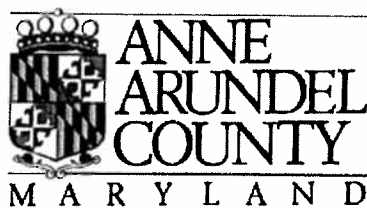


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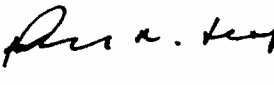


Office of the County Executive John R. Leopold

Inter-Office Correspondence

December 29, 2010

To: Robert Loomis, Acting Director, Inspections and Permits
George Eberle, Assistant Director, Inspections and Permits

From: John R. Leopold, County Executive 

CC: Doug Hart, Acting Health Officer

Subject: Waugh Chapel Grading Permit

I have recently had the opportunity to read a document entitled *Assessment of Contamination and Remediation at the Fly Ash Disposal Site, Gambrills, MD*, dated December 10, 2010 and prepared by Dr. Edward Bouwer, Abel Wolman Professor of Environmental Engineering Department Chair, Geography and Environment Engineering, Johns Hopkins University. A copy is attached for your information and review.

It is my understanding that grading permits have been issued for the referenced site which is also a site where Fly Ash has been used as fill. The report cited above gives me significant concerns about how the work at this site might affect the public health and general welfare in later years. However, I am advised that the county does not have adequate authority nor cause to issue a stop work order as all work under those permits is currently in compliance with relevant regulations.

Nevertheless, my concerns are such that I find it appropriate to ask that your department conduct the necessary reviews to ensure that the placement and handling of Fly Ash on this site is consistent with the terms and conditions of the Declaration of Restrictive Covenants, entered into by and between the Maryland Department of the Environment, BBSS, Inc. and Constellation Power Source Generation, Inc.. A copy of that Declaration is also attached hereto for your information and review.

The need to do all that can be done to protect and safeguard the public health from the harmful effects of the placement of fly ash in Anne Arundel County cannot be overstated.