

State may OK Crofton rubble landfill

Hearing set for Aug. 18 at Crofton Elementary

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An old sand and gravel mine in Crofton is one step away from being turned into a landfill.

The Maryland Department of the Environment has made a tentative decision to issue a permit to Tolson and Associates to operate a rubble landfill at the mine off Capitol Raceway Road.

Before the permit is issued, a public hearing will be held next week.

As a rubble landfill, the project will accept construction and demolition debris such as steel, concrete, drywall, pipes, wires, roof tiles, dirt, tree stumps and brush.

The 72-acre landfill wouldn't accept regular trash such as food. It also wouldn't take in hazardous, radioactive, industrial or medical waste; nor would it accept fly ash, a byproduct of burning coal to make electricity that tainted wells in the area after it leaked from another landfill.

"It is not municipal solid waste. It is not hazardous waste. It is from construction and demolition," said Anthony Gorski, an Annapolis-based attorney for Tolson and Associates.

The site off Route 3 has spurred concerns from neighbors before.

The property is owned by James Cunningham of Cunningham Excavating, which mined sand and gravel there until the late 1990s.

Cunningham wanted to fill in the mined area with an expansion of an existing landfill on his property. The state refused to issue him a permit in 2000, citing a series of environmental violations at his landfill and mine operations.

So an associate, William Tolson, stepped in with a new - but similar - rubble landfill plan. The company Tolson and Associates includes Tolson, Cunningham's children and investors, according to Gorski.

During a public hearing on that landfill proposal in 2004, neighbors cried foul, saying Tolson was too close to Cunningham. They worried Tolson was just a front for Cunningham.

Gorski said Cunningham is not involved in the new landfill - although he acknowledged "most

people don't like that kind of an explanation."

Gorski said Cunningham is busy with a business sponsoring race car drivers. His daughter runs the nearby racetrack.

"The last thing he's thinking about at 75 is trash," Gorski said.

Cunningham wants the mine to be filled in so he can move forward with a final project on the site - possibly a golf course or ballfields, as buildings wouldn't be allowed, Gorski said.

Many of the concerns in 2004 were voiced by residents of the Courts of Four Seasons neighborhood in Gambrills. Some homes in the Courts of Four Seasons abut Cunningham's properties.

Officials with the Courts of Four Seasons Homeowners Association couldn't immediately be reached.

The landfill project quietly disappeared from public view after the contentious public meeting in 2004.

But according to MDE, the intervening years have included reports on hydrology, geology and groundwater monitoring data.

Securing a landfill permit is one of the most lengthy endeavours at MDE, with an average turnaround time of three years.

The landfill would have a liner and a system to collect and dispose of leachate from the landfill. Older rubble landfills were not required to have liners, but the state law was changed several years ago.

The state permit would be valid for five years. The landfill is projected to have a life of 15 to 19 years, so Tolson would have to get the permit renewed to keep operating.

At next week's hearing, MDE officials will solicit comments on the landfill permit.

The agency will review comments, respond to them and then make a final decision on the permit. The final decision could take six months to a year, said Jay Apperson, an MDE spokesman.

"We will be carefully reviewing everything," he said.

The Maryland Department of the Environment public hearing will be held at 6 p.m. Aug. 18 at Crofton Elementary School, 1405 Duke of Kent Drive. Information about the landfill proposal is posted at <http://tinyurl.com/MDESolidWaste>.