

# State presence at Back River wastewater plant extended

By Christine Condon

Staffers from the Maryland Environmental Service will remain at the troubled Back River Wastewater Treatment Plant through April 30 under a new agreement between the state and Baltimore.

Under a previous agreement, the state agency's tenure at the plant was set to end Dec. 31. But now, the Environmental Service will remain into the spring, as long as the city's Board of Estimates agrees. Its next meeting will take place next Wednesday.

The state also has been in negotiations with the city to establish a judicial consent decree that would regulate activities at Back River and Patapsco — the city's other wastewater plant, which also has dealt with severe equipment issues and polluting overflows. If a consent decree is executed, it could supersede the agreement extending the Environmental Service through April 30 at Back River.

State officials dispatched the Environmental Service to the plant in March, after inspections revealed serious maintenance problems were going unresolved, resulting in excess pollution of the Back River.

Baltimore, which owns and operates the plant located in Dundalk in Baltimore County, initially fought back against the state's intervention, including by filing a legal challenge.

But months later, the city signed an agreement with the state, creating a plan to reimburse the Environmental Service for its costs. Under that agreement, the agency would leave if the plant could meet its pollution limits for three straight months.

Though internal equipment issues persisted, the plant was able to comply with pollution limits from June to August, which would have prompted the Environmental Service to depart. But the parties agreed to

an extension through the end of 2022. The agreement announced Wednesday is the second extension.

In addition to a lawsuit filed by the state — which prompted the consent decree negotiations — Baltimore also faces a federal lawsuit from environmental nonprofit Blue Water Baltimore.

Blue Water Baltimore is a party to the consent decree negotiations as well, and its Baltimore Harbor waterkeeper, Alice Volpitta, said Monday that the negotiations are making progress of late.

Angela Haren, a senior attorney with the Chesapeake Legal Alliance, which is representing Blue Water in its case, said Wednesday that, “although significant progress has been made” at the Back River plant, the groups still have concerns about its “resiliency and ongoing maintenance.”

And, she said, there are still “major issues that haven't been addressed at the Patapsco plant, which hasn't seen any intervention from the Environmental Service.

“It's been clear that MES' involvement at Back River has helped start the process towards coming into compliance, so we feel reassured by their presence there and support their ongoing involvement,” Haren said.

Word of a new agreement for Back River comes shortly after the announcement that Jason Mitchell, the city's director of public works, will be resigning, effective in April. In a news release, Mayor Brandon Scott said Mitchell stepped down to take care of family.

Mitchell served as public works director for less than two years and his tenure included the state's discovery of problems at the wastewater treatment plants, operated by DPW. However, he was mainly facing criticism from City Council members angered by reduced recycling pickup