



# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

November 20, 2018

Mr. Christopher E. Williams  
Environmental Issues Program Manager  
Anne Arundel County Public Schools  
9034 Ft. Smallwood Road  
Pasadena MD 21122

**RE: REQUEST FOR SUBSURFACE INVESTIGATION WORK PLAN**  
**Case No. 2018-0559-AA**  
**Wiley H. Bates Middle School**  
**701 Chase Street, Annapolis**  
**Anne Arundel County, Maryland**  
**Facility I.D. No. 3200**

Dear Mr. Williams:

The Maryland Department of the Environment's (the Department) Oil Control Program (OCP) recently completed a review of the case file for the subject site. This case was opened on May 2, 2018 following the report of liquid phase hydrocarbons (LPHs) impacting Spa Creek. Heating oil was discovered within a stormwater outfall pipe on school property and a heating oil release was discovered in the school's boiler room. School personnel stated that two heating oil releases had occurred in the boiler room: one on April 27, 2018 and another on December 21, 2017. The heating oil release in December 2017 was not reported to the Department within two hours of discovery, as required per State regulations. The amount of heating oil released during each of the two recent events is unknown. The initial response to the April 2018 release at the stormwater outfall pipe included LPH recovery using absorbent booms and vacuum trucks to remove recoverable LPH.

As a result of these releases, the OCP completed a review of the Department's spill database. It was noted that multiple other releases of heating oil have occurred at this school over time. Most notably, *MDE-OCP Closed Case No. 17-0331-AA* documents a similar heating oil release from the school's boiler room that impacted the stormwater drainage system and Spa Creek in December 2016. *MDE-OCP Closed Case No. 15-0497-AA* documents consecutive underground storage tank (UST) tightness test failures which were resolved when UST system upgrades were installed in July 2015. The site and vicinity are served by public water.

In response to the continued presence of fuel in the stormwater outfall to Spa Creek, the County's spill contractor flushed out the stormwater system using 2,500 gallons of water on May 2, 2018. The water was introduced to a storm drain and was recovered at the outfall using vacuum trucks. On June 26, 2018, the stormwater piping was inspected using a video camera and no entry point for the oil into the piping was identified. The OCP understands that additional camera inspection of the stormwater system has been conducted, however the results have not been provided to the Department. Over the period of April 27, 2018 to present, absorbent booms have been maintained and inspections have taken place at the stormwater outfall pipe to Spa Creek. Inspections of the outfall were conducted by OCP personnel on May 3, May 22, June 21, August 8, and October 10, 2018. Fuel oil impacts were consistently observed during each inspection. On the most recent

October inspection, the fuel oil observed at the outfall was red in color which suggests a more recent release of fuel oil.

Based on the continued impacts noted at the stormwater outfall and the fresh appearance of the oil, the OCP is concerned that there remains an ongoing unknown subsurface source of oil on school property that is migrating into or along stormwater drainage system and entering Spa Creek. Due to the multiple documented heating oil releases at the school and the impacts to the stormwater system on school property, the OCP considers Anne Arundel County Public Schools (AACPS) as the responsible party to properly investigate and remediate the petroleum impacts. Based upon the protracted remedial efforts and the continued presence of apparent fresh heating oil in the creek, the OCP hereby requires the following:

- 1) An email was issued by OCP personnel on November 2, 2018 (enclosed) to AACPS outlining work to be completed within 15 days, **by no later than November 19, 2018**. These requirements remain in effect.
- 2) **To begin the week of November 5, 2018** (per the email dated November 2, 2018), provide results of bi-weekly outfall inspections to the OCP case manager via email. A formal consistent schedule of outfall inspections should be established by AACPS, to include checking the absorbent material at least twice per week, **and** after each major storm event. Each inspection should include: photo documentation of the conditions in and around the outfall; evaluation of the absorbent materials in the creek; changing out of the sorbent materials as necessary; and quantification of the amount of LPH recovered during each inspection, including cumulative recovery totals. The results of each inspection must be provided in writing, via email, to the OCP case manager (Mr. Michael Edillon) within 24 hours of completing the inspection. These inspections must continue until the OCP provides written documentation changing the schedule or discontinuing the inspections.
- 3) In accordance with the Code of Maryland Regulations (COMAR) 26.10.01.03, a summary report of the initial recovery and clean-up work conducted must be completed by the responsible party for the spill. The Department understands that heating oil continues to impact Spa Creek, and due to the ongoing nature of the cleanup, a more complete summary report is required that includes additional detailed information about the cause of the release, the volume of heating oil released, and the volume recovered at this site. This report will allow the OCP the opportunity to assist the school system in the investigation of impacts at the property and to document the recovery efforts. **By no later than December 10, 2018**, provide an interim summary of all work completed to date. At a minimum this report should include:
  - a. A review of the inventory records to determine how much oil was released during the December 2017 and the April 2018 release events.
  - b. A review of records to document how much LPH and impacted water has been recovered at this site since the December 2017 release.
  - c. Provide disposal receipts for liquids and absorbent materials.
  - d. A complete description of circumstances contributing to the spill;
  - e. A complete description of containment, removal, and clean-up operations including disposal sites;
  - f. Procedures, methods, and precautions instituted to prevent recurrence of an oil spill from the facility involved; and
  - g. Formal summaries of the procedures and findings of the two camera events conducted on the stormwater system, including the video footage on a CD.
- 4) **No later than December 20, 2018**, provide a work plan to conduct a subsurface investigation to identify the source of the on-going heating oil impacts. The investigation must include detailed methods and procedures for the assessment of the subsurface in the area of the current tank field, including the piping

runs; the area of the historical tank field and remote fill piping; and utility pathways or piping runs that liquid phase hydrocarbons could travel from the boiler room to reach the stormwater outfall. This may be accomplished using direct push methods and selective excavation of utility piping runs.

If you have any questions, please contact the case manager, Mr. Michael Edillon, at 410-537-4151 (email: [michael.edillon@maryland.gov](mailto:michael.edillon@maryland.gov)) or me at 410-537-3499 (email: [susan.bull@maryland.gov](mailto:susan.bull@maryland.gov)).

Sincerely,



Susan R. Bull, Eastern Region Section Head  
Remediation and State-Lead Division  
Oil Control Program

ME/nln

Enclosure – OCP Email “Bates Middle School (18-0559AA)” dated November 2, 2018.

cc: Mr. William Dehn (Anne Arundel County Health Dept.)  
Ms. Ginger D. Klingelhofer-Ellis (Anne Arundel DPW)  
Mr. Thomas Walter (Chief, Compliance Division, OCP)  
Mr. Andrew B. Miller (Chief, Remediation and State-Lead Division, OCP)  
Mr. Christopher H. Ralston (Program Manager, OCP)  
Ms. Kaley Laleker (Acting Director, Land and Materials Administration)





Michael Edillon -MDE- &lt;michael.edillon@maryland.gov&gt;

**Bates Middle School (18-0559AA)**

Michael Jester -MDE- &lt;michael.jester@maryland.gov&gt;

Fri, Nov 2, 2018 at 12:44 PM

To: "Williams, Christopher E" &lt;cewilliams@aacps.org&gt;

Cc: David W &lt;DSHEPHARD@aacps.org&gt;, Susan Bull -MDE- &lt;susan.bull@maryland.gov&gt;, Michael Edillon -MDE- &lt;michael.edillon@maryland.gov&gt;, Tom Walter -MDE- &lt;tom.walter@maryland.gov&gt;, Chris Ralston -MDE- &lt;chris.ralston@maryland.gov&gt;, John F &lt;jander@aacps.org&gt;, Brian C &lt;bcwells@aacps.org&gt;, Michael S &lt;MMcCafferty@aacps.org&gt;, Ernest J &lt;eprince@aacps.org&gt;, James S &lt;JPERPLEY@aacps.org&gt;

Mr. Williams,

This email is to notify Anne Arundel County Public Schools (AACPS) that The Department has recently completed a review of case file 2018-0559AA for the facility Wiley H. Bates Middle School located at 701 Chase Street in Annapolis.

Based on the case review, it was determined that a release of product (red heating oil) was discovered impacting a storm drain located on the school's property that discharges into Spa Creek. The release was discovered in April 2018 coinciding with the discovery of red heating oil product in the piping trenches of the school's boiler room. To date, AACPS has failed to determine the source of the release or stop the discharge.

As a result, The Department will be issuing AACPS a *Letter of Requirements* for corrective actions to be performed in order to determine the source of the referenced discharge and abate the discharge prior to it entering Spa Creek.

**The Department is also requiring that the following requirements be completed within the next 15 days:**

- Identify the location of the second tank field monitoring pipe for the (2) 10,000-gallon heating oil underground storage tank (UST) systems. Expose and open the monitoring pipe for gauging. Submit photo documentation to the Department of the monitoring pipe location.
- Submit any inventory records that were maintained for the 2 UST systems for the months of January 2018 through June 2018.
- Submit documentation describing what the maintenance procedures for investigating a suspected release or inventory variation are for the referenced facility.
- Submit documentation describing what the maintenance procedures following a confirmed release or inventory variation are for the referenced facility.
- Submit documentation from the wastewater treatment plant stating that they are aware petroleum hydrocarbons are entering the waste water plant via the facilities boiler room sump. The documentation should also include if the treatment plant has approved this measure and any stipulations that maybe in place for the facility discharging petroleum hydrocarbons in the wastewater system.
- Perform visual inspections of the absorbent material around the outfall of the storm drain at Spa Creek at least twice a week and after any rain event. Change out absorbent material and remove free product as needed. Maintain absorbent material and visual inspections until further notice from the Department.
- Maintain a log of each visual inspection and any corresponding cleanup actions. Submit a copy of the inspection log on a bi-weekly schedule to the Department.
- Perform an investigation to determine the discharge point of each floor drain in the boiler room. Following the investigation submit a detailed report to the Department stating the results of the investigation and the methods used during the investigation. Notify the Department three (3) business days prior to the investigation to provide an opportunity for a Department representative to be present onsite.
- Submit documentation describing the locations where water was introduced to flush oil from the storm water systems system for the most recent heating oil release and past heating oil releases.

Additionally, the Department will be requiring AACPS to perform a subsurface investigation in an effort to determine the source of the referenced oil release.

If you have any questions please let me know.

Thanks,

11/5/2018

Maryland.gov Mail - Bates Middle School (18-0559AA)

**Michael**

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**Michael Jester**  
**Environmental Compliance Specialist**  
**Office: 410-537-3024**  
**Fax: 410-537-3092**  
**Email: michael.jester@maryland.gov**

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