

Carroll County
ENVIRONMENTAL ADVISORY COUNCIL
Karen L. Merkle, Chair
MINUTES
Tuesday, May 8, 2007 @ 3:00 p.m.
Room 003/004, Carroll County
Office Building



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Members Present:

Karen Merkle, Chair
Brian Rhoten
Bob Foor-Hogue
Sher Horosko
Jim Johnson
David Pyatt
Christopher Spaur
Kim Petry

Members Absent:

Robyn Gilden, Vice Chair

County Government:

Cynthia Parr, County EAC Liaison
Kim Millender, Esquire, County Attorney's Office
James E. Slater, Jr., Office of Environmental Compliance
Jeff Keefer, Office of Environmental Compliance
J. Michael Evans, Director, DPW
Vinnie Legge, Bureau Chief, Solid Waste
Tim Feeser, Special Assistant to Commissioner Gouge
Doreen Negley, Commissioners Office
Ann L. Baugher, Secretary to EAC

The Press:

Carrie Knauer, Carroll County Times
Laura McCandlish, Baltimore Sun
Kelsey Volkmann, Baltimore Examiner

Other Attendees:

Sally Sorbello, Frederick County
Cheryl Wilhelm, Carroll County resident
Dan Andrews, Carroll County resident
Kim Stenley, Sierra Club
Gregor Becker, Sierra Club
Ed Singer, Carroll County Health Department
Charles Zeleski, Carroll County Health Department
Ellen Cutsail, Union Bridge Council

CALL TO ORDER - Ms. Merkle, Chair, officially called the meeting to order at 3:02 P.M., welcoming all. Ms. Merkle welcomed Cindy Parr, council liaison and thanked Jim Slater for his many years of service. Ms. Merkle informed the council that Mr. Slater will still be available to the EAC, just not acting as facilitator. Ms. Merkle then asked for approval of the April 10, 2007, minutes.

APPROVAL OF MINUTES - **MOTION NO. 08-07:** Motion was made by Sher Horosko, and seconded by Bob Foor-Hogue, to approve the April 10, 2007, minutes. Motion carried.

COMMUNICATIONS – 1) Chair Merkle announced some agenda changes: 5. c. – Kim Millender, Esquire briefing would become 5. b. and MTBE update would be moved to 5.c.; added to the agenda under 6. c. - UST Committee update 2) Ms. Merkle asked the Council to please review the letter from Mr. Robert D. Prunetti, former County Executive of Mercer County, NJ regarding solid waste as well as the gas station spill letter e-mailed to them on April 30, 2007 from a concerned Carroll County resident.

OPEN FORUM –

- Mr. Gregor Becker asked the EAC to consider allowing the Sierra Club to present the U.S. Mayors Climate Agreement at a future meeting.

- Mr. Tim Feeser, Special Assistant to Commissioner Gouge, represented Michele Fluss' concern in her absence. Ms. Fluss is concerned about the Sewage Sludge Utilization Process application and public notification process. Even though MDE followed standard procedure in their advertising and the County requested a public information meeting, Ms. Fluss would like to suggest that the County or MDE notify via mail any residents surrounding the area that are affected by issuance and impact of this permit, in this case, land application of sludge and its potential danger. Ms. Fluss would like notification each time sludge is land applied and asks the EAC to consider this issue.

EAC RESPONSE - Ms. Cindy Parr, Mr. Ed Singer, CCHD, and Mr. Jim Slater all spoke with Ms. Fluss and felt a common sense that the issue is communication and not the process. Mr. Singer stated a letter was mailed from his office to MDE asking for signs to be posted on the property when sludge is applied. Mr. Slater indicated it would not be a problem for the Office of Environmental Compliance to send out letters to adjoining property owners. Ms. Parr will speak to Ms. Fluss regarding these issues.

Ms. Merkle thanked Mr. Becker for attending and Mr. Feeser for presenting on Ms. Fluss' behalf.

UNFINISHED OR ONGOING BUSINESS:

PRESENTATIONS

Waste Management: Mr. Jim Short, Environmental Program Manager, Solid & Hazardous Waste Management, presented information on some of Delaware's experience on their Solid Waste Program – its history, where they are today, and where they are going. Mr. Short indicated Delaware signed Executive Order 90 in September of 2006 establishing a 51% diversion rate for Municipal Solid Waste with legislation targeting 2010 as a goal date; outlined Delaware's current activities, and after answering several questions from the EAC, Mr. Short closed with his recycling philosophy – *maximum convenience = maximum participation = maximum diversion*.

- Ms. Kim Stenley, member of the Sierra Club presented its Waste Management view on recycling, stating the Sierra Club supports a solid waste management program and feels through education and successful recycling, the need for an incinerator could be eliminated. Ms. Stenley gave the EAC statistics nationwide on goal achievement in solid waste management and stated that solid recycling programs and behaviors are absent in Carroll County.

Ms. Merkle thanked Mr. Short for informing the Council on Delaware's progress on waste management issues and thanked Ms Stenley and the Sierra Club for their frequent appearances to EAC meetings and for keeping the Council informed of their perspectives related to current environmental issues.

Solid Waste Flow Control – Supreme Court Decision: Ms. Kim Millender, County Attorney briefed the EAC on the April 30, 2007 Supreme Court Decision that took 12 years to resolve and how this decision could affect solid waste handling. The full decision is available at [http://www.supremecourtus.gov/opinions/06slipopin.html](http://www.supremecourtus.gov/opinions/06slipopin.htm) - click on United Haulers Assn Inc. (46 pages in PDF)

Lancaster, PA Waste To Energy Tour, April 30, 2007: Comments were heard from the Chair and various members who attended the tour – a typical Waste To Energy facility proven to be very successful and felt, in hindsight, the Sierra Club should have been invited on the tour. Chair Merkle stated that she

would like the County to explore maximizing recycling and composting, before making a decision about building a waste to energy facility. She pointed out to members the priority list for waste management solutions as stated in the approved ten-year waste management plan. Recycling is a high priority—a lot has been done already but she questioned how much more could be done that would prolong the life of the landfills. Mandatory recycling and getting a hold on commercial waste are two areas that could be explored further. Additionally, more and better solutions may evolve if we can hold off on a decision for the waste to energy facility.

Ms. Parr passed out a DVD to each EAC member on a Swiss Waste To Energy facility for their information and review.

Questions by the EAC were addressed by J. Michael Evans, Public Works Director. Mr. Evans stated he is an advocate for ridding Carroll County's waste the best way and his biggest fear is if and when Virginia says "no more out-of-state waste".

Ms. Sher Horosko expressed her concerns that the County is not doing enough on the front end regarding recycling, reuse and recover before a Waste To Energy facility becomes reality. Ms. Horosko then made a motion, seconded by Mr. Bob Foor-Hogue, 6 for; 1 against:

MOTION NO. 09-07: "Request the Board of Commissioners to hire a firm to conduct a Resource Assessment at an approximate cost of \$15,000, taking approximately two (2) months, and add to the critical dialogue for Solid Waste Management options in Carroll County."

This motion was then amended by Mr. Christopher Spaur, seconded by Ms. Sher Horosko and carried.

MOTION NO. 10-07: "Request the Board of Commissioners to hire a firm to conduct a Resource Assessment at an approximate cost of \$15,000, taking approximately two (2) months, to include analysis of the entire waste stream, and add to the critical dialogue for Solid Waste Management options in Carroll County."

Ms. Parr advised the EAC she would present this motion to the BOC on May 10, 2007.

Ms. Sally Sorbello, Frederick County, addressed the EAC in support of the motion Ms. Parr would be taking before the Board of Commissioners. Ms. Merkle thanked Ms. Sorbello for coming.

Monthly Update regarding MTBE issues – CCHD – Mr. Ed Singer presented updates on the Council's MTBE spreadsheet, a part of these minutes.

- Gamber – Sampling results will be given at the June, 2007 EAC meeting. Upon MDE's final report, the CCHD will conduct another public information meeting.
- Gamber & Grave Run – resample all for current levels to see if levels are down since tanks pulled, responsible party not named. Additionally, MDE Oil Control Program has sent letters to certain properties where GAC systems were installed indicating levels below the MCL, stating they will discontinue maintenance of systems. MDE offered to remove systems free-of-charge or owners can keep systems and maintain themselves. MDE will continue to sample these properties.
- Sheetz in Manchester – CCHD sampled one (1) additional property on Wilhelm Lane, closest to Sheetz, results will be presented at the June, 2007 EAC meeting.
- Little George's, Deer Park Road – Recent settlement hearing, close to an agreement between parties

Ms. Horosko inquired on the status of the Getty station and what percentage of contamination could be attributed to wells in Carroll County. Mr. Flynn will update the EAC at the June, 2007 meeting on the Getty station and Ms. Parr suggested Mr. Herb Meade, MDE attend the June, 2007 EAC meeting with Mr. Flynn to address Ms. Horosko statistic questions along with any additional MTBE issues.

Ms. Merkle thanked Mr. Singer for the update.

COMMITTEE/WORK TEAM REPORTS/RECOMMENDATIONS:

2007 Environmental Awareness Awards Ceremony – Chair Merkle passed the Proclamation around that was received at the awards ceremony for the members to see. It will be framed and displayed in the County Office Building. The winners in each category are contained in the EAC brochure, a part of these minutes. Individual – Daniel P. Andrews; Educational/Institutional – Steven Heacock; Agricultural – Peace & Plenty Farm; Student – Bradley M. Beall; and Business/Industry – Carroll County Times

Water Conservation Committee update – Chair Merkle, in Ms. Robyn Gilden’s absence, presented the update – Ms. Gilden has compiled list of outside nominations, received BOC approval, e-mailed invitations, and met with Ms. Dawn Eldridge, Water Quality Committee Chair of Partnership for a Healthier Carroll.

Underground Storage Tank Committee update - Ms. Horosko spoke to Jack Tevis of Tevis Oil reporting Mid-Atlantic hired an outside firm to compile a pamphlet which has been e-mailed to all EAC members. While Ms. Horosko stated the pamphlet is very good, it lacks a strong call to action; Mr. Tevis has asked Ms. Horosko to forward to him for review.

NEW BUSINESS – None

COUNCIL MEMBERS – ISSUES FOR FUTURE CONSIDERATION:

Mr. Jim Johnson brought up the priority list set forth by the members some time ago. Ms. Merkle stated she would locate this list and share with Ms. Parr and the EAC for possible reprioritizing.

ANNOUNCEMENTS – Chair Merkle announced: 1) the June, 2007 EAC meeting, will be held on Tuesday, June 12, 2007, at 3:00 p.m. in Room 003/004 with presentations by Penn Township, Hanover, PA on Pay As You Throw; Mr. Dan Locke, Montgomery County Solid Waste Management Program, and Mr. Kurt Deery, Lehigh Cement Company, updating the EAC on the test burn. Tentatively, in July, a presentation on dioxin emissions by Dr. Barbara Sattler, the RFP status on the Waste To Energy facility by DPW and the Northeast Solid Waste Authority and Mr. Ed Morton on sludge burning.

ADJOURN - MOTION NO. 11-07: Motion made by David Pyatt, seconded by Bob Foor-Hogue, to adjourn. Meeting adjourned at 5:45 p.m. Motion carried.

The next regularly scheduled meeting is **Tuesday, June 12, 2007, at 3:00 p.m.** in Room 003/004.

Please inform the secretary if you are unable to attend