

# **BREAKING: State takes control of Baltimore's troubled Back River sewage treatment plant | Baltimore Brew**

In an extraordinary move, the Hogan administration today directed the nonprofit Maryland Environmental Service (MES) to take charge of operations at Baltimore's Back River Wastewater Treatment Plant.

The state took action after the city failed to comply with an [order issued Thursday](#) to cease all illegal sewage discharges and bring the facility into full compliance within 48 hours.

Today's directive says the Maryland Department of the Environment (MDE) "has determined that the decline in the proper maintenance and operation of the plant risks catastrophic failures at the plant that may result in environmental harm as well as adverse public health and comfort effects."

"The ongoing and escalating problems at the Back River Wastewater Treatment Plant present an unacceptable threat to the environment and public health," MDE Secretary Ben Grumbles is quoted saying in a news release.

The agency described problems in a report last week that included an inspection with alarming findings, including the fact that only two of the primary settling tanks needed to treat sewage at the Dundalk facility were in service.

Even more disturbing were the photos the inspector included with the report, showing outdoor equipment clogged with solid material and choked with vegetation.

While the order was stern, the consequences of failure to comply were unclear. Today's announced state takeover provided the answer.

Citing the applicable sections of state law, the directive states:

*"the Secretary hereby directs that [MES] take charge of the Back River WWTP, including its operations, maintenance and improvements functions in order to work with Baltimore City to ensure that Baltimore City meets the following objectives: protecting public and environmental health; abating any further nuisance; providing appropriate levels of qualified staff; conducting appropriate maintenance, improvements and modifications; operating the Back River WWTP in compliance with all terms of the Back River Discharge Permit; and ceasing all unpermitted discharges from the Back River WWTP."*

## **Report due in June**

Taking control of Back River – Maryland's largest sewage treatment plant and a source of pollution complaints going back decades – will be a tall order, but one that fits with MES' mission.

An independent state agency, it provides environmental and infrastructure services to various entities but mostly to state and local governments.

“It has no regulatory authority and functions as a nonprofit business arm of the state, enjoying private sector flexibility but also designed to serve the public,” as *Maryland Matters* [put](#) it, in an explainer two years ago.

According to today’s directive, MES must work with the city to address the maintenance problems and staffing issues at the facility, a process set to stretch over several months.

“A comprehensive evaluation and assessment” of Back River’s operation, maintenance, staffing and equipment is due by June 6.

The costs of the state takeover, meanwhile, will be borne by Baltimore taxpayers. All expenses – for operation, maintenance and other services, including legal fees – will be assumed by the city, the directive says.

## Mayor Scott Quiet

In making the case for the takeover, MDE’s directive recites the regulatory chronology leading up to it.

Extensive violations were found during inspections conducted at Back River last year (in June, September and December), but a March 22 inspection “revealed significantly increased non-compliance,” MDE said.

Yesterday, after Grumbles’ 48-hour deadline had expired, a follow-up inspection showed “extensive violations . . . continued unabated,” the directive said.

Neither Mayor Brandon Scott nor Department of Public Works Director Jason W. Mitchell released any comment today about the unprecedented state takeover.

But the mayor did turn up in the agency’s chronology, described as receiving a gentle rebuke:

“Secretary Grumbles spoke with Baltimore Mayor Brandon Scott Friday about the Back River and Patapsco wastewater treatment plants,” MDE’s press release said.

“They discussed the importance of these valuable assets and the urgent need to improve management to prevent pollution and protect environmental health.”