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PRESS RELEASE

Attorney General Frosh to Governor Hogan: Understaffing at State Agency Has Put Maryland's Drinking Water at Risk

BALTIMORE, MD (December 1, 2021) – Maryland Attorney General Brian E. Frosh today sent a [letter](#) to Governor Larry Hogan warning that the Maryland Department of the Environment's (MDE) Water Supply Program (WSP) is dramatically understaffed – potentially risking the safety of Maryland's drinking water and the health and welfare of Marylanders.

WSP's mandate is to ensure that the State's 3,300 public drinking water systems deliver safe drinking water to 5.5 million Marylanders. WSP is responsible for the oversight and enforcement of routine water quality monitoring at public water systems, regular onsite inspections of water systems, and response to water supply emergencies.

To assess MDE's efforts in achieving these critical public health goals, in 2019 the EPA engaged CADMUS, a business management consulting firm, to conduct a workload analysis of the State's WSP. The 2021 CADMUS report found that understaffing and underfunding of the WSP program called into question the adequacy of inspections of Maryland's drinking water systems. The report identified a "severe gap" between WSP's available staffing and funding resources, and those that would be required to run the program. Specifically, it found that MDE **"needs approximately. . . 187% more full-time employees (FTEs) than currently staffed, and 93% more funding than currently available to effectively implement the program and ensure safe drinking water for the public."**

"Marylanders expect the State to ensure our drinking water is safe," said Attorney General Frosh. "The EPA has warned the Administration that years of underfunding and understaffing of the Department of the Environment's Water Supply Program have compromised its ability to conduct adequate inspections and oversight, threatening the health of millions of Marylanders."

The CADMUS report raises multiple concerns, including:

- The national average number of inspections a full-time employee performs in one year is 67. WSP inspectors supposedly conduct 240 inspections every year.
- Only 72% of the State's public drinking water systems had a certified operator in 2020, down from 84% in 2015. Fully one-quarter of the State's systems "are operating in violation of state and federal requirements."
- The State risks losing enforcement responsibility and more than \$21.5 million in federal funding due to its lack of staffing and funding.

- These challenges will be made more acute as 350 new public water systems will be added to the State’s inventory, and the program must manage emerging contaminants including PFAS, *Legionella*, and harmful algal blooms.
- WSP currently has 27 vacancies out of a staff of 71 full-time positions, including 9 contractual positions. The Hogan Administration abolished approximately 12 FTEs vacated by retirement, left other vacant positions unfilled, and implemented hiring freezes.
- The Program has about \$8.1 million in annual funds, with 88% from federal sources and only 12% from the State’s general fund. The report concludes that in 2021, MDE’s WSP “needs 126 FTEs and approximately \$15.7 million in funding to carry out current program responsibilities, implement drinking water regulations, and uphold public health protection.”

Attorney General Frosh concludes by asking Governor Hogan to make public a resource investment plan that was due to the EPA for review and approval by October 2021.

The reports can be found here:

https://www.marylandattorneygeneral.gov/news%20documents/2020_MD_PWSS_Annual_Review.pdf

https://www.marylandattorneygeneral.gov/news%20documents/2020_MD_Workload_Analysis.pdf

<https://www.marylandattorneygeneral.gov/press/2021/120121.pdf>