

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

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2005-08

Robert L. Ehrlich, Jr.
GovernorKendl P. Philbrick
SecretaryMichael S. Steele
Lt. Governor

October 27, 2005

Jonas A. Jacobson
Deputy Secretary

Ms. Susan Diffenderfer *Schappert*
Office of Planning and Zoning
Anne Arundel County Government
2664 Riva Road, MS 7255
Annapolis MD 21401

Dear Ms. Diffenderfer: *Schappert*

This letter is to provide an update on the status of the State application for a Refuse Disposal Permit for the proposed Chesapeake Terrace Rubble Landfill. Susanne K. Henley, Esquire, has asked that we apprise you of the current status of this application.

* At present, this is an active application that is currently in Phase III of our application review process. The permit process for rubble landfills generally consumes up to 36 months total of Departmental review time, but this is often extended by external factors such as local approval processes and appeals, as have already occurred in this instance. Phase III includes the submission of detailed engineering design plans, construction specifications, and operating procedures for the construction and operation of the proposed landfill. We are currently in the process of reviewing the initial Phase III submittal.

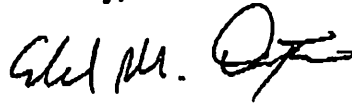
Phase III is generally an iterative process which could be satisfied by the submittal presently under review, but which usually requires some redrafting, resubmittal and re-review of documents. Although our review is not yet complete, at this time it appears that some additional work on the Phase III will be required. Once the applicant satisfactorily responds to these comments, we would hold a public hearing and reach a final determination concerning the issuance of the permit, which is also subject to an appeals process.

* We cannot predict the amount of time that the remaining permit process will take to a definitive degree. Although it is possible that the applicant could complete the process in a few months, it is likely to take up to a year or longer, depending on events outside of the Department's control, before a final determination is rendered in this case. Due to the attention given this site by local residents, we consider it likely that any final determination reached by the Department would be subject to administrative appeal regardless of the outcome, which could add an additional year to the Department's application process.

Ms. Susan Diffenderfer
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I hope this meets your needs. Questions concerning this matter may be directed to me at (410) 537-3318, or via "email" at edexter@mde.state.md.us.

Sincerely,



Edward M. Dexter, Administrator
Solid Waste Program

EMD:EMD:lak

cc: Steven Fleischman, Esquire
Susan K. Henley, Esquire
Mr. Horacio Tablada
Terrilyn Brooks, Esquire