary Cleanup Program	75

☐ **16. Do you transport or generate any special medical waste?**

NUMBER	APPROVAL TYPE	PAGE
2.18	Special Medical Waste Hauler and Vehicle Certification and Identification Number	71

☐ **17. Do you have tanks on your property that contain or have contained any petroleum product?**

NUMBER	APPROVAL TYPE	PAGE
1.01	Air Quality General Permits to Construct	24
1.02	Air Quality Permit to Construct	25
1.05	Air Quality State Permit to Operate	31
2.06	Oil Operations Permit	58
2.07	Oil Operations Permit for Oil-Contaminated Soils	59
2.08	Oil Transfer License	60
2.09	Oil Control Program General Wastewater Discharge Permits	61
2.10	Surface Water Discharge Permit for Oil Terminals	62
2.11	Ground Water Discharge Permit for Oil Terminals	63
2.12	Underground Storage Tank Technician or Remover Certification	64
2.13	Underground Storage Tank Removal/Abandonment 30-day Written Notification	65
2.14	Notification for Underground Storage Tanks	66

☐ **18. Do you generate or plan to utilize sewage sludge?**

NUMBER	APPROVAL TYPE	PAGE
2.03	Sewage Sludge Utilization Permits	54

☐ **19. Do you generate or transport scrap tires?**

NUMBER	APPROVAL TYPE	PAGE
2.05	Scrap Tire Management Licenses and Approvals	57

☐ **20. Do you do anything involving lead paint abatement work?**

NUMBER	APPROVAL TYPE	PAGE
2.19	Lead Paint Accreditations	72
2.20	Lead Paint Training Course and Instructor Approvals	73
2.21	Lead Paint Registry	74