

2003-06

ANNE ARUNDEL COUNTY  
**RECEIVED**Forks of the Patuxent  
Improvement Association, Inc.

FEB 22 Rec'd

LAND USE &  
ENVIRONMENT OFFICE

Post Office Box 477, Odenton, Maryland 21113-0477

January 24, 2003

RECEIVED

FEB 24 2003

County Executive Office

Honorable Governor Robert L. Ehrlich, Jr.  
State House  
100 State Circle  
Annapolis, Maryland 21401

Re: Maryland Commission on Environmental Justice/Proposed Chesapeake Terrace  
Rubble Landfill

Dear Governor Ehrlich:

In 1990, the Halle Companies, on behalf of its wholly-owned enterprise, Chesapeake Terrace, filed two special exception requests in Anne Arundel (AA) County, Maryland. The special exception applications were for surface mining and to operate a rubble landfill. The AA County Administrative Hearing Officer subsequently denied both special exceptions.

The applicant appealed the decision to the AA County Board of Appeals. During the appeal hearing, AA County and the following three non-profit civic organizations opposed the rubble landfill's special exceptions:

- Forks of the Patuxent Improvement Association, Inc.
- Greater Odenton Improvement Association, Inc.
- Greater Crofton Council

Over the next 7 years, this case continued in litigation with AA County. In March 1997, AA County was ordered, by Judge Clayton Greene, Jr., to include Mr. Halle in the AA County 10-year Solid Waste Management Plan (SWMP). Again, the case continued in litigation. Finally, in late spring of last year, AA County, under order, notified the Maryland Department of the Environment (MDE) that the applicant was in conformity with all requirements of the SWMP. The applicant then notified MDE that he wished to continue the process of obtaining the necessary permits for his landfill.

In addition to the County having clear legal issues with the applicant, the three community associations are in opposition based on the fact that this part of Anne Arundel County has already seen more than its share of landfills. Also, it has not been proven that there is a "NEED" for yet another landfill in our immediate area.

Recently, we realized an even more critical reason to oppose this landfill. That being the fact that this landfill immediately impacts a minority community. On March 9, 2001, former Governor Parris Glendening signed an Executive Order establishing the Maryland Commission on Environmental Justice and Sustainable Communities (CEJSC), affirming the State of Maryland's commitment to protect communities disproportionately burdened by environmentally-damaging projects. We consider this proposed landfill to be environmentally-damaging to a particular part of the Forks of the Patuxent.

This community "lacks the political power and resources to fight decisions that threaten their health and quality of life," as stated in the former governor's Executive Order. This proposed landfill will negatively impact the residents' health and quality of life.

The Commission has been working diligently, per the former Governor's instructions, on this matter. We hope that you will continue to follow through on the work done by the Commission under this order.

We congratulate you on your election as our new governor and ask for your help in:

1. Opposing this proposed landfill.
2. Initiation of an investigation into the legal rights of these residents based on the regulations defined in your executive order.
3. A meeting with you concerning this matter.

To date, the applicant of that proposed landfill has applied for permits with the Maryland Department of the Environment (MDE). The permitting process is a five-phase process (Enclosure 1). Phase I is now complete. Phase II (a geological and hydrological site-specific investigation of the property) is in progress and awaiting several issues to be addressed by the applicant.

Our opposition is based on several reasons. One major reason, which the County Law Office agrees with, is the fact that it has never been proven that there is a "NEED" for yet another landfill in our immediate area. This part of Anne Arundel County already has more than its share of landfills. There are 1 proposed, 1 active, and 5 inactive landfills. How many more are we going to have forced on us? Our environment and health are taking an enormous toll because of all the contamination that is being placed in the ground.

Secondly, and most importantly, this landfill severely impacts one particular part of the Forks which is an African American minority community referred to as Wilsontown. In addition, it threatens St. Johns A.M.E. Zion Church which has a historical background.

Enclosures 2 and 3 of this letter consist of two fact sheets and Enclosure 4 is a chronology of legal events for the proposed Chesapeake Terrace Landfill.

Enclosure 5 is a petition of over 1,000 signatures collected to date of registered voters and residents of this immediate area who are opposed to the issuance of an MDE permit. These signatures are to be guarded with the strictest confidentiality and not to be used as a mailing list by anyone. Copies of these signatures are available upon request to any County or State Official who may need them in support of our case.

For additional information on this issue, please visit our website [www.stopodentonlandfill.com](http://www.stopodentonlandfill.com) which gives detailed information on this proposed landfill.



If you have any questions regarding our requests and/or would like to schedule the meeting, please contact Cathy Fleshman during the day at 301-286-7720 (w) or evenings at 410-721-5181.

Sincerely,

"Original Signed By"

Russell Meyer  
President

cc:

Lt. Governor Michael S. Steele w/o enc 5  
Mr. Richard Collins, MDE w/o encs  
Mr. Kassa Kebede, Project Geologist/MDE w/o encs  
Dr. Andrew Sawyer w/o encs  
County Executive Janet Owens w/o encs  
Ms. Linda Schuett, AA Co. Office of Law w/o encs  
Senator Janet Greenip w/o encs  
Congressman Ben Cardin w/o encs  
Senator Barbara Mikulski w/o encs  
Senator Paul Sarbanes w/o encs  
Delegate David Boschert, District 33 w/o encs  
Councilman Bill Burlison, 4<sup>th</sup> District w/o encs  
Mr. Clemon Wesley, RESPECT Foundation w/o encs  
Mr. Macy Nelson, Equire w/o encs  
Mr. Richard Klein w/o encs