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## Md. Runs Short of Pollution Inspectors

State Officials Warn Of Enforcement Gap

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Maryland does not have enough inspectors enforcing its environmental laws, and the shortage has become more severe over the past five years, state officials say, raising worries that the state's new "green" policies will be undercut by insufficient policing.

The state Department of the Environment, which checks factories, power plants and construction sites for violations of pollution rules, has 132 inspectors to cover 205,000 sites. That's a ratio of one to more than 1,500, significantly worse than the 1-to-1,090 ratio the state had in 2003.

Now, state officials are proposing to use these same inspectors to carry out a new environmental crackdown, targeting manure-laden runoff from Maryland's 200 largest chicken farms.

Environmental activists and the state attorney general say they are worried that Maryland is trying to do too much with too little and weakening the threat of enforcement that keeps polluters honest.

"You can have all the laws on the books that you want, but if you don't have the people to enforce the laws . . . you're getting nowhere," said Attorney General Douglas F. Gansler (D). He called the Department of the Environment's force of inspectors "not even close to adequate."

Environmentalists say it is difficult to determine what the state's shortfall of inspectors has meant for the environment, because no one knows how much has been missed. At last count, state figures show the Department of the Environment reached about 23 percent of the sites -- though not all of them are required to be inspected annually.

Activists say that even if the inspectors are missing only small-scale violations, those might add up to large-scale damage.

Ed Merrifield, an activist for the Potomac River whose title is "riverkeeper," pointed to a program in which state inspectors were supposed to check construction sites every two weeks, to see whether too much silt was running off into nearby waters. At last count, inspectors reached only 18 percent of those sites even once a year.

"Too much sediment in our water is a problem for everything that lives in the water," Merrifield said. "It can get in the gills of the fish and kill the fish. If animals can't see what's in the water, they can't eat what's there. Too much sediment in the water kills everything that's growing there."

The state secretary of the environment, Shari T. Wilson, conceded in an interview that "the resources are not adequate." She blamed state budget shortages, saying there were no funds to hire new inspectors. A spokeswoman for the department said officials could not say how many new inspectors would be needed to make the force adequate.

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Wilson said her department, which enforces most of the state's environmental laws, had limited the damage by concentrating its inspections on sites with a history of pollution or a large potential to cause harm.

"We are doing as much as we can with the resources that we have," Wilson said. She said that if any polluters slipped through the cracks, "the degradation [of the environment] that occurs because of violation of laws would probably be very small."

The state's shortage of inspectors -- who spot-check construction sites for silt runoff, smokestacks for excessive soot discharges or farms for manure-laden runoff -- has provided a troubling note as Maryland has pursued a reputation as an environmental leader.

Under Gov. Martin O'Malley (D), the state has moved to limit greenhouse gas emissions, increase funding for the Chesapeake Bay cleanup and protect the blue crab. It has also celebrated some wins over big-time polluters. Two power plant operators were fined for emission violations, and last week the state levied a \$4 million penalty on ExxonMobil for a gasoline leak at a station in Baltimore County.

But the people responsible for ground-level inspections have been falling more and more behind. Since 2003, the number of inspectors at the Department of the Environment has fallen from 156 to 132, but the number of sites in need of inspection has grown 20 percent.

The ratio of inspectors to sites is much worse in Maryland than in Virginia, where the state Department of Environmental Quality has one inspector for every 147 locations. But under Virginia law, the state's environmental agency oversees a smaller number of sites, about 22,000. Experts on environmental enforcement said it is difficult to say what the ratio should be.

In Maryland, activists said the shortfalls at the environment department were part of a larger pattern of weak enforcement. At the state Department of Agriculture, six inspectors are responsible for checking pollution-reduction plans at 6,000 farms. A spokeswoman said it could take until 2017 to check them all.

"When we know that there are police, we do slow down," said Ann Pesiri Swanson, the executive director of the Chesapeake Bay Commission, which is made up of officials from Maryland, Virginia and Pennsylvania. "Right now, there are so few enforcement efforts that the chances of any kind of enforcement, you know, they're next to nil."

The next test for the state's environmental enforcers could be the crackdown on poultry farmers. The state has proposed rules that would limit what the state's 200 largest operations can do with their manure.

The Department of the Environment would be required to inspect the farms for manure runoff into Chesapeake tributaries, which can trigger "dead zones" in the bay.

Patricia Langenfelder, an official with the Maryland Farm Bureau, said farmers think they are being treated unfairly. Some farms are already inspected by the Department of Agriculture, which looks at how manure is applied to their fields as fertilizer. The new inspections, by the Department of the Environment, would look at the storage of manure.

"We think it's too much. One or the other, okay?" she said.

"Farmers in general feel under the gun, that there's this giganto spotlight on us, that we're the worst thing since Darth Vader," Langenfelder said. "Implying that we just go out there and willy-nilly throw nutrients [in manure] on the ground and don't give a hoot what happens to them."

Wilson, the Maryland environment secretary, said her department will be able to handle the farm inspections without adding personnel. But she said that other areas might suffer as a result.

"If we're going to inspect the facilities, there's something else we won't be inspecting," she said.

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