

**HB 1297 -- Individual Surface Water Discharge Permits – Study and Permit Decisions
(Zombie Permit Elimination Act)
Position: Support**

Dear Chairman Barve, Vice Chair Stein, and Committee Members,

I am writing on behalf of Dorchester Citizens for Planned Growth (DCPG), a 100 member 501 c-3 nonprofit in Dorchester County. DCPG wishes to register our support for House Bill 1297. We are requesting that you enter this letter into the public record during the House committee hearing on March 4 and that it remains on record in support of this legislation as it works its way through the General Assembly.

DCPG is an all-volunteer organization concerned with promoting sustainable living here in Dorchester and on the Eastern Shore. We are committed to offering citizens a voice on landuse and water quality issues that directly affect our county's future. As such, we have been involved for the past 6 years in an effort to convince Maryland Department of the Environment to tighten regulations on the industrial rendering plant known as Valley Protein, located near Hurlock, MD and on the banks of the Transquaking River. This facility is a major processor of chicken offal, including blood, entrails, and feathers. It is supplied with waste products from the large chicken food processing facilities in this region. We have been conducting independently analyzed water testing downstream from this facility for the past 10 years and have established a baseline of critically low dissolved oxygen and extraordinarily high levels of nitrogen and phosphorus pollution. MDE has incorporated our data into its periodic regulatory review of the plant. *Within the past 3 years, the plant has been cited numerous times for administrative violations and fined for exceeding discharge limitations on at least two occasions.* Back in 2014 Valley Protein applied to expand its treated effluent discharge capacity- established in 2006- from something over 100,000 gals/day to a maximum of over 500,000 gals/day. This effluent goes directly into the Transquaking and flows down into Fishing Bay and on to the Chesapeake. Since 2014, Valley Protein has been allowed to continue to operate under their 2006 discharge permit which has been "administratively continued" by MDE. In other words, Valley Protein continues to benefit from a "zombie permit" and conduct business as usual while the health of the river has continued to decline.

In direct meetings with MDE, DCPG has requested that they conduct a watershed study of the highly impaired Transquaking which could culminate in a new TMDL (pollution limit) for the river. We feel it is impossible that such a small and sensitive stream can bear the additional pollution loads requested in the 2014 permit renewal application. At any rate, **it is disingenuous for MDE to continue to allow this facility to operate without new limits and an updated and accurate permit that preserves the integrity of the stream and public health of nearby residents.** The current situation allows the industry to continue to degrade the Transquaking, with MDE as its enabler. House Bill 1297 is a much needed step in the direction of meaningful administrative oversight and a cleaner and safer bay.

Yours sincerely,

Fred C. Pomeroy,
DCPG President
Dorchester County, Maryland