

**ENVIRONMENTAL ADVISORY
COUNCIL – February 16, 2005 @
Carroll Community College,
Room L-287
MINUTES**



**James E. Slater, Jr.
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Members Present: Kevin Dayhoff, Chair
Robyn Gilden
Henry Heine
Jim Johnson
Karen Merkle
David Pyatt

Members Absent: Bob Foor-Hogue

MDE Present: Molly K. Edsall, Senior Geologist, Water Management Administration
Steven G. Lang, MDE Air Quality Compliance Program
William Limpert, MDE Water Management Administration
Nolan Penney, MDE Air Toxics Section Head

Other Attendees: N. E. Barrett, NEWCAP
Wally Brown, Environmental Engineer, Lehigh Cement Co.
Ellen Cutsail, Union Bridge Town Council
Tom Devilbiss, Bureau of Resource Management
Paul Eyler, By Stander
Tim Feeser, Commissioners' Office
Bill Fiske, Carroll County Health Department
Barry Fortune, Carroll County Health Department
Linda Harris, NEWCAP
Charlotte Hollenbeck, New Windsor Councilwoman
Sher Horosko, Carroll Air
Terri Jones, Assistant County Attorney (Left at 3:30 p.m.)
Carrie Knauer, Carroll County Times
George Maloney, NEWCAP
Frank Maxwell, Union Bridge Resident
Mary McIndoe, NEWCAP
Doris Pierce for Sam Pierce, Mayor of New Windsor
Tom Robertson, Carroll County Forester
Neil Roop, Town of New Windsor
John & Cookie Sauble, Union Bridge Residents
Kevin Shaughness, Carroll Air
James E. Slater, Jr., Environment Compliance Officer
Dot Smith, Office of Environmental Compliance
Judith M. Smith, Concerned Citizen
Daniel Strickler, NEWCAP
John Thornburg, Quarry Neighbor
Gene Ward, Union Bridge Resident

Mr. Dayhoff called the meeting to order at 3:05 p.m. by welcoming everyone to the second meeting of the Environmental Advisory Council (EAC). He pointed out that Charlotte Hollenbeck, Neal Roop, both Council members from the Town of New Windsor, and Ellen Cutsail, Council member from the Town of Union Bridge, were in attendance. He then asked the Council if they had any corrections for the minutes of November and January; there were none. Therefore, he requested a motion to approve both the November and January minutes. Motion was made as follows:

MOTION NO. 3: Motion was made by Jim Johnson and seconded by Karen Merkle, to approve the minutes as written for November 19, 2004 and January 26, 2005. The motion was unanimously carried.

Mr. Slater made the following announcements:

- Bob Foor-Hogue, member of the EAC, was out of town and could not attend this meeting.
- Correspondence of interest for EAC members have been received as follows:
 - Rebecca Price expressed her thanks to the Board of Commissioners for having an Environmental Advisory Board to discuss the County's environmental issues.
 - Several communications had been received expressing gratitude for the EAC.
 - An anonymous letter was sent to the Board of County Commissioners regarding the proper closure of abandoned wells in the County. The main concern of the letter writer is that currently, proper closure of wells is not being addressed. This issue will likely appear as a future agenda item for EAC.
 - Ms. Gilden's e-mail of January 28, 2005 expressed an interest of proposed annexation of property on the Old Westminster Pike with development of 300 houses; the quarry, MTBE in Hampstead wells and in general; sinkholes in Wakefield Valley Gold Course and the building plans for the Finksburg Library.

NEW BUSINESS:

Mr. Dayhoff announced presentations to be made as follows:

- Mr. Slater will do an overview of environmental law and regulations,
- Mr. Brown will do a Lehigh Cement presentation, and
- Ms. Edsall and Mr. Limpert for the Maryland Department of Environment presentation.

Mr. Dayhoff also announced the next meeting is scheduled for March 16, 2005. We are waiting for confirmation as to whether or not we will be able to have the next meeting in Room L-287 at the College. He also asked that residents' participation be held until the end of the presentations. At that time, he will collect the residents' questions for agenda items for the March 16th meeting.

Mr. Slater gave a presentation on the basics of environmental laws and regulations by the federal, State and local levels. The policies at all three levels compliment each other for regulatory authority and understanding of impact versus standards of compliance. Government is limited to its authority. The Clean Air Act is often referred down to the state from the federal government, although there are some states that do not have local authority. Carroll County has codes and ordinances regulating grading, forest

conservation, landscaping, floodplain, stormwater management, storm sewers, and water resource management. A noise ordinance and zoning ordinance are currently being developed. Some of the County's staff will be invited to future meetings to discuss some of the County codes and ordinances, as mandated by the State of Maryland. Mr. Slater's presentation on environmental law and air quality is Attachment A.

Mr. Slater reported that the County has no regulation for air quality. Regulation for air quality for the County is done in much the same way as local businesses are regulated. Air flows the same as water flows. He cited an incident in 1948, in Donora, PA, 17 people died and almost 6,000 people became ill within 5 days as a result of inversion of air produced by a zinc plant and steel mills. The EPA national ambient air temperatures and standards are set for public health. Carroll County is part of the Baltimore metropolitan air quality region. The Clean Water Act and the Clean Air Act are moving together to rely on technology.

The Council discussed the State's implementation plan for regulating dust within the Clean Air Act. Mr. Slater reported the State set standards for individual sources in the very beginning and now, they are assessing the best approach for individual sources.

Ms. Merkle stated she would be recusing herself from the discussion and any recommendation related to Lehigh due to a current business contract between her employer and Lehigh.

Mr. Brown, an Environmental Engineer from Lehigh Cement, was introduced and promptly invited the Council members to do an on-site visit to Lehigh prior to the next meeting on March 16th so that the members can be better informed. Ms. Dot Smith will set that up with the Council members and Mr. Brown. Mr. Brown then reported that in 1905, a large limestone deposit was found in Union Bridge and by 1910, a cement company called Tidewater Portland Cement Company was formed. This was the largest limestone deposit in the world. The original plant has been upgraded several times. They have 80 dust collectors throughout the site. This is the biggest plant of its kind in the U.S., which produced 1,750,000 metric tons last year, 95% of which goes out in bulk and shipped to ready-mix manufacturers to be made into concrete. Lehigh's operation has a total of 17 permits. Lehigh is currently negotiating a Consent Agreement with MDE to resolve air quality compliance issues.

Mr. Johnson wanted to know what Lehigh used for their energy source. Mr. Brown said it is coal. Mr. Johnson also asked about whether or not any hazardous materials resulted from burning coal. Mr. Brown responded "no".

Q - Mr. Pyatt – Did some background reading and asked if everything works, does the dust get bagged?

A - Mr. Brown - "Yes, it is collected in the bag house".

Q - Mr. Pyatt asked if there was any measurable dust at all left after bagging.

A - Mr. Brown responded that it is maintained, but there is some dust.

Mr. Pyatt stated there was a Federal Register Notice on the manufacturing industry stating how dust is measured, but most of the things are voluntary; the standards have to be set to operate. MDE sets the standards and the standards must be met in order to be in compliance with federal laws.

Ms. Edsall, Senior Geologist for MDE, reported that MDE regulates the extraction of minerals statewide. They look at the drawings and applications submitted to make sure they are protecting the environment. They check for all environmental impacts for permit and acreage disturbed, zoning, etc., to

make sure it works in conjunction with the other regulatory agencies. When reviewing permits, they always do a site inspection. They regulate the blasting of quarry sites and make sure they are bonded. MDE also looks at the dewatering process of the quarry to prevent wells from going dry.

Q – Ms. Gilden - How many staff does Ms. Edsall have to perform the operations in her office.

A – Ms. Edsall - She has two staff, one of which will be leaving soon.

Q – Ms. Gilden – What is the human health and property impact under the Air Quality Act when hauling?

A – Ms. Edsall - The permit provides information about how they are going to control dust. She also reported that permits can be issued on a 5-year basis and are renewable; site specific things can be added.

Q – Mr. Heine – Asked about how many people at MDE are working with Mr. Limpert in Water Management inspections.

A – Mr. Limpert – There are about 9 inspectors covering various counties, including Carroll.

Mr. Limpert, MDE Water Management in Hagerstown, reported on the general knowledge of the permitting process. MDE is responsible for checking to see if jobs are in compliance with the regulations. They have made inspections at both the Lehigh Plant and quarry.

Q – Mr. Slater – Relative to Lehigh, what did MDE regulate?

A – Mr. Limpert – Processing water, stormwater discharge, and the water appropriations permit. They are still in the process of inspecting Lehigh for erosion and sediment control.

Q – Mr. Pyatt – What are the discharge things you look for?

A – Mr. Limpert – Quarry dewatering, stormwater, snow that has the potential to carry things off site, etc.

Q – Mr. Pyatt – Any treatment for water?

A – Mr. Limpert – Yes, there is some treatment for pH adjustment and temperature.

Q – Ms. Gilden – Does that include the wastewater from dust control measures?

A – Mr. Limpert – Yes.

Q – Mr. Johnson – Is the water cooling process monitored?

A – Mr. Limpert – Yes, it is monitored on a monthly basis. Certain criteria must be met so it does not exceed a maximum temperature of the stream. Mr. Slater said that certain things for yard activities must meet standards of area runoff under the General Permit. Some permits can be amended to add stormwater runoff.

The Council discussed stormwater runoff and ponding. Mr. Slater reported that, depending on the runoff, a stormwater pond may need a holding pond and may need to be treated at some point. Mr. Heine stated that constant reporting to MDE is done on a monthly basis with quarterly reports submitted as well.

Mr. Limpert offered to answer the public's questions after the meeting.

Mr. Dayhoff stated that the Council would go into more detail and answer questions at the end of the meeting on March 16, 2005. He plans on providing more information at the next meeting that is specific to the New Windsor/Union Bridge residents' questions. Therefore, he opened the meeting for the

public to submit their questions to be answered at the next meeting. The following questions were submitted:

Q Robyn Gilden – Can we have more information on the air quality permit?

Q Dave Pyatt – How does the State of Maryland regulate dust? How do their regulations link to operating conditions?

Q Judy Smith – Is the public going to be restricted by the format? It is not something she would be happy about.

Q Judy Smith – What do you use to change the pH? She understands it is very high.

Q Gene Ward – Can we get some kind of air quality monitoring in the Town of Union Bridge? He understands there is no air quality monitoring done in Carroll County.

A Jim Slater – There is one station in South Carroll in Winfield. That station only monitors ozone. There are no particulate monitors in Carroll County.

Q Frank Maxwell – Is the purpose of this Council to take the residents' concerns back to the MDE to get some monitoring?

Q Sher Horosko – Will Ms. Edsall be here to determine whether or not to quarry for rock crushing? Will MDE modify the existing permit?

A Ms. Edsall – This is mostly going to be an air quality issue. They have always been aware that they would have a crusher at Lehigh. It is regulated under the current permit.

- Gene Ward – Invited the Council to come to his house to see the dust residue.

- Delores Sauble – She is here because of the stone cement dust. She would like the sound in this Room (L-287) improved for the next meeting. She reported being hearing impaired due to the dust created by Lehigh.

Q Neal Roop – What is the status of the New Windsor Quarry permit and when is MDE planning to have a meeting in the New Windsor area?

Q Daniel Strickler – He read in the newspaper about Lehigh – he feels they are slow to resolve the issue.

Q Judy Smith – Has a problem with recent permit because Lehigh will be able to pump 5,000 gallons a day. The Commissioners are faced with the prospect of building additional treatment for temperature control at the Hampstead Wastewater Treatment Plant due to the effluent being too warm and endangered trout in the stream. Is this what's likely to happen with the additional water being pumped from Lehigh? How often is the stream tested? She doesn't feel the pH of the stream will be conducive to life in the stream.

A Bill Limpert – The stream is tested periodically, once a month as needed.

Q Sher Horosko – Is this dialogue going to be the terms of the Consent Order? Will it be discussed?

Q Kevin Shaughness – Asked Mr. Slater if he could have a copy of the Consent Order for the next meeting.

A Jim Slater – The Consent Agreement is between Lehigh and MDE. However, the intent of the March meeting is to discuss the details of the Consent Agreement.

Q Daniel Strickler – How much traffic is being generated – with all the trucks? Who is going to check that?

Q Judy Smith – Are the residents confined to just one more meeting, or if the residents have more issues that they feel have not be resolved, can they have additional meetings?

A Kevin Dayhoff – Sure.

A Jim Slater – Stated that the Council is not a decision-making Council; they are to make recommendations to the Board of Carroll County Commissioners.

Q (Unidentified Resident) - Are the meetings scheduled on a monthly basis?

A Jim Slater – Yes, the third Wednesday of each month at 3:00 p.m.

Q Frank Maxwell – How does the public get the information for the meetings?

A Jim Slater – We are in the process of setting up a website. In the meantime, it is published in the Carroll County Times prior to the meeting and you can call our office, 410.386.2756.

Mr. Dayhoff asked for a motion to end the meeting. Motion was made as follows:

MOTION NO. 4: Made by Henry, and seconded by Dave Pyatt, to end the meeting at 4:45 P.M. The motion was unanimously carried and the meeting adjourned.
