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ENVIRO MATTERS

Emergency Regulations for MTBE and Other Petroleum Products Approved Require More Frequent Testing and Additional Safeguards

The 2005 Legislative Session is well underway in Annapolis and environmental issues have already surfaced front and center. I am pleased to report that in one of the first actions taken during the session, the Joint Committee on Administrative, Executive and Legislative Review (AELR) unanimously approved MDE's emergency regulations to prevent MTBE (methyl tertiary butyl ether) and other petroleum products from reaching groundwater supplies.

The emergency regulations apply to regulated gasoline underground tanks in "high-risk groundwater use areas," which are defined as areas in 11 designated counties where drinking water is supplied by individual wells. Approximately 100 to 150 existing tank systems, mostly gasoline service stations, will be affected in five targeted counties: Baltimore, Carroll, Cecil, Frederick, and Harford. The Department has determined that individual wells in these five counties are at the highest risk from MTBE contamination.

For Maryland families that rely on wells, these new measures provide additional assurance that their water supplies are clean and safe from MTBE and other petroleum products. We have the ability to keep pollutants out of our drinking water and are going to do so to protect public health. The regulations are tough, requiring more frequent testing for vapors as well as liquid leaks and rigorous safeguards against leaks.

The regulations, effective January 26, will remain active for six months. The MDE will publish the regulations in the Maryland Register within the next 30 days and seek to adopt them under the normal regulatory process, which includes a public hearing and comment period.

The emergency regulations:

- Require installation of double-walled pipes on all new regulated motor fuel underground storage systems and built-in sensors to warn of leaks;
- Require increased groundwater sampling, mandate regular testing of tanks and fittings (starting 30 days after the effective date); and
- Define steps that gas station owners and others must take when underground storage systems are suspected of contaminating groundwater.

An unofficial copy of the emergency regulations is available at

<http://www.mde.state.md.us/assets/document/USTRegulation261002jan05.pdf>.

For more information, please call 410-537-3443.



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