



MARYLAND DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway • Baltimore, Maryland 21224
(410) 631-3000

Parris N. Glendening
Governor

Jane T. Nishida
Secretary

September 5, 1996

Mr. Shawn Jorgensen
Naval Surface Warfare Center
Indian Head Division
Attn.: Code 046, Building D-327
101 Strauss Avenue
Indian Head MD 20640-5035

Re: Request for the State of Maryland, Applicable or Relevant and Appropriate Requirements

Dear Mr. Jorgensen:

Enclosed are the State of Maryland's Applicable or Relevant and Appropriate Requirements, as you previously requested.

If you have any questions, please contact me at (410) 631-3440.

Sincerely,

Donna A. Lynch
Remedial Project Manager
Federal/NPL Superfund Division

Enclosure

cc: Mr. Dennis Orenshaw, U.S. EPA
Mr. Shawn Phillips, EFACHES
Mr. Richard Collins
Mr. Robert DeMarco
Ms. Hilary Miller

**STATE OF MARYLAND ARARS
TITLE 26
DEPARTMENT OF THE ENVIRONMENT**

CITATION (COMAR)	TYPE OF ARAR	TITLE	REQUIREMENT SYNOPSIS	EVIDENCE OF ENFORCEABILITY
26.02.03	Action	Control of Noise Pollution.	Provides limits on the maximum allowable levels of noise at the site boundaries during site remediation work to protect the health, general welfare, and property of the people of the State.	State regulation
26.04.01	Action/Chemical	Quality of Drinking Water in Maryland	Provides for maximum contaminant levels (MCLs) of contaminants in drinking water.	State regulation
26.04.04	Action	Well Construction	Provides specifications for well construction and abandonment. Any wells installed, decommissioned, and/or abandoned in Maryland are subject to these requirements.	State regulation
26.04.07	Action/Chemical	Solid Waste Management	Provides for proper closure and post closure monitoring and maintenance of landfills. Remedial alternatives involving landfill capping and incinerators are dependant upon these regulations.	State regulation
26.05.01	Action	Board of Well Drillers	Provides licensing requirements for persons drilling and installing wells in the State. Assures that monitoring wells are installed by qualified well drillers.	State regulation

CITATION (COMAR)	TYPE OF ARAR	TITLE	REQUIREMENT SYNOPSIS	EVIDENCE OF ENFORCEABILITY
26.06.01	Action	Waterworks and Waste Systems Operators	Provides certification requirements for persons operating facilities used to collect, store, pump, treat, or discharge any liquid or waterborne waste.	State regulation
26.08.01 26.08.02 26.08.03 26.08.04	Action/Chemical Chemical Chemical Chemical	Water Pollution : General Water Quality Discharge Limitation Permits	Protects and maintains the quality of surface water in the State. Establishes criteria and standards for discharge limitations and policy for anti-degradation of waters of the State. Any contaminated groundwater entering the surface water must meet ambient water quality criteria. Discharge of treated groundwater must meet State NPDES limits.	State regulations
26.08.07	Action/Chemical	Underground Injection Control	Must have a permit to construct Class I-IV injection wells. Underground injection of hazardous waste is prohibited.	State regulation
26.09.01 26.09.02	Action Action/Location	Erosion and Sediment Control Stormwater Management	Any land-clearing, grading, other earth disturbances require an erosion and sediment control plan. This plan must be approved before construction activities begin. Stormwater must be managed to prevent off-site sedimentation and maintain current site conditions. The primary goal is to maintain after development, as nearly as possible, the pre-development runoff characteristics, and to reduce stream channel erosion, pollution, siltation, and sedimentation, and local flooding.	State regulations

CITATION (COMAR)	TYPE OF ARAR	TITLE	REQUIREMENT SYNOPSIS	EVIDENCE OF ENFORCEABILITY
26.11	Action/Chemical	Air Quality	Provides ambient air quality standards, general emissions standards, and restrictions for air emissions from construction activities, vents, and treatment technologies such as incinerators. Also includes nuisance and odor control. Construction activities will emit particulate matter into the ambient air. Remedial activities must follow regulations.	State regulation
26.13.01 26.13.02	Action/Chemical Chemical	Hazardous Waste Management System: General Identification and Listing of Hazardous Waste	Provides criteria to identify hazardous waste and listed waste, including Maximum Concentration of Contaminants for the Toxicity Characteristic.	State regulation
26.13.03	Chemical/Action	Standards Applicable to Generators of Hazardous Waste	Establishes standards for generators of hazardous waste.	State regulation
26.13.04	Chemical	Standards Applicable to Transporters of Hazardous Waste	Provides regulations for the transport of hazardous waste. Any hazardous waste found during site remediation must be disposed of according to regulation. Any residues or by-products from treatment systems which are hazardous must be disposed of properly.	State regulation

STATE OF MARYLAND ARARS
TITLE 08
DEPARTMENT OF NATURAL RESOURCES

CITATION (COMAR)	TYPE OF ARAR	TITLE	REQUIREMENT SYNOPSIS	EVIDENCE OF ENFORCEABILITY
08.01.02	Location/Action	Wildlands in Maryland	Wildlands shall be protected from erosion in a manner which has minimal adverse effects on the wildlands ecosystem. Roads, structures, installations, motorized equipment and vehicular transport are restricted.	State regulation
08.01.06	Action	Fishing in Nontidal Waters	Permits are required to fish in non-tidal waters in the State. If obtaining fish for study in a risk assessment, a permit would be required.	State regulation
08.03.08	Action/Chemical	Threatened and Endangered Species	Provides that threatened and endangered species in the State must be protected. May not reduce the likelihood of either the survival or recovery of a listed species in the wild by reducing the reproduction, numbers or distribution of a listed species or otherwise adversely affect the species.	State regulation
08.05.02	Action	Water Appropriation or Use	Provides that the water resources of the State are conserved and protected. This includes watercourses, lakes, aquifers, tidal areas, and other bodies of water in the State. Authorizes permittee to make reasonable use of the waters of the State. Before conducting a remedial action that necessitates appropriation of groundwater or surface water, a permit shall be obtained.	State regulation
08.05.03	Action	Construction on Nontidal Waters and Floodplains	Establishes criteria to govern construction, reconstruction, repair, or alteration of a dam, reservoir or waterway obstruction or any change of the course, current, or cross section of a stream or body of water within the State including any changes to the 100-year frequency floodplain or free-flowing waters.	State regulation
08.05.04	Action	Nontidal Wetlands	Provides that a regulated activity may not be conducted in a nontidal wetland, or within a buffer or an expanded buffer unless the State has issued a permit. Any remedial activities conducted within wetlands or wetland buffers must comply.	State regulation
08.05.05	Action	Tidal Wetlands	Provides that activities conducted in tidal wetlands must be permitted by the State. These activities include constructing, reconstructing, dredging, filling, removing, or otherwise altering tidal wetlands.	State regulation

**STATE OF MARYLAND ARARS
ANNOTATED CODE OF MARYLAND
ENVIRONMENT ARTICLES**

CITATION	TYPE OF ARAR	TITLE	REQUIREMENT SYNOPSIS	EVIDENCE OF ENFORCEABILITY
Title 2	Action/Chemical/ Location	Ambient Air Quality Control	To maintain the degree of purity of the air necessary to protect the health, the general welfare, and property of the people of this State.	State Law
Title 3	Action/Location	Noise Control	To adopt environmental noise standards, sound level limits, and noise control rules and regulations as necessary to protect the public health, the general welfare, and property of the people of this State.	State Law
Title 4	Action/Location	Water Management	To adopt criteria and procedures in order to protect the lands and waters comprising the watersheds of the State.	State Law
Title 7	Action/Chemical	Hazardous Materials and Hazardous Substances	To provide additional and cumulative remedies to prevent, abate, and control pollution of the waters of this State. ¹	State Law
Title 9	Action/Chemical/ Location	Water, Ice, and Sanitary Facilities	To protect the waters of this State from any contamination or other alteration of the physical, chemical, or biological properties, including a change in temperature, taste, color, turbidity, or odor of the waters or the discharge or deposit of any organic matter, harmful organism, or liquid, gaseous, solid, radioactive, or other substance that will render the waters of the State harmful or detrimental to : 1) public health , safety, and welfare 2) domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses 3) livestock, wild animals, or birds 4) fish or other aquatic life	State Law
Title 12	Action	Waterworks and Waste Systems Operators	To establish a certification program for superintendents, operators, and industrial operators of waterworks, wastewater works, and industrial wastewater works: 1) to protect the quality of water in which wastes are placed 2) to protect the public health 3) to prevent pollution.	State Law
Title 13	Action	Well Drillers	To adopt rules and regulations in order to license any person who practices well ² drilling in this State.	State Law

¹ - "Waters of the State" are defined to include (1) both surface and underground waters within the boundaries of this State subject to its jurisdiction, including that part of the Atlantic Ocean within the boundaries of this State, the Chesapeake Bay and its tributaries, and all ponds, lakes, rivers, streams, public ditches, tax ditches, and public drainage systems within this State, other than those designed and used to collect, convey, or dispose of sanitary sewer, and (2) the flood plain of free-flowing waters determined by the Department of Natural Resources on the basis of the 100-year flood frequency.

² - "Well" is defined to include any hole made in the ground to (1) explore for groundwater, (2) obtain or monitor groundwater, (3) inject water into any underground formation from which groundwater may be produced, or (4) to transfer heat to or from the ground or groundwater.

**STATE OF MARYLAND ARARS
ANNOTATED CODE OF MARYLAND
NATURAL RESOURCES ARTICLES**

CITATION	TYPE OF ARAR	TITLE	REQUIREMENT SYNOPSIS	EVIDENCE OF ENFORCEABILITY
Title 4	Action/Location/ Chemical	Fish and Fisheries	To conserve species of fish for human enjoyment, for scientific purposes and to ensure their perpetuation as viable components of their ecosystems.	State Law
Title 8	Action/Location/ Chemical	Water and Water Resources	To conserve, protect, and use water resources of the state by controlling appropriation or use of surface waters and groundwaters of the State.	State Law
Title 9	Action/Chemical/ Location	Wetlands and Riparian Rights	To preserve the wetlands and prevent their despoliation and destruction.	State Law
Title 10	Action/Chemical/ Location	Wildlife	To conserve species of wildlife for human enjoyment, for scientific purposes, and to ensure their perpetuation as viable components of their ecosystems.	State Law