



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, BALTIMORE DISTRICT
ATTN: REGULATORY BRANCH
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201-2930

February 16, 2023

Operations Division

Mr. Edward P. Riehl
1534 Yellow Sand Lane
Odenton, Maryland 21113

Mr. E. William Radlinski
1471 Catbriar Way
Odenton, Maryland 21113

Ms. Elizabeth M. Flood, Esq.
3029 Turnstile Lane
Odenton, Maryland 21113

Dear Mr. Riehl, Mr. Radlinski, and Ms. Flood:

This is in reference to your letter dated January 5, 2023, to Ms. Francine Diggs, United States Army Corps of Engineers, Baltimore District, Office of Counsel, referencing Department of the Army (DA) permit NAB-1991-01204-M07 (Chesapeake Terrace Rubble Landfill), located adjacent to the Little Patuxent River on Patuxent Road, Odenton, Anne Arundel County, Maryland. The Office of Counsel requested that the Regulatory Branch respond to your letter.

The subject DA permit was originally issued in 1993 and reissued in 2008. The permit expiration date was extended in 2013, 2019, and 2022. The Maryland Department of Environment Section 401 water quality certification has been issued and is valid. At this point, the Corps has determined that there is no additional information that warrants a reevaluation of the DA permit. Further, in accordance with 33 CFR Part 325 Appendix A - Permit Form and Special Conditions, the determination of this office is that issuance of this permit is not contrary to the public interest and was made in reliance on the information provided by the applicant. The Corps permitted nontidal wetland fill in waters of the United States with associated impacts and compensatory mitigation in accordance with Corps regulations at 33 CFR Part 325. The subject Corps permit expires on December 31, 2028.

The 2019 Corps extension letter stated that no additional extensions will be considered. This statement was included in the extension letter based on the Corps expecting the litigation to be resolved. However, since the litigation remained ongoing in 2022, we determined that it was reasonable to extend the DA permit.

Lastly, please note that the Corps permit does not obviate the need to obtain other federal, state, or local authorizations required by law. We understand that the Maryland Department of Environment Land and Materials Administration has a state permit under evaluation for the landfill proposal.

If you have any questions concerning this matter, please contact Ms. Maria N. Teresi, of this office, at 410.962.4501 or via email at maria.teresi@usace.army.mil.

Sincerely,

Joseph P. DaVia
Chief, Maryland North Section
Regulatory Branch

To identify how we can better serve you, we need your help. Please take the time to fill out our customer service survey at: <https://regulatory.ops.usace.army.mil/customer-service-survey/>