

MARYLAND DEPARTMENT OF THE ENVIRONMENT
Land & Materials Administration
Notice of Final Determination

In accordance with Sections 1-604 and 1-605 of the Environment Article, Annotated Code of Maryland, the Maryland Department of the Environment (MDE) has made a Final Determination to deny the Refuse Disposal Permit Application for the Chesapeake Terrace Rubble Landfill to be located along Patuxent Road in Odenton, Anne Arundel County, Maryland. This Final Determination is pursuant to an application made by National Waste Managers, Inc. and received by MDE on December 20, 1988, in accordance with Section 9-204 of the Environment Article, Annotated Code of Maryland, and other pertinent sections under that subtitle.

Having found the application to be technically complete and in compliance with the applicable State laws and regulations, the Department published notice of its Tentative Determination on January 25, 2023 and February 1, 2023 in *The Capital and Maryland Gazette* newspapers. The Final Determination is based upon the review of the permit application and supporting documents submitted by the applicant, and upon testimony and evidence presented at the public hearing held on February 23, 2023. Pursuant to Section 9-212.1(2) of the Environment Article, Annotated Code of Maryland, MDE is denying the application as the operation of a sanitary landfill system would harm public health. The proposed East Entrance from Conway Road constitutes a risk to public health due to its proximity to the recently constructed Two Rivers Elementary School (formerly West County Elementary School) and its intersection with the WB&A Trail.

The Department's Final Determination and supporting documents will be available for public review at the Odenton Branch of the Anne Arundel Public Library System located at 1325 Annapolis Road, Odenton, Maryland 21113 and at the Department by appointment after November 6, 2024. Any person adversely affected by this Final Determination may file a petition for judicial review, provided that person: 1) meets the threshold standing requirements under federal law; and 2) is the applicant or participated in a public participation process through the submission of written or oral comments. Petitions for judicial review of a Final Determination or permit decision subject to judicial review must be filed in accordance with Section 1-605 of the Environment Article, Annotated Code of Maryland, within 30 days after publication of a notice of final determination and must be filed in a circuit court in Maryland. Petitions for judicial review must conform to the applicable Maryland Rules of Civil Procedure. Failure to file a petition for judicial review within 30 days after publication of a notice of final determination will constitute a waiver of any right to a judicial review of this Final Determination.

For further information regarding this notice or to schedule an appointment to review the Department's Final Determination or permit application, please contact Mr. Samuel Ogbogu at (410) 537-3315.