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MARYLAND DEPARTMENT OF THE ENVIRONMENT
LAND AND MATERIALS ADMINISTRATION

PUBLIC HEARING CONCERNING
PROPOSED CHESAPEAKE TERRACE RUBBLE LANDFILL
ANNE ARUNDEL COUNTY

The hearing in the above matter commenced on
Thursday, February 23, 2023, at the Doubletree by Hilton,
210 Holiday Court, Annapolis, Maryland.

BEFORE: Andrew Grenzer, Hearing Officer

Reported by: George L. Quade, CERT

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A P P E A R A N C E S

ON BEHALF OF THE MARYLAND DEPARTMENT OF THE ENVIRONMENT:

ANDREW GRENZER

Chief

Solid Waste Operations Division

Maryland Department of the Environment

1800 Washington Boulevard, Suite 730

Baltimore, Maryland 21230

ALLISON MARONG

Project Manager

Land and Materials Administration

Maryland Department of the Environment

1800 Washington Boulevard

Baltimore, Maryland 21230

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I N D E X

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1 P R O C E E D I N G S

2 - - - - -

3 (5:10 p.m.)

4 MR. GRENZER: So I'm going to start the
5 official hearing at this time. The time is now 5:10
6 p.m. on Tuesday, February 23, 2023 -- sorry, Thursday,
7 February 23rd, 2023. This hearing is now convened.

8 My name is Andrew Grenzer, and I am designated
9 as the Hearing Officer for tonight's hearing. I am Chief
10 of the Solid Waste Operations Division with the Maryland
11 Department of the Environment's Land & Materials
12 Administration.

13 We are here tonight to hold a public hearing
14 regarding a tentative determination made by the
15 Department to issue a permit for the proposed Chesapeake
16 Terrace Rubble Landfill, which is to be located off of
17 Conway Road in Crofton, Maryland. The refuse disposal
18 application was submitted by National Waste Managers, LLC
19 -- by National Waste Managers, LLC.

20 The purpose of this hearing is to provide
21 citizens an opportunity to formally comment on the

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1 proposed application for the rubble landfill and the
2 Department's tentative determination to issue a permit
3 for the rubble landfill as required by law. The public
4 was originally provided a 30-day opportunity for
5 submitting written comments, however, a request to extend
6 the comment period in accordance with Environmental
7 Article §1-606(d)(ii) was received and granted by MDE.
8 The comment period is open until the close of business on
9 May 1, 2023. Written comments regarding this application
10 may be addressed to: Mr. Tyler Abbott, Director, Land &
11 Materials Administration, Maryland Department of the
12 Environment, 1800 Washington Boulevard, Suite 605 --

13 UNIDENTIFIED FEMALE: Can you go slower?

14 MR. GRENZER: Sorry.

15 UNIDENTIFIED FEMALE: Go back.

16 UNIDENTIFIED FEMALE: Wait a second. Isn't it
17 written in any of our material?

18 UNIDENTIFIED FEMALE: No.

19 MR. GRENZER: On the fact sheet, there is an
20 email address for Ms. Allison Marong. You can also email
21 Ms. Marong the comments. As long as she receives them by

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1 May 1st, 2023. Or you can send them to Director Abbott.

2 I'll read his information again.

3 MR. DEXTER: It's in the notice.

4 MR. GRENZER: Oh, I'm sorry. It is in the
5 notice of the tentative determination. So it is Mr.
6 Tyler Abbott, A-b-b-o-t-t, Director, Land and Materials
7 Administration, Maryland Department of the Environment,
8 1800 Washington Boulevard, Suite 605, and that's
9 Baltimore, Maryland 21230-1719.

10 UNIDENTIFIED FEMALE: Does he have an email
11 address?

12 MR. GRENZER: I'm sorry?

13 UNIDENTIFIED FEMALE: Does he have an email
14 address?

15 MR. GRENZER: Director Abbott? Yes.

16 MR. DEXTER: I'll look it up. Hold on a sec.
17 (Brief pause.)

18 MR. GRENZER: Director Abbott's email is
19 mde.lmadirectorsoffice@maryland.gov. It should have been
20 easy for me to remember. I apologize. So that is
21 mde.lmadirectorsoffice@maryland.gov.

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1 UNIDENTIFIED FEMALE: Is that all one word,
2 directorsoffice, one word?

3 MR. GRENZER: Correct, all one word, no
4 apostrophe, directors, no apostrophe, office.

5 UNIDENTIFIED FEMALE: Thank you.

6 UNIDENTIFIED FEMALE: Is Maryland spelled out?

7 MR. GRENZER: Maryland is spelled out, yes.

8 So, again, MDE requested that each attendant
9 sign our attendance sheet and any attendants who wished
10 to comment on the record during tonight's hearing to
11 identify themselves on the attendance sheet. If you have
12 not signed the attendance sheet or have not identified
13 yourself as a speaker but wish to speak, I request that
14 at this time you please sign the attendance sheet and
15 identify yourself as a speaker by checking the box
16 "speaking, yes."

17 I remind everyone that MDE is and will continue
18 to accept written testimony up until close of business on
19 May 1, 2023. Written testimony received by the deadline
20 will be added to the verbal testimony received tonight --
21 at tonight's hearing and will be considered equally prior

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1 to MDE making a Final Determination of whether or not to
2 issue the refuse disposal permit for the Chesapeake
3 Terrace Rubble Landfill.

4 As the Hearing Officer, I will review all
5 evidence and testimony presented here tonight and all
6 other documentation submitted for the record. After
7 consideration of all of this information, I will make a
8 recommendation to the Department concerning the
9 disposition of the permit application request. I must
10 determine whether the requirements for the approval of
11 this permit have been fully met. I will review the
12 record, including the transcript being processed
13 by the court reporter, and draw up a document identifying
14 all issues raised.

15 Based on my evaluation of the Record, I will
16 report my findings and recommendations to the Department
17 concerning the tentative determination to approve the
18 permit renewal, and if upheld, whether any of the
19 conditions of the permit should be amended to address any
20 new issues or concerns disclosed during this process.

21 As provided by the Environmental Article

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1 pertaining to public notification and hearing procedures,
2 the contents of the Record will be used as a guide in
3 determining whether there will be additional opportunity
4 for public review in this matter. If, as a result of the
5 testimony or evidence gathered tonight or submitted for
6 the record, we determine that we must change the draft
7 approval or otherwise amend the tentative decision of the
8 Department, then a Notice of Final Determination will be
9 published and an opportunity for the public to review the
10 final decision will be afforded. The Final Determination
11 may be appealed by the applicant or parties who have
12 legal standing and who are aggrieved by the decision.
13 Such appeals are handled in accordance with Maryland's
14 rules for administrative appeals of environmental
15 permits, Title 1, Subtitle 6, of the Environment Article.

16 Following my comments, the schedule for
17 tonight's testimony will proceed as follows:

18 First, Mrs. Allison Marong, will read a
19 statement briefly describing the permitting process as
20 applicable to this proposal.

21 Second, Mr. Paul Stratman, who is a consultant

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1 for the applicant, will provide a presentation regarding
2 the proposed permit application.

3 Third, I will invite any elected officials,
4 representatives of any governmental agencies, or
5 representatives of local citizen groups to identify
6 themselves, and to make a statement if they so desire.

7 Fourth, I will open the floor to anyone else
8 present to make a statement for the record.

9 To assist the court reporter, please do not
10 make comments from the audience while a person is
11 speaking. Any person having a question regarding
12 procedures or requiring a clarification may direct the
13 question to me, and if the applicant chooses, or if I so
14 direct, the appropriate person will attempt to answer the
15 question for the record.

16 A formal record of tonight's public hearing is
17 being made. To further assist the court reporter, I ask
18 that after you have delivered your testimony you see Ms.
19 Karen Willoughby at the back of the room in green so she
20 can confirm the spelling and accuracy of the personal
21 information you provided as a speaker.

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1 Please note that our permit and enforcement
2 files are available for public inspection by appointment.
3 Anyone can make arrangements to examine this file at the
4 Department's offices by writing to: Maryland Department
5 of the Environment, Land & Materials Administration,
6 Attention: Ms. Maria Stephens, M-a-r-i-a, S-t-e-p-h-e-n-
7 s, 1800 Washington Boulevard, Suite 605, Baltimore,
8 Maryland 21230-1719.

9 You can also call Ms. Stephens at 410-537-3422
10 -- 410-537-3422 -- or file an application over our
11 website at www.mdepia.mde.state.us. Permitting
12 information related to the current application for the
13 vertical -- for the landfill can be found on MDE's Solid
14 Waste Program's website for the Chesapeake Terrace
15 Application. This includes MDE's fact sheet on the
16 proposed permit application. The address for that is
17 located on our fact sheet.

18 Please note that this hearing is not intended
19 to address matters beyond the subject of tonight's
20 hearing on the proposed Chesapeake Terrace Rubble
21 Landfill nor is it to address any matters which are

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1 outside of the jurisdiction of the Department. That
2 includes issues that are subject to separate approvals at
3 the local government level such as county zoning
4 determinations and noise.

5 Are there any questions concerning procedures?

6 UNIDENTIFIED FEMALE: How long will we have to
7 speak?

8 MR. GRENZER: So currently, based on the number
9 of speakers that have registered, about 10 minutes per
10 speaker.

11 Yes, sir?

12 UNIDENTIFIED MALE: Are you serving dinner?

13 MR. GRENZER: We are not serving dinner.

14 Are there any more questions?

15 (No response.)

16 MR. GRENZER: Okay. At this time, I will ask
17 Ms. Allison Marong to read her statement.

18

19 Public Hearing Regarding

20 the Refuse Disposal Permit Application for the proposed
21 Chesapeake Terrace Rubble Landfill in Anne Arundel County

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1 MS. MARONG: Good evening. My name is Allison
2 Marong. I am a project manager with the Maryland
3 Department of the Environment's Land and Materials
4 Administration. Tonight's Public Hearing is regarding
5 the Refuse Disposal Permit Application to construct and
6 operate the Chesapeake Terrace Rubble Landfill located
7 along Patuxent Road in Odenton, Anne Arundel County,
8 Maryland. The application was submitted on December
9 20th, 1988, by National Waste Managers, Inc.

10 In accordance with Section 9-204 of the
11 Environment Article, a person may not install a system of
12 refuse disposal or materially alter or extend an existing
13 landfill system without obtaining a permit issued by the
14 Secretary of MDE. The construction and operation of a
15 refuse disposal system must also conform to applicable
16 local zoning laws and ordinances and the Ten-Year Solid
17 Waste Management Plan of the local political
18 jurisdiction.

19 MDE has implemented policies and procedures
20 addressing permit application review that comply with the
21 requirements of the Maryland Administrative Procedures

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1 Act. All landfill permit applications that are received
2 by MDE are required to have a notice of application
3 received and an opportunity to request an informational
4 meeting to be published in a local newspaper at least
5 once a week for two consecutive weeks.

6 It is MDE's policy to draft and publish all
7 notices for the applicant. A notice of application
8 received and public informational meeting for the
9 proposed Chesapeake Terrace Rubble Landfill was published
10 in the July 1st and 8th, 1994, editions of the Capital
11 Newspaper. The informational meeting was held on July
12 14th, 1994, at Arundel Middle School located at 1179
13 Hammond Lane, Odenton, Maryland.

14 A second notice of application received and
15 public informational meeting for the proposed Chesapeake
16 Terrace Rubble Landfill was published in the November
17 13th and 20th, 2001, editions of the Capital Newspaper.
18 The second informational meeting was held on December
19 3rd, 2001, at the Odenton Fire Hall located at 1425
20 Annapolis Road, Odenton, Maryland.

21 A third notice of application received and

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1 public informational meeting was published in the
2 November 6th and 13th, 2019, editions of the Capital and
3 Maryland Gazette Newspapers. The third informational
4 meeting was held on November 21st, 2019, at the Double
5 Tree by Hilton Hotel, located at 210 Holiday Court,
6 Annapolis, Maryland.

7 A fourth notice of application received and
8 public informational meeting was published in the May
9 11th and 18th, 2022, editions of the Capital and Maryland
10 Gazette Newspapers. The fourth informational meeting
11 was held on May 24, 2022, at the Double Tree by Hilton
12 Hotel, located at 210 Holiday Court, Annapolis, Maryland.
13 Tonight's Notice of Tentative Determination and Public
14 Hearing was published in the January 25th and February
15 1st, 2023, editions of the Capital and Maryland Gazette
16 Newspapers.

17 The proposed design meets the minimum
18 requirements of the State of Maryland's design standards
19 specified in the Code of Maryland Regulations 24 --
20 excuse me, 26.04.07.16. Approval of the proposed
21 landfill by MDE will not remove any of the applicant's

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1 responsibility to comply with other relevant State and
2 local laws.

3 Mr. Andrew Grenzer, this concludes my official
4 statement.

5

6 MR. GRENZER: Thank you.

7 Now, I will ask Mr. Paul Stratman to present
8 for the applicant.

9 MR. STRATMAN: Good afternoon. I'm Paul
10 Stratman. I'm with Advanced Geoservices. I am the
11 landfill design engineer working for National Waste, and
12 I'm going to give you a little bit of a rundown on the
13 nature of the project. Most of the information is
14 consistent with the previous presentations that I've put
15 on.

16 This is my third appearance in this exact same
17 room related to this project. And I started on the
18 project in about 2019, and as you are aware, the project
19 has a very significant history. You can tell by the
20 dates that Allison was reading out that this started
21 actually all the way back in -- I think it was conceived

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1 in 1988, 1989, is really when they started doing the
2 initial investigations and some of the initial
3 engineering related to the site. So, like I said, I
4 stepped into the project in about 2019 and have been part
5 of the design -- leading the design since that point in
6 time.

7 So just a general overview of the site. The
8 property itself is 480 acres. That's the total area
9 boundary to boundary. The proposed waste disposal area
10 is 114.4 acres. It's actually split into two separate
11 areas, which we refer to in the design as the west and
12 the east landfill areas. And you can see -- just to get
13 you oriented here, north is really to the right on the
14 drawing as you're looking at it. The area that would
15 then be towards the top of the page is what we refer to
16 as the west landfill, and the area at the lower part of
17 the screen is the east landfill area.

18 The landfill itself is going to have a gross
19 volume of about 9.3 million cubic yards. The net volume
20 is about 8.4 million cubic yards. And for those of you
21 that may have been here in meetings back in the earlier

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1 days, there were actually points where the design of the
2 landfill was approaching, I think, 16 million yards. We
3 made a lot of modifications that have reduced that volume
4 and there's been a significant drop in that.

5 The reason for the difference between the gross
6 and the net volume is -- is about 900,000 cubic yards.
7 That is actually the materials that we have to use for
8 cover over the waste during the normal operations. And
9 I'll get a little more into that later, but that's why
10 you see a difference in the numbers -- in the -- between
11 the gross and the net.

12 And as far as the weight of that waste that's
13 coming in, it's going to be about five million tons. The
14 weight of rubble debris, as you can imagine, it's -- you
15 know, it's construction-type debris. It's less than a
16 ton per cubic yard, which is why the tonnage is less than
17 the volume.

18 So just another picture to try and give you a
19 little bit better feel for, you know, where the landfill
20 is going to be. This is oriented a little bit more -- so
21 north is more in the upper -- upwards on the page. The

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1 area that is outlined in black in here, that's actually
2 the limit of the disposal area that I was showing you a
3 little bit earlier. And then you can see sort of how the
4 site lays in relative to, you know, the local topography,
5 the (inaudible) that sort of thing.

6 So the landfill itself is going to be a rubble
7 waste landfill. This is not a municipal waste landfill.
8 You know, historically this -- probably back when this
9 project started in 1988, it would have been an unlined
10 disposal facility where things like concrete and other
11 materials associated with construction and building
12 demolition and that sort of thing would have been brought
13 in and disposed on site. Again, it's not municipal
14 waste, it's not industrial waste, it's not hazardous
15 waste.

16 The types of waste that are acceptable --

17 UNIDENTIFIED FEMALE: Is that asbestos?

18 MR. STRATMAN: The types of wastes that are
19 acceptable are land clearing debris, demolition debris,
20 construction debris, asbestos waste, household appliances
21 and white goods, and processed debris. And relative to

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1 the asbestos disposal, the State of Maryland actually has
2 very rigid rules on how that material can be brought to
3 the site, how that material is handled once it's on the
4 site, and those are all part of the permit itself. But
5 under the regulations, asbestos waste is one of the types
6 of waste that can be brought to the site. So the types
7 of waste that we'll have here are, like I said, land
8 clearing, rubble, shingles, that sort of thing.

9 So the site itself, you know, the engineering
10 design of the landfill is dictated by the regulations,
11 and there's a number of components that are required to
12 go into the design. And those components begin really at
13 the fence line -- you know, the fence line, you know,
14 which is the site security. So there's going to be a
15 fence around the entire property. There are going to be
16 limited access to the property itself.

17 As far as the waste delivery goes, there's
18 going to be one point of ingress and egress for trucks
19 bringing the waste into the property. And that's going
20 to be -- have a scale house added so that each truckload
21 comes in, they stop at the scale house, there's paperwork

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1 that they have associated with bringing that material to
2 the site, including information on where it came from,
3 what waste is, what category it falls under. There's an
4 inspection done at the scale house itself, and once
5 they're weighed in, we get the tonnage, then they're
6 directed to the disposal area.

7 UNIDENTIFIED FEMALE: Where is the entrance
8 again? On what road?

9 MR. STRATMAN: There are several entrances in
10 the design, and that's one of the issues, I believe, that
11 is still open, and it's outside of the permitting
12 component of it.

13 So the landfill --

14 UNIDENTIFIED FEMALE: Several options? What
15 are those options?

16 MR. STRATMAN: Let me go back here. So from an
17 operational standpoint, the ideal entry point would be
18 from the south, southeast, I guess, here. The other two
19 --

20 UNIDENTIFIED FEMALE: And what road is that?

21 UNIDENTIFIED FEMALE: Can you show it on the

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1 other map?

2 UNIDENTIFIED FEMALE: And what road is it?

3 MR. STRATMAN: That is off of Conway.

4 UNIDENTIFIED FEMALE: You see Conway Road?

5 Tiny Conway Road.

6 MR. STRATMAN: So this is Conway right through

7 here.

8 UNIDENTIFIED FEMALE: Have you traveled Conway?

9 MR. STRATMAN: This purple line is one of the
10 three access options. The other two are off of Conway

11 over here and off of Patuxent up to the northeast.

12 UNIDENTIFIED FEMALE: Have you personally
13 traveled any of these roads yourself, sir?

14 MR. STRATMAN: I have, yes.

15 UNIDENTIFIED FEMALE: You have? Do you think
16 they can accommodate this?

17 MR. STRATMAN: I know there are requirements
18 for improving the roadways as part of --

19 UNIDENTIFIED FEMALE: How about common sense?

20 UNIDENTIFIED FEMALE: Does that take into
21 account the current location of the school? Can you go

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1 back to that map, please?

2 MR. STRATMAN: That is outside of the scope of
3 tonight's meeting.

4 UNIDENTIFIED FEMALE: I'm just asking --

5 MR. STRATMAN: This is the engineering
6 components of the design.

7 So the landfill itself --

8 UNIDENTIFIED FEMALE: But if your maps aren't
9 factual, it is -- if this is something you're presenting,
10 can you please go back and look at -- I'm interested in
11 the access.

12 MR. GRENZER: Can we let Mr. Stratman finish
13 his presentation and ask you-all not to speak, not to
14 interrupt, the presenters. You know, we're trying to
15 work through a lot of speakers, a lot of time here. It
16 is sensitive. I would -- I'm happy to come back another
17 night.

18 UNIDENTIFIED FEMALE: No, we want it tonight.

19 MR. GRENZER: But I'm sure all of you would
20 rather finalize this hearing.

21 UNIDENTIFIED FEMALE: We are just trying to

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1 understand. That's all.

2 MR. GRENZER: I'm sorry?

3 UNIDENTIFIED FEMALE: I mean, we need to
4 understand.

5 UNIDENTIFIED FEMALE: We need to understand the
6 scope of this.

7 UNIDENTIFIED FEMALE: The area has changed a
8 lot since 1988.

9 MR. GRENZER: So I will stop Mr. Stratman for a
10 minute and just talk about that. So the Anne Arundel
11 County Board of Appeals, who controls the zoning special
12 exception, made a determination back in November that the
13 neighborhood had not changed since 1988.

14 (Laughter and chatter.)

15 MR. GRENZER: So that is not a determination
16 that MDE has --

17 (Chatter.)

18 MR. GRENZER: That is not a determination that
19 MDE makes. I am not allowed --

20 UNIDENTIFIED FEMALE: Who does? The county?

21 MR. GRENZER: The county made that

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1 determination. The Anne Arundel County Board of Appeals.

2 UNIDENTIFIED FEMALE: Thank you.

3 MR. GRENZER: -- made that determination. MDE
4 is actually restricted from making any sort of zoning
5 determinations. I -- sorry, not I. MDE is not allowed
6 to weigh in on zoning determinations. All I am allowed
7 to do, or MDE is allowed to do, is ask the local
8 jurisdiction whether a facility or proposed facility
9 meets zoning criteria, which the Department did do and
10 the county responded in the affirmative that this
11 facility does meet local zoning.

12 UNIDENTIFIED FEMALE: So maybe we need to get
13 in touch with them.

14 UNIDENTIFIED FEMALE: Why aren't they here?

15 MR. GRENZER: I am not going to direct you what
16 to read into what you need to do, but that -- they are
17 the one who makes the decision in regards to zoning, not
18 MDE.

19 UNIDENTIFIED FEMALE: Yeah, we need to get in
20 touch with them.

21 UNIDENTIFIED FEMALE: They need to be here.

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1 UNIDENTIFIED FEMALE: We need a meeting with
2 them because this all sounds great, but we need to talk
3 to the people who allowed this to even progress to this
4 point.

5 UNIDENTIFIED FEMALE: In 1988 there was nothing
6 here. All these problems after (inaudible).

7 MR. DEXTER: Hi, I'm Edward Dexter. I'm the
8 administrator of the Solid Waste Program. Just to answer
9 these points a little bit, there's two things to
10 consider. First, the Anne Arundel County Board was
11 directed by the Circuit Court of Anne Arundel County to
12 revisit that issue. And they did hold several hearings
13 over the course of 2021, I think it was. It was
14 advertised and subsequently they made that decision --

15 UNIDENTIFIED FEMALE: Then how did we not know
16 it?

17 MR. DEXTER: -- in -- it was advertised --
18 you'll have to ask the county that.

19 UNIDENTIFIED FEMALE: If you have your
20 approvals, why are we here?

21 MR. DEXTER: Just relax a minute. So,

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1 anyway --

2 UNIDENTIFIED FEMALE: Relax?

3 MR. DEXTER: -- county then came forward with a
4 determination that after considering testimony that they
5 held up the -- you know, I guess they continued the
6 zoning special exception that had been granted originally
7 in 1993, and that has been upheld by higher courts more
8 than once since that time. And that decision also --

9 UNIDENTIFIED FEMALE: Do you think the traffic
10 has changed on that road in all those years?

11 MR. DEXTER: That's an issue to take up with
12 the county. Now, here's another thing --

13 UNIDENTIFIED FEMALE: If the trucks come along
14 in the neighborhood, they run us off the road, the light
15 posts get hit every day, and there's a school that's
16 being built there.

17 MR. DEXTER: Yes. We're aware of that.

18 UNIDENTIFIED FEMALE: Who in their right
19 mind --

20 MR. DEXTER: Can you wait and hold your
21 comments until later?

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1 (Applause.)

2 MR. DEXTER: You may also want to look up the
3 zoning decision because it accounted for such things as
4 rebuilding the road out to Route 3, and also specifically
5 it provides them only one entrance onto Conway Road.

6 UNIDENTIFIED FEMALE: Yeah, in our
7 neighborhood.

8 MR. GRENZER: So there's -- many people are
9 waiting, and they wish to speak, and we're going to allow
10 them to speak. But during this time period, it's not
11 really a time period where we're shouting out responses.
12 When it's -- when I open the floor to speak, if you wish
13 to speak and have identified yourself as you wish to
14 speak, I'm happy to have you come up to the podium and
15 make the comments on the record that you wish to make.

16 UNIDENTIFIED FEMALE: Thank you.

17 UNIDENTIFIED FEMALE: Excuse me --

18 MR. GRENZER: Comment on procedure? Sure.

19 UNIDENTIFIED FEMALE: How about we get all the
20 details from him instead of him avoiding what road is the
21 access road --

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1 MR. GRENZER: Again, if you want to make
2 comments, I will -- when it's time to make comments, you
3 can come up and make comments at the podium.

4 UNIDENTIFIED MALE: Can we ask him questions
5 that are focused on the environmental side of it? I'm
6 talking about the asbestos.

7 MR. GRENZER: Sure.

8 UNIDENTIFIED MALE: What about the asbestos
9 being on site? Is it repackaged? Who does the
10 inspection? Are we going to be relying on the landfill
11 company to do it? Does the state provide any oversight,
12 random inspections, to ensure that whatever the policies
13 and procedure in place, and I'm asking that of the
14 gentleman --

15 MR. GRENZER: Yes. So the State does have
16 oversight, does have -- we do conduct scheduled
17 inspection and random inspections of material that comes
18 in and off the site. We have a group of very qualified
19 inspectors that handle all of our landfill sites in the
20 State of Maryland who do those inspections. They also
21 respond to citizen complaints in regards to that. They

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1 will show up to the site if they receive one. They get
2 complaints sometimes from haulers that a landfill is
3 accepting -- or a facility, not necessarily even a
4 landfill, but a facility may be accepting things that are
5 not included in their permit. So sort of like a
6 whistleblower self-reporting, haulers will do that and
7 our inspectors will follow through and inspect --

8 UNIDENTIFIED FEMALE: And how long --

9 MR. GRENZER: -- facilities for that.

10 UNIDENTIFIED FEMALE: -- will that take?

11 UNIDENTIFIED MALE: If you find that they're in
12 violation, is it simply a fine, or what happens to the
13 potential risk to the residents that are so close to
14 this? Because that's after the fact when they'd be
15 accepting. I mean, asbestos is a significant concern,
16 you know what I mean? That's something we're kind of
17 really worried about.

18 MR. GRENZER: Sure, I understand. And, you
19 know, there are safeguards that have been put in place in
20 regards to asbestos handling, you know. We're speaking
21 of them and how they handle asbestos, what they need to

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1 do with it to mitigate those dangers for asbestos.

2 Asbestos is not classified as a hazardous material.

3 UNIDENTIFIED FEMALE: Oh, really?

4 MR. GRENZER: The Environmental Protection

5 Agency has not classified asbestos as a hazardous

6 material.

7 UNIDENTIFIED FEMALE: (Inaudible).

8 (Chatter.)

9 MR. DEXTER: Why don't we go forward with Mr.

10 Stratman.

11 MR. GRENZER: Yeah, let's let Mr. Stratman

12 finish and then we'll answer questions.

13 (Chatter.)

14 MR. GRENZER: Okay. Again, if you wish to make

15 a comment, I'm happy to hear your comments after Mr.

16 Stratman's presentation, and I welcome you to come up to

17 the podium and I'll give you allotted time to make

18 comments. It sounds to me that maybe there may be a few

19 more people who wish to make comments than had originally

20 indicated that they do, and for that I may need to limit

21 time a little bit less than 10 minutes from what I

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1 originally stated.

2 UNIDENTIFIED FEMALE: I have one quick comment.

3 MR. GRENZER: There's no time for comments

4 right now. We're going to let Mr. Stratman finish his

5 presentation.

6 (Chatter.)

7 MR. GRENZER: So Mr. Stratman's presentation --

8 actually, the presentation that he -- which is very

9 similar to tonight's presentation, he presented it in

10 May, is actually available on the Department's website;

11 has been available since last May. It includes all of

12 this information, all these diagrams, maps, everything

13 that was included in May. They have been updated a

14 little bit for tonight's meeting. This presentation will

15 be available on the Department's website. That was

16 presented -- or that is on the fact sheet directly for

17 the proposed Chesapeake Terrace Rubble Landfill

18 application.

19 So if you'd like to review this in its

20 entirety, I welcome you, please do. You can see the

21 entire presentation.

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1 MR. DEXTER: Let's go forward.

2 UNIDENTIFIED FEMALE: I have a procedural
3 question.

4 MR. GRENZER: Procedural question?

5 UNIDENTIFIED FEMALE: Will we have an
6 opportunity to not just comment but to ask questions of
7 him?

8 MR. GRENZER: So tonight's really -- a hearing
9 is an opportunity to comment on the record. Certainly if
10 you have questions or concerns, those questions or
11 concerns will be -- those questions or concerns will be
12 addressed as part of the Department's determination. But
13 tonight we will not be answering a litany of questions in
14 regards to the application. You can comment and ask
15 questions on the record and it will be addressed. Those
16 comments will be made available -- or the responses to
17 those comments will be made available on our website as
18 well.

19 UNIDENTIFIED FEMALE: You mentioned May of 2022
20 he gave this presentation? That is not showing here.
21 Who did he give the presentation to in May of 2022?

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1 MR. GRENZER: This was at this exact room, at
2 this hotel, in May of 2022. I apologize if it's not on
3 that fact sheet. It's on the back of the last page,
4 someone said.

5 MR. DEXTER: Let's continue.

6 MR. GRENZER: Let's continue with Mr. Stratman.

7 MR. STRATMAN: The description of what the
8 landfill is going to look like, we talked a little bit
9 about the perimeter, the scale house, that sort of thing.

10 The engineering components of the landfill,
11 these are what are required by the regulations to protect
12 the environment. The primary component of that is the
13 liner system. The liner system is really -- it goes
14 underneath the entire footprint of the waste disposal
15 areas. This was one of the major changes over the 30-
16 plus years that this thing has been in the queue in that
17 the regulations have been rewritten and have now required
18 a liner system that's close to what you would put in for,
19 like, a municipal waste landfill.

20 The components themselves are -- the primary
21 piece is a geo-membrane. That's the material you see in

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1 the rolls here on the right, and this material right
2 here. It's a very thick layer of plastic that goes down
3 over a 24-inch thick layer of soil that has a low
4 permeability. And when I say low permeability, it's
5 meant to prevent the transmittal of moisture through or
6 to control the rate. The liner itself is actually the
7 component that's made to intercept whatever is in the
8 landfill itself.

9 So the liner system, those rolls that you saw
10 in that earlier picture, they are deployed, they're sort
11 of like putting out carpet as far as they're 22-feet wide
12 typically by those manufacturers, and they're actually
13 welded together in the field. So you'll unroll this
14 material, you have a welder, which is the yellow box
15 that's in front of the gentleman on the right in the
16 photo, and it fuses the plastic together.

17 It actually creates two different -- two
18 separate welds, and then we're actually able to go in and
19 pressure test the opening in between the two and make
20 sure that that is air tight. So that's one of our
21 quality assurance steps that we do during the

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1 construction.

2 Over top of the geo-membrane, that plastic
3 layer, we deployed what we call a geo-composite. I'm
4 going to go back a figure. So a geo-composite is the
5 layer in the middle here, it consists of a three-
6 dimensional high density polyethylene material with
7 fabric on either side, and the intent is that that goes
8 down on top of the liner, the membrane itself, and also
9 covers the entire bottom. And then on top of that, we
10 put in -- in this design is a two-foot thick layer of
11 sand or gravel, a porous material.

12 And the real purpose of this layer is that
13 while you're operating the landfill, you have
14 precipitation, what you want to do is have a way to get
15 that moisture, that liquid -- they call it leaching --
16 off of the system itself. And the bottom of the landfill
17 is sloped to an area to allow that water to infiltrate.
18 It hits that geo-composite layer that's sitting on top of
19 the membrane and then it's intended to travel laterally
20 to a low point where we have a series of pipes that are
21 then able to pull that water out, that leachate off, the

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1 intent being to try and keep the leachate from
2 accumulating and developing a hydraulic head that if you
3 were to have a hole or something like that in the liner
4 that it would push that water through.

5 So one of the components of the design, one of
6 the components of the operating permit, are that we need
7 to maintain those leachate systems not only during
8 operation but even post-closure until you quit getting
9 water into the -- into the system.

10 The leachate itself, once it's pumped out of
11 those low points that I talked about, they're going to be
12 going in above-ground storage tanks, and then it's going
13 to be shipped off-site for treatment at a liquid waste
14 disposal facility.

15 So we've constructed the landfill and we're
16 going in and we start the operations. The first layer of
17 material is going to be placed over that sand layer that
18 I talked about. It's going to be a four-foot thick layer
19 of -- select waste material is the term used in the
20 regulations. And that's material that is free of things
21 like big chunks of metal and other items that could

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1 potentially penetrate down and damage the liner system on
2 the leachate collection system.

3 Once that lower layer is in place, that first
4 four feet of material, then generally most operations for
5 debris, you see them placing material in lifts that can
6 be up to eight-feet thick. I'm sure you've all seen
7 pictures of the equipment that runs on top of the waste.
8 They are trying to densify that, pack it, to make that as
9 tight as possible. So each of those layers, we call
10 lifts, in the regulations and in the operation of the
11 site.

12 As far as the daily operations go, if I take
13 that five million tons I talked about at the beginning of
14 the -- of my presentation, and you look at the roadways
15 for tractor trailers, we're looking at about 80
16 truckloads a day of material coming in through the
17 operating life of the facility. While we're operating,
18 those lifts that we're putting down, we also have to go
19 and put a layer of soil on top of that about every three
20 days or before a weekend or a holiday when we're not
21 working on the site. We have put that periodic cover

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1 material down.

2 As we fill the areas up to final design grades,
3 we're putting in a intermediate cover when we finish
4 filling in an area, it's about a 12-inch thick minimum
5 layer of soil, and then eventually we come back and we
6 actually cover the area with the final cover system,
7 which is somewhat similar to what we are putting in the
8 liner system.

9 Again, we've got the geo-membrane layers, we've
10 got the geo-composite layer, except for here. We put the
11 geo-composite layer on top of the geo-membrane, the
12 intent being that it -- back up. So we've got the geo-
13 membrane the geo-composite, and then we have a two-foot
14 soil cover there, and the intent being that, you know, as
15 you get precipitation and you get moisture that naturally
16 goes into the ground, and the geo-composite is there to
17 intercept the liquid, the infiltrating rain water, so
18 this is liquid that has not come in contact with the
19 waste itself, and then it sheds it off to the perimeter
20 of the landfill and into our control systems. This is
21 just a picture of a landfill cap going in, and you can

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1 see the geo-membrane in the distance and the geo-
2 composite up close, and then the final cover soil layer
3 in the forefront.

4 That geo-composite layer that I talked about
5 that intercepts the infiltrating precipitation, it
6 discharges around the perimeter or the toe of the slope,
7 so this is outside the footprint of the waste disposal
8 area. So anything that infiltrates through the soil
9 moves laterally through the geo-composite layer and then
10 discharges out through a stone toe grade that you see in
11 the picture here.

12 UNIDENTIFIED FEMALE: That's not in the zone?

13 MR. STRATMAN: That is beyond the limit of the
14 waste disposal area.

15 So as far as the system itself goes, part -- a
16 big part of designing a landfill is making sure you're
17 handling the water, the precipitation, the leachate, the
18 leachate we talked about, and we've got the leachate
19 collection system, after the waste area is completely
20 covered and capped. You know, we also have to worry
21 about handling the stormwater, making sure it's not

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1 eroding at the cap, that the cap is protected.

2 So there's a number of components that we
3 designed for handling the rainfall itself. So this would
4 be things like you would see in your neighborhood where
5 you've got, like, an inlet and piping, that is -- for the
6 landfill is the areas that are intercepting the water
7 that falls on the landfill, it's intercepted by benches,
8 and they're directed to what we call downspouts, or
9 downshoots, and that lets the water, again, shed off the
10 perimeter of the landfill into the drainage controls that
11 are outside the limit of the waste and are then -- go
12 through a stormwater management basin. And the basins
13 are designed to hold the water and then discharge it in a
14 controlled fashion, just like you would see on any land
15 development type project, and essentially the same
16 regulations as far as, you know, controlling the feet of
17 grade runoff, the volume of runoff, that sort of thing.

18 So, you know, we've got the landfill. I talked
19 about the liner system, the waste filling, and we talked
20 about the cap. There's a lot of other components to it,
21 as well, one of which is gas management. This really is

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1 an item that comes out of the municipal waste side of
2 things where you've got a lot more organics going into a
3 landfill. Those organics sit there, they decompose, you
4 get things like methane coming off. The common practice
5 nowadays is to take that gas and actually create energy
6 with that. For this landfill, the regulations and COMAR
7 require that we have the same type of gas collection
8 system. And so this design includes that same type of
9 system where we're able to go in and essentially pull
10 whatever gas may be forming in the waste itself under the
11 liner system, pull that out and then either flare it off,
12 which you can see a flare in the picture over here, or we
13 can use it to create electricity that can be used to help
14 run the facility. And what you do is really a function
15 of how much methane you generate across the landfill.

16 So the construction, you know, I said at the
17 beginning, it's a 114.4 acre waste disposal area. You
18 don't build the entire thing at once. What you do is you
19 do it in phases. You build cells. You try and make it
20 -- you know, build it in pieces so that you can manage
21 the volume of leachate you're generating so you don't

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1 have 114 acres open at the same time. So we've got -- in
2 the design, you'll see a number of phases that show the
3 sequential filling and capping of the landfill.

4 So, you know, the cap doesn't get built on the
5 last day 12 years out. It gets built as each of those
6 areas comes to finish grade.

7 UNIDENTIFIED FEMALE: How many years?

8 MR. STRATMAN: We are limited by the county.
9 It has to be filled within 12 years.

10 As far as the -- we have the ground water --
11 I'm sorry, we have the gas collection system that we
12 talked about. We also have two different items that are
13 for environmental protection in addition to the liner
14 system and all the other controls that we've got built
15 into the cells themselves, one of which is the ground
16 water monitoring. The ground water monitoring actually
17 begins a year before we put our first piece of waste into
18 the landfill. We're going to -- we are required under
19 the way that the permit is drafted and the design has
20 been put together to install ground water monitoring
21 wells around the entire perimeter of the landfill.

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1 They're the features you see in red on here. And the --
2 those are installed prior to or during construction, and
3 then we have to collect four rounds of ground water
4 needed to establish a baseline so we know what quality
5 the ground water is at the site. And then after we get
6 those initial four rounds of data, throughout the
7 operation of the facilities, if you've taken a look at
8 the draft permit, we're required to do semi-annual
9 sampling of those same wells. And what we do is we put
10 together a report that shows what the quality of the
11 ground water is relative to that initial ground water
12 sampling that was done at the site. And those are due
13 every six months.

14 UNIDENTIFIED FEMALE: Is that available to the
15 public?

16 MR. STRATMAN: I would assume it is. Most of
17 the jurisdictions, yes.

18 MR. GRENZER: Yes, it's available. I mean,
19 it's submitted to the Department for our review, and once
20 it's submitted to the Department it's available through
21 Freedom of Information Act, Public Information Act

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1 requests. Some of the information is available
2 immediately on our website as well through our public
3 information portal.

4 MR. STRATMAN: Thank you, Andrew.

5 And then the ground water monitoring, it
6 doesn't stop when the landfill is closed. There's --
7 National Waste is actually required to continue the
8 monitoring until MDE says you don't have to monitor
9 anymore, and in reality that for the most part means, you
10 know, continuously.

11 You know, over time the expectation is that the
12 volumes of the leachate you may be getting off of the
13 waste itself are going down after it's fully capped. The
14 potential for ground water contamination decreases over
15 time, you know, that sort of thing. So you may modify
16 your parameters you're analyzing for, their frequency,
17 that sort of thing. But in reality there's always going
18 to be some sort of obligation to go in and do that
19 monitoring.

20 UNIDENTIFIED FEMALE: How many more slides do
21 you have?

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1 UNIDENTIFIED MALE: The current changes in our
2 community, what's happened lately with the stupid
3 roads --

4 MR. STRATMAN: So the -- in addition to the
5 ground water monitoring, we also monitor landfill gas
6 around the perimeter of the landfill. The landfill
7 gas --

8 UNIDENTIFIED MALE: Excuse me. Serious
9 question: How much longer are you going to be?

10 UNIDENTIFIED FEMALE: Really?

11 MR. GRENZER: So Mr. Stratman is here on behalf
12 of the applicant.

13 MR. STRATMAN: I've got two more slides.

14 MR. GRENZER: I understand that all of you have
15 comments to make. We're going to try to address all of
16 your comments and give you initial time.

17 UNIDENTIFIED FEMALE: Well, we're here on
18 behalf of our homes and our --

19 MR. GRENZER: I know. I've heard from you like
20 seven or eight times already. Thank you.

21 UNIDENTIFIED MALE: Only one person speak at a

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1 time. How much longer are you going to take?

2 MR. STRATMAN: I've got two slides.

3 UNIDENTIFIED MALE: Thank you.

4 MR. STRATMAN: So the final component is the
5 landfill gas monitoring. This is testing that's done to
6 make sure there's not the vibration of gas from the waste
7 disposal area. If there is, we do things like drawing
8 more gas out of the closed landfill cell. And that is
9 it.

10 (Applause.)

11 MR. GRENZER: All right. Thank you, Mr.
12 Stratman. What's that?

13 MR. DEXTER: Ask for the delegates.

14 MR. GRENZER: For the record, the State's fact
15 sheet on the proposed permit application will be marked
16 as Exhibit 1; the statement of Mrs. Marong is marked as
17 Exhibit 2; and Mr. Stratman's presentation is Exhibit 3.

18 I know there was a question earlier about how
19 much time each individual speaker was going to get, and
20 based on people that identified themselves as being
21 speakers, I said hopefully 10 minutes. Based on some

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1 responses from the audience, I assume that we're going to
2 have maybe a few more at the end. I'm going to limit
3 presentation or speakers time to six minutes instead in
4 order of time for that purpose.

5 Are there any procedural questions at this
6 moment?

7 Procedural questions at this moment?

8 UNIDENTIFIED FEMALE: I want to thank the
9 gentleman. That's his job. But we're really not here
10 for this. No one wants --

11 UNIDENTIFIED FEMALE: Amen.

12 MR. GRENZER: Okay. That's not a procedural
13 question. Thank you. You can -- if you wish to raise
14 your hand during the time to speak, you can -- I'll allow
15 you to go to the podium.

16 UNIDENTIFIED FEMALE: I think we all feel the
17 same way.

18 MR. GRENZER: At this time, are there any
19 elected officials or government officials in the
20 audience? I know that Senator Rosapepe is here.

21 (Applause.)

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1 MR. GRENZER: Senator -- before the senator
2 talks, I would ask that any speaker, if I identify them,
3 if you could come up to the podium and speak into the
4 microphone. It makes it easier for the court reporter to
5 clearly dictate and transcribe what your talking points
6 are. I will ask that the audience also, you know,
7 respect any of the speakers that may be up while they're
8 talking.

9 The microphone is kind of -- you sort of have
10 to talk -- you can use this one. That one's not live as
11 well.

12 UNIDENTIFIED FEMALE: And can you tell us
13 please again who you are, sir?

14 MR. ROSAPEPE: I will. Thank you very, very
15 much. I'm State Senator Jim Rosapepe. I represent the
16 21st district along with Delegate Joseline Melnyk and
17 then going to Mary Lehman, and I'm here on all of their
18 behalf. We represents Gambrills, some of Odenton, and
19 some of Crofton. And we are strongly opposed to the
20 issuance of this permit.

21 (Applause.)

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1 MR. ROSAPEPE: I want to thank the Department
2 of the Environment for requiring this hearing. Thank
3 you, representative of the project developer for coming,
4 and also posting the information on the website so
5 everyone can look at it. And thank all of you for coming
6 out tonight.

7 (Applause.)

8 MR. ROSAPEPE: I presume most people who are
9 here live very close to this project. So you know how
10 fragile the area is. You know about the narrow
11 roads, you know about the Patuxent River, you know the
12 aquifer that feeds Odenton and Gambrills and Crofton that
13 (inaudible) here, and you know that -- and the Department
14 knows, and the applicant knows, that not everything
15 people say should work, does work.

16 (Applause.)

17 MR. ROSAPEPE: Trains derail. Nuclear power
18 plants have lots of problems. Trucks occasionally
19 problems. So it would be great if everything worked
20 perfectly. The challenge here, and why we're opposed to
21 this project, is the risk outweighs the value.

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1 (Applause.)

2 MR. ROSAPEPE: And that is the judgment that
3 the Department needs to make under the law. Not every
4 risk is worth taking. There are some risks that we take
5 all the time. As I always say, if you're not willing to
6 drive on the capital beltway, I get it. But that's the
7 judgment the Department needs to make. And in our
8 judgment, representing this community, we believe the
9 risks outweigh the benefits, and therefore we urge the
10 Department to reject the permit.

11 We will be submitting more detailed comments
12 later. Thank you very, very much.

13 (Applause.)

14 MR. GRENZER: Thank you. Thank you, Senator.

15 MS. HUMMER: Good evening. I'm Julie Hummer,
16 I'm the Anne Arundel County Councilwoman for District 4,
17 which includes this proposed landfill.

18 (Applause.)

19 MS. HUMMER: I represent more than 85,000
20 residents of this county, and I have yet to hear from a
21 single one who supports this project. I've spoken to

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1 many of you here, and we all will be hearing tonight from
2 these residents who are knowledgeable, thorough, and
3 passionately against this project.

4 All of the environmental and safety concerns
5 regarding this are real and will directly impact everyone
6 in this room. They will speak to the dangers of the
7 project will bring to the thousands of residents in the
8 vicinity by allowing massive truck traffic on a roadway
9 that is not designed for industrial enterprise.

10 (Applause.)

11 MS. HUMMER: They will speak of the potential
12 damage to historic Underground Railroad locations, the
13 polluting of local waterways that flow into the
14 Chesapeake Bay, and the absolute absurdity of placing a
15 landfill next to an elementary school.

16 (Applause.)

17 MS. HUMMER: I support every one of their
18 arguments against the project. Local families who have
19 lived near the proposed location for generations have
20 been fighting this project for more than three decades.
21 They have done -- and they've been enjoined by all the

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1 new residents who have come to value this community as
2 much as the original owners.

3 Everyone, young and old, is united in
4 opposition to this threat to our area. We are exhausted
5 by the continuous fight to end this. But as you can see
6 tonight, no one is giving up. We are disappointed in
7 MDE's actions towards issuing a permit, and frustrated
8 and confused that the Department of the Environment may
9 be green lighting a project that puts great risk to
10 public safety and environmental stewardship.

11 (Applause.)

12 MS. HUMMER: Your former councilman and current
13 state delegate, Andrew Pruski, was here earlier, and we
14 are united in saying that we will continue to do what we
15 can legally on the state and county level to end this
16 project once and for all, but we need MDE to listen to
17 the Marylanders who will be harmed by this landfill and
18 do its part in ending this excruciating saga once and for
19 all.

20 (Applause.)

21 MR. GRENZER: Thank you, Councilwoman Hummer.

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1 Are there any other elected officials or
2 government officials in the audience that wish to make a
3 statement?

4 (No response.)

5 MR. GRENZER: Are there any representatives
6 from local citizens groups who wish to make a statement?
7 Formal representatives.

8 (No response.)

9 MR. GRENZER: Okay. I'm going to go down the
10 list, then. I see none for representatives from local
11 citizen groups. People who signed our attendance sheet
12 and acknowledged that they would like to speak, I ask
13 that you make your way to the podium as quickly as
14 possible. It will be a timed six minutes. I'll try and
15 give you a notice when you have about a minute left.

16 If after all of the people who have signed up
17 as speakers are done speaking and anyone else wishes to
18 speak, I will accept additional speakers from the
19 audience. Hopefully we can move through these comments
20 as quickly as possible.

21 First I have Mr. Riehl.

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1 (Applause.)

2 MR. RIEHL: Mr. Grenzer, thank you for the
3 opportunity to speak tonight. And I'd like to -- I'm
4 really thrilled with the big turnout that we have here,
5 but I would ask people to be professional as we try to
6 get through this public hearing.

7 I'm certain by a show of hands that everybody
8 here opposes the landfill. Am I correct?

9 Okay. Does anybody here want to acknowledge
10 that they're in favor of the landfill?

11 Okay. So we'll let the record reflect that the
12 hundreds of people here oppose the landfill.

13 And certainly this is a complicated process,
14 and MDE has certain things under their purview; the
15 county has things that are under their purview, and the
16 federal government has things that are under their
17 purview. And we are all frustrated that this thing has
18 gone on for 30-plus years. It's absurd.

19 Again, my name is Ed Riehl. My wife and I live
20 in Two Rivers for the last four years. I've been part of
21 a grassroots committee to try to oppose this landfill and

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1 permanently stop it for the last three and a half years.

2 As Two Rivers is a relatively new community,
3 there's roughly 5,000 people in that community. Some of
4 the homes are within a quarter -- or 250-feet of the
5 landfill, and all of the homes are within two miles of
6 the landfill.

7 I notice on MDE's website describing their
8 solid waste permitting process it states that you will
9 consider COMAR 26.04.07 when deciding whether to grant or
10 deny a refuse disposal permit. Well, I've looked at the
11 regulation number .03, and it states that MDE will
12 consider six factors when making that decision; one of,
13 is this landfill a nuisance to the public? I think we
14 would all agree that it's a nuisance.

15 (Applause.)

16 MR. RIEHL: The second consideration is whether
17 or not this landfill affects the public health, safety,
18 or comfort, particularly of the residents in the
19 immediate area.

20 (Applause.)

21 MR. RIEHL: I think we would all agree that

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1 that's a definite yes. So it appears to me that you
2 folks are relatively close to issuing this permit, but
3 the regulations say that you have the authority to make
4 the decision on a couple of the key factors that are
5 pretty obvious to all of us.

6 In 2009, MDE completed a historical landfill
7 initiative for the EPA, and that report recommended that
8 landfills be at least four miles from residences for --
9 to reduce the impact of airborne emissions and
10 contaminants. I don't know if that has any force of law
11 or was ever entered in any regulations, but that was the
12 initiative that you guys did in 2009. It's in my
13 submitted comments to you, so hopefully we'll get an
14 answer.

15 There certainly are homes immediately adjacent
16 to the landfill in the historic areas of Woodwardville
17 and Wilson Town that rely on well water. The developer
18 is supposed to drill deeper wells for them. And as Mr.
19 Stratman has indicated, there's liners in the well -- in
20 the landfill and leaching systems. But my question to
21 MDE is, how can you be certain that there will never be

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1 contaminated well water for those residents? It may not
2 happen while this landfill is in operation; it may not
3 happen for 20 years later. But sometime those liners are
4 going to fail, the leachate systems will not work, and
5 those residents may be subject to contaminated water.

6 And my question is, how can MDE in good faith
7 not consider that risk when making this decision? Who
8 will be responsible when those wells are contaminated?
9 The developer will probably be long gone, maybe out of
10 business. So who's left? The county, tax payers, the
11 State of Maryland, will have to go in and deal with that.
12 And we've all read stories about contaminated well water
13 around the country from industrial developments.

14 In 30 years, the developer has not acted in
15 good faith to design this landfill to comply with Anne
16 Arundel County regulations. Maybe this is not in the
17 purview of MDE. It seems to me it would be nice if the
18 developer would certify that his landfill development
19 complies with Anne Arundel County regulations. I'm
20 convinced that he cannot certify that.

21 One of the regulations states that the landfill

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1 will not be more than 30 feet above the natural grade.

2 All right, I have 60 seconds. Okay. Again, all my
3 comments have been submitted in writing.

4 UNIDENTIFIED FEMALE: You can have my six
5 minutes.

6 MR. RIEHL: In conclusion, I would just ask MDE
7 on behalf of the 5,000 residents of Two Rivers that it's
8 obvious that this landfill will create a nuisance and be
9 hazardous to the public. If you take the action to deny
10 this permit, it will undoubtedly be appealed to the
11 courts. But hopefully the courts will uphold your
12 decision and this 35-year long nightmare that has plagued
13 the residents of Odenton, Anne Arundel County, and
14 consumed countless hours of your staff, will finally come
15 to an end. Thank you.

16 (Applause.)

17 MR. GRENZER: Thank you, Mr. Riehl. Mr. Riehl
18 made a very good point. His comments are all submitted
19 as written comments to the Department, which helps us to
20 review those comments. And also if you don't feel as
21 though you had enough time tonight to make all of your

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1 comments heard, we encourage you to please submit those
2 comments to us so that there is no comment that is left
3 unresponded to by MDE.

4 Next I have Mr. Greulich, Kris Greulich.

5 MS. GREULICH: Miss.

6 MR. GRENZER: I'm sorry, Ms. Gruich. I
7 apologize.

8 MS. GREULICH: This might be a challenge. Can
9 you hear me all right?

10 GROUP: Yes.

11 MS. GREULICH: All right. This is a very
12 responsive audience. I have my written remarks. I'm
13 going to read from them. I'm not as adept as some other
14 speakers tonight.

15 So, you know, I'm Christina Greulich, and I
16 live in Two Rivers. I just want to take a moment, what
17 my story is. My husband and I moved to Odenton to Two
18 Rivers last summer to be close to our son's family. We
19 moved from the midwest. We like this area very much,
20 with beautiful wetlands and rolling hills and forests.
21 Imagine our shock to learn that a rubble landfill was

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1 planned right next door to our Two Rivers community. It
2 was shock and disbelief. I think you share this.

3 And I've been an environmentalist my whole
4 life; was involved with the first Earth Day in 1970.
5 Tonight, I just want to share some facts about what will
6 happen to our water and air and our Odenton community if
7 this landfill moves ahead.

8 And you know that the Two Rivers community gets
9 its name from the two Patuxent rivers. So we're nestled
10 between these two feeders into the Chesapeake.
11 Everything will be impacted if there's contaminated
12 water.

13 So, MDE, I just want to ask that you do have
14 the authority and responsibility to protect our water
15 resources and the environmental health of our citizens,
16 as per your mission statement. You can and should take a
17 stand to protect the public from potentially unhealthy,
18 unsafe, and hazardous circumstances, as Mr. Riehl has
19 just outlined that as well, before they occur so we don't
20 have an expensive cleanup and have to endure poor living
21 conditions when we can't have clean water or we have

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1 other issues. So I'm asking to please deny the permit
2 and protect the public good.

3 The primary deficiency in this plan is that the
4 landfill is very poorly sited. It's sited within close
5 proximity of two historical communities and is
6 immediately next to Two Rivers, as you-all know, a large
7 residential development of 5,000.

8 The 114-acre landfill will be a busy industrial
9 operation, with on average 80 to 100 hauling trucks
10 arriving daily, day-in, day-out, all year, for 12 years.
11 The proximity of such an industrial operation creates
12 several potential and inevitable problems for our
13 communities. Here are just six of the most serious
14 impacts very briefly. The water. Any landfill will leak
15 eventually and can taint the water source for residents,
16 especially who depend on the well water.

17 In addition, as the landfill is on top of an
18 aquifer that provides drinking water to nearby
19 communities like Gambrills, Millersville, and Crofton, if
20 the landfill liners fail -- and they will fail at some
21 point -- aquifers will be contaminated and communities

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1 will lose their source of water for daily living.

2 About the air, there is concern that about 30
3 percent of the landfill materials required are required
4 to be recycled, including concrete, and there will be a
5 release of cement and other hazardous particulates from
6 the concrete crushing operations.

7 On safety, of course we know about the
8 estimates of daily rubble trucks coming in; again, I'll
9 say average 100 a day. And this means on average 10
10 trucks an hour on our narrow two-lane roads. How will
11 children, walkers, bicyclists, safely cross the road,
12 especially children going to the new West County
13 Elementary School?

14 Gridlock, we know about gridlock. The steady
15 -- I know we're not supposed to talk about trucks, but
16 this comes with this. And as these roads are our only
17 egress for emergency vehicles, gridlock could create a
18 life-threatening delay if an ambulance can't get through.

19 Nuisance, lots of nuisance, but I will just add
20 again the trucks themselves will create noise pollution,
21 exhaust and toxic particulates with such traffic.

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1 Finally, quality of life. People in our
2 communities have lived here for generations or have moved
3 more recently, and we all value the quality of what this
4 area has. It's fresh air and water, natural beauty,
5 peace, safety. If we had a choice, I imagine we would
6 all prefer to see the landfill remain as green space.

7 But the over 5,000 residents who live next to
8 this landfill stand to lose a great deal, and we will
9 lose our health and our general well-being, and if we
10 lose the clean water and the air, peace and safety, in
11 our community due to the corrosive daily impact of this
12 industrial landfill operation. So I urge the MDE to
13 weigh heavily the drastic and damaging impacts of the
14 landfill on our communities as you make your decision on
15 this permit. Thank you very much.

16 (Applause.)

17 MR. GRENZER: Thank you. I will remind
18 speakers, I really would ask you to -- after you're done
19 speaking your comments, if you'd visit Ms. Willoughby in
20 the back just so she has your appropriate information,
21 and if you'd like a transcript sent to you after it's

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1 finalized, MDE can do that.

2 Next up, Dr. Richard Talbot.

3 DR. TALBOT: This landfill is being designed to
4 meet the special exception, the variance, and the Bill
5 12-93. I'd like to know what the variance means to you,
6 Mr. Stratman? What is this variance that you're
7 designing for?

8 MR. GRENZER: So, I mean, this is comments for
9 the record. We can certainly send your comments -- these
10 comments to the applicant and the applicant can respond.
11 But tonight is really --

12 DR. TALBOT: I'm here to ask --

13 MR. GRENZER: -- a venue in order to ask -- or
14 submit comments for the record that the Department will
15 respond to when the applicant responds to the Department.
16 This isn't an open forum.

17 DR. TALBOT: I have prepared a 30-page report
18 on the incomplete design and everything else. I'm an
19 engineer -- Ph.D environmental engineer with landfill
20 experience, and I reviewed for the last three years over
21 3,000 pages of the phase 2 and phase 3 reports.

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1 And I'm sort of curious how -- as you put it up
2 earlier, Mr. Stratman -- the early design that was
3 submitted by your firm for the landfill was 44-feet
4 higher than the 30-feet required by the permit -- by the
5 county permit that they gave you, the special exception,
6 that is. Why was -- how did it get that high? It's
7 beyond my mind that it could get that high when the
8 permit says that it has to be 30-feet high.

9 Can you answer that question for me? Your
10 office changed the height after the county put it out to
11 your office that there may be a problem with the height.
12 The previous firms that have designed this -- because
13 right now there's been five engineering firms involved in
14 this project since 1990, and two of the firms had the
15 correct height of 30-feet. How did it get changed by
16 your firm to 74-feet high? Do you have an answer for
17 that?

18 I'm sorry, I can't hear you.

19 MR. STRATMAN: Actually, the landfill was cut
20 down to 30-feet over the highest point on the property,
21 and that is -- that was one of the major changes that was

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1 made in the submission that was provided in July of 2021.

2 DR. TALBOT: Yes, but you remember I just
3 commented and said that in 1990 the engineering firm
4 involved at that time submitted a design that had a 30-
5 foot height of the landfill. And in 2005, Century
6 Engineering also submitted a design that had a landfill
7 with a height of 30-feet. Your firm submitted a height
8 that was 74-feet in the July 2020 report. Why did it get
9 redesigned to a height that did not comply with the
10 requirements of the special exception? You're the
11 engineer of record back then and now, so I'm wondering
12 why was it designed so high?

13 MR. STRATMAN: Actually, I was not the engineer
14 of record on the 2020 submission. I did do the re-
15 design, and, like I said, cutting down the landfill
16 height to the 30-foot criteria was one of the major
17 modifications that was made. So that was made in
18 response to the comment that I believe came from the
19 county. And the 30-foot is -- it now meets the 30-foot
20 design relative to the topographic height of the
21 property.

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1 DR. TALBOT: In the report -- and even in the
2 report that you issued yourself, there was the phrase
3 that the owner anticipated 2,000-some odd tons per day of
4 rubble. Is that why it got that high, because the owner
5 anticipated that amount of rubble per day? When your
6 design was done -- your company's design -- it would rise
7 74-feet high rather than the 30-feet allowed.

8 MR. STRATMAN: The daily volume tonnage is
9 actually based on what the air space is spread out over
10 the 12-year period. That is dictated by the county for
11 the window of operation. So that's how that number was
12 calculated.

13 DR. TALBOT: Well, tell me again, I didn't hear
14 your comment. What does the variance meant that's part
15 of the -- that was issued during the time of the special
16 exception? What does that variance mean to you as it
17 relates to the landfill design?

18 MR. STRATMAN: It sounds like we're going
19 around on the same question.

20 DR. TALBOT: No, it's not. The variance is
21 something different.

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1 MR. STRATMAN: As far as the variance goes, the
2 landfill is designed to be 30-feet above the --

3 DR. TALBOT: That's not the variance I'm
4 talking about. The landfill is issued a variance in 1993
5 by the Board of Appeals, and that variance dictated how
6 the rubble was to be placed in the zone between 240-feet
7 per person tonnage to 1,000 feet. What does that
8 variance say?

9 MR. STRATMAN: I'll have to look that up and --

10 DR. TALBOT: You're the engineer of record who
11 designed the system, and you're telling me you have to
12 look that up?

13 MR. GRENZER: Thank you, Mr. -- thank you, Dr.
14 Talbot. Your time has been exceeded. I appreciate your
15 comments.

16 DR. TALBOT: Yes, but we'll do it in writing
17 because I raised over -- I think it's 100 issues now
18 related to all of this. Have fun with it.

19 (Applause.)

20 MR. GRENZER: Next on the list, I have Ms.
21 Stephanie Spring Jones. Again, if you want to confirm

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1 your name and personal information with Ms. Willoughby,
2 that'd be wonderful, at the back after you speak.

3 MS. JONES: Good evening. Thank you for having
4 us all here today. My name is Stephanie Spring Jones,
5 and I am a resident of Two Rivers. My husband and I
6 moved to Two Rivers to settle down and start our family.
7 I'm now 19 weeks pregnant with our first child --

8 (Applause.)

9 MS. JONES: -- and I'm really concerned about
10 the health and safety of my child if this landfill were
11 to be built. One of my concerns is the potential
12 entrance to the landfill where the new West County
13 Elementary School -- the West County Elementary School is
14 currently being built.

15 In the National Waste Manager's phase three
16 plan, the property, or the "assumed entrance" is where
17 the elementary school is being built. Will my child and
18 other children of the community be going to school with
19 large dump trucks constantly passing by? This doesn't
20 seem like a safe environment for children.

21 The other alternate entrances that have been

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1 included in the phase 3 plan is Patuxent Road and the
2 west end of Conway Road. Patuxent Road can't be used
3 since the entrance is excluded in the draft refuse
4 disposal permit. The other alternative entrance is the
5 west end of Conway Road. If you have driven down that
6 road, you instantly realize that it cannot support the
7 high volume of semi trucks. This is why the Anne Arundel
8 County Board of Appeals did not approve an entrance at
9 the west end of Conway Road when they conducted 16 public
10 hearings between 1990 and 1993. So how can MDE approve a
11 permit when the developer does not have an approved
12 entrance to the landfill site?

13 (Applause.)

14 MS. JONES: I am very angry that this project
15 keeps going on. My husband and I weren't even born when
16 Halle submitted --

17 (Applause.)

18 MS. JONES: -- the paperwork to build this
19 landfill. How many generations will pass until the final
20 nail is put in the coffin? It's time to end this.

21 (Applause.)

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1 MR. GRENZER: Thank you for your testimony, Ms.
2 Spring Jones.

3 Ms. Judy Wagner is the next on top.

4 MS. WAGNER: Well, my name is Judy Wagner and I
5 live in Two Rivers, and I am a member of the landfill
6 opposition committee, as all of the folks who've talked
7 today. And I moved in in 2020 -- yes, summer of 2020.

8 The 17-page draft permit which incorporates the
9 applicant's 1,900-page application in January 2022 that
10 was a phase 3 application for the construction and the
11 operation of the landfill -- that's 1,900 pages -- is
12 heavy on "shalls" and "shall nots," as in, "the area used
13 for burial of asbestos shall be restricted to ...", or,
14 "every effort shall be made to prevent litter from being
15 blown out of the vehicles," and so on throughout the two
16 documents; the documents being the 1,900 page phase 3
17 plan and the draft permit, which is 17 pages.

18 Regardless of all of that, no rubble landfill
19 placed immediately adjacent to a large residential
20 community and sharing a single country road for access
21 could ever assure our safety and health.

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1 Though I wish the Department had the courage to
2 deny this permit, and I'm convinced that it doesn't take
3 a professional landfill engineer to know how dangerous it
4 is, my comments here are focused on what can and must be
5 done to this permit assuming that MDE is determined and
6 hell-bent on issuing it to give us the best hope of
7 avoiding catastrophic environmental consequences in the
8 future.

9 So my concerns boil down to three words:
10 oversight, enforcement, and accountability. All of the
11 requirements in all of those pages mean nothing if
12 compliance is not continuously monitored and enforced by
13 qualified independent experts who are accountable not to
14 the landfill owner or operator but to the State of
15 Maryland and to Anne Arundel County.

16 A prime example is in part 4F of the 17-page
17 draft permit where it says, "The permittee shall inspect
18 all incoming loads of solid waste material and shall
19 immediately, within two hours, report to the Department
20 all incidents of discovery of any unacceptable hazardous
21 waste materials."

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1 Now, these are wonderful demands on a for-
2 profit company whose actions will be completely hidden
3 from public view by tall fences and guards for its entire
4 life and beyond. Employees of the landfill owner, no
5 matter how many are hired by the owner, are simply
6 unacceptable monitors of incoming trash, not to mention
7 any of the other operations laid out in the 55 and more
8 single-spaced pages in volume two of the application. So
9 that's 55 pages I read single-spaced over this last
10 weekend.

11 (Applause.)

12 MS. WAGNER: And I actually read it, I can't
13 believe myself. Given its close proximity to so many
14 homes, we cannot have business as usual. We cannot have
15 the fox guarding the chicken coop. So I ask MDE,
16 assuming that they're going to issue this permit, to add
17 a new requirement in part 2 of the permit that would
18 require the landfill owner to contract with a completely
19 independent professional landfill engineering company,
20 not any company involved in the construction or operation
21 of any of the components, and subject to the approval by

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1 MDE to monitor and report on all the operational
2 requirements laid out in the draft and in section 12,
3 volume 2, of the applicant's submission. That's the 55
4 pages.

5 Most important, the landfill engineering firm
6 should hire and supervise the technicians who would
7 inspect all incoming trash, and the landfill owner should
8 pay for this above and beyond the number of staff they
9 have proposed for operation, which itself is
10 embarrassingly few.

11 I'm submitting the formal language for this
12 requirement in my written remarks, but if MDE adds this
13 provision for oversight by a professional engineering
14 firm, paid for by the operator but accountable to the
15 State, you'll at least be protecting someone, the
16 physical health of the state and county. Because the
17 bond that the landfill owner must post to cover any
18 catastrophe appears to be about \$4 million as required by
19 Maryland law. This amount is laughably low considering
20 the kinds of remedial actions that might be required to
21 repair damage from events such as leakage of toxic

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1 materials into ground water. I'd like to believe that
2 such events are unimaginable, but I think we are all
3 facing the fact that they're completely imaginable.

4 So if you insist on approving this permit, MDE,
5 please do your very best to protect us from allowing the
6 fox to guard the chicken house. And I have the specific
7 language for an additional requirement for part 2 --

8 MR. GRENZER: Thank you. We can accept it
9 tonight if you'd like, or you can submit it officially
10 through the mail to our department as well.

11 MS. WAGNER: Okay.

12 MR. GRENZER: Either way you choose. I can
13 accept it tonight if you wish, if you have everything.

14 MS. WAGNER: Okay.

15 MR. GRENZER: Thank you, Ms. Wagner.

16 (Applause.)

17 MR. GRENZER: Ms. Liz Flood.

18 MS. FLOOD: Hello. Can everybody hear me?

19 GROUP: Yes.

20 UNIDENTIFIED FEMALE: A little louder.

21 MS. FLOOD: Hello? Okay. My name is Elizabeth

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1 Flood. I live in Two Rivers. I am a member of the Two
2 Rivers landfill opposition committee.

3 I wish to express my objection to the permit
4 approval of the proposed National Waste Management
5 landfill development adjacent to densely populated
6 residential areas and West Elementary School.

7 The reluctance of elected and appointed
8 government officials to allow the development of this
9 landfill for over 30 years evidences an understanding of
10 the dangers and historic problematic issues surrounding
11 its approval.

12 (Phone ringing.)

13 MS. FLOOD: That was nice. I was a public
14 commuter railroad and land development attorney in
15 Illinois for over 30 years. During that time, I
16 encountered numerous environmentally hazardous conditions
17 that caused extremely costly construction delays and
18 cleanup at great public expense.

19 Given the potential for ground water and
20 aquifer contamination, the cost of the landfill cleanup
21 would be prohibitive and inevitably require public

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1 dollars if the landfill operator is shut down.

2 I encourage the MDE under the new state
3 administration to seriously consider refusing to issue
4 the permit based on the potentially hazardous impact on
5 the numerous residential communities surrounding and
6 adjacent to the landfill. Any one of the following
7 reasons should be grounds for denying the landfill permit
8 application: One, the permeable area surrounding the
9 landfill has been greatly decreased as a result of
10 extensive residential development, potentially causing
11 migrating runoff contamination from the landfill which
12 will compromise the ability to preserve the natural water
13 filtration the wetlands provide.

14 Two, emissions. The landfill will emit odors,
15 particulates, including asbestos particulates, debris,
16 and noise. The dump trucks will emit diesel fumes, more
17 noise, and scatter debris along the access roads; Conway
18 Road. This is a narrow scenic road that is not designed
19 to handle the stresses of industrial traffic. Current
20 truck traffic frequently damages existing light poles
21 along the narrow road, which has already been mentioned.

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1 An estimated 300 to 500 -- these are real numbers --
2 large dump trucks will drive along Conway Road to and
3 from the landfill each work day. This will cause
4 dangerous gridlock on Conway and the feeder roads.

5 Four, elementary school. The dump trucks will
6 pass directly by the new West Elementary School on Conway
7 Road and present a safety hazard to the young students.
8 As an aside, as a railroad attorney, I witnessed several
9 circumstances where -- and I hate to say, it was just
10 heartbreaking -- where children were hit by railroads
11 that couldn't stop in time, by cars that couldn't stop in
12 time, because they were rushing across the railroad
13 tracks or street to say hello to their parents that were
14 returning home from work.

15 At minimum, the MDE and the Army Corps should
16 be requiring an independent environmental impact study
17 based on current conditions to assess the potential
18 impact of the landfill. How can the landfill's impact be
19 determined without a current study? Anne Arundel
20 County's prohibition of any more landfill development in
21 the county is evidence of the hazardous nature of

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1 landfills. The purpose of environmental laws and
2 regulations is to protect the public from potentially
3 hazardous circumstances before they occur. The purpose
4 of the MDE is to enforce those laws and protect the
5 public from these hazardous conditions.

6 In Two Rivers and the surrounding areas, the
7 safety of thousands of voting residents outweighs the
8 desire of one landfill developer.

9 (Applause.)

10 MS. FLOOD: For the sake of the children,
11 residents, and the environmental viability of Anne
12 Arundel County, I strongly implore that the MDE take this
13 opportunity to deny the permit for the proposed landfill
14 project. Thank you for the opportunity to voice my
15 opposition.

16 (Applause.)

17 MR. GRENZER: Thank you, Ms. Flood. Mr.
18 Ralinski or Radlinski (pronouncing)?

19 MR. RADLINSKI: Good evening. My name is Bill
20 Radlinski, and my wife, Ronna Lodato, and I live in the
21 Two Rivers community. We are strongly opposed to this

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1 planned rubble landfill.

2 You have heard, or will hear, the specific
3 concerns and fears of this audience based on the
4 environmental degradation, landfill design, truck traffic
5 congestion, and their own personal and family safety.
6 Please heed these concerns; they are real.

7 My viewpoint will be on a more broader scope.
8 Everything evolves over time. The longer the time span,
9 the more change occurs. Children and grandchildren grow
10 and change. Your job in big or small ways changes. You
11 are no longer a champion tennis player, nor can you still
12 run a four-minute mile. Everything evolves over time.

13 In the past seven to eight years, a new
14 community of more than 2,000 homes with at least 4,000 to
15 5,000 people has been established at Two Rivers. The
16 proposed rubble landfill would be adjacent to this
17 community. I spent 30 years working for the State of
18 Illinois EPA. I understand at times government works
19 better than at other times. The saga of this proposed
20 landfill is a striking example of the inability of
21 government at the state and federal level to understand

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1 and cope with change.

2 (Applause.)

3 MR. RADLINSKI: Perhaps they are bound by
4 certain policies, written regulations, or legal concepts.
5 But there is apparently no flexibility to alter decisions
6 when circumstances change. It must be asked, what has
7 prevented state and federal authorities from recognizing
8 and accounting for the changes that have occurred over
9 the past 30 years? What was once an acceptable land use
10 is obviously no longer so given the establishment --

11 (Applause.)

12 MR. RADLINSKI: -- given the establishment of
13 the Two Rivers residential community, including a new
14 elementary school. It takes only common sense --

15 UNIDENTIFIED FEMALE: Amen.

16 MR. RADLINSKI: -- which apparently is not so
17 common, to understand that it's absolutely absurd to
18 permit this landfill that would be adjacent to these
19 recent changes, yet at the state level MDE continues to
20 plow along with its head down.

21 At the federal level, in my opinion the U.S.

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1 Army Corps of Engineers has failed in its responsibility
2 to protect various water-related resources. You must
3 understand that a permit from the Corps is needed for
4 this project to go forward. The Corps issued its
5 original permit over 30 years ago. Yet before issuing
6 its recent time extensions to its original permit, the
7 Corps apparently did not consider impending climate
8 change, which is now on the horizon, gave no indication
9 of any field visits to see if any land use changes
10 occurred, and neglected to seek any public input.

11 The Corps appeared to have no idea of the
12 changes that have occurred over the last several years.
13 Unfortunately, it's this kind of action and decision-
14 making that causes people to question the usefulness and
15 effectiveness of government.

16 Is government looking at the big picture? Is
17 it competent? Does government still work for the public?
18 MDE operates under the Governor's authority. We have a
19 new administration. Therefore, I'm requesting that the
20 Governor's office review this permit action with MDE,
21 and, if necessary, to use the Governor's authority under

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1 Maryland law and under the Army Corps of Engineers Code
2 of Federal Regulations, which happen to be 33 CFR 325.8,
3 to stop the issuance of any permit for this rubble
4 landfill.

5 It's a land use that poses health and physical
6 dangers to the Two Rivers community and degradation to
7 the surrounding environment. Should you have similar
8 concerns, I would encourage you to contact Fagan Harris,
9 who is the new chief of staff for the Governor's office,
10 and express your concerns to him.

11 Thank you for this opportunity to give this
12 statement.

13 (Applause.)

14 MR. GRENZER: Thank you for your comments, Mr.
15 Radlinski.

16 Ms. Jeanne Hein (ph)? Jeanne Hein?

17 (No response.)

18 MR. GRENZER: Is Ms. Hein here?

19 (No response.)

20 MR. GRENZER: Okay. She may have had to leave.
21 I will come back there if time permits.

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1 Ms. Erin Coates Routzahn?

2 (Applause.)

3 MS. ROUTZAHN: You said it right. Can you hear
4 me?

5 GROUP: Yeah.

6 MS. ROUTZAHN: Okay. Thank you. I want to
7 apologize in advance. I am an accountant. I am an
8 assistant controller for a company that is in real estate
9 development accounting, and I've been there for 16 years.
10 So while I don't participate in land deals, I see them
11 after they happen. I'm usually like, hey, we spent \$30
12 million yesterday; did we buy a piece of land we've been
13 looking at? So I do see some of those things. But I
14 like numbers in Excel; I don't like words too much.

15 So my name is Erin Elizabeth Coates. My maiden
16 name is Routzahn. And for those of you who have been in
17 this deal for a long time, you may remember Ruth
18 Routzahn; that's my grandmother. I live at 1130 Bragers
19 Road. It's directly adjacent to the subject property.
20 We have lived and continuously occupied this property for
21 well over 80 years. That's just when she arrived. My

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1 grandfather was already there. And we will likely be the
2 most directly impacted residents of this project. We
3 share a border with them. And our well is right on the
4 side over there.

5 So I have two documents here. They're already
6 part of the public record, so I'm not going to read too
7 much about them. Everyone's already touched on quite a
8 bit of that. So one of them is from May of 2017 when I
9 appeared before the county and spoke about this project
10 and how it would affect us. And a few weeks after that
11 meeting I was in the garage looking for something else,
12 and I happened upon these documents. And these are from
13 October of 1997, and this is written by my grandmother
14 for the same exact body, for the same exact reason.

15 (Applause.)

16 MS. ROUTZAHN: And I was not aware of that
17 letter when I wrote mine, but it was kind of poignant for
18 me because it was very remarkably similar to what I had
19 independently written, even though it's been quite a few
20 years since then. I'll be 40 this year. So we're
21 continuing the same battle.

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1 But the main difference from hers was I'm not
2 so bothered by the dirt bikers. She was really bothered
3 by that, the ones in Yellow Gate (ph). It didn't bother
4 me so much. But everything else was pretty much the
5 same. And I wasn't aware of the existence of her letter
6 when I wrote mine. So that was kind of meaningful to me.

7 Everything that was in 2017 and as well as the
8 early '90s are the same issues that we have today. And
9 they're, in fact, more valid today because there are
10 many, many more little people like us at risk.

11 I also have another set of documents in my
12 possession, and they are not part of the public record.
13 So last Friday I went back in the garage to go get this
14 so I could have her letter along with mine, and what I
15 found was this. So these are her personal records. Just
16 before I go any further, these are my comments. I did
17 not tell my father that I found them. I did not tell
18 them that I would be here today. I do not actually own
19 the property. He's my father, he owns it. He can't be
20 here. But I didn't get his permission to say anything
21 I'm going to say. So if I have any issues, I'm the one

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1 saying it.

2 We know who we're dealing with here. When they
3 can't get their way by dealing with the directly impacted
4 people, they use lawyers, they use judges, they use
5 political contributions, to try to force their will on
6 people that were not willing to accept it.

7 (Applause.)

8 MS. ROUTZAHN: My grandmother liked words. If
9 you remember Ruth, she was very chatty. But she also
10 worked for what is basically the Department of Freedom of
11 Information, so she kept very meticulous records. So
12 here I have -- I'm not going to say everything in it
13 because it is personal family information, and some of it
14 is, in fact, a little bit embarrassing in this context.

15 Because these are her personal notes
16 documenting the multiple meetings, conversations, and
17 discussing with her lawyers and Halle representatives
18 after they approached her in 1991 for a potential sale or
19 lease of our farm for this project. There are many
20 details, including what it was going to cost her
21 directly, and our family and how it was going to affect

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1 us. The home that I grew up in would have had to have
2 been relocated so that it wouldn't be immediately next to
3 the hundreds of dump trucks. A tobacco barn that was
4 really cool, it was huge -- I was not allowed in it too
5 much as it got older, but it also had my mother's horses
6 and my pony, and we had a root cellar and a pasture. All
7 of those would have to be relocated or razed and
8 replaced. And there was also conversations, of course,
9 about how the quality of life would be changed.

10 I was nine, my brother was four, and my sister
11 was 11 at this time. And part of that conversation was
12 they would have to move the house because it would not be
13 suitable to be so close to all those trucks every day.
14 So when -- what her notes indicate -- and I won't go over
15 all of them because, again, they were meticulous,
16 voluminous -- what they indicate, though, it kind of
17 tells us about who we're dealing with as the applicant.
18 I think that matters, who is the other side of this.

19 So they indicated -- they approached her. They
20 came to her house. They sent people to talk to her. And
21 they said that she should get estimates of what it would

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1 cost to build or move the house. They said -- the notes
2 indicate Halle would not -- and she underlined that, he
3 would not make any financial offer on the easement, but
4 that I, Ruth, should determine the acreage involved and
5 what I wanted for them involved money-wise. This theme
6 continues throughout the notes. They would not provide a
7 price, and they said after she went through all the hoops
8 of having lawyers and appraisals and giving them very
9 reasonable offers, they said, oh, that's too expensive;
10 I'm not going to pay that.

11 I won't go into the details, but she said she
12 -- basically she was willing to take a reasonable offer.
13 And this was before the thousands of people moved in next
14 door. There would be a couple -- a handful of people
15 affected. They were not willing to pay \$3,000 an acre
16 for a lease. They were not willing to pay less than \$2
17 million for a 20-acre property that was fully developed
18 with houses that has been in our family for over 100
19 years.

20 So in January of 1992, she called them back and
21 he said -- Mr. Vanoy (ph), who was a representative of

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1 Mr. Halle. He said, it sounds like it's getting a little
2 expensive for us; do you expect us to pay to build the
3 other house? I mean, why wouldn't you? You are -- you
4 want to -- we don't have to sell what you want to buy,
5 and if we came to an agreement, why would the property
6 owner have to incur the cost instead of the billionaire?
7 You're a builder, are you not? You could have built it
8 for us at cost and she wouldn't have had to pay the
9 profit.

10 But I have to stop here and point out it's not
11 expensive for them. Mr. Halle has been literally
12 flipping yachts in the \$50 to \$60 million range for this
13 past decade. And I don't know about you, but if that's a
14 hobby you can get into, you're probably doing well
15 financially.

16 The cost of disrupting the lives of the
17 community to put in your multi-billion dollar project in
18 place is a very real and very necessary part of the cost
19 of doing business, and it's what reputable businesses do.
20 I see it every day at work.

21 Those who are losing their quality of life,

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1 their property values diminished, their families marred
2 by dust, noise, the risk of hundreds of dump trucks a day
3 passing through their peaceful property where their
4 children live, whose wells will forever become
5 untrustworthy and for those who will ultimately be at
6 risk when -- and I said when, not if -- there is a leak
7 or environmental issue, at the very least those are the
8 people that should be compensated.

9 MR. GRENZER: Ms. Coates, your time is expired.
10 (Chatter.)

11 MS. ROUTZAHN: It's part of the cost of doing
12 business that are not willing to pay, and if they weren't
13 willing to pay it 30 years ago when it was cheap, they're
14 not going to pay it after an incident occurs.

15 (Applause.)

16 MR. GRENZER: Thank you, Ms. Coates. If you
17 have any additional comments, I'm willing to accept them
18 on the record as well. You can email or mail them to us.

19 UNIDENTIFIED MALE: I want to hear more.

20 (Applause.)

21 MR. GRENZER: We're trying to give -- we're

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1 trying to allow everyone to have equal time that wishes
2 to speak.

3 Next on our docket is Ms. Jane Allgair. Am I
4 saying that right? Alair, Allgair?

5 MS. ALLGAIR: Allgair (pronouncing).

6 MR. GRENZER: Allgair, sorry.

7 MS. ALLGAIR: Hello, neighbors. My name is
8 Jane Allgair, and I live in Two Rivers. And my
9 husband --

10 UNIDENTIFIED FEMALE: Microphone.

11 MS. ALLGAIR: Really? Never had that before.
12 I live in Two Rivers. Sorry. I live in Two Rivers, and
13 we just moved here last summer. And I echo the
14 sentiments of everyone that's gotten up here to speak,
15 except for the person that said when this thing is passed
16 by MDE. I don't agree with that.

17 The only -- I'm going to be short. The only
18 thing that I want to add is nobody has mentioned the
19 Washington-Baltimore and Annapolis Trail that is new in
20 our neighborhood. The state is spending -- you know,
21 right now that is closed. The state is spending \$18.7

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1 million, I think is the little board that's up there on
2 making sure that the trail that is on the north side of
3 Conway connects to the south side of Conway. And I
4 cannot even imagine -- forget the school -- like, don't
5 forget the school, but, you know, there's a school,
6 there's the neighbors, there's, you know, traffic coming
7 in and out of both sections of the neighborhood right
8 there where Two Rivers meets. You know, you've got left-
9 hand turns, right-hand turns, and then you go further
10 down the street before you even get to the neighborhood
11 that is directly adjacent to this landfill -- and I'm not
12 going to call it a rubble landfill because once you
13 mention asbestos, I'm out. I've already moved once
14 because I lived near a landfill in Ellicott City, but we
15 won't -- we won't go there.

16 But you have to -- those trucks would be
17 passing through -- through the WB&A Trail. So one of the
18 things when I walked in here today -- happy to be here --
19 I noticed that on one of the boards you have out there,
20 that I think MDE had out there, phase one, preliminary
21 information, the application is submitted to MDE; MDE

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1 sends to 12 other agencies for joint review. The very
2 next bullet point says, the application is reviewed for
3 major issues such as appropriateness of location. It's
4 not appropriate.

5 (Applause.)

6 MS. ALLGAIR: I don't have little kids anymore.
7 When this started in 1988, I was still in college. I
8 graduated, I got married, I have three kids. My kids are
9 out on their own. And this is still going on? This is
10 government at its worst. I'm sorry.

11 (Applause.)

12 MS. ALLGAIR: If I had a drone -- and I tried
13 to find it, but we moved six months ago, I still can't
14 find it -- I would have taken a picture of the -- of the
15 neighborhood and the road and how it winds through next
16 to the school, next to the entrance to our development,
17 and up through the WB&A Trail. I -- go look. Go take a
18 drive. It's right over there. I think you'd see that
19 this doesn't work.

20 Even if you widen the road, which I can't see
21 how you'd be able to do that, I don't see how this will

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1 work. Can we please stop the madness? We want to just
2 live in peace in our neighborhood -- our brand new
3 neighborhood.

4 (Applause.)

5 MS. ALLGAIR: One thing.

6 MR. GRENZER: You still have time.

7 MS. ALLGAIR: You know -- is it on? Yes. We
8 had two representatives here from Anne Arundel County.
9 Where the hell are you now?

10 UNIDENTIFIED FEMALE: They left.

11 MS. ALLGAIR: Yeah. You left. Don't leave.
12 We need you now. They're the ones who passed this thing
13 and let it go to this point. Thank you for the time for,
14 you know, discussing what this means. I have a better
15 understanding. But it doesn't make me feel any better.
16 Thank you.

17 (Applause.)

18 MR. GRENZER: So Ms. Deborah McKean, who had
19 said you may want to speak, do you --

20 MS. MCKEAN: Yep.

21 MR. GRENZER: Okay.

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1 MS. MCKEAN: I won't be talking very long. My
2 name is Dr. Deborah McKean. I also live in the Two
3 Rivers community. I'm a toxicologist, retired from a
4 long career of responding to environmental emergencies
5 and cleaning up hazardous waste sites. I'm speaking to
6 you tonight from my many years of experience dealing with
7 foolhardy mistakes made by those who have permitted false
8 bias and greed to cloud their vision.

9 I do not have words to describe my disgust with
10 the plan for a landfill placement in a wetland area,
11 hydraulically communicating with a wildlife preserve, a
12 residential community, and a river that traverses
13 multiple environmental sanctuaries.

14 (Applause.)

15 MS. MCKEAN: Because of what I've seen,
16 although this plan includes engineering controls to
17 prohibit waste migration, you cannot convince me that
18 those controls will function into perpetuity. When the
19 modern instruments prove faulty, or the company no longer
20 exists, or they just choose to abandon the site, the cost
21 and responsibility for this waste will fall on the people

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1 of Maryland. But it will be too late because the damage
2 will already have begun.

3 There may be claims of safety of these building
4 materials intended for deposit at this site, but I have
5 spent years cleaning up building materials such as
6 vermiculite insulation, old ceiling and floor tiles,
7 shingles contaminated with asbestos, creosote-soaked
8 wood, heavy metal-laden rockwall, lead-based paint,
9 gutter linings and piping, arsenic-infused wood products,
10 P&H contaminated asphalt, and PCB-tainted caulking. And
11 that's just my short list.

12 I've also spent too much time consoling
13 communities, fearing for their very health because of the
14 false promises of safety and security voiced by those
15 whose priorities are not with them, but with their own
16 fortunes.

17 I thought that with my retirement I had left
18 that all behind, yet here I am tonight in this all too
19 familiar territory. I implore the decision-makers that
20 can hear me, and the rest of us, to think long and hard
21 about what I've said before making decisions that will

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1 impact the current and future health and welfare of my
2 neighbors and my family.

3 (Applause.)

4 MR. GRENZER: Thank you for your comments.

5 Reverend Dr. Frafi (pronouncing).

6 DR. FRAZIER: Frazier.

7 MR. GRENZER: Frazier, I'm sorry.

8 (Applause.)

9 DR. FRAZIER: Thank you for the opportunity to
10 give some remarks and just to express some things that
11 was really weighing down upon my heart.

12 In the beginning, you said that you wanted to
13 -- just to be more specific as to the environment
14 concerns in terms of this particular landfill. I'm going
15 to do that. There's three major things that have already
16 been spoken of and explored upon.

17 One of these is the truck traffic volume that's
18 going to be going through our community. And these
19 trucks will be spewing out exhaust that ordinarily would
20 not be -- we would have if it was not for this particular
21 type of landfill.

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1 The second issue that we have -- and I pastor a
2 church. I pastor the St. John's A.M.E. Zion Church,
3 right exactly where the trucks will be going into the
4 landfill.

5 (Applause.)

6 DR. FRAZIER: And I must say that in addition
7 to all of this, there's the issue of dirt and dust in the
8 air that we will all have to live with, die with, and
9 just be responsible for. And then there is also the
10 effect of the water and the water table that is going to
11 be taking place.

12 I have some other concerns, too, and this does
13 not have anything to do with the environment, but I just
14 want to say anyway -- I hope you-all excuse me -- but the
15 property values will decrease.

16 (Applause.)

17 DR. FRAZIER: The hard money that you paid for
18 your homes, the value will go down, and that puts you in
19 the -- it will be the lessening of the tax base for the
20 county. You-all claim to be the Maryland Department of
21 the Environment, but yet you still -- this Maryland

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1 Department of Environment is committing environmental
2 terrorism for us.

3 (Applause.)

4 DR. FRAZIER: I hope that you're listening to
5 me because although that you just might be looking at
6 papers and everything else, but I doubt if very few of
7 you have even been in our community to even look around.

8 (Applause.)

9 DR. FRAZIER: These folks, even the ones who
10 have just moved in here, they live here with us. They --
11 we see them day by day. But yet and still that does not
12 have any difference for you because Mr. Halle wants
13 his --

14 GROUP: Money.

15 DR. FRAZIER: He just wants a place where
16 people and other places can deposit their mess. And so
17 it is that the only one thing that I know where people
18 just deposit their mess is a toilet. You are okaying a
19 toilet in our community.

20 (Applause.)

21 MR. GRENZER: Thank you for your comments,

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1 Reverend.

2 Mr. and Mrs. Hinchey?

3 MS. HINCHEY: It's only me. Sorry, got my
4 earring caught. Well, the money the Halle family is
5 getting for this must be a lot. This has been going on
6 -- this has been going on since 1988, and they're still
7 putting -- we saw the engineers and all of what it's
8 going to take to do this. We can't even begin to imagine
9 how much money it's coming for them, but not for us. I
10 moved here in 1989, and I moved here because I love it.
11 I come from the Catskills of New York. And I know that
12 the only thing on Route 3 was the Crofton Town Center.
13 There was nothing here.

14 About, I think, mid-'90s it started to get
15 bigger. But as the developments came around here,
16 because it was great property, it grew. And one of the
17 things that I think is really interesting about this with
18 the MDE was they gave us this paper -- let me see if I
19 brought it up -- how they have to make sure they ensure
20 all the environmental things; you know, the water, the
21 land fowl, all these kind of things. But what they left

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1 out was the humans. It does not say that they need to
2 protect the humans. That's in that statement, that
3 single page they gave us.

4 (Applause.)

5 MS. HINCHEY: Look at it. It says what they
6 are supposed to protect. They left all that out.

7 And I'm really confused because the Maryland
8 Department of Environmental Protection is supposed to
9 protect us. Us, the people, in Maryland state. And I
10 don't see any protection coming this way. Preventive
11 actions, excuse me? Do they hear that? No, they haven't
12 heard anything.

13 And then we have this wonderful thing that no
14 one has said yet, the Route 3 intersection. Hello,
15 hello, hello. These big, big trucks, how many of them
16 will get to the light and then any other cars go through?
17 My speculation, since we all know the Route 3
18 intersection, maybe two of these horrendous trucks will
19 get through a light, and all this traffic will be backed
20 up to the Two Rivers entry. We will not get out. To put
21 that into a mind-set, what will those trucks be doing to

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1 the elementary school? How many kids will have to be
2 harmed by one of those big awful trucks, by something
3 falling off the back of their truck and hitting one of
4 these kids?

5 (Applause.)

6 MS. HINCHEY: This is not doable. And, I'm
7 sorry, our friend over there was very annoyed with me
8 because I'm very outspoken, but I'm sorry, I -- I don't
9 know how there's a conscience. Can he tell us how many
10 times he's been to our community, how many times he's
11 driven down Conway Road? Can you give us that
12 information, sir?

13 MR. DEXTER: To me or Mr. Grenzer?

14 No, you?

15 MR. GRENZER: Me?

16 MS. HINCHEY: The Maryland Department -- how
17 many times MDE has been to our community, our roads, with
18 the audacity to have -- to say that the -- that this area
19 hasn't changed since 1988.

20 (Applause.)

21 MS. HINCHEY: No way. We know our community.

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1 MR. GRENZER: That was not -- that was not the
2 determination of MDE.

3 MS. HINCHEY: But I'm asking you, you have to
4 -- you have to make a determination. Have you ever
5 visited our area?

6 MR. GRENZER: I was there this afternoon.

7 MS. HINCHEY: Oh, and you think it's okay to
8 put this landfill here because you'll be responsible for
9 that?

10 MR. GRENZER: Again, I did not make the
11 determination that it hasn't changed. Anne Arundel
12 County Board --

13 MS. HINCHEY: Well, I'm not talking about that.
14 I'm talking about you will be making a determination
15 whether this permit goes forward.

16 UNIDENTIFIED MALE: That's correct.

17 UNIDENTIFIED FEMALE: That's right.

18 MS. HINCHEY: So --

19 MR. GRENZER: We will. The Department will,
20 correct.

21 MS. HINCHEY: Yes. So visiting this area, you

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1 can honestly say it could possibly -- does anyone have
2 any common sense there? Because there is no way anyone
3 with common sense could say that this landfill should
4 have any consideration in this area at all.

5 (Applause.)

6 MS. HINCHEY: And we have how many times, those
7 of us that live in the community, hear the fire trucks
8 and the ambulances. Will they ever be able to reach
9 anyone on time when we have only one exit into Two
10 Rivers, and all the trucks that are going through right
11 now? These trucks added to it, and all the garbage
12 flowing off of it, let alone the asbestos and all the
13 toxins, listen to the doctors that spoke up here, the
14 Ph.Ds, that spoke up here, somewhere along the line they
15 need to have them work for them. Thank you.

16 (Applause.)

17 MR. GRENZER: Thank you, Ms. Hinchey.

18 MS. HINCHEY: Thank you.

19 MR. GRENZER: Ms. Peggy Farrell. Is Ms.
20 Farrell still here?

21 MS. FARRELL: Good evening. Can you hear me?

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1 GROUP: No.

2 MS. FARRELL: How about now?

3 GROUP: No.

4 MS. FARRELL: Is it working?

5 GROUP: No.

6 MS. FARRELL: I think the batteries might be
7 dead.

8 MR. GRENZER: Here.

9 MS. FARRELL: Okay, can you hear me now?

10 GROUP: Yeah.

11 MS. FARRELL: Okay. My name is Peggy Farrell.
12 I am a homeowner and live in Two Rivers, like many of us.
13 I'm also an environmental engineer and have just retired
14 after 45 years of cleaning up hazardous waste sites, also
15 landfills that failed, including liners that failed, and
16 ground water contamination and dealing with that, again,
17 for the majority of my career.

18 So I have looked at a lot of this, and I am
19 still going through a lot of it. In the phase one
20 preliminary information, you are requiring that
21 endangered species, wetlands, flood plains, and

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1 historical sites be evaluated in the phase one. When I
2 read the phase one from 1989, I did not see anything on
3 endangered species, anything on historical sites, which
4 we have a major historical site at the end of Conway, and
5 also flood plains. Right now, Potomac -- I mean,
6 Patuxent Road and Conway Road have had flooding issues,
7 especially Patuxent Road, which every year is closed down
8 because of flooding.

9 The landfill site is a watershed that allows
10 stormwater to accumulate in the wetlands areas. The sand
11 and gravel mining operations have left large pits which
12 are now ponds that are now defined under the new wetlands
13 regs as abandoned sand and gravel mining operations.
14 They are wetlands. Those are not currently mapped in
15 anything that I read.

16 The maps that are in the phase two and phase
17 three are outdated. It almost seemed like they
18 intentionally did not want to show the Two Rivers homes.
19 They used all their 2013, 2014 maps before the
20 residential area was built. They did not address the
21 number of families, the fact that if you look around

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1 earlier, the number of gray-haired people in here, the
2 55-plus community was not addressed; many are immune-
3 compromised. Did not address the school at all, even
4 though it was known before the final phase three was
5 done. And so a risk analysis that evaluates the health
6 and comfort of the people living around the landfill has
7 not been done.

8 I'm very concerned about the impact that the
9 landfill's going to have on flooding with the loss of the
10 watershed, and the fact that forever no longer will you
11 have pervious material that will allow the stormwater to
12 drain down into the aquifer. You're going to seal that
13 off by design, and the stormwater now is going to flow in
14 the Patuxent River and the Little Patuxent River. There
15 is data that was done that is outdated that was the flood
16 management study, and I will in my comments present data
17 showing you that it is seriously outdated on the amount
18 of water that is coming down the river. Think of
19 Ellicott City and the flooding that has occurred there
20 because of overdevelopment.

21 (Applause.)

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1 MS. FARRELL: And who would put a landfill that
2 allows asbestos and requires the workers to wear OSHA
3 protection, including respirators, downwind from that is
4 going to be an elementary school and a residential
5 neighborhood.

6 So you can say we will have protections. The
7 asbestos will be double-bagged, you know. But we all
8 know that the greatest protections fail. I worked many,
9 many sites where trucks have overturned, trucks have
10 leaked, things that were put in place failed.

11 The worse possible thing is that National Waste
12 Managers will be gone. I might be gone in 12 or 15
13 years; many of us might have retired or moved on. At
14 that point in time, who is going to forever monitor the
15 water collection from the leachate, the ground water, and
16 who is going to be responsible when the contamination
17 impacts the aquifer? There is no do-over once that
18 happens.

19 (Applause.)

20 MR. GRENZER: Thank you, Ms. Farrell, for your
21 comments.

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1 The Holmans? Holman? I hope I'm saying that
2 right. Dean or Jim Holman?

3 UNIDENTIFIED MALE: He's coming.

4 MR. GRENZER: Oh, I'm sorry.

5 MR. HOLMAN: I didn't think I'd get a chance to
6 talk tonight. I am not a member of Two Rivers. I am --
7 I don't need this mic. Come on, I talk loud enough. I
8 am not a resident of Two Rivers.

9 UNIDENTIFIED FEMALE: Some people aren't close.

10 MR. HOLMAN: Does it work? Okay. I am with
11 the surrounding community that was here prior to Two
12 Rivers ever coming in. In 1988, Piney Orchard was
13 conceived, born, and grew. Crofton was already a
14 community in place and it grew. Two Rivers came in, and
15 we looked at Two Rivers; we didn't want Two Rivers, I
16 have to admit, because it was disturbing our peace and
17 tranquility back on our country road.

18 Now, years ago when we were battling this
19 through the community of the Forks of Patuxent -- and the
20 Forks of Patuxent came into existence because of this
21 very landfill. The community, about 114 homes at that

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1 time --

2 UNIDENTIFIED FEMALE: Microphone.

3 MR. HOLMAN: For you, sir, I will use the mic.

4 A hundred and 14 homes stood up to Halle. Countless
5 attorney fees, countless attorneys, countless meetings,
6 just like this. I have to say my faith in government,
7 there is none. From 1988 to today, a hell of a lot more
8 traffic on the road, Two Rivers has one way in and one
9 way out; they want more ways in, more ways out. You've
10 got a landfill coming in that, okay, 80 tractor trailers.
11 I've got to call BS on that, I really do, because there's
12 going to be a lot more than 80 tractor trailers.

13 UNIDENTIFIED FEMALE: Yep.

14 MR. HOLMAN: You're going to have already
15 congestion that is built up on Conway Road, which goes to
16 a circle, to Meyers Station Road, and to Patuxent Road.
17 Everybody is going to bottleneck right there. You're
18 going to have these vehicles sitting there, idling,
19 waiting to go to the entrance. You're going to have cars
20 waiting to go to the elementary school that are going to
21 be sitting there idling, emissions. You're going to have

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1 people trying to get out of the circle just to go to
2 work; they're going to be sitting there idling, waiting
3 in traffic.

4 UNIDENTIFIED FEMALE: You do now.

5 MR. HOLMAN: Oh, I know you guys do. Right
6 now, with MDE -- and I can show you my trust in MDE. Our
7 property, MDE provided a topographical map showing
8 streams. This map was given to the county and the
9 developer of Two Rivers. Off of that, they determined we
10 had a stream going down the middle of our property. And
11 because of that, Two Rivers was allowed to run their
12 stormwater management through our property. Okay?

13 Now, it's supposed to go through a bioretention
14 pit, they set up check dams, et cetera. That water is
15 not clean. I wouldn't drink it. But that water runs
16 through the property, down to a pond, to Patuxent River,
17 and you know the history from there.

18 So an outdated map provided to a developer and
19 the county, and approval given, now you're looking at a
20 landfill and you're talking about all these liners, all
21 these means of shedding water. Really?

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1 UNIDENTIFIED FEMALE: Where is it going to go?

2 MR. HOLMAN: It doesn't make sense because all
3 I hear is, like Charlie Brown, wah, wah, wah-wah. You
4 can stand up here and speak all you want. Listen to the
5 people. Listen to the community. These people have
6 deep, deep concerns, especially when it regards the
7 safety of their family, safety of their livelihood. All
8 this is going to be affected.

9 MDE has been down this road many times; so has
10 the county. It's like Groundhog Day. The only
11 difference is the government body is trying to change the
12 outcome.

13 (Phones ringing.)

14 MR. HOLMAN: Yeah, Amber alert. They're
15 silencing me. It's okay.

16 I look at how many people have already left
17 this room. A lot of them are frustrated. I'm actually
18 kind of surprised that you guys gave us ceramic mugs and
19 glasses. Paper cups, I think, would have sufficed. But,
20 yes, we got a little rowdy, but we --

21 MR. GRENZER: It's environmentally safer. I

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1 understand it would have been paper for me, but ...

2 MR. HOLMAN: But you can see we're very
3 passionate. We're a very passionate community. We
4 really care about our environment. The fact that Halle's
5 been after this now for 35 years, come on. Thirty-five
6 years, my gosh, if you guys can't get it right and they
7 can't get it right, scrap the whole damn thing. We'll be
8 okay with that.

9 (Applause.)

10 MR. GRENZER: Thank you, Mr. Holman, for your
11 comments.

12 Mr. John Bruins? Mr. Bruins, do you have a
13 comment? I couldn't tell if you said yes to comments.

14 MR. BRUINS: Because I wasn't sure I wanted to
15 speak or not. I'll be very brief. We hear the
16 presentation from the engineer that, don't worry, it's
17 just rubble. There might be some asbestos; we'll put
18 that in a baggie, you don't have to worry about that.

19 My point of reference is New York City. I was
20 in Manhattan on 9/11. I watched the Twin Towers come
21 down. I saw them in the morning when I went into work

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1 and they weren't there in the afternoon.

2 Those buildings came down. They were a pile of
3 rubble. And that is the kind of rubble that's being
4 proposed to put in this landfill, a demolished building.
5 Three thousand people died in the attack, approximately.
6 What most people don't think about is since then, in the
7 22 years since then, 3,000 people have died from cancer
8 and other diseases from the air from that rubble. And
9 that's what's being proposed to be put inside our
10 community.

11 (Applause.)

12 MR. BRUINS: Mr. Riehl pointed out earlier a
13 section of the code, and I don't know what it is off-
14 hand, that you need to consider the health and well-being
15 of the citizens of Maryland. Look at what happened at
16 Ground Zero and consider the health and well-being of the
17 people that live within a couple of miles of this
18 proposed landfill, and on that basis deny the permit.

19 Second -- secondly, I would also make a
20 challenge. Another thing Mr. Riehl said earlier is that
21 back in 2009 your department made a comment to the EPA

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1 about four miles between a landfill and residents.
2 Thirteen years ago. Well, I challenge you to put that
3 regulation now and impose it on this landfill. Thank
4 you.

5 (Applause.)

6 MR. GRENZER: Thank you, Mr. Bruins.

7 Ms. Queen, Besse Queen? In the back.

8 MS. QUEEN: Hello, everybody. My name is Besse
9 Queen, and I am a resident of a little community, a place
10 that's at the end of the road, and that's Wilson town.
11 I'm sure --

12 (Applause.)

13 MS. QUEEN: -- you are aware of Wilson town,
14 yes. It's amazing. I don't mind telling my age, 77.
15 But 34 of these years, 34 of those years, have been
16 dedicated to this cause. Why? Because we believe. We
17 keep pushing. We keep praying. We keep asking and
18 knowing that it's going to come to an end.

19 This has been so ongoing and can be
20 frustrating. But we must keep going. It has really
21 disturbed our community. A lot of the residents there

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1 are elderly people, 70 and over; cancer, tinnitus, all
2 kinds of ailments. And this would definitely captivate
3 whatever their illness is by the sound of the trucks and
4 -- most of the community is concerned about the legacy
5 that they leave for their family.

6 My grand -- my great grandfather lived there.
7 My home is right in the area where his house was. And so
8 it means a lot to me. I'm passionate about what comes in
9 there. And I do not -- do not -- want this landfill to
10 be approved.

11 Water -- water contamination is also one of the
12 effects that we feel might happen, and soil erosion.
13 It's just not -- not worth it. It's really not. As they
14 say, leave our community alone. Leave the history there.
15 There's a lot of history in Wilson town. We've posted
16 the history up for those who haven't seen it. As the
17 pastor said of the church, this would definitely disrupt
18 the service of the church, having the trucks and
19 different things come back and forth. So as a part of
20 Wilson town, over 100 years old, I definitely oppose this
21 landfill.

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1 (Applause.)

2 MR. GRENZER: Thank you for your comments, Ms.

3 Queen.

4 Mr. Abdul Shahid? Am I saying that correctly?

5 (No response.)

6 MR. GRENZER: Mr. Shahid?

7 (No response.)

8 UNIDENTIFIED MALE: It'd be easier to just call

9 them up in twos and we just keep it flowing.

10 UNIDENTIFIED MALE: Yeah, that's what I was

11 saying. Call somebody on deck and then we can keep

12 somebody up there.

13 MR. GRENZER: I don't think Mr. Shahid is here.

14 Ms. Fleshman?

15 MS. FLESHMAN: Coming.

16 MR. GRENZER: Sure. And Ms. Olsen will be

17 next.

18 MS. FLESHMAN: Can you hear me? My name is

19 Cathy Fleshman. I have lived in the Forks of the

20 Patuxent my entire life. My family has been there

21 generation after generation since the 1800s, and we have

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1 watched this going on for a number of years.

2 I'm growing very old and I'd like this to be
3 over, and I know Ed Dexter would like it to be over, too.
4 But here are my concerns. And I know we can't ask you
5 questions. So this morning my husband and I were driving
6 up Patuxent Road and there was this beautiful bald eagle
7 who had landed on the road. He flew up and flew into a
8 tree on their -- the Halle property. So one of my
9 questions will be, someone needs to check to see if they
10 are still considered an endangered species in our area.
11 I think in 2007 they may have lifted that, but I don't
12 know whether that was true for all the states. So these
13 are beautiful, magnificent birds, and if they are nesting
14 there, we do not want to see them disturbed.

15 Another thing is an aquifer. There is a major
16 aquifer, I do believe, underneath of this landfill. I
17 would like somebody to address that, to tell us if that
18 indeed is true, because if it is, I do believe that
19 aquifer supplies not only our area with water but also
20 down county and a lot of other places. We cannot afford
21 to see that contaminated. And we have seen the liners

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1 that they propose to use in these newer landfills. It
2 wouldn't take much to poke a hole in them. They're --
3 because they're only made of plastic or rubber.

4 The other thing is, issues concerning traffic
5 and the schools, and people in the homes that have
6 recently been built, these are not things that MDE are
7 concerned with when they make their decisions. This is
8 something that goes back to Anne Arundel County. Even if
9 Mr. Halle gets his landfill permit approved by MDE, he
10 still has to go back to the county because there's still
11 some approvals he needs from them.

12 I was so glad to see so many people show up
13 here tonight. Out of all the hearings we've had over all
14 the years, this is the most people we've ever had. And I
15 know a lot of it --

16 (Applause.)

17 MS. FLESHMAN: -- a lot of you are new, you've
18 just moved in, and I feel really bad for you because I
19 don't believe you were told the truth when you bought
20 your homes --

21 UNIDENTIFIED FEMALE: Right.

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1 (Applause.)

2 MS. FLESHMAN: So I hope the number of people
3 that were here tonight, there are going to be hearings
4 with the county before this -- even though he gets his
5 permit, he can't do anything with it until the county has
6 granted their permission.

7 So I hope that all of you that were here
8 tonight will pass the word, and if and when these
9 hearings come about, you need to be there, and you need
10 to be writing letters now, as well. Thank you.

11 (Applause.)

12 MR. GRENZER: Thank you, Ms. Fleshman.

13 I have Deborah Olsen or Randy Watson, one of
14 them.

15 MS. OLSEN: Yep, me.

16 MR. GRENZER: Okay. And next is the Mazzullos.
17 If they're in attendance, they'd be after Ms. Olsen.

18 MS. OLSEN: Okay. Is it on? Oh, it is. Hi, I
19 grew up in Anne Arundel County, in Severn; used to go
20 over to Patuxent River to go fishing and hang out with my
21 friends and party and stuff, because that's what we did

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1 back in the day before all the development happened.

2 My son at this point has moved over in this
3 area. He does not live in the neighborhood that's been
4 built, but he has just purchased the most expensive house
5 that is on Collins Avenue. My son is chief of staff at
6 NSA. He has a 30-minute response time to deployment at
7 any point in time. This traffic is going to screw that
8 up royally from these trucks. That is our national
9 security, one of our top people for strategizing national
10 security, who has to get an airplane or any mobile way of
11 getting his butt to where he needs to be.

12 The reason why he bought there: three acres of
13 land, privacy. There was no disclosure for a landfill.
14 Now, this brings me to the whole community. Was there
15 ever any disclosures in your -- in your purchase at all
16 of any of this property?

17 GROUP: No.

18 MS. OLSEN: If you have a four-mile radius
19 where there's going to be, you know, an impact on a
20 landfill, impacting on, you know, residents, why didn't
21 the owner of those properties, who is selling those

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1 properties, who had to know -- definitely had to know,
2 because this has been no secret for 35 years.

3 I knew about it growing up in Severn. So for
4 35 years, this is a public knowledge thing. That
5 developer knew that you-all were buying property up from
6 a landfill that was going to see, to try its best, to be
7 developed.

8 So I have a couple of questions. Does that
9 warrant a class action lawsuit?

10 GROUP: Yes.

11 MS. OLSEN: Because I sure think so. I'm not a
12 lawyer, I'm just a person that grew up in Severn, you
13 know, but I do have more questions. That's just the main
14 one.

15 The second one is, Cunningham Excavating is
16 also a landfill in Anne Arundel County. How far away is
17 that from this new developed -- or proposed development
18 of a landfill, and are they on the same aquifer? And
19 were those -- was that landfill -- did it have the same
20 regulations as this new one does, or did that one already
21 leak out, or is it already full and they're looking for

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1 other places to venture out? What's the answer to that
2 one? I mean, I think that's an impact on our
3 environment. Two impacts on the same aquifer should be
4 illegal. I don't know what -- if it is or not, but it
5 should be.

6 MR. DEXTER: Just very briefly, to answer that
7 question, the original Cunningham Landfills that are
8 right around the race track were built before the current
9 regulations went into effect.

10 MS. OLSEN: Okay.

11 MR. DEXTER: The one that's operational there
12 now is lined and has the same protections that are
13 mentioned here. I might add, though, that one's being
14 operated by Tolson and Associates, a totally different --

15 MS. OLSEN: Totally different place.

16 MR. DEXTER: -- because we turned down
17 Cunningham for that original landfill because of his bad
18 environmental record.

19 MS. OLSEN: Okay.

20 MR. DEXTER: We successfully denied his permit
21 and we were successful as it went up through appeal.

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1 MS. OLSEN: As everything had changed and
2 developed and became more environmentally sound, I
3 suppose, at that point.

4 But how many miles difference is there between
5 the two?

6 MR. DEXTER: It's across the river, but --

7 MS. OLSEN: It's across the river, but if you
8 do, like, an aerial view thing, it's not that far.
9 Aerial --

10 MR. GRENZER: Less than two miles as the crow
11 files.

12 MS. OLSEN: Less than two miles. Okay. So in
13 less than two miles, you have two rubble landfills. Is
14 that even a legal thing that you can have? I mean, I
15 don't know, because I would think that the ground water
16 is still impacted from what he screwed up to begin with,
17 and then you're going to throw this in here nearer to the
18 flood plain. And I just don't see how that's a good
19 combination of, you know, future, you know, families
20 involved and just any way, and I just don't understand
21 how that's going to be favorable for the communities in

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1 Anne Arundel County. Because this just doesn't affect us
2 all here. It affects the down trickle of where that
3 river flows.

4 Now, the environmental impact, I want to speak
5 on that, too. Monarch butterflies, has anybody done a
6 study on those? Because we sure had a lot of them near
7 us this year at my son's house. Monarch butterflies are
8 now on the endangered species list from what I
9 understand, or getting to become on the endangered
10 species list. And if this isn't -- all the way down
11 Patuxent, you can see a lot of butterflies in the spring,
12 summer. How is this going to impact them?

13 Let me think. Let me get my list back up.
14 I've got six minutes to look here. I'm hurrying. The
15 gas collection system that's located, how far is the
16 setback to that to housing? And to a road, for that
17 matter. Can they just drive off a road and hit a gas
18 line that's got some sort of -- I mean, can you light a
19 match and toss it out our window with a cigarette and,
20 boom, there it goes?

21 MR. GRENZER: There is a setback. I'm not sure

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1 exactly what it is. I think it's 100 feet off the
2 property boundary, but I'd have to look at the
3 engineering plan that they submitted to know exactly what
4 that setback was.

5 MS. OLSEN: Okay.

6 MR. STRATMAN: The gas collection system is
7 actually in the footprint of the landfill. The
8 monitoring wells are on the perimeter of the waste
9 disposal area.

10 MS. OLSEN: Okay.

11 MR. GRENZER: Right. So the collection system
12 will be on the landfill celled area, so it would not be
13 along the perimeter.

14 MS. OLSEN: Okay.

15 MR. GRENZER: But certainly that is a concern
16 that MDE has. You know, we evaluate safety of collection
17 systems as, you know, part of their design operation.

18 MS. OLSEN: Okay. Now, I'm going to speak a
19 little bit on myself here. I am an immunocompromised
20 person. I have asthma. I also ended up with untreated
21 Rocky Mountain spotted fever and went undiagnosed for

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1 seven and a half years. I get sick if I look at a germ,
2 or near a germ. I'm probably going to get sick from
3 being in here, being not masked up, and that's my own
4 doing and I'll pay the price for that later.

5 But with that being said, also with getting
6 Rocky Mountain spotted fever when I was bit by a lone-
7 star tick, it gave me what they call alpha-gal syndrome.
8 Alpha-gal syndrome is an allergy to mammalian
9 ingredients, mammal. It is also in gypsum products. And
10 when they are going to be traveling up and down that
11 road, I'm not even going to be able to walk up and down
12 the road anymore unless I -- I guess it's not going to --
13 I'm going to go into anaphylaxis and I could potentially
14 die.

15 That's just me. Now, when you develop this
16 property, these ticks, what they do is they will scatter
17 and they will go into the incoming or the outreaching
18 areas, which means your communities. I wonder if there's
19 even been a tick study out in that area to determine what
20 diseases these ticks have, for one, and for number two,
21 you know, how big of a population that there is.

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1 I have 60 seconds, folks. I've been warned.
2 Anyway, that's pretty much all I have to say at this
3 point because I'm just wondering, you know, how it's
4 going to affect all of us, you know, environmentally,
5 traffic, just like everybody else is. And keep on
6 fighting the fight, people. It's worth it.

7 (Applause.)

8 MR. GRENZER: Thank you for your comments, Ms.
9 Olsen.

10 Are the Mazzullos? Mr. and Mrs. Mazzullo?

11 Mr. D'Amici? Giovanni D'Amici?

12 UNIDENTIFIED FEMALE: He left.

13 MR. GRENZER: He left?

14 Mr. Diaz, Edwin Diaz?

15 (No response.)

16 UNIDENTIFIED FEMALE: We can probably stand up
17 in a line. That would be easier.

18 MR. GRENZER: We're going to keep the comments
19 as we're going through them, the same format. We have
20 about eight more speakers.

21 Mr. Jung Kim, or Ms. Jung Kim?

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1 (No response.)

2 MR. GRENZER: Tor Christensen? Tor

3 Christensen?

4 Ray Piercey?

5 MR. PIERCEY: Yes.

6 MR. GRENZER: Mr. Piercey? And Ms. Simmons

7 will be after Mr. Piercey.

8 MR. PIERCEY: Hello? Okay. Unlike most of
9 you, I am from Four Seasons, not from Two Rivers. But
10 I've got some questions to ask. In the 1980s, the Little
11 Patuxent was -- had a spill. And Maryland and Anne
12 Arundel County had a big fire drill trying to figure out
13 how to test, where to get -- where to get their samples
14 from, because the people that owned the property said you
15 couldn't take your samples here.

16 Now, have we -- have we gotten rid of that
17 stuff now to where you can actually get the samples
18 yourselves, not have somebody hand them to you? This is
19 an environmental question. You guys should know.

20 MR. DEXTER: We're not in emergency response,
21 but as far as the authority to go out to the property, we

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1 have that.

2 MR. PIERCEY: You have that now? And you can
3 get your own samples? Because they couldn't do that back
4 then, and they had a real problem.

5 MR. DEXTER: Yes, absolutely.

6 MR. PIERCEY: And I know these people didn't
7 know that the Patuxent had already been contaminate once,
8 the Little Patuxent.

9 MR. DEXTER: Absolutely, we can get onto this
10 property.

11 MR. PIERCEY: Okay.

12 MR. GRENZER: I mean, part of our permit
13 actually includes authority for us to be on the property
14 and take samples.

15 MR. PIERCEY: And the other part of the problem
16 back then was they had no teeth when they found
17 something, they had no teeth to do anything about it. Do
18 we have teeth in these things now?

19 MR. GRENZER: I think enforcement has grown
20 since the time period you're talking about. Certainly we
21 have teeth to go and take enforcement actions and collect

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1 penalties, certainly make them clean up issues that have
2 arisen.

3 MR. PIERCEY: Because I've been here since the
4 '80s and I can remember all this stuff going down, and I
5 can remember the fire drill with all the Anne Arundel
6 County people and the Maryland state people trying to
7 figure out, what do we do, what we do, we can't get no
8 samples.

9 MR. GRENZER: Yeah, I think in general, you
10 know, since that time period, environmental enforcement,
11 environmental action, has, you know, increased the mid
12 and early '80s.

13 MR. PIERCEY: Okay. And what about the
14 landfills themselves? We had a big problem in Maryland
15 where, you know, they say they're going 30-feet and they
16 went up 70-feet, and then stuff started running off. And
17 Maryland goes, well, we can't do nothing.

18 MR. DEXTER: That's enforceable.

19 MR. PIERCEY: That was unenforceable years ago.

20 MR. GRENZER: That's enforceable now.

21 MR. PIERCEY: Okay. With teeth now.

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1 MR. DEXTER: And maybe Ms. Fleshman can confirm
2 this. In 1997, the Department passed new regulations
3 specific to rubble landfills that added the requirements
4 for the liners but also other things that basically bring
5 it up to the requirements for other types of landfills.

6 MR. PIERCEY: Yeah, but they had the liners
7 back at this time, but the problem was they built it up
8 too high and the stuff ran over the liners, is what they
9 said.

10 MR. DEXTER: That would be an enforceable
11 violation.

12 MR. PIERCEY: Okay. Now, next question is,
13 okay, we've talked about Conway Road. You realize Route
14 3 from 97 to 50 is the third most traffic problem in Anne
15 Arundel County? And you have -- nobody here has
16 addressed that yet. That's a real problem.

17 And we've already talked to people. We've been
18 talking to the county people about this in traffic.
19 We're trying to get them to change that to a 45-mile an
20 hour road from 50, because right now Google sends people
21 down Route 3 instead of 97 to 50. So this is a big

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1 problem.

2 So, I mean, I'm outside their community. I'm
3 not part of the -- I'm above this, but I know what's
4 going on, and, you know, this just isn't right. Okay,
5 I'm done.

6 (Applause.)

7 MR. GRENZER: Thank you, Mr. Piercey.

8 Ms. Simmons? Beverly Simmons?

9 (No response.)

10 MR. GRENZER: Mr. Darrell Davis? I think Mr.
11 Davis is coming from the back. After Mr. Davis, we have
12 Mr. Russ Sanford, and then Danette Sievers, are my last
13 two speakers that were on the docket.

14 MR. DAVIS: Hello, sir. Thanks for allowing me
15 to comment. My name is Darrell Davis. I'm a resident of
16 Two Rivers in the Woodlands neighborhood. I stand here
17 in direct opposition of this proposed project.

18 My comments will be short on facts because I'm
19 not an environmentalist, a doctor, or an engineer who has
20 studied or worked in this field. What I am is a proud
21 veteran of the U.S. Armed Forces who has completed 20

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1 years of service in about six months.

2 (Applause.)

3 MR. DAVIS: During my time of service, I have
4 been unknowingly exposed to all types of contaminants
5 like burn pits in overseas locations, buildings with
6 asbestos which will require me to use an inhaler probably
7 for the rest of my life.

8 What I can tell you is that while my health
9 issues have been addressed and will be addressed by the
10 Department of Veteran Affairs, I now will be fighting
11 against additional health concerns in my backyard with
12 the building of this site. I'm extremely terrified that
13 when an issue arises with this site, which inevitably it
14 will happen, who will take care of my young children and
15 wife and protect the future generations that will be
16 here? Is there money set aside from the company for my
17 children's health care if something happens? Likely not.

18 It doesn't take a lot of research to find
19 hazards that have impacted our fellow citizens in their
20 safest places, their homes. One can look up Fort Bragg
21 in North Carolina and the veterans that were exposed to

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1 contaminants there. We also see our fellow citizens in
2 Ohio with the train derailment.

3 What happens after something bad occurs? Your
4 company will send out a public affairs officer who will
5 talk around issues, like we see on TV with our citizens
6 in Ohio dealing with the train derailment. The jobs that
7 make money, and I understand that. These companies don't
8 care a bit about the citizens of the areas where they
9 build these hazards and other nasty materials.

10 As the senator mentioned, your company plans
11 for some conditions -- plans for some conditions or
12 failures that may happen. However, you can't plan for
13 everything. I've been trained by the military to
14 understand that no plan ever survives first contact.
15 Fortunately, these plans won't be an enemy overseas, but
16 these plans will be with weather or humans who make
17 mistakes. Trucks bringing in asbestos and other hazards,
18 accidents due to driver errors and lack of attention on
19 the road, that Waste Management doesn't control.

20 I'm trying not to, and I don't want to cast
21 negative aspersions on the MDE office or anyone

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1 personally. I know you have fellow care for your
2 citizens like we have for -- like we should have for each
3 other. But I'm having a hard time with the decisions
4 made in this office. These decisions will have lasting
5 consequences for years to come. The longer this goes on,
6 it's harder for me and other citizens not to look at this
7 without a negative eye.

8 Your MDE office is tasked with protecting the
9 residents of this state, and I don't think you guys are
10 living up to the standard today. I understand that waste
11 management is important and needs to be taken somewhere,
12 I just don't believe it literally needs to be in my
13 backyard.

14 I'm asking you please do what's in your heart
15 -- what I think I know what's in your heart -- and do the
16 best option and end this site. Thank you.

17 (Applause.)

18 MR. GRENZER: Thank you for your comments, Mr.
19 Davis, and for your service.

20 Mr. Russ Sanford? Mr. Sanford here? He left?

21 Ms. Sievers? Or Mr. Sievers?

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1 (No response.)

2 MR. GRENZER: That is all I have as far as
3 people who asked to speak or signed in requested to
4 speak. I will, however, open the floor to anyone who's
5 currently still in the audience and wishes to make a
6 comment. If you didn't initially register, I'm going to
7 ask you maybe to keep your comments a little bit shorter
8 and keep your time to four minutes. But if there is
9 anyone present by the raise of hand?

10 In the back, first up.

11 MS. BARKER: Christine Barker.

12 MR. GRENZER: Christine? Could you come up,
13 Ms. Barker?

14 MS. BARKER: My name is Christine Barker. I've
15 lived at the end of Conway Road since 2016, July. My
16 message is simple: This is not a responsible company.
17 Let's be honest, if they had their crap together, this
18 landfill would have already been built, filled in, and
19 we'd be past this years ago.

20 UNIDENTIFIED FEMALE: If they weren't so cheap,
21 it would have been done 30 years ago.

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1 MS. BARKER: You've heard many stories about
2 the current issues this project causes and the history
3 that this community has had in fighting it. Their points
4 are very important. Now, this may seem simple -- or this
5 may seem silly, but I'd like to bring up a point about
6 the letter from the '90s that the woman had about the
7 dirt bikes and the impacts that the dirt bikes have that
8 this company has allowed to run on their property.

9 This is without thought of the safety of the
10 riders or the disturbance of those that live in the
11 nearby area. My story may seem trivial, but it is meant
12 to show how little care this company has for maintaining
13 their property without even having the complexities of
14 the increased traffic or the environmental hazards.

15 Over the years, my springs, summers, and fall
16 evenings and weekend times were increasingly filled with
17 the noise of dirt bikes and ATVs that would illegally use
18 the train tracks to access the Chesapeake Terrace's
19 property.

20 In 2018, I stumbled upon a Google business page
21 that promoted this property as a great place to ride. I

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1 assumed that the lack of business permits for such
2 activities meant that it was not approved by Chesapeake
3 Terrace, meaning the Google business page was not
4 approved by Chesapeake Terrace, and thus was not their
5 own business page.

6 After complaining to Google for multiple years,
7 this business listing was finally removed. I'm unaware
8 of any action that Chesapeake Terrace has taken to stop
9 such a minor and annoying violation. Now, I don't know,
10 maybe MDE is unfamiliar with the destruction off-road
11 vehicles make, but there can be no way that Chesapeake
12 Terrace does not know about the riders on their own
13 property, especially since we can see it from Google
14 earth's view from above.

15 From 2018 through 2021, I worked closely with
16 neighbors, Amtrak police, local police, and state forest
17 officers to whittle down the desires of those using the
18 Chesapeake Terrace's dirt bike track. We continue our
19 work without the support of Chesapeake Terrace every year
20 to deter this activity.

21 The letter from the '90s about the dirt bikes

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1 show that this is a -- has been decades that Chesapeake
2 Terrace has done very little to monitor their own
3 property, ensure their property is not used to illegally
4 affect their neighbors before the installation of the
5 dump. This will not change if this permit is permitted.

6 (Applause.)

7 MS. BARKER: Someone else said that if this
8 permit was denied that it would be appealed. I would
9 like to think and hope that if this permit is not denied,
10 that it should also be appealed. Thank you.

11 (Applause.)

12 MR. GRENZER: Thank you, Ms. Barker.

13 Is there -- sorry, Jeanne Mignon? Minion
14 (pronouncing)?

15 UNIDENTIFIED FEMALE: She left.

16 MR. GRENZER: She left. I may have called her.
17 I apologize.

18 Is there anyone else here who wishes to speak
19 by raise of hand? Another question?

20 MS. OLSEN: Yes, I have an illustration.

21 MR. GRENZER: Ms. Olsen, correct?

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1 MS. OLSEN: Yes. You want me to just talk
2 here --

3 MR. GRENZER: Yeah, I'll repeat the question.

4 MS. OLSEN: Okay. It's not really a question,
5 it's a statement, more or less.

6 My son also, you know, like I said, lives on
7 Collins Avenue, which is up a hill and down a quick hill.
8 These trucks are not going to be equipped to really slam
9 on their brakes fast enough to control the weight that
10 it's going to be carrying in the back of those trucks to
11 keep from killing my granddaughter in the back of her
12 car. If I'm making that sharp right-hand turn, there is
13 no way in hell that anyone can tell me that they have an
14 adequate amount of time to stop from that blind spot of
15 over top of that hill to the bottom part where that
16 right-hand turn is. It's a sharp turn. If you've never
17 been down there, you don't really realize it.

18 You can go to your community where you-all are
19 maybe from, but if you go out of that community, which is
20 a stone's throw away, and go over top of that hill, what
21 you see first is a line of tennis shoes and a flag, down

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1 the hill, and then if you're stopping, it's a sharp
2 right, and you've got to almost slam on your brakes to do
3 it because you've got to push on your gas to get up the
4 hill. Those trucks are not going to be able to stop to
5 avoid the people making that right-hand turn onto
6 Collins, or to avoid the people making a right-hand turn
7 into their driveway at the end of Collins Road. They're
8 not going to be able to do it with the amount of weight
9 that you are anticipating them carrying on the back of
10 those trucks. So something has to be done in order to
11 prevent that from happening before somebody gets killed.

12 (Applause.)

13 MR. GRENZER: Thank you for the additional
14 comment, Ms. Olsen.

15 UNIDENTIFIED FEMALE: I just have a question.
16 We know that comments are due close of business May 1st.
17 Can you tell us a bit about the path forward from here
18 after the 1st?

19 MR. GRENZER: After the 1st? Sure. Well,
20 first, thank you very much for pointing out that comments
21 can be submitted to the Department via written comments

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1 by May 1st, close of business. I encourage anyone who is
2 here who didn't get the opportunity to speak who wishes
3 to speak to submit comments, written comments, to the
4 Department. They will be considered along with the
5 verbal comments or verbal testimony that was given
6 tonight.

7 Once we receive -- or once the close of
8 business on May 1st, the Department will compile all of
9 the comments that were received both verbal and through
10 testimony. We also have a lot of comments that were
11 received during the permitting process from several
12 residents that will be included. So we will compile all
13 of those comments. MDE will prepare responses to those
14 comments, where MDE is able to respond to those comments;
15 where MDE is unable to respond to those comments, we will
16 ask the applicant to respond to those comments. If those
17 comments can be resolved under the regulatory framework
18 that the landfill is under, then it would be resolved --
19 or they would be resolved and we would ask the applicant
20 to resolve them, and then we would make a determination
21 on the permit.

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1 Whether these comments arise to the level of
2 denying the permit, I don't know at this moment. That
3 would come down to myself and my staff, Mr. Dexter,
4 reviewing all the comments and the criteria for which we
5 have to regulate the landfill.

6 UNIDENTIFIED FEMALE: Now, when you say
7 respond, you have everyone's contact information now, all
8 of our email addresses. Are we going to get copies of
9 those responses?

10 MR. GRENZER: So we will make -- publicize a
11 copy of the responses. So I'll get to this in a minute
12 to close the meeting. You know, if there are no -- I'm
13 sorry, what's the word --

14 MR. DEXTER: Additional commenters?

15 MR. GRENZER: No. So if there's no adverse
16 comments received, which I can say at this moment there
17 were adverse comments received, so if there were no
18 adverse comments we would make our tentative
19 determination and final determination. Under those
20 circumstances at this hearing tonight, there were adverse
21 comments received. So we will have to publish our final

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1 determination along with our comments as part of it, and
2 that decision will be appealable under the Environmental
3 -- I will notify -- I do have a lot of email addresses.
4 I have no problem with sending a blind copy email to
5 everyone so that everyone doesn't have everyone else's
6 email addresses, unless you really want them.

7 You know, to the attendants tonight, with MDE's
8 responses to the comments that were made, either MDE's
9 responses or the applicant's responses, or the changes to
10 the permit, along with -- you know, prior to our final
11 determination.

12 MS. GREULICH: Do you have a deadline for that
13 period?

14 MR. GRENZER: We do not have a deadline. So
15 there is a lot of comments we have received. I have
16 currently 184 emails already. That doesn't include any
17 emails that my staff have received in the last month. So
18 those are all emails that I received prior to publication
19 of this hearing. All of those emails have to be
20 responded to. All the comments we receive tonight have
21 to be responded to. Anything that I receive in writing

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1 up until May 1st needs to be responded to.

2 Now, some of these comments are going to be
3 similar comments based on traffic and things like that.
4 So they will be grouped as far as, you know, traffic
5 responses and things like that. However, it will be a
6 lengthy process to review all those comments, compile
7 them, and respond.

8 MR. GREULICH: But is there a deadline for the
9 applicant to respond?

10 MR. DEXTER: Not from us.

11 MR. GRENZER: Not from us. I mean, so if there
12 are issues in regards to the operation or maintenance of
13 the landfill that are brought up in the comments, and MDE
14 asks the applicant to clarify, you know, based on those
15 comments, I may impose a deadline at the time we ask the
16 applicant. But there is no statutory response period
17 for the applicant.

18 MS. WAGNER: Can I ask a clarification?

19 MR. GRENZER: We'll get right to you.

20 MS. WAGNER: Okay. I'd like you to clarify,
21 you earlier -- very early in the -- in your remarks, you

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1 said that Anne Arundel County had said there had been no
2 change in circumstances. My understanding is contrary to
3 that, and I'd like you to just clarify what you mean and
4 when -- when that decision was made, when you got that
5 decision, and on the basis of what evidence or, you know,
6 was that on the basis of the judicial proceeding? I'd
7 just like clarification.

8 What you were saying -- because I never saw
9 anything that said that Anne Arundel County had
10 determined there was no change in the circumstances.

11 MS. FLOOD: In fact, it was -- it was stated in
12 the most recent court case that the -- that the -- the
13 county has to review through the Board of Appeals, the
14 Zoning Board of Appeals, the BOA, has to allow that
15 question, the questions that were before the courts, to
16 go to the Board of -- the Zoning Board of Appeals.

17 So there -- when you say that -- when you say
18 that the county, exactly what did you do -- why don't you
19 just tell us what --

20 MR. GRENZER: Okay. So the question -- I'm
21 going to summarize the question just for the court

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1 reporter as best I can. When I was speaking of the
2 county's decision to allow the special exception to
3 continue -- or grant an extension for the special
4 exception for an additional two years --

5 MS. FLOOD: Oh, that was permitted.

6 MR. GRENZER: I'm sorry?

7 MS. FLOOD: Go ahead, please.

8 MR. GRENZER: Yeah, what am I relying on? So
9 there was a decision by the Board of Appeals that -- I
10 believe it's November 29th of 2022, somewhere around
11 then, that they were -- okay. They were -- they were
12 tasked from the Anne Arundel County Circuit Court to look
13 at the -- consider the change of the community since the
14 last extension was created.

15 MS. WAGNER: No, they were not. What they were
16 asked to look at was whether or not the extension of two
17 or three years would affect the well-being -- that time
18 going forward -- in other words, if they extended, would
19 that affect the community and its well-being. That's
20 different from saying has the community changed.

21 MS. FLOOD: There was an acknowledgment by the

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1 courts that the community had dramatically changed, and
2 that is why it had to go back to the BOA in order to --
3 in order to be determined whether or not the special
4 exceptions could be met, in fact.

5 I think, also, there was a misstatement about
6 the MDE completing its review before the county will get
7 to vote.

8 MS. WAGNER: Right. And they didn't -- the
9 county did not have the standing to stop your review.
10 There was a standing issue. Am I correct? And that's
11 what made your thing go forward. It said nothing --

12 MR. GRENZER: In the court.

13 MS. FLOOD: There's nothing.

14 MS. WAGNER: The Court --

15 MR. GRENZER: I was -- I was ordered -- I'm
16 sorry, MDE was ordered by the Court to continue the
17 permit process. I did not really -- I'm sorry, MDE, not
18 myself. MDE did not have a choice whether to continue
19 the permit process. I was ordered by the court to do so,
20 or we were ordered by the court to do so.

21 MS. WAGNER: Yes, yes.

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1 MS. FLOOD: Because at one point you stopped
2 it, and then based on the chairman's and attorney's
3 letter, and then you proceeded. And then you stopped,
4 and then when you went -- the court said don't, they
5 didn't have the authority --

6 MR. GRENZER: The court said MDE does -- did
7 not have -- should not have --

8 MS. WAGNER: The county.

9 MR. GRENZER: -- should not have considered
10 Executive Pittman or the office of law's letter as
11 appropriate authority to rescind the zoning approval.
12 The only one who could rescind the zoning approval was
13 the Board of Appeals for Anne Arundel County.

14 MS. WAGNER: I just wanted it clarified. Your
15 -- what I heard you say was that the county -- the Board
16 of Appeals or whoever you're talking about in the county,
17 had determined there was no change, you know,
18 historically to -- in 2021, when, in fact, the issue was
19 whether or not going forward and granting that two-year
20 extension or however much would affect our community
21 going forward in those -- in those two years of the

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1 extension. And the lawyers for National Waste said,
2 what, there are no -- there won't be any trucks, there
3 won't be any, you know, disruptions, so another two years
4 is fine.

5 So that -- it was going forward, not saying --
6 it's just an --

7 MR. GRENZER: So I will say MDE's decision to
8 proceed with this hearing did not have any bearing on
9 that Board of Appeals decision.

10 MS. WAGNER: Absolutely, absolutely.

11 MR. GRENZER: That came from the county.
12 However, our issuance of a permit will look at whether
13 the zoning approval is granted by the county.

14 MS. WAGNER: No.

15 MS. FLOOD: Your conditional permit will be
16 based on their getting that county approval. Right?
17 That's the point of clarification we're trying to get to.
18 It was our understanding that the permit would be issued
19 -- if the MDE permit was issued, then it will go to the
20 county for a certificate of use proceeding. So our -- if
21 you're telling us that you're not going to issue your

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1 permit until the county makes a decision, that's a new --
2 that's something that we did not understand.

3 MR. DEXTER: No. Our permit would be issued in
4 our world, and then the county has its own rights to
5 enforce its own rules, whatever they are.

6 MS. FLOOD: So is your permit conditional --
7 your permit -- I've read the permit, too, not all 55
8 pages, but I've read the permit, and it states many, many
9 conditions upon which the developer will have to meet --

10 MR. DEXTER: Right.

11 MS. FLOOD: -- before he can proceed with -- or
12 it can proceed with the development.

13 MR. DEXTER: Yeah. The normal flow of things
14 that was designed by the legislature originally was,
15 okay, MDE gets an application; MDE sends it to the county
16 after looking at the phase one, basically, and saying is
17 there any reason to not go forward even now, can I stop
18 it here? If not, we send it to the county and ask them
19 two questions: Is this in conformance with your 10-year
20 solid waste master plan, and is it in conformance with
21 your zoning and land use requirements, whatever they are?

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1 And in this case, way back when, we got a green
2 light, and then that subsequently got affirmed during the
3 1993 decision. As you read in the fact sheet here, every
4 time the county told us, oh, no, they don't have zoning
5 approval anymore, we stopped. We would put the
6 application in the box and wait. And once the law -- you
7 know, legal guys fought it out, when we were told again,
8 okay, here's another two-year thing, then we would pick
9 it up. And one of the reasons for part of the delays is
10 every time that would take several years, we'd come back
11 and say, well, we need more updated ground water data,
12 we'd do a phase two. So, you know, it just snowballed in
13 many cases.

14 And you know that those involved throughout the
15 thing besides the county. There was a civil suit by the
16 -- some of the residents and whatnot; Forks of the
17 Patuxent, for example. And if you look at the legal
18 history, it's gone up to the Court of Special Appeals a
19 couple times, Court of Appeals once, you know, and then
20 most recently the Circuit Court decision was referencing
21 and enforcing the 2015 order by the Court of Special

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1 Appeals that told the builder to go back and look at the
2 community.

3 MS. FLOOD: Right.

4 MR. DEXTER: So it's been very complicated.

5 MS. FLOOD: And so -- and the Court of Appeals,
6 in December in an unreported opinion has also confirmed
7 that.

8 MR. DEXTER: So, to me, that says let's say we
9 do issue the permit. I mean, that's -- you know, down
10 the road, I'm not going to speculate, but if that were to
11 happen, the county still has, you know, a basis to
12 enforce. Certainly one of the issues that was brought up
13 tonight is where exactly is the access road supposed to
14 be.

15 MS. FLOOD: But if the MDE --

16 MS. WAGNER: Wait, wait, wait. Let him answer.

17 MS. DEXTER: It's just that's -- so that -- I
18 know is going to be a matter of contention in the future.

19 MS. WAGNER: But not for you.

20 MR. DEXTER: Not for us.

21 MS. WAGNER: You don't care. I mean, in terms

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1 of your process, you don't care about where --

2 MR. DEXTER: We're aware of it, but, yeah,
3 because what they came in with was a plan that had
4 several access roads that were all designed adequately
5 and wouldn't hurt anything from our perspective. So we
6 approved them all.

7 MS. FLOOD: There might be some -- there might
8 be some regulations that you can look into relative to
9 the public health, safety, and welfare that might benefit
10 an analysis.

11 MR. DEXTER: Well, we'd have to look at all
12 these comments --

13 MS. FLOOD: I don't want to hold everybody
14 up --

15 MR. GRENZER: Yeah. In regards to an access
16 route, MDE doesn't have a --

17 MS. FLOOD: We know that's a zoning issue.

18 MR. GRENZER: It's a zoning issue. Now, the
19 zoning special exception has an allowance for an access
20 road off of Conway Road.

21 MS. FLOOD: In a particular spot.

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1 MR. GRENZER: It seems to be in a particular
2 spot. I'm not a zoning administration in Anne Arundel
3 County, so I'm not going to comment on where exactly that
4 is. But that is something that is enforceable on a
5 county level, yes, the access road.

6 In the back? I know you've had your hand up
7 the entire time we've been speaking.

8 UNIDENTIFIED FEMALE: So we've heard a lot
9 tonight from everybody in the audience from different
10 parts of the community all close to this potential
11 landfill, 250 feet from the closest house, within two
12 miles of most of the houses; it turns out another
13 landfill within two miles of this landfill; traffic, the
14 exhaust, and spills. So many concerns about health and
15 safety. Is there anything that we say that's going to
16 stop you from permitting this landfill?

17 MR. DEXTER: Potentially, yes. Here's the
18 thing: There are -- many of the issues that came up
19 tonight were not within our purview. And it's just --

20 UNIDENTIFIED FEMALE: They were not brought up
21 in your --

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1 MR. DEXTER: Not within our purview. The
2 public roads are not within our purview.

3 UNIDENTIFIED FEMALE: Right.

4 MR. DEXTER: Stuff that happens on site is
5 within our purview. And we heard some things that we're
6 definitely going to look into; endangered species, for
7 example --

8 MS. ROUTZAHN: Yeah, I have more words if that
9 will help.

10 MR. DEXTER: But, anyway, so we're going to --
11 you know, until we sit down and digest all the things
12 that we heard and get in writing, we heard, you know,
13 from two to three Ph.Ds, we're certainly going to look at
14 their reports and see what they got for us.

15 MS. ROUTZAHN: And your applicant has a history
16 of not being willing to pay the cost that the community
17 incurs for this project. That is not part of their
18 calculation. They don't plan to pay for the people whose
19 lives are diminished. If they weren't going to do that
20 on the front end, they're not going to do it after a
21 spill or something happens. So who the applicant is

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1 probably matters.

2 MR. DEXTER: Understood.

3 MS. ROUTZAHN: Thank you.

4 MR. DEXTER: A couple more questions.

5 MS. HINCHEY: Question: With the updated maps,
6 doesn't that affect how you look at this whole project?
7 Because with the updated maps it has flood zones and it
8 has the aquifers I've talked about, and housing around
9 it. So the proximity to homes and stuff seems to be --
10 and I think it's still in existence, that four-mile
11 radius. So aren't --

12 MR. DEXTER: It's not a statute --

13 MR. GRENZER: That's not a statute or
14 regulatory requirement.

15 MS. HINCHEY: It's not?

16 MR. GRENZER: No.

17 MS. HINCHEY: Okay. But the updated maps
18 should show the aquifers.

19 MR. GRENZER: So I will tell you, that aquifer
20 has been there since 1988 and it has not changed since
21 then. I mean, that aquifer has always been there. That

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1 was always --

2 MS. HINCHEY: Yeah, no, no, no, that's not what
3 I'm saying. It's over the aquifer. So I'm not saying
4 where it is, you know? The landfill would be over the
5 aquifer.

6 MR. GRENZER: It was always over the aquifer.
7 I mean, from --

8 MS. HINCHEY: But this aquifer takes into
9 consideration now you've got Piney Orchard, you've got
10 all of Gambrills, which is all really developed. You've
11 got Two Rivers. You've got Crofton. So before when
12 these maps were done, this wasn't really such a
13 perspective. But now you have all these homes and then
14 the second landfill with the same aquifer. So isn't that
15 part of what you guys have to pay attention to?

16 MR. DEXTER: And we did. I mean, for each of
17 these, the phase two report, which we -- the phase two
18 report that we discussed is, in fact, a detailed
19 hydrogeologic investigation of this site. And in
20 designing the landfill, among the things that were done
21 as part of the comments back and forth between, you know,

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1 our geologists and engineers and their consultants, was
2 to significantly re-design the landfill, including
3 lifting the bottom further away from the water table,
4 specifically because of our concerns about the aquifer.
5 And that's the sort of thing that we routinely do.

6 And it also takes that information about where
7 the water table is, how it fluctuates over the course of
8 the year, and so on, and design the -- not only the base
9 of the landfill and how it grades, but also the
10 monitoring system that was displayed, all those
11 monitoring wells around there, so that based on the speed
12 with which ground water flows, it's not like a stream.
13 It's usually in the order of feet a year or tens of feet
14 a year. So the monitoring system is designed to give us
15 warnings should there ever be a problem, although I must
16 say the liner's technology is really good. And I know
17 it's been discussed here tonight that they can leak, but
18 we've had very good success with all the lined landfills
19 that we do oversee.

20 MS. HINCHEY: I don't understand the thing with
21 how the fact of two landfills on this aquifer, how many

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1 people are -- need this aquifer, and as much as you can
2 tell us how great these liners are and everything, none
3 of us believe that. And, you know, we've seen -- we read
4 reports every single day about contaminated wells and all
5 this kind of stuff. I mean, look at Flint, Michigan.
6 These things go on for years and years and years.

7 And one of the things I said -- and probably
8 didn't say it as politely as I should have -- your whole
9 description about what you're supposed to do and look at,
10 the fowl and waterfowl and all this kind of stuff, it
11 leaves out looking at humans. Your statement absolutely
12 leaves them out. And that doesn't seem to be --

13 MR. GRENZER: I mean, protection of the human
14 health and the environment, but protection of the human
15 health is a foremost principle and guiding doctrine of
16 the Department. So certainly we're concerned.

17 MS. HINCHEY: Can I just finish? It says,
18 review to see if there are any major, readily
19 identifiable issues, such as endangered species,
20 wetlands, floods, scenic areas, critical areas,
21 historical sites -- we have historical sites. We have

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1 critical areas. We have scenic things. We have all
2 those different things, plus we have human beings. It
3 doesn't say anything about the human population.

4 And, I'm sorry, that has -- that should be
5 number one. And that is really confusing to me.

6 MR. GRENZER: You know what, all I can say is
7 maybe it's a admission by omission, you know? That is
8 number one, you know? The protection of citizens in the
9 state is number one so it doesn't need -- I will add it,
10 okay?

11 MS. HINCHEY: Yeah.

12 MR. GRENZER: You know, but certainly
13 protection of Maryland citizens is one of our most
14 important, if not the most important, direction of MDE.
15 You know, and that's the protection of our waterways, you
16 know, and that's what it falls under. But I would have
17 to re-read the statement again. If it is not in there, I
18 will add it in there in future projects. I will make
19 sure that, you know, it is noted. But, again, maybe it's
20 -- we find it so important, it is our initial most
21 important thing, that we just didn't say it because we

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1 thought it was so understood that protection of Maryland
2 citizens is our utmost priority.

3 MS. HINCHEY: But what about the things -- I
4 recognize the site information, but the trucks and the
5 exhaust and all those things. Don't they come into your
6 consideration of all these 80 -- forget 80 trucks, it's
7 probably looking at a lot more than that, coming through,
8 all that exhaust, all those particles. We all have been
9 hit -- I don't know about you guys, but we avoid
10 following any dump trucks because you know that things
11 are going to come back and hit your windshield, and how
12 many times we've had cracked windshields. And so these
13 things are going to have a lot bigger things in them, and
14 the stuff that comes back -- I mean, I had a huge spike
15 spear my car one time, the front of my car, huge spike.
16 If it had come through the window, I would have been
17 dead.

18 So I'm talking about the kinds of things that
19 are real, and that's what we're trying to say to you
20 tonight. These things are real. These are not
21 aberrations. These are not -- you know, the Halle family

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1 could care less about any of us, and they have plenty of
2 money, and they've had plenty of money to keep this thing
3 going. And I know I'm not supposed to say this, but they
4 gave \$250,000 to our county exec, and that was 40 percent
5 of all of her campaign money, so she would get this
6 through.

7 And so part of it is you're looking at people,
8 you're looking at real people with real concerns, our
9 health, our breathing, and the fact is we can't -- Mike
10 and I, both of us, have worked in elementary schools. I
11 was a teacher, he was a principal. We let these little
12 kids, who without -- if you had kids, you know without a
13 doubt, before you know it they're somewhere. No matter
14 how much you watch them, no matter how much you say don't
15 cross the road, all of a sudden they see a cute dog,
16 boom, they're gone. And these are little kids. This is
17 an elementary school, on top of them breathing the air to
18 go out and play. This is just -- there's just no
19 conscience to this.

20 UNIDENTIFIED FEMALE: Can I just amplify what
21 she's saying. Do the regulation permit schools and

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1 residential communities of thousands of people? Do the
2 regulations permit that?

3 MR. GRENZER: So there is no prohibition on
4 residential communities. There is an offset for a
5 facility like this. I do believe I have to look at
6 specifically the regulation or the statute in regards to
7 school locations. I believe there is an offset for
8 school locations for permanent facilities.

9 MR. DEXTER: Yeah. I'm not sure there's one
10 for communities in the state regulations, but I think
11 there is a statute for schools.

12 MR. GRENZER: For schools. But the school is
13 not currently built. It is an earmarked --

14 UNIDENTIFIED FEMALE: It's on its way.

15 MR. HINCHEY: Are you kidding? It's being
16 built right now.

17 UNIDENTIFIED FEMALE: It's built.

18 MR. GRENZER: Okay. Well, MDE will look at
19 that.

20 UNIDENTIFIED FEMALE: It's not in business, but
21 it's built.

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1 MS. HINCHEY: It's open. It opens in
2 September.

3 UNIDENTIFIED FEMALE: The walls are going up.
4 (Chatter.)

5 MR. GRENZER: Okay. Again, it's comments that
6 MDE is -- will consider as part of our -- a part of our
7 determination.

8 Okay. Again, I know the property was purchased
9 in 2000, and we're in 2020, and it was earmarked as a
10 location for West County School.

11 UNIDENTIFIED FEMALE: It is going up.

12 MS. HINCHEY: It's pretty well -- all the basic
13 structure is up.

14 UNIDENTIFIED FEMALE: Yeah, Halle had the
15 opportunity to buy it, to buy that property.

16 MR. GRENZER: It will be under consideration by
17 the Department. Again, I do not know what the resolution
18 of that determination will be, but there is a school
19 proximity in the statute, and we will review it as part
20 of our determination.

21 UNIDENTIFIED FEMALE: Just could I ask one

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1 other question? The governor's office, how is the
2 governor's office related to this project?

3 MR. DEXTER: Well, I'll put it this way: The
4 Secretary of the Environment works directly and is a
5 cabinet member of the Governor.

6 UNIDENTIFIED FEMALE: Of the --

7 MR. DEXTER: Of the Governor.

8 UNIDENTIFIED FEMALE: Of the Governor.

9 MR. STRATMAN: So we have a new Secretary of
10 the Department --

11 MS. HINCHEY: And who is that?

12 MR. GRENZER: I'm sorry?

13 UNIDENTIFIED FEMALE: We have his contact?

14 MR. GRENZER: I believe, yes, you do.

15 UNIDENTIFIED FEMALE: We should probably write
16 personal letters.

17 MR. GRENZER: Yeah. So she -- she was
18 designated by Governor Moore in early January. She was
19 approved by the senate just two weeks ago. So now she is
20 officially no longer secretary designate, she is
21 Secretary of the Maryland Department of the Environment.

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1 She has a very long track record for environmental
2 enforcement throughout the country. She worked for EPA.
3 She also worked in California, which --

4 MR. DEXTER: California, she was deputy
5 secretary there.

6 MR. GRENZER: You know, California is a very
7 environmentally conscious enforcement-forward state.

8 MS. HINCHEY: So is Maryland. Maryland is very
9 close to that.

10 MR. GRENZER: Thank you.

11 MS. HINCHEY: That's why we're confused.

12 MR. GRENZER: Dr. Talbot, I know you have your
13 hand up.

14 DR. TALBOT: Yeah. Am I right in saying that
15 if you reviewed a design and you saw that it didn't meet
16 the county zoning requirements for height, slope, depth,
17 other things like the Bill 12-93 and the variance and all
18 the things like that, would you step in and reject the
19 permit, or would you say that that's a county issue like
20 queuing of trucks is a county issue, you don't get
21 involved in it?

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1 So, in other words, if things aren't being met
2 that the county ultimately requires to be done --

3 MR. GRENZER: So the 70-foot height
4 requirement, yes, we knew that if -- if we issued a
5 permit with a height greater than that 30-feet, that the
6 county wouldn't -- would not issue an occupancy for that
7 site. So we told the applicant you need to redesign --
8 we need to redesign the landfill to meet that standard,
9 the county standard. Now --

10 DR. TALBOT: No. When you first reviewed it,
11 you didn't catch, I guess, or because you didn't review
12 it --

13 MR. GRENZER: Well, I think here the special
14 exception -- so one of the issues is MDE is struggling
15 with, there is a county special exception which is in
16 existence which sets certain provisions that the National
17 Waste Managers has to meet, and then the county has since
18 made significant changes to its statutes, you know, in
19 regards to the county -- you know, there are more and
20 more provisions to have landfills in Anne Arundel County,
21 you know, that went into effect in 2016. So -- but this

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1 site was grandfathered in because they had a special
2 exception. So, you know, if I'm looking at a permit
3 today and the application that I received, I would say,
4 well, I can't possibly permit this because there's a
5 moratorium on landfill construction in Anne Arundel
6 County since 2016. But the special exception predates
7 that and allows them to move forward.

8 Other things, such as that 30-foot provision,
9 was not in the regulatory framework for the county in
10 1993 when they had their special exception. But because
11 it was silent to it and the special exception did not
12 say, yes, we can build to 70-feet above or whatever it
13 was, MDE said, you know, we reviewed it in our Attorney
14 General's Office and made the determination that they
15 needed to abide by that county regulation, even though
16 the original special exception may not have contemplated
17 an exact height. Because it did not contemplate an exact
18 height, it would be enforceable.

19 DR. TALBOT: But the old 12-93, which was part
20 of the special exception that had to be met, included the
21 30-foot height.

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1 MR. DEXTER: Yeah, but our job is not to
2 enforce the county rules. Their job is to enforce the
3 county rules. Some of them we do, because they are
4 pertinent to our things. In this one we came close. I
5 think we did. I think we met it, frankly.

6 DR. TALBOT: Well, in the case of the 47-foot
7 higher than what it should have been, if the county
8 didn't tell you that -- it was in this letter that told
9 you that -- you would have let it gone through because
10 you weren't reviewing that. You told me once that you
11 don't get involved with what the --

12 MR. DEXTER: Right. And, actually, there's
13 case law on that, where the department is not expected to
14 know the nuances of 24 local governments', you know,
15 rules. It's up to them. You know, when we ask them, are
16 they in conformance or not, to tell us what the rules
17 are. And in this case we've done that. When they told
18 us to stop, we stopped. When they told us to go ahead,
19 all right, we went ahead.

20 DR. TALBOT: The variance, do you know the
21 variance that I'm talking about? That was the subject I

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1 was trying to get out of the engineer. Do you know the
2 variance that I'm referring to?

3 MR. DEXTER: I've read that and I've read your
4 comments about it.

5 DR. TALBOT: And what is -- well, you know my
6 comments because I shared them with you.

7 MR. DEXTER: And I think -- I think part of it
8 is you can't be more than 30-feet above the original
9 grade of the property.

10 DR. TALBOT: That's not the variance I'm
11 talking about.

12 MR. DEXTER: All right, okay. Tell me.

13 DR. TALBOT: The variance is the one that deals
14 with what type of rubble can be put in the buffer zone
15 240-feet --

16 MR. DEXTER: Oh, that one.

17 DR. TALBOT: -- from a person's home.

18 MR. DEXTER: I remember reading that.

19 DR. TALBOT: Do you know that? Does the
20 engineer know that?

21 MR. GRENZER: I mean, that's a design and

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1 operation, you know, when they're designing and operating
2 that cell, that's within that -- that proximity to
3 someone's home, they have to conform to the variance.

4 DR. TALBOT: One of my comments is in my report
5 to you is that asbestos cannot go in any cell; it has to
6 stay out of the buffered area because the county Board of
7 Appeals said only certain defined type of rubble can go
8 in the buffered area. So it's going to create a
9 nightmare to operate the system if only defined good
10 quality rubble can go into the buffered area.

11 MR. DEXTER: And that's a pertinent comment.

12 MR. GRENZER: Yeah, we may grant to the
13 applicant and the applicant may decide we're not going to
14 accept asbestos at all in order to --

15 UNIDENTIFIED FEMALE: Do you really believe
16 they would do that?

17 MR. GRENZER: I mean, if it's -- if it creates
18 an -- listen, I'm -- it's -- do I believe that they may
19 do it? I don't know. But that may be an issue that they
20 have to address as part of these comments, which is why
21 we're here, to make them address your comments.

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1 MS. HINCHEY: You guys --

2 MR. GRENZER: Okay. There's a couple other
3 people that had their hands up for a long time, and I
4 know you already spoke.

5 UNIDENTIFIED MALE: You have either stated or
6 inferred that MDE, one of its high priorities is water,
7 ground water, and water. That's one of the high priority
8 environmental aspects that you look at. What I'm
9 confused about and don't understand is where do you stop
10 and where does the Army Corps start with regard to
11 permitting ground water-related issues?

12 MR. DEXTER: They're mostly just wetlands.
13 It's -- the ground water and stuff is us.

14 UNIDENTIFIED MALE: Okay. Did you guys -- so
15 you're not concerned about wetlands?

16 MR. DEXTER: Of course. We have a whole group
17 that actually works with the -- works with the Corps of
18 Engineers. A lot of them --

19 UNIDENTIFIED MALE: No. Did MDE work with the
20 Corps of Engineers when they issued their permit? When
21 the Corps --

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1 MR. DEXTER: I believe they have to get a water
2 quality certification from our Water and Science
3 Administration before they can issue the original, at
4 least, Corps permit for the wetlands area.

5 UNIDENTIFIED MALE: So you -- MDE in general,
6 your water division or whatever, did they work outside
7 the boundaries with the Army Corps?

8 MR. DEXTER: I do not know that off-hand, but
9 generally speaking they do.

10 UNIDENTIFIED MALE: When I look at the permit
11 from the applicant, it doesn't -- it talks about within
12 the boundaries, all of these various plants and
13 endangered species and blah, blah, blah, blah. But I
14 don't get the impression that anybody looked outside the
15 boundaries with regard to water resources.

16 MR. DEXTER: Well, that is part of the phase
17 two report. They have to identify streams, flood plains,
18 wetlands, things like that. The area of wetlands that
19 was in the area to be disturbed was subject to the Corps
20 permit.

21 UNIDENTIFIED MALE: So the Corps should have

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1 been looking at that?

2 MR. DEXTER: With respect to the areas that
3 were going to be disturbed, yes.

4 UNIDENTIFIED MALE: All right.

5 MR. DEXTER: And they issued a permit.

6 UNIDENTIFIED MALE: Yeah, they did issue the
7 permit. That's my issue, is did they issue the permit
8 looking at the entire situation in the boundaries and
9 outside the boundaries of the proposed landfill?

10 MR. DEXTER: I don't think they looked outside
11 because that was outside of what is going to be
12 disturbed.

13 UNIDENTIFIED MALE: So you're saying they would
14 assume that there would have been no pollution leaking or
15 coming from the boundary that would affect the wetlands
16 outside?

17 MR. GRENZER: I'm guessing when they issued
18 their permit they have -- they have a set guidance on
19 what they have to look at in order to look at the permit,
20 and that they do those prior to issuing their permit. I
21 can certainly look at the Army Corps of Engineers

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1 guidelines based on your comment, look at the Army --
2 based on your comments, look at the Army Corps of
3 Engineers guidelines for what they need to look at, and
4 then make sure that they did look at those specific
5 things prior to them making their determination.

6 UNIDENTIFIED MALE: Yeah, because when I look
7 at the pending -- the one -- your applicant's permit that
8 contained the Army Corps' permit --

9 MR. GRENZER: Yeah.

10 UNIDENTIFIED MALE: -- it didn't give me the
11 impression that other than looking at stuff within the
12 boundaries that they really focused much outside the
13 boundaries, and yet --

14 MR. GRENZER: It might not be something that
15 they need to. I don't know. I will look at that, what
16 their guidelines are, and confirm that they've met all
17 the guidelines prior to issuing their permit.

18 UNIDENTIFIED MALE: Thank you.

19 MR. GRENZER: Sure.

20 MR. HINCHEY: Can I just ask a quick question,
21 please?

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1 MR. GRENZER: Sure.

2 MR. HINCHEY: Please excuse my ignorance. In
3 1988, someone looked at this property and they said,
4 yeah, it looks like this could be a rubble site or a
5 landfill site, if certain conditions are met. And for a
6 variety of reasons, as we've heard tonight so explicitly
7 made clear, that has been pushed down the road. And here
8 we are 34 years later. And this might be just my
9 naivety, but I'm thinking, man, things have really
10 changed here. And I said to my wife to put this in some
11 sort of context, because we have been obviously very
12 concerned about this. And I thought it was a moot point,
13 the school went in. And having been an educator for 49
14 years as a teacher and principal, I thought, no way, no
15 way, would they put a landfill in.

16 Can you, or would you, go back and look at this
17 now through a different lens and say -- if someone asked,
18 if someone just filed this permit this year, and said I
19 want to put a landfill in here, would that possibly be
20 granted? Or based on what has happened here with the
21 influx of people, the development that has taken place,

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1 arguably the over-development that has taken place, a
2 school being placed in there, would your agency think not
3 knowing anything about how we function, would you say, no
4 way? There's no way can we put a rubble landfill -- so
5 why -- why -- that would be --

6 MR. GRENZER: Those are very good questions.

7 MR. HINCHEY: And so I have one or two
8 questions. That would be --

9 MR. GRENZER: We haven't -- we have not issued
10 a permit yet. So all of these are still very relevant
11 issues, relevant points, that we would look at prior to
12 issuing a permit, and we will address. You know --

13 MR. HINCHEY: Or it might --

14 MR. GRENZER: The impervious -- impervious --
15 I'm talking about houses, parking lots, everything that's
16 been, you know, certainly has an impact on stormwater
17 management at the site. You know, and maybe the issue in
18 regards to the current stormwater management plan for the
19 site needs to be addressed based upon the changes that
20 that community, you know, has seen over the recent years
21 with Two Rivers and just other commercialization of the

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1 area, paving of the area, you know, is stormwater
2 management capable of -- or, you know, can they engineer
3 stormwater management appropriately to handle that runoff
4 that they will have, and is it managed appropriately in
5 the area total?

6 MR. HINCHEY: So I had another question that
7 was trailing along --

8 MR. GRENZER: Okay. I'm sorry. Can you say
9 your name for --

10 MR. HINCHEY: My name is Michael Hinchey. And
11 I was just -- I was just wondering that -- because I
12 don't know that you answered my original question, is
13 that you look at that map through a different lens, yeah,
14 we would have approved it -- just playing devil's
15 advocate here -- we would have approved this years ago
16 had the people sold their land and they got a reasonable
17 price for it, et cetera, et cetera, and the landfill
18 would have been in, and this would have been in.

19 However, here we are today, 34 years later; do
20 you look at that and possibly conclude that no way you
21 can put a landfill in here, or are you locked in to what

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1 has been done previously? Because this has been pushed
2 down the road, and because phase one may have been
3 granted, and then you had phase two, now you can't go
4 back and undo that? I mean, I'm just asking you.

5 MR. GRENZER: No, I --

6 MR. HINCHEY: Am I making myself clear?

7 MR. DEXTER: Yes.

8 MR. GRENZER: No, we can certainly go back at
9 any point and require additional information be provided
10 based on the current state of land use in the area. You
11 know, one issue in regards to that determination is
12 whether it's zoned properly is not a determination that
13 MDE can make. That's a county determination, which
14 currently has approval from the county. So --

15 MR. HINCHEY: You know, to some people like
16 myself, it's my own ignorance, I guess, to me it's like
17 intuitively obvious to the most casual observer. When
18 you look at what we have here, the road coming in, all
19 the things that have been discussed so eloquently this
20 evening, and you would think, no way. It should be
21 intuitive. You can never put a landfill in here.

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1 MR. DEXTER: Here's the thing, though --

2 MR. HINCHEY: But obviously it's not so
3 obvious.

4 MR. DEXTER: Because of the way the legislature
5 has developed the scheme for looking at these things,
6 there's a division between what the Department's
7 responsibility is and what the local government's
8 responsibility is. We are given significant control what
9 happens at the site. We are not given significant
10 control about public roads, whether they're adequate or
11 not. That's a decision that's made, in theory anyway, by
12 the county whether they give it a green light or not.
13 The same people, I might add, who approved the
14 construction of Two Rivers and the other things that
15 weren't there when they first applied. Since then,
16 they've been developed and they approved those
17 developments.

18 Now, we have other landfills that have
19 construction right up to the property boundary. Again,
20 that was a local decision. All I can do is try to make
21 sure that the facilities are operating properly and don't

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1 annoy or poison those people. And I think we have a very
2 good track record.

3 MR. HINCHEY: And I appreciate that immensely,
4 I truly do. Because it's extremely important. We see it
5 every day, without exception, in the news, of
6 environmental disasters.

7 UNIDENTIFIED FEMALE: Can I ask a question?
8 Would any of you --

9 MR. GRENZER: So I want to hold that to one
10 question. So I'm happy to hear comments, and if you want
11 to go up to the podium and offer your comments, it's much
12 easier for the court reporter to -- if I can -- if we
13 want to continue with this, and I can close the hearing,
14 I have no problem with sitting and discussing your
15 questions and trying to give you answers to questions
16 that you may have, or direction. But if you want to make
17 comments on the record, I need to do it in a more formal
18 manner.

19 UNIDENTIFIED FEMALE: It's not a technical
20 question. It's just a question to you guys. Would you
21 feel comfortable living next to this landfill?

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1 MR. GRENZER: I mean, I can permit, design,
2 operate, and monitor -- you know, I think that we can do
3 that effectively in this state.

4 UNIDENTIFIED FEMALE: If it were you living in
5 this community, would you feel comfortable?

6 MR. GRENZER: There's landfills all over the
7 State of Maryland that operate --

8 UNIDENTIFIED FEMALE: But we're not talking --

9 MR. GRENZER: -- without environmental hazards.

10 UNIDENTIFIED FEMALE: We're talking about --

11 UNIDENTIFIED MALE: That close to a river?

12 UNIDENTIFIED FEMALE: We're talking about this
13 one.

14 MR. DEXTER: There's streams everywhere in
15 Maryland. They're all next door.

16 UNIDENTIFIED FEMALE: Would you feel
17 comfortable with their families --

18 UNIDENTIFIED FEMALE: And they're going to be
19 left alone? That would be fine.

20 MR. GRENZER: So is there anyone that wants to
21 make comments for the record?

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1 MR. DEXTER: And, remember, you can always
2 submit something.

3 MR. GRENZER: You can always submit written
4 comments. But, again, I'm happy to stay -- Ed and I are
5 happy to stay and discuss other issues with you. But if
6 you'd like to make a comment on the record, I'd love for
7 you to come up so the court reporter can get a clear,
8 concise --

9 UNIDENTIFIED FEMALE: I have a question for Ed.
10 Back in 2019 when you did this meeting here and the big
11 group of people, and my son was in the audience, he did
12 not speak, but every time -- at the end, he made some
13 questions and COMAR regs and everything, you were shaking
14 your head. My son was with MES and --

15 MR. DEXTER: I know your son very well.

16 MR. GRENZER: I worked with Jason for many
17 years.

18 UNIDENTIFIED FEMALE: I wish he'd been here
19 tonight. How the heck did you get out of phase two to
20 phase five all of a sudden? I mean, there were things
21 back then that you-all hadn't even -- they hadn't

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1 complied to.

2 MR. DEXTER: Right. They did eventually. And
3 if you look at the fact sheet that we have there, it
4 says, okay, we kicked them back to phase two after we had
5 been looking at phase three.

6 UNIDENTIFIED FEMALE: Right.

7 MR. DEXTER: Well, because time passed, and we
8 said we need to update this information. And, you know,
9 because it was years later, and so we did. And so then
10 we approved it. Because there was usually not that much
11 they needed to do. They just needed to update the water
12 levels and things like that.

13 UNIDENTIFIED FEMALE: So if this gets appealed,
14 who -- it appeals back to you?

15 MR. DEXTER: No, no, no. When -- if the
16 Department issues a permit in any form, or any of the
17 other things that we've denied it, then the applicant can
18 appeal it. If it gets issued, then anyone with standing,
19 which the legislature greatly broadened who can appeal
20 one of these things a number of years ago, they also
21 changed that instead of appealing it to the

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1 administrative hearings, it now gets appealed to the
2 Circuit Court in the county in which it's located. So it
3 would be Anne Arundel County Circuit Court. And if you
4 look at the statute, it's in 1-6, the judge is directed
5 -- now, a judge can do any damn thing they want, but
6 they're directed in the statute to look specifically at
7 did we follow the administrative procedure that our
8 regulations and statutes require us to do. But they can
9 really look at any issue they want. That's the
10 instruction to the judge, anyway.

11 UNIDENTIFIED FEMALE: Okay.

12 MR. GRENZER: Is there anyone who wants to make
13 a comment for the record?

14 UNIDENTIFIED FEMALE: I do.

15 MR. GRENZER: For the record. There's a
16 microphone right on that podium. Sir, if you give me
17 your name, please, for the court reporter.

18 MR. MCDANIEL: Sure. My name is Sam McDaniel,
19 and I live in Two Rivers. And my question is, is there a
20 proof of concept that's required? And, if so, is that
21 related to the 4,000 tons of dirt that have been moved on

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1 the north side of Patuxent Road between Patuxent Park and
2 Woodwardville?

3 MR. DEXTER: By "proof of concept," what do you
4 mean?

5 MR. MCDANIEL: Something that demonstrates the
6 landfill off-site of the approved site.

7 MR. DEXTER: Well, soil isn't considered waste,
8 so they can move dirt around.

9 MR. MCDANIEL: We understand that that is a
10 resurrection of some old permit that they're doing some
11 wetlands remediation.

12 UNIDENTIFIED FEMALE: Mitigation.

13 MR. GRENZER: Mitigation. Okay. So that's not
14 our Solid Waste Program, but I can certainly look into
15 that. That would either be our Mining Program or our
16 Wetlands Program. We can --

17 MR. MCDANIEL: I just wondered because I don't
18 see any permits anywhere on that site.

19 UNIDENTIFIED FEMALE: Yeah.

20 MR. DEXTER: Okay, thank you.

21 MR. GRENZER: Okay. And I was looking on our

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1 website to look for permits?

2 MR. MCDANIEL: Yes.

3 MR. GRENZER: Yes.

4 UNIDENTIFIED FEMALE: Yeah, because there's
5 nothing -- you can see it's back in the wooded area all
6 the way down --

7 UNIDENTIFIED MALE: It's between Patuxent Road
8 and --

9 UNIDENTIFIED FEMALE: They've been mowing down
10 a lot of trees.

11 UNIDENTIFIED MALE: It's between Patuxent Road
12 and Little Patuxent.

13 MR. GRENZER: Okay. I mean, the property has a
14 name for the Department, so any permit that would be on
15 the site we should be able to pull up. But it should be
16 in our front-facing portal. If it's not, I will look
17 into it. I'm not -- I don't know at this moment. I'm
18 sorry.

19 MR. MCDANIEL: We understand.

20 MR. GRENZER: Yes?

21 UNIDENTIFIED FEMALE: I have two questions

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1 again, sorry. Is there any research that you-all have
2 been doing on Patuxent Research Refuge?

3 MR. DEXTER: Not that I'm aware of.

4 UNIDENTIFIED FEMALE: It's not in Anne Arundel
5 County. Well, it is in Anne Arundel County, isn't it?
6 It's kind of, like, close to the border of P.G. County.

7 MR. GRENZER: I think it's in both counties,
8 maybe.

9 UNIDENTIFIED FEMALE: I think you're right,
10 yes. So I was wondering if anything has been given to
11 you about any type of surveys or water conservation, or
12 testing that they have done, or their feelings or -- not
13 feelings, but their --

14 MR. GRENZER: Not that I am aware of -- not
15 that we are aware of. But I can look and respond to that
16 when --

17 UNIDENTIFIED FEMALE: Okay.

18 MR. GRENZER: -- we check our files.

19 UNIDENTIFIED FEMALE: And I have one other
20 question. Where's all this rubble coming from? Is it
21 just Anne Arundel County, or is it the State of Maryland?

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1 MR. GRENZER: I actually believe all the rubble
2 -- maybe not all --

3 UNIDENTIFIED FEMALE: New York.

4 MR. GRENZER: Do we know?

5 UNIDENTIFIED MALE: Anywhere.

6 MR. DEXTER: I might add, it's illegal for the
7 State of Maryland to restrict out of waste from coming
8 here --

9 MR. GRENZER: Correct.

10 MR. DEXTER: -- because it's a --

11 UNIDENTIFIED FEMALE: What?

12 MR. DEXTER: It is. It's a federal law against
13 restrained trade. So we can't say no waste from
14 Pennsylvania. And, in a way, it's a good thing because
15 Maryland now sends an awful lot of waste to Virginia and
16 Pennsylvania. It used to be net importer, now we're a
17 net exporter. So a lot of the trash that's disposed of,
18 Anne Arundel County less of, but Waste Management has a
19 rail haul facility right down in Annapolis Junction,
20 there's waste coming out, even the Eastern Shore, and
21 goes to Virginia or up to Pennsylvania. So, you know,

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1 what's good for the goose is good for the gander, you
2 know.

3 UNIDENTIFIED FEMALE: Are we still talking
4 about rubble?

5 MR. DEXTER: Mostly it's municipal waste and
6 industrial waste and hazardous waste.

7 UNIDENTIFIED FEMALE: One other comment is also
8 -- this is my personal thing. If this is all safe and
9 everything, why aren't they just dumping it in on a barge
10 and go out there in the sea and make an oyster --

11 MR. DEXTER: That's illegal.

12 UNIDENTIFIED FEMALE: Well, it's not illegal
13 when they want to sink a ship down there.

14 MR. DEXTER: Yeah, you can sink boats but you
15 can't dump trash anymore.

16 UNIDENTIFIED FEMALE: There's plenty of boats,
17 I'm sure, that could probably -- but I get it. Thanks.

18 MR. GRENZER: Thank you.

19 Anyone else have comments for the record? Yep?

20 MS. SIMMONS: Hi, my name is Beverly Simmons.
21 I'm with Two Rivers as well. I'm actually on behalf of

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1 the deaf community. I'm actually half-deaf, I'm hard of
2 hearing, lost my hearing in one ear. But the deaf
3 community, they travel up and down those roads. And so
4 whenever you have a deaf person, if you having that many
5 trucks coming in and walking from one side of the
6 neighborhood to the other, that's a big concern. So I'm
7 here to speak on behalf of the deaf community.

8 And then my husband and I lived -- moved to Two
9 Rivers not only because of handicap, but because of
10 senior, for the 55 and over community. So I just want to
11 put that on the record. When there's an emergency, I
12 know that you already talked about it, but I had to leave
13 and go to class and come back, to learn sign language
14 because I'm going deaf.

15 MR. DEXTER: Very good.

16 MS. SIMMONS: So when there's an emergency, an
17 ambulance, and going down that road, I know someone
18 talked about it at this meeting likewise, that was a big
19 hazard. Nowhere to pull over, no bike lane, no emergency
20 lane, nobody could even pull over on the side of the
21 road. I can't even imagine 80 dump trucks a day with

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1 children, with handicap community, with those in need.
2 So I just really want to speak up for the deaf community.
3 You've got to take accountability for their safety
4 because they can't hear a truck when it's coming. Okay?
5 That's really all I have to say.

6 MR. GRENZER: Thank you for your comment.

7 (Applause.)

8 MS. HINCHEY: If I can ask one question, a
9 basic question. You're the state environmental group.
10 Do you have -- like, if we went on your site, do we find
11 the basic state regulations and we can look about water,
12 or we can look about housing, or we can look about --

13 MR. DEXTER: Yes.

14 MS. HINCHEY: So we have -- because you have --
15 I understand what you said, that the legislature changed
16 -- legislatures changed it where more options were left
17 to the county, I think, if you said that correctly. But
18 basically you have oversight. So is your umbrella so
19 wide that -- and loose that the county can get away with
20 too much, or do you have --

21 MR. DEXTER: It's more like this: There are

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1 specific areas that we're given authority over. You
2 know, certainly in some areas, like there have been
3 lawsuits where a county can't overrule certain things
4 that we put in place, like the National Pollution
5 Discharge Elimination System Program. It's actually a
6 federal program, the State's authorized to run it, and
7 the county can't say, oh, there is no such thing.

8 MR. HINCHEY: Okay.

9 MR. DEXTER: But in other areas, in this case
10 the zoning, land use, roads, noise, specifically -- it
11 used to be --

12 MS. HINCHEY: I was going to say noise.

13 MR. DEXTER: Noise used to be a thing enforced
14 by the Department of the Environment. Now they changed
15 it about, I don't know, eight, 10 years ago --

16 MR. GRENZER: Thirteen, but, yeah.

17 MR. DEXTER: All right. The state can set
18 standards, but the county enforces them and can also have
19 their own standards.

20 MS. HINCHEY: So if you set standards that -- I
21 guess that's almost where I'm at. If you set standards

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1 and the county can have their own standards, but can the
2 county go, like, below the standard you're trying to --

3 MR. GRENZER: No, they cannot.

4 MS. HINCHEY: That's what --

5 MR. GRENZER: So the county cannot be more
6 restrictive than the standard that the state sets. So
7 let's say the state sets a noise ordinance of 50
8 decibels, which I do not believe that's what it is, but
9 let's just -- for speaking purposes say it's 50 decibels.
10 Anne Arundel County cannot be over 50 decibels. Anne
11 Arundel County cannot make a statute that says you cannot
12 be over 35 decibels. But you can make a statute that's
13 less restrictive and say you cannot be over 60 decibels,
14 but they cannot go under the state-set standard.

15 MS. HINCHEY: So they can set less than what
16 you say?

17 MR. GRENZER: It depends on how you look at.
18 So they would approve -- be more noise for a specific
19 noise, but they can't say -- they can't take the state
20 standard and be more restrictive than the state standard.
21 So if the state standard is 50 decibels, the Anne Arundel

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1 County cannot set a 35-decibel limit.

2 MS. HINCHEY: Okay. And so if I went on your
3 site, I can look up noise things. Right?

4 MR. DEXTER: Yeah, the standards are in there.

5 MR. GRENZER: The standards are in --

6 MS. HINCHEY: And that's what I want to know.

7 MR. GRENZER: So they're actually in our air
8 regulations, not under our land regulations. But they
9 are under our air regulations, and they set the
10 standards.

11 MS. HINCHEY: Okay.

12 UNIDENTIFIED FEMALE: Will thsoe things be --
13 there are some things that are actually, like, kind of
14 grandfathered in this case, I'll say, isn't it?

15 MR. DEXTER: Maybe in the county side. With
16 us, it's whatever the current rule is is the current
17 rule.

18 UNIDENTIFIED FEMALE: Good.

19 MR. DEXTER: And, like I said, in '97 we went
20 -- actually the whole '90s, but it went into effect in
21 '97 that said, okay, rubble -- anything rubble fill's got

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1 to have a liner. The old ones had to either upgrade or
2 close by 2001.

3 MR. GRENZER: Are there any other statements or
4 comments?

5 UNIDENTIFIED MALE: I just want to make the
6 suggestion that the release that you-all put out for this
7 meeting tonight mentioned a March 2nd deadline for public
8 comment. Can you make sure that you publicize that it's
9 actually May 1st?

10 MR. GRENZER: I -- we can. I tried to
11 disseminate that information as best as possible,
12 community organizations, groups, senators, congressman,
13 legislatures. We told them --

14 UNIDENTIFIED FEMALE: But still at some point
15 you're --

16 MR. GRENZER: So there is a notice actually on
17 our website on that Chesapeake Terrace page that says the
18 date has been extended due to a -- we received a request
19 to extend the date and MDE has extended the date to May
20 1st.

21 MR. DEXTER: We knew we were going to get a

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1 request, but the way the statute is we have to wait until
2 we get one.

3 MR. GRENZER: Yeah.

4 MS. ROUTZAHN: Are there any other requests we
5 can make that will help you deny this permit?

6 MR. GRENZER: That extends my -- or decision-
7 making process and how long we can get comments. But,
8 yes, there is a notice on our webpage. It's not on the
9 notice, but I will amend the notice to -- so it's there,
10 as well.

11 UNIDENTIFIED MALE: Thank you.

12 MR. GRENZER: That's a good comment.

13 MR. DEXTER: Anything else?

14 MR. GRENZER: Any other comments or statements?

15 MS. ROUTZAHN: Thank you for your time.

16 MR. GRENZER: All right. Let the record show
17 that there are no other requests for statements. If
18 there are no adverse comments received concerning this
19 proposed permit renewal by the end of the comment period,
20 which is May 1, 2023, then the Tentative Determination
21 becomes a Final Determination at that time, unless I find

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1 cause to make a substantial change to the proposed
2 determination based on my review of the Record.

3 If there is an adverse comment received: As I
4 mentioned at the start of the hearing, as a result of the
5 testimony or evidence gathered tonight or submitted for
6 the Record, we determine that we must change the draft
7 approval or otherwise modify the tentative decision of
8 the Department, then a notice of Final Determination will
9 be published and an opportunity for public to review the
10 final decision will be afforded.

11 Following the Department's decision, the
12 appeal of the Department's decision may be heard if
13 a request for a contested case hearing is received within
14 15 days following publication of the Final Determination.
15 Information for this phase of the permitting process will
16 be provided upon request and will be explained in the
17 notice of Determination.

18 Let the record show that the Public Hearing is
19 now concluded at 9:08 p.m. I would like to thank all of
20 you for taking the time to attend tonight's Hearing.

21 (Whereupon, the hearing was concluded at 9:08 p.m.)

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CERTIFICATE OF COURT REPORTER

I, George Quade, do hereby certify that the foregoing transcription was reduced to typewriting via audiotapes recorded by me; that I am neither counsel for, nor related to, nor employed by any of the parties to the case in which these proceedings were transcribed; that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.



GEORGE QUADE, CERT
Court Reporter