

**ENVIRONMENTAL ADVISORY
COUNCIL – JULY 19, 2006
@ 3:00 P.M., Room 003
Carroll County Office Building**



**James E. Slater, Jr., AICP, QEP
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MINUTES

Members Present:	Karen Merkle, Chair Robyn Gilden, Vice Chair Christopher Spaur Sher Horosko Jim Johnson David Pyatt	Members Absent:	Robert Foor-Houge Brian Rhoten
County Government:	Cynthia Parr, County Commissioners Office Timothy Feeser, County Commissioners Office James E. Slater, Jr., Office of Environmental Compliance Hugh Murphy, Hydrogeologist, Bureau of Resource Management Jeff Keefer, Office of Environmental Compliance Terri Jones, Senior Assistant County Attorney Kim Millender, County Attorney Perry Jones, Commissioner Ann L. Baugher, Secretary to EAC		
The Press:	Carrie Knauer, Carroll County Times Laura McCandlish, Baltimore Sun		
Other Attendees:	Mary A. Kowalski, resident/Carroll Joint Neighborhood Association Dwayne Martin, resident Henry Hepner, resident John Sweeney, resident Ellen Cutsail, Union Bridge Council Member Charles Zeleski, Carroll County Health Department Ed Singer, Carroll County Health Department John Grace, MDE, Division Chief of Source Protection & Appropriation		

CALL TO ORDER - Ms. Merkle, Chair, officially called the meeting to order at 3:05 P.M., by asking for approval of the June 21, 2006 minutes.

APPROVAL OF MINUTES - MOTION NO. 43: Motion was made by David Pyatt and seconded by Jim Johnson, to approve the minutes of June 21, 2006, as presented, with the following correction:

On Page 4, 4th paragraph, second sentence, 4th word, changed from “should” to “**might**”.

COMMUNICATIONS – 1) Chair Karen Merkle *added* to the Agenda under “Unfinished or Ongoing Business”, item – **e. Committees and Work Teams**. 2) Ms. Merkle distributed a copy of a letter she received from Mr. Steven Powell, Chief of Staff, dated July 10, 2006, on the EAC’s future agenda topics; and, a copy of a draft chart on “Active MTBE sites in Carroll County” for council’s review.

OPEN FORUM - Ms. Merkle indicated the Open Forum is an opportunity for County residents to express concerns or to propose issues to be considered as future EAC agenda items. Ms. Merkle stated that after comments are made, the council will have the opportunity to ask questions. She asked that

comments be kept at a maximum of three (3) minutes, due to a heavy agenda and any comments made are for consideration by the Council to address at future meetings not on today's agenda.

- Mr. Hepner asked the EAC to consider several issues: 1) may wish to have a "wetlands" action plan ready if the airport expansion is approved; 2) the airport should pay for any wetland related expenses; 3) Mr. Jim Slater needs to have more staff to handle all the environmental issues Carroll County faces; and 4) he would like to see a Rescue Shelter become reality.

Ms. Horosko responded to Mr. Hepner's comments since he affirmed he did miss the June, 2006, EAC meeting. At that meeting, the Chair discussed that the EAC will not be commenting on matters of the airport until and unless an environmental assessment is done. An environmental assessment, a very long process, would include the impacts Mr. Hepner described. It is then that the EAC might become involved.

- Mr. Dwayne Martin of Millers, MD expressed his concern in the delay of handling his MTBE well contamination case. Mr. Martin feels that the three-month delay from the first testing to the time if and when the treatment system will be installed is totally unacceptable. The lack of communication and not receiving information in a timely manner from the State and local health department is also his concern.

EAC members asked various questions of Mr. Martin. He responded that no bottled water was offered to his family, reimbursement of funds he expended can not be reimbursed according to an MDE source; the MTBE level at his residence was 63 ppb and five (5) other properties tested above the 20 ppb level; and, the source has not yet been determined.

Mr. Charles Zeleski, CCHD, announced there would be an informational meeting regarding this spill at the Miller's United Methodist Church on Thursday, July 20, 2006, with Dr. Phil Heard of MDE and the CCHD there to speak and assist the residents.

Discussion from the Council: 1) need for closing the gap to obtain a more expeditious response to residents where MTBE positive results have been found; 2) residents may need the EAC's help in working through MDE, possibly by written correspondence, so MTBE well contamination residents receive prompt support from local and State agencies in the areas of financial assistance, quicker treatment system installations and test result turnaround, supply of water for drinking and personal hygiene; and; at the same time, 3) realizing all levels of involved governmental agencies are following environmental laws in handling these cases.

- Mr. John Sweeney, resident and potential developer of a tract purchased for development in the area of Deer Park and Route 32, asked the Council for their help in his own MTBE situation. Mr. Sweeney advised the EAC that MDE has mailed several Corrective Action Plans to the owners of the gas station and deli with no corrective action taken. Mr. Sweeney expressed his frustration in the lack of action on cleanup and the length of time, over three (3) years, with nothing progressing. Mr. Sweeney indicated he filed a civil suit which has not accomplished anything except draining his financial resources.

Mr. Charles Zeleski of the CCHD explained to the EAC that this is an old spill as well as a new spill and this is a very complicated case where all enforcement action must come from MDE. Mr. Slater added this case is written up in detail on MDE's website should the EAC wish to review the information. Development was halted by the CCHD with Mr. Zeleski indicating the health department

would review this case for potential development if the contamination levels go below the MCL. Ms. Merkle told Mr. Sweeney that the EAC will inquire further about this situation.

Ms. Merkle thanked residents for coming and sharing their concerns with the EAC.

COUNCIL MEMBERS CONCERNS:

As has just been done in Mt. Airy, for staff time-savings sake, Mr. David Pyatt suggested that the EAC meetings capture the highlights of their meetings in place of the current method, which leans toward more of a transcript style. Chair Merkle asked the Secretary to give this some thought, taking it into consideration when typing the July minutes.

Ms. Sher Horosko expressed the benefit of seeing the film “An Inconvenient Truth” on global warming, suggesting the EAC may want to consider viewing it. The film is now showing locally at two (2) select theatres, located in Owings Mills and Baltimore.

UNFINISHED BUSINESS:

MTBE contamination issues in Carroll County:

Monthly Update - Mr. Ed Singer, CCHD, spoke to Mr. Herb Meade at MDE regarding Hillcrest Avenue (Hampstead) - notification was given to whom MDE thought was the responsible party for the spill. They were given notification requiring a site assessment be done. MDE is not satisfied that anything has been done. MDE will be referring this to the Attorney General’s and it will then be up to them to take the next step.

UST (Underground Storage Tanks) Removal Program - Ms. Horosko reported removal of underground tanks is complicated due to the expense. Discussion followed by the Council and concluded with a plan to work with the MACO (Maryland Association of Counties) proposing a statewide program involving a financial incentive that will hopefully encourage residents to remove their USTs. Proposing a tax credit bill for the 2007 state legislature will be investigated along with a meeting with local fuel distribution companies in addressing residential USTs.

Ms. Cindy Parr, of the Commissioners office, stated visuals are being prepared to air the week of July 24th, 2006, on removing USTs.

June recommendations regarding MDE communications by the EAC on MTBE - Ms. Merkle, as a follow-up to Motion No. 41, in the June 21, 2006 minutes, discussed what the MTBE work team put together in the form of a chart of data that they will be asking MDE to provide the EAC on a regular basis. The work team is setting up a meeting with MDE to discuss reports and remediation timeframes. After discussion, Ms. Merkle asked the Council to review the chart for comment. Ms. Merkle will also be contacting the CCHD, proposing they work together with the EAC on mutual issues for the best interest of the residents. A positive response was given by Mr. Ed Singer, Director of the CCHD.

Ms. Cindy Parr also added the CCHD’s “leak protocol” will be posted as a public service announcement on the web as well as on the Channel 24 bulletin board for public information. The same will be done with the FAQ the CCHD is putting together when complete. *(A DRAFT copy of the of the FAQ is part of the July 19, 2006 minutes)*

Lehigh Biosolids Work Team Update - Ms. Horosko indicated she had no update to report. She requested the workgroup be given a copy of a letter Mr. Slater announced he had received from Lehigh earlier in the week.

Saw Mill Road Update - Mr. Slater reported the County is to submit a plan and Mr. Slater needs to discuss the status of this submittal with Mr. Ralph Green, Director of General Services.

2006 Environmental Awareness Awards Committee Report - Mr. Jim Johnson, in Mr. Foor-Hogue's absence, reported their work team is reviewing what has been done in the past and looking to improve the previously used application.

Committees and Work Teams - Ms. Merkle, as listed below, stated the present committees and work teams active at this time clarifying that work teams deal with issues and then disband, while committees go on for a long time:

- **Bio Solids – Work team (Chair Sher Horosko, David Pyatt)**
- **Awards – Standing committee (Chair Bob Foor-Hogue, Jim Johnson, Brian Rhoten)**
- **MTBE – Work team (Chair Karen Merkle, Robyn Gilden, Sher Horosko)**
- **Green Buildings – Work team (Sher Horosko, Jim Johnson)**
- **UST – Work team (Chair Sher Horosko, Karen Merkle, Jim Slater)**
- **adding, - Water/Waste to Energy Work team (Chris Spaur, David Pyatt Jim Johnson)**

Ms. Merkle announced that Mr. Jim Johnson will be serving on the Waste to Energy Committee with Mr. J. Michael Evans, Director of Public Works representing Carroll County.

NEW BUSINESS:

Mr. John Grace – Division Chief of Source Protection and Appropriation (copy of this presentation to be electronically sent to all EAC members, per their request) spoke on MDE's procedures in the application review process along with the extensive testing done prior to appropriation permitting. Mr. Grace answered EAC's related questions during the presentation.

Ms. Merkle thanked Mr. Grace for speaking to the EAC on these procedures.

Green Building Report - Mr. Johnson reported to the EAC that green buildings are one scheme to keep the environment safe. Green buildings are sustainable architecture, with its technology is measured by LEED (**L**eadership in **E**nergy and **E**nvironmental **D**esign). Mr. Johnson outlined the LEED standards including new construction, major renovations, homes, neighborhood development, etc., and happy to share that the Finksburg Library will be the first Carroll County Government "LEED" Building. There is a thermal conductivity being done on this project to ascertain the payback time for geo-thermal savings utilizing this type of heating/cooling system. Mr. Johnston stated there is money to be saved by LEED technology and the work team will continue to bring back information to the EAC hoping green building technology will be utilized by the building industry; and, ultimately Carroll County building codes amended to promote green construction. Also, Ms. Merkle will keep the EAC informed on Carroll Community College's green building project.

UPCOMING AUGUST MEETING - Ms. Merkle announced that there will be reports from work teams at the next meeting.

ANNOUNCEMENTS - No announcements were made from the chair.

CLOSE - MOTION NO. 44: Motion made by Dave Pyatt and seconded by Jim Johnson, to adjourn the meeting. Meeting adjourned at 5:46 p.m. The motion passed unanimously.

The next regularly scheduled meeting is August 16, 2006, at 3:00 p.m. in Room 003. Please let the secretary know if you will not be able to attend.

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