

CITY OF BALTIMORE

BRANDON M. SCOTT, Mayor



DEPARTMENT OF PUBLIC WORKS

Matthew W. Garbark, Director
Abel Wolman Municipal Building
200 Holliday Street, 6th Floor
Baltimore, Maryland (MD) 21202

October 15, 2026

VIA ELECTRONIC MAIL

Nicholas Bratton
Regulatory and Compliance Engineer
Air Quality Compliance Program
Nicholas.bratton1@maryland.gov

Dear Mr. Bratton:

The City of Baltimore (the “City”) is in receipt of the Maryland Department of the Environment’s (“MDE”) Notice of Violation (“NOV”), dated September 18, 2026, alleging that the City, via the Back River Wastewater Treatment Plant (“Back River”), is intermittently discharging “odors into the atmosphere beyond the property line in such a manner that a nuisance is created.” The City is aware of and takes seriously the community’s contention that odors from Back River are leaving the site and creating unpleasant conditions. As a result, and as MDE is aware, the City has made significant efforts to investigate and address these claims. Nevertheless, the City denies that it is in violation of COMAR 26.11.06.09 - Nuisance Odors and that it is discharging odors into the community.

MDE has visited Back River on multiple occasions to investigate odor complaints from the community and determined that there was no evidence of a violation. Additionally, the City contends that the odors noted on the June, 18, 2026, September 9, 2026, and September 10, 2026 inspection reports are only indicative of conditions on the Back River premises. The reports do not provide any evidence that any odors were discharged from the facility into the surrounding area. MDE personnel have also conducted offsite odor surveys which were similarly inconclusive. Community members continue to report smells with varying characteristics, many of which are not consistent with domestic sewage treatment. In the absence of a comprehensive evaluation of all possible contributors, any determination attributing the condition to a single source remains unverified and unsupported. The City is using its ratepayers’ own funds to commission a third-party odor survey and investigate sources in the community that may not even be associated with the facility. As will be further detailed below, the City has gone, and continues to go, to great lengths to assist with resolving these issues despite no conclusive evidence being put forward that Back River is indeed the source of the problem.

In order to address these allegations, the City is engaging in the following activities:

- 1) The City has commissioned a third-party comprehensive odor assessment to track potential sources. This will include a review of plans, reports, GIS data, and up to five years of odor complaints to identify complaint trends and potential odor hotspots; a two-day field investigation on and off the plant; establishment of monitoring locations and parameters for up to 30 days, where feasible; and odor sources will be evaluated using dispersion modeling. Based on the results, the third-party will recommend operational adjustments, immediate and long-term odor control improvements, and an ongoing monitoring approach. The assessment is expected to be completed by the end of 2026, provided field monitoring, data analysis, dispersion modeling, and coordination with community participants proceed as scheduled.
- 2) The City is implementing plant fence line and community monitoring using H₂S data loggers. Each sensor can store up to 3 million data points for continuous monitoring and trend analysis throughout extended monitoring periods. The analytics of the collected data will be used to create multiple dispersion models (EPA recommended AERMOD and Gaussian plume) for verification.
- 3) The City has participated in community meetings since November 4, 2025, to address the public's concerns. Regular progress meetings with the community will continue to be held throughout the project to share updates, review findings, address questions and concerns, and gather input from community participants. The frequency and level of detail will be adjusted to meet the informational needs of the various interested parties.
- 4) The City is also conducting the following odor related assessments that MDE requested in the May 15, 2026 inspection report, which will be completed in early 2027:
 - Covering Gravity Sludge Thickeners (GSTs) and Sludge Holding Tanks
 - Assessment of the odor scrubbers for the Primary Settling Tanks and GSTs.
 - Review of the integrity of the lagoon liner.
 - Facility Wide Odor control plan. The plan will focus primarily on identifying and addressing odor sources associated with the preliminary, primary, and solids treatment processes, while also evaluating other areas of the plant as needed to support a comprehensive facility-wide odor control strategy.
 - Maintenance plan for vegetation growth at lagoons. The maintenance plan will address vegetation growing along the upper slopes surrounding the lagoon cells, particularly growth emerging through cracks at the boundary between the access road and the top of each cell. The plan will include routine inspection, vegetation removal, crack repair, and ongoing monitoring to prevent regrowth and protect the integrity and accessibility of the lagoon perimeter.

Notwithstanding the results and recommendations of any of the above assessments, the City reserves the right to take only such measures as it deems necessary to comply with the conditions of its permits and any other requirements of Federal and State law.

Please contact me if you have any questions or concerns or would like to discuss the contents of this response.

Best regards,

A handwritten signature in black ink, appearing to read 'Michael Hallmen', with a long horizontal flourish extending to the right.

Michael Hallmen
Deputy Bureau Head
Bureau of Water & Wastewater
Baltimore City Department of Public Works

cc: Steven Lang/MDE
Daniel Davis/MDE
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Scott Thompson/MDE
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