

Date: February 21, 2020

Subject: Landfill Update

A group of Two Rivers volunteers has been meeting periodically over the last few months to organize efforts to permanently stop the National Waste Managers' (NWM) proposed Chesapeake Terrace Rubble Landfill (Landfill).

The Two Rivers volunteers are comprised of homeowners who live within the Two Rivers' Villages and Hamlets. (At this time, the group has elected to not organize under the umbrella of the Two Rivers' Homeowners Association to simply our volunteer work.)

The attached files will help provide you an overview of the proposed Landfill and the Two Rivers Residents - Landfill Opposition Group efforts to-date.

Two Rivers Residents – Landfill Opposition Group

(TRR-LOG)

The *mission* of this volunteer Group is: **To permanently end the Landfill permitting process so that the development of the proposed Chesapeake Terrace Rubble Landfill is cancelled now and forever.**

There are currently about 750 occupied residences within Two Rivers. We will grow to over 2000 residences over the next five to six years. We are united in our opposition to the Landfill for a number of reasons including: (1) environmental pollution, (2) increased traffic congestion, (3) safety issues, and (4) the potential impact on property values.

The TRR-LOG is currently organized as follows:

We have a **Steering Group** that is tasked with the following:

1. Develop the organizational structure to manage Two Rivers' opposition efforts.
2. Develop and coordinate strategies to oppose the Landfill on multiple fronts.

The **Steering Group** is led by **Chuck Brown**.
brown15002@comcast.net or 301-906-0777

Three *Subgroups* have been formed to manage the opposition workload.

The **AA County Subgroup** is tasked with the following:

1. Review land use permits and regulations under the purview of Anne Arundel County. This principally includes the Office of Planning and Zoning and the Special Exceptions that were issued in 1993.
2. Identify flaws in the permitting process that can support AA County in successfully opposing the Landfill and that can also be legally upheld in a final Court ruling.

The **AA County Subgroup** is led by **Dick Talbot**.
dicktalbot@icloud.com or 484-467-6961

The **Environmental Subgroup** is tasked with the following:

1. Review the permitting process at the State and Federal levels. This primarily includes the Maryland Department of the Environment (MDE). The Army Corps of Engineers (ACOR) and the Maryland Department of Natural Resources (MDNR) are also involved to a lesser degree.
2. Identify flaws in NWM's permit applications and raise technically substantive objections to their applications and proposed development plans.

The **Environmental Subgroup** is led by **Peggy Farrell**.
peggy@farrell79.net or 301-943-1661

The **Communications / Outreach / Records (COR) Subgroup** is tasked with the following:

1. Communicate with the entire community of Two Rivers residents on the progress of the Two Rivers Residents - Landfill Opposition Group and subgroups.
2. Reach out to like-minded groups in the area including:
 - (a) Forks of the Patuxent Improvement Association (FOTPIA);
 - (b) Woodwardville Preservation Society;
 - (c) Wilsonville;
 - (d) St John AME Zion Church;
 - (e) Greater Odenton Improvement Association;
 - (f) Greater Crofton Council Civic Association;
 - (g) Piney Orchard Community Organization;
 - (h) Odenton Four Seasons Community Organization;
 - (i) Sierra Club;
 - (j) Maryland League Conservation;
 - (k) Chesapeake Bay Foundation;
 - (l) Maryland Historical Trust;
 - (m) National Environmental Justice Advisory Council;
 - (n) Media (including print, electronic, and social); and
 - (o) Local, State and Federal politicians.
3. Maintain records in a central online database providing access by all constituencies.

See <http://ourtworivers.com/landfill/landfill.html>

The **COR Subgroup** is led by **Mark DiMaria**.
markdimaria@live.com 703-424-4696

If you have an interest in providing some assistance to the TRR-LOG, the COR Subgroup is looking for additional volunteers. Please contact Mark DiMaria within the next week, if possible.

If you have legal expertise in the area of land-use regulations, permitting, or working with county and/or state organizations, please reach out to Chuck Brown directly (301-906-0777).

At this point, we do not need to hire a lawyer. Nevertheless, we could benefit from individuals who can help review past legal proceedings related to the Landfill and who can provide input on the best ways to move forward with Landfill opposition.

The battles against the Landfill have been ongoing for thirty years. As the Two Rivers Residents - Landfill Opposition Group joins the fight, we are optimistic that we will successfully help permanently end this undesirable project.

Landfill Overview

The proposed Chesapeake Terrace Rubble Landfill (Landfill) is to be located on a massive 482-acre parcel of land just north of The Woodlands Hamlet (see the attached aerial view). Access to the Landfill would be near the end of Conway Road, close to the historic St John AME Zion Church. We have estimated that during the 12-years of Landfill *operation*, ~600 large dump trucks would utilize this access road to the Landfill each workday during its authorized operating hours (7 AM – 5 PM). The impact of 600 trucks, *entering* and *leaving* the Landfill each workday, would overload the entire length of the scenic Conway Road and have a significant impact on MD Route 3, which is already congested. (Note that the dump trucks are specifically prohibited from using Patuxent Road per an Anne Arundel County Special Exception.)

National Waste Managers (NWM) has been trying to get an operating permit for a "rubble" landfill since 1990. Rubble landfills are only supposed to accept construction and demolition waste; however, there are typically inadequate controls prohibiting other types of waste from being dumped. Note that asbestos waste is specifically authorized for rubble landfills. Although landfills are now designed to comply with modern standards, which include liners, caps, leachate systems, etc., the waste materials that are buried will remain in place *forever*. In addition, after the Landfill ceases operation, Anne Arundel County will have ongoing Landfill maintenance requirements *forever*.

There are several water quality issues that the Maryland Department of the Environment (MDE) is specifically tasked with reviewing before they grant a permit for a landfill. The Landfill is located over two separate freshwater aquifers that provide well-water to the homeowners in the immediate proximity of the Landfill. Stormwater runoff and leachate from the Landfill will flow into the Little Patuxent and Patuxent Rivers. If the Landfill liners and caps are compromised, or the leachate system is overwhelmed, then the aquifers and rivers are threatened with contamination.

The Landfill was originally proposed in 1990. Anne Arundel County's Office of Planning and Zoning denied the application. NWM filed an appeal to The Anne Arundel County Board of Appeals. That body granted several "Special Exceptions" in 1993 to allow NWM to try to get the required permits to develop their proposed Landfill. The Special Exceptions allowed NWM a two-year period to obtain the necessary permits. NWM has been unable to get a permit for the Landfill due to numerous opposition actions and court battles over the past 30 years. These actions have also stopped the clock on the two-year permit period several times. The current two-year clock period is scheduled to expire on 10/19/2020, based a 2018 ruling from The Circuit Court. Past challenges to the Landfill have been instigated by several local groups which are against the Landfill. The Forks of the Patuxent Improvement Association (FOTPIA) has played a major role in challenging the Landfill. They represent ~114 long-time landowners in the area (excluding Two Rivers). Although the Anne Arundel County, local politicians, and State politicians are opposed to the Landfill, The Circuit Court ruled in 2018 that NWM, as the property owner, needs to be allowed an opportunity to get a permit for the Landfill.

Recently it has been announced that Anne Arundel County has purchased property for a proposed new elementary school. This school property is located to the east of The Highlands Village and on the north side of Conway Road. The passage of 600 large dump trucks each day by the elementary school presents additional safety concerns.

