



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

SEP 24 2018

CERTIFIED MAIL

Chris Barry, Chief Operating Officer
ACG Maryland, LLC
301 Felspar Way
Cary, North Carolina 27518

**Re: Beaver Run Mobile Home Park WWTP, AI# 114869, 14-DP-3811
Notice of Referral to the Office of the Attorney General**

Dear Mr. Barry:

The Maryland Department of the Environment, Water and Science Administration, Compliance Program (Department) appreciates meeting with you and other representatives of ACG Maryland, LLC (ACG) and Singh Operational Services, Inc. on August 10, 2018 to discuss the compliance status of the Beaver Run Mobile Home Park Wastewater Treatment Plant (Plant), located at 3658 Karen Circle in Linkwood, Maryland and permitted under State Groundwater Permit 14-DP-3811 (Permit). The meeting was scheduled in response to the enclosed *Compliance/Enforcement Assessment, Opportunity for Informal Meeting* letter dated April 30, 2018. In addition, the Department has received the Corrective Action Report prepared by Burgin Engineering, Inc., dated August 20, 2018.

The Department acknowledges that the Corrective Action Report includes a plan and schedule for rehabilitating the absorption trenches and eliminating groundwater intrusion into the Plant, with a scheduled completion date for the corrections of October 30, 2018. The Department also acknowledges that Mr. Bill Forlifer of the Dorchester County Health Department issued a Sewage System Construction Permit (Construction Permit) on August 10, 2018 to allow for the diversion of wastewater from the Plant to the previously abandoned drain fields for a period of 90 days, which will facilitate the evaluation and repair of the absorption trenches. Finally, the Department acknowledges that there are now four approved groundwater wells at the Plant and that groundwater monitoring in accordance with the Permit was scheduled to begin on August 28, 2018.

However, as discussed during the meeting, the Department is concerned that the ongoing corrective actions will not be completed within the 90-day period authorized by the Construction Permit. In addition, the Department considers the Correction Action Report to be preliminary, as it is not comprehensive. As such, the Department believes a consent order may be necessary to memorialize a long-term plan and schedule for implementing corrective actions at the Plant and to resolve the violations that have occurred. In addition, the Department requests that you submit **within the next fourteen (14) days**, a revised, comprehensive Corrective Action Report that includes the following:

- 1) A description of how the corrective actions implemented to date or planned for the future have or will ensure compliance with the permitted effluent limitations;

Mr. Chris Barry, AI# 114869, 14-DP-3811

- 2) A description of each corrective action implemented to date or planned for the future to address the operations and maintenance deficiencies identified in the Department's April 30th letter, including the lack of an operations and maintenance manual at the Plant, the lack of weekly operator logs describing the response of the disposal area to the application of treated effluent, the presence of unsecured equipment at the Plant, the lack of high level alarms in the dosing tanks, the lack of emergency contact information for the public, and the failure to calibrate the flow meters;
- 3) Proposed dates of installation for the new septic tanks, the recommended 10,000 gallon dosing chamber, and the dosing panel;
- 4) A description of how the Air Relief Valves will be repaired;
- 5) A proposed date of disconnection of the temporary connection to the old drain fields;
- 6) A proposed order of deconstruction of the absorption trenches to implement the recommended repairs, including a pump-and-haul contingency in the event that the capacity of the active drainage area is exceeded by the disposal demand from the Plant;
- 7) Verification that all necessary local and State authorizations for construction and conducting earth moving activities have been obtained; and
- 8) Cost estimates for the corrective actions planned or implemented.

Please be advised that after careful consideration, the Department has decided to refer this matter to the Office of the Attorney General (OAG) to draft a consent order. The OAG will forward you a draft consent order under separate cover for your review and comment shortly.

The Department appreciates your cooperation in this matter. If you have any questions, please do not hesitate to contact Mr. Harry Hunsicker, Program Manager, Compliance Program at (410) 537-3510 or by email at harry.hunsicker@maryland.gov.

Sincerely,



D. Lee Currey, Director
Water and Science Administration

DLC:pcn
Enclosure

cc: Chandra Singh, Singh Operational Services, Inc.
Bill Forlifer, Dorchester County Health Department
Lynn Angotti, Office of the Attorney General, MDE
Adam Corry, Onsite Systems Division, MDE



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

APR 30 2018

CERTIFIED MAIL

Chris Barry, Chief Operating Officer
ACG Maryland, LLC
301 Felspar Way
Cary, North Carolina 27518

**Re: Beaver Run Mobile Home Park WWTP, AI# 114869, 14-DP-3811
Compliance/Enforcement Assessment, Opportunity for Informal Meeting
[Response Requested within 14 days]**

Dear Mr. Barry:

The Maryland Department of the Environment, Water and Science Administration, Compliance Program (Department) is concerned about the operation and performance of the Beaver Run Mobile Home Park Wastewater Treatment Plant (Plant) owned by ACG Maryland, LLC. The Plant is located at 3658 Karen Circle in Linkwood, Maryland and is permitted under State Groundwater Permit 14-DP-3811 (Permit). The Plant is currently operated by Singh Operational Services, Inc. (Singh), and has been in operation since March 1, 2016.

This letter serves as notice that the Department has completed a preliminary compliance assessment of the activities at the Plant and contends that alleged violations, having or continuing to occur at the Plant, meet the Department's *Significant Non-Compliance (SNC) Criteria* and intends to proceed with a formal enforcement action that may include implementation of corrective measures, assessment of penalties and/or referring the matter to the Office of the Attorney General. **However, before proceeding with an enforcement action, you are being provided the opportunity to schedule an informal meeting with the Department to discuss the alleged violations and provide any additional information for consideration.**

The Department is committed to protecting and restoring the environment and has the responsibility and authority to ensure compliance with environmental laws and regulations. A primary goal of the Department is to attain and maintain a high rate of compliance by providing clear expectations and by ensuring environmental responsibilities are enforced within the regulated community consistently. When significant violations are observed the Department has an obligation to take equitable and timely enforcement action, reasonably necessary, to deter future violations from occurring.

The Department alleges that ACG Maryland, LLC (ACG) is responsible for violations of Titles 9-322 and 9-323 of the Environment Article, *Annotated Code of Maryland*, and regulations promulgated thereunder having occurred from March 2016 through the present at the Plant.

- Title 9-322 of the Environment Article states that a person may not discharge any pollutant into waters of this State.
- Title 9-323 of the Environment Article provides that prior to any operation that could cause or increase the discharge of pollutants into the waters of this State a person shall obtain a discharge permit issued by the Department and comply with all the conditions therein.

Mr. Chris Barry, AI# 114869

The Department conducted an inspection and emailed you a copy of the field inspection report dated September 30, 2016 documenting the following violations:

1. Failure to maintain an Operations and Maintenance Manual at the Plant;
2. Failure to properly grade and vegetate the Plant area and disposal field #5;
3. Failure to properly maintain the mound system; and
4. Failure to install and monitor four groundwater monitoring wells.

The Department provided clear direction as to the corrective actions necessary to bring the Plant into compliance with the Permit, including re-grading and re-vegetating the Plant area and disposal field #5, installing and monitoring the four required groundwater monitoring wells required by the Permit, submitting a copy of Plant's Operations and Maintenance Manual to the Department and providing a copy to the Plant operator, and obtaining a sludge hauling permit if necessary. On October 20, 2016, you provided notification to the Department via e-mail that the aforementioned corrective actions were underway. The Department acknowledges that you located two groundwater monitoring wells at the Plant and that only two more groundwater monitoring wells needed to be installed. The Department conducted a follow-up inspection and provided a field inspection report dated October 21, 2016 documenting the ongoing maintenance to the drain fields.

On October 27, 2016, you provided notification to the Department via e-mail of the anticipated dates of completion for the installation of the two groundwater monitoring wells, the re-grading of disposal field #5, and submittal of the application for the sludge hauling permit. On January 16, 2017, you provided additional notification via e-mail that the groundwater monitoring wells had been installed and the application for the sludge hauling permit had been submitted. However, the Department's response dated January 18, 2017 identified that 2-inch diameter groundwater monitoring wells were installed instead of the 4-inch monitoring wells required by the Permit.

The Department conducted a follow up inspection and provided you a copy of the field inspection report dated January 25, 2017 documenting the following violations:

1. Unauthorized discharge of wastewater from the dosing tank;
2. Rough grading of the area around the dosing tank;
3. Failure to maintain locks on the vessel lids;
4. Surface ponding of wastewater within disposal field #5;
5. Erosion within disposal field #5 that has resulted in the exposure of the drip irrigation line;
6. Old and accessible concrete tanks onsite with lids removed exposed to the public; and
7. Incorrect installation of two groundwater monitoring wells, and the failure to install two additional upgradient groundwater monitoring wells.

The Department provided clear direction as to the corrective actions necessary to bring the Plant into compliance with the Permit, including installing the groundwater monitoring wells in accordance with the Permit, initiating groundwater monitoring in accordance with the Permit, documenting the condition of the disposal system weekly in a log, repairing the drip irrigation system and the eroded area of disposal field #5, and the decommissioning of old, unsecured structures to make them safe for residents. Mr. Bill Forlifer of the Dorchester County Health Department (Health Department) also provided an inspection report dated February 6, 2018 documenting the deficiencies identified during the January 25, 2017 inspection.

On February 24, 2017, you provided notification to the Department via e-mail of the progress being made regarding the installation of the groundwater monitoring wells and the necessary re-grading at the Plant, and you also authorized the Department to send a copy of the January 25, 2017 inspection report to Singh.

Mr. Chris Barry, AI# 114869

On January 8, 2018, the Health Department received a complaint regarding sewage leaking from the Plant. The Department conducted an inspection in response to the complaint and emailed you a copy of the field inspection report dated January 17, 2018. The report documented the ongoing corrective actions implemented to address the unauthorized discharge of wastewater from the field dosing tanks at the Plant. During this inspection, the Department observed the pumping of wastewater from the field dosing tank into a 2,300 gallon septic truck. The Department provided clear direction as to the corrective actions necessary to bring the Plant into compliance with the Permit, including installing high level alarms within the dosing tanks, securing all Plant structures, posting emergency contact information in the vicinity of any alarms, submitting a 5-day follow-up letter describing the unauthorized discharge, and retaining maintenance records for the Plant. The Department received the 5-day follow-up letter on January 22, 2018.

The Department conducted a follow-up inspection and emailed you a copy of the field inspection report dated February 13, 2018 documenting the response to the previous unauthorized discharge, as well as the previously identified ongoing operation and maintenance issues at the Plant. The Department provided clear direction as to the corrective actions necessary to bring the Plant into compliance with the Permit, including securing all Plant pump controls, posting emergency contact information on signs at the Plant, documenting the condition of the disposal system weekly in a log, properly installing and monitoring the groundwater monitoring wells in accordance with the Permit, providing copies of the Monthly Operating Reports (MORs) for January and February of 2018 to the Department, updating the 5-day follow-up report to estimate the volume discharged during the previous unauthorized discharge, and calibrating the effluent flow meters annually. The Department received the requested MORs via e-mail dated February 18, 2018. However, as of the date of this letter, the Department has not received a revised 5-day follow-up letter.

The Department conducted another follow-up inspection and emailed you a copy of the field inspection report dated April 6, 2018 documenting the ongoing operation and maintenance deficiencies at the Plant, which have resulted in significant ponding of Plant effluent, unauthorized discharges and erosion within disposal fields #4 and #5. During the inspection raw sewage was observed ponding in several locations and sewage run-off was observed from the mounded area in trench #5. In addition, the Department believes that the trenches in field #5 were improperly installed. The Department provided clear direction as to the corrective actions necessary to bring the Plant into compliance with the Permit, including documenting the condition of the disposal system weekly in a log, operating the Plant to prevent surface runoff or persistent ponding, and properly installing and monitoring the groundwater monitoring wells in accordance with the Permit.

Finally, the Department has reviewed the Discharge Monitoring Reports (DMRs) and non-compliance reports submitted for the Plant during the period March 2016 through March 2018. The review shows fourteen (14) violations of the permitted limits for total nitrogen, effluent flow, BOD, and TSS, as well as eight (8) un-submitted DMRs for the monitoring wells. The enclosed attachments detail these violations.

The Department is authorized under Title 9-342 of the Environment Article, *Annotated Code of Maryland*, to assess a civil or administrative penalty for the aforementioned violations.

- Title 9-342 of the Environment Article to assess penalties of up to \$10,000 per day for water pollution violations.

When assessing an appropriate enforcement action that may include monetary penalties, the Department must conduct a careful review of the factors outlined in the Environmental Article and listed below.

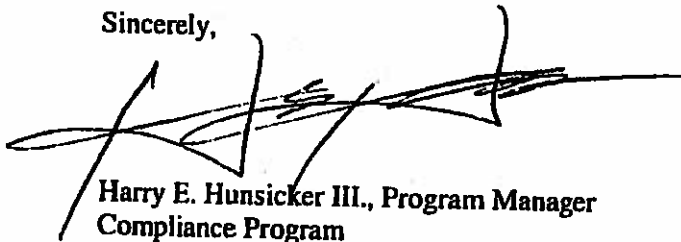
Mr. Chris Barry, AI# 114869

- The willfulness of the violation, the extent to which the existence of the violation was known to but uncorrected by the violator, and the extent to which the violator exercised reasonable care;
- Any actual harm to the environment or to human health, including injury to or impairment of the use of the waters of this State or the natural resources of this State;
- The cost of cleanup and the cost of restoration of natural resources;
- The nature and degree of injury to or interference with general welfare, health and property;
- The extent to which the location of the violation, including location near waters of this State or areas of human population, creates the potential for harm to the environment or to human health or safety;
- The available technology and economic reasonableness of controlling, reducing, or eliminating the violation;
- The degree of hazard posed by the particular pollutant or pollutants involved; and
- The extent to which the current violation is part of a recurrent pattern on the same or similar type of violation committed by the violator.

Each day that a violation continues constitutes a separate day of violation. The Department will ensure that each instance of noncompliance undergoes a review and is subsequently addressed after due consideration to the relevant facts and circumstances. Please be advised, the maximum penalty liability for each day the alleged violations occurred at the Plant, if referred to the Office of the Attorney General for judicial enforcement action, is significant.

The Department requests that, **within 14 days of receipt of this notice**, you contact Ms. Julie Gowe, Manager, Enforcement Division, Compliance Program at (410) 537-3510 or by email at julie.gowe@maryland.gov to schedule an informal meeting or alternatively, provide a written response to the alleged violations for the Department's consideration. If you fail or elect not to make contact, the Department will proceed with initiating a formal enforcement action. Thank you for your prompt attention to this matter.

Sincerely,



Harry E. Hunsicker III., Program Manager
Compliance Program
Water and Science Administration
harry.hunsicker@maryland.gov

HEH:pcn
Enclosures (2)

cc: Chandra Singh, Singh Operational Services, Inc.

Attachment I: Effluent Violations

AGC MARYLAND, LLC - BEAVER RUN MOBILE HOME PARK - MD3811J14

3/1/2016 - 3/31/2018

| Monitoring Period End Date | Perm Feature ID | Parameter Desc | Statistical Base Short Desc | Limit Unit Short Desc | Limit Value | DMR Value | Percent Exceedance |
|----------------------------------|-----------------------|---|-----------------------------------|--------------------------|----------------|--------------|-----------------------|
| 03/31/2016 | 001 | Nitrogen, total [as N] Flow, in conduit or thru treatment plant | MO AVG | mg/L | 8. | 23. | 188 |
| | 001 | | MO AVG | gal/d | 6750. | 7235. | 7 |
| 04/30/2016 | 001 | BOD, 5-day, 20 deg. C | MO AVG | mg/L | 30. | 38. | 27 |
| | 001 | Nitrogen, total [as N] | MO AVG | mg/L | 8. | 14. | 75 |
| 05/31/2016 | 001 | Nitrogen, total [as N] Flow, in conduit or thru treatment plant | MO AVG | mg/L | 8. | 17.43 | 118 |
| | 001 | | MO AVG | gal/d | 6750. | 6955. | 3 |
| 06/30/2016 | 001 | Nitrogen, total [as N] Flow, in conduit or thru treatment plant | MO AVG | mg/L | 8. | 24.88 | 211 |
| | 001 | | MO AVG | gal/d | 6750. | 7133. | 6 |
| 07/31/2016 | 001 | Nitrogen, total [as N] | MO AVG | mg/L | 8. | 25.35 | 217 |
| 03/31/2017 | 001 | Solids, total suspended | MO AVG | mg/L | 30. | 62.32 | 108 |
| 04/30/2017 | 001 | BOD, 5-day, 20 deg. C | MO AVG | mg/L | 30. | 165.07 | 450 |
| 07/31/2017 | 001 | Solids, total suspended | MO AVG | mg/L | 30. | 65.13 | 117 |
| 12/31/2017 | 001 | Solids, total suspended | MO AVG | mg/L | 30. | 40.48 | 35 |
| 02/28/2018 | 001 | Flow, in conduit or thru treatment plant | MO AVG | gal/d | 6750. | 9957. | 48 |

Attachment II: Missing Data

AGC MARYLAND, LLC - BEAVER RUN MOBILE HOME PARK - MD3811J14

3/1/2016 - 3/31/2018

| Monitoring Period End Date | Perm Feature ID | Parameter Desc | Statistical Base Short Desc | Limit Unit Short Desc | Limit Value | DMR Value | NODI Code |
|----------------------------------|-------------------------|----------------------------------|-----------------------------|-----------------------|-------------|-----------|-----------|
| 12/31/2016 | MW01 | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | ug/L | | | |
| | | Nitrogen, nitrite total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrate total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, Kjeldahl, total [as N] | ANNL AVG | mg/L | | | |
| | | Phosphate, total [as PO4] | ANNL AVG | mg/L | | | |
| | | Chloride [as Cl] | ANNL AVG | mg/L | | | |
| | | Solids, total dissolved | ANNL AVG | mg/L | | | |
| | MW02 | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrite total [as N] | ANNL AVG | mg/L | 1. | | |
| | | Nitrogen, nitrate total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, Kjeldahl, total [as N] | ANNL AVG | mg/L | | | |
| | | Phosphate, total [as PO4] | ANNL AVG | mg/L | | | |
| | | Chloride [as Cl] | ANNL AVG | mg/L | 250. | | |
| | | Solids, total dissolved | ANNL AVG | mg/L | 500. | | |
| | MW03 | Coliform, fecal general | ANNL AVG | MPN/100mL | 2. | | |
| | | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrite total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrate total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, Kjeldahl, total [as N] | ANNL AVG | mg/L | | | |
| | | Phosphate, total [as PO4] | ANNL AVG | mg/L | | | |
| | | Chloride [as Cl] | ANNL AVG | mg/L | | | |
| | MW04 | Solids, total dissolved | ANNL AVG | mg/L | | | |
| | | Coliform, fecal general | ANNL AVG | MPN/100mL | | | |
| | | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | mg/L | | | |
| Nitrogen, nitrite total [as N] | | ANNL AVG | mg/L | 1. | | | |
| Nitrogen, nitrate total [as N] | | ANNL AVG | mg/L | | | | |
| Nitrogen, Kjeldahl, total [as N] | | ANNL AVG | mg/L | | | | |
| Phosphate, total [as PO4] | | ANNL AVG | mg/L | | | | |
| | Chloride [as Cl] | ANNL AVG | mg/L | 250. | | | |
| | Solids, total dissolved | ANNL AVG | mg/L | 500. | | | |
| | Coliform, fecal general | ANNL AVG | MPN/100mL | 2. | | | |

| Monitoring Period End Date | Perm Feature ID | Parameter Desc | Statistical Base Short Desc | Limit Unit Short Desc | Limit Value | DMR Value | NODI Code |
|----------------------------|-----------------|----------------------------------|-----------------------------|-----------------------|-------------|-----------|-----------|
| 12/31/2017 | MW01 | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | ug/L | | | |
| | | Nitrogen, nitrite total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrate total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, Kjeldahl, total [as N] | ANNL AVG | mg/L | | | |
| | | Phosphate, total [as PO4] | ANNL AVG | mg/L | | | |
| | | Chloride [as Cl] | ANNL AVG | mg/L | | | |
| | | Solids, total dissolved | ANNL AVG | mg/L | | | |
| | MW02 | Coliform, fecal general | ANNL AVG | MPN/100mL | | | |
| | | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrite total [as N] | ANNL AVG | mg/L | 1. | | |
| | | Nitrogen, nitrate total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, Kjeldahl, total [as N] | ANNL AVG | mg/L | | | |
| | | Phosphate, total [as PO4] | ANNL AVG | mg/L | | | |
| | | Chloride [as Cl] | ANNL AVG | mg/L | 250. | | |
| | MW03 | Solids, total dissolved | ANNL AVG | mg/L | 500. | | |
| | | Coliform, fecal general | ANNL AVG | MPN/100mL | 2. | | |
| | | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrite total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrate total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, Kjeldahl, total [as N] | ANNL AVG | mg/L | | | |
| | | Phosphate, total [as PO4] | ANNL AVG | mg/L | | | |
| | MW04 | Chloride [as Cl] | ANNL AVG | mg/L | | | |
| | | Solids, total dissolved | ANNL AVG | mg/L | | | |
| | | Coliform, fecal general | ANNL AVG | MPN/100mL | | | |
| | | pH | ANNL AVG | SU | | | |
| | | Nitrogen, total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, nitrite total [as N] | ANNL AVG | mg/L | 1. | | |
| | | Nitrogen, nitrate total [as N] | ANNL AVG | mg/L | | | |
| | | Nitrogen, Kjeldahl, total [as N] | ANNL AVG | mg/L | | | |
| | | Phosphate, total [as PO4] | ANNL AVG | mg/L | | | |
| Chloride [as Cl] | | ANNL AVG | mg/L | 250. | | | |
| Solids, total dissolved | | ANNL AVG | mg/L | 500. | | | |
| Coliform, fecal general | | ANNL AVG | MPN/100mL | 2. | | | |





Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Fwd: AG Docket

1 message

Sharon Talley -MDE- <sharon.talley@maryland.gov>
To: Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Mon, Sep 24, 2018 at 3:03 PM

FYI

----- Forwarded message -----

From: Elaine Hayden -MDE- <elaine.hayden@maryland.gov>**Date:** Wed, Sep 19, 2018 at 2:31 PM**Subject:** AG Docket

To: Andrew Gosden -MDE- <andrew.gosden@maryland.gov>, Harry Hunsicker -MDE- <harry.hunsicker@maryland.gov>, Julie Gowe -MDE- <julie.gowe@maryland.gov>, Lynn Angotti -MDE- <lynn.angotti@maryland.gov>, Paul Ferreri -MDE- <paul.ferreri@maryland.gov>, Sharon Talley -MDE- <sharon.talley@maryland.gov>, Tracey Thomas -MDE- <tracey.thomas@maryland.gov>, Virginia Kearney -MDE- <virginia.kearney@maryland.gov>

The following has been docketed. You will be notified when an attorney has been assigned.

2010 to present search

| Year | Case No | Tempo No | Plaintiff | Defendant | Priority |
|------|---------|----------|-----------|----------------------------------|----------|
| 2018 | 4777 | 114869 | MDE | Beaver Run Mobile Home Park WWTP | 3 |

—
 Elaine Hayden
 Paralegal II
 Office of the Attorney General
 Maryland Dept of the Environment
 1800 Washington Blvd, Suite 6048
 Baltimore, MD 21230
elaine.hayden@maryland.gov
 (410) 537-3502 phone
 (410) 537-3943 fax

[Click here](#) to complete a three question customer experience survey.

—
 Sharon E. Talley
 Chief
 Enforcement Division
 Compliance Program
 Water Management Administration

Maryland Department of the Environment
 1800 Washington Blvd.
 Baltimore, MD 21230
 Telephone: (410)537-3979
 Fax: (410) 537-3733

[Click here](#) to complete a three question customer experience survey.





Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Re: Beaver Update

Michele Burroughs -MDE- <michele.burroughs@maryland.gov>

Mon, Sep 24, 2018 at 3:22 PM

To: Chris Barry <chrisbarry29@gmail.com>

Cc: "William C. Forlifer -MDH-" <william.forlifer@maryland.gov>, Patrick Noyes -MDE- <patrick.noyes@maryland.gov>, Adam Corry -MDE- <adam.corry@maryland.gov>

Chris,

It will be 2 weeks to obtain the discharge permit stormwater associated with construction activities (the NOI), which is why I reminded you in the August 28 inspection report and the email transmittal letter that the approved sediment and erosion plan were required and that a NOI would be required if the disturbed area exceeded 1 acre. Since the application was submitted September 21, the discharge permit would not be issued until October 5. Construction should not occur until the NOI is obtained and the permit requirements are met, including installation of the sediment controls, and documented inspections.

[Quoted text hidden]

—
Michele Burroughs
Regulatory and Compliance Engineer
407 Race Street
Cambridge, MD 21613
(410) 901-4043
Michele.Burroughs@maryland.gov

[Click here](#) to complete a three question customer experience survey.



Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Re: Beaver Update

1 message

Adam Corry -MDE- <adam.corry@maryland.gov>

Mon, Sep 24, 2018 at 2:39 PM

To: Chris Barry <chrisbarry29@gmail.com>

Cc: william.forlifer@maryland.gov, ching-tzone.tien@maryland.gov, naomi.howell@maryland.gov, michele.burroughs@maryland.gov, patrick.noyes@maryland.gov, julie.gowe@maryland.gov

Chris,

Thank you for the update. You will need a permit from Dorchester Environmental Health to proceed with the drip system repair. All the documentation that's coming from Mr. Ashton as a specific repair plan has to be reviewed first. I highly doubt Oct 1st will be doable at this point but we'll get on it ASAP.

What Mr. Ashton is compiling is what we'll need to serve as a plan. Your earlier engineers report was critical but did not spell out the specifics. It's imperative that all the parties here are clear on how to proceed so I'm copying everyone.

Thank you for your continued commitment to a quick resolution.

Sent from my iPhone

> On Sep 24, 2018, at 2:30 PM, Chris Barry <chrisbarry29@gmail.com> wrote:

>

> Adam,

>

> Attached below are some items that Tom Ashton sent to me on Friday last
> week. I am passing them along to you. Tom also mentioned that he will be
> on site this Thursday the 27th and hoped to meet you on site to illustrate
> the system to you and give you some additional documentation. We have been
> reading the meters daily and I will get a log sent over to you via email by
> tomorrow. The inflow seems to have gone down significantly, so that is a
> good thing!! Lastly, please let me know if/when we can continue with the
> repair to this system. Even if we can get started again on Monday, Oct.
> 1st, that would be great.

>

> Thanks

> Chris Barry

>

> Attached is the ASD-25 Manual and some applicable pictures of certain
> components.

>

> I am just about finished with the piping details for the tubing and
> manifold hook ups, pump chamber, Hydraulic unit etc..

>

> I plan to the property stop by midday this coming THUR the 27th and the
> following THURS.

>

> Tom Ashton

> <ASD25ServiceManual.pdf>

> <Model 25 SMALL.pdf>

-

Click here

<<http://www.doit.state.md.us/selectsurvey/TakeSurvey.aspx?agencycode=MDE&SurveyID=86M2956>>

to complete a three question customer experience survey.



Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Beaver Run MHP

1 message

Andrew Gosden -MDE- <andrew.gosden@maryland.gov>

Fri, Aug 31, 2018 at 5:25 PM

To: Julie Gowe -MDE- <julie.gowe@maryland.gov>, Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Cc: Sharon Talley -MDE- <sharon.talley@maryland.gov>

I'm looking at the referral file and the penalty is \$100,000. Is that correct? I think the memo to Lee and Ginny should at least mention the penalty we are recommending even if it is not the primary reason we are referring to OAG.

Also, I'm not sure it's on the checklist (it should be if it isn't), but we need to attach the OAG memo to the file folder. This is the memo to Andrea Baker with the case information, the rating, the recommended penalty, etc. OAG uses that memo when they create their docket for the case.

Andrew Gosden
Deputy Program Manager
Water and Science Administration, Compliance Program
Maryland Department of the Environment
1800 Washington Blvd
Baltimore, MD 21230
(410) 537-4158 Office, (410) 804-1832 Mobile

[Click here](#) to complete a three question customer experience survey.





Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Beaver Run MHP WWTP - OAG Referral

11 messages

Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Fri, Aug 24, 2018 at 9:57 AM

To: Adam Corry -MDE- <adam.corry@maryland.gov>, Michele Burroughs -MDE- <michele.burroughs@maryland.gov>, "William C. Forlifer -MDH-" <william.forlifer@maryland.gov>

Cc: Paul Ferreri -MDE- <paul.ferreri@maryland.gov>, Sharon Talley -MDE- <sharon.talley@maryland.gov>, Julie Gowe -MDE- <julie.gowe@maryland.gov>

Adam, Michele, and Bill,

I am preparing the OAG referral for this case and a notification letter to ACG. Do you have any comments on the Corrective Action Report that you'd like me to include?

The Report does not mention how the work will eliminate effluent violations, nor does it reference the various O&M issues cited in Michele's inspection reports (O&M manual, old tanks, alarms, etc.). I might add that we asked for thorough documentation of the ongoing work on the drain fields, and that isn't mentioned either.

I am already going to ask for a more comprehensive Report in our letter, so please let me know what you think. Thanks.

-Patrick

-

Patrick Noyes
Enforcement Division
Compliance Program
Water and Science Administration

Maryland Department of the Environment
patrick.noyes@maryland.gov
410-537-3649

Michele Burroughs -MDE- <michele.burroughs@maryland.gov>

Fri, Aug 24, 2018 at 11:02 AM

To: Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

I have not had a chance to review the doc. I won't be in the office until Monday.

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Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Fri, Aug 24, 2018 at 11:05 AM

To: Michele Burroughs -MDE- <michele.burroughs@maryland.gov>

Okay, I'll hold off for now. Thanks.

[Quoted text hidden]

Adam Corry -MDE- <adam.corry@maryland.gov>

Fri, Aug 24, 2018 at 12:07 PM

To: Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Cc: Michele Burroughs -MDE- <michele.burroughs@maryland.gov>, "William C. Forlifer -MDH-" <william.forlifer@maryland.gov>, Paul Ferreri -MDE- <paul.ferreri@maryland.gov>, Sharon Talley -MDE- <sharon.talley@maryland.gov>, Julie Gowe -MDE- <julie.gowe@maryland.gov>, Ching-Tzone Tien -MDE- <ching-tzone.tien@maryland.gov>, Naomi Howell -MDE- <naomi.howell@maryland.gov>

Patrick,

Strictly pertaining to O&M issues identified by Michele and effluent quality violations I agree that the report does not provide enough information.

Looking at this as a "work in progress" to first and foremost provide solutions for hydraulic control is how I see this particular report. Undoubtedly the steps being taken now and reported in the plan will play into the future compliance of the system; but agreed it does not address your group's concerns.

I would only add for my side of the process that all corrective actions taken be documented. I have been to the site yesterday and in communication with the grounds keeper today. I can confirm that hook up to the old drain fields is half complete and continuing as we speak.

Thanks,

Adam Noble Corry, LEHS VI
Water & Science, WWPP
On-site Division Regional
MDE 1800 Washington Blvd.
Suite #620, Baltimore, Md. 21230
443-571-3841-CELL.

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[Click here to complete a three question customer experience survey.](#)

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Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Fri, Aug 24, 2018 at 3:00 PM

To: Adam Corry -MDE- <adam.corry@maryland.gov>

Cc: Michele Burroughs -MDE- <michele.burroughs@maryland.gov>, "William C. Forlifer -MDH-" <william.forlifer@maryland.gov>, Paul Ferreri -MDE- <paul.ferreri@maryland.gov>, Sharon Talley -MDE- <sharon.talley@maryland.gov>, Julie Gowe -MDE- <julie.gowe@maryland.gov>, Ching-Tzone Tien -MDE- <ching-tzone.tien@maryland.gov>, Naomi Howell -MDE- <naomi.howell@maryland.gov>

Thanks, Adam. I will reiterate our request for documentation, and rather than ask for a whole revised plan, I think I'll ask for a supplemental submission that is focused on the 'compliance' issues not already addressed by the plan.

-Patrick

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Michele Burroughs -MDE- <michele.burroughs@maryland.gov>

Fri, Aug 24, 2018 at 3:44 PM

To: Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Cc: Adam Corry -MDE- <adam.corry@maryland.gov>, "William C. Forlifer -MDH-" <william.forlifer@maryland.gov>, Paul Ferreri -MDE- <paul.ferreri@maryland.gov>, Sharon Talley -MDE- <sharon.talley@maryland.gov>, Julie Gowe -MDE- <julie.gowe@maryland.gov>, Ching-Tzone Tien -MDE- <ching-tzone.tien@maryland.gov>, Naomi Howell -MDE- <naomi.howell@maryland.gov>

The corrective action plan is limited to part of the distribution system. I just reviewed the plan, as well as the most recent DMR/MOR. Singh nor the owner are attaching a description of the field conditions, as required. They have been requested to include all of the information (which should make them go an LOOK at the field conditions). As per the permit:

1. ACG is advised that Section I. C.3. of the permit specifies that weekly logs of the response of each disposal area to the application of the treated effluent shall be kept by the plant operator. Subjects to be included in the log are:
 - a. Areas or sections under irrigation
 - b. Application rates (hourly and weekly)
 - c. Effect of irrigation on vegetation
 - d. Instances of ponding.
 - e. Weather conditions.

ACG is advised that presently, only the temperature and the precipitation are recorded on the MOR 3 days a week, although the facility discharges every day.

I recommend that they have solid commitments to timelines. They presented in the past that they had a master well driller on board, and ready to install the monitoring wells, which did not happen for another 1.5 years.

There is no proposal for the installation date for the new septic tanks (only for application of the permits).

There is no proposal for the installation date for the 10,000 gallon tank, which was recommended by the engineer.

There was no description of how the air relief valves would be repaired, nor what is entailed.

There was no date for disconnection to the old drain fields.

There was no description for the order of deconstruction of the newer drain fields to make the recommended repairs (order of work, contingencies for hauling if the decreased drainfields are unable to keep up with the disposal demands, etc.), nor the installation of the additional dosing chamber and control panel).

As Adam stated, it proposed corrective action plan is a starting point, but certainly lacking in details.

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Michele Burroughs
Regulatory and Compliance Engineer
407 Race Street
Cambridge, MD 21613
(410) 901-4043
Michele.Burroughs@maryland.gov

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Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Fri, Aug 24, 2018 at 4:24 PM

To: Michele Burroughs -MDE- <michele.burroughs@maryland.gov>

Cc: Adam Corry -MDE- <adam.corry@maryland.gov>, "William C. Forlifer -MDH-" <william.forlifer@maryland.gov>, Paul Ferreri -MDE- <paul.ferreri@maryland.gov>, Sharon Talley -MDE- <sharon.talley@maryland.gov>, Julie Gowe -MDE- <julie.gowe@maryland.gov>, Ching-Tzone Tien -MDE- <ching-tzone.tien@maryland.gov>, Naomi Howell -MDE- <naomi.howell@maryland.gov>

Thank you, Michele.

So now I think I should ask for a whole revised plan and reference your specific comments. I'll re-write the letter, but I'll ask that you and Adam please review briefly for technical accuracy.

-Patrick

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Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Mon, Aug 27, 2018 at 10:48 AM

To: Michele Burroughs -MDE- <michele.burroughs@maryland.gov>

Cc: Adam Corry -MDE- <adam.corry@maryland.gov>, "William C. Forlifer -MDH-" <william.forlifer@maryland.gov>, Paul Ferreri -MDE- <paul.ferreri@maryland.gov>, Sharon Talley -MDE- <sharon.talley@maryland.gov>, Julie Gowe -MDE- <julie.gowe@maryland.gov>, Ching-Tzone Tien -MDE- <ching-tzone.tien@maryland.gov>, Naomi Howell -MDE- <naomi.howell@maryland.gov>

Michele,

Draft letter is attached, please review the list on page 2 for technical accuracy. Thank you.

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 **DRAFT Letter_OAG Referral_Beaver Run MHP WWTP_8.27.18.docx**
104K

Michele Burroughs -MDE- <michele.burroughs@maryland.gov>
To: Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Mon, Aug 27, 2018 at 1:11 PM

Did you obtain a copy of the construction permit from Bill Forlifer or receive other confirmation that the permit was issued? Bill had not issued the permit as of the time of the meeting.

Also, the letter states:

Finally, the Department acknowledges that there are now four functional groundwater wells at the Plant and that groundwater monitoring in accordance with the Permit began as of August 28, 2018.

my recommendation is: ... and that groundwater monitoring is scheduled to commence August 28, 2018. The original permit has been amended to allow for use of preexisting 2 inch wells but the permit still required the sampling to commence 2 years ago.

[Quoted text hidden]

Patrick Noyes -MDE- <patrick.noyes@maryland.gov>
To: Michele Burroughs -MDE- <michele.burroughs@maryland.gov>

Mon, Aug 27, 2018 at 1:22 PM

Michele,

Here is Bill's Permit, effective 8/10/18.

I'll rephrase re: the groundwater wells. Thanks.

[Quoted text hidden]

 **43-197, Karen Circle, Sew Pmt Connection.pdf**
49K

Michele Burroughs -MDE- <michele.burroughs@maryland.gov>
To: Patrick Noyes -MDE- <patrick.noyes@maryland.gov>

Mon, Aug 27, 2018 at 1:41 PM

They will also require a sediment and erosion control permit and possibly a NOI for construction for the drain fields, the septic tanks, and any other earth moving activities.

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