

1993-06

ANNE ARUNDEL COUNTY

Annapolis, Maryland

INTER-OFFICE CORRESPONDENCE

July 20, 1993

RECEIVED

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PLANNING & ZONING
A. A. COUNTY

TO: Lillian M. Griffith, District Manager
Anne Arundel Soil Conservation District

FROM: John Peacock, Chief of Environmental Programs
Department of Planning and Code Enforcement

SUBJECT: Chesapeake Terrace Rubble Landfill
Erosion & Sediment Control Plan Concept

Attached, please find a copy of a concept plan to provide erosion and sediment controls at the proposed Chesapeake Terrace rubble landfill. Also attached is a copy of the engineer's letter to me dated July 15, 1993. The matter of the zoning approval for this project is currently before the Board of Appeals. The board recently ruled the proposed landfill must comply with the new county landfill ordinance. One of the conditions of the new ordinance is an approved erosion and sediment control plan at the time of zoning review. The Board has established a date of July 28, 1993 to resume the hearing on this project. At the hearing, the applicant must provide the board with the department's response with regard to meeting the requirement for an approved plan.

At this point in time the engineer has only submitted a concept plan for providing erosion and sediment control for the site. The engineer indicated the board has allowed insufficient time to provide a detailed plan meeting all the requirements of the new 1991 Standards and Specifications for Erosion Control. The department will consider the applicant to be in compliance with the requirement for an approved plan if the Anne Arundel Soil Conservation District determines the submitted plan employs a valid concept for erosion and sediment control.

Accordingly, it is requested the plan be reviewed on an expedited basis. Please provide me with your comments so that I may provide the applicant a response in time to meet the Board's deadline of July 28, 1993. Thank you for your assistance in this matter. Please feel free to contact me at 222-7780 should we need to discuss this matter further.

JP/enh(txtippea/aacsd)

cc: Kevin Dooley, Zoning Administrator
Board of Appeals
Chesapeake Terrace File
File JP/Chron

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 1993, Legislative Day No. 2

Bill No. 12-93

Introduced by Mrs. Clagett, Councilwoman

By the County Council, January 19, 1993

Introduced and first read on January 19, 1993

Public Hearing set for and held on January 19, 1993

Public Hearing on AMENDED BILL set for and held on February 17, 1993

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning - Sanitary Landfills - Rubble Landfills

2
3 FOR the purpose of adopting new special exception criteria to regulate sanitary landfills
4 operated solely for the disposal of rubble; defining "rubble" as a separate category
5 under the definition of "sanitary landfill"; providing new criteria for sound and sight
6 abatement, hours of operation, erosion and sediment control, dust control, and fire
7 protection; providing criteria for the rescission, suspension, or modification of a
8 special exception for a sanitary landfill operated solely for the disposal of rubble; and
9 generally relating to the disposal of rubble at sanitary landfills.

10
11 BY repealing and reenacting, with amendments: Article 28, §§1-101(57), 11-112, and
12 12-242(a)

13 Anne Arundel County Code (1985, as amended)

14
15 BY adding: Article 28, §§1-101(4B) and (55B) and 12-242(b)
16 Anne Arundel County Code (1985, as amended)

17
18 BY renumbering: Article 28, §§1-101(4B) and 12-242(b) and (c) to be §§1-101(4C) and
19 12-242(c) and (d), respectively
20 Anne Arundel County Code (1985, as amended)

21
22 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
23 *that Article 28, §§1-101(4B) and 12-242(b) and (c) of the Anne Arundel County Code*
24 *(1985, as amended) are hereby renumbered to be §§1-101(4C) and 12-242(c) and (d),*
25 *respectively.*

26
27 SECTION 2. *And be it further enacted.* That Section(s) of the Anne Arundel County
28 Code (1985, as amended) read as follows:

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

ARTICLE 28 ZONING
Title 1. General Provisions

1-101. Definitions--Generally.

(4B) "APPROVED EROSION AND SEDIMENT CONTROL PLAN" MEANS A PLAN THAT MEETS THE CRITERIA SET FORTH IN COMAR 26.09.01 AND ARTICLE 21, TITLE 2 OF THIS CODE.

(55B) "RUBBLE" MEANS ACCEPTABLE WASTES AS STATED IN COMAR 26.04.07.13B.

(57) "Sanitary landfill" means:

(I) a planned and systematic method of refuse disposal in which waste material is placed in the earth in layers, then compacted and covered with earth or other approved cover material at the end of each day of operation; OR

(II) A PLANNED AND SYSTEMATIC METHOD FOR THE DISPOSAL OF RUBBLE.

Title 11. Rezoning, Special Exceptions, and Variances

11-112. Rescission, suspension, or modification of approval.

(a) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE [The] approval of a rezoning or the grant of a special exception or variance shall be rescinded if:

(1) the approval or grant is based on a fraudulent misrepresentation of material information stated in the application, testimony, site plans, or other supporting documents; or

(2) the use of the respective property deviates from the approved site plan or zoning conditions imposed.

(B) THE GRANT OF A SPECIAL EXCEPTION FOR A SANITARY LANDFILL OPERATED SOLELY FOR THE DISPOSAL OF RUBBLE MAY BE RESCINDED, SUSPENDED, OR MODIFIED BY THE ADMINISTRATIVE HEARING OFFICER ON MOTION OF THE COUNTY, AN AGGRIEVED PARTY, OR THE OFFICER'S OWN INITIATIVE IF:

(1) THE MOTION CONTAINS SUFFICIENT FACTS AND EVIDENCE MADE UNDER OATH FOR THE OFFICER TO FIND THAT THE MOVING PARTY AT A HEARING WOULD BE ABLE TO MAKE A *PRIMA FACIE* SHOWING THAT WOULD PERMIT THE OFFICER TO MAKE A FINDING REQUIRED UNDER PARAGRAPH (A)(2) OF THIS SECTION; AND

(2) THE OFFICER FINDS AFTER A HEARING THAT:

(I) THE APPROVAL OR GRANT IS BASED ON A FRAUDULENT MISREPRESENTATION OF MATERIAL INFORMATION STATED IN THE APPLICATION, TESTIMONY, SITE PLANS, OR OTHER SUPPORTING DOCUMENTS; OR

(II) THE USE OF THE PROPERTY MATERIALLY DEVIATES FROM THE APPROVED SITE PLAN OR ZONING CONDITIONS IMPOSED.

(C) [(b)] If an approval of a rezoning or a grant of a special exception or variance is rescinded as provided in subsection (a) OR (B) of this section, then in addition to other remedies at law or equity, the use of the property shall be restricted to the use permitted immediately before the approval or grant.

Title 12. Additional Requirements for Special Exceptions

12-242. Sanitary landfills.

(a) (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A [A] sanitary landfill operated by the County is permitted in an RA, DD, or W3 District, provided:

(i) the [minimum] land area for the operation is at least 100 acres;

(ii) the applicant presents written evidence signed by the Health Officer that the proposed operation is in compliance with Article 14, Title 4 of this Code;

(iii) the facility is surrounded by fencing and screening that is at least six feet high;

(iv) the operation does not encroach into the natural 100-year floodplain of a stream, tributary area, creek, river, or natural watercourse;

(v) plans and materials are submitted to show:

1. all existing and finished grades;
2. the general vicinity of fill collection;
3. provisions for grading fill on a scheduled basis;
4. the time of completion of the proposed fill;
5. the proposed future use of the property; and
6. computation of floodplain area;

(vi) only waste generated within the boundaries of the County is accepted as fill material;

(vii) on completion of the operation, the property is subject to a recreation or open space easement by the County;

(viii) no building permit is issued for any structure not to be used for recreational purposes; and

(ix) the operation does not accept hazardous waste, including oil products and pathogenic or incendiary material, as fill.

(B) A SANITARY LANDFILL OPERATED SOLELY FOR THE DISPOSAL OF RUBBLE IS PERMITTED IN AN RA, DD, OR W3 DISTRICT, PROVIDED:

(1) THE APPLICANT PROVES THAT:

(I) THERE IS A DEMONSTRATED NEED FOR A RUBBLE LANDFILL IN THE GEOGRAPHIC AREA OF THE COUNTY WHERE IT IS TO BE LOCATED BY SHOWING; AND

1. THE LOCATION OF OTHER RUBBLE LANDFILLS IN THE COUNTY;

2. THE REMAINING CAPACITY OF THE OTHER OTHER LANDFILLS AS ESTABLISHED BY STATE AND COUNTY RECORDS;

1 *MUST SHOW* 3. THE ANNUAL VOLUME ACCEPTED AT THE OTHER LANDFILLS DURING
2 THE PREVIOUS FIVE YEARS OR SINCE INITIATION OF OPERATION, WHICHEVER IS
3 SHORTER, AS ESTABLISHED BY STATE AND COUNTY RECORDS; AND

4
5 *MUST SHOW* 4. THE TOTAL ESTIMATED VOLUME OF RUBBLE PROJECTED TO BE
6 GENERATED WITHIN THE COUNTY IN THE NEXT THREE YEARS, AS CERTIFIED BY THE
7 DEPARTMENT OF PUBLIC WORKS; AND

8
9 *MUST SHOW* (II) THERE WILL NOT BE A MATERIAL NEGATIVE IMPACT ON THE ENVIRON-
10 MENT AND, INsofar AS POSSIBLE, THERE WILL BE AN ENVIRONMENTAL BENEFIT IF THE
11 SPECIAL EXCEPTION IS GRANTED;

12
13 *MUST SHOW* (2) THE APPLICANT PROVIDES AN APPROVED EROSION AND SEDIMENT CONTROL
14 PLAN;

15
16 *OR BY 1ST PLAN* (3) THE ACTIVE OPERATION IS SURROUNDED BY FENCING OR SCREENING THAT IS
17 SIX FEET HIGH OR SCREENED BY NATURAL BARRIERS SUFFICIENT TO DETER
18 UNAUTHORIZED ENTRY INTO THE LANDFILL;

19
20 *OR BY 1ST PLAN* (4) LOCKABLE GATES ARE PROVIDED AT EACH POINT OF ENTRY IN ORDER TO
21 LIMIT ACCESS TO THE LANDFILL;

22
23 *OR BY 1ST PLAN* (5) THE LAND AREA FOR THE OPERATION IS AT LEAST 100 ACRES;

24
25 *OR BY 1ST PLAN* (6) THE OPERATION DOES NOT ENCROACH INTO THE CRITICAL AREA OR THE
26 NATURAL 100-YEAR FLOODPLAIN OF A STREAM, TRIBUTARY AREA, CREEK, RIVER, OR
27 NATURAL WATERCOURSE;

28
29 (7) PLANS AND MATERIALS ARE SUBMITTED TO SHOW:

30 *MUST SHOW* (I) ALL EXISTING AND FINISHED GRADES AND EARTHWORKS IN ACCORDANCE
31 WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN;

32
33 (II) THE GENERAL VICINITY OF FILL COLLECTION;

34
35 (III) PROVISIONS FOR GRADING FILL ON A SCHEDULED BASIS;

36
37 *MUST SHOW* (IV) THE TIME OF COMPLETION OF THE PROPOSED FILL;

38
39 (V) THE PROPOSED FUTURE USE OF THE PROPERTY; AND

40
41 (VI) COMPUTATION OF FLOODPLAIN, CRITICAL AREA, ALL NONTIDAL
42 WETLANDS, SIGNIFICANT FORESTED AREAS, AND ALL SENSITIVE AREAS AS DEFINED BY
43 STATE REGULATIONS AND ARTICLE 21, TITLE 2 OF THIS CODE; AND

44
45 *MUST SHOW* (VII) WHERE ANY PORTION OF THE SITE IS WITHIN 500 FEET OF A WETLAND OR
46 STREAM, THE ENVIRONMENTAL IMPACT ON THE WETLAND OR STREAM;

47
48 (VIII) THE SOILS, GEOLOGY, AND HYDROLOGY OF THE SITE, INCLUDING:

49
50 *MUST SHOW* 1. WELL COMPLETION REPORTS FILED WITH THE HEALTH DEPARTMENT
51 FOR ALL PRODUCTION WELLS WITHIN THREE-QUARTERS OF A MILE OF THE SITE
52 INCLUDING TABULATION OF THE DEPTH, SCREEN TYPE, PRODUCTIVITY, LITHOLOGY
53 PENETRATED, AND WATER LEVEL FOR EACH WELL;

54
55 *MUST SHOW* 2. THE GEOLOGICAL FORMATION UNDER AND IN CLOSE PROXIMITY TO
56 THE SITE AND THE HYDROGEOLOGIC RELATIONSHIP BETWEEN THE FORMATIONS;

57
58 *OR BY 1ST PLAN* 3. THE OCCURRENCE AND DIRECTION OF GROUNDWATER FLOW UNDER
59 THE SITE;
60

1 *must show* 4. A COMPREHENSIVE ANALYSIS SHOWING WATER ELEVATION CALCULA-
2 TIONS FOR THE MONTH THAT REPRESENTS THE HIGHEST OBSERVED WATER ELEVATIONS
3 OVER A 12-MONTH PERIOD AND THE MONTH THAT REPRESENTS THE MOST DEPRESSED
4 GROUND WATER CONDITION OVER A 12-MONTH PERIOD;

5
6 *must show* 5. AN ANALYSIS OF THE GROUNDWATER IN THE UNCONFINED AQUIFER
7 UNDER THE SITE FOR THE CHEMICAL PARAMETERS LISTED IN COMAR 26.04.07.15; AND

8
9 *must show* 6. PROJECTED POTENTIALS FOR THE VERTICAL AND HORIZONTAL
10 MOVEMENT OF LEACHATE POLLUTANTS FROM THE PROPOSED LANDFILL INTO THE
11 WATERS OF THE COUNTY AND THE STATE;

12 *might be possible*
13 *must show* (IX) A COMPREHENSIVE PLAN FOR LEACHATE COLLECTION AND DISPOSAL, IF
14 REQUIRED BY THE COUNTY, THAT MEETS ALL COUNTY, STATE, AND FEDERAL
15 REGULATIONS;

16
17 *must show* (X) QUARTERLY SAMPLING DATA FOR A 12-MONTH PERIOD FOR THE
18 CHEMICAL PARAMETERS OF THE CHEMICALS LISTED IN COMAR 26.04.07.15; AND

19
20 *must show* (XI) A COMPREHENSIVE PLAN FOR THE MONITORING OF GROUNDWATER
21 QUALITY ON THE PERIMETER OF THE SITE AS REQUIRED BY THE HEALTH DEPARTMENT
22 AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT;

23
24 *OK* (8) THE HOURS OF OPERATION ARE LIMITED TO 7:00 A.M. TO 5:00 P.M. MONDAY
25 THROUGH FRIDAY;

26
27 (9) AFTER COMPLETION OF THE OPERATION;

28
29 *must show* (I) THE SITE OF THE LANDFILL IS GRADED AND STABILIZED IN ACCORDANCE
30 WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN; AND

31
32 *must show* (II) AN EASEMENT IS GRANTED TO THE COUNTY THAT RESTRICTS FUTURE
33 USE OF THE SITE TO ACTIVITY COMPATIBLE WITH A RECLAIMED RUBBLE LANDFILL,
34 SUCH AS AGRICULTURAL, RECREATIONAL, OR OPEN SPACE USE;

35
36 *THOUGH* (10) EXCEPT FOR A TEMPORARY BUILDING THAT IS NECESSARY FOR OPERATION
37 OF THE LANDFILL, A BUILDING PERMIT MAY BE ISSUED ONLY FOR A STRUCTURE THAT
38 IS TO BE USED FOR RECREATIONAL PURPOSES;

39
40 *OR NOT* (11) THE OPERATION DOES NOT ACCEPT HAZARDOUS WASTE, INCLUDING OIL
41 PRODUCTS AND PATHOGENIC OR INCENDIARY MATERIAL, AS FILL;

42
43 (12) COMMENTS ARE RECEIVED FROM THE FIRE MARSHAL, THE HEALTH
44 OFFICER, THE DEPARTMENT OF INSPECTIONS AND PERMITS, AND THE DEPARTMENT OF
45 PUBLIC WORKS THAT EACH OF THEM HAS NO OBJECTION TO THE SPECIAL EXCEPTION;

46
47 *USE REQUIRED FOR* (13) ANY AREA USED TO DEPOSIT RUBBLE IS LOCATED AT LEAST 1,000 FEET FROM
48 ANY DWELLING OR INSTITUTIONAL OR INDUSTRIAL BUILDING;

49
50 (14) EACH OPERATION MEETS THE FOLLOWING CRITERIA:

51
52 *must show* (I) THE SOUND LEVEL AT THE NEAREST DWELLING MAY NOT EXCEED AN
53 AVERAGE 55 DBA AT THE DWELLING;

54
55 *must show* (II) PEAK SOUND LEVELS MAY NOT EXCEED 60 DBA AND AVERAGE SOUND
56 LEVELS MAY NOT EXCEED 55 DBA BETWEEN THE HOURS OF 7:00 A.M. AND 5:00 P.M.; AND

57
58 *must show* (III) SOUND LEVELS SHALL BE MEASURED AT THE HIGHEST NORMALLY
59 ACCESSIBLE LOCATION OF EACH AFFECTED DWELLING TO A MAXIMUM HEIGHT OF 30
60 FEET ABOVE GRADE;

1 *must show* (IV) THE OPERATION IS TOTALLY OBSCURED FROM THE SIGHT OF THE
2 AFFECTED DWELLING AT THE HIGHEST NORMALLY ACCESSIBLE LOCATION OF THE
3 DWELLING TO A MAXIMUM HEIGHT OF 30 FEET ABOVE GRADE, EXCEPT THAT DURING
4 THE TIMES SET FORTH IN SUBSECTION (B)(8) OF THIS SECTION, THE OPERATION SHALL BE
5 OBSCURED FROM THE SIGHT OF THE DWELLING TO THE EXTENT PRACTICAL;

6
7 *must show* (V) UNLESS SHOWN TO BE UNFEASIBLE AND AN ACCEPTABLE ALTERNATIVE IS
8 PROVIDED, BERMS SHALL BE USED AS THE PRIMARY METHOD OF SIGHT OBSTRUCTION
9 AND SOUND ABATEMENT;

10
11 (VI) THE CONSTRUCTION OF BERMS SHALL BE UNDERTAKEN IN ACCORDANCE
12 WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND IN THE FOLLOWING
13 MANNER:

14
15 *must show* 1. EACH BERM SHALL BE CONSTRUCTED WITH ACCEPTABLE FILL
16 MATERIAL LIMITED TO:

17
18 A. ROCK AND SIMILAR IRREDUCIBLE MATERIALS SUCH AS CONCRETE,
19 NON-REFRACTORY BRICK, AND ASPHALT CREATED AS A RESULT OF CONSTRUCTION
20 ACTIVITIES, MINING, OR REGRADING PROJECTS WITHOUT LIMIT AS TO SIZE, PROVIDED
21 VOIDS ARE NOT FORMED INTO WHICH OVERLAYING SOILS MAY BE WASHED; AND

22
23 B. TOPSOIL INTERMITTENTLY LAYERED WITH NON-ORGANIC SOIL;

24
25 2. AT LEAST 12 INCHES OF SOIL SHALL COVER ALL ROCK OR IRREDU-
26 CIBLE MATERIALS WITH A MAXIMUM DIMENSION GREATER THAN EIGHT INCHES; AND

27
28 3. ALL BERMS SHALL BE STABILIZED WITH SUITABLE VEGETATION; AND

29
30 4. THE AMOUNT OF RUBBLE SHALL BE LIMITED SO THAT CONSTRUCTION
31 OF THE BERMS IS NOT USED AS A MEANS TO INCREASE THE PERMITTED CAPACITY OF
32 THE LANDFILL.

33
34 (VII) AN EXCAVATION MAY NOT EXCEED A DEPTH OF 50 FEET BELOW THE
35 EXISTING SURROUNDING GRADE WITH ANGLE OF REPOSE MAINTAINED DURING THE
36 EXCAVATION AND THE SITE GRADED OR BENCHED IN ACCORDANCE WITH THE
37 APPROVED EROSION AND SEDIMENT CONTROL PLAN TO ENSURE SAFETY AT ALL TIMES;

38
39 *must show OK* (VIII) ANY NOISE ABATEMENT ACTIVITY SHALL BE LOCATED AT LEAST 300
40 FEET FROM THE AFFECTED DWELLING AND AT LEAST 100 FEET FROM THE PROPERTY
41 LINE;

42
43 *must show OK* (IX) THE HEIGHT OF THE RUBBLE LANDFILL MAY NOT EXCEED 30 FEET ABOVE
44 THE NATURAL GRADE OF THE SURROUNDING LAND AND THE FINISHED SLOPE SHALL BE
45 FOUR TO ONE OR LESS;

46
47 (15) COUNTY INSPECTORS ARE PERMITTED ENTRY ONTO THE SITE OF THE
48 OPERATION DURING THE TIMES SET FORTH IN SUBSECTION (B)(8) OF THIS SECTION TO
49 ENSURE COMPLIANCE WITH:

50
51 *OK* (I) THE TERMS OF ANY SPECIAL EXCEPTION THAT MAY BE GRANTED AND THE
52 REQUIREMENTS OF THIS SUBSECTION: AND

53
54 (II) THE APPROVED EROSION AND SEDIMENT CONTROL PLAN;

55
56 *must show* (16) ALL SIGNIFICANT ARCHAEOLOGICAL SITES ARE IDENTIFIED AND PRESERVED
57 UNDER THE SUPERVISION OF THE OFFICE OF PLANNING AND ZONING;

58
59 *must show* (17) THE FOLLOWING FIRE PROTECTION MEASURES ARE UNDERTAKEN:

60
61 (I) RUBBLE MAY NOT BE BURNED;

(II) FIRE BREAKS AT LEAST THREE FEET WIDE BETWEEN FILL TRENCHES AND CELLS OR ALTERNATE METHODS APPROVED BY THE COUNTY ARE PROVIDED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND;

(IV) THE FOLLOWING ARE PROVIDED, AS APPROVED BY THE COUNTY FIRE MARSHAL:

1. AN ADEQUATE SUPPLY OF WATER AVAILABLE AT THE SITE;

2. A STOCKPILE OF COVER MATERIAL MAINTAINED REASONABLY CLOSE TO THE WORKING FACE OF THE FILL AND;

3. ANY OTHER MEANS AND DEVICES AGREEABLE TO THE COUNTY FIRE MARSHAL;

(18) WITHIN 30 DAYS BEFORE COMMENCEMENT OF THE OPERATION AND AT LEAST ANNUALLY THEREAFTER, TESTING AS APPROVED BY THE HEALTH DEPARTMENT, IS UNDERTAKEN TO ENSURE THAT THE OPERATION DOES NOT AFFECT DRINKING WATER OR GROUNDWATER OF PROPERTIES CONTIGUOUS TO THE OPERATION;

(19) A PERMANENT LEGIBLE SIGN APPROVED BY THE OFFICE OF PLANNING AND ZONING MEASURING AT LEAST FOUR FEET BY EIGHT FEET AND INDICATING THE PROPERTY HAS BEEN APPROVED FOR A SANITARY LANDFILL OPERATED SOLELY FOR THE DISPOSAL OF RUBBLE IS ERECTED AND MAINTAINED ALONG EACH ABUTTING ROAD AND AT EACH ENTRANCE TO THE OPERATION;

(20) ACCESS TO THE OPERATION IS PROVIDED FROM A COLLECTOR ROAD, AN ARTERIAL ROAD, OR A MAJOR HIGHWAY;

(21) THE OPERATION USES THE BEST AVAILABLE MEANS, INCLUDING THE INSTALLATION OF A WHEEL WASHER OR SIMILAR DEVICE, TO CONTAIN DUST AND DIRT WITHIN THE SITE IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN; AND

(22) THE OPERATION MAINTAINS RECORDS SPECIFYING THE TYPE AND AMOUNT OF MATERIAL DEPOSITED AND ITS PLACE OF ORIGIN FOR EACH TRUCKLOAD, SUCH RECORDS TO BE AVAILABLE FOR INSPECTION BY THE COUNTY.

(C) THE TERM OF A SPECIAL EXCEPTION FOR A SANITARY LANDFILL OPERATED SOLELY FOR THE DISPOSAL OF RUBBLE SHALL BE CONCURRENT WITH A PERMIT OR ANY EXTENSION OF A PERMIT FOR THE OPERATION THAT IS ISSUED BY THE STATE.

SECTION 3. And be it further enacted, That each sanitary landfill operation, including a rubble landfill, operated solely for the disposal of rubble that received a special exception for a sanitary landfill, including a rubble landfill, before January 19, 1993 shall be discontinued not later than January 19, 1998 unless the operation is:

1. in compliance with the criteria set forth in Bill No. 12-93;

2. subject to a closure agreement or inspection agreement with the County; or

3. subject to a community benefit agreement entered into with the County that, in the opinion of the County Executive and the County Council, protects and benefits the County and the communities located near the operation.

SECTION 4. And be it further enacted, That during any phaseout period or the term of a community benefit agreement, closure agreement, or inspection agreement with the County, the operation shall be governed by the provisions of Bill No. 98-92.

1 SECTION 5. And be it further enacted, That any special exception for a sanitary
2 landfill, including a rubble landfill, operated solely for the disposal of rubble granted on or
3 after January 19, 1993 shall be governed by the provisions of Bill No. 12-93.
4

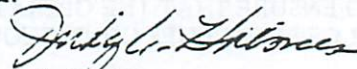
5 SECTION 6. And be it further enacted. That if any provision of this Ordinance or the
6 application thereof to any person or circumstance is held invalid for any reason in a court of
7 competent jurisdiction, the invalidity does not affect other provisions or any other
8 application of this Ordinance which can be given effect without the invalid provision or
9 application, and for this purpose the provisions of this Ordinance are declared severable.
10

11 SECTION 6. 7. And be it further enacted, That this Ordinance shall take effect 45 days
12 from the date it becomes law.

AMENDMENTS ADOPTED February 1, 1993

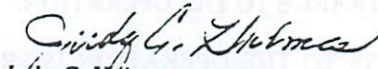
READ AND PASSED, as amended, this 17th day of February, 1993

By Order:



Judy C. Holmes
Administrative Officer

PRESENTED to the County Executive for his approval this 18th day of February, 1993



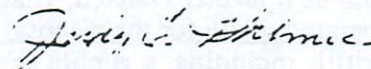
Judy C. Holmes
Administrative Officer

APPROVED AND ENACTED this 26th day of February, 1993



Robert R. Neall
County Executive

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 12-93, THE ORIGINAL OF WHICH IS RETAINED IN THE
FILES OF THE COUNTY COUNCIL.



Judy C. Holmes
Administrative Officer

APPLICANTS

JAMES IRE

MILT McCRESTEN

KENNETH FROMPTON

PROTESTANTS

BONITA TRUSDALE

EMILY IHRIG

JACK MEYER

RUSSELL MEYER

RICHARD KLINE / COMMUNITY ENVIRONMENTAL
DEFENSE SYSTEMS

RECEIVED

July 19, 1993

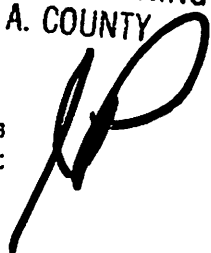
JUL 20 1993

TO: Lillian M. Griffith, District Manager
Anne Arundel Soil Conservation District

PLANNING & ZONING
A. A. COUNTY

FROM: John Peacock, Chief, Environmental Programs
Department of Planning and Code Enforcement

Subject: Chesapeake Terrace Rubble Landfill
Erosion & Sediment Control Plan Concept



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✓ Kevin Dooley
Board of Appeals