



CERTIFIED MAIL / ELECTRONIC MAIL

Senator Karen Lewis Young
James Senate Office Building
11 Bladen Street, Room 302
Annapolis, Maryland 21401

Re: Quantum Loophole Development Site

Dear Senator Young,

The Maryland Department of the Environment (Department or MDE) has received your letter regarding specific clean water act issues at the Quantum Loophole site. MDE understands this is a major concern for you and your constituents. As you are aware, Quantum Loophole has begun to redevelop the Former Alcoa Eastalco Works into a data center site that includes sewer and fiber optic lines, and a portion of the Site is under an Environmental Covenant dated December 29, 2017. These activities associated with the redevelopment have caused the issues and the Department is prepared to take immediate action.

The Department has reviewed the recommendations in your letter, and understands your concerns regarding the violations that have occurred at the Site. Regarding the unauthorized discharges resulting from dewatering activities into the Tuscarora Creek, the Department has decided to refer this matter to the Office of the Attorney General and will be pursuing formal enforcement that will include assessment of a monetary penalty to address the aforementioned violations and to ensure future compliance. In respect to the frac-out of drilling mud and associated drilling additives resulting from drilling activities, MDE has decided to pursue administrative actions which will include a separate penalty to resolve the violations that have occurred while constructing the fiber optic conduit.

The Office of the Secretary, the Department's Water and Science Administration (WSA), and Land and Materials Administration (LMA) are coordinating efforts to address the violations at the Site. WSA and LMA are working together to monitor compliance, and will review, provide comment, and approve work plans prior to initiation of future work at the Site. Additionally, both administrations are conducting and will continue to conduct routine inspections of the Site throughout the construction. The Department will be closely following the next phases of work at the Site, including additional sewer line installation that is planned to go directly through existing Waste Management Units within the Environmental Covenant area. The Department expects work plans to be sufficiently detailed and permit conditions strictly followed.

The Department will take your recommendation to require Quantum Loophole to inform the community of the new actions they will be taking into consideration when preparing a formal enforcement action, and may require a Supplemental Environmental Project to address this. The Department will be requiring expansion of monitoring and reporting in the formal enforcement action.

Finally, all up to date information regarding the Site can be found on the Department's website on the Land Restoration Program webpage at:

Senator Karen Lewis Young, Quantum Loophole Development Site

<https://mde.maryland.gov/programs/land/MarylandBrownfieldVCP/Pages/remediationsites.aspx>

Again, the Department appreciates your attention to this matter. If you have any questions, please contact Andrew Gosden, Acting Program Manager, Compliance Program at (410) 537-3510 or at andrew.gosden@maryland.gov.

Sincerely,

A handwritten signature in blue ink that reads "Heather W. Battul". Below the signature, the word "for" is written in a smaller, cursive font.

D. Lee Currey, Director
Water and Science Administration

DLC:bp1