

**ENVIRONMENTAL ADVISORY  
COUNCIL – August 17, 2005  
@ 7:00 P.M., Room 003  
County Office Building  
MINUTES**



**James E. Slater, Jr.  
Environmental Compliance Officer  
225 N. Center Street  
Westminster MD 21157-5194  
410.386.2756**

**Members Present:** Kevin Dayhoff, Chair  
Robyn Gilden  
Sher Horosko  
Jim Johnson  
Karen Merkle  
David Pyatt

**Members Absent:** Bob Foor-Hogue  
Brian Rhoten

**Lehigh Cement:** Wally Brown, Environmental Engineer  
Peter Lukas, Plant Manager  
Tim Matz, Corporate Environmental Manager  
Shane Alesi, Vice President, Lehigh THC

**State of MD:** Louis G. Gieszl, Deputy Executive Director of MACRO  
Nolan Penney, Air Toxics Section Head

**County Government:** Terri Jones, Senior Assistant County Attorney  
James E. Slater, Jr., Environmental Compliance Officer  
Dorothy K. Smith, Secretary to EAC

**Others:** Don Andrews, Resident  
Vince Campanella, C & A Associates  
Ellen Cutsail, Union Bridge Town Council  
Robert Flickinger, City of Taneytown  
Mary Gail Hare, Baltimore Sun  
Lindsey Harris, NEWCAP  
Carrie Knauer, Carroll County Times  
Michelle Koenig, CarrollAir  
John Lopez, Finksburg Planning Area Council  
Tom Maestri, Synagro  
Dough McFarland, Carroll County Health Department  
Mary McIndoe, NEWCAP  
Bill Rees, Baltimore Gas & Electric Co.  
Kevin Shaughness, CarrollAir  
Jennifer Seinfeld, Zephyr Environmental Corp.  
John Sipes, New Windsor Resident  
R. Bryce Workman, New Windsor Resident  
Tom Young, Baltimore Gas & Electric Co.

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Mr. Dayhoff opened the meeting at 7:03 P.M. by:

- Requesting everyone sign the Attendance Sheet that was being circulated.
- Introducing Sher Horosko as our new Council member. He also gave a brief summary of her qualifications indicating her extensive environmental experience.
- Asking for approval of the June 15<sup>th</sup> Minutes, as written. Motion was made as follows:

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**MOTION NO. 18:** Motion was made by Karen Merkle and seconded by Dave Pyatt, to approve the minutes of June 15, 2005 as written. Motion was unanimously carried.

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Mr. Dayhoff opened the meeting to public participation in an effort to get ideas for future agenda items for the EAC. Items were as follows:

1. **Mr. Schaughness** - Would like to see the County get involved in a Clean School Bus Campaign apply for EPA grant money to retrofit school buses. It's too late to apply to EPA for this year's grant money; however, he suggested we apply next July. MDE may also offer assistance in this endeavor.

**Ms. Horosho** - CarrollAir is willing to help write a grant. She reported that retrofitting the buses can reduce the particulate matter by 80%.

**Ms. Gilden** – Does Carroll County have regulations or a policy that school buses are not supposed to let buses idle?

**Ms. Horosko** – A letter was written by the BOE Head of Transportation to the bus owners stating that buses should not idle any more.

**Mr. Dayhoff** – Would be happy to contact with the BOE to help move the Clean School Bus Campaign forward. He would also like to invite someone to come to an EAC meeting to discuss hybrid fuel.

2. **Dan Andrews** – Is a land surveyor and, as an advocate, studies greenhouse effects and climate change, and is a member of the Chesapeake Climate Network. He would like the EAC to plan for the continued awareness of the environmental problems and encourage conservation at the Government level and offer residents alternatives for clean energy, etc. He will prepare a presentation for a future EAC meeting. He would also like to see Americans practice using less to protect the environment for future generations.

**Ms. Gilden** – Offered to ask a college, Dr. Ralph Lightner, who is a professor at Johns Hopkins University and retired from Department of Energy, who may be interested in presenting information on this issue.

3. **Mr. Lopez** – Is from Finksburg and is concerned about residential development, especially a new development by General's Landing and Cold Saturday. Since the County lifted the deferral process, he feels building has really increased. He has also noticed a significant increase in algae

growth in the Liberty Lake Reservoir by the mouth of the reservoir into the lake. This reservoir serves the South Carroll residents. He would like to know what kinds of action strategies are being done. Is the drinking water being compromised? He'd also like to know more about the Baltimore/Carroll County Agreement for drinking water from the Liberty Lake Reservoir.

**Mr. Johnson** – Has witnessed a lot of residential construction in the watershed area.

**Mr. Lopez** – There have been a lot of changes throughout this year, but he finds the algae most alarming for both the reservoir and private wells.

**Mr. Dayhoff** - Would consider asking someone from the Reservoir Technical Group to do a presentation on this issue.

**Mr. Slater** – Would be more comfortable inviting someone from the Reservoir Technical Group after the Draft Action Strategies and Reservoir Agreement become available.

**Ms. Merkle** – Understands that the Carroll County Planning staff will be coming to groups like this to discuss development. The Master Plan is in the process of being updated now. Someone knowledgeable about the planning process should do a presentation.

**Ms. Gilden** – Would like to see what is being done about community outreach.

**Mr. Pyatt** – Attended some meetings where an effort was made to outreach to the public. He found development is very high in the Mt. Airy area.

**Mr. Slater** – The residents have to be a part of the process, and this group can help to make sure that happens.

**Mr. Dayhoff** – The EAC has an advantage to make recommendations to the Commissioners and can also address the issues. He suggested a joint meeting with other environmental groups.

**Mr. Johnson** – Many of the farms and large land tracts have been developed and were approved sometime prior to the deferral process. These permitted construction projects are being developed and cannot be stopped.

**Mr. Slater** – Would like to schedule County staff on future agendas to provide elements of the government processes and how long things take to complete.

4. **Mr. Dayhoff** – Another thing to consider for future agendas is over fertilizing of lawns. This is becoming a problem. He believes some of the algae could be coming from over fertilization and inadequate buffers. Ag preservation in Carroll County is one of the best defenses against growth. Therefore, he recommends Bill Powel from Planning to be considered for a future agenda.

**Ms. Horosko** – It is within the EAC's role to educate the public, as well as make recommendations to the Board of Commissioners. She would like to see residents' comments responded to at each meeting.

Mr. Dayhoff reported that the Zoning Text Amendment to the Code of Public Local Laws to allow storage of biosolids at the Lehigh Union Bridge plant was developed by the EAC. It has been approved for legal sufficiency and presented to the Board of Commissioners. This amendment is on a 1-year basis. A public hearing will have to be held if it is adopted. Mr. Dayhoff asked if anyone on the EAC had any comments.

Ms. Horosko expressed a desire over the word “extensively” being used in the fourth paragraph. She felt it would be better to leave it out.

Mr. Slater responded that any laws associated with such an endeavor would apply, whether they were local, State or federal.

Messrs. Dayhoff and Johnson visited the Synagro plant in Essex on August 16, 2005 to see how the biosolids are processed. Some comparisons as to the storage, transportation, handling and the storage facility were made. Mr. Johnson was concerned about the stacked material creating heat and then igniting. Synagro controls it with nitrogen. He further explained his concern about the transport creating dust and the possibility of an explosion. Synagro has never experienced any kind of an explosion from biosolids. He also reported the smell was not offensive and that he found very little dust. He was very impressed with their operation. Mr. Dayhoff reported that he was also very impressed. By the time the biosolids are made, there are very few pathogens in it.

Ms. Horosko expressed a desire that the biosolids burn at Lehigh be coordinated with the research process. It is crucial that the burning and the research are concurrent so we have a full year of data to review. She further recommended that a small subcommittee be established to get make sure this happens throughout the whole process.

Mr. Slater has discussed this issue with Mr. Lukas. Lehigh will work directly with the County to achieve this work. He will be having more preliminary discussions with Mr. Lukas to do some additional planning. EPA and MDE have indicated a willingness to help ensure that the test burn process is an open one. Mr. Slater will make a request to Mr. Edward Morton, Alternative Fuels Manager for Lehigh, to lay out an elementary schedule to show how the process will play out in order to see the timeframe. Lehigh has a research permit with a fairly large window of time. That must be done before they can attempt a burn. The construction of the biosolids storage building falls under the County code. The EAC will be kept up-to-date on the construction process.

Ms. Horosko also questioned whether or not §223-26, which states: “...is allowed in any district...” is just phrased in a jurisdictional manner or specific to Union Bridge. Mr. Slater said this is a part of the Zoning Ordinance, and as such, applies County-wide.

Mr. Dayhoff offered to write a letter to share with the EAC, clearly articulating health concerns about the test biosolids burn, and putting it up for majority vote to the EAC for presentation to the Board of Carroll County Commissioners. He recommended a subcommittee be formed to assist with the review of the biosolids issue. Mr. Dayhoff appointed Ms. Horosko to Chair that subcommittee. Ms. Horosko suggested this group meet to outline their objectives. Mr. Slater will be the liaison.

Mr. Johnson reiterated the importance of the burn stating it could very well enhance the science of burning biosolids throughout the U.S. Mr. Pyatt asked whether or not the standards in Germany where Lehigh currently burns biosolids are the same as EPA. Have tests proven biosolids burn more efficiently than coal?

The following motion was made to delete “exclusive” from the text of the proposed Zoning Text Amendment:

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**Motion No. 19:** Motion was made by Mr. Pyatt and seconded by Mr. Johnson, to approve the wording of the Zoning Text Amendment allowing for storage of biosolids at the Lehigh Union Bridge plant with the exception of deleting the word “extensive” from the fourth paragraph, and to resubmit it to the County Attorney’s Office to make the change. Motion was approved, with the exception of Ms. Merkle abstaining from the vote.

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Mr. Lukas offered to take some of the members of the EAC on a guided tour of the Lehigh operation in Heidelberg, Germany where biosolids are successfully being burned. He then introduced Ms. Seinfeld to give a presentation on TRI’s. Much of the data on this presentation was based on emissions from the old kiln. It has been improved considerably with the new kiln. See Attachment A for presentation.

After the presentation, Ms. Gilden asked if there was a need to address lead issues. Ms. Seinfeld reported it is significantly less than what the permit allows.

Mr. Johnson asked if NOx would be indicated. Ms. Seinfeld responded that they do test for NOx, but it is not done on this test. Tests done for June 2005 back through June 2004 show they are below the permitted specifications.

Ms. Horosko is very impressed with Lehigh’s cooperation with the public and feels they have done an excellent job in their successful efforts to reduce air pollution emissions at their Union Bridge plant.

Mr. Lukas will set something up to show what Lehigh is doing for both the public and a website. He may write a technical paper to educate the public on what the Lehigh Plant is doing.

Mr. Gieszl, Deputy Director of MACRO, gave a presentation on the New Windsor Quarry regarding a July 12, 2005 meeting. See Attachment B.

There will be a meeting at the New Windsor Fire Hall to discuss the issues on August 25<sup>th</sup> at 7:00 p.m.

Ms. Koenig wanted to know how the meetings get publicized. Mr. Gieszl responded that after a public information meeting occurred, they became involved and they received a list of people who expressed an interest in attending. He does not know whether or not a notice appeared in the newspaper. A report will be done sometime in the future.

Mr. Rees, Baltimore Gas & Electric, acknowledged that a press release was done for removal and trimming of trees by BGE. Mr. Rees did a presentation (See Attachment C). He works with the property owners on a one-to-one basis to determine which trees are endangering power lines and need to be either trimmed or removed and replaced. The replacement trees are planted, and then BGE comes back in about 5 years and removes the selected tree. Mr. Rees reported BGE has budgeted for trees to be planted, and they will be working with the County on the Sandymount Project. Carroll County is the only County in Maryland that has reported an increase in forest cover. BGE's has a program called "Right Tree, Right Place". Mr. Slater would like to see someone from BGE deliver a presentation on "Right Tree, Right Place" at a future EAC meeting.

Ms. Horosko expressed serious concern over tree removal, especially the Norway Spruces, Leland Cypress and Norway Maples along Rt. 140. Tree lines provide a barrier against sound, wind, pollutants from vehicles, dust, as well as providing added beauty to the landscape. She does not understand why it is necessary to take down so many trees. BGE has always pruned to be below the distribution lines so that there would be no real risk to the higher transmission lines. She does not see the necessity of changing this approach especially since the County is embarking on a County-wide revision process in which the importance of Rt. 140 as a gateway to the County is a critical dimension. She believes there is a way that BGE and the County can improve on BGE's tree policy.

Ms. Merkle asked how many trees would be removed. Mr. Rees did not know the answer to that, but he believes it numbers in the thousands. BGE will be planting new trees of the proper kind and size to re-establish the certain trees in the restricted area. Tree trimming and removal will be done on a gradual basis. After the trees are removed, some of the debris is shredded and/or cut up to be used for firewood for the homeowner, if they want it. Ms. Merkle asked if BGE is meeting with the property owners and County planners to do a comprehensive plan.

Ms. Gilden understands BGE's position, but wonders if putting the wiring underground wouldn't be a better solution. Mr. Rees reported underground wiring cost is very high, \$1M per mile and the life span is somewhat shorter.

Ms. Horosko believes BGE should put a hold on tree cutting until they develop a plan to present to the community and EAC. She would like to see BGE meet with the property owners, determine what trees should be planted, what trees should be trimmed and which ones should be removed; and plant specific trees, and continue to make offers and keep the owners informed. Mr. Rees asked how the plan would be beneficial. Ms. Horosko feels after the report is review, the EAC could other suggestions. Mr. Rees said he would develop a plan of the rights-of-way and would appreciate it being kept confidential as it will involve private property owners; all of which will not be notified at the same time. The property owners need to be informed before the public.

Mr. Dayhoff invited Mr. Rees to come back to do a presentation of the "Right Tree, Right Place" program at a special closed meeting of the EAC. It is important to remember that the EAC is charged as the County's Tree Commission. He needs the County Attorney's office assistance in closing this meeting.

The BGE legal right-of-way language does not have removal provisions. BGE tops and removes trees as necessary. FERC (Federal Energy Regulatory Commission) requires utilities to become more diligent in the care of trees. FERC has certain minimum clearances that BGE must follow. DNR also issues permits for the roadside tree law. DNR has already issued their permit to BGE for this project.

Mr. Johnson is concerned that the contractor needs to be provided the agreed terms for tree trimming between the property owners and BGE. He feels the trees are often trimmed too aggressively.

Ms. Merkle expressed that if the EAC does not get involved and the Board of Commissioners receives calls from the public, that the Board will ask the EAC to get involved. It would be better to address the issue now, and she sees it as a community relations issue. The EAC could turn out to be BGE best advocate if this all turns out good.

Mr. Dayhoff said he would like to schedule another meeting for BGE's "Right Tree, Right Place", using a couple residences as approved by BGE for examples. Mr. Rees is looking forward to another meeting in about two weeks. He will have information available for that meeting.

Due to the late hour (10:00 p.m.), it was decided to move the bylaws portion on the agenda into the meeting in September.

Mr. Dayhoff asked for a motion to adjourn. Motion was made as follows:

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**Motion No. 20:** Motion was made by Ms. Horosko and seconded by Ms. Guilden, to adjourn the meeting. The motion was unanimously approved.

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The next regularly scheduled meeting is September 21 at 3:00 in Room 003. In addition to that meeting, a subcommittee meeting will be scheduled in about two weeks.

- Attachments: A – TRI's (Upon Request)  
B – New Windsor Quarry (Upon Request)  
C – BGE Vegetation Management (Upon Request)  
D – DNR Roadside Tree Law

## Roadside Tree Law

### Roadside Trees and Utilities

Trees in our urban areas, where, according to 2000 Census data, over 85% of Marylanders live, are vital to making those areas livable and vibrant for residents and businesses. Green infrastructure is a necessary part of a vibrant urban center. Grey infrastructure (our built improvements) is also necessary to the safety, efficiency, and economic well being of our cities.

The Maryland Roadside Tree Law and its regulations were developed to protect our roadside trees by ensuring their proper care and protection and to ensure their compatibility with an efficient and dependable public utility system.

Towards that end, we would like to make the following tools available.

#### 1. Utility-compatible tree planting schematic and species listing

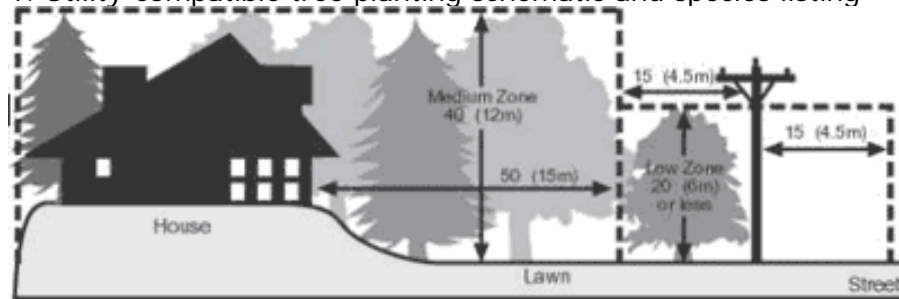


Figure 1 - Utility-compatible tree planting schematic

When planting trees around your home, adherence to the schematic shown in Figure 1 will help minimize the chances of utility outages due to storm-related tree failure. Some tree types that are suitable for planting in the Low Zone of Figure 1 can be found in Compatible Tree Factsheets, available from Penn State University @:

<http://www.dcnr.state.pa.us/forestry/pucfc/publications.html>

The information in Item 1 was provided by the USDA Forest Service Urban and Community Forestry Program on the recommendation of the National Urban and Community Forestry Advisory Council through a grant to Virginia Tech, *The Street Tree – Utility Easement Conflict*.

2. If you are involved with planning or installation of green or green infrastructure, MD DNR would like to make the interactive CD-Rom, "from sketch to street: design for the urban forest" available to you. The CD is intended to assist planners with tools to better incorporate and integrate green and grey infrastructure in urban areas. Implementation of the concepts and strategies described in the CD will reduce maintenance costs for, and conflicts between, trees and utilities.

The CD is a creation of the USDA-Forest Service's Northeast Center for Urban and Community Forestry. Many other tools for urban tree management can be found at the Center's web site @:

<http://www.umass.edu/urbantree/inventory.shtml>. Our copies are funded by a grant from the USDA Forest Service's Mid-Atlantic Center for Urban & Community Forestry at Keystone College, and have been distributed to all Local and Regional Planning Agencies as identified by the Maryland Department of Planning.

The CD is distributed as part of ongoing efforts by the Maryland Electric Reliability Tree Trimming (MERTT) Council. The MERTT Council is an outcome of an investigation by the Maryland Public Service Commission into the preparedness of Maryland utilities to respond to major outages, and is composed of representatives from State agencies (Maryland Public Service Commission, Maryland Department of Natural Resources, Maryland Department of Planning), four investor-owned utilities (Allegheny Power, BGE, Conectiv, PEPCO), and two Co-ops (Choptank Electric, SMECO). The MERTT Council seeks to promote the compatibility of green and grey infrastructure by interaction with internal and external partners through tech transfer and cooperative projects.

If you would like a copy, please provide your mailing address to:

Michael F. Galvin, Supervisor  
Urban & Community Forestry Program  
MD DNR  
580 Taylor Avenue  
Annapolis, MD 21401  
[mgalvin@dnr.state.md.us](mailto:mgalvin@dnr.state.md.us)

Please refer to the "from sketch to street CD Rom" in your request. Copies will be distributed free of charge until supplies are exhausted.

3. If you are involved with the management of trees in urban areas, MD DNR would like to make the interactive CD-Rom "Urban Tree Risk Management: A Community Guide to Program Design and Implementation" available to you. This CD is intended to assist your community with tools to better incorporate and integrate green and grey infrastructure in urban areas. The manual on the disk is designed to help communities design, adopt, and implement comprehensive community tree risk management programs, and to train field staff to detect, assess, and correct hazardous defects in urban trees. Key steps to planning and designing a tree risk management program are outlined, including a comprehensive guide to customizing a program to address the specific needs of a unique community, establishing the goals of the program, formulating and implementing tree risk management strategies, and evaluating the program's effectiveness.

In the Maryland Public Service Commission's (PSC) Order No. 79159 (IN THE MATTER OF THE ELECTRIC SERVICE INTERRUPTIONS DUE TO HURRICANE / TROPICAL STORM ISABEL AND THE THUNDERSTORMS OF AUGUST 26-28, 2003), the PSC's recommendations included the following: "The utilities are encouraged to adopt a community-integrated restoration approach for large-scale events consistent with the characteristics of their respective service territories and prudent use of their assets. The concepts underlying the Incident Command System (ICS) offer an effective means of integrating utility resources with local and State government resources. The utilities should evaluate ICS methods as a means of providing community-based restoration." This tool is being provided to advance that recommendation.

The CD is a creation of the USDA-Forest Service's Northeastern Area. Many other USDA-FS tools for urban tree management can be found on-line @: <http://www.umass.edu/urbantree/inventory.shtml> and <http://www.na.fs.fed.us/spfo/>. Our copies of the CD are funded by a grant from the USDA Forest Service's Mid-Atlantic Center for Urban & Community Forestry at Keystone, which provided for distribution of the CD to all Maryland Municipal League members.

If you would like a copy, please provide your mailing address to:  
Michael F. Galvin, Supervisor

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580 Taylor Avenue  
Annapolis, MD 21401  
[mgalvin@dnr.state.md.us](mailto:mgalvin@dnr.state.md.us)

Please refer to the Urban Tree Risk Management CD Rom in your request. Copies will be distributed free of charge until supplies are exhausted.

Posted November 8, 2004